UNIVERSITY
OF CENTRAL ASIA

IDENTIFYING CIVIL SOCIETY

AGA KHAN HUMANITIES PROJECT

UNIVERSITY
OF CENTRAL ASIA

IDENTIFYING CIVIL SOCIETY

AGA KHAN HUMANITIES PROJECT

Bishkek - Dushanbe - Almaty

2011

ББК 67.410+60.55
I - 60

CONTRIBUTORS TO CURRICULUM DEVELOPMENT

Rafique Keshavjee, *Anthropology (USA)*
Shiraz Allibhai, *Architecture (USA)*
Kamol Abdullaev, *History (Tajikistan)*
Munira Ahtamova, *Philosophy (Tajikistan)*
Amriyazdon Alimardonov, *Oriental Studies (Tajikistan)*
Abdurahman Alymbaev, *Literature (Kyrgyzstan)*
Brian Averbush, *Near Eastern Languages and Civilisations (USA)*
Nurmagambet Ayupov, *Philosophy (Kazakhstan)*
Norma Jo Baker, *Social and Political Thought (USA)*
William Beeman, *Anthropology (USA)*
Komil Bekzoda, *Philosophy (Tajikistan)*
Gulmira Bilyalova, *Philosophy, Religion (Kazakhstan)*
Muso Dinorshoev, *Consultant, Philosophy (Tajikistan)*
Jyldyz Doolbekova, *Political Sciences (Kyrgyzstan)*
Hamza Elboev, *Cultural Studies (Tajikistan)*
Mohira Faizullaeva, *Political Sciences (Tajikistan)*
Abdurahim Juraev, *Cultural Studies (Tajikistan)*
Sunatullo Jonboboev, *Philosophy (Tajikistan)*
Max Hamon, *History (Canada)*
Michael Hall, *Islamic Studies (USA)*
Khayriddin Idiev, *Social Sciences (Tajikistan)*
Sharofiddin Imomov, *History and International Relations (Tajikistan)*
Victoria Ivanenko, *English Language Teacher (Tajikistan)*
Kurbon Giyoev, *Social Sciences (Tajikistan)*
Sakina Karmaly, *Ethics (UK)*
Nataliya Khafizova, *Political Sciences (Tajikistan)*
Obidkhon Kurbonkhonov, *Sociology (Tajikistan)*
Olga Parinova, *Phylology (Tajikistan)*
Yasmin Lodi, *Political Philosophy (India)*
Annamaria Kiss, *Social Anthropology (Hungary)*
Merdan Khalilov, *Economics and Busyness (Turkmenistan)*
Firuza Mahmadjanova, *Philosophy (Tajikistan)*
Ahmadjan Mahmadkhajaev, *Philosophy (Sufism) (Tajikistan)*
Mejuev Vadim Mikhailovich, *Consultant, Cultural Studies (Russia)*
Akmal Mirshakar, *Art - Painting (Tajikistan)*
Muhammad Ali Muzaffar, *Anthropology and Psychology (Tajikistan)*
Svetlana Mahkamova, *Literature (Tajikistan)*
Sharofat Mamadambarova, *Literature and Assessment (Tajikistan)*
Stepanyantc Marietta, *Consultant, Eastern Philosophical Traditions (Russia)*
Akram Mukhamatkulov, *Political Sciences (Uzbekistan)*
Zayniddin Nabotov, *Theology (Tajikistan)*
Ramazan Nazariev, *History of Philosophy (Tajikistan)*
Sharon Powel, *International Education (USA)*
Lola Pulatova, *Art - Music (Tajikistan)*
Muhsin Rahimov, *Philosophy and Psychology (Tajikistan)*
Sadullo Rahimov, *Cinema (Tajikistan)*
Muhabbatshoh Ruzadorov, *Sociology (Tajikistan)*
Madiso Sa'dullaev, *Philosophy (Tajikistan)*
Abdulvahid Shamolov, *Philosophy (Tajikistan)*
Shonazar Shoismatulloev, *Sociology (Tajikistan)*
Alexandra Spektor, *Philology (Tajikistan)*
Mekhmansho Sharipov, *Islamic Studies (Tajikistan)*
Pulat Shozimov, *Social Sciences (Tajikistan)*
Eraj Sodatsairov, *Political Sciences (Tajikistan)*
Joomart Sulaimanov, *Philosophy and Ecology (Kyrgyzstan)*
Sanjarbek Tajimatov, *Ethnology (Kyrgyzstan)*
Chad Thompson, *Social and Political Thought (Canada)*
John O'connell, *Musicology (UK)*
Karomatullo Olimov, *Eastern Philosophical Traditions (Tajikistan)*
Firuza Tursun-Zadeh, *Aesthetics (Tajikistan)*
Olimsho Vatanshoev, *International Educational Development (Tajikistan)*
Khurshed Ziyoev, *Sufism (Tajikistan)*
Samira Rakhimova, *Human Rights (Tajikistan)*
Mavjigul Dushanbieva, *Cultural Anthropology (Tajikistan)*
Ibodov Mahmadullo, *Philosophy (Tajikistan)*
Marifat Alifbekova, *Education (Tajikistan)*
Ajamsho Kalonov, *Political Sciences (Tajikistan)*

Front cover: 'Singing' 2007, Niyozaliev Timur,
Designed by Mikhail Romanyuk, Mansur Khojiboboev, Amir Isaev

The support of the Aga Khan Trust for Culture is gratefully acknowledged.

The responsibility for opinions expressed in this book rests solely with their authors, and publication does not constitute an endorsement by the University of Central Asia of the opinions expressed by them.

No part of this publication may be reproduced, stored in a retrieval system or transmitted by any other means without prior permission of the copyright holder

ISBN 978-99947-829-6-3
© UCA-AKHP

PREFACE

Central Asia is undergoing profound cultural changes with new foundations for identity emerging as the recently independent states face broader economic and political challenges. Central Asians are reaching into their past for inspiration and seek assistance in drawing upon the rich traditions of their societies to anchor a new system of values. Responding to a widely felt need by educationalists for initiatives to foster to a deeper understanding of ethical issues and the moral choices facing society, the Aga Khan Trust for Culture established the Aga Khan Humanities Project (AKHP) in 1997. In 2007 AKHP became part of the University of Central Asia (UCA). UCA was founded as an international educational organization in 2000 by the Republic of Kazakhstan, the Kyrgyz Republic, the Republic of Tajikistan, and His Highness the Aga Khan.

AKHP promotes pluralism in ideas, cultures, and peoples by initiating and supporting the creation and implementation of an interdisciplinary undergraduate humanities curriculum, pedagogical and professional development of faculty in Central Asian universities and community outreach projects. AKHP builds bridges across communities in the region and helps Central Asians explore and share their traditions and establish links with the outside world.

An appreciation and understanding of the breadth of their cultural heritage will enable the people of Central Asia to identify those aspects that can help them adjust to rapid change. Central Asia has interacted with many different cultures, including Buddhist, Chinese, Greek, Indian, Iranian, Islamic, Jewish, Mongol, Russian, Turkic and Zoroastrian. In addition, the impact of the more recent Soviet experience on shaping values and identities should not be underestimated. In all cases students are encouraged to develop the skills of critical thinking to help them understand the diversity within each culture and the similarities between different cultures.

Educators at partner universities in Kazakhstan, Kyrgyzstan, and Tajikistan have been trained to teach AKHP courses, assess curriculum materials, co-ordinate student projects, and conduct further teacher training. Students explore a variety of media and genres through divergent classroom techniques, designed to promote active learning, encouraging students to come to their own critical and insightful understanding of key issues.

The curriculum material has been developed, tested and revised over a period of ten years. Such piloting took place within Central Asian classrooms at AKHP's partner universities, where intensive training in student-centred learning was provided. The material was subsequently reviewed by two external committees of international scholars. Based on this input, final editorial revisions were completed in 2008.

The final version of the eight courses that comprise the AKHP curriculum will move beyond the AKHP partner universities and are flexible enough to be utilised in a variety of settings including secondary schools where the pilot testing has already commenced. Each institution has its own needs and expectations, and instructors are encouraged to adapt the materials contained within these courses to their own particular classrooms and the needs of their own students. Such creative adaptation to specific needs forms the basis of a critical education, and is a key step in encouraging Central Asian teachers and students to respond to the needs of their own region.

TABLE OF CONTENTS

Preface 3

CHAPTER ONE: FOUNDATIONS OF CIVIL SOCIETY 7

Case Study:
The Bhagavad Gita 9

Texts:
Confucius: Analects 23
Ibn Khaldun: The Muqaddimah 35
John Locke: The Second Treatise of Civil Government 49
Georg Wilhelm Friedrich Hegel: Philosophy of Right 57
Karl Marx/Friedrich Engels: The German Ideology 71

CHAPTER TWO: CIVIL SOCIETY AND RELIGION 83

Case Study:
Tayeb Salih: The Doum Tree of Wad Hamid 85

Texts:
St. Augustine of Hippo: The City of God 95
Al-Hasan Ibn Musa an-Nawbakhti: Shi'ite Sects 107
Martin Buber: The Way of Man 113
Andrew White: The Role of the Islamic Waqf 121

CHAPTER THREE: CIVIL SOCIETY ACROSS CULTURES 137

Case Study:
The Quail King and the Hunter 139

Text:s:
George Yong-Boon Yeo: Special Lecture 141
Ahmad Donish: Essay on the Organization of Civilization and Cooperation 147
Ismail Bey Gasprinskii: First Steps towards Civilizing the Russian Muslims 153
Prof. Dr. Werner Schiffauer: The Civil Society and the Outsider 159

CHAPTER FOUR: CRITIQUE OF CIVIL SOCIETY 169

Case Study:
Saira Shah: The Storyteller's daughter 171

Texts:
Antonio Gramsci: The Intellectuals 179
Slavoj Žižek: Eastern Europe's Republics of Gilead 187
Ernest Gellner: Conditions Of Liberty 199

CHAPTER FIVE: CIVIL SOCIETY AND GENDER 209

Case Study:
Nadia Sonneveld: If Only There Was Khul'… 211

Texts:
The Code of Hammurabi 217
Ziba Mir-Hosseini: Debating Women 225
Jean Bethke Elshtain: Feminism, Family, and Community 241
Christine De Pizan: The Book of the City of Ladies 251
Julie Hemment: Global Civil Society and the Local Costs of Belonging 255

CHAPTER SIX: MODERN INQUIRES INTO CIVIL SOCIETY 273

Case Study:
Henrik Ibsen: An Enemy of the People 275

Texts:
His Highness the Aga Khan: Cosmopolitan Society (speech) 285
Lee M. Habasonda: The Military, Civil Society and Democracy in Zambia 291
Muhammad Arkoun: The Rule of Law and Civil Society in Muslim Contexts 303
Olivier Roy: Soviet Legacies and Western Aid Imperatives in the New Central Asia 309
Paul Waley: Ruining and Restoring Rivers 325

INTRODUCTION

Identifying civil society, exploring its roots in history, literature, religion and society is a need that has been felt more in the late twentieth and early twenty-first centuries than at any other time in human history. This need to identify, establish and root civil society in every modern state is being met by scholars, politicians, professionals, and citizens as well as students. Through reading this book and enrolling in the course, the readers are invited to partake of this international venture that has become a paramount concern of our times. The readers might want to examine how and why the idea of civil society and its development has gained such significance now.

The readings offered in this book will examine the concept of civil society, the alternatives to it, and the value that humanity sees in it. Some of the questions that will be addressed are: What is civil society? What is the role of the military in a civil society? How has the concept of civil society evolved in recent human history? How is civil society related to religion? Can a theocracy be considered as one of the forms of civil society? Is private ownership of property compatible with civil society? Is respect for universal human rights the foundation for civil society? Can democracies alone sustain civil societies? Who decides the form of a civil society?

The readers need to examine the chapters and the discussions that address these questions in this book. Each chapter contains a carefully chosen text from the works of a major philosopher, professor, or writer on civil society. The material might be a little difficult at times, but readers are encouraged to persist, and they will be well rewarded for it. The readings are not in any chronological or systematic order. However, they are a careful selection of diverse ideas, concepts, and theories that have drawn a great deal of public interest, speculation, and debate. The writers offer a range of perspectives from the political right to the left, from theistic to atheistic, and from scholarly to literary.

Understanding that no single perspective answers all questions, the readers might want to merge several perspectives into one or more theories on civil society and assess the value of that combined theory. Alternatively, readers may want to come up with their own answers to these questions. Sometimes finding answers to difficult questions may not be the right thing to do, in which case readers are encouraged to develop their own questions. Developing good research questions is a skill in itself given the hermeneutic nature of most philosophical questions.

For instance, the term civil society begs the question: are there uncivil societies? Can a society have incivility as a building block? Should or can a people be "civilized" by force? Is political correctness a requirement of civil society or does it lead to a repressed society? Does gender imbalance impede the development of an authentic civil society? Why are there so few excerpts by women writers in this book? Have women writers failed to address the issue of civil society?

Thus, readers are encouraged to raise unthinkable questions or even reverse the questions. Such an exercise may yet yield insightful answers and ideas. Therefore, readers are urged to use the texts to provoke their own reflections on the concept of civil society, the selection of readings on civil society, and the current contexts of the development and interest in civil society.

CHAPTER ONE:
FOUNDATIONS OF CIVIL SOCIETY

INTRODUCTION

In tracing the foundations of civil society, one may go back as far as antiquity or as recent as just a century or two ago. In every era, we find literature that in one way or another speaks to us about the building blocks of civil society. They raise basic questions, such as why do individuals choose to live together and abide by common laws, rules, and organization in formal and informal structures. They seek answers to perennial questions on civil society, such as what are the main components of a civil society, or how can a civil society be established, or even how do you identify a civil society.

This chapter provides answers to some of these questions which led humanity to establish diverse civil societies. The readings remind us of the rich array of civil societies that have been developed over many centuries, be it Chinese, Indian, Islamic, Western, or Eastern. In traversing this vast geography, we find some common themes and issues that capture our attention, such as individual rights, duties, and responsibilities; self-control, obedience to law, and social conscience; and citizenship, volunteerism, and leadership. Additionally, the texts draw us to examine the nature of nomadic and sedentary cultures and the impact they have on individual or group dispositions.

While some writers might favor nomadic cultures over sedentary and vice versa, the perspectives they offer on the manner in which the social and the public good are to be valued and respected offer insights worthy of reflection and inspiration even in contemporary times. As humanity negotiates social conflicts, relationships, and communal living, civil society is inevitably established, supported, destroyed, and re-established. This almost cyclical process predictably draws public attention to it.

Especially in recent years, the concept of civil society has become a cynosure of politicians, scholars, and students. Consequently, the research into the foundations of civil society reveals the philosophical ideas which different cultures generated that became the founding values of civil societies in those cultures and societies. Since no two civil societies are exactly alike, they are not to be replicated, rather civil societies are established through day-to-day negotiations in communities and societies, and the public discourses within them.

For instance, Locke's discourse on conjugal society reveals the biological necessity that becomes the foundation of civil society. It forces us to reflect and to wonder if civil society, countries, and even the world as we know it are all a consequence of this biological necessity. Taking this idea to the extreme, one might consider the loss of the institution of nuclear and extended families as the end of civil society or civilization as we know it. Conservatives, certainly, warn us of it at every election in most countries. Conversely, liberals might argue that civil societies are constructs of individuals who all have to take responsibility for building and maintaining it.

Thus, this chapter offers a unique opportunity for contemplation and comprehension of the focal point of contemporary society.

THE BHAGAVAD GITA

There is no way to know the exact age of the Bhagavad Gita, or that of the larger work from which it is drawn, the Mahabharata. The latter work reached its present form between 300 B.C.E. and 200 C.E. The Mahabharata is the tale of an epic war between royal cousins. On the day of a decisive battle, Arjuna, the greatest warrior on one side, rides out in his chariot with his friend Krishna to survey the assembled armies. On the opposing side, he sees a great number of his kinsmen. Arjuna is horrified by the prospect that lies before him and refuses to fight. Krishna persuades Arjuna to fight his kith and kin: the Bhagavad Gita is that persuasion. The Bhagavad Gita begins because a man refuses to accept his destiny without question. Out of this refusal arises one of the world's most enduring pieces of classical poetry.

ONE OF THE IMAGES OF KRISHNA

ARJUNA'S DILEMMA, KRISHNA'S ANSWER

27. *Fathers-in-law and friends*
Standing there in either host.
And the son of Kunti, seeing them,
All his kinsmen thus **arrayed**,

28. *Was filled with deep compassion And,*
desponding, *spoke these words:*
'Krishna, when these mine own folk I see
Standing [before me], spoiling for the fight,

29. *My* **limbs** *give way [beneath me],*
My mouth dries up, and trembling
Takes hold upon my frame:
My body's hairs stand up [in dread].

30. *[My bow,] Gandiva, slips from my hand,*
My very skin is all **ablaze**;
I cannot stand, my mind
Seems to wander [all distraught].

31. *And* **portents** *too I see*
Boding naught but ill.
Should I strike down in battle mine own folk,
No good therein see I.

32. *Krishna, I* **hanker** *not for victory,*
Nor for the kingdom, nor yet for things of pleasure.

arrayed –
dressed in ceremonial attire and paraphernalia

desponding –
becoming disheartened or discouraged

limb –
one of the jointed appendages of an animal such as an arm, leg, wing, or flipper

ablaze –
on fire

portent –
sign of something about to happen

hanker –
to have a strong, often restless desire

What use to us a kingdom, friend,
What use enjoyment or life [itself]?

33. *Those for whose sake we* **covet**
Kingdom, delights and things of pleasure,
Here stand they, arrayed for battle,
Surrendering both wealth and life.

34. *They are our venerable teachers, fathers, sons,*
They too our grandsires, uncles,
Fathers-in-law, grandsons,
Brothers-in-law, kinsmen all;

35. *These would I* **nowise slay**
Though they slay [me], my friend,
Not for **dominion** *over the three [wide] worlds,*
How much less for [this **paltry***] earth.*

36. *And should we slaughter Dhritarastra's sons,*
Krishna, what sweetness then is ours?
Evil, and only evil, would come to **dwell** *with us,*
Should we slay them, hate us as they may.

37. *Therefore have we no right to kill*
The sons of Dhritarastra, our own kinsmen [as they are].
Should we lay low our own folk, Krishna,
How could we find any joy?

covet –
to desire something belonging to someone else

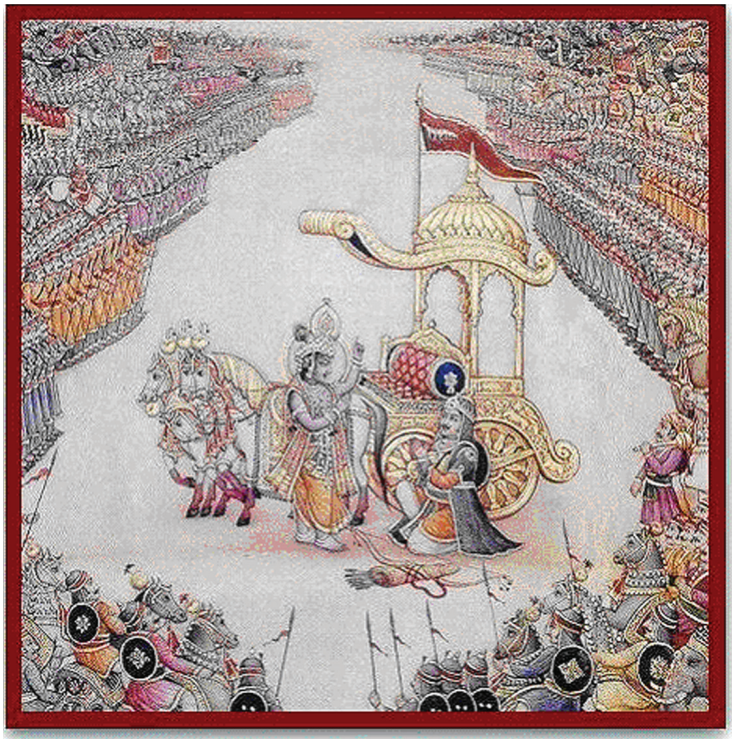
nowise –
in no way

slay –
to kill violently

dominion –
control or the exercise of control

paltry –
wretched or contemptible

dwell –
to live as a resident



KRISHNA SPEAKS TO ARJUNA

38. *And even if,* **bereft** *of sense by greed,*
They cannot see
That to ruin a family is wickedness (dosa)
And to break one's word a crime,

39. *How should we not be wise enough*
To turn aside from this evil thing?
For the **annihilation** *of a family*
we know full well is wickedness.

40. *Annihilate a family, and with it*
Collapse the eternal laws that rule the family.
Once law's destroyed, then lawlessness
Overwhelms all [we know as] family.

41. *With lawlessness* **triumphant**, *Krishna,*
The family's [chaste] women are **debauched**;
From debauchery of the women [too]
Confusion of caste is born.

42. *Yes, [caste-]confusion leads to hell –*
[The hell prepared] for those who **wreck**
The family and for the family [so wrecked].
So too their ancestors fall down [to hell],
Cheated of their offerings of food and drink.

43. *These evil ways of men who wreck the family,*
[These evil ways] that bring on caste-confusion,
[These are the ways] that bring caste-law to **naught**
and the **eternal** *family laws.*

44. *A sure* **abode** *in hell there is*
For men who bring to naught
The laws that rule the family:
So, Krishna, have we heard.

45. *Ah, ah: so are we [really] bent*
On committing a **monstrous** *evil deed?*
Coveting the sweet joys of sovereignty,
[Look at us,] all **poised** *to* **slaughter** *our own folk!*

bereft –
deprived of something

annihilation –
total destruction

triumphant –
exulting in success or victory

debauched –
unrestrained by convention or morality

wreck –
tear down

naught –
nonexistence

eternal –
lasting forever; existing outside of time

abode –
a dwelling place

monstrous –
exceptionally brutal or cruel

poised –
ready for action

slaughter –
to kill (people) in large numbers

46. O let the sons of Dhritarastra, arms in hand,
Slay me in battle, though I,
Unarmed myself, will offer no defense;
Therein were greater happiness for me!'

47. So saying Arjuna sat down
Upon the chariot-seat [though] battle [had begun],
***Let slip** his bow and arrows,*
*His mind **distraught** with grief.*

II

Sanjaya said:

*1. To him thus in compassion **plunged**,*
His eyes distraught and filled with tears,
[To him] desponding Krishna spake
These words.

The Blessed Lord said:

*2. Whence comes this **faintness** on thee?*
[Now] at this crisis-hour?
*This ill **beseems** a noble, wins none a heavenly state,*
But brings dishonor, Arjuna.

*2. Play not the **eunuch**, son of Prtha*
For this ill beseems thee:
*Give up this vile **faintheartedness**,*
*Arise, O **scorcher** of the **foe**.*

Arjuna said:

4. Krishna, how can I in battle
With Bhishma and Drona fight,
Raining on them my arrows?
For they are worthy of respect.

5. For better were it here on earth to eat a beggar's food
*Than to slay **preceptors** of great dignity.*
Were I to slay here my preceptors, ambitious though they may be,
*Then should I be partaking of blood-**sullied** food.*

6. Besides we do not know which is the better part,
Whether that we should win the victory or that they should conquer us.
There facing us stand Dhritarastra's sons:
Should we kill them, ourselves would scarce desire to live.

*7. My very being (svabhdva) is **assailed** by compassion's harmful **taint**.*
With mind perplexed concerning right and wrong (dharma)
[I turn] to thee and ask: Which is the better course?
Tell me, and [let thy words be] definite and clear;
For I am thy disciple: teach me, for all my trust's in thee.

let slip – let go; drop

distraught – deeply agitated

plunge – to fall or throw oneself into a substance or place

faintness – being without strength

beseem – to be appropriate

eunuch – castrated man employed as a harem attendant or as a functionary in certain Asian courts

faintheartedness – deficient in conviction or courage

scorcher – one who destroys (land and buildings) by or as if by fire so as to leave nothing salvageable to an enemy army

foe – an enemy in war

preceptor – one who gives commands, or makes rules

sullied – marred the cleanness or luster of; soiled or stained

assailed – attacked with or as if with violent blows; assaulted

taint – a moral defect considered as a stain or spot

8. *I cannot see what could dispel*
My grief, [this] **parching** *of the senses –*
Not though on earth I were to win an empire –
Unrivalled, prosperous, – or lordship over the gods themselves.

Sanjaya said:

9. *So speaking Arjuna, scorcher of the foe,*
To Krishna said:
'I will not fight':
And having spoken held his peace.

10. *And Krishna faintly smiled*
Between the armies twain,
And spoke these words to Arjuna
In his [deep] **despondency**.

The Blessed Lord said:

11. *Thou* **sorrowest** *for men who do not need thy sorrow,*
And **speakest** *words that [in part] are wise.*
Wise men know no sorrow
For the living or the dead.

12. *Never was there a time when I was not,*
Nor thou, nor yet these lords of men;
Nor will there be a time when we shall cease to be –
All of us hereafter.

13. *Just as in this body the embodied soul*
Must pass through childhood, youth and age,
So too [at death] will he take another body up:
In this a thoughtful man is not perplexed.

14. *But contacts with the world outside*
Give rise to heat and cold, pleasure and pain:
They come and go, **impermanent***;*
Arjuna, put up with them!

15. *For wise men there are,*
The same in pleasure as in pain
Whom these [contacts] leave undaunted:
Such are conformed to immortality.

parching –
burning; drying

despondency –
depression of spirits from loss of hope

sorrowest –
you feel or express grieving

speakest –
you speak

impermanent –
not lasting or durable

16. Of what is not, there is no becoming;
Of what is, there is no ceasing to be:
For the boundary-line between the two
Is seen by men who see things as they really are.

17. **Indestructible** *[alone] is that – know this –*
By which this whole [universe] was spun.
No one at all can bring destruction
On this which passes not away.

18. Finite, they say, are these [our] bodies
[Indwelt] by an eternal embodied soul –
[A soul] indestructible, **incommensurable***.*
Fight then, o **scion** *of Bharata!*

19. Who thinks that he can be a slayer,
Who thinks that he is slain,
Both these have no [right] knowledge:
He slays not, is not slain.

20. Never is he born nor dies;
Never did he come to be, nor will he ever come to be again:
Unborn, eternal, everlasting he – **primeval***:*
He is not slain when the body is slain.

21. If a man knows him as indestructible,
Eternal, unborn, never to pass away,
How and whom can he cause to be slain
Or slay?

22. As a man casts off his worn-out clothes
And takes on other new ones [in their place],
So does the embodied soul **cast off** *his worn-out bodies*
And enters others new.

23. He cannot be cut by sword,
Nor burnt by fire;
The waters cannot wet him,
Nor the wind dry him up.

24. Uncuttable, unburnable,
Unwettable, undryable
Is he – eternal, roving everywhere,
Firm-set, unmoving, everlasting.

25. Unmanifest, unthinkable,
Unchanging is he called:
So realise that he is thus
And put away thy useless grief.

indestructible – impossible to destroy

incommensurable – impossible to measure or compare

scion – a descendant or heir

primeval – belonging to the first or earliest ages

cast off – discard; reject

26. *And even if thou thinkst that he*
Is constantly [re-] born and constantly [re-] dies,
Even so, [my] strong-armed [friend],
Thou **lamentest** *him in vain.*

27. *For sure is the death of all that comes to birth,*
Sure the birth of all that dies.
So in a matter that no one can prevent
Thou hast no cause to grieve.

28. *Unmanifest are the beginnings of* **contingent** *beings,*
Manifest their middle course,
Unmanifest again their ends:
What cause for mourning here?

29. *By a rare privilege may someone behold him,*
And by a rare privilege indeed may another tell of him,
And by a rare privilege may such another hear him,
Yet even having heard there's none that knows him.

30. *Never can this embodied soul be slain*
In the body of anyone [at all].
And so for no contingent being
Hast thou *any cause for sorrow.*

31. *Likewise consider thine own (caste-)duty (dharma),*
Then too hast thou no cause to **quail***;*
For better than a fight prescribed by duty
Is nothing for a man of the princely class.

32. *Happy the warriors indeed*
Who become involved in war –
[A war] like this presented by pure chance
And opening the gates of paradise!

33. *But if* **thou wilt** *not wage this war –*
Prescribed by thy (caste-)duty,
Then, by casting off both honor and (caste-)duty,
Thou wilt bring evil on thyself.

lamentest –
regret deeply

contingent –
conditional

hast thou –
do you have

quail –
to feel or show that you are frightened

thou wilt –
you will

34. Yes, this thy dishonor will become a **byword**
In the mouths of men in ages yet to come;
And dishonor in a man well-trained to honor
[Is an ill] surpassing death.

35. 'From fear he fled the battlefield'
– So will they think, the mighty charioteers.
Greatly esteemed by them before,
Thou wilt bring upon thyself contempt.

36. Many a word that is better left unsaid
Will such men say as wish thee ill,
Disputing thy competence.
What could cause thee greater pain than this?

37. If thou art slain, thou winnest paradise;
And if thou gain the victory, thine the earth to enjoy.
Arise, then, son of Kunti,
Resolved to fight the fight.

38. [First learn to] treat pleasure and pain as things **equivalent***,*
Then profit and loss, victory and defeat;
Then **gird** *thyself for battle.*
Thus wilt thou bring no evil on thyself.

39. This wisdom (buddhi) has been revealed to thee in theory (samkhya);
Listen now to how it should be practiced (yoga):
If by this wisdom thou art exercised (yukta),
Thou wilt put off the **bondage inherent** *in [all] works (karma].*

40. Herein no effort goes to seed,
Nor is there any slipping back:
Even a little of this discipline (dharma)
Saves from the monstrous terror [of rebirth].

41. The essence of the soul (buddhi) is will (vyavasaya),
If it is single here [on earth]:
But many-branched and infinite
Are the souls of men devoid of will.

42. The essence of the soul is will
– [The soul] of men who cling to pleasure and to power,
Their minds **seduced** *by [flowery words],*
Are not equipped for **ecstasy** *(samddhi).*

43. Such men **give vent** *to flowery words,*
The fools,
Delighting in the **Veda's lore***,*
Saying there is **naught** *else.*

byword –
epithet; memorable saying

equivalent –
equal value, force, or meaning

gird –
to prepare for something difficult

bondage –
the state of being under the control of another; slavery

inherent –
existing as an essential constituent or characteristic

seduce –
lead astray; to tempt and lead to iniquity; to corrupt

ecstasy –
intense joy or delight

give vent –
give expression to

Veda –
the oldest and most authoritative Hindu sacred texts

lore –
accumulated facts, traditions, or beliefs about a particular subject

naught –
nothing

44. Desire their essence, paradise their goal –
[Their words] tell of [re-]birth as fruit of works,
Expatiate *about the niceties of ritual*
By which pleasure and power can be achieved.

45. [All nature is made up of] three **'constituents'** *(guna):*
These are the Veda's goal. Have done with them:
Have done with [all] dualities (dvandva), stand ever firm on Goodness;
Think not of gain or keeping the thing gained, but be thyself.

46. As much use as there is in a water-tank
Flooded with water on every side,
So much is there in all the Vedas
For the Brahman who **discerns**.

47. Work alone is thy proper business,
Never the fruits [it may produce];
Let not your motive be the fruit of work,
Nor your attachment to [mere] worklessness (akarma).

48. Stand fast in **Yoga**, **surrendering** *attachment;*
In success and failure be the same,
And then get busy with thy works.
Yoga means 'sameness' and 'indifference' (samatva).

49. For lower far is the [path of] active work [for its own sake]
Than the Yoga of the soul (buddhi).
Seek refuge in the soul!
[How] pitiful are they whose motive is the fruit [of works]!

50. **Whoso** *is integrated by [the Yoga of] the soul*
Discards both good and evil works;
Brace thyself (yuj-) then for [this] Yoga!
Yoga is skill in [performing] works.

51. For those wise men who are integrated by [the Yoga of] the soul,
Who have renounced the fruit that's born of works,
These will be freed from the bondage of [re-] birth
And fare on to that region that knows no ill.

expatiate –
to speak or write at length

constituent –
a component

discern –
to perceive with the eyes or intellect

Yoga –
a Hindu discipline aimed at training the consciousness for a state of perfect spiritual insight and tranquillity

surrendering –
to give up or abandon

whoso –
who; whoever

52. *When thy soul shall pass beyond*
Delusion's **turbid quicksands**,
Then wilt thou learn **disgust**
For what has been heard [ere now]
And for what may yet be heard.

53. *When once thy soul, by* **Scripture** *(sruti) once* **bewildered**,
Stands motionless and still,
Immovable in ecstasy,
Then **shalt** *thou win [the prize which is] Yoga, [integration].*

Arjuna said:

54. *[Tell me,] Krishna, what is the mark of the man of steady (sthita) wisdom,*
The man **immersed** *in ecstasy?*
How does he speak – this man of **steadied** *thought?*
How sit? How walk?

The Blessed Lord said:

55. *When a man puts from him all desires*
That prey upon the mind,
Himself (atmana) contented in the self alone,
Then is he called a man of steady wisdom.

56. *Whose mind is* **undismayed** *[though* **beset***] by [many a] sorrow,*
Who for pleasure has no further longing,
From whom [all] passion (raga), fear, and **wrath** *have fled,*
Such a man is called a **sage** *of steadied thought.*

57. *Who has no love (abhisneba) for any thing,*
Who rejoices not at whatever good befalls him,
Nor hates the bad that comes his way,
Firm-established is the wisdom of such a man.

58. *And when he draws in on every side*
His senses from their proper objects,
As a tortoise might its limbs,
Firm-established is the wisdom of such a man.

59. *For the embodied soul who eats no more*
Objects of sense must disappear –
Save only the [recollected] flavor – and that too
Must vanish at the vision of the Highest.

60. *And yet however much*
A wise man strive,
The senses' tearing violence
May seduce his mind by force.

turbid – heavy, dark, or dense, as smoke or fog

quicksand – a place or situation into which entry can be swift and sudden but from which extrication can be difficult or impossible

disgust – profound aversion or repugnance excited by something offensive

scripture – a sacred writing or book

bewildered – greatly perplexed

shalt – will, shall

immersed – deeply occupied

steadied – made steady or constant

undismayed – not made to be disappointed

beset – to attack from all sides

wrath – forceful, often vindictive anger

sage – wise person

61. *[Then] let him sit, curbing them all –*
Integrated (yukta) – intent on Me:
For firm-established is that man's wisdom
Whose senses are subdued.

62. *Let a man [but] think of the things of sense –*
Attachment to them is born:
From attachment springs desire,
From desire is anger born.

63. *From anger comes bewilderment*
From the **wandering** *of the mind (smrti),*
From this the destruction of the soul:
With soul destroyed the man is lost.

64. *But he who* **roves** *among the things of sense,*
His senses subdued to self, from hate and passion free,
And is self-possessed [himself],
Is not far off from calm **serenity** *(prasdda).*

65. *And from him thus* **becalmed**
All sorrows flee away:
For once his thoughts are calmed, then soon
Will his soul (buddhi) stand firmly [in its ground].

66. *No soul (buddhi) has he who knows not integration (ayukta);*
In him there's no development (bhdvana):
For the undeveloped there is no peace.
Whence should there be joy (sukha) to a peaceless man?

67. **Hither and thither** *the senses rove,*
And when the mind is **attuned** *to them,*
It sweeps away [whatever of] wisdom a man may possess,
As the wind a ship at sea.

68. *And so, whose senses are* **withheld**
From the objects proper to them,
Wherever they may be,
Firm-established is the wisdom of such a man.

69. *In what for all [other] folk is night,*
Therein the man of self-restraint is [wide-] awake.

wandering –
moving about freely

rove –
to move, or pass without certain direction in any manner

serenity –
peace; clearness and calmness

becalm –
to render motionless for lack of wind; to make calm or still

hither and thither –
here and there

attuned –
adjusted or accustomed to

withheld –
refrained from giving, granting, or permitting

What time all [other] folk are awake,
That time is night for the sage who sees.

70. *As the waters flow in to the sea,*
Full filled, unmoving in its depths,
So too do all desires flow into the [heart of] man:
And such a man wins peace – not the desirer of desires.

71. *The man who puts off all desires*
And **roams** *around from longing freed,*
Who does not even think, 'This I am', or 'This is mine',
Draws near to peace.

roam –
to move about without purpose or plan

perplexed –
full of confusion

Nirvana –
the state that transcends the cycle of reincarnation characterised by the end of desire, suffering and individual consciousness

72. *This is the fixed, still state (sthiti) of Brahman;*
He who wins through to this is nevermore **perplexed**.
Standing therein at the time of death
To the **Nirvana** *that is Brahman too he goes!*

SOURCE http://www.bhagavad-gita.org/Gita/verse-01-34.html

DISCUSSION QUESTIONS:

1. What reasons does Arjuna give for refusing to fight? Of these reasons, which ones do you sympathize with most, if any? Were you surprised at any of his reasons? If so, explain why?
2. In verses 40-44, Arjuna makes a series of statements about caste. What can his statements tell us about his assumptions regarding this subject? What do you know about the caste system in India? What do you think of Arjuna's reasoning?
3. At another point (verses 34-35), Arjuna says that he would rather be slain himself than to slay his teachers and relatives. Why only teachers and relatives? Can you think of any other philosophical or religious point of view that would object to killing anyone in battle?
4. In part II, verses 4-5, Arjuna mentions again his teachers, Drona and Bhishma, and that to kill them would be a terrible crime. Do you see in this a cultural emphasis on the importance of teachers?
5. Can you think of a moment in modern history where people have been confronted with Arjuna's choice, in a civil war, for example?
6. What is the topic of part II, verses 11-30? What is Krishna trying to say to Arjuna about the nature of the soul?
7. In part II, verses 31-37, Krishna makes a number of statements that some have found controversial or even disturbing. What is your opinion of his outlook on war?
8. What do you see as the essence of Krishna's statements on the path of action (part II, 38-72).What, according to him, must a person do in order to achieve detachment? What is the primary cause of attachment? Can you think of any other religion or philosophy that espouses a doctrine that shares values with this one?
9. Were any of the ideas in the Bhagavad Gita already familiar to you? If so, where did you encounter them? Was it in a book, film, music, conversation, etc.?

REVIEW QUESTIONS:

1. The *Bhagavad Gita* is thousands of years old. Are the ideas of duty and action presented in these passages still relevant today? If so, why? If not, why not?
2. Do you see a consistent idea of "human nature" in these passages from the *Bhagavad Gita*? If so, what is this idea? What passages support your claim?
3. If you do see an idea of human nature in these passages, do you think the *Bhagavad Gita* is suggesting that this is a universal human nature, true for all times and all peoples? Why, or why not?

ADDITIONAL READINGS:

- Goodall, Dominic (ed.). *Hindu Scriptures*. Phoenix, 1996.
- "Hinduism." *Encyclopaedia Britannica*. Encyclopaedia Britannica Ltd., 1994-1998.
- "The Complete Text of the *Bhagavad Gita*." Translated by Ramanand Prasad. *Essays on Ancient India*. Exploring Ancient World Cultures. URL: http://eawc.evansville.edu/anthology/gita.htm.
- De, Soumen."The Historical Context of the Bhagavad Gita and Its Relation to Indian Doctrines." *Essays on Ancient India*. Exploring Ancient World Cultures. URL: http://eawc.evansville.edu/essays/de.htm.

OFFERING AT A BUDDHIST TEMPLE IN HO CHI MINH CITY, VIETNAM

CONFUCIUS: ANALECTS

Confucius (551-479 BC) was a famous Chinese thinker, teacher, and founder of the *Ru* school of thought. The *Analects* of Confucius, compiled after his death, still remain a profound source of inspiration today. His influence is often compared with that of Socrates in the West. His teachings have influenced several cultures and nations of Asia, such as China, Japan, Korea, and Vietnam. Confucius's system of thought is based on the notion of mutual dependency between people and the need for all individuals, groups, or countries to 'act socially' in their dealings. But above all, Confucius is known for his emphasis on learning and meritocracy.

GOVERNMENT AND PUBLIC AFFAIRS

The Master said: In ruling a country of a thousand chariots there should be **scrupulous** attention to business, honesty, economy, charity, and employment of the people at the proper season. A virtuous ruler is like the **Pole-star**, which keeps its place, while all the other stars do **homage** to it.

People **despotically** governed and kept in order by punishments may avoid infraction of the law, but they will lose their moral sense. People **virtuously** governed and kept in order by the inner law of self-control will retain their moral sense, and moreover become good.

Duke Ai[1] asked, saying: What must I do that my people may be contented? — Confucius replied: Promote the upright and dismiss all **evildoers**, and the people will be contented.

Chi K'ang Tzu[2] asked by what means he might cause his people to be respectful and loyal, and encourage them in the path of virtue. The Master replied: Conduct yourself towards them with dignity, and you will earn their respect; be a good son and a kind prince, and you will find them loyal; promote the deserving and instruct those who fall short, and they will be encouraged to follow the path of virtue.

Someone, addressing Confucius, said: Why, Sir, do you take no part in the government? — The Master replied: What does the Book of History say about **filial piety**? — Do your duty as a son and as a brother and these qualities will make themselves felt in the government. This, then, really amounts to taking part in the government. Holding office need not be considered essential.

The people can be made to follow a certain path, but they cannot be made to know the reason why.

Tzu Kung asked for a definition of good government. The Master replied: It consists in providing enough food to eat, in keeping enough soldiers to guard the State, and in

scrupulous – characterised by extreme care and great effort

Pole-star– the Northern star – the brightest star in the constellation Ursa Minor

homage – show of respect

despotically – tyrannically; dictatorially

virtuously – full of virtue, having excellent moral character

evildoer – person who performs evil acts and does not repent

filial piety – one of the virtues to be cultivated: a love and respect for one's parents and ancestors.

1 The Duke of Lu who was reigning during the last years of Confucius' life.

2 Chi K'ang Tzu succeeded to the headship of the great Chi family in 491

winning the confidence of the people. — And if one of these three things had to be **sacrificed**, which should go first? — The Master replied: Sacrifice the soldiers. — And if of the two remaining things one had to be sacrificed, which should it be? — The Master said: Let it be the food. From the beginning, men have always had to die. But without the confidence of the people no government can stand at all.

Ching, Duke of the Ch'i State, questioned Confucius on the art of government. Confucius replied: Let the **sovereign** do his duty as a sovereign, the subject his duty as a subject, the father his duty as a father, and the son his duty as a son. — A good answer! said the Duke; for unless sovereign and subject, father and son do their respective duties, however much **grain** there may be in the land, I could obtain none to eat.

Tzu Chang put a question about the art of governing. The Master said: Devote yourself patiently to the theory, and **conscientiously** to the practice, of government.

Chi K'ang Tzu asked Confucius for advice on the subject of government. Confucius replied: To govern is to keep straight. If you, Sir, lead the people straight, which of your subjects will venture to fall out of line?

Chi K'ang Tzu, being **vexed** by robbers, asked Confucius for his advice. Confucius replied, saying: If you, sir, can check your own **cupidity**, there will be no stealing, even though rewards should be offered for theft.

Chi K'ang Tzu questioned Confucius on a point of government, saying: Ought not I to cut off the lawless in order to establish law and order? What do you think? — Confucius replied: Sir, what need is there of the death penalty in your system of government? If you showed a sincere desire to be good, your people would likewise be good. The virtue of the prince is like unto wind; that of the people, like unto grass. For it is the nature of grass to bend when the wind blows upon it.

Tzu Lu asked for a hint on the art of governing. The Master replied: Take the lead and set the example of **diligent toil**. — Asked for a further hint, he said: Be patient and **untiring**.

Chung Kung, being Prime Minister to the head of the Chi clan, asked for advice on governing. The Master said: Make a point of employing your subordinates, overlook trifling mistakes, raise to office worthy and able men. — But, said Chung Kung, how am I to discover these worthy men and single them out for promotion? — Promote those that you know, was the reply. As for those that you do not know, will not their claims be brought before you by others?

Tzu Lu said: The Prince of Wei is waiting, Sir, for you to take up the **reins** of government. Pray what is the first reform you would introduce? — The Master replied: I would begin by defining terms and making them exact. — Oh, indeed! exclaimed Tzu Lu. But how can you possibly put things straight by such a **circuitous** route? — The Master said: How unmannerly you are, Yu! In matters which he does not understand, the wise man will always reserve his judgment. If terms are not correctly defined, words will not harmonise with things. If words do not harmonise with things, public business will remain undone. If public business remains undone, order and harmony will not **flourish**. If order and **harmony** do not flourish, law and justice will not attain their ends. If law and justice do not attain their ends, the people will be unable to move hand or foot. The wise man, therefore, frames his definitions to regulate his speech, and his speech to regulate his actions. He is never **reckless** in his choice of words.

Fan Ch'ih asked to be taught the art of **husbandry**. The Master said: Any farmer can teach you that better than I can. He then asked to be taught gardening. The Master said: Any gardener will teach you that better than I can. Fan Ch'ih having gone

sacrifice – endure the loss of

sovereign – monarch; the ruler of a country

grain – the harvested seeds of various grass-related food crops eg: wheat, corn, barley

conscientiously – attentively

vexed – annoyed, irritated or distressed

cupidity – extreme greed, especially for wealth

diligent – performing with intense concentration, focus, responsible regard

toil – labour, work

untiring – inexhaustible; unfailing; resolute

rein – any means of control

circuitous – not direct or to the point

flourish – to thrive or grow well

harmony – agreement or accord

reckless – careless or heedless; headstrong or rash

husbandry – raising livestock and cultivating crops; agriculture

out, the Master said: What a small-minded man is Fan Hsu! If the ruler is addicted to modesty and self-control, his people will not permit themselves to be **irreverent**. If the ruler loves justice and duty, his people will not venture to be unruly. If the ruler loves sincerity and good faith, the people will not be slow to respond. Such being his qualities, the people will **flock** to him from all quarters, with their babes strapped to their backs. What need for him to know the art of husbandry?

The Master said: If the ruler is personally upright, his subjects will do their duty unbidden; if he is not personally upright, they will not obey, whatever his bidding.

When the Master went to Wei, Jan Yu drove his **carriage**. The Master said: What an abundant population! — Jan Yu said: Now that the people are so **abundant**, what is the next thing to be done? — Enrich them, said Confucius. — And having enriched them, what then? — Teach them, was the reply.

The Master said: If a country had none but good rulers for a hundred years, crime might be stamped out and the death-penalty abolished. How true this saying is!

If a kingly sovereign were to appear, by the end of one generation natural goodness would **prevail**.

If a man can reform his own heart, what should hinder him from taking part in government? But if he cannot reform his own heart, what has he to do with reforming others?

Duke Ting[3] asked if there was a single sentence by which a country might be made to flourish. Confucius answered: No single sentence can be expected to have such a virtue as this. But there is the common saying: "To be a good king is difficult; to be a good minister is not easy." He who realises the difficulty of being a good king — has he not almost succeeded in making his country prosper by a single sentence? — Is there a single sentence, continued the Duke, by which a country can be ruined? — Confucius answered: No such power can reside in any single sentence. But there is a saying: "I have no joy in kingly rule, I rejoice only because none can oppose my will." Now if the king's will is good, and none opposes it, all may be well; but if it is not good, and yet none opposes it, has he not almost succeeded in ruining his country by a single sentence?

The Duke of She[4] asked about the conditions of good government. The Master said: Government is good when it makes happy those who live under it and attracts those who live far away.

Tzii Hsia, when governor of Chu-fu[5], asked for advice on government. The Master said: Do not try to do things in a hurry. Do not be intent on small gains. What is done

irreverent – disrespectful, cynical, caviling, querulous

flock – to congregate in or head towards a place in large numbers

carriage – a wheeled vehicle, generally drawn by horse power

abundant – fully sufficient; plentiful; in copious supply; in great quantity

prevail – to be current, widespread or predominant;

3 The weak ruler of the Lu State (510-494 B.C.)

4 She was a district of the Ch'u State, which Confucius visited in 488 B.C. The following anecdote, told by T'an Kung, is a striking illustration of the above saying. Travelling with his disciples, the Master came across a woman weeping and wailing beside a grave, and inquired the cause of her grief. "Alas!" she replied. "My father-in-law was killed here by a tiger; after that, my husband; and now my son has perished by the same death." — "But why, then, do you not go elsewhere?" — "The government here is not harsh," answered the woman. — "There!" cried the Master, turning to his disciples, "remember that. Bad government is worse than a tiger."

5 A small city in Lu.

quickly is not done thoroughly; and if small gains are considered, great things remain **unaccomplished**.

Tzu Lu asked about the service due to a prince. The Master said: Use no deceit, but if you oppose him, oppose him openly.

The Master said: If the ruler cherishes the principle of self-control, the people will be **docile** to his commands.

Shun[6] was one who did nothing, yet governed well. For what, in effect, did he do? Religiously self-observant, he sat gravely on his throne, and that is all.[7]

In serving your prince, make the actual service your first care, and only put the **emolument** second. The head of the Chi **clan** was on the point of attacking the small principality of Chuan-yii. Jan Yu and Chi Lu came to see Confucius, and said: Our lord is going to have trouble with Chuan-yii. — Confucius said: Is it not you, Ch'iu, who are to blame in this? The ancient kings long ago made Chuan-yii the centre of the worship of the Eastern Meng mountain, and moreover it is situated within the territory of Lu. Its ruler has independent priestly functions.[8] What right have you to attack it? — Jan Yu replied: It is the will of our master; we, his ministers, have neither of us any wish to act thus. — Ch'iu, said Confucius, Chou Jen[9] had a saying: "If you are capable of displaying energy, hold office; if not, resign." Of what use is that minister likely to be, who does not sustain his master in the presence of danger, or support him when about to fall? Besides, what you say is wrong. If a tiger or a wild buffalo escapes from its cage, if a tortoise-shell or jade ornament is smashed in its casket, whose fault is it, pray? — Jan Yu replied: But Chuan-yii is strongly fortified, and close to our own town of Pi. If we do not take it now, it will cause trouble to our descendants in a later generation. — Confucius rejoined: Ch'iu, an honest man hates your hypocrite who will not openly avow his greed, but tries instead to excuse it. I have heard that the ruler of a state or of a clan is troubled not by the smallness of its numbers but by the absence of even-handed justice; not by poverty but by the presence of discontent; for where there is justice there will be no poverty; where there is harmony there will be no lack in numbers; where there is content there will be no revolution. This being the case then, if outlying communities resist your authority, cultivate the arts of refinement and goodness in order to attract them; and when you have attracted them, make them happy and contented. Now you two, Yu and Ch'iu, are aiding and abetting your master; here is an outlying community which resists your authority, and you are unable to attract it. Partition and collapse are imminent in your own State, and you are unable to preserve it intact. And yet you are planning military aggression within the borders of your country! Verily I fear that Chi-sun's[10] troubles will come, not from Chuan-yii, but from the interior of his own palace.

When the Master came to Wu-ch'eng, he heard the sound of singing and stringed instruments. He was pleased, but said with a smile: Is it necessary to take a pole-axe to kill a fowl? — Tzii Yu replied: Some time ago, Sir, I heard you say that the study of true principles made the ruler beneficent and men of the lower class easy to govern. — My children, said the Master, Yen is right. What I said was only in jest.

unaccomplished – not completed

docile – ready to accept instruction or direction; submissive

emolument – compensation for a job, which is usually monetary

clan – group of people all descended from a common ancestor, in fact or belief

---

6 A legendary Emperor.

7 This saying might have come straight from the mouth of a Taoist philosopher. Nor is it the only place where Confucius seems to advocate quietism. Cf. p. 108.

8 Literally, "a minister of the altars to the spirits of the land and grain"; i.e. a direct vassal of the Emperor, and responsible only to him

9 An ancient historian, of whom very little is known.

10 The head of the Chi clan mentioned above

Tzu Chang asked Confucius, saying: What are the essentials of good government? — The Master said: Esteem the five excellent, and banish the four evil things; then you will become fit to govern. — Tzu Chang asked: What are the five excellent things? — The Master replied: The wise and good ruler is **benevolent** without expending treasure; he lays **burdens** on the people without causing them to grumble; he has desires without being **covetous**; he is serene without being proud; he is **awe-inspiring** without being ferocious. — He is benevolent without expending treasure: what does that mean? — The Master replied: He simply follows the course which naturally brings benefit to the people. Is he not thus benevolent without expending treasure? In imposing burdens, he chooses the right time and the right means, and nobody can grumble. His desire is for goodness, and he achieves it; how should he be covetous? The wise and good ruler never allows himself to be **negligent**, whether he is dealing with many men or with few, with small matters or with great. Is this not **serenity** without pride? He has his cap and robe properly adjusted, and throws a noble dignity into his looks, so that his gravity inspires onlookers with respect. Is he not thus awe-inspiring without being ferocious? — Tzu Chang then asked:What are the four evil things? — The Master said: Cruelty: — leaving the people in their native ignorance, yet punishing their wrong-doing with death. Oppression: — requiring the immediate completion of tasks imposed without previous warning. Ruthlessness: — giving vague orders, and then insisting on punctual fulfilment. Peddling husbandry: — stinginess in conferring the proper rewards on deserving men.

INDIVIDUAL VIRTUE

The Master said: Is he not a princely man[11] — he who is never vexed that others know him not?

True virtue[12] rarely goes with artful speech and insinuating looks.

At home, a young man should show the qualities of a son; abroad, those of a younger brother. He should be circumspect but truthful. He should have charity in his heart for all men, but associate only with the **virtuous**. After thus regulating his conduct, his surplus energy should be devoted to literary culture.

In the matter of food and lodging, the nobler type of man does not seek mere repletion and comfort. He is earnest in his affairs and cautious in his speech, and frequents virtuous company for his own improvement. He may be called one truly bent on the study of virtue.[13]

benevolent – having a disposition to do good

burden – heavy weight that is difficult to carry

covetous – strongly wanting something belonging to someone else

awe-inspiring – inspiring admiration or wonder

negligent – careless, without appropriate or sufficent attention

serenity – lack of agitation or disturbance; peace

virtuous – having excellent moral character

---

11 This is the much-discussed chun tzu, an expression of which the stereotyped English equivalent is "the superior man."

12 *Jen*, the term here translated "virtue," is perhaps the most important single word in the Analects, and the real cornerstone of Confucian ethics. Its primary meaning, in accordance with the etymology, is " humanity" in the larger sense, i.e. natural goodness of heart as shown in intercourse with one's fellow-men

13 Literally, "he may be called a lover of learning." But "learning" in the mouth of Confucius is generally

Meng I Tzu[14] asked for a definition of filial piety. The Master said: It consists in there being no falling off. — Fan Ch'ih was driving the Master's carriage some time after, when the latter told him, saying: Meng I Tzu asked me about filial piety, and I answered that it consisted in there being no falling off. — Fan Ch'ih said: What did you mean? — The Master replied: That parents should be served in the proper spirit while living, buried with the proper rites after death, and worshipped thereafter with the proper sacrifices.

Meng Wu Po[15] asked for a definition of filial piety. The Master said: There is filial piety when parents are spared all anxiety about their children except when they happen to fall sick.

Tzii Yu put a question on the subject of filial piety. The Master said: The filial piety of today reduces itself to the mere question of maintenance. Yet this is something in which even our dogs and horses have a share. Without the feeling of reverence, what is there to distinguish the two cases?

Tzii Hsia also asked about filial piety. The Master said: It can hardly be gauged from mere outward acts.[16] When there is work to be done, to relieve one's elders of the toil; or when there is wine and food, to cause them to partake thereof — is this to be reckoned filial piety?[17]

Tzii Kung inquired about the higher type of man. The Master replied: The higher type of man is one who acts before he speaks, and professes only what he practises.

The Master said: The higher type of man is catholic in his sympathy and free from party **bias**; the lower type of man is biassed and unsympathetic.

A man without charity in his heart — what has he to do with ceremonies? A man without charity in his heart — what has he to do with music?

Lin Fang inquired as to the prime essential in ceremonial observances. The Master said: Ah, that is a great question indeed! In all rites, simplicity is better than **extravagance**; in mourning for the dead, heartfelt sorrow is better than **punctiliousness**.

The Master said: The true gentleman is never contentious. If a spirit of rivalry is anywhere unavoidable, it is at a shooting-match. Yet even here he courteously salutes his opponents before taking up his position, and again when, having lost, he retires to drink the forfeit-cup. So that even when competing he remains a true gentleman.

It is the spirit of charity which makes a locality good to dwell in. He who selects a neighbourhood without regard to this quality cannot be considered wise.

Only he who has the spirit of goodness within him is really able either to love or to hate.

The princely man never for a single instant quits the path of virtue; in times of storm and stress he remains in it as fast as ever.

The nobler sort of man in his progress through the world has neither narrow predilections nor **obstinate antipathies**. What he follows is the line of duty.

The nobler sort of man is proficient in the knowledge of his duty; the inferior man is proficient only in money-making.

bias – inclination towards one side; predisposition, partiality, prejudice, preference

extravagance – excessive or superfluous expenditure of money

punctiliousness – strict attention to detail

obstinate – stubbornly adhering to an opinion, purpose, or course

antipathy – contrariety or opposition in feeling; settled aversion or dislike

---

to be understood as study of the rules of right conduct with a view to their practical application. The object of all learning was to enable a man to develop the natural goodness within him, so as to lead a life of virtuous culture

14 The chief of the house of Meng, one of the three great families of Lu, and (according to Ssu-ma Ch'ien) a disciple of Confucius.

15 The eldest son of Meng I Tzu

16 Literally, "colour difficult." *se* is quite commonly used to denote the external as opposed to the internal, form as opposed to essence

17 The answer of course is 'no'; outward acts do not constitute filial piety, unless prompted by a genuine duteous feeling in the heart.

In serving his father and mother, a son may use gentle **remonstrance**; if he sees that they pay no heed, he should not desist, but merely increase in deference; if his pains are thrown away, he must show no **resentment**.

While one's parents are alive, one should not travel to a distance; if one must travel, it should be in a fixed direction.

The age of one's parents should always be kept in mind — on the one hand, as a subject for rejoicing; on the other, as a cause for alarm.

The wise man will be slow to speak but quick to act.

Tzu Chang asked, saying: The Prime Minister Tzu Wen held office three times, but showed no joy; he lost it three times, but testified no concern. When he ceased to be Prime Minister, he was careful to explain the political situation to his successor. What is your opinion of him? —

The Master said: He was loyal and conscientious. — Had he not the highest degree of moral virtue? — That I do not know; how can one judge of his moral virtue? — Tzu Chang continued: When Ts'ui Tzu[18] slew the Prince of Ch'i, Ch'en Wen Tzu, though the possessor of ten teams of war-horses, forsook his wealth and turned his back on the country. Having come to another state, he said: " Here they are as bad as our own minister Ts'ui Tzu,[5]' and departed. And he repeated this proceeding each time that he came to a new state. What is your opinion of him? — The Master said: He was pure and incorruptible. — Had he not the highest degree of virtue? — I cannot say; how is one to judge?

The Master said: When the solid outweighs the ornamental, we have boorishness; when the ornamental outweighs the solid, we have superficial smartness. Only from a proper blending of the two will the higher type of man **emerge**.

All men are born good. He who loses his goodness and yet lives is lucky to escape.

Better than one who knows what is right is one who is fond of what is right; and better than one who is fond of what is right is one who delights in what is right.

Fan Ch'ih asked in what wisdom consisted. The Master said: Make righteousness in human affairs your aim, treat all supernatural beings with respect, but keep aloof from them — then you may be called wise. Asked about moral virtue, he replied: The virtuous man thinks of the difficult thing first, and makes material advantage only a secondary consideration. This may be said to constitute moral virtue.

The Master said: The man of knowledge finds pleasure in the sea, the man of virtue finds pleasure in the mountains.[19] For the man of knowledge is restless and the man of virtue is calm. The man of knowledge is happy, and the man of virtue is long-lived.

The higher type of man, having gathered wide objective knowledge from the branches of polite learning, will regulate the whole by the inner rule of conduct,[20] and will thus avoid overstepping the limit.

remonstrance – formal, usually written protest or objection

resentment – feeling of anger, indignation or extreme displeasure, especially one that results from a grievance, insult or slight

emerge – become visible

18 A high officer in Ch'i, the state adjoining Lu

19 Each finds pleasure in that part of Nature which resembles himself.

20 the character li originally had sole reference to the state of mind. This state of mind is one of equably adjusted harmony and self-restraint, and it is in this sense of an inward principle of proportion and self-control that the word is frequently used in the Analects.

That virtue is perfect which adheres to a constant mean. It has long been rare amongst men.

Tzu Kung asked: What would you say of the man who **conferred** benefits far and wide on the people and was able to be the salvation of all? Would you pronounce him a man of moral virtue? — Of moral virtue? said the Master. Nay, rather, of divine virtue. Even Yao and Shun were still striving to attain this height.

The man of moral virtue, wishing to stand firm himself, will lend firmness unto others; wishing himself to be illuminated, he will illuminate others. To be able to do to others as we would be done by — this is the true domain of moral virtue.

It has not been my lot to see a divine man; could I see a princely man, that would satisfy me. It has not been my lot to see a thoroughly virtuous man; could I see a man possessing honesty of soul, that would satisfy me. Is it possible there should be honesty of soul in one who pretends to have what he has not; who, when empty, pretends to be overflowing; who, when in want, pretends to be in **affluence**?

The higher type of man is **calm** and **serene**; the inferior man is constantly agitated and worried.

With sincerity and truth unite a desire for self-culture. Lay down your life rather than quit the path of virtue. Enter not the state which is tottering to its fall. Abide not in the state where **sedition** is **rampant**. When law obtains in the Empire, let yourself be seen; when lawlessness reigns, retire into **obscurity**. In a state governed on right principles, poverty and low station are things to be ashamed of; in an ill-governed state, riches and rank are things to be ashamed of.

The man of wisdom does not **vacillate**; the man of natural goodness does not fret; the man of **valour** does not fear.

Yen Yuan inquired as to the meaning of true goodness. The Master said: The subdual of self, and reversion to the natural laws governing conduct — this is true goodness. If a man can for the space of one day subdue his selfishness and revert to natural laws, the whole world will call him good. True goodness springs from a man's own heart. How can it depend on other men? — Yen Yuan said: Kindly tell me the practical rule to be deduced from this. — The Master replied: Do not use your eyes, your ears, your power of speech or your faculty of movement without obeying the inner law of self-control. — Yen Yuan said: Though I am not quick in thought or act, I will make it my business to carry out this **precept**.

Chung Kung inquired as to the meaning of true goodness. The Master said: When out of doors, behave as though you were entertaining a distinguished guest; in ruling the people, behave as though you were officiating at a **solemn** sacrifice; what you would not wish done to yourself, do not unto others. Then in public as in private life you will excite no ill-will. Chung Kung said: Though I am not quick in thought or act, I will make it my business to carry out this precept.

Ssu-ma Niu inquired as to the meaning of true goodness. The Master said: The truly good man is slow of speech. — Slowness of speech! Is this what goodness consists in? — The Master said: Does not the difficulty of deciding what it is right to do necessarily imply slowness to speak?

Ssu-ma Niu asked for a definition of the princely man. The Master said: The princely man is one who knows neither **grief** nor fear. — Absence of grief and fear! Is this the mark of a princely man? — The Master said: If on searching his heart he finds no guilt, why should he grieve? of what should he be afraid?

Tzu Chang asked how to attain **exalted** virtue. . . . The Master said: Make conscientiousness and truth your guiding principles, and thus pass on to the cultivation of duty to your neighbour. This is exalted virtue.

confer –
bestow

affluence –
having a large amount of wealth.

calm –
peaceful, quiet

serene –
peaceful, calm, unruffled; unaffected by disturbance

sedition –
the organized incitement of rebellion or civil disorder against authority or the state

rampant –
unrestrained or unchecked

obscurity –
the state of being unknown

vacillate –
indecisive, changeable or inconsistent in speech or action

valour –
bravery; heroism

precept –
rule or principle, especially one governing personal conduct

solemn –
deeply serious and somber

grief –
sorrow; heartbreak

exalt –
to honor; to hold in high esteem.

The Master said: The nobler sort of man emphasises the good qualities in others, and does not **accentuate** the bad. The inferior sort does the **reverse**.

Tzu Chang asked: What must a man do in order to be considered distinguished? — The Master said: What do you mean by the term " distinguished "? — Tzu Chang replied: I mean one whose fame fills both his own private circle and the State at large. — The Master said: That is **notoriety**, not distinction. The man of true distinction is simple, honest, and a lover of justice and duty. He weighs men's words, and observes the expression of their faces. He is anxious to put himself below others. Such a one is truly distinguished in his private and his public life. As to the man who is merely much talked about, he puts on an appearance of charity and benevolence, but his actions belie it. He is self-satisfied and has no misgivings. Neither in private nor in public life does he achieve more than notoriety.

Tzu Kung asked a question about friendship. The Master said: Be conscientious in speaking to your friend, but tactful in your efforts to guide him aright. If these fail, stop. Do not court a personal **rebuff**.

The Duke of She addressed Confucius, saying: We have an **upright** man in our country. His father stole a sheep, and the son bore witness against him. — In our country, Confucius replied, uprightness is something different from this. A father hides the guilt of his son, and a son hides the guilt of his father. It is in such conduct that true uprightness is to be found.

Fan Ch'ih asked a question about moral virtue. The Master said: In private life, show self-respect; in the management of affairs, be attentive and thorough; in your dealings with others, be honest and conscientious. Never abandon these principles, even among savages.

The Master said: The nobler sort of man is **accommodating** but not **obsequious**; the inferior sort is obsequious but not accommodating.

The nobler sort of man is easy to serve yet difficult to please. Who seeks to please him in wrongful ways will not succeed. In exacting service from others, he takes account of aptitudes and limitations. The baser sort of man is difficult to serve yet easy to please. Who seeks to please him in any wrongful way will assuredly succeed. And he requires absolute perfection in those from whom he exacts service.

The nobler sort of man is dignified but not proud; the inferior man is proud but not dignified.

Hsien said: To **refrain** from self-glorification, to **subdue** feelings of resentment, to control selfish desire — may this be held to constitute perfect virtue? — The Master said: These things may certainly be considered hard to achieve, but I am not so sure that they constitute perfect virtue.

The Master said: A man of inward virtue will have virtuous words on his lips, but a man of virtuous words is not always a virtuous man. The man of perfect goodness is sure to possess courage, but the courageous man is not necessarily good.

accentuate –
bring out distinctly; to make prominent; to emphasize.

reverse –
the opposite order

notoriety –
infamy; known for some bad act or quality

rebuff –
sudden resistance or refusal

upright –
vertical; erect

accommodating –
obliging; willing to do favours

obsequious –
attemtpting to win favour by flattery

refrain –
hold back; restrain

subdue –
overcome, quieten, or bring under control

Can true love be anything but exacting? How can our sense of duty allow us to **abstain** from **admonition**?

The nobler sort of man tends upwards; the baser sort tends downwards.

The princely type of man is modest in his speech, but liberal in his performance.

The princely man has three great virtues, which I cannot claim for myself. He is truly benevolent, and is free from care; he is truly wise, and is free from delusions; he is truly brave, and is free from fear. — Nay, replied Tzu Kung, these virtues are our Master's own.

The Master said: Is not he a sage who neither **anticipates** deceit nor suspects bad faith in others, yet is **prompt** to detect them when they appear?

Someone asked: How do you regard the principle of returning good for evil? — The Master said: What, then, is to be the return for good? Rather should you return justice for injustice, and good for good,

Tzu Lu asked about the conduct of the princely man. The Master said: He cultivates himself so as to gain in self-respect. — Does he rest content with that? — He cultivates himself, was the reply, so as to give happiness to others. — And is he content with that? — He cultivates himself so as to confer peace and prosperity on the whole people.

By self-cultivation to confer peace and prosperity on the whole people! — was not this the object which Yao and Shun still laboured to attain?

Tzu Kung asked for advice on the practice of moral virtue. The Master replied: If an **artisan** wants to do his work well, he must begin by sharpening his tools. Even so, among the great men of your country, you should serve the wise and good, and make friends of men who have this moral virtue.

The Master said: The higher type of man makes a sense of duty the groundwork of his character, blends with it in action a sense of harmonious proportion, **manifests** it in a spirit of unselfishness, and perfects it by the addition of sincerity and truth. Then indeed is he a noble character.

The higher type of man seeks all that he wants in himself; the inferior man seeks all that he wants from others.

The higher type of man is firm but not quarrelsome; sociable, but not **clannish**.

The wise man does not esteem a person more highly because of what he says, neither does ho undervalue what is said because of the person who says it.

Tzu Kung asked, saying: Is there any one maxim which ought to be acted upon throughout one's whole life? — The Master replied: Surely the maxim of charity is such: — Do not unto others what you would not they should do unto you.

The nobler sort of man pays special attention to nine points. He is anxious to see clearly, to hear distinctly, to be kindly in his looks, respectful in his **demeanour**, conscientious in his speech, earnest in his affairs; when in doubt, he is careful to inquire; when in anger, he thinks of the consequences; when offered an opportunity for gain, he thinks only of bis duty.

Tzu Chang asked Confucius a question about moral virtue. Confucius replied: Moral virtue simply consists in being able, anywhere and everywhere, to exercise five particular qualities. Asked what these were, he said: Self-respect, **magnanimity**, **sincerity**, **earnestness** and benevolence. Show self-respect, and others will respect you;[21] be magnanimous, and you will win all hearts; be sincere, and men will trust you; be earnest, and you will achieve great things; be benevolent, and you will be fit to impose your will on others.

abstain – refrain from (something); hold one's self aloof

admonition – gentle or friendly reproof; counseling against fault or oversight; warning

anticipate – expect; predict

prompt – quick to act; on schedule

artisan – skilled manual worker who uses tools and machinery in a particular craft

manifest – show plainly; make to appear distinctly

clannish – socially exclusive

demeanour – outward way in which a person behaves, especially towards others

magnanimity – liberality and generosity of spirit

sincerity – honesty of mind or intention

earnestness – not distracted by anything unrelated to the goal

21 The Chinese have a proverb: "A man must insult himself before others will."

Tzu Lu asked: Does not the princely man value courage? — The Master said: He puts righteousness first. The man of high station who has courage without righteousness is a **menace** to the State; the common man who has courage without righteousness is nothing more than a **brigand**.

Tzu Kung asked: Has the nobler sort of man any hatreds? — The Master replied: He has. He hates those who publish the faults of others; he hates men of low condition who **vilify** those above them; he hates those whose courage is unaccompanied by self-restraint; he hates those who are **audacious** but narrow-minded. And you, Tz'u, he added, have you also your hatreds? — I hate, replied the disciple, those who think that wisdom consists in prying and meddling; courage, in showing no compliance; and honesty, in denouncing other men.

menace – perceived threat or danger

brigand – outlaw

vilify – belittle through speech; put down; criticize

audacious – showing willingness to take bold risks; recklessly daring

SOURCE: The Sayings of Confucius, England, Senate, 1998, pp. 40-70

ANALYSIS QUESTIONS:

1. What are the differences between despotically governed and virtuously governed people, according to Confucius? How is it possible for ruler to encourage people to be respectful and loyal citizens?
2. Can the activity performed by an individual in a family help the government as well? What is the typical relationship between family and state? What is the definition of good government according to Confucius?
3. Describe the particularity of the "art of government" suggested by the author. Why did Confucius often use the analogy between nature and the state, between family and the government to explain good government?
4. Was Confucius against the death penalty? If yes, why? Can we accept these ideas and implement them in modern time? If yes, how should we deal with terrorists causing trouble for peaceful people?
5. Explain the harmony between words and actions suggested for the wise man by Confucius? Is it important for the government to be involved with everything in civil society, "even to know the art of husbandry"?
6. Why does Confucius pay so much attention to the role of the personal behavior of the governor in influencing the people? Which kind of education do you think is most effective: teaching people by force, or educating them by examples and better models?
7. Why was the notion of filial piety so important for Confucius? What do you think about the role of family in civil society? What do you think about charity, sympathy and other ethical values which people should exhibit in their relationships in society? Why were they important for the society where Confucius lived? Are they also useful for the modern world?

8. What is a true gentleman, a princely man, and a nobler sort of man? How, if possible, could you identify them in your own situation?
9. What are the advantages and weaknesses of Confucius's theory of individual perfection and social development if we started to implement it in contemporary society?
10. How do you understand the term 'duty' mentioned by Confucius? What were the duties of the people in family and state and of the ruler towards the people? What is the difference between duty and right?

REVIEW QUESTIONS:

Compare this text with the case-study from Bhagavad-Gita. What are the similarities and differences between the two texts. What are their approaches towards family, government and individual responsibilities?

ADDITIONAL READINGS:

- (2007). The Authentic Confucius: A Life of Thought and Politics. New York: Scribner. ISBN 0-74-324618-7.
- Confucius. (1997). Lun yu, (In English: The Analects of Confucius). Translation and notes by Simon Leys. New York: W.W. Norton. ISBN 0-393-04019-4.
- Confucius. (2003). Confucius: Analects – With Selections from Traditional Commentaries. Translated by E. Slingerland. Indianapolis: Hackett Publishing. (Original work published c. 551-479 BCE) ISBN 0-87220-635-1.
- Csikszentmihalyi, M. (2005). "Confucianism: An Overview". In Encyclopedia of Religion (Vol. C, pp 1890-1905). Detroit: MacMillan Reference USA.
- http://www.gutenberg.org/browse/authors/c#a1180

IBN KHALDUN: THE MUQADDIMAH, AN INTRODUCTION TO HISTORY

'Abd-ar-Rahman Abu Zayd ibn Muhammad ibn Khaldun, statesman, jurist, historian, and scholar, was born in Tunis on May 27, 1332 and died on March 17, 1406 in Cairo. Coming from a Yemenite Arab ancestry, his parents lived in Spain for a while before moving to Tunisia. His greatest contribution lies in the fields of History and Sociology. The Muqaddima (prolegomena or introduction) is a part of Ibn Khaldun's Universal History (Kitab al-'Ibar). Written in 1377, it is regarded as the earliest attempt made to discover a pattern in the changes that occur in political and social organization. He examines the issue of the rise and decay of civilizations. Ibn Khaldun's contribution to research methodology is also noteworthy. He raised the issue of the credibility of historical sources in understanding human affairs and sought to work out the manner in which that credibility of sources could be established.

STATUE OF IBN KHALDUN IN TUNIS

CHAPTER 2
BEDOUIN CIVILIZATION, SAVAGE NATIONS AND TRIBES AND THEIR CONDITIONS OF LIFE, INCLUDING SEVERAL BASIC AND EXPLANATORY STATEMENTS

1. Both Bedouins and sedentary people are natural groups

It should be known that differences of condition among people are the result of the different ways in which they make their living. Social organization **enables** them to co-operate toward that end and to start with the simple necessities of life, before they get to conveniences and luxuries. Some people live by agriculture, the cultivation of vegetables and grains; others by animal **husbandry**, the use of sheep, cattle, goats, bees, and silkworms, for breeding and for their products. Those who live by agriculture or animal husbandry cannot avoid the call of the desert, because it alone offers the wide fields, pastures for animals, and other things that the settled areas do not offer. It is therefore necessary for them to restrict themselves to the desert. Their social organization and co-operation for the needs of life and civilization, such as food, shelter, and warmth, do not take them beyond the bare subsistence level, because of their inability (to provide) for anything beyond those (things). Subsequent improvement of their conditions and acquisition of more wealth and comfort than they need, cause them to rest and take it easy. Then, they co-operate for things beyond the bare necessities. They use more food and clothes, and take pride in them. They build large houses, and lay out towns and cities for protection. This is followed by an increase in comfort and ease, which leads to formation of the most developed luxury customs. They take the greatest pride in the preparation of food and a fine **cuisine**, in the use of varied splendid clothes of silk and brocade and other (fine materials), in the construction of ever higher buildings and towers, in **elaborate** furnishings for the buildings, and the most intensive cultivation of crafts in actuality. They build castles and

Bedouin – generic name for a desert-dweller; term generally applied to Arab nomadic groups

sedentary – not moving; staying in the vicinity

enable – give strength or ability to

husbandry – raising livestock and the cultivation of crops; agriculture

cuisine – characteristic style of preparing food, often associated with its place of origin

elaborate – highly complex, detailed, or sophisticated

mansions, provide them with running water, build their towers higher and higher, and compete in furnishing them (most elaborately). They differ in the quality of the clothes, the beds, the vessels, and the **utensils** they employ for their purposes. 'Sedentary people' means the inhabitants of cities and countries, some of whom adopt the crafts as their way of making a living, while others adopt commerce. They earn more and live more comfortably than Bedouins, because they live on a level beyond the level of bare necessity, and their way of making a living corresponds to their wealth. It has thus become clear that Bedouins and sedentary people are natural groups which exist by necessity, as we have stated.

2 The Bedouins are a natural group in the world

We have mentioned in the previous section that the inhabitants of the desert adopt the natural manner of making a living, namely, agriculture and animal husbandry. They restrict themselves to the necessary in food, clothing, and mode of dwelling, and to the other necessary conditions and customs. They do not possess conveniences and luxuries. They use tents of hair and wool, or houses of wood, or of clay and stone, which are not furnished (elaborately). The purpose is to have shade and shelter, and nothing beyond that. They also take shelter in caverns and caves. The food they take is either little prepared or not prepared at all, save that it may have been touched by fire.

For those who make their living through the cultivation of grain and through agriculture, it is better to be **stationary** than to travel around. Such, therefore, are the inhabitants of small communities, villages, and mountain regions. These people make up the large mass of the **Berbers** and non-Bedouins.

Those who make their living from animals requiring pasturage, such as sheep and cattle, usually travel around in order to find pasture and water for their animals, since it is better for them to move around in the land. They are called 'sheepmen', that is, men who live on sheep and cattle. They do not go deep into the desert, because they would not find good pastures there. Such people include the Berbers, the Turks, the Turkomans and the Slavs, for instance.

Those who make their living by raising camels move around more. They wander deeper into the desert, because the hilly pastures with their plants and **shrubs** do not furnish enough subsistence for camels. They must feed on the desert shrubs and drink the salty desert water. They must move around the desert regions during the winter, in flight from the harmful cold to the warm desert air. In the desert sands, camels can find places to give birth to their young ones. Of all animals, camels have the hardest delivery and the greatest need for warmth in connection with it. (Camel nomads) are therefore forced to make excursions deep (into the desert). Frequently, too, they are driven from the hills by the militia, and they penetrate farther into the desert, because they do not want the militia to mete out justice to them or to punish them for their hostile acts. As a result, they are the most savage human beings that exist. Compared with sedentary people, they are on a level with wild, **untamable** animals and dumb **beasts of prey**. Such people are the Bedouins. In the West, the nomadic Berbers and the Zanatah are their **counterparts**, and in the East, the Kurds, the Turkomans, and the Turks. The Bedouins, however, make deeper excursions into the desert and are more rooted in desert life because they live exclusively on camels, while the other groups live on sheep and cattle, as well as camels.

It has thus become clear that the Bedouins are a natural group which by necessity exists in civilization.

mansion – a large house or building

utensil – instrument or device for domestic use, in the kitchen

stationary – not moving

Berber – ethnic group indigenous to northwest Africa

shrub – woody plant smaller than a tree, and usually with several stems from the same root; bush (plant)

untamable – incapable of being controlled, subdued, or tamed

beasts of prey – bird or animal that kills and eats other birds or animals

counterparts – either of two parts that fit together, or complement one another

3 Bedouins are prior to sedentary people.

The desert is the basis and reservoir of civilization and cities. We have mentioned that the Bedouins restrict themselves to the bare necessities in their way of life and are unable to go beyond them, while sedentary people concern themselves with conveniences and luxuries in their conditions and customs. The bare necessities are no doubt prior to the conveniences and luxuries. Bare necessities, in a way, are basic, and luxuries secondary. Bedouins, thus, are the basis of, and prior to, cities and sedentary people. Man seeks first the bare necessities. Only after he has obtained the bare necessities does he get to comforts and luxuries. The **toughness** of desert life **precedes** the **softness** of sedentary life. Therefore, urbanization is found to be the goal to which the Bedouin aspires. Through his own efforts, he achieves what he proposes to achieve in this respect. When he has obtained enough to be ready for the conditions and customs of luxury, he enters upon a life of ease and submits himself to the yoke of the city. This is the case with all Bedouin tribes. Sedentary people, on the other hand, have no desire for desert conditions, unless they are motivated by some urgent necessity or they cannot keep up with their fellow city dwellers.

Evidence for the fact that Bedouins are the basis of, and prior to, sedentary people is furnished by investigating the inhabitants of any given city. We shall find that most of its inhabitants originated among Bedouins dwelling in the country and villages of the vicinity. Such Bedouins became wealthy, settled in the city, and adopted a life of ease and luxury, such as exists in the sedentary environment.

All Bedouins and sedentary people differ also among themselves in their conditions of life. Many a clan is greater than another, many a tribe greater than another, many a city larger than another, and many a town more populous than another. . . .

4 Bedouins are closer to being good than sedentary people

The reason for this is that the soul in its first natural state of creation is ready to accept whatever good or evil may arrive and leave an imprint upon it. Muhammad said: 'Every infant is born in the natural state. It is his parents who make him a Jew or a Christian or a **heathen**.' To the degree the soul is first affected by one of the two qualities, it moves away from the other and finds it difficult to acquire it. When customs proper to goodness have been first to enter the soul of a good person, and his (soul) has thus acquired the habit of (goodness, that person) moves away from evil and finds it difficult to do anything evil. The same applies to the evil person.

Sedentary people are much concerned with all kinds of pleasures. They are accustomed to luxury and success in worldly occupations and to indulgence in worldly desires. Therefore, their souls are coloured with all kinds of **blameworthy** and evil qualities. The more of them they possess, the more remote do the ways and means of goodness become to them. Eventually they lose all sense of restraint. Many of them are found to use improper language in their gatherings as well as in the presence of their superiors and womenfolk. They are not deterred by any sense of restraint, because the

toughness – the state of being tough and strong

precede – go before, go in front of

softness – gentle, light; quiet

heathen – uncultured, uncivilized, savage

blameworthy – deserving blame or censure; reprehensible

bad custom of behaving openly in an improper manner in both words and deeds has taken hold of them. Bedouins may be as concerned with worldly affairs as (sedentary people are). However, such concern would touch only the necessities of life and not luxuries or anything causing, or calling for, desires and pleasures. The customs they follow in their mutual dealings are, therefore, appropriate. As compared with those of sedentary people, their evil ways and blameworthy qualities are much less numerous. They are closer to the first natural state and more remote from the evil habits that have been impressed upon the souls (of sedentary people) through numerous and ugly, blameworthy customs. Thus, they can more easily be cured than sedentary people. This is obvious. It will later on become clear that sedentary life constitutes the last stage of civilization and the point where it begins to decay. It also constitutes the last stage of evil and of remoteness from goodness. Clearly, the Bedouins are closer to being good than sedentary people . . .

5 Bedouins are more disposed to courage than sedentary people

The reason for this is that sedentary people have become used to laziness and ease. They are sunk in well-being and luxury. They have entrusted the defence of their property and their lives to the governor and ruler who rules them, and to the militia which has the task of guarding them. They find full **assurance** of safety in the walls that surround them, and the fortifications that protect them. No noise disturbs them, and no hunting occupies their time. They are carefree and trusting, and have ceased to carry weapons. Successive generations have grown up in this way of life. They have become like women and children, who depend upon the master of the house. Eventually, this has come to be a quality of character that replaces natural disposition.

The Bedouins, on the other hand, live apart from the community. They are alone in the country and **remote** from militias. They have no walls or gates. Therefore, they provide their own defence and do not entrust it to, or rely upon others for it. They always carry weapons. They watch carefully all sides of the road. They take hurried naps only when they are together in company or when they are in the saddle. They pay attention to the most distant barking or noise. They go alone into the desert, guided by their **fortitude**, putting their trust in themselves. Fortitude has become a character quality of theirs, and courage their nature. They use it whenever they are called upon or roused by an alarm. When sedentary people mix with them in the desert or associate with them on a journey, they depend on them. They cannot do anything for themselves without them. This is an observed fact. (Their dependence extends) even to knowledge of the country, the directions, watering places, and crossroads. Man is a child of the customs and the things he has become used to. He is not the product of his natural disposition and temperament. The conditions to which he has become accustomed, until they have become for him a quality of character and matters of habit and custom, have replaced his natural disposition. If one studies this in human beings, one will find much of it, and it will be found to be a correct observation.

6 The reliance of sedentary people upon laws destroys their fortitude and power of resistance

Not everyone is master of his own affairs. Chiefs and leaders who are masters of the affairs of men are few in comparison with the rest. As a rule, man must by necessity be dominated by someone else. If the domination is kind and just and the people under it are not oppressed by its laws and restrictions, they are guided by the courage or cowardice that they possess in themselves. They are satisfied with the absence

assurance – full confidence or trust

remote – at a distance; disconnected

fortitude – the mental strength that enables courage in the face of adversity

of any restraining power. Self-reliance eventually becomes a quality natural to them. They would not know anything else. If, however, the domination with its laws is one of **brute force** and **intimidation**, it breaks their fortitude and **deprives** them of their power of resistance as a result of the inertness that develops in the souls of the oppressed, as we shall explain.

When laws are (enforced) by means of punishment, they completely destroy fortitude, because the use of punishment against someone who cannot defend himself generates in that person a feeling of humiliation that, no doubt, must break his fortitude.

When laws are (intended to serve the purposes of) education and instruction and are applied from childhood on, they have to some degree the same effect, because people then grow up in fear and **docility** and consequently do not rely on their own fortitude.

Thus, greater fortitude is found among the savage Arab Bedouins than among people who are subject to laws. Furthermore, those who rely on laws and are dominated by them from the very beginning of their education and instruction in the crafts, sciences, and religious matters, are thereby deprived of much of their own fortitude. They can scarcely defend themselves at all against hostile acts. This is the case with students, whose occupation it is to study and to learn from teachers and religious leaders, and who constantly apply themselves to instruction and education in very **dignified** gatherings. This situation and the fact that it destroys the power of resistance and fortitude must be understood.

It is no argument that the men around Muhammad observed the religious laws, and yet did not experience any diminution of their fortitude, but possessed the greatest possible fortitude. When the Muslims got their religion from Muhammad, the restraining influence came from themselves, as a result of the encouragement and discouragement he gave them in the Qur'an. It was not a result of technical instruction or scientific education. The laws were the laws and **precepts** of the religion that they received orally and which their firmly rooted belief in the truth of the articles of faith caused them to observe. Their fortitude remained **unabated**, and it was not corroded by education or authority. 'Umar said, 'Those who are not (disciplined) by the religious law are not educated by God.' 'Umar's desire was that everyone should have his restraining influence in himself. His certainty was that Muhammad knew best what is good for mankind.

(The influence of) religion, then, decreased among men, and they came to use restraining laws. The religious law became a branch of learning and a craft to be acquired through instruction and education. People turned to sedentary life and assumed the character trait of submissiveness to law. This led to a decrease in their fortitude.

Clearly, then, governmental and educational laws destroy fortitude, because their restraining influence is something that comes from outside. The religious laws, on the other hand, do not destroy fortitude, because their restraining influence is something inherent. Therefore, govermental and educational laws influence

brute force – strength applied without thought

intimidation – the act of making someone else timid or fearful

deprive – take something away (and keep it away); deny someone of something

docility – ready to accept instruction or direction

dignified – respectable

precept – rule or principle, especially one governing personal conduct

unabated – continuing at full strength or intensity

sedentary people, in that they weaken their souls and **diminish** their **stamina**, because they have to suffer them both as children and as adults. The bedouins, on the other hand, are not in the same position, because they live far away from the laws of government, instruction, and education. . . .

7 Only tribes held together by group feeling can live in the desert

It should be known that God put good and evil into the nature of man. Thus, He says in the Qur'an: 'We led him along the two paths.' He further says: 'And inspired the soul with **wickedness** as well as fear of God.' Evil is the quality that is closest to man when he fails to improve his customs and when religion is not used as the model to improve him. The great mass of mankind is in that condition, with the exception of those to whom God gives success. Evil qualities in man are injustice and mutual aggression. He who casts his eye upon the property of his brother will lay his hand upon it to take it, unless there is a restraining influence to hold him back. The poet thus says:

Injustice is a human trait.

If you find a moral man, there is some reason why he is not unjust

Mutual aggression of people in towns and cities is **averted** by the authorities and the government, which hold back the masses under their control from attacks and aggression upon each other. They are thus prevented by the influence of force and governmental authority from mutual injustice, save such injustice as comes from the ruler himself.

Aggression against a city from outside may be averted by walls, in the event of unpreparedness, a surprise attack at night, or inability (of the inhabitants) to withstand the enemy during the day. Or it may be averted with the help of government auxiliary troops, if (the inhabitants are) prepared and ready to offer resistance.

The restraining influence among Bedouin tribes comes from their shaykhs and leaders. It results from the great respect and veneration they generally enjoy among the people. The hamlets of the Bedouins are defended against outside enemies by a tribal militia composed of noble youths of the tribe who are known for their courage. Their defence and protection are successful only if they are a closely knit group of common descent. This strengthens their stamina and makes them feared, since everybody's **affection** for his family and his group is more important (than anything else). **Compassion** and affection for one's blood relations and relatives exist in human nature as something God put into the hearts of men. It makes for mutual support and aid, and increases the fear felt by the enemy.

Those who have no one of their own lineage (to care for) rarely feel affection for their fellows. If danger is in the air on the day of battle, such a man slinks away and seeks to save himself, because he is afraid of being left without support. Such people, therefore, cannot live in the desert, because they would fall prey to any nation that might want to swallow them up.

If this is true with regard to the place where one lives, which is in constant need of defence and military protection, it is equally true with regard to every other human activity, such as prophecy, the establishment of royal authority, or propaganda. Nothing can be achieved in these matters without fighting for it, since man has the natural urge to offer resistance. And for fighting one cannot do without group feeling, as we mentioned at the beginning.

8 Group feeling results only from blood relationship or something corresponding to it

(Respect for) blood ties is something natural among men, with the rarest exceptions.

diminish – make smaller

stamina – the energy and strength for continuing to do something over a long period of time

wickedness – evil disposition; immorality.

avert – to ward off, or prevent, the occurrence or effects of

affection – kind feeling; love; zealous or tender attachment

compassion – sympathy for the suffering of another, coupled with the wish to relieve it; kindness

It leads to affection for one's relations and blood relatives, (the feeling that) no harm, ought to befall them nor any destruction come upon them. One feels shame when one's relatives are treated unjustly or attacked, and one wishes to intervene between them and whatever peril or destruction threatens them. This is a natural **urge** in man, for as long as there have been human beings. If the direct relationship between persons who help each other is very close, so that it leads to close contact and unity, the ties are obvious and clearly require the (existence of a feeling of solidarity) without any outside (prodding). If, however, the relationship is somewhat distant, it is often forgotten in part. However, some knowledge of it remains and this causes a person to help his relatives for the known motive, in order to escape the shame he would feel in his soul were a person to whom he is somehow related treated unjustly.

Clients and allies belong in the same category. The affection everybody has for his clients and allies results from the feeling of shame that comes to a person when one of his neighbours, relatives, or a blood relation in any degree is **humiliated**. The reason for it is that a client (-master) relationship leads to close contact exactly, or approximately in the same way, as does common descent. It is in that sense that one must understand Muhammad's remark, 'Learn as much of your **pedigrees** as is necessary to establish your ties of kindred.' It means that pedigrees are useful only in so far as they imply the close contact that is a consequence of blood ties and that eventually leads to mutual help and affection. Anything beyond that is **superfluous**. For a pedigree is something imaginary and **devoid** of reality. Its usefulness consists only in the resulting connection and close contact. If the fact of (common descent) is obvious and clear, it evokes in man a natural affection, as we have said. If, however, its existence is known only from remote history, it moves the imagination but faintly. Its usefulness is gone, and preoccupation with it becomes gratuitous, a kind of game, and as such is not permissible. In this sense, one must understand the remark, "Genealogy is something which is of no use to know and which it does no harm not to know." This means that when common descent is no longer clear and has become a matter of scientific knowledge, it can no longer move the imagination and is denied the affection caused by group feeling. It has become useless.

urge –
strong desire; an itch to do something

humiliate –
injure a person's dignity and self-respect

pedigree –
the descent of a person, family, or group from an ancestor or ancestors; lineage

superfluous –
in excess of what is required or sufficient

devoid –
empty; having none of; completely without

17 Sedentary culture in cities comes from the dynasties. It is firmly rooted when the dynasty is continuous and firmly rooted

The reason for this is that sedentary culture is a condition that is the result of custom and goes beyond the necessary conditions of civilization. How far beyond, differs in accordance with unlimited differences in the prosperity and the numerical strength or weakness of the nations. (Sedentary culture) occurs in nations when much diversity develops among its various subdivisions. It is thus on the same level as the crafts. Each particular kind of craft needs persons to be in charge of it and skilled in it. The more numerous the various subdivisions of a craft are, the larger the number of people who practise that craft. In the course of time, as each craft becomes more

distinct, the craftsmen become experienced in their various crafts. Long periods of time and the repetition of similar (experiences) add to establishing the crafts and to causing them to be firmly rooted.

This happens mostly in cities, because cities have a highly developed civilization and their inhabitants are very prosperous, and the dynasty is at the root of it, because the dynasty collects the property of the subjects and spends it on its inner circle and on the men connected with it who are more influential by reason of their position than by reason of their property. The money comes from the subjects and is spent among the people of the dynasty and then among those inhabitants who are connected with them. They are the largest part (of the population). Their wealth, therefore, increases and their riches grow. The customs and ways of luxury multiply, and all the various kinds of crafts are firmly established among them. This is sedentary culture. Therefore, cities in remote parts of the **realm**, even if they have a large population, are found to be predominantly Bedouin and remote from sedentary culture in all their ways. This is in contrast with towns that lie in the middle, the centre and the seat of the dynasty. The only reason is that the government is near them and pours its money into them, like the water (of a river) that makes green everything around it, and fertilizes the soil adjacent to it, while in the distance everything remains dry. For dynasty and government are the world's market-place. All kinds of **merchandise** are found in the market and near it. Far from the market, however, goods are altogether nonexistent. As a particular dynasty continues to rule and its rulers succeed each other in a particular city, sedentary culture becomes increasingly firmly established and rooted among the inhabitants of that city.

This may be exemplified by the Jews. Their rule in Syria lasted about 1,400 years. Sedentary culture thus became firmly established among them. They became skilled in the customary ways and means of making a living and in the **manifold** crafts belonging to it as regards food, clothing, and all the other parts of (domestic) economy, so much so that these things, as a rule, can still be learned from them to this day. Sedentary culture and its customs became firmly rooted in Syria through them and through the Roman dynasties which succeeded them for six hundred years. Thus, they had the most developed sedentary culture possible. The same was the case with the Copts. Their political power lasted three thousand years. The customs of sedentary culture were thus firmly rooted in their country, Egypt. They were succeeded there by the Greeks and the Romans, and then by Islam, which **abrogated** everything. The customs of sedentary culture have, thus, always continued in Egypt.

The same was the case with the sedentary culture in Iraq which, for thousands of years, was ruled continuously by the Nabataeans and the Persians, that is, the Chaldaeans, the Achaemenids, the Sassanians, and, after them, the Arabs. Down to this time there has never been upon the face of the earth a people with more sedentary culture than the inhabitants of Syria, the Iraq, and Egypt.

The customs of sedentary culture also became firmly rooted in Spain, which, for thousands of years, was ruled continuously by the great Gothic dynasty, later succeeded by the Umayyad realm. Both dynasties were great. Ifriqiyah and the Maghrib had no great royal authority before Islam. The Romans and European Christians had crossed the sea to Ifriqiyah and had taken possession of the coast. The **allegiance** the Berbers who lived there paid them was not firmly grounded. They were there only temporarily. No dynasty was close to the people of the Maghrib. From time to time, they offered their obedience to the Goths across the sea. When the Arabs took possession of Ifriqiyah and the Maghrib, Arab rule lasted for only a short while at the

realm – kingdom; territory or state, as ruled by a specific power

merchandise – commodities offered for sale

manifold – of many different kinds; having many parts, forms, or applications

abrogate – put an end to; to do away with.

allegiance – loyalty to some cause, nation or ruler.

beginning of Islam. At that time they were in the stage of Bedouin life. Those who stayed in **Ifriqiyah** and the **Maghrib** did not find there any old tradition of sedentary culture, because the original population had been Berbers **immersed** in Bedouin life. Very soon, the Berbers of Morocco **revolted** and never again later **reverted** to Arab rule. They were independent. If they rendered the oath of allegiance to Idris, his rule over them cannot be considered an Arab rule, because the Berbers were in charge of it, and there were not many Arabs in it. Ifriqiyah remained in the possession of the Aghla-bids and the Arabs who were with them. They had some sedentary culture as the result of the luxury and prosperity of the royal authority and the large civilization of al-Qayrawan that were theirs. The Kutamah and then the Sinhajah after them inherited it from the Aghlabids. But all that was brief and lasted less than four hundred years. Their dynasty ended, and the stamp of sedentary culture changed, as it had not been firmly established. The Hilal, who were Arab Bedouins, gained power over the country and ruined it.

Some **obscure** traces of sedentary culture have remained there down to the present time. They can be found in the (domestic) economy and the customs of these people. They are mixed with other things, but the person who comes from a sedentary environment and knows about (sedentary culture) can **discern** them. That is the case with most cities in Ifriqiyah, but not in the Maghrib and the cities there, because since the time of the Aghlabids, the Fatimids, and the Sinhajah, the ruling dynasty in Ifriqiyah has been firmly rooted there for a longer period (than the dynasties in the Maghrib).

The Maghrib, on the other hand, has received a good deal of sedentary culture from Spain since the dynasty of the Almohads, and the customs of sedentary culture became established there through the control that the ruling dynasty of the Maghrib exercised over Spain. A good many of the inhabitants of (Spain) went over to the Almohads in the Maghrib, voluntarily or involuntarily. One knows how far-flung the influence (of the Almohad dynasty) was. It possessed a good deal of firmly established sedentary culture, most of it due to the inhabitants of Spain. Later on, the inhabitants of Eastern Spain were expelled by the Christians and moved to Ifriqiyah. In the cities there, they left traces of sedentary culture, most of it is in Tunis, where it mixed with the sedentary culture of Egypt and Egyptian customs imported by travellers. Thus, the Maghrib and Ifriqiyah had a good deal of sedentary culture. But emptiness took its place, and it disappeared. The Berbers in the Maghrib reverted to their Bedouin ways and Bedouin toughness. But, at any rate, the traces of sedentary culture are more numerous in Ifriqiyah than in the Maghrib. The old dynasties had lasted longer in Ifriqiyah than in the Maghrib, and the customs of the people of Ifriqiyah had been close to the customs of the Egyptians because of the great amount of intercourse between them. This secret should be understood, because it is not generally known. It should be recognized that these are related matters: The strength and weakness of a dynasty, the numerical strength of a nation or race, the size of a town or city,

Ifriqiyah –
in medieval history, Ifriqiya or Ifriqiyah (Arabic: إفريقية) was the area comprising the coastal regions of what are today western Libya, Tunisia, and eastern Algeria.

Maghrib –
Northwest Africa, the region of Africa north of the Sahara and west of the Nile.

immerse –
involve deeply

revolt –
rebel, particularly against authority

revert –
go back to

obscure –
difficult to understand; not well–known

discern –
to perceive, recognize, or comprehend with the mind

and the amount of prosperity and wealth. This is because dynasty and royal authority constitute the form of the world and of civilization, which, in turn, together with the subjects, cities, and all other things, constitute the matter of dynasty and royal authority. The tax money reverts to the people. Their wealth, as a rule, comes from their business and commercial activities. If the ruler pours out gifts and money upon his people, it spreads among them and reverts to him, and again from him to them. It comes from them through taxation and the land tax, and reverts to them through gifts. The wealth of the subjects corresponds to the finances of the dynasty. The finances of the dynasty, in turn, correspond to the wealth and number of the subjects. The origin of it all is civilization and its extensiveness. If this is considered and examined in connection with the dynasties, it will be found to be so.

18 Sedentary culture is the goal of civilization. It means the end of its life span and brings about its corruption

We have explained before that royal authority and the foundation of dynasties are the goal of group feeling, that sedentary culture is the goal of Bedouin life, and that any civilization, be it a Bedouin civilization or sedentary culture, whether it concerns ruler or commoner, has a physical life, just as any individual has a physical life. Reason and tradition make it clear that forty years mean the end of the increase of an individual's powers and growth. When a man has reached the age of forty, nature stops growing for a while, then starts to decline. It should be known that the same is the case with sedentary culture in civilization, because there is a limit that cannot be overstepped. When luxury and prosperity come to civilized people, it naturally causes them to follow the ways of sedentary culture and adopt its customs. As one knows, sedentary culture is the adoption of diversified luxuries, the cultivation of the things that go with them, and addiction to the crafts that give **elegance** to all **refinements**, such as the crafts of cooking, dressmaking, building, and (making) carpets, vessels, and all other parts of (domestic) economy. For the elegant execution of all these things, there exist many crafts not needed in desert life with its lack of elegance. When elegance in (domestic) economy has reached the limit, it is followed by **subservience** to desires. From all these customs, the human soul receives a multiple stamp that undermines its religion and worldly well-being.

It cannot preserve its religion, because it has now been firmly stamped by customs that are difficult to **discard**. (It cannot preserve) its worldly (well-being), because the customs (of luxury) demand a great many things and (entail) many requirements for which (a man's) income is not sufficient.

This is explained by the fact that the expenditure of the inhabitants of a city mounts with the diversification of sedentary culture. Sedentary culture differs according to the differences in civilization. When a civilization grows, sedentary culture becomes more perfect. We have stated before that a city with a large population is characterized by high prices in business and high prices for its needs. These are then raised still higher through customs duties; for sedentary culture reaches perfection at the time when the dynasty has reached its greatest flourishing, and that is the time when the dynasty levies customs duties because then it has large expenditure. The customs duties raise the sale prices, because small businessmen and merchants include all their expenses, even their personal requirements, in the price of their stock and merchandise. Thus, customs duties enter into the sale price. The expenditure of sedentary people, therefore, grows and is no longer reasonable but **extravagant**. The people cannot escape this because they are dominated by and subservient to their customs. All their profits

elegance – grace, refinement, and beauty in movement, appearance, or manners

refinement – removal of impurities

subservience – the state of being obsequiously submissive.

discard – throw away; reject

extravagant – exceeding the bounds of something; extreme

go into their expenditure. One person after another becomes reduced in circumstances and **indigent**. Poverty takes hold of them. Few persons bid for the available goods. Business decreases, and the situation of the town **deteriorates**.

All this is caused by excessive sedentary culture and luxury. They corrupt the city generally in respect to business and civilization. Corruption of the individual inhabitants is the result of painful and trying efforts to satisfy the needs caused by their (luxury) customs; (the result) of the bad qualities they have acquired in the process of satisfying (those needs); and of the damage the soul suffers after it has obtained them. Immorality, wrongdoing, insincerity, and trickery, for the purposes of making a living in a proper or an improper manner, increase among them. The soul comes to think about (making a living), to study it, and to use all possible trickery for the purpose. People are now devoted to lying, **gambling**, **cheating**, **fraud**, theft, **perjury**, and **usury**. Because of the many desires and pleasures resulting from luxury, they are found to know everything about the ways and means of immorality, they talk openly about it and its causes, and give up all restraint in discussing it, even among relatives and close female relations, where the Bedouin attitude requires modesty (and avoidance of **obscenities**). They also know everything about fraud and deceit, which they employ to defend themselves against the possible use of force against them and against the punishment expected for their evil deeds. Eventually, this becomes a custom and trait of character with most of them, except those whom God protects. The city, then, teems with low people of blameworthy character. They encounter competition from many members of the younger generation of the dynasty, whose education has been neglected and whom the dynasty has neglected to accept. They, therefore, adopt the qualities of their environment and company, even though they may be people of noble descent and ancestry. Men are human beings and as such resemble one another. They differ in merit and are distinguished by their character, by their acquisition of virtues and avoidance of vices. The person who is strongly coloured by any kind of vice and whose character is corrupted, is not helped by his good descent and fine origin. Thus, one finds that many descendants of great families, men of a highly esteemed origin, members of the dynasty, get into deep water and adopt low occupations in order to make a living, because their character is corrupt and they are coloured by wrongdoing and insincerity. If this (situation) spreads in a town or nation, God permits it to be ruined and destroyed. This is the meaning of the word of God: 'When we want to destroy a village, we order those of its inhabitants who live in luxury to act **wickedly** therein. Thus, the word becomes true for it, and we do destroy it.'

A possible explanation of this (situation) is that the profits (the people) make do not pay for their needs, because of the great number of (luxury) customs and the desire of the soul to satisfy them. Thus, the affairs of the people are disordered, and if the affairs of individuals one by one deteriorate, the town becomes disorganized and falls into ruin. This is the meaning of the statement by certain experts, that if orange trees are much grown in a town, the town invites its own ruin.

indigent –
person in need, or in poverty

deteriorate –
become worse; become inferior in quality or value

gambling –
activity characterised by a balance between winning and losing that is governed by a mixture of skill and chance

cheating –
act of deception, fraud, trickery, imposture, or imposition

fraud –
act of deception carried out for the purpose of unfair, undeserved, and/or unlawful gain, esp. financial gain

perjury –
deliberately giving false or misleading testimony under oath

usury –
exorbitant rate of interest in excess of any legal rates

obscenity –
thing offensive to conventional standards of decency, especially as a result of sexual explicitness

wickedly –
in an evil manner

Many common people avoided the growing of orange trees around their houses on account of this **ominous** statement. But this is not the meaning intended. What is meant is that gardens and irrigation are the results of sedentary culture. Orange trees, lime trees, cypresses, and similar plants having no edible fruits and being of no use, are the ultimate in sedentary culture, since they are planted in gardens only for the sake of their appearance, and they are planted only after the ways of luxury have become diversified. This is the stage in which one must fear the destruction and ruin of a city, as we have stated. The same has been said with regard to oleander, which is in the same category. Its only purpose is to give colour to gardens with its red and white flowers. That is a luxury.

Among the things that corrupt sedentary culture, there is the disposition toward pleasures and indulgence in them, because of the great luxury (that prevails). It leads to diversification of the desires of the belly for pleasurable food and drink. This is followed by diversification of the pleasures of sex through various ways of sexual intercourse, such as adultery and homosexuality. This leads to destruction of the species. It may come about indirectly, through the confusion concerning one's descent caused by adultery. Nobody knows his own son, since he is illegitimate and since the sperm (of different men) got mixed up in the womb. The natural compassion a man feels for his children and his feeling of responsibility for them is lost. Thus, they perish, and this leads to the end of the species. Or, the destruction of the species may come about directly, as is the case with homosexuality, which leads directly to the nonexistence of offspring. It contributes more to the destruction of the species (than adultery), since it leads to no human beings being brought into existence, while adultery only leads to the (social) nonexistence of those who are in existence. Therefore, the school of Malik is more explicit and correct with regard to homosexuality than the other schools. This shows that it understands the intentions of the religious law and their bearing upon the (public) interest better (than the other legal schools).

This should be understood. It shows that the goal of civilization is sedentary culture and luxury. When civilization reaches that goal, it turns toward corruption and starts being **senile**, as happens in the natural life of living beings. Indeed, we may say that the qualities of character resulting from sedentary culture and luxury are identical with corruption. Man is a man only inasmuch as he is able to **procure** for himself useful things and to **repel** harmful things, and inasmuch as his character is suited to making efforts to this effect. The sedentary person cannot take care of his needs personally. He may be too weak, because of the tranquillity he enjoys. Or he may be too proud, because he was brought up in prosperity and luxury. Both things are blameworthy. He also is not able to repel harmful things, because he has no courage as the result of luxury and his upbringing under the impact of education and instruction. He thus becomes dependent upon a protective force to defend him.

He then usually becomes corrupt with regard to his religion, also. The (luxury) customs and his subservience to them have corrupted him, and his soul has been stamped by habits of luxury, as we have stated. There are only very rare exceptions. When the strength of a man and then his character and religion are corrupted, his humanity is corrupted, and he becomes, in effect, transformed into an animal. It is in this sense that those government soldiers who are close to Bedouin life and toughness are more useful than those who have grown up in a sedentary culture and have adopted its character traits. This can be found in every dynasty. It has thus become clear that the stage of sedentary culture is the stopping point in the life of civilization and dynasties.

ominous –
potentially harmful or having an injurious effect, threatening.

senile –
exhibiting the deterioration in mind and body often accompanying old age; doddering

procure –
acquire or obtain an item, usually by extra effort.

repel –
push away

SOURCES: Ibn Khaldun. THE MUQADDIMAH, An Introduction to History. Translated from the Arabic by FRANZ ROSENTHAL, Edited and abridged by N.J. DAWOOD, Bollingen Seria/Prinston/, Chapter 2, pp.91-99; Chapter 4, pp.282- 289;

ANALYSIS QUESTIONS:

1. What are the differences between Bedouin and sedentary people? Why does the author call them natural groups?
2. Why is it necessary for Bedouin to restrict themselves to the desert? What do you think of their social organizations and forms of co-operation? What are the advantages and disadvantages of this social organization?
3. What do you think of the role of increasing comfort and ease, which according to Ibn Khaldun, leads to development of most luxury customs in the life of people? Do comfort and ease negatively affect the stability of social organizations? Do you agree with this point?
4. Why does Ibn Khaldun think that Bedouins are prior to sedentary people? Do you agree with this point?
5. According to Ibn Khaldun, is the initial, natural state of people good or bad? Why does the author think that Bedouins are closer to being good than sedentary people?
6. Why do sedentary people, according to Ibn Khaldun depend on the people of desert, 'they cannot do anything for themselves without them'? Do you agree with the point that the reliance of sedentary people upon laws destroys their fortitude and power?
7. Can you explain the meaning of the group feeling (asabiyah) of solidarity? What can you say about the solidarity of sedentary people and Bedouins? Where is the group feeling developed stronger? What role does the blood relationship play in formation of group feeling? Can be it be called civil society? What is the role of dynasties and property in sedentary culture?
8. Why does Ibn Khaldun think that sedentary civilization is the goal, the culmination and the end of civilization? How was Ibn Khaldun trying to justify the reasons of corruption of civilizations?
9. How did Ibn Khaldun justify his theory on the evolution of social organization throughout history? Can you create a map of the detailed historical evidence by which Ibn Khaldun tried to support this theory? Why is it so important for Ibn Khaldun to understand social structure? Would better understanding of society make any differences in people's lives?

REVIEW QUESTIONS:

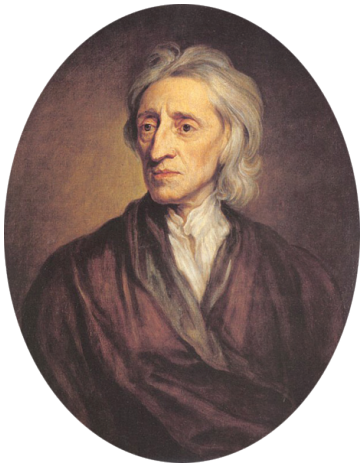
1. Compare Ibn Khaldun's text with Bhagavad-Gita and Confucius: What differences do they have on the responsibilities of individuals and the state towards society?
2. Imagine that Arjuna was living in a Bedouin society: what would be his reaction towards the community there? Explain the differences in individual responsibility between Bedouin and sedentary societies. Why is individual responsibility so important?
3. Why, according to Confucius, do people have to be educated not by force, but by touching their hearts? Where do you think it is most possible to implement the Confucian moral imperative not to do to others the things that you don't want them to do to you – in Bedouin society, or in cities?

ADDITIONAL READINGS:

- Fuad Baali. 2005 The science of human social organization: Conflicting views on Ibn Khaldun's (1332-1406) Ilm al-umran. Mellen studies in sociology. Lewiston/NY: Edwin Mellen Press.
- J. D. C. Boulakia, (1971). Ibn Khaldoun: A fourteenth-century economist, J. Politic. Econ., 79, pp. 105-18.
- Walter Fischel. 1967 Ibn Khaldun in Egypt: His public functions and his historical research, 1382-1406; a study in Islamic historiography. Berkeley: University of California Press.
- Ibn Khaldun. 1951, Al–Taʕrīf bi Ibn–Khaldūn wa Riħlatuhu Gharbān wa Sharqān. Published by Muħammad ibn–Tāwīt at–Tanjī. Cairo (Autobiography in Arabic).
- Ibn Khaldūn. 1958 The Muqaddimah: An introduction to history. Translated from the Arabic by Franz Rosenthal. 3 vols. New York: Princeton.

JOHN LOCKE: THE SECOND TREATISE OF CIVIL GOVERNMENT

John Locke (1632-1704), an empiricist and philosopher, was born in Somerset, England. Locke's treatises on government were an outcome of his experiences in the circles of the English establishment after the English revolution. Among many others, Locke published the following well-known works: *Essay Concerning Human Understanding* **(1689),** *Two Treatises of Government* **(1690), and** *Some Thoughts Concerning Education (1693)*. **Locke's core thesis in the** *Essay Concerning Human Understanding* **is that all human ideas emerge from human experience and are not innate. In his political treatises, Locke introduces his notions on the law and the state of nature, the social contract to create a single body politic, and how tyranny is a state of war initiated by the ruler. However, Locke also justified slavery, which is not consistent with the rest of his political philosophy.**



CHAPTER VII
OF POLITICAL OR CIVIL SOCIETY

Sec. 77. God, having made man such a creature that in his own judgment it was not good for him to be alone, put him under strong obligations of necessity, convenience, and inclination to drive him into society, as well as fitted him with understanding and language to continue and enjoy it. The first society was between man and wife, which gave beginning to that between parents and children; to which, in time, that between master and servant came to be added: and though all these might, and commonly did meet together, and make up but one family, wherein the master or mistress of it had some sort of rule proper to a family; each of these, or all together, came short of political society, as we shall see, if we consider the different ends, ties, and bounds of each of these.

Sec. 78. **Conjugal** society is made by a voluntary compact between man and woman; and **tho'** it consists chiefly in such a communion and right in one another's bodies as is necessary to its chief end, **procreation**; yet it draws with it mutual support and assistance, and a communion of interests too, as necessary not only to unite their care and affection, but also necessary to their common off-spring, who have a right to be nourished and maintained by them, till they are able to provide for themselves.

Sec. 79. For the end of **conjunction**, between male and female, being not barely procreation, but the continuation of the species; this conjunction **betwixt** male and female ought to last, even after procreation, so long as is necessary to the nourishment and support of the young ones, who are to be sustained by those that got them, till they are able to shift and provide for themselves. This rule, which the infinite wise maker hath set to the works of his hands, we find the inferior creatures steadily obey. In those **viviparous** animals which feed on grass, the conjunction between male and female lasts no longer than the very act of copulation; because the teat of the dam be-

conjugal – of or relating to marriage or to the relationship of spouses

tho' – Old English: though

procreation – the sexual activity of conceiving and bearing offspring, having a child

conjunction – the act or the state of being joined; being together

betwixt – Old English: between

viviparous – giving birth to living offspring that develop within the mother's body. Most mammals and some other animals are viviparous

ing sufficient to nourish the young, till it be able to feed on grass, the male only begets, but concerns not himself for the female or young, to whose sustenance he can contribute nothing. But in beasts of prey the conjunction lasts longer: because the dam not being able well to subsist herself, and nourish her numerous off-spring by her own prey alone, a more laborious, as well as more dangerous way of living, than by feeding on grass, the assistance of the male is necessary to the maintenance of their common family, which cannot subsist till they are able to prey for themselves, but by the joint care of male and female. The same is to be observed in all birds, (except some domestic ones, where plenty of food excuses the cock from feeding and taking care of the young brood) whose young needing food in the nest, the cock and hen continue to mate, till the young are able to use their wings, and provide for themselves.

Sec. 80. And herein, I think, lies the chief, if not the only reason, why the male and female in mankind are tied to a longer conjunction than other creatures, **viz**. because the female is capable of conceiving, and **de facto** is commonly with child again, and brings forth too a new birth, long before the former is out of a dependency for support on his parents help, and able to shift for himself, and has all the assistance is due to him from his parents: whereby the father, who is bound to take care for those he hath begot, is under an obligation to continue in conjugal society with the same woman longer than other creatures, whose young being able to subsist of themselves, before the time of procreation returns again, the conjugal bond dissolves of itself, and they are at liberty, till Hymen at his usual anniversary season summons them again to choose new mates. Wherein one cannot but admire the wisdom of the great Creator, who having given to man foresight and an ability to lay up for the future, as well as to supply the present necessity, hath made it necessary that the society of man and wife should be more lasting than of male and female amongst other creatures; that so their industry might be encouraged, and their interest better united, to make provision and lay up goods for their common issue, which uncertain mixture or easy and frequent solutions of conjugal society would mightily disturb.

Sec. 81. But though these are ties upon mankind, which make the conjugal bonds more firm and lasting in man than the other species of animals; yet it would give one reason to enquire why this compact, where procreation and education are secured and inheritance taken care for, may not be made determinable, either by **consent**, or at a certain time, or upon certain conditions, as well as any other voluntary compacts, there being no necessity in the nature of the thing, nor to the ends of it, that it should always be for life; I mean, to such as are under no restraint of any positive law, which ordains all such contracts to be perpetual.

Sec. 82. But the husband and wife, though they have but one common concern, yet having different understandings, will unavoidably sometimes have different wills too; it therefore being necessary that the last determination, i.e. the rule, should be placed somewhere; it naturally falls to the man's share, as the abler and the stronger. But this reaching but to the things of their common interest and property leaves the wife in the full and free possession of what by contract is her peculiar right and gives the husband no more power over her life than she has over his; the power of the husband being so far from that of an absolute monarch that the wife has in many cases a liberty to separate from him, where natural right, or their contract allows it; whether that contract be made by themselves in the state of nature, or by the customs or laws of the country they live in; and the children upon such separation fall to the father or mother's lot, as such contract does determine.

Sec. 83. For all the ends of marriage being to be obtained under political government, as well as in the state of nature, the civil **magistrate** cloth does not abridge the right or power of either naturally necessary to those ends, viz. procreation and mutual

viz. –
Latin: that is; namely
de facto –
medieval Latin, literally: from the fact; exercising power or serving a function without being legally or officially established
consent –
the common opinion or agreement of all the people in a society
magistrate –
an official entrusted with administration of the laws

support and assistance whilst they are together; but only decides any controversy that may arise between man and wife about them. If it were otherwise, and that absolute sovereignty and power of life and death naturally belonged to the husband, and were necessary to the society between man and wife, there could be no **matrimony** in any of those countries where the husband is allowed no such absolute authority. But the ends of matrimony requiring no such power in the husband, the condition of conjugal society put it not in him, it being not at all necessary to that state. Conjugal society could subsist and attain its ends without it; nay, community of goods, and the power over them, mutual assistance and maintenance, and other things belonging to conjugal society might be varied and regulated by that contract which unites man and wife in that society, as far as may consist with procreation and the bringing up of children till they could shift for themselves; nothing being necessary to any society that is not necessary to the ends for which it is made.

Sec. 84. The society betwixt parents and children, and the distinct rights and powers belonging respectively to them, I have treated of so largely in the foregoing chapter that I shall not here need to say anything of it. And I think it is plain, that it is far different from a political society.

Sec. 85. Master and servant are names as old as history, but given to those of far different condition; for a freeman makes himself a servant to another, by selling him, for a certain time the service he undertakes to do in exchange for wages he is to receive: and though this commonly puts him into the family of his master, and under the ordinary discipline thereof; yet it gives the master but a temporary power over him and no greater than what is contained in the contract between them. But there is another sort of servants, which by a peculiar name we call slaves, who being captives taken in a just war, are by the right of nature subjected to the absolute dominion and arbitrary power of their masters. These men having, as I say, forfeited their lives, and with it their liberties, and lost their estates; and being in the state of slavery not capable of any property, cannot in that state be considered as any part of civil society; the chief end whereof is the preservation of property.

Sec. 86. Let us therefore consider a master of a family with all these subordinate relations of wife, children, servants, and slaves, united under the domestic rule of a family; which, what resemblance so ever it may have in its order, offices, and number too, with a little **common-wealth**, yet is very far from it, both in its constitution, power and end: or if it must be thought a monarchy, and the **paterfamilias** the absolute monarch in it, absolute monarchy will have but a very **shattered** and short power, when it is plain, by what has been said before, that the master of the family has a very distinct and differently limited power, both as to time and extent over those several persons that are in it; for excepting the slave (and the family is as much a family, and his power as paterfamilias as great, whether there be any slaves in his family or no) he has no **legislative** power of life and death over any of them and none too but what a mistress of a family may have as well as he. And he certainly can have no absolute power over the whole family, who has but a very limited one over every individual in it. But how a family, or any other society of men, differ from that which is properly political society, we shall best see by considering wherein political society itself consists.

matrimony – the state or condition of being married
common-wealth – nation or state governed by the people; republic
paterfamilias – man who is the head of a household or the father of a family
shattered – broken into pieces
legislative – the power to make decisions

Sec. 87. Man being born, as has been proved, with a title to perfect freedom, and an uncontrolled enjoyment of all the rights and privileges of the law of nature, equally with any other man, or number of men in the world, hath by nature a power, not only to preserve his property, that is, his life, liberty and estate, against the injuries and attempts of other men; but to judge of, and punish the breaches of that law in others, as he is persuaded the offence deserves, even with death itself, in crimes where the **heinousness** of the fact, in his opinion, requires it. But because no political society can be, nor subsist, without having in itself the power to preserve the property, and in order thereunto, punish the offences of all those of that society; there, and there only is political society where every one of the members hath quitted this natural power, resigned it up into the hands of the community in all cases that exclude him not from appealing for protection to the law established by it. And thus all private judgment of every particular member being excluded, the community comes to be **umpire**, by settled standing rules, indifferent, and the same to all parties; and by men having authority from the community, for the execution of those rules, decides all the differences that may happen between any members of that society concerning any matter of right; and punishes those offences which any member hath committed against the society with such penalties as the law has established: whereby it is easy to discern who are and who are not in political society together. Those who are united into one body, and have a common established law and judicature to appeal to, with authority to decide controversies between them, and punish offenders, are in civil society one with another: but those who have no such common appeal, I mean on earth, are still in the state of nature, each being, where there is no other, judge for himself, and executioner; which is, as I have before **shewed** it, the perfect state of nature.

Sec. 88. And thus the common-wealth comes by a power to set down what punishment shall belong to the several **transgressions** which they think worthy of it, committed amongst the members of that society (which is the power of making laws), as well as it has the power to punish any injury done unto any of its members by any one that is not of it, (which is the power of war and peace) and all this for the preservation of the property of all the members of that society, as far as is possible. But though every man who has entered into civil society, and is become a member of any commonwealth, has thereby quitted his power to punish offences against the law of nature, in prosecution of his own private judgment, yet with the judgment of offences, which he has given up to the legislative in all cases, where he can appeal to the magistrate, he has given a right to the common-wealth to employ his force, for the execution of the judgments of the common-wealth, whenever he shall be called to it, which indeed are his own judgments, they being made by himself, or his representative. And herein we have the original of the legislative and **executive** power of civil society, which is to judge by standing laws how far offences are to be punished when committed within the common-wealth; and also to determine, by occasional judgments founded on the present circumstances of the fact, how far injuries from without are to be **vindicated**; and in both of these to employ all the force of all the members, when there shall be need.

Sec. 89. Wherever therefore any number of men are so united into one society, as to quit every one his executive power of the law of nature, and to resign it to the public, there and there only is a political, or civil society. And this is done, wherever any number of men in the state of nature enter into society to make one people, one body politic, under one supreme government; or else when any one joins himself to and incorporates with any government already made: for hereby he authorises the society, of which is all one, the legislative thereof, to make laws for him as the public good of the society shall require; to the execution whereof his own assistance (as to his own decrees) is due. And this puts men out of a state of nature into that of a

heinousness – the quality of being shockingly cruel and inhumane
umpire – someone who has the authority to decide finally an argument or question between parties
shewed – Eld English: shown
transgressions – infringement or violation of a law, command, or duty
executive – the power to fulfill or execute the decision of the legislative body
vindicate – defend; clear of accusations and blame

common-wealth by setting up a judge on earth with authority to determine all the controversies, and redress the injuries that may happen to any member of the commonwealth; which judge is the legislative, or magistrates appointed by it. And wherever there are any number of men, however associated, that have no such decisive power to appeal to, there they are still in the state of nature.

Sec. 90. Hence it is evident that absolute monarchy, which by some men is counted the only government in the world, is indeed inconsistent with civil society and so can be no form of civil-government at all: for the end of civil society being to avoid and remedy those inconveniencies of the state of nature which necessarily follow from every man's being judge in his own case, by setting up a known authority to which every one of that society may appeal upon any injury received, or controversy that may arise, and which every one of the* society ought to obey; whereever any persons are, who have not such an authority to appeal to, for the decision of any difference between them, there those persons are still in the state of nature; and so is every absolute prince, in respect of those who are under his dominion.

(*The public power of all society is above every soul contained in the same society; and the principal use of that power is to give laws unto all that are under it, which laws in such cases we must obey, unless there be reason shewed which may necessarily **inforce** that the law of reason, or of God, doth enjoin the contrary, Hook. Eccl. Pol. l. i. sect. 16.)

Sec. 91. For he being supposed to have all, both legislative and executive power in himself alone, there is no judge to be found, no appeal lies open to any one, who may fairly, and indifferently, and with authority decide, and from whose decision relief and redress may be expected of any injury or inconveniency, that may be suffered from the prince or by his order: so that such a man, however entitled, Czar, or Grand Seignior, or how you please, is as much in the state of nature, with all under his dominion, as he is with the rest of mankind: for whereever any two men are who have no standing rule and common judge to appeal to on earth, for the determination of controversies of right betwixt them, there they are still in the state of* nature, and under all the inconveniencies of it, with only this woeful difference to the subject, or rather slave of an absolute prince: that whereas, in the ordinary state of nature, he has a liberty to judge of his right, and according to the best of his power, to maintain it; now, whenever his property is invaded by the will and order of his monarch, he has not only no appeal, as those in society ought to have, but as if he were degraded from the common state of rational creatures, is denied a liberty to judge of, or to defend his right; and so is exposed to all the misery and inconveniencies that a man can fear from one, who being in the unrestrained state of nature, is yet corrupted with **flattery** and armed with power.

(*To take away all such mutual grievances, injuries and wrongs, i.e. such as attend men in the state of nature, there was no way but only by growing into composition and agreement amongst themselves, by ordaining some kind of government public, and by yielding themselves subject thereunto, that unto whom they granted authority to rule and govern by them the peace, tranquillity and happy estate of the rest might be procured. Men always knew that where force and injury was offered they might be defenders of themselves; they knew

inforce –
Old English: enforce

flattery –
the act of pleasing someone by excessive, sometimes false praising

that however men may seek their own commodity, yet if this were done with injury unto others, it was not to be suffered, but by all men, and all good means to be withstood. Finally, they knew that no man might in reason take upon him to determine his own right, and according to his own determination proceed in maintenance thereof, in as much as every man is towards himself, and them whom he greatly affects, partial; and therefore that strifes and troubles would be endless, except they gave their common consent, all to be ordered by some, whom they should agree upon, without which consent there would be no reason that one man should take upon him to be lord or judge over another, Hooker's Eccl. Pol. l. i. sect. 10.)

Sec. 92. For he that thinks absolute power purifies men's blood, and corrects the baseness of human nature, need read but the history of this, or any other age, to be convinced of the contrary. He that would have been insolent and injurious in the woods of America would not probably be much better in a throne; where perhaps learning and religion shall be found out to justify all that he shall do to his subjects, and the sword presently silence all those that dare question it: for what the protection of absolute monarchy is, what kind of fathers of their countries it makes princes to be and to what a degree of happiness and security it carries civil society, where this sort of government is grown to perfection, he that will look into the late relation of Ceylon may easily see.

Sec. 93. In absolute monarchies indeed, as well as other governments of the world, the subjects have an appeal to the law, and judges to decide any controversies and restrain any violence that may happen betwixt the subjects themselves, one amongst another. This every one thinks necessary, and believes he deserves to be thought a declared enemy to society and mankind, who should go about to take it away. But whether this be from a true love of mankind and society, and such a charity as we owe all one to another, there is reason to doubt: for this is no more than what every man who loves his own power, profit, or greatness, may and naturally must do to keep those animals from hurting, or destroying one another, who labour and drudge only for his pleasure and advantage; and so are taken care of, not out of any love the master has for them, but love of himself, and the profit they bring him: for if it be asked, what security, what fence is there, in such a state, against the violence and oppression of this absolute ruler? The very question can scarce be borne. They are ready to tell you that it deserves death only to ask after safety. Betwixt subject and subject, they will grant, there must be measures, laws and judges for their mutual peace and security: but as for the ruler, he ought to be absolute and is above all such circumstances; because he has power to do more hurt and wrong, it is right when he does it. To ask how you may be guarded from harm or injury on that side where the strongest hand is to do it, is presently the voice of faction and rebellion: as if when men quitting the state of nature entered into society they agreed that all of them but one should be under the restraint of laws, but that he should still retain all the liberty of the state of nature, increased with power, and made licentious by impunity. This is to think, that men are so foolish, that they take care to avoid what mischiefs may be done them by pole-cats, or foxes; but are content, nay, think it safety, to be devoured by lions.

Sec. 94. But whatever flatterers may talk to amuse people's understandings, it hinders not men from feeling; and when they perceive that any man, in what station soever, is out of the bounds of the civil society which they are of, and that they have no appeal on earth against any harm, they may receive from him, they are apt to think themselves in the state of nature in respect of him whom they find to be so; and to take care, as soon as they can, to have that safety and security in civil society, for which it was first instituted, and for which only they entered into it. And therefore, though perhaps at first, (as shall be shewed more at large hereafter in the following part of this discourse) some one good and excellent man having got

a pre-eminency amongst the rest, had this deference paid to his goodness and virtue, as to a kind of natural authority, that the chief rule, with arbitration of their differences, by a tacit consent devolved into his hands without any other caution but the assurance they had of his uprightness and wisdom; yet when time, giving authority, and (as some men would persuade us) sacredness of customs, which the negligent and unforeseeing innocence of the first ages began, had brought in successors of another stamp, the people finding their properties not secure under the government, as then it was, (whereas government has no other end but the preservation of* property) could never be safe nor at rest, nor think themselves in civil society, till the legislature was placed in collective bodies of men, call them senate, parliament, or what you please. By which means every single person became subject equally with others the meanest men to those laws, which he himself, as part of the legislative, had established; nor could any one, by his own authority avoid the force of the law, when once made; nor by any pretence of superiority plead exemption, thereby to license his own, or the miscarriages of any of his dependents.** No man in civil society can be exempted from the laws of it; for if any man may do what he thinks fit, and there be no appeal on earth for redress or security against any harm he shall do; I ask whether he be not perfectly still in the state of nature, and so can be no part or member of that civil society; unless any one will say, the state of nature and civil society are one and the same thing, which I have never yet found any one so great a patron of anarchy as to affirm.

(*At the first, when some certain kind of regiment was once appointed, it may be that nothing was then further thought upon for the manner of governing, but all permitted unto their wisdom and discretion, which were to rule, till by experience they found this for all parts very inconvenient, so as the thing which they had devised for a remedy did indeed but increase the sore which it should have cured. They saw that to live by one man's will became the cause of all men's misery. This constrained them to come unto laws wherein all men might see their duty beforehand, and know the penalties of transgressing them. Hooker's Eccl. Pol. l. i. sect. 10.)

(**Civil law being the act of the whole body politic, doth therefore over-rule each several part of the same body. Hooker, ibid.)

SOURCE: John Locke. The Second Treatise of Civil Government. The University of Adelaide Library Electronic Texts Collection. Chapter VII.
<http://etext.library.adelaide.edu.au/l/l81s/chapter1.html>

DISCUSSION QUESTIONS:

1. What is the state of nature? According to Locke what are the dangers of residing in the state of nature? What are the important features of the conjugal bonds between males and females by simple approval, contract, or other circumstances or natural laws? What makes spouses assign and limit each others liberty of action in marriage?
2. What does Locke say about slavery? According to Locke, why should the authority in the family be concentrated in the hands of one person? Why is it wrong for a husband to assume political force over other members of the family? What makes a conjugal society different from a political society?
3. How does Locke define an inherent power given to an individual by nature? What is property, according to Locke? Why do individuals assemble into a political society? What are the functions of political society? How should private property be protected in a society of individuals who forgo their natural freedom to form a political union?
4. How does Locke define civil society? Why are individuals prompted to create a commonwealth? What is the role of a magistrate in the commonwealth?
5. Does Locke differentiate between political and civil societies? What are they? Does civil society precede political society, or vice versa?
6. What makes absolute monarchy incompatible with civil society? How may a sovereign jeopardize the safety and security of civil society? Why does Locke think obeying law is the unequivocal prerequisite for the functioning of civil society?

ADDITIONAL READINGS:

- John Locke. The Second Treatise of the Civil Government. The University of Adelaide Library Electronic Texts Collection. <http://etext.library.adelaide.edu.au/l/l81s/index.html>
- Noble et al. Western Civilisation: the Continuing Experience. Houghton Mifflin Company, 1998.
- Dominique Colas. Civil Society and Fanaticism: the Conjoined Histories. Translated from French by Amy Jacobs. Stanford: Stanford University Press, 1997.
- Stanford Encyclopedia of Philosophy. <http://plato.stanford.edu/entries/locke/>
- The Internet Encyclopaedia of Philosophy. <http://www.utm.edu/research/iep/l/locke.htm>

GEORG WILHELM FRIEDRICH HEGEL: PHILOSOPHY OF RIGHT

One of the most prominent philosophers of the late Enlightenment, Georg Wilhelm Friedrich Hegel, was born in Stuttgart, Germany in 1770 and died in 1831. Among the many works he published are the Phenomenology of Mind (*Phanomenologie des Geistes,* 1807), Science of Logic Volumes 1-2 (1812-13), Encyclopedia of the Philosophical Sciences in Outline (*Encyklopedia der philosophischen Wissenschaften im Grundrisse,* 1817), and the Philosophy of Right (*Philosophie des Rechts*, 1821). Hegel's main contributions are in philosophy and dialectics. He held that the mind was the only reality and therefore is considered a philosophical idealist. His dialectical method remains one of his greatest contributions to critical thinking, which is expressed in triads of thesis, antithesis and synthesis. Hegelian dialectics is aimed at revealing the contradictions in ideas and theories, to discard errors and to establish the truth value of a theory or idea.

THIRD PART: ETHICAL LIFE
II CIVIL SOCIETY

A: System of needs B: Justice C: Corporations

§ 182

The concrete person, who is himself the object of his particular aims, is, as a totality and a mixture of **caprice** and physical necessity, one principle of civil society. But the particular person is essentially so related to other particular persons that each establishes himself and finds satisfaction by means of the others, and at the same time purely and simply by means of the form of universality, the second principle here.

ADDITION: *Civil society is the [stage of] difference which intervenes between the family and the state, even if its formation follows later in time than that of the state, because, as [the stage of] difference, it presupposes the state; to subsist itself, it must have the state before its eyes as something self-subsistent. Moreover, the creation of civil society is the achievement of the modern world which has for the first time given all determinations of the Idea their due. If the state is represented as a unity of different persons, as a unity which is only a partnership, then what is really meant is only civil society. Many modern constitutional lawyers have been able to bring within their purview no theory of the state but this. In civil society each member is his own end, everything else is nothing to him. But except in contact with others he cannot attain the whole compass of his ends, and therefore these others are means to the end of the particular member. A particular end, however, assumes the form of universality through this relation to other people, and it is attained in the simultaneous attainment of the welfare of others. Since particularity is inevitably conditioned by universality, the whole sphere of civil society is the territory of* ***mediation*** *where there is free play for every idiosyncrasy, every talent, every accident of birth and fortune, and where waves of every passion gush forth, regulated only by reason* ***glinting*** *through them. Particularity, restricted by universality, is the only standard whereby each particular member promotes his welfare.*

caprice –
sudden change, usually a change in one's mind

mediation –
to settle an argument or to negotiate between opposing partners as a third, neutral person

glinting –
momentary flash of light

§ 183

In the course of the actual attainment of selfish ends – an attainment conditioned in this way by universality – there is formed a system of complete interdependence, wherein the livelihood, happiness, and legal status of one man is interwoven with the livelihood, happiness, and rights of all. On this system, individual happiness, etc., depend, and only in this connected system are they actualised and secured. This system may be prima facie regarded as the external state, the state based on need, the state as the Understanding envisages it.

§ 184

The Idea in this its stage of division imparts to each of its moments a characteristic embodiment; to particularity it gives the right to develop and launch forth in all directions; and to universality the right to prove itself not only the ground and necessary form of particularity, but also the authority standing over it and its final end. It is the system of the ethical order, split into its extremes and lost, which constitutes the Idea's abstract moment, its moment of reality. Here the Idea is present only as a relative totality and as the inner necessity behind this outward appearance.

ADDITION: *Here ethical life is split into its extremes and lost; the immediate unity of the family has fallen apart into a plurality. Reality here is externality, the decomposing of the concept, the self-subsistence of its moments which have now won their freedom and their determinate existence. Though in civil society universal and particular have fallen apart, yet both are still reciprocally bound together and conditioned. While each of them seems to do just the opposite to the other and supposes that it can exist only by keeping the other at arm's length, nonetheless each still conditions the other. Thus, for example, most people regard the paying of taxes as injurious to their particular interest, as something* ***inimical*** *and obstructive of their own ends. Yet, however true this seems, particular ends cannot be attained without the help of the universal, and a country where no taxes were paid could not be singled out as invigorating its citizens. Similarly, it might seem that universal ends would be more readily attainable if the universal absorbed the strength of the particulars in the way described, for instance, in* ***Plato's Republic****. But this, too, is only an illusion, since both universal and particular turn into one another and exist only for and by means of one another. If I further my ends, I further the ends of the universal, and this in turn furthers my end.*

§ 185

Particularity by itself, given free rein in every direction to satisfy its needs, accidental caprices, and subjective desires, destroys itself and its substantive concept in this process of gratification. At the same time, the satisfaction of need, necessary and accidental alike, is accidental because it breeds new desires without end, is in thoroughgoing dependence on caprice and external accident, and is held in check by the power of universality. In these contrasts and their complexity, civil society affords a spectacle of extravagance and want as well as of the physical and ethical degeneration common to them both.

REMARK: *The development of particularity to self-subsistence (compare Remark to § 124) is the moment which appeared in the ancient world as an invasion of ethical corruption and as the ultimate cause of that world's downfall. Some of these ancient states were built on the patriarchal and religious principle, others on the principle of an ethical order which was more explicitly intellectual, though still comparatively simple; in either case they rested on primitive unsophisticated intuition. Hence they could not withstand the disruption of this state of mind when self-consciousness was infinitely reflected into itself; when this reflection began to emerge, they* ***succumbed*** *to it, first in spirit and then in substance, because the simple principle underlying them lacked the truly infinite power to be found only in that unity which allows both sides of*

inimical –
contrary, opposed

Plato's Republic –
the title of Plato's work that he wrote around 360 BCE and in which he discusses the ethical question of justice vs. injustice

succumb –
give up or give in

the antithesis of reason to develop themselves separately in all their strength and which has so overcome the antithesis that it maintains itself in it and integrates it in itself.

In his Republic, Plato displays the substance of ethical life in its ideal beauty and truth; but he could only cope with the principle of self-subsistent particularity, which in his day had forced its way into Greek ethical life, by setting up in opposition to it his purely substantial state. He absolutely excluded it from his state, even in its very beginnings in private property (see Remark § 46) and the family, as well as in its more mature form as the subjective will, the choice of a social position, and so forth. It is this defect which is responsible both for the misunderstanding of the deep and substantial truth of Plato's state and also for the usual view of it as a dream of abstract thinking, as what is often called a 'mere ideal'. The principle of the self-subsistent inherently infinite personality of the individual, the principle of subjective freedom, is denied its right in the purely substantial form which Plato gave to mind in its actuality. This principle dawned in an inward form in the Christian religion and in an external form (and therefore in one linked with abstract universality) in the Roman world. It is historically subsequent to the Greek world, and the philosophic reflection which descends to its depth is likewise subsequent to the substantial Idea of Greek philosophy.

ADDITION: *Particularity by itself is measureless excess, and the forms of this excess are themselves measureless. By means of his ideas and reflections man expands his desires, which are not a closed circle like animal instinct, and carries them on to the false infinite. At the other end of the scale, however, want and* ***destitution*** *are measureless too, and the discord of this situation can be brought into a harmony only by the state which has powers over it. Plato wished to exclude particularity from his state, but this is no help, since help on these lines would contravene the infinite right of the Idea to allow freedom to the particular.*

It was in the Christian religion in the first place that the right of subjectivity arose, together with the infinity of self-awareness, and while granting this right, the whole order must at the same time retain strength enough to put particularity in harmony with the unity of ethical life.

§ 186

But in developing itself in dependently to totality, the principle of particularity passes over into universality, and only there does it attain its truth and the right to which its positive actuality is entitled. This unity is not the identity which the ethical order requires, because at this level, that of division (see § 184), both principles are self-subsistent. It follows that this unity is present here not as freedom but as necessity, since it is by compulsion that the particular rises to the form of universality and seeks and gains its stability in that form.

§ 187

Individuals in their capacity as **burghers** in this state are private persons whose end is their own interest. This end is mediated through the universal which thus appears as a means to its realisation. Consequently, individuals can attain their ends only in so far as they themselves determine their knowing, willing, and acting in a universal way and make themselves links in this chain of social connections. In these circumstances, the

destitution – hardship, misery, poverty
burgher – citizen

interest of the Idea – an interest of which these members of civil society are as such unconscious – lies in the process whereby their singularity and their natural condition are raised, as a result of the necessities imposed by nature as well as of **arbitrary** needs, to formal freedom and formal universality of knowing and willing – the process whereby their particularity is educated up to subjectivity.

REMARK: *The idea that the state of nature is one of innocence and that there is a simplicity of manners in uncivilised (ungebildeter) peoples, implies treating education (Bildung) as something purely external, the ally of corruption. Similarly, the feeling that needs their satisfaction, the pleasures and comforts of private life, and so forth, are absolute ends, implies treating education as a mere means to these ends. Both these views display lack of acquaintance with the nature of mind and the end of reason. Mind attains its actuality only by creating a dualism within itself, by submitting itself to physical needs and the chain of these external necessities, and so imposing on itself this barrier and this finitude, and finally by maturing (bildet) itself inwardly even when under this barrier until it overcomes it and attains its objective reality in the finite. The end of reason, therefore, is neither the manners of an unsophisticated state of nature, nor, as particularity develops, the pleasure for pleasure's sake which education procures. On the contrary, its end is to banish natural simplicity, whether the passivity which is the absence of the self, or the crude type of knowing and willing, i.e. immediacy and singularity, in which mind is absorbed. It aims in the first instance at securing for this, its external condition, the rationality of which it is capable, i.e. the form of universality or the Understanding (Verständigkeit). By this means alone does mind become at home with itself within this pure externality.*

There, then, the mind's freedom is existent and mind becomes objective to itself in this element which is implicitly inimical to the mind's appointed end, freedom; it has to do there only with what it has itself produced and stamped with its seal. It is in this way then that the form of universality comes explicitly into existence in thought, and this form is the only worthy element for the existence of the Idea. The final purpose of education, therefore, is liberation and the struggle for a higher liberation still; education is the absolute transition from an ethical substantiality which is immediate and natural to the one which is intellectual and so both infinitely subjective and lofty enough to have attained universality of form. In the individual subject, this liberation is the hard struggle against pure subjectivity of ***demeanour****, against the immediacy of desire, against the empty subjectivity of feeling and the caprice of inclination. The disfavour showered on education is due in part to its being this hard struggle; but it is through this educational struggle that the subjective will itself attains objectivity within, an objectivity in which alone it is for its part capable and worthy of being the actuality of the Idea.*

Moreover, this form of universality – the Understanding, to which particularity has worked its way and developed itself, brings it about at the same time that particularity becomes individuality genuinely existent in its own eyes. And since it is from this particularity that the universal derives the content which fills it as well as its character as infinite self-determination, particularity itself is present in ethical life as infinitely independent free subjectivity. This is the position which reveals education as a moment immanent in the Absolute and which makes plain its infinite value.

ADDITION: *By educated men, we may prima facie understand those who without the* ***obtrusion*** *of personal idiosyncrasy can do what others do. It is precisely this idiosyncrasy, however, which uneducated men display, since their behaviour is not governed by the universal characteristics of the situation. Similarly, an uneducated man is apt to hurt the feelings of his neighbours. He simply lets himself go and does not reflect on the* ***susceptibilities*** *of others. It is not that he intends to hurt them, but his conduct is not consonant with his intention. Thus education rubs the edges off particular characteristics until a man conducts*

arbitrary – happening by chance, random
demeanour – the way a person behaves toward other people
obtrusion – to impose oneself without invitation
susceptible – weak, defenceless

himself in accordance with the nature of the thing. Genuine originality, which produces the real thing, demands genuine education, while bastard originality adopts eccentricities which only enter the heads of the uneducated.

§ 188

Civil society contains three moments:

(A) The mediation of need and one man's satisfaction through his labour and the satisfaction of the needs of all others – *the System of Needs*.

(B) The actuality of the universal principle of freedom therein contained – the protection of property through the *Administration of Justice*.

(C) Provision against **contingencies** still **lurking** in systems (A) and (B), and care for particular interest, as a common interest, by means of the *Public Authority* and the *Corporation*.

A. THE SYSTEM OF NEEDS

a: Kind of Need b: Kind of Labour c: Classes

§ 189

Particularity is in the first instance characterised in general by its contrast with the universal principle of the will and thus is subjective need (see § 59). This attains its objectivity i.e. its satisfaction, by means of [a] external things, which at this stage are likewise the property and product of the needs and wills of others, and [b] labour and effort, the middle term between the subjective and the objective. The aim here is the satisfaction of subjective particularity, but the universal asserts itself in the bearing which this satisfaction has on the needs of others and their free arbitrary wills. The show of rationality thus produced in this sphere of finitude is the Understanding, and this is the aspect which is of most importance in considering this sphere and which itself constitutes the reconciling element within it.

REMARK: *Political economy is the science which starts from this view of needs and labour but then has the task of explaining mass-relationships and mass-movements in their complexity and their qualitative and quantitative character. This is one of the sciences which have arisen out of the conditions of the modern world. Its development affords the interesting spectacle (as in Smith, Say, and Ricardo) of thought working upon the endless mass of details which confront it at the outset and extracting therefrom the simple principles of the thing, the Understanding effective in the thing and directing it. It is to find reconciliation here to discover in the sphere of needs this show of rationality lying in the thing and effective there; but if we look at it from the opposite point of view, this is the field in which the Understanding with its subjective aims and moral fancies vents its discontent and moral frustration.*

contingencies – event that might occur and one must be prepared for it

lurking – existing unobserved or unsuspected

ADDITION: *There are certain universal needs such as food, drink, clothing, etc., and it depends entirely on accidental circumstances how these are satisfied. The fertility of the soil varies from place to place, harvests vary from year to year, one man is industrious, another* ***indolent****. But this* ***medley*** *of* arbitrariness *generates universal characteristics by its own working; and this apparently scattered and thoughtless sphere is upheld by a necessity which automatically enters it. To discover this necessary element here is the object of political economy, a science which is a credit to thought because it finds laws for a mass of accidents. It is an interesting spectacle here to see all chains of activity leading back to the same point; particular spheres of action fall into groups, influence others, and are helped or hindered by others. The most remarkable thing here is this mutual interlocking of particulars, which is what one would least expect because at first sight everything seems to be given over to the arbitrariness of the individual, and it has a parallel in the solar system which displays to the eye only irregular movements, though its laws may none the less be ascertained.*

(a) The Kind of Need and Satisfaction [typical of civil society]

§ 190

An animal's needs and its ways and means of satisfying them are both alike restricted in scope. Though man is subject to this restriction too, yet at the same time he **evinces** his **transcendence** of it and his universality, first by the multiplication of needs and means of satisfying them, and secondly by the differentiation and division of concrete need into single parts and aspects which in turn become different needs, particularised and so more abstract.

REMARK: *In [abstract] right, what we had before us was the person; in the sphere of morality, the subject; in the family, the family-member; in civil society as a whole, the burgher or bourgeois. Here at the standpoint of needs (compare Remark § 123) what we have before us is the composite idea which we call man. Thus this is the first time, and indeed properly the only time, to speak of man in this sense.*

ADDITION: *An animal is restricted to particularity. It has its instincts and means of satisfying them, means which are limited and which it cannot overstep. Some insects are parasitic on a certain kind of plant; some animals have a wider range and can live in different climates, but there is always a restriction preventing them from having the range open to man. The need of shelter and clothing, the necessity of cooking his food to make it fit to eat and to overcome its natural rawness, both mean that man has less comfort than an animal, and indeed, as mind, he ought to have less. Intelligence, with its grasp of distinctions, multiplies these human needs, and since taste and utility become criteria of judgment, even the needs themselves are affected thereby. Finally, it is no longer need but opinion which has to be satisfied, and it is just the educated man who analyses the concrete into its particulars. The very multiplication of needs involves a check on desire, because when many things are in use, the urge to obtain any one thing which might be needed is less strong, and this is a sign that want altogether is not so imperious.*

§ 191

Similarly, the means to particularised needs and all the ways of satisfying these are themselves divided and multiplied and so in turn become proximate ends and abstract needs. This multiplication goes on **ad infinitum**; taken as a whole, it is refinement, i.e. a discrimination between these multiplied needs, and judgment on the suitability of means to their ends.

indolent – lazy
medley – mixture
evinces – to show or demonstrate clearly
transcendence – surpassing others; pre-eminent or supreme
ad infinitum – latin: infinitely, never ending

ADDITION: *What the English call 'comfort' is something inexhaustible and illimitable. [Others can discover to you that what you take to be] comfort at any stage is discomfort, and these discoveries never come to an end. Hence the need for greater comfort does not exactly arise within you directly; it is suggested to you by those who hope to make a profit from its creation.*

§ 192

Needs and means, as things **existent realiter**, become something which has being for others by whose needs and labour satisfaction for all alike is conditioned. When needs and means become abstract in quality (see § 191), abstraction is also a character of the reciprocal relation of individuals to one another. This abstract character, universality, is the character of being recognised and is the moment which makes concrete, i.e. social, the isolated and abstract needs and their ways and means of satisfaction.

ADDITION: *The fact that I must direct my conduct by reference to others introduces here the form of universality. It is from others that I acquire the means of satisfaction and I must accordingly accept their views. At the same time, however, I am compelled to produce means for the satisfaction of others. We play into each other's hands and so hang together. To this extent everything private becomes something social. In dress fashions and hours of meals, there are certain conventions which we have to accept because in these things it is not worth the trouble to insist on displaying one's own discernment. The wisest thing here is to do as others do.*

§ 193

This social moment thus becomes a particular end-determinant for means in themselves and their acquisition, as well as for the manner in which needs are satisfied. Further, it directly involves the demand for equality of satisfaction with others. The need for this equality and for emulation, which is the equalising of oneself with others, as well as the other need also present here, the need of the particular to assert itself in some distinctive way, become themselves a fruitful source of the multiplication of needs and their expansion.

§ 194

Since in social needs, as the conjunction of immediate or natural needs with mental needs arising from ideas, it is needs of the latter type which because of their universality make themselves **preponderant**, this social moment has in it the aspect of liberation, i.e. the strict natural necessity of need is obscured and man is concerned with his own opinion, indeed with an opinion which is universal, and with a necessity of his own making alone, instead of with an external necessity, an inner contingency, and mere caprice.

REMARK: *The idea has been advanced that in respect of his needs man lived in freedom in the so-called 'state of nature' when his needs were supposed to be confined to what are known as the simple necessities of nature, and when he required for their satisfaction only the means*

existent realiter – latin: really existing

preponderant – having superior power or importance

which the accidents of nature directly assured to him. This view takes no account of the moment of liberation intrinsic to labour, on which see the following paragraphs. And apart from this, it is false, because to be confined to mere physical needs as such and their direct satisfaction would simply be the condition in which the mental is plunged in the natural and so would be one of savagery and unfreedom, while freedom itself is to be found only in the reflection of mind into itself, in mind's distinction from nature, and in the reflex of mind in nature.

§ 195

This liberation is abstract since the particularity of the ends remains their basic content. When social conditions tend to multiply and subdivide needs, means, and enjoyments indefinitely – a process which, like the distinction between natural and refined needs, has no qualitative limits – this is luxury. In this same process, however, dependence and want increase ad infinitum, and the material to meet these is permanently barred to the needy man because it consists of external objects with the special character of being property, the embodiment of the free will of others, and hence from his point of view its **recalcitrance** is absolute.

ADDITION: *The entire cynical mode of life adopted by **Diogenes** was nothing more or less than a product of Athenian social life, and what determined it was the way of thinking against which his whole manner protested. Hence it was not independent of social conditions but simply their result; it was itself a rude product of luxury. When luxury is at its height, distress and depravity are equally extreme, and in such circumstances Cynicism is the outcome of opposition to refinement.*

(b) The Kind of Labour [typical of civil society]

§ 196

The means of acquiring and preparing the particularised means appropriate to our similarly particularised needs is labour. Through labour the raw material directly supplied by nature is specifically adapted to these numerous ends by all sorts of different processes. Now this formative change confers value on means and gives them their utility, and hence man in what he consumes is mainly concerned with the products of men. It is the products of human effort which man consumes.

ADDITION: *There is hardly any raw material which does not need to be worked on before use. Even air has to be worked for because we have to warm it. Water is perhaps the only exception, because we can drink it as we find it. It is by the sweat of his brow and the toil of his hands that man obtains the means to satisfy his needs.*

§ 197

The multiplicity of objects and situations which excite interest is the stage on which theoretical education develops. This education consists in possessing not simply a multiplicity of ideas and facts, but also a flexibility and rapidity of mind, ability to pass from one idea to another, to grasp complex and general relations, and so on. It is the education of the understanding in every way, and so also the building up of language. Practical education, acquired through working, consists first in the automatically recurrent need for something to do and the habit of simply being busy; next, in the strict adaptation of one's activity according not only to the nature of the material worked on, but also, and especially, to the pleasure of other workers; and finally, in a habit, produced by this discipline, of objective activity and universally recognised aptitudes.

recalcitrance – marked by stubborn resistance to authority

Diogenes – c.a. 400-323 BCE, Greek philosopher; his Cynical mode of life meant that he disregarded all human conventions and he wanted to be free of all material things, thus he lived in a barrel

ADDITION: *The savage is lazy and is distinguished from the educated man by his brooding stupidity because practical education is just education in the need and habit of being busy. A clumsy man always produces a result he does not intend; he is not master of his own job. The skilled worker, on the other hand, may be said to be the man who produces the thing as it ought to be and who hits the nail on the head without shrinking (keine Sprödigkeit in seinem subjektiven Tun gegen den Zweck findet).*

§ 198

The universal and objective element in labour, on the other hand, lies in the abstracting process which effects the subdivision of needs and means and thereby **eo ipso** subdivides production and brings about the division of labour. By this division, the labour of the individual becomes less complex, and consequently his skill at his section of the job increases, like his output. At the same time, this abstraction of one man's skill and means of production from another's completes and makes necessary everywhere the dependence of men on one another and their reciprocal relation in the satisfaction of their other needs. Further, the abstraction of one man's production from another's makes labour more and more mechanical, until finally man is able to step aside and install machines in his place.

(c) Capital [and class-divisions]

§ 199

When men are thus dependent on one another and reciprocally related to one another in their labour and the satisfaction of their needs, subjective self-seeking turns into a contribution to the satisfaction of the needs of everyone else. That is to say, by a dialectical advance, subjective self-seeking turns into the mediation of the particular through the universal, with the result that each man in earning, producing, and enjoying on his own account is eo ipso producing and earning for the enjoyment of everyone else. The compulsion which brings this about is rooted in the complex interdependence of each on all, and it now presents itself to each as the universal permanent capital (see § 170) which gives each the opportunity, by the exercise of his education and skill, to draw a share from it and so be assured of his livelihood, while what he thus earns by means of his labour maintains and increases the general capital.

§ 200

A particular man's resources, or in other words his opportunity of sharing in the general resources, are conditioned, however, partly by his own unearned **principal** (his capital), and partly by his skill; this in turn is itself dependent not only on his capital, but also on accidental circumstances whose multiplicity introduces differences in the development of natural, bodily, and mental characteristics, which were already in

eo ipso – Latin: by that very fact

principal – the initial amount of money that was invested or borrowed

themselves dissimilar. In this sphere of particularity, these differences are conspicuous in every direction and on every level, and, together with the arbitrariness and accident which this sphere contains as well, they have as their inevitable consequence disparities of individual resources and ability.

REMARK: *The objective right of the particularity of mind is contained in the Idea. Men are made unequal by nature, where inequality is in its element, and in civil society the right of particularity is so far from annulling this natural inequality that it produces it out of mind and raises it to an inequality of skill and resources, and even to one of moral and intellectual attainment. To oppose this right with a demand for equality is a folly of the Understanding which takes as real and rational its abstract equality and its 'ought-to-be'.*

This sphere of particularity, which fancies itself the universal, is still only relatively identical with the universal, and consequently it still retains in itself the particularity of nature, i.e. arbitrariness, or in other words the relics of the state of nature. Further, it is reason, ***immanent*** *in the restless system of human needs, which articulates it into an organic whole with different members (see the following §).*

§ 201

The infinitely complex, criss-cross movements of reciprocal production and exchange, and the equally infinite multiplicity of means therein employed, become crystallised, owing to the universality inherent in their content, and distinguished into general groups. As a result, the entire complex is built up into particular systems of needs, means, and types of work relative to these needs, modes of satisfaction and of theoretical and practical education, i.e. into systems, to one or other of which individuals are assigned – in other words, into class-divisions.

ADDITION: *The ways and means of sharing in the capital of society are left to each man's particular choice, but the subdivision of civil society into different general branches is a necessity. The family is the first precondition of the state, but class divisions are the second. The importance of the latter is due to the fact that although private persons are self-seeking, they are compelled to direct their attention to others. Here then is the root which connects self-seeking to the universal, i.e. to the state, whose care it must be that this tie is a hard and fast one.*

§ 202

The classes are specifically determined in accordance with the concept as

(a) the *substantial* or immediate [or agricultural] class;

(b) the reflecting or *formal* [or business] class; and finally,

(c) the *universal* class [the class of civil servants].

§ 203

(a) The substantial [or agricultural] class has its capital in the natural products of the soil which it cultivates – soil which is capable of exclusively private ownership and which demands formation in an objective way and not mere haphazard exploitation. In the face of the connection of [agricultural] labour and its fruits with separate and fixed times of the year, and the dependence of harvests on the variability of natural processes, the aim of need in this class turns into provision for the future; but owing to the conditions here, the agricultural mode of subsistence remains one which owes comparatively little to reflection and independence of will, and this mode of life is in general such that this class has the substantial disposition of an ethical life which is immediate, resting on family relationship and trust.

immanent – existing within or inherent in something

REMARK: *The real beginning and original foundation of states has been rightly ascribed to the introduction of agriculture along with marriage, because the principle of agriculture brings with it the formation of the land and consequentially exclusively private property (compare Remark § 170); the nomadic life of savages, who seek their livelihood from place to place, it brings back to the tranquillity of private rights and the assured satisfaction of their needs. Along with these changes, sexual love is restricted to marriage, and this bond in turn grows into an enduring league, inherently universal, while needs expand into care for a family, and personal possessions into family goods. Security, consolidation, lasting satisfaction of needs, and so forth – things which are the most obvious recommendations of marriage and agriculture – are nothing but forms of universality, modes in which rationality, the final end and aim, asserts itself in these spheres.*

In this matter, nothing is of more interest than the ingenious and learned explanations which my distinguished friend, ***Herr Creuzer****, has given of the agrarian festivals, images, and sanctuaries of the ancients. He shows that it was because the ancients themselves had become conscious of the divine origin of agriculture and other institutions associated with it that they held them in such religious veneration.*

In the course of time, the character of this class as 'substantial' undergoes modifications through the working of the civil law, in particular the administration of justice, as well as through the working of education, instruction, and religion. These modifications, which occur in the other classes also, do not affect the substantial content of the class but only its form and the development of its power of reflection.

ADDITION: *In our day agriculture is conducted on methods devised by reflective thinking, i.e. like a factory. This has given it a character like that of industry and contrary to its natural one. Still, the agricultural class will always retain a mode of life which is patriarchal and the substantial frame of mind proper to such a life. The member of this class accepts unreflectively what is given him and takes what he gets, thanking God for it and living in faith and confidence that this goodness will continue. What comes to him suffices him; once it is consumed, more comes again. This is the simple attitude of mind not concentrated on the struggle for riches. It may be described as the attitude of the old nobility which just ate what there was. So far as this class is concerned, nature does the major part, while individual effort is secondary. In the business class, however, it is intelligence which is the essential thing, and natural products can be treated only as raw materials.*

§ 204

(b) The business class has for its task the adaptation of raw materials, and for its means of livelihood it is thrown back on its work, on reflection and intelligence, and essentially on the mediation of one man's needs and labour with those of others. For what this class produces and enjoys, it has mainly itself, its own industry, to thank. The task of this class is subdivided into:

[a] work to satisfy single needs in a comparatively concrete way and to supply single orders – craftsmanship;

Herr Creuzer –
Georg Friedrich Creuzer, 1771-1858. German philologist and archaeologist

[b] work of a more abstract kind, mass-production to satisfy single needs, but needs in more universal demand – manufacture;

[c] the business of exchange, whereby separate utilities are exchanged the one for the other, principally through the use of the universal medium of exchange, money, which actualises the abstract value of all commodities – trade.

ADDITION: *In the business class, the individual is thrown back on himself, and this feeling of self-hood is most intimately connected with the demand for law and order. The sense of freedom and order has therefore arisen above all in towns. The agricultural class, on the other hand, has little occasion to think of itself; what it obtains is the gift of a stranger, of nature. Its feeling of dependence is fundamental to it, and with this feeling there is readily associated a willingness to submit to whatever may befall it at other men's hands. The agricultural class is thus more inclined to* ***subservience****, the business class to freedom.*

§ 205

(c) The universal class [the class of civil servants] has for its task the universal interests of the community. It must therefore be relieved from direct labour to supply its needs, either by having private means or by receiving an allowance from the state which claims its industry, with the result that private interest finds its satisfaction in its work for the universal.

§ 206

It is in accordance with the concept that class-organisation, as particularity becomes objective to itself, is split in this way into its general divisions. But the question of the particular class to which an individual is to belong is one on which natural capacity, birth, and other circumstances have their influence, though the essential and final determining factors are subjective opinion and the individual's arbitrary will, which win in this sphere their right, their merit, and their dignity. Hence what happens here by inner necessity occurs at the same time by the mediation of the arbitrary will, and to the conscious subject it has the shape of being the work of his own will.

REMARK: *In this respect too there is a conspicuous difference, in relation to the principle of particularity and the subject's arbitrary will, between the political life of the east and the west, and also between that of the ancient and the modern world. In the former, the division of the whole into classes came about objectively of itself, because it is inherently rational; but the principle of subjective particularity was at the same time denied its rights, in that, for example, the allotment of individuals to classes was left to the ruling class, as in Plato's Republic, or to the accident of birth, as in the Indian caste-system. Thus subjective particularity was not incorporated into the organisation of society as a whole; it was not reconciled in the whole, and therefore – since as an essential moment it emerges there in any event – it shows itself there as something hostile, as a corruption of the social order (see Remark to § 185) Either it overthrows society, as happened in the Greek states and in the Roman Republic; or else, should society preserve itself in being as a force or as a religious authority, for instance, it appears as inner corruption and complete degeneration, as was the case to some extent in Sparta and is now altogether the case in India.*

But when subjective particularity is upheld by the objective order in conformity with it and is at the same time allowed its rights, then it becomes the animating principle of the entire civil society, of the development alike of mental activity, merit, and dignity. The recognition and the right that what is brought about by reason of necessity in civil society and the state shall at the same time be effected by the mediation of the arbitrary will is the more precise definition of what is primarily meant by freedom in common ***parlance*** *(see § 121).*

subservience – opposite of freedom, obedience, servant-like

parlance – style of speech or writing used by people in a particular context or profession

§ 207

A man actualises himself only in becoming something definite, i.e. something specifically particularised; this means restricting himself exclusively to one of the particular spheres of need. In this class-system, the ethical frame of mind therefore is **rectitude** and **esprit de corps**, i.e. the disposition to make oneself a member of one of the moments of civil society by one's own act, through one's energy, industry, and skill, to maintain oneself in this position, and to fend for oneself only through this process of mediating oneself with the universal, while in this way gaining recognition both in one's own eyes and in the eyes of others. Morality has its proper place in this sphere where the **paramount** thing is reflection on one's doings, and the quest of happiness and private wants, and where the contingency in satisfying these makes into a duty even a single and contingent act of assistance.

REMARK: *At first (i.e. especially in youth) a man chafes at the idea of resolving on a particular social position, and looks upon this as a restriction on his universal character and as a necessity imposed on him purely* ***ab extra****. This is because his thinking is still of that abstract kind which refuses to move beyond the universal and so never reaches the actual. It does not realise that if the concept is to be determinate, it must first of all advance into the distinction between the concept and its real existence and thereby into determinacy and particularity (see § 7) – It is only thus that the concept can win actuality and ethical objectivity.*

ADDITION: *When we say that a man must be a 'somebody', we mean that he should belong to some specific social class, since to be a somebody means to have substantive being. A man with no class is a mere private person and his universality is not actualised. On the other hand, the individual in his particularity may take himself as the universal and presume that by entering a class he is surrendering himself to an indignity. This is the false idea that in attaining a determinacy necessary to it, a thing is restricting and surrendering itself.*

rectitude – morality, goodness
Esprit de corps – French: common spirit of enthusiasm and comradeship among the members of a group
paramount – supreme, dominant, more important
ab extra – from the outside

SOURCE: Georg Wilhelm Friedrich Hegel, Philosophy of Right, MIA Hegel Resource from Andy Blunden. <http://www.marxists.org/reference/archive/hegel/>

DISCUSSION QUESTIONS:

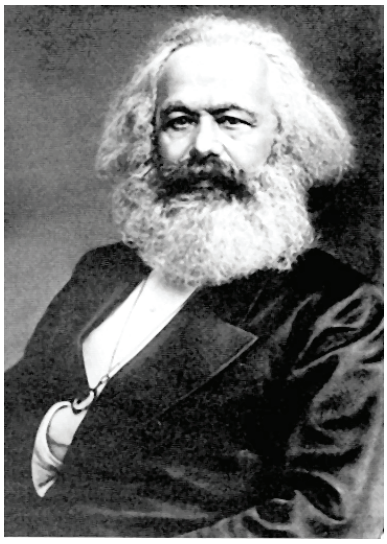
1. What are the two distinguishable principles of civil society? How does an individual pursue personal needs and happiness? What are the preconditions for reaching personal welfare? Does civil society exist separately or within the state?
2. How does Hegel define particularity and universality? Why does particularity need to be limited by universality? Why do individuals need to act in a universal way? For Hegel, what is 'the Idea'?

3. In the state of nature, how do individuals pursue personal happiness and pleasure? What is the difference between the state of nature and civil society? How do you understand subjectivity and objectivity? How do individuals attain Understanding? What is ethical order?
4. Why do you think Hegel believes that people can achieve Understanding through "genuine education"? What are the merits of education for the educated in comparison with being uneducated? How is education liberation of the mind from the natural will?
5. What is the Absolute? Is it different from the Idea and Understanding?
6. If particularity is a subjective need for Hegel, how should individuals satisfy it? How does Hegel define the need? Why is it detrimental to have an infinite will? For Hegel, what is the type of need by which individuals attain their satisfaction? What are the means to attain the needs? What are the notions of universally accepted working ethics for Hegel? How do you understand the division of labor?
7. Why does Hegel subdivide civil society into different sub-groups? How does Hegel arrive at differentiated labor and division into classes? Why are family and class division necessary preconditions of the state? Why should an individual assert a certain definite goal and type of craft and labor in civil society? Why does a person need to be a member of a certain class?
8. What form and content should the law, designed to protect private property, take in the civil society? Why should the law, be also accessible to the broader public in their language, rather than just the legal profession? Why do you think Hegel allows for infinite and rational interpretation of the legal code? Is the law something absolutely finite? How can the law help an individual to recognize his/her property in civil society? How can interpretation of the law be given exclusively to a particular class, and what consequences might it bring?
9. What is the fundamental necessity for prosperity in civil society? What is the functional purpose of universal authority? Explain the difference between the family and civil society and the laws that rule them? What kind of authority does Hegel give to the civil society over the individual and why?
10. How does civil society deal with disproportionate distribution of wealth among its subdivided groups? How does civil society alleviate poverty among its members?
11. How does Hegel envision the purpose and function of a Corporation in a civil society? Using Hegel's dialectic of Idea, try to explain how civil society, the family, the town, the Corporation, and the state function? You may try to draw a diagram or a mind map.

ADDITIONAL READINGS:

- Hegel G.W.F. Philosophy of Right (full text on-line). http://www.marxists.org/reference/archive/hegel/
- Life, work, influence. Stanford Encyclopedia of Philosophy. http://plato.stanford.edu/entries/hegel/
- Biography and his thoughts. Internet Encyclopedia of Philosophy. http://www.utm.edu/researc/iep/h/hegelsoc.htm
- Hegel Society of America. http://www.hegel.org/links.html

KARL MARX/FRIEDRICH ENGELS: THE GERMAN IDEOLOGY



Karl Marx was born in Trier, German Rhineland in 1818 and died in 1883. First, he worked as an editor for the radical *Rheinische Zeitung*, **which was soon banned by the Prussians. Marx was forced to leave for Paris where he started his lifetime friendship with Friedrich Engels and devoted himself to studying the causes of the French Revolution. He co-authored with Engels** *The German Ideology* **(1845). Among Marx's many works** *Das Capital*, *The Critique of Hegel's Philosophy of Right* **(1843-44),** *Theses on Feuerbach* **(1845),** *Preface to a Critique of Political Economy* **(1859), and** *The Communist Manifesto* **with Friedrich Engels (1859) are best known. His main contributions lay in the influence he had on the development of communism in the modern period, his theory of historical materialism, and his economic theory of analysis and labour theory of value. But his greatest contribution to understanding the human condition lies in his theory of alienation.**

PART I: FEUERBACH. OPPOSITION OF THE MATERIALIST AND IDEALIST OUTLOOK

B. THE ILLUSION OF THE EPOCH

CIVIL SOCIETY AND THE CONCEPTION OF HISTORY

The form of intercourse determined by the existing productive forces at all previous historical stages, and in its turn determining these, is civil society. The latter, as is clear from what we have said above, has as its premises and basis the simple family and the multiple, the so-called tribe, the more precise determinants of this society are enumerated in our remarks above. Already here we see how this civil society is the true source and theatre of all history, and how absurd is the conception of history held **hitherto**, which neglects the real relationships and confines itself to high-sounding dramas of princes and states.

Civil society [bürgerliche Gesellschaft] embraces the whole material intercourse of individuals within a definite stage of the development of productive forces. It embraces the whole commercial and industrial life of a given stage and, insofar, transcends the State and the nation, though, on the other hand again, it must assert itself in its foreign relations as nationality, and inwardly must organise itself as State. The word "civil society" [bürgerliche Gesellschaft] emerged in the eighteenth century, when property relationships had already **extricated** themselves from the ancient and medieval communal society. Civil society as such only develops with the bourgeoisie; the social organisation evolving directly out of production and commerce, which in all ages forms the basis of the State and of the rest of the idealistic superstructure, has, however, always been designated by the same name.

Feuerbach –
Ludwig Andreas von Feuerbach, 1804-1872. German philosopher and anthropologist. His major work is The Essence of Christianity, in which he maintains that religion and divinity are projections of human nature

hitherto –
up till now

extricated –
remove, separate

CONCLUSIONS FROM THE MATERIALIST CONCEPTION OF HISTORY

History is nothing but the succession of the separate generations, each of which exploits the materials, the capital funds, the productive forces handed down to it by all preceding generations, and thus, on the one hand, continues the traditional activity in completely changed circumstances and, on the other, modifies the old circumstances with a completely changed activity. This can be speculatively distorted so that later history is made the goal of earlier history, e.g. the goal ascribed to the discovery of America is to further the eruption of the French Revolution. Thereby history receives its own special aims and becomes "a person rating with other persons" (to wit: "Self-Consciousness, Criticism, the Unique", etc.), while what is designated with the words "destiny", "goal", "germ", or "idea" of earlier history is nothing more than an abstraction formed from later history, from the active influence which earlier history exercises on later history.

The further the separate spheres, which interact on one another, extend in the course of this development, the more the original isolation of the separate nationalities is destroyed by the developed mode of production and intercourse and the division of labour between various nations naturally brought forth by these, the more history becomes world history. Thus, for instance, if in England a machine is invented, which deprives countless workers of bread in India and China, and overturns the whole form of existence of these empires, this invention becomes a world-historical fact. Or again, take the case of sugar and coffee which have proved their world-historical importance in the nineteenth century by the fact that the lack of these products, occasioned by the Napoleonic Continental System, caused the Germans to rise against Napoleon, and thus became the real basis of the glorious Wars of liberation of 1813. From this it follows that this transformation of history into world history is not indeed a mere abstract act on the part of the "self-consciousness", the world spirit, or of any other metaphysical spectre, but a quite material, empirically verifiable act, an act the proof of which every individual furnishes as he comes and goes, eats, drinks and clothes himself.

[7. SUMMARY OF THE MATERIALIST CONCEPTION OF HISTORY]

This conception of history depends on our ability to **expound** the real process of production, starting out from the material production of life itself, and to comprehend the form of intercourse connected with this and created by this mode of production (i.e. civil society in its various stages), as the basis of all history; and to show it in its action as State, to explain all the different theoretical products and forms of consciousness, religion, philosophy, ethics, etc., etc. and trace their origins and growth from that basis; by which means, of course, the whole thing can be depicted in its totality (and therefore, too, the reciprocal action of these various sides on one another). It has not, like the idealistic view of history, in every period to look for a category, but remains constantly on the real ground of history; it does not explain practice from the idea but explains the formation of ideas from material practice; and accordingly it comes to the conclusion that all forms and products of consciousness cannot be dissolved by mental criticism, by resolution into "self-consciousness" or transformation into "**apparitions**", "spectres", "fancies", etc. but only by the practical overthrow of the actual social relations which gave rise to this idealistic humbug; that not criti-

expound – explain, talk about
apparition – phantom, ghost, spirit

cism but revolution is the driving force of history, also of religion, of philosophy and all other types of theory. It shows that history does not end by being resolved into "self-consciousness as spirit of the spirit", but that in it at each stage there is found a material result: a sum of productive forces, an historically created relation of individuals to nature and to one another, which is handed down to each generation from its predecessor; a mass of productive forces, capital funds and conditions, which, on the one hand, is indeed modified by the new generation, but also on the other prescribes for it its conditions of life and gives it a definite development, a special character. It shows that circumstances make men just as much as men make circumstances.

This sum of productive forces, capital funds and social forms of intercourse, which every individual and generation finds in existence as something given, is the real basis of what the philosophers have conceived as "substance" and "essence of man", and what they have deified and attacked; a real basis which is not in the least disturbed in its effect and influence on the development of men by the fact that these philosophers revolt against it as "self-consciousness" and the "Unique". These conditions of life, which different generations find in existence, decide also whether or not the periodically recurring revolutionary convulsion will be strong enough to overthrow the basis of the entire existing system. And if these material elements of a complete revolution are not present (namely, on the one hand the existing productive forces, on the other the formation of a revolutionary mass, which revolts not only against separate conditions of society up till then, but against the very "production of life" till then, the "total activity" on which it was based), then, as far as practical development is concerned, it is absolutely immaterial whether the idea of this revolution has been expressed a hundred times already, as the history of communism proves.

[8. THE INCONSISTENCY OF THE IDEALIST CONCEPTION OF HISTORY IN GENERAL, AND OF GERMAN POST-HEGELIAN PHILOSOPHY IN PARTICULAR]

In the whole conception of history up to the present this real basis of history has either been totally neglected or else considered as a minor matter quite irrelevant to the course of history. History must, therefore, always be written according to an **extraneous** standard; the real production of life seems to be primeval history, while the truly historical appears to be separated from ordinary life, something extra-**superterrestrial**. With this the relation of man to nature is excluded from history and hence the **antithesis** of nature and history is created. The exponents of this conception of history have consequently only been able to see in history the political actions of princes and States, religious and all sorts of theoretical struggles, and in particular in each historical epoch have had to share the illusion of that epoch. For instance, if an epoch imagines itself to be actuated by purely "political" or "religious" motives, although "religion" and "politics"

extraneous – not constituting a vital element or part
superterrestrial – existing outside of the Earth, unearthly
antithesis – direct opposite, contrast

are only forms of its true motives, the historian accepts this opinion. The "idea", the "conception" of the people in question about their real practice, is transformed into the sole determining, active force, which controls and determines their practice. When the crude form in which the division of labour appears with the Indians and Egyptians calls forth the **caste-system** in their State and religion, the historian believes that the caste-system is the power which has produced this crude social form.

While the French and the English at least hold by the political illusion, which is moderately close to reality, the Germans move in the realm of the "pure spirit", and make religious illusion the driving force of history. The **Hegelian** philosophy of history is the last consequence, reduced to its "finest expression", of all this German historiography, for which it is not a question of real, nor even of political, interests, but of pure thoughts, which consequently must appear to **Saint Bruno** as a series of "thoughts" that **devour** one another and are finally **swallowed** up in "self-consciousness"[1] and even more consistently the course of history must appear to **Saint Max Stirner**, who knows not a thing about real history, as a mere "tale of knights, robbers and ghosts",[2] from whose visions he can, of course, only save himself by "unholiness". This conception is truly religious: it postulates religious man as the primitive man, the starting-point of history, and in its imagination puts the religious production of fancies in the place of the real production of the means of subsistence and of life itself.

This whole conception of history, together with its dissolution and the scruples and qualms resulting from it, is a purely national affair of the Germans and has merely local interest for Germany, as for instance the important question which has been under discussion in recent times: how exactly one "passes from the realm of God to the realm of Man [Ludwig Feuerbach, **Uber das Wesen des Christenthums**] – as if this "realm of God" had ever existed anywhere save in the imagination, and the learned gentlemen, without being aware of it, were not constantly living in the "realm of Man" to which they are now seeking the way; and as if the learned pastime (for it is nothing more) of explaining the mystery of this theoretical bubble-blowing did not on the contrary lie in demonstrating its origin in actual earthly relations. For these Germans it is altogether simply a matter of resolving the ready-made nonsense they find into some other freak, i.e., of presupposing that all this nonsense has a special sense which can be discovered; while really it is only a question of explaining these theoretical phrases from the actual existing relations. The real, practical dissolution of these phrases, the removal of these notions from the consciousness of men, will, as we have already said, be affected by altered circumstances, not by theoretical deductions. For the mass of men, i.e., the proletariat, these theoretical notions do not exist and hence do not require to be dissolved, and if this mass ever had any theoretical notions, e.g., religion, these have now long been dissolved by circumstances.

The purely national character of these questions and solutions is moreover shown by the fact that these theorists believe in all seriousness that chimeras like "the God-Man", "Man", etc., have presided over individual epochs of history. Saint Bruno even goes so far as to assert that only "criticism and critics have made history", [Bruno Bauer, Charakteristik

caste-system –
the division of a society (e.g. in India) into castes, which means the rigid social-cultural classification of people who are born in a certain caste and cannot move up or down on the social scale

Hegelian –
by Hegel

Saint Bruno –
1032-1101. French Catholic cleric, born in Germany, who founded the Carthusian order in 1084.

devour –
to destroy, consume, or waste

swallow –
to consume or destroy as if by ingestion

Saint Max Stirner –
pseudonym of Johann Kaspar Schmidt (1806-1856); many 19th and 20th century anarchists found his writings and ideas as inspiring. Marx was sarcastically calling him a "Saint."

Uber das Wesen des Christenthums –
German: (AKHP trans.) "About the Nature of Christianity."

1 Marginal note by Marx: So-called objective historiography consisted precisely in treating historical relations separately from activity. Reactionary character.

2 An allusion to a type of light literature which was widely read at the end of the 18th and the beginning of the 19th century; many of its characters were knights, robbers and ghosts, e.g., Abällino, der grosse Bandit by Heinrich Daniel Zschokke published in 1793, and Rinaldo Rinaldini, der Räuberhauptmann by Christian August Vulpius (1797).

Ludwig Feuerbachs] and when they themselves construct historical systems, they skip over all earlier periods in the greatest haste and pass immediately from "Mongolism" [Max Stirner, **Der Einzige und sein Eigenthum**] to history "with meaningful content", that is to say, to the history of the **Hallische and Deutsche Jahrbücher** and the dissolution of the Hegelian school into a general **squabble**. They forget all other nations, all real events, and the theatrum mundi is confined to the Leipzig book fair and the mutual quarrels of "criticism", "man", and "the unique" [Bruno Bauer, Ludwig Feuerbach and Max Stirner]. If for once these theorists treat really historical subjects, as for instance the eighteenth century, they merely give a history of ideas separated from the facts and the practical development underlying them; and even that merely in order to represent that period as an imperfect preliminary stage, the as yet limited predecessor of the truly historical age, i.e., the period of the German philosophic struggle from 1840 to 1844. As might be expected when the history of an earlier period is written with the aim of accentuating the brilliance of an unhistoric person and his fantasies, all the really historic events, even the really historic interventions of politics in history, receive no mention. Instead we get a narrative based not on research but on arbitrary constructions and literary gossip, such as Saint Bruno provided in his now forgotten history of the eighteenth century [Bruno Bauer, **Geschichte der Politik, Cultur und Aufklärung des achtzehnten Jahrhunderts**]. These pompous and arrogant hucksters of ideas, who imagine themselves infinitely exalted above all national prejudices, are thus in practice far more national than the beer-swilling philistines who dream of a united Germany. They do not recognise the deeds of other nations as historical; they live in Germany, within Germany 1281 and for Germany; they turn the Rhine-song[3] into a religious hymn and conquer Alsace and Lorraine by robbing French philosophy instead of the French state, by Germanising French ideas instead of French provinces. Herr Venedey is a cosmopolitan compared with the Saints Bruno and Max, who, in the universal dominance of theory, proclaim the universal dominance of Germany.

FEUERBACH: PHILOSOPHIC AND REAL LIBERATION

[. . .] It is also clear from these arguments how grossly Feuerbach is deceiving himself when (Wigand's Vierteljahrsschrift, 1845, Band 2) by virtue of the qualification "common man" he declares himself a communist, transforms the latter into a predicate of "man", and thereby thinks it possible to change the word "communist", which in the real world means the follower of a definite revolutionary party, into a mere category. Feuerbach's whole deduction with regard to the relation of men to one another goes only so far as

Der Einzige und sein Eigenthum –
German: (AKHP trans.) "The Individual and His Possessions."

Hallische and Deutsche Jahrbücher –
German: (AKHP trans.) "Hallish and German almanac."

squabble –
to engage in a disagreeable argument

Geschichte der Politik, Cultur und Aufklärung des achtzehnten Jahrhunderts –
(AKHP tran.) "History of politics, culture and the explanation of the enlightenment of the 1800s"

3 Rhine-song ("Der deutsche Rhein") – a poem by Nicolaus Becker which was widely used by nationalists in their own interest. It was written in 1840 and set to music by several composers.

to prove that men need and always have needed each other. He wants to establish consciousness of this fact, that is to say, like the other theorists, merely to produce a correct consciousness about an existing fact; whereas for the real communist it is a question of overthrowing the existing state of things. We thoroughly appreciate, moreover, that Feuerbach, in endeavouring to produce consciousness of just this fact, is going as far as a theorist possibly can, without ceasing to be a theorist and philosopher...

As an example of Feuerbach's acceptance and at the same time misunderstanding of existing reality, which he still shares with our opponents, we recall the passage in the Philosophie der Zukunft where he develops the view that the existence of a thing or a man is at the same time its or his essence, that the conditions of existence, the mode of life and activity of an animal or human individual are those in which its "essence" feels itself satisfied. Here every exception is expressly conceived as an unhappy chance, as an abnormality which cannot be altered. Thus if millions of proletarians feel by no means contented with their living conditions, if their "existence" does not in the least correspond to their "essence", then, according to the passage quoted, this is an unavoidable misfortune, which must be borne quietly. The millions of proletarians and communists, however, think differently and will prove this in time, when they bring their "existence" into harmony with their "essence" in a practical way, by means of a revolution. Feuerbach, therefore, never speaks of the world of man in such cases, but always takes refuge in external nature, and moreover in nature which has not yet been subdued by men. But every new invention, every advance made by industry, detaches another piece from this domain, so that the ground which produces examples illustrating such Feuerbachian propositions is steadily shrinking.

The "essence" of the fish is its "being" water – to go no further than this one proposition. The "essence" of the freshwater fish is the water of a river. But the latter ceases to be the "essence" of the fish and is no longer a suitable medium of existence as soon as the river is made to serve industry, as soon as it is polluted by dyes and other waste products and navigated by steamboats, or as soon as its water is diverted into canals where simple drainage can deprive the fish of its medium of existence. The explanation that all such contradictions are inevitable abnormalities does not essentially differ from the consolation which Saint Max Stirner offers to the discontented, saving that this contradiction is their own contradiction and this predicament their own predicament, whereupon then, should either set their minds at ease, keep their disgust to themselves, or revolt against it in some fantastic way. It differs just as little from Saint Bruno's allegation that these unfortunate circumstances are due to the fact that those concerned are stuck in the muck of "substance", have not advanced to "absolute self-consciousness and do not realise that these adverse conditions are the spirit of their spirit.

[II. 1. PRECONDITIONS OF THE REAL LIBERATION OF MAN]

[...] We shall, of course, not take the trouble to enlighten our wise philosophers by explaining to them that the "liberation" of man is not advanced a single step by reducing philosophy, theology, substance and all the trash to "self-consciousness" and by liberating man from the domination of these phrases, which have never held him in **thrall**. Nor will we explain to them that it is only possible to achieve real liberation in the real world and by employing real means, that slavery cannot be abolished without the steam-engine and the mule and **spinning-jenny**, **serfdom** cannot be abolished without improved agriculture, and that, in general, people cannot be liberated as long as they are unable to

thrall – a condition of being controlled by a more powerful person or force

spinning-jenny – an early form of spinning machine having several spindles

serfdom – being bound and serving on the land owned by the landowner

obtain food and drink, housing and clothing in adequate quality and quantity. "Liberation" is an historical and not a mental act, and it is brought about by historical conditions, the development of industry, commerce, agriculture, the conditions of intercourse[...][4]

In Germany, a country where only a trivial historical development is taking place, these mental developments, these glorified and ineffective trivialities, naturally serve as a substitute for the lack of historical development, and they take root and have to be combated. But this fight is of local importance.

[2. FEUERBACH'S CONTEMPLATIVE AND INCONSISTENT MATERIALISM]

In reality and for the practical materialist, i.e. the communist, it is a question of revolutionising the existing world, of practically attacking and changing existing things. When occasionally we find such views with Feuerbach, they are never more than isolated **surmises** and have much too little influence on his general outlook to be considered here as anything else than embryos capable of development. Feuerbach's conception of the sensuous world is confined on the one hand to mere contemplation of it, and on the other to mere feeling; he says "Man" instead of "real historical man". "Man" is really "the German". In the first case, the contemplation of the **sensuous** world, he necessarily lights on things which contradict his consciousness and feeling, which disturb the harmony he presupposes, the harmony of all parts of the sensuous world and especially of man and nature. To remove this disturbance, he must take refuge in a double perception, a profane one which only perceives the "flatly obvious" and a higher, philosophical, one which perceives the "true essence" of things. He does not see how the sensuous world around him is not a thing given direct from all eternity, remaining ever the same, but the product of industry and of the state of society; and, indeed, in the sense that it is an historical product, the result of the activity of a whole succession of generations, each standing on the shoulders of the preceding one, developing its industry and its intercourse, modifying its social system according to the changed needs. Even the objects of the simplest "sensuous certainty" are only given him through social development, industry and commercial intercourse. The cherry-tree, like almost all fruit-trees, was, as is well known, only a few centuries ago transplanted by commerce into our zone, and therefore only by this action of a definite society in a definite age it has become "sensuous certainty" for Feuerbach.

Incidentally, when we conceive things thus, as they really are and happened, every profound philosophical problem is resolved, as will be seen even more clearly later, quite simply into an empirical fact. For instance, the important question of the rela-

surmise – infer (something) without sufficiently conclusive evidence

sensuous – of, relating to, or derived from the senses

4 There is a gap here in the manuscript.

tion of man to nature (Bruno [Bauer] goes so far as to speak of "the antitheses in nature and history" (p. 110), as though these were two separate "things" and man did not always have before him an historical nature and a natural history) out of which all the "**unfathomably lofty** works" on "substance" and "self-consciousness" were born, crumbles of itself when we understand that the celebrated "unity of man with nature" has always existed in industry and has existed in varying forms in every epoch according to the lesser or greater development of industry, just like the "struggle" of man with nature, right up to the development of his productive powers on a corresponding basis. Industry and commerce, production and the exchange of the necessities of life, themselves determine distribution, the structure of the different social classes and are, in turn, determined by it as to the mode in which they are carried on; and so it happens that in Manchester, for instance, Feuerbach sees only factories and machines, where a hundred years ago only spinning-wheels and weaving-rooms were to be seen, or in **the Campagna of Rome** he finds only pasture lands and swamps, where in the time of Augustus he would have found nothing but the vineyards and villas of Roman capitalists. Feuerbach speaks in particular of the perception of natural science; he mentions secrets which are disclosed only to the eye of the physicist and chemist; but where would natural science be without industry and commerce? Even this pure natural science is provided with an aim, as with its material, only through trade and industry, through the sensuous activity of men. So much is this activity, this unceasing sensuous labour and creation, this production, the basis of the whole sensuous world as it now exists, that, were it interrupted only for a year, Feuerbach would not only find an enormous change in the natural world, but would very soon find that the whole world of men and his own perceptive faculty, nay his own existence, were missing. Of course, in all this the priority of external nature remains unassailed, and all this has no application to the original men produced by generatio aequivoca [spontaneous generation. – Ed.]; but this differentiation has meaning only insofar as man is considered to be distinct from nature. For that matter, nature, the nature that preceded human history, is not by any means the nature in which Feuerbach lives, it is nature which today no longer exists anywhere (except perhaps on a few Australian coral-islands of recent origin) and which, therefore, does not exist for Feuerbach.

Certainly Feuerbach has a great advantage over the "pure" materialists in that he realises how man too is an "object of the senses". But apart from the fact that he only conceives him as an "object of the senses, not as sensuous activity", because he still remains in the realm of theory and conceives of men not in their given social connection, not under their existing conditions of life, which have made them what they are, he never arrives at the really existing active men, but stops at the abstraction "man", and gets no further than recognising "the true, individual, **corporeal** man, emotionally, i.e. he knows no other "human relationships" "of man to man" than love and friendship, and even then idealised. He gives no criticism of the present conditions of life. Thus he never manages to conceive the sensuous world as the total living sensuous activity of the individuals composing it; and therefore when, for example, he sees instead of healthy men a crowd of **scrofulous**, overworked and consumptive **starvelings**, he is compelled to take refuge in the "higher perception" and in the ideal "compensation in the species", and thus to relapse into idealism at the very point where the communist materialist sees the necessity, and at the same time the condition, of a transformation both of industry and of the social structure.

unfathomable –
difficult or impossible to understand
lofty –
tall, high, elevated
the Campagna of Rome –
an area or city in the Roman Empire
corporeal –
of, relating to, or characteristic of the body
scrofulous –
morally degenerate, corrupt
starveling –
one that is starving or being starved

As far as Feuerbach is a materialist he does not deal with history, and as far as he considers history he is not a materialist. With him materialism and history diverge completely, a fact which incidentally is already obvious from what has been said.

RULING CLASS AND RULING IDEAS

The ideas of the ruling class are in every epoch the ruling ideas, i.e. the class which is the ruling material force of society, is at the same time its ruling intellectual force. The class which has the means of material production at its disposal, has control at the same time over the means of mental production, so that thereby, generally speaking, the ideas of those who lack the means of mental production are subject to it. The ruling ideas are nothing more than the ideal expression of the dominant material relationships, the dominant material relationships grasped as ideas; hence of the relationships which make the one class the ruling one, therefore, the ideas of its dominance. The individuals composing the ruling class possess among other things consciousness, and therefore thought. Insofar, therefore, as they rule as a class and determine the extent and compass of an epoch, it is self-evident that they do this in its whole range, hence among other things rule also as thinkers, as producers of ideas, and regulate the production and distribution of the ideas of their age: thus their ideas are the ruling ideas of the epoch. For instance, in an age and in a country where royal power, aristocracy, and bourgeoisie are contending for mastery and where, therefore, mastery is shared, the doctrine of the separation of powers proves to be the dominant idea and is expressed as an "eternal law".

The division of labour, which we already saw above as one of the chief forces of history up till now, manifests itself also in the ruling class as the division of mental and material labour, so that inside this class one part appears as the thinkers of the class (its active, conceptive ideologists, who make the perfecting of the illusion of the class about itself their chief source of livelihood), while the others' attitude to these ideas and illusions is more passive and receptive, because they are in reality the active members of this class and have less time to make up illusions and ideas about themselves. Within this class this cleavage can even develop into a certain opposition and hostility between the two parts, which, however, in the case of a practical collision, in which the class itself is endangered, automatically comes to nothing, in which case there also vanishes the semblance that the ruling ideas were not the ideas of the ruling class and had a power distinct from the power of this class. The existence of revolutionary ideas in a particular period presupposes the existence of a revolutionary class; about the premises for the latter sufficient has already been said above.

If now in considering the course of history we detach the ideas of the ruling class from the ruling class itself and attribute to them an independent existence,

if we confine ourselves to saying that these or those ideas were dominant at a given time, without bothering ourselves about the conditions of production and the producers of these ideas, if we thus ignore the individuals and world conditions which are the source of the ideas, we can say, for instance, that during the time that the aristocracy was dominant, the concepts honour, loyalty, etc. were dominant, during the dominance of the bourgeoisie the concepts freedom, equality, etc., the ruling class itself on the whole imagines this to be so. This conception of history, which is common to all historians, particularly since the eighteenth century, will necessarily come up against the phenomenon that increasingly abstract ideas hold sway, i.e. ideas which increasingly take on the form of universality. For each new class which puts itself in the place of one ruling before it, is compelled, merely in order to carry through its aim, to represent its interest as the common interest of all the members of society, that is, expressed in ideal form: it has to give its ideas the form of universality, and represent them as the only rational, universally valid ones. The class making a revolution appears from the very start, if only because it is opposed to a class, not as a class but as the representative of the whole of society; it appears as the whole mass of society confronting the one ruling class.[5] It can do this because, to start with, its interest really is more connected with the common interest of all other non-ruling classes, because under the pressure of hitherto existing conditions its interest has not yet been able to develop as the particular interest of a particular class. Its victory, therefore, benefits also many individuals of the other classes which are not winning a dominant position, but only insofar as it now puts these individuals in a position to raise themselves into the ruling class. When the French bourgeoisie overthrew the power of the aristocracy, it thereby made it possible for many proletarians to raise themselves above the proletariat, but only insofar as they become bourgeois. Every new class, therefore, achieves its hegemony only on a broader basis than that of the class ruling previously, whereas the opposition of the non-ruling class against the new ruling class later develops all the more sharply and profoundly. Both these things determine the fact that the struggle to be waged against this new ruling class, in its turn, aims at a more decided and radical negation of the previous conditions of society than could all previous classes which sought to rule.

This whole **semblance** that the rule of a certain class is only the rule of certain ideas, comes to a natural end, of course, as soon as class rule in general ceases to be the form in which society is organized, that is to say, as soon as it is no longer necessary to represent a particular interest as general or the "general interest" as ruling.

Once the ruling ideas have been separated from the ruling individuals and, above all, from the relationships which result from a given stage of the mode of production, and in this way the conclusion has been reached that history is always under the sway of ideas, it is very easy to abstract from these various ideas "the idea", the notion, etc. as the dominant force in history, and thus to understand all these separate ideas and concepts as "forms of self-determination" on the part of the concept developing in history. It follows then naturally, too, that all the relationships of men can be derived from the concept of man, man as conceived, the essence

5 Marginal note by Marx: Universality corresponds to (1) the class versus the estate, (2) the competition, world-wide intercourse, etc., (3) the great numerical strength of the ruling class, (4) the illusion of the common interests (in the beginning this illusion is true), (5) the delusion of the ideologists and the division of labour.

semblance – outward appearance

of man, Man. This has been done by the speculative philosophers. Hegel himself confesses at the end of the **Geschichtsphilosophie** that he "has considered the progress of the concept only" and has represented in history the "true **theodicy**". (p.446.) Now one can go back again to the producers of the "concept", to the theorists, ideologists and philosophers, and one comes then to the conclusion that the philosophers, the thinkers as such, have at all times been dominant in history: a conclusion, as we see, already expressed by Hegel. The whole trick of proving the hegemony of the spirit in history (hierarchy Stirner calls it) is thus confirmed to the following three efforts.

No. 1. One must separate the ideas of those ruling for empirical reasons, under empirical conditions and as empirical individuals, from these actual rulers, and thus recognise the rule of ideas or illusions in history.

No. 2. One must bring an order into this rule of ideas, prove a mystical connection among the successive ruling ideas, which is managed by understanding them as "acts of self-determination on the part of the concept" (this is possible because by virtue of their empirical basis these ideas are really connected with one another and because, conceived as mere ideas, they become self-distinctions, distinctions made by thought).

No. 3. To remove the mystical appearance of this "self-determining concept" it is changed into a person – "Self-Consciousness" – or, to appear thoroughly materialistic, into a series of persons, who represent the "concept" in history, into the "thinkers", the "philosophers", the ideologists, who again are understood as the manufacturers of history, as the "council of guardians", as the rulers. Thus the whole body of materialistic elements has been removed from history and now full rein can be given to the speculative steed.

Whilst in ordinary life every shopkeeper is very well able to distinguish between what somebody professes to be and what he really is, our historians have not yet won even this trivial insight. They take every epoch at its word and believe that everything it says and imagines about itself is true.

This historical method which reigned in Germany, and especially the reason why, must be understood from its connection with the illusion of ideologists in general, e.g. the illusions of the jurist, politicians (of the practical statesmen among them, too), from the dogmatic dreamings and distortions of these fellows; this is explained perfectly easily from their practical position in life, their job, and the division of labour.

Geschichtsphilosophie – German: Philosophy of History

theodicy – the branch of theology that defends God's goodness and justice in the face of the existence of evil

SOURCE: Karl Marx and Friedrich Engels. The German Ideology: Critique of Modern German Philosophy According to Its Representatives Feuerbach, B. Bauer and Stirner, and of German Socialism According to Its Various Prophets. Progress Publishers, 1968. Marx-Engels Internet Archive. <http://www.marxists.org/archive/marx/works/1845/german-ideology/index.htm>.

DISCUSSION QUESTIONS:

1. How does Marx conceive the term civil society? According to him, what encapsulates the notion and actual existence of civil society? How does he explain it?
2. Why does he contend that civil society evolves with the bourgeoisie? What is the bourgeoisie? How does the bourgeoisie determine "the material practice" in civil society?
3. What are the differences between Hegel's and Marx's civil society and state? Compare the definitions they give. Explain what the terms mean for each and then how they [the terms] interact in theory and reality?
4. Explain Marx's conception of history. What does Marx say about the "idealistic view of human history"? What is "the materialistic" one for him? Why does it offer a better, more robust, account for explaining the development of human interaction in any society? What does Marx say about Hegel's "Idea"? What do you think about Marx's materialistic view of history? Do you agree with him that "men make their own history"? How can Hegel's dialectic be instructive for Marx, even if he rejects the essential tenets of Hegel's reasoning?
5. Do you agree with Marx that theoreticians (philosophers) misunderstand reality? Explain metaphysical vs. materialistic interpretations of history. Which one is more convincing to you?
6. Hegel, in Philosophy of Right, says that genuine education can liberate the mind and help the individual develop objectivity within subjectivity. What does Marx say on the account of "liberation"? How does he think individuals can liberate themselves?
7. Why does Marx consider the bourgeoisie to be a ruling class and the basis of any state? What is the connection between the ruling class and ruling ideas in civil society?

ADDITIONAL READINGS:

- Stanford Encyclopedia of Philosophy. Marx's Life and Works. <http://plato.stanford.edu/entries/marx/>
- Marx and Engels Internet Archive. A collection of Marx and Engels works on-line. <http://www.marxists.org/archive/marx/index.htm>
- Bertrand Russell. Wisdom of the West. Crescent Books, Inc. 1959.
- Dominique Colas. Civil Society and Fanaticism: Conjoined Histories. Stanford: Stanford California Press, 1997.
- Marx's biography. <http://www.philosophypages.com/ph/marx.htm#links>
- Marx's biography by Engels. <http://www.marxists.org/archive/marx/bio/marx/eng-1869.htm>
- Karl Marx/Friedrich Engels. The German Ideology. Full text on-line. <http://www.marxists.org/archive/marx/works/1845/german-ideology/>
- Karl Marx. The Critique of Hegel's Philosophy of Right. Full text on-line. <http://www.marxists.org/archive/marx/works/1843/critique-hpr/index.htm>

CHAPTER TWO:
CIVIL SOCIETY AND RELIGION

INTRODUCTION

In this chapter, the connection between diverse religious ideas and humanity is examined. This connection, sometimes tenuous and at other times robust, establishes cities, societies, and civilizations that build upon as well as rupture other cities, societies, and civilizations. In examining this connection, the reader may be well advised to suspend their own cultural inclinations and judgments. Only through understanding the mythic and the mystical expressions of diverse cultures one can understand the variety of religious expressions that govern many cultures and societies.

In almost all religious texts, the idea of the divine hand that creates, preserves, and destroys human settlement of one sort or the other forms the bedrock narrative that guides human attempts at organizing communities, societies, and nations. This simple ordering of life from earliest times has become the customs, traditions and laws that govern human interaction. The birth or genesis of human society determines the worldview of any given people. The key to understanding an alien culture or society is the story of its genesis.

The texts in this chapter, culled from Christian, Islamic, and Judaic sources, offer a variety of perspectives on the establishment and preservation of good society, on the divine protection that allows it to flourish, and on the ruptures within society that contribute to its disintegration. The readings do not conform to only one period in human history but traverse the length of history of the three monotheistic religions of the middle-east.

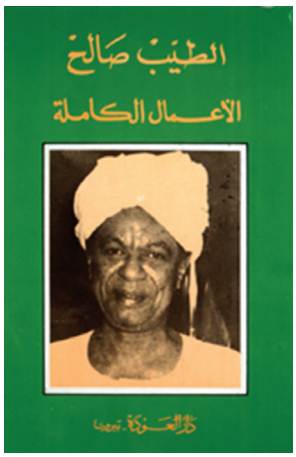
While some of these texts try to understand religion through a current socio-political context, others look at the establishment of the religion historically, and yet others look at it through the religions' interaction with contemporary secular society or government. All these methods of examining religion offer different perspectives on the role of religion in human society. Sometimes religion drives change, both positive and negative, in society, and at other times religion institutes new modes of cognition and praxis in society.

The reader is further cautioned that these texts are the various authors' interpretations of their own religious ideas or those of others. These interpretations of religion and society offer insight into the ordering of human's relations with one another, with the world, and with themselves. Self-understanding is achieved not only through introspection but also by understanding and connecting to the other.

The reader might take the opportunity to understand the mediating role of religion in relationships between individuals, between individual and society, and between different communities and societies. Does religion, first of all, play a mediating role in the world? How is religion's role different from that of other institutions? Is such a role still relevant today? Should religion try to carve out such a role for itself? How would that strengthen civil society? Or, does it weaken civil society?

TAYEB SALIH: THE DOUM TREE OF WAD HAMID

Sudanese writer Al-Tayyib Salih was born in 1929, and studied at the University of Khartoum before leaving for the University of London, England. He worked in radio broadcasting. His published works include: A Handful of Dates; Dau al-Bayt; Doma wad Hamed; Season of Migration to the North (1967); and The Wedding of Zein (1969). His works are generally political, focusing on issues of colonization and gender, but are rendered through fiction as well as non-fiction. While Salih is considered one of the best contemporary novelists working in Arabic, he is also well known for his reviews of literature for Arabic newspapers. Given his knowledge of Western and Arabic cultures and literature, he brings this to bear on his writings for his readers.



Were you to come to our village as a tourist, it is likely, my son, that you would not stay long. If it were in winter time, when the palm trees are pollinated, you would find that a dark cloud had descended over the village. This, my son, would not be dust, nor yet that mist which rises up after rainfall. It would be a swarm of those sand-flies which obstruct all paths to those who wish to enter our village. Maybe you have seen this pest before, but I swear that you have never seen this particular species. Take this gauze netting, my son, and put it over your head. While it won't protect you against these devils, it will at least help you to bear them. I remember a friend of my son's, a fellow student at school, whom my son invited to stay with us a year ago at this time of the year. His people come from the town. He stayed one night with us and got up next day, feverish, with a running nose and swollen face; he swore that he wouldn't spend another night with us.

If you were to come to us in summer you would find the horse-flies with us—enormous flies the size of young sheep, as we say. In comparison to these the sand-flies are a thousand times more bearable. They are savage flies, my son: they bite, sting, buzz, and whirr. They have a special love for man and no sooner smell him out than they attach themselves to him. Wave them off you, my son—God curse all sand-flies.

And were you to come at a time which was neither summer nor winter you would find nothing at all. No doubt, my son, you read the papers daily, listen to the radio, and go to the cinema once or twice a week. Should you become ill you have the right to be treated in hospital, and if you have a son he is entitled to receive education at a-school. I know, my son that you hate dark streets and like to see electric light shining out into the night. I know, too, that you are not enamoured of walking and that riding donkeys gives you a bruise on your backside. Oh, I wish, my son, I wish—the asphalted roads of the towns—the modern means of transport—the fine comfort¬able buses. We have none of all this—we are people who live on what God sees fit to give us.

Tomorrow you will depart from our village, of this I am sure, and you will be right to do so. What have you to do with such hardship? We are thick-skinned people and in this we differ from others. We have become used to this hard life, in fact we like

it, but we ask no one to subject himself to the difficulties of our life. Tomorrow you will depart, my son—I know that. Before you leave, though, let me show you one thing—something which, in a manner of speaking, we are proud of. In the towns you have museums, places in which the local history and the great deeds of the past are preserved. This thing that I want to show you can be said to be a museum. It is one thing we insist our visitors should see.

Once a preacher, sent by the government, came to us to stay for a month. He arrived at a time when the horse-flies had never been fatter. On the very first day the man's face swelled up. He bore this manfully and joined us in evening prayers on the second night, and after prayers he talked to us of the delights of the primitive life. On the third day he was down with malaria, he contracted dysentery, and his eyes were completely gummed up. I visited him at noon and found him prostrate in bed, with a boy standing at his head waving away the flies. 'O Sheikh,' I said to him, 'there is nothing in our village********* to show you, though I would like you to see the doum tree of Wad Hamid.' He didn't ask me what Wad Hamid's doum tree was, but I presumed that he had heard of it, for who has not? He raised his face which was like the lung of a slaughtered cow; his eyes (as I said) were firmly closed; though I knew that behind the lashes there lurked certain bitterness.

'By God,' he said to me, 'if this were the doum tree of Jandal, and you the Moslems who fought with Ali and Mu'awiya, and I the arbitrator between you, holding your fate in these two hands of mine, I would not stir an inch!' and he spat upon the ground as though to curse me and turned his face away. After that we heard that the Sheikh had cabled to those who had sent him, saying: 'The horse-flies have eaten into my neck, malaria has burnt up my skin, and dysentery has lodged itself in my bowels. Come to my rescue, May God bless you—these are people who are in no need of me or of any other preacher.' And so the man departed and the government sent us no preacher after him.

But, my son, our village actually witnessed many great men of power and influence, people with names that rang through the country like drums, whom we never even dreamed would ever come here—they came, by God, in droves.

We have arrived. Have patience, my son; in a little while there will be the noonday breeze to lighten the agony of this pest upon your face.

Here it is: the doum tree of Wad Hamid. Look how it holds its head aloft to the skies; look how its roots strike down into the earth; look at its full, sturdy trunk, like the form of a comely woman, at the branches on high resembling the mane of a frolicsome steed! In the afternoon, when the sun is low, the doum tree casts its shadow from this high mound right across the river so that someone sitting on the far bank can rest in its shade. At dawn, when the sun rises, the shadow of the tree stretches across the cultivated land and houses right up to the cemetery. Don't you think it is like some mythical eagle spreading its wings over the village and everyone in it? Once the government, wanting to put through an agricultural scheme, decided to cut it down: they said that the best place for setting up the pump was where the doum tree stood. As you can sec, the people of our village are concerned solely with their everyday needs and I cannot remember their ever having rebelled against anything. However, when they heard about cutting down the doum tree they all rose up as one man and barred the district commissioner's way. That was in the time of foreign rule. The flies assisted them too—the horse-flies. The man was surrounded by the clamouring people shouting that if the doum tree were cut down they would fight the government to the last man, while the flies played havoc with the man's face. As his papers were scattered in the water we heard him cry out: 'All right—doum tree stay—scheme no stay!' And

so neither the pump nor the scheme came about and we kept our doum tree. Let us go home, my son, for this is no time for talking in the open. This hour just before sunset is a time when the army of sand-flies becomes particularly active before going to sleep. At such a time no one who isn't well-accustomed to them and has become as thick-skinned as we are can bear their stings. Look at it, my son, look at the doum tree: lofty, proud, and haughty as though—as though it was some ancient idol.

Wherever you happen to be in the village you can see it; in fact, you can even see it from four villages away.

Tomorrow you will depart from our village, of that there is no doubt, the mementoes of the short walk we have taken visible upon your face, neck and hands. But before you leave I shall finish the story of the tree, the doum tree of Wad Hamid. Come in, my son; treat this house as your own. You ask who planted the doum tree? No one planted it, my son. Is the ground in which it grows arable land? Do you not see that it is stony and appreciably higher than the river bank, like the pedestal of a statue, while the river twists and turns below it like a sacred snake, one of the ancient gods of the Egyptians? My son, no one planted it. Drink your tea, for you must be in need of it after the trying experience you have undergone. Most probably it grew up by itself, though no one remembers having known it other than as you now find it. Our sons opened their eyes to find it commanding the village. And we, when we take ourselves back to childhood memories, to that dividing line beyond which you remember nothing, see in our minds a giant doum tree standing on a river bank; everything beyond it is as cryptic as talismans, like the boundary between day and night, like that fading light which is not the dawn but the light directly preceding the break of day. My son, do you find that you can follow what I say? Are you aware of this feeling I have within me but which I am powerless to express? Every new generation finds the doum tree as though it had been born at die time of their birth and would grow up with them. Go and sit with the people of this village and listen to them recounting their dreams. A man awakens from sleep and tells his neighbor how he found him¬self in a vast sandy tract of land, the sand as white as pure silver; how his feet sank in as he walked so that he could only draw them out again with difficulty; how he walked and walked until he was overcome with thirst and stricken with hunger, while the sands stretched endlessly around him; how he climbed a hill and on reaching the top espied a dense forest of doum trees with a single tall tree in the centre which in comparison with the others looked like a camel amid a herd of goats; how the man went down the hill to find that the earth seemed to be rolled up before him so that it was but a few steps before he found himself under the doum tree of Wad Hamid; how he then discovered a vessel containing milk, its surface still fresh with froth, and how the milk did not go down though he drank until he had quenched his thirst. At which his neighbor says to him, 'Rejoice at release from your troubles.'

You can also hear one of the women telling her friend: 'It was as though I were in a boat sailing through a channel in the sea, so narrow that I could stretch out my

hands and touch the shore on either side. I found myself on the crest of a mountainous wave which carried me upwards till I was almost touching the clouds, then bore me down into a dark, bottomless pit. I began shouting in my fear, but my voice seemed to be trapped in my throat. Suddenly I found the channel opening out a little. I saw that on the two shores were black, leafless trees with thorns, the tips of which were like the heads of hawks. I saw the two shores closing in upon me and the trees seemed to be walking towards me. I was filled with terror and called out at the top of my voice, "O Wad Hamid!"As I looked I saw a man with a radiant face and a heavy white beard flowing down over his chest, dressed in spotless white and holding a string of amber prayer-beads. Placing his hand on my brow he said: "Be not afraid," and I was calmed. Then I found the shore opening up and the water flowing gently. I looked to my left and saw fields of ripe corn, water-wheels turning, and cattle grazing, and on the shore stood the doum tree of Wad Hamid. The boat came to rest under the tree and the man got out, tied up the boat, and stretched out his hand to me. He then struck me gently on the shoulder with the string of beads, picked up a doum fruit from the ground and put it in my hand. When I turned round he was no longer there.'

'That was Wad Hamid,' her friend then says to her, 'you will have an illness that will bring you to the brink of death, but you will recover. You must make an offering to Wad Hamid under the doum tree.'

So it is, my son, that there is not a man or woman, young or old, who dreams at night without seeing the doum tree of Wad Hamid at some point in the dream.

You ask me why it was called the doum tree of Wad Hamid and who Wad Hamid was. Be patient, my son—have another cup of tea.

At the beginning of home rule a civil servant came to inform us that the government was intending to set up a stopping-place for the steamer. He told us that the national government wished to help us and to see us progress, and his face was radiant with enthusiasm as he talked. But he could see that the faces around him expressed no reaction. My son, we are not people who travel very much, and when we wish to do so for some important matter such as registering land, or seeking advice about a matter of divorce, we take a morning's ride on our donkeys and then board the steamer from the neighboring village. My son, we have grown accustomed to this, in fact it is precisely for this reason that we breed donkeys. It is little wonder, then, that the government official could see nothing in the people's faces to indicate that they were pleased with the news. His enthusiasm waned and, being at his wit's end, he began to fumble for words.

'Where will the stopping-place be?' someone asked him after a period of silence. The official replied that there was only one suitable place—where the doum tree stood. Had you that instant brought along a woman and had her stand among those men as naked as the day her mother bore her; they could not have been more astonished.

'The steamer usually passes here on a Wednesday,' one of the men quickly replied; 'if you made a stopping-place, then it would be here on Wednesday afternoon.' The official replied that the time fixed for the steamer to stop by their village would be four o'clock on Wednesday afternoon.

'But that is the time when we visit the tomb of Wad Hamid at the doum tree,' answered the man; 'when we take our women and children and make offerings. We do this every week.' The official laughed. 'Then change the day!' he replied. Had the official told these men at that moment that every one of them was a bastard that would not have angered them more than this remark of his. They rose up as one man, bore down upon him, and would certainly have killed him if I had not intervened and snatched him from their clutches. I then put him on a donkey and told him to make good his escape.

And so it was that the steamer still does not stop here and that we still ride off on our donkeys for a whole morning and takes the steamer from the neighboring village when circum¬stances require us to travel. We content ourselves with the thought that we visit the tomb of Wad Hamid with our women and children and that we make offerings there every Wednesday as our fathers and fathers' fathers did before us. Excuse me, my son, while I perform the sunset prayer—it is said that the sunset prayer is 'strange': if you don't catch it in time it eludes you. God's pious servants—I declare that there is no god but God and I declare that Mohamed is His Servant and His Prophet—Peace be upon you and the mercy of God!

Ah, ah. For a week this back of mine has been giving me pain. What do you think it is, my son? I know, though—it's just old age. Oh to be young! In my young days I would break¬fast off half a sheep, drink the milk of five cows for supper, and be able to lift a sack of dates with one hand. He lies who says he ever beat me at wrestling. They used to call me 'the crocodile'. Once I swam the river, using my chest to push a boat loaded with wheat to the other shore—at night! On the shore were some men at work at their water-wheels, who threw down their clothes in terror and fled when they saw me, pushing the boat towards them.

'Oh people,' I shouted at them, 'what's wrong, shame upon you! Don't you know me? I'm "the crocodile". By God, the devils themselves would be scared off by your ugly faces.'

My son, have you asked me what we do when we're ill?

I laugh because I know what's going on in your head. You townsfolk hurry to die hospital on the slightest pretext. If one of you hurts his finger you dash off to the doctor who puts a bandage on and you carry it in a sling for days; and even then it doesn't get better. Once I was working in the fields and something bit my finger—this little finger of mine. I jumped to my feet and looked around in the grass where I found a snake lurking. I swear to you it was longer than my arm. I took hold of it by the head and crushed it between two fingers, then bit into my finger, sucked out the blood, and took up a handful of dust and rubbed it on the bite.

But that was only a little thing. What do we do when faced with real illness?

This neighbor of ours, now. One day her neck swelled up and she was confined to bed for two months. One night she had a heavy fever, so at first dawn she rose from her bed and dragged herself along till she came—yes, my son, till she came to the doum tree of Wad Hamid. The woman told us what happened.

I was under the doum tree, she said, 'with hardly sufficient strength to stand up, and called out at the top of my voice: "O Wad Hamid, I have come to you to seek refuge and protec¬tion—I shall sleep here at your tomb and under your doum tree. Either you let me die or you restore me to life; I shall not leave here until one of these two things happens."

'And so I curled myself up in fear,' the woman continued with her story, 'and was soon overcome by sleep. While midway between wakefulness and sleep I suddenly heard sounds of recitation from the Koran and a bright light, as sharp as a knife-edge,

radiated out, joining up the two river banks, and I saw the doum tree prostrating itself in worship. My heart throbbed so violently that I thought it would leap up through my mouth. I saw a venerable old man with a white beard and wearing a spotless white robe come up to me, a smile on his face. He struck me on the head with his string of prayer-beads and called out: 'Arise.'

I swear that I got up I know not how and went home I know not how. I arrived back at dawn and woke up my husband, my son, and my daughters. I told my husband to light the fire and make tea. Then I ordered my daughters to give trilling cries of joy, and the whole village prostrated them¬selves before us. I swear that I have never again been afraid, nor yet ill.'

Yes, my son, we are people who have no experience of hospitals. In small matters such as the bites of scorpions, fever, sprains, and fractures, we take to our beds until we are cured. When in serious trouble we go to the doum tree.

Shall I tell you the story of Wad Hamid, my son, or would you like to sleep? Townsfolk don't go to sleep till late at night—I know that of them. We, though, go to sleep directly the birds are silent, the flies stop harrying the cattle, the leaves of the trees settle down, the hens spread their wings over their chicks, and the goats turn on their sides to chew the cud. We and our animals are alike: we rise in the morning when they rise and go to sleep when they sleep, our breathing and theirs following one and the same pattern.

My father, reporting what my grandfather had told him,

Said: 'Wad Hamid, in times gone by, used to be the slave of a wicked man. He was one of God's holy saints but kept his faith to himself, not daring to pray openly lest his wicked master should kill him. When he could no longer bear his life with this infidel he called upon God to deliver him and a voice told him to spread his prayer-mat on the water and that when it stopped by the shore he should descend. The prayer-mat put him down at the place where the doum tree is now and which used to be waste land. And there he stayed alone, praying the whole day. At nightfall a man came to him with dishes of food, so he ate and continued his worship till dawn.'

All this happened before the village was built up. It is as though this village, with its inhabitants, its water-wheels and buildings, had become split off from the earth. Anyone who tells you he knows the history of its origin is a liar. Other places begin by being small and then grow larger, but this village of ours came into being at one bound. Its population neither increases nor decreases, while its appearance remains unchanged. And ever since our village has existed, so has the doum tree of Wad Hamid; and just as no one remembers how it originated and grew, so no one remembers how the doum tree came to grow in a patch of rocky ground by the river, standing above it like a sentinel.

When I took you to visit the tree, my son, do you remember the iron railing round it? Do you remember the marble plaque standing on a stone pedestal with 'The doum tree of Wad Hamid' written on it? Do you remember the doum tree with the gilded crescents above the tomb? They are the only new things about the village since God first planted it here, and I shall now recount to you how they came into being.

When you leave us tomorrow—and you will certainly do so, swollen of face and inflamed of eye—it will be fitting if you do not curse us but rather think kindly of us and of the things that I have told you this night, for you may well find that your visit to us was not wholly bad.

You remember that some years ago we had Members of Parliament and political parties and a great deal of to-ing and fro-ing which we couldn't make head or tail of. The roads would sometimes cast down strangers at our very doors, just as the waves

of the sea wash up strange weeds. Though not a single one of them prolonged his stay beyond one night, they would nevertheless bring us the news of the great fuss going on in the capital. One day they told us that the government which had driven out imperialism had been substituted by an even bigger and noisier government.

'And who has changed it?' we asked them, but received no answer. As for us, ever since we refused to allow the stopping-place to be set up at the doum tree no one has disturbed our tranquil existence. Two years passed without our knowing what form the government had taken, black or white. Its emissaries passed through our village without staying in it, while we thanked God that He had saved us the trouble of putting them up. So things went on till, four years ago, a new government came into power. As though this new authority wished to make us conscious of its presence, we awoke one day to find an official with an enormous hat and small head, in the company of two soldiers, measuring up and doing calculations at the doum tree. We asked them what it was about, to which they replied that the government wished to build a stopping-place for the steamer under the doum tree.

'But we have already given you our answer about that,' we told them. 'What makes you think we'll accept it now?'

'The government which gave in to you was a weak one,' they said, 'but the position has now changed.'

To cut a long story short, we took them by the scruffs of their necks, hurled them into the water, and went off to our work. It wasn't more than a week later when a group of soldiers came along commanded by the small-headed official with the large hat, shouting, 'Arrest that man, and that one, and that one,' until they'd taken off twenty of us, I among them. We spent a month in prison. Then one day the very soldiers who had put us there opened the prison gates. We asked them what it was all about but no one said anything. Outside the prison we found a great gathering of people; no sooner had we been spotted than there were shouts and cheering and we were embraced by some cleanly-dressed people, heavily scented and with gold watches gleaming on their wrists. They carried us off in a great procession, back to our own people. There we found an un¬believably immense gathering of people, carts, horses, and camels. We said to each other, 'The din and flurry of the capital has caught up with us.' They made us twenty men stand in a row and the people passed along it shaking us by the hand: the Prime Minister—the President of the Parliament—the President of the Senate—the member for such and such constituency—the member for such and such other con¬stituency.

We looked at each other without understanding a thing of what was going on around us except that our arms were aching with all the handshakes we had been receiving from those Presidents and Members of Parliament.

Then they took us off in a great mass to the place where the doum tree and the tomb stand. The Prime Minister laid the foundation stone for the monument you've seen, and for the dome you've seen, and for the railing you've seen. Like a tornado

blowing up for a while and then passing over, so that mighty host disappeared as suddenly as it had come without spending a night in the village—no doubt because of the horse¬flies which, that particular year, were as large and fat and buzzed and whirred as much as during the year the preacher came to us.

One of those strangers who were occasionally cast upon us in the village later told us the story of all this fuss and bother. 'The people,' he said, 'hadn't been happy about this govern¬ment since it had come to power, for they knew that it had got there by bribing a number of the Members of Parliament. They therefore bided their time and waited for the right opportunities to present themselves, while the opposition looked around for something to spark things off. When the doum tree incident occurred and they marched you all off and slung you into prison, the newspapers took this up and the leader of the government which had resigned made a fiery speech in Parliament in which he said:

'To such tyranny has this government come that it has begun to interfere in the beliefs of the people, in those holy things held most sacred by them.' Then, taking a most imposing stance and in a voice choked with emotion, he said: 'Ask our worthy Prime Minister about the doum tree of Wad Hamid. Ask him how it was that he permitted him¬self to send his troops and henchmen to desecrate diat pure and holy place!'

"The people took up die cry and throughout die country their hearts responded to die incident of the doum tree as to nothing before. Perhaps die reason is that in every village in this country there is some monument like die doum tree of Wad Hamid which people see in their dreams. After a month of fuss and shouting and inflamed feelings, fifty members of die government were forced to withdraw their support, their con¬stituencies having warned them that unless they did so they would wash their hands of them. And so die government fell, the first government returned to power and die leading paper in the country wrote: "The doum tree of Wad Hamid has become the symbol of the nation's awakening,""

Since that day we have been unaware of the existence of die new government and not one of those great giants of men who visited us has put in an appearance; we thank God that He has spared us the trouble of having to shake diem by the hand. Our life returned to what it had been: no water-pump, no agricultural scheme, no stopping-place for the steamer. But we kept our doum tree which casts its shadow over the southern bank in the afternoon and, in the morning, spreads its shadow over the fields and houses right up to die cemetery, with the river flowing below it like some sacred legendary snake. And our village has acquired a marble monument, an iron railing, and a dome with gilded crescents.

When the man had finished what he had to say he looked at me with an enigmatic smile playing at the corners of his mouth like the faint flickerings of a lamp.

'And when,' I asked, 'will they set up the water-pump, and put through the agricultural scheme and the stopping-place for the steamer?'

He lowered his head and paused before answering me, 'When people go to sleep and don't see the doum tree in their dreams.'

'And when will that be?' I said.

'I mentioned to you that my son is in die town studying at school,' he replied. 'It wasn't I who put him there; he ran away and went there on his own, and it is my hope that he will stay where he is and not return. When my son's son passes out of school and die number of young men with souls foreign to our own increases, then perhaps the water-pump will be set up and the agricultural scheme put into being—maybe then the steamer will stop at our village—under the doum tree of Wad Hamid.' 'And do

you think,' I said to him, 'which the doum tree will one day be cut down?' He looked at me for a long while as though wishing to project, through his tired, misty eyes, some¬thing which he was incapable of doing by word.

'There will not be the least necessity for cutting down the doum tree. There is not the slightest reason for the tomb to be removed. What all these people have overlooked is that there's plenty of room for all these things: die doum tree, the tomb, the water-pump, and die steamer's stopping-place.' When he had been silent for a time he gave me a look which I don't know how to describe, though it stirred within me a feeling of sadness, sadness for some obscure thing which I was unable to define. Then he said: 'Tomorrow, without doubt, you will be leaving us. When you arrive at your destination, think well of us and judge us not too harshly.

SOURCE: Salih Tayeb, the Wedding of Zein and Other Stories; Trans. Denys Johnson-Davies,.Boulder, London, 1999, 1-20

QUESTIONS FOR ANALYSIS:

1. What message does the author want to convey? Please, describe the incidents happened around the doum tree: How important are the sacred places for people? What are the connections between doum tree and civil society? Do you know similar examples from the life of your community?
2. How useful can be narrative story for learning of different cultures, educating young generation on invisible and unseen world?
3. What is the power of collective feelings of people? How could people avoid the intervention of government in their lives? How can worshiping the sacred places help in escaping any forms of tyranny (religious, political, so on)? How has the doum tree of Wad Hamid become the symbol of the nation's awakening?

REVIEW QUESTIONS:

1. Please compare this text with the texts from Chapter one. What is the power of community according to Salih Tayed and Confucius or Ibn Khaldoun, Karl Marx?
2. What are the shortages of community feelings: comparing Salih Tayed with Bhavagat-Gita?

FURTHER READINGS:

- A Handful of Dates
- Dau al-Bayt
- Doma wad Hamed
- Mariud (Bandar Shah)
- Season of Migration to the North - 1967
- The Wedding of Zein - 1969
- Season of Migration to the North, by Tayeb Salih: Back Cover of the Heinemann African Writers Series edition in English
- http://www.pfd.co.uk/clients/saliht/b-aut.html
- http://collegerelations.vassar.edu/2001/677/
- http://maduba.free.fr/mawsim.htm -"Lire Saison de la migration vers le Nord de Tayeb Sâlih", by Salah NATIJ, in Website : Maduba/Invitation à l'adab

ST. AUGUSTINE OF HIPPO: THE CITY OF GOD

Augustine was born in 354 CE in Tagaste (present-day Souk-Ahras, Algeria), then a Latin-speaking part of Roman Mediterranean, in an area which used to be Carthage, prior its fall to the Romans some 500 years before Augustine's birth. He was the Bishop of Hippo from 395 CE until his death in 430 CE in Hippo, his Episcopal city. Up until Augustine's conversion (in 386 CE) to Christianity, Cicero had had the most influence on him. Besides his masterpiece, De Civitae Dei (The City of God), composed 413-426 CE, he wrote Confessions (397-398 CE), De Trinitate (On the Trinity 400-416), De Doctrina Christiana (On Christian Doctrine 397-426), and Retractationes (Retractions 426-428), where he revisited all his ideas from the beginning and noted the change in thinking towards the end of his life.

(Book XIV)

CHAPTER I – THAT THE DISOBEDIENCE OF THE FIRST MAN WOULD HAVE PLUNGED ALL MEN INTO THE ENDLESS MISERY OF THE SECOND DEATH, HAD NOT THE GRACE OF GOD RESCUED MANY.

We have already stated in the preceding books that God, desiring not only that the human race might be able by their similarity of nature to associate with one another, but also that they might be bound together in harmony and peace by the ties of relationship, was pleased to derive all men from one individual, and created man with such a nature that the members of the race should not have died, had not the two first (of whom the one was created out of nothing, and the other out of him) merited this by their disobedience; for by them so great a sin was committed, that by it human nature was altered for the worse, and was transmitted also to their posterity, liable to sin and subject to death. And the kingdom of death so reigned over men, that the deserved penalty of sin would have hurled all headlong even into the second death, of which there is no end, had not the undeserved grace of God saved some therefrom. And thus it has come to pass, that though there are very many and great nations all over the earth whose rites and customs, speech, arms, and dress, are distinguished by marked differences, yet there are no more than two kinds of human society, which we may justly call two cities, according to the language of our Scriptures. The one consists of those who wish to live after the flesh, the other of those who wish to live after the spirit; and when they severally achieve what they wish, they live in peace, each after their kind.

CHAPTER 2 – OF CARNAL LIFE, WHICH IS TO BE UNDERSTOOD NOT ONLY OF LIVING IN BODILY INDULGENCE, BUT ALSO OF LIVING IN THE VICES OF THE INNER MAN.

First, we must see what it is to live after the flesh, and what it is to live after the spirit. For anyone who either does not recollect, or does not sufficiently weigh, the language of sacred Scripture, may, on first hearing what we have said, suppose that the Epicurean philosophers live after the flesh because they place man's highest good in bodily pleasure; and that those others do so who have been of the opinion that in some form or other bodily good is man's supreme good; and that the mass of men do so who, without dogmatising or philosophising on the subject, are so prone to lust that they cannot delight in any pleasure save such as they receive from bodily sensations: and he may suppose that the **Stoics**, who place the supreme good of men in the soul, live after the spirit; for what is man's soul, if not spirit?

But in the sense of the divine Scripture both are proved to live after the flesh. For by flesh it means not only the body of a terrestrial and mortal animal, as when it says, "All flesh is not the same flesh, but there is one kind of flesh of men, another flesh of beasts, another of fishes, another of birds," but it uses this word in many other significations; and among these various usages, a frequent one is to use flesh for man himself, the nature of man taking the part for the whole, as in the words, "By the deeds of the law there shall no flesh be justified;" for what does he mean here by "no flesh" but "no man?" And this, indeed, he shortly after says more plainly: "No man shall be justified by the law;" and in the **Epistle to the Galatians**, "Knowing that man is not justified by the works of the law." And so we understand the words, "And the Word was made flesh," – that is, man, which some not accepting in its right sense, have supposed that Christ had not a human soul. For as the whole is used for the part in the words of **Mary Magdalene** in the **Gospel**, "They have taken away my Lord, and I know not where they have laid Him," by which she meant only the flesh of Christ, which she supposed had been taken from the tomb where it had been buried, so the part is used for the whole flesh being named, while man is referred to as in the quotations above cited.

Since, then, Scripture uses the word flesh in many ways, which there is not time to collect and investigate if we are to ascertain what it is to live after the flesh (which is certainly evil, though the nature of flesh is not itself evil), we must carefully examine that passage of the epistle which the Apostle Paul wrote to the Galatians, in which he says," Now the works of the flesh are manifest, which are these: **adultery**, **fornication**, uncleanness, **lasciviousness**, **idolatry**, witchcraft, hatred, variance, **emulations**, **wrath**, **strife**, **seditions**, **heresies**, envyings, murders, drunkenness, **revellings**, and such like: of the which I tell you before, as I have also told you in time past, that they which do such things shall not inherit the kingdom of God." This whole passage of the apostolic epistle being considered, so far as it bears on the matter in hand, will be sufficient to answer the question, what it is to live after the flesh. For among the works of the flesh which he said were manifest, and which he cited for condemnation, we find not only those which concern the pleasure of the flesh, as fornications, uncleanness, lasciviousness, drunkenness, revellings, but also those which, though they be remote from fleshly pleasure, reveal the **vices** of the soul. For who does not see that idolatries, witchcrafts, hatreds, variance, emulations, wrath, strife, heresies, envyings, are vices rather of the soul than of the flesh? For it is quite possible for a man to abstain from fleshly pleasures for the sake of idolatry or some heretical error; and yet, even when

Stoics – members of an originally Greek school of philosophy, founded by Zeno about 308 B.C., believing that God determined everything for the best and that virtue is sufficient for happiness

Epistle to the Galatians – New Testament book containing the letter from Saint Paul to the church in Galatia

Mary Magdalene – in the New Testament, a woman whom Jesus cured of evil spirits. She is also identified with the repentant prostitute who washed the feet of Jesus

Gospel – one of the first four New Testament books, describing the life, death, and resurrection of Jesus and recording his teaching

adultery – voluntary sexual intercourse between a married person and a person other than the lawful spouse

fornication – sexual intercourse between partners who are not married to each other

lasciviousness – showing an unseemly interest in sex

idolatry – the worship of idols or false gods; blind or excessive devotion to something

emulation – boasting; trying to equal or surpass somebody or something that is successful or admired

wrath – vengeance, punishment, or destruction wreaked by somebody in anger

strife – bitter and sometimes violent conflict, struggle, or rivalry

sedition – conduct or language inciting rebellion against the authority of a state

heresy – opinion or doctrine at variance with established religious beliefs

revelling – take great pleasure or delight by festivities or celebrations

vice – evil, degrading, or immoral practice or habit

he does so, he is proved by this apostolic authority to be living after the flesh; and in abstaining from fleshly pleasure, he is proved to be practising damnable works of the flesh. Who that has enmity has it not in his soul? or who would say to his enemy, or to the man he thinks his enemy, "You have a bad flesh towards me", and not rather, "You have a bad spirit towards me"? In fine, if anyone heard of what I may call "carnalities," he would not fail to attribute them to the carnal part of man; so no one doubts that "animosities" belong to the soul of man. Why then does the doctor of the Gentiles in faith and verity call all these and similar things works of the flesh, unless by that mode of speech whereby the part is used for the whole, he means us to understand by the word flesh the man himself?

CHAPTER 3 – THAT THE SIN IS CAUSED NOT BY THE FLESH BUT BY THE SOUL, AND THAT THE CORRUPTION CONTRACTED FROM SIN IS NOT SIN BUT SIN'S PUNISHMENT.

But if anyone says that the flesh is the cause of all vices and ill conduct, inasmuch as the soul lives wickedly only because it is moved by the flesh, it is certain he has not carefully considered the whole nature of man. For "the corruptible body, indeed, weigheth down the soul." Whence, too, the apostle, speaking of this corruptible body, of which he had shortly before said, "though our outward man perish," says, "We know that if our earthly house of this tabernacle were dissolved, we have a building of God, a house not made with hands, eternal in the heavens. For in this we groan, earnestly desiring to be clothed upon with our house which is from heaven: if so be that being clothed we shall not be found naked. For we that are in this **tabernacle** do groan, being burdened: not for that we would be unclothed, but clothed upon, that mortality might be swallowed up in life." We are then burdened with this corruptible body; but knowing that the cause of this burdensomeness is not the nature and substance of the body, but its corruption, we do not desire to be deprived of the body, but to be clothed with its immortality. For then, also, there will be a body, but it shall no longer be a burden, being no longer corruptible. At present, then, "the corruptible body presseth down the soul, and the earthly tabernacle weigheth down the mind that museth upon many things," nevertheless they are in error who suppose that all the evils of the soul proceed from the body.

Virgil, indeed, seems to express the sentiments of **Plato** in the beautiful lines, where he says, "A fiery strength inspires their lives, An essence that from heaven derives, Though clogged in part by limbs of clay And the dull 'vesture of decay'." but though he goes on to mention the four most common mental emotions – desire, fear, joy, and sorrow – with the intention of showing that the body is the origin of all sins and vices, saying, "Hence wild desires and grovelling fears, And human laughter, human tears, Immured in dungeon–seeming nights They look abroad, yet see no

tabernacle – place of worship

Virgil – Roman poet (70-19 BCE). His greatest work is the epic poem Aeneid

Plato – Greek philosopher. A follower of Socrates, he taught and wrote for much of his life at the Academy, which he founded near Athens in 386

light," yet we believe quite otherwise. For the corruption of the body, which weighs down the soul, is not the cause but the punishment of the first sin; and it was not the corruptible flesh that made the soul sinful, but the sinful soul that made the flesh corruptible. And though from this corruption of the flesh there arise certain incitements to vice, and indeed vicious desires, yet we must not attribute to the flesh all the vices of a wicked life, in case we thereby clear the devil of all these, for he has no flesh. For though we cannot call the devil a fornicator or drunkard, or ascribe to him any sensual indulgence (though he is the secret instigator and prompter of those who sin in these ways), yet he is exceedingly proud and envious. And this viciousness has so possessed him that on account of it he is reserved in chains of darkness to everlasting punishment. Now these vices, which have dominion over the devil, the apostle attributes to the flesh, which certainly the devil has not. For he says "hatred, variance emulations, strife, and envying" are the works of the flesh; and of all these evils pride is the origin and head, and it rules in the devil though he has no flesh. For who shows more hatred to the saints? Who is more at variance with them? Who more envious, bitter, and jealous? And since he exhibits all these works, though he has no flesh, how are they works of the flesh, unless they are the works of man, who is, as I said, spoken of under the name of flesh? For it is not by having flesh, which the devil has not, but by living according to himself – that is, according to man – that man became like the devil. For the devil too, wished to live according to himself when he did not abide in the truth; so that when he lied this was not of God, but of himself, who is not only a liar, but the father of lies, he being the first who lied, and the originator of lying as of sin.

CHAPTER 4 – WHAT IT IS TO LIVE ACCORDING TO MAN, AND WHAT IT IS TO LIVE ACCORDING TO GOD.

When, therefore, man lives according to man, not according to God, he is like the devil. Because not even an angel might live according to an angel, but only according to God, if he was to abide in the truth and speak God's truth and not his own lie. And of man, too, the same apostle says in another place, "If the truth of God hath more abounded through my lie"; "my lie," he said, and "God's truth." When, then, a man lives according to the truth, he lives not according to himself, but according to God; for He was God who said, "I am the truth." When, therefore, man lives according to himself – that is, according to man, not according to God – assuredly he lives according to a lie; not that man himself is a lie, for God is his author and creator, who is certainly not the author and creator of a lie, but because man was made upright that he might not live according to himself, but according to Him that made him – in other words, that he might do His will and not his own; and not to live as he was made to live, that is a lie. For he certainly desires to be blessed even by not living so that he may be blessed. And what is a lie if this desire be not? Wherefore it is not without meaning said that all sin is a lie. For no sin is committed save by that desire or will by which we desire that it be well with us, and shrink from it being ill with us. That, therefore, is a lie which we do in order that it may be well with us, but which makes us more miserable than we were. And why is this but because the source of man's happiness lies only in God, whom he abandons when he sins, and not in himself, by living according to whom he sins?

enunciate – announce; proclaim

In **enunciating** this proposition of ours, then, that because some live according

to the flesh and others according to the spirit, there have arisen two diverse and conflicting cities, we might equally well have said, "because some live according to man, others according to God." For Paul says very plainly to the Corinthians, "For whereas there is among you envying and strife, are **ye** not carnal, and walk according to man?" So that to walk according to man and to be carnal are the same; for by flesh, that is, by a part of man, man is meant. For before he said that those same persons were animal whom afterwards he calls carnal, saying, "For what man knoweth the things of a man, save the spirit of man which is in him? Even so the things of God knoweth no man, but the Spirit of God. Now we have received not the spirit of this world, but the Spirit which is of God; that we might know the things which are freely given to us by God. Which things also we speak, not in the words which man's wisdom teacheth, but which the Holy Ghost teacheth; comparing spiritual things with spiritual. But the animal man perceiveth not the things of the Spirit of God; for they are foolishness unto him." It is to men of this kind, then, that is, to animal men, he shortly after says, "And I, brethren, could not speak unto you as unto spiritual, but as unto carnal." And this is to be interpreted by the same usage, a part being taken for the whole. For both the soul and the flesh, the component parts of man, can be used to signify the whole man; and so the animal man and the carnal man are not two different things, but one and the same thing, viz., man living according to man. In the same way it is nothing else than men that are meant either in the words, "By the deeds of the law there shall no flesh be justified;" or in the words, "Seventy-five souls went down into Egypt with Jacob." In the one passage, "no flesh" signifies "no man;" and in the other, by "seventy-five souls" seventy-five men are meant. And the expression, "not in words which man's wisdom teacheth" might equally be "not in words which fleshly wisdom teacheth;" and the expression, "ye walk according to man," might be "according to the flesh." And this is still more apparent in the words which followed: "For while one saith, I am of Paul, and another, I am of **Apollos**, are ye not men?" The same thing which he had before expressed by "ye are animal," "ye are carnal", he now expresses by "ye are men;" that is, ye live according to man, not according to God, for if you lived according to Him, you should be gods…

CHAPTER 28 – OF THE NATURE OF THE TWO CITIES, THE EARTHLY AND THE HEAVENLY.

Accordingly, two cities have been formed by two loves: the earthly by the love of self, even to the contempt of God; the heavenly by the love of God, even to the contempt of self. The former, in a word, glories in itself, the latter in the Lord. For the one seeks glory from men; but the greatest glory of the other is God, the witness of conscience. The one lifts up its head in its own glory; the other says to its God, "**Thou**

ye –
you (plural of 'thou')
Apollos –
1st century Christian preacher and apologist, contemporary of St. Paul
thou, thee –
you (singular)

art my glory, and the lifter up of mine head." In the one, the princes and the nations it subdues are ruled by the love of ruling; in the other, the princes and the subjects serve one another in love, the latter obeying, while the former take thought for all. The one delights in its own strength, represented in the persons of its rulers; the other says to its God, "I will love **Thee**, O Lord, my strength." And therefore the wise men of the one city, living according to man, have sought for profit to their own bodies or souls, or both, and those who have known God "glorified Him not as God, neither were thankful, but became vain in their imaginations, and their foolish heart was darkened; professing themselves to be wise," – that is, glorying in their own wisdom, and being possessed by pride – "they became fools, and changed the glory of the incorruptible God into an image made like to corruptible man, and to birds, and four-footed beasts, and creeping things." For they were either leaders or followers of the people in adoring images, "and worshipped and served the creature more than the Creator, who is blessed for ever." But in the other city there is no human wisdom, but only godliness, which offers due worship to the true God, and looks for its reward in the society of the saints, of holy angels as well as holy men, "that God may be all in all."

(Book XV)

CHAPTER 1 – OF THE TWO LINES OF THE HUMAN RACE WHICH FROM FIRST TO LAST DIVIDE IT.

Of the bliss of Paradise, of Paradise itself, and of the life of our first parents there, and of their sin and punishment, many have thought much, spoken much, and written much. We ourselves, too, have spoken of these things in the foregoing books, and have written either what we read in the Holy Scriptures, or what we could reasonably deduce from them. And were we to enter into a more detailed investigation of these matters, an endless number of endless questions would arise, which would involve us in a larger work than the present occasion admits. We cannot be expected to find room for replying to every question that may be raised by unoccupied and captious men, who are ever more ready to ask questions than capable of understanding the answer. Yet I trust we have already done justice to these great and difficult questions regarding the beginning of the world, or of the soul, or of the human race itself. This race we have distributed into two parts, the one consisting of those who live according to man, the other of those who live according to God. And these we also mystically call the two cities, or the two communities of men, of which the one is predestined to reign eternally with God, and the other to suffer eternal punishment with the devil. This, however, is their end, and of it we are to speak afterwards. At present, as we have said enough about their origin, whether among the angels, whose numbers we know not, or in the two first human beings, it seems suitable to attempt an account of their career, from the time when our two first parents began to propagate the race until all human generation shall cease. For this whole time or world-age, in which the dying give place and those who are born succeed, is the career of these two cities concerning which we treat.

Cain and Abel – in the Bible, the eldest son of Adam and Eve, who murdered his brother Abel out of jealousy and was condemned to be a fugitive

Of these two first parents of the human race, then, **Cain** was the first-born, and he belonged to the city of men; after him was born **Abel**, who belonged to the city of God. For as in the individual the truth of the apostle's statement is discerned, "that is not first which is spiritual, but that which is natural, and afterward that which is

spiritual," whence it comes to pass that each man, being derived from a condemned stock, is first of all born of Adam evil and carnal, and becomes good and spiritual only afterwards, when he is grafted into Christ by regeneration: so was it in the human race as a whole. When these two cities began to run their course by a series of deaths and births, the citizen of this world was the first-born, and after him the stranger in this world, the citizen of the city of God, predestined by grace, elected by grace, by grace a stranger below, and by grace a citizen above. By grace – for so far as regards himself he is sprung from the same mass, all of which is condemned in its origin: but God, like a potter (for this comparison is introduced by the apostle judiciously, and not without thought), of the same lump made one vessel to honour, another to dishonour. But first the vessel to dishonour was made, and after it another to honour. For in each individual, as I have already said, there is first of all that which is reprobate, that from which we must begin, but in which we need not necessarily remain; afterwards is that which is well-approved, to which we may by advancing attain, and in which, when we have reached it, we may abide. Not, indeed, that every wicked man shall be good, but that no one will be good who was not first of all wicked but the sooner anyone becomes a good man, the more speedily does he receive this title, and abolish the old name in the new. Accordingly, it is recorded of Cain that he built a city, but Abel, being a sojourner, built none. For the city of the saints is above, although here below it begets citizens, in whom it **sojourns** till the time of its reign arrives, when it shall gather together all in the day of the resurrection; and then shall the promised kingdom be given to them, in which they shall reign with their Prince, the King of the ages, time without end.

CHAPTER 2 – OF THE CHILDREN OF THE FLESH AND THE CHILDREN OF THE PROMISE.

There was indeed on earth, so long as it was needed, a symbol and **foreshadowing** image of this city, which served the purpose of reminding men what such a city was to be, rather than of making it present; and this image was itself called the holy city, as a symbol of the future city, though not itself the reality. Of this city which served as an image, and of that free city it typified, Paul writes to the **Galatians** in these terms: "Tell me, ye that desire to be under the law, do ye not hear the law? For it is written, that **Abraham** had two sons, the one by a bond maid, the other by a free woman. But he who was of the bond woman was born after the flesh, but he of the free woman was by promise. Which things are an allegory: for these are the two **covenants**; the one from the mount Sinai, which gendereth to bondage, which is Agar. For this Agar is mount Sinai in Arabia, and answereth to Jerusalem which now is, and is in bondage with her children. But Jerusalem which is above is free, which is the mother of us all. For it is written, "Rejoice, thou barren that bearest not; break forth and cry, thou

sojourn – reside temporarily

foreshadow – present an indication or a suggestion beforehand

Galatians – in the Bible, the letter from St. Paul to the church in Galatia

Abraham – in the Bible, the first patriarch and progenitor of the Hebrew people

covenant – in the Bible, God's promise to the human race

that travailest not, for the desolate hath many more children than she which hath a husband. Now we, brethren, as Isaac was, are the children of promise. But as then he that was born after the flesh persecuted him that was born after the Spirit, even so it is now. Nevertheless, what saith the Scripture? Cast out the bond woman and her son: for the son of the bond woman shall not be heir with the son of the free woman. And we, brethren, are not children of the bond woman, but of the free, in the liberty wherewith Christ hath made us free." This interpretation of the passage, handed down to us with apostolic authority, shows how we ought to understand the Scriptures of the two covenants – the old and the new. One portion of the earthly city became an image of the heavenly city, not having a significance of its own, but signifying another city, and therefore serving, or "being in bondage." For it was founded not for its own sake, but to prefigure another city; and this shadow of a city was also itself foreshadowed by another preceding figure. For Sarah's handmaid, Agar, and her son, were an image of this image. And as the shadows were to pass away when the full light came, Sarah, the free woman, who prefigured the free city (which again was also prefigured in another way by that shadow of a city Jerusalem), therefore said, "Cast out the bond woman and her son; for the son of the bond woman shall not be heir with my son Isaac," or, as the apostle says, "with the son of the free woman." In the earthly city, then, we find two things – its own obvious presence and its symbolic presentation of the heavenly city. Now citizens are begotten to the earthly city by nature vitiated by sin, but to the heavenly city by grace freeing nature from sin; whence the former are called "vessels of wrath," the latter "vessels of mercy." And this was typified in the two sons of Abraham – Ishmael, the son of Agar the handmaid, being born according to the flesh, while Isaac was born of the free woman Sarah, according to the promise. Both, indeed, were of Abraham's seed; but the one was begotten by natural law, the other was given by gracious promise. In the one birth, human action is revealed; in the other, a divine kindness comes to light.

CHAPTER 3 – THAT SARAH'S BARRENNESS WAS MADE PRODUCTIVE BY GOD'S GRACE.

Sarah, in fact, was **barren**; and, despairing of **offspring**, and being resolved that she would have at least through her handmaid that blessing she saw she could not in her own person procure, she gave her handmaid to her husband, for whom she herself had been unable to bear children. From him she required this conjugal duty, exercising her own right in another's womb. And thus Ishmael was born according to the common law of human generation, by sexual intercourse. Therefore it is said that he was born "according to the flesh," – not because such births are not the gifts of God, nor His handiwork, whose creative wisdom "reaches," as it is written, "from one end to another mightily, and sweetly doth she order all things," but because, in a case in which the gift of God, which was not due to men and was the gratuitous largess of grace, was to be conspicuous, it was requisite that a son be given in a way which no effort of nature could compass. Nature denies children to persons of the age which Abraham and Sarah had now reached; besides that, in Sarah's case, she was barren even in her prime. This nature, so constituted that offspring could not be looked for, symbolised the nature of the human race vitiated by sin and by just consequence condemned, which deserves no future **felicity**. Fitly, therefore, does Isaac, the child of promise, typify the children of grace, the citizens of the free city, who dwell together

barren –
incapable of producing offspring
offspring –
child of particular parentage
felicity –
great happiness

in everlasting peace, in which self-love and self-will have no place, but a ministering love that rejoices in the common joy all, of many hearts makes one, that is to say, secures a perfect concord.

CHAPTER 4 – OF THE CONFLICT AND PEACE OF THE EARTHLY CITY

But the earthly city, which shall not be everlasting (for it will no longer be a city when it has been committed to the extreme penalty), has its good in this world, and rejoices in it with such joy as such things can afford. But as this is not a good which can discharge its devotees of all distresses, this city is often divided against itself by **litigations**, wars, quarrels, and such victories as are either life-destroying or short-lived. For each part of it that arms against another part of it seeks to triumph over the nations through itself in bondage to vice. If, when it has conquered, it is inflated with pride, its victory is life-destroying; but if it turns its thoughts upon the common casualties of our mortal condition, and is rather anxious concerning the disasters that may befall it than elated with the successes already achieved, this victory, though of a higher kind, is still only short-lived; for it cannot abidingly rule over those whom it has victoriously subjugated. But the things which this city desires cannot justly be said to be evil, for it is itself, in its own kind, better than all other human good. For it desires earthly peace for the sake of enjoying earthly goods, and it makes war in order to attain this peace; since, if it has conquered, and there remains no one to resist it, it enjoys a peace which it had not while there were opposing parties who contested for the enjoyment of those things which were too small to satisfy both. This peace is purchased by toilsome wars; it is obtained by what they style a glorious victory. Now, when victory remains with the party which had the juster cause, who hesitates to congratulate the victor, and style it a desirable peace? These things, then, are good things, and without doubt the gifts of God. But if they neglect the better things of the heavenly city, which are secured by eternal victory and peace never-ending, and so **inordinately covet** these present good things that they believe them to be the only desirable things, or love them better than those things which are believed to be better – if this be so, then it is necessary that misery follow and ever increase.

CHAPTER 5 – OF THE FRATRICIDAL ACT OF THE FOUNDER OF THE EARTHLY CITY, AND THE CORRESPONDING CRIME OF THE FOUNDER OF ROME.

Thus the founder of the earthly city was a **fratricide**. Overcome with envy, he slew his own brother, a citizen of the eternal city and a sojourner on earth. So that we cannot be surprised that this first specimen, or, as the Greeks say, archetype of crime, should, long afterwards, find a corresponding crime at the foundation of that

litigation – legal proceedings
inordinate – exceeding reasonable limits
covet – desire possession of
fratricide – the killing of one's brother or sister

city which was destined to reign over so many nations, and be the head of this earthly city of which we speak. For of that city also, as one of their poets has mentioned, "the first walls were stained with a brother's blood," or, as Roman history records, Remus was slain by his brother Romulus. And thus there is no difference between the foundation of this city and of the earthly city unless it be that Romulus and Remus were both citizens of the earthly city. Both desired to have the glory of founding the Roman republic, but both could not have as much glory as if one only claimed it; for he who wished to have the glory of ruling would certainly rule less if his power were shared by a living consort. In order, therefore, that the whole glory might be enjoyed by one, his consort was removed; and by this crime the empire was made larger indeed, but inferior, while otherwise it would have been less, but better. Now these brothers, Cain and Abel, were not both animated by the same earthly desires, nor did the murderer envy the other because he feared that, by both ruling, his own dominion would be **curtailed** – for Abel was not **solicitous** to rule in that city which his brother built – he was moved by that **diabolical**, envious hatred with which the evil regard the good, for no other reason than because they are good while themselves are evil. For the possession of goodness is by no means diminished by being shared with a partner either permanent or temporarily assumed; on the contrary, the possession of goodness is increased in proportion to the concord and charity of each of those who share it. In short, he who is unwilling to share this possession cannot have it; and he who is most willing to admit others to a share of it will have the greatest abundance to himself. The quarrel, then, between Romulus and Remus shows how the earthly city is divided against itself; that which fell out between Cain and Abel illustrated the hatred that subsists between the two cities, that of God and that of men. The wicked war with the wicked; the good also war with the wicked. But with the good, good men, or at least perfectly good men, cannot war; though, while only going on towards perfection, they war to this extent, that every good man resists others in those points in which he resists himself. And in each individual "the flesh lusteth against the spirit, and the spirit against the flesh." This spiritual lusting, therefore, can be at war with the carnal lust of another man; or carnal lust may be at war with the spiritual desires of another, in some such way as good and wicked men are at war; or, still more certainly, the carnal lusts of two men, good but not yet perfect, contend together, just as the wicked contend with the wicked, until the health of those who are under the treatment of grace attains final victory.

CHAPTER 6 – OF THE WEAKNESSES WHICH EVEN THE CITIZENS OF THE CITY OF GOD SUFFER DURING THIS EARTHLY PILGRIMAGE IN PUNISHMENT OF SIN, AND OF WHICH THEY ARE HEALED BY GOD'S CARE.

This sickliness – that is to say, that disobedience of which we spoke in the fourteenth book – is the punishment of the first disobedience. It is therefore not nature, but vice; and therefore it is said to the good who are growing in grace, and living in this pilgrimage by faith, "Bear ye one another's burdens, and so fulfil the law of Christ." In like manner it is said elsewhere, "Warn them that are unruly, comfort the feeble-minded, support the weak, be patient toward all men. See that none render evil for evil unto any man." And in another place, "If a man be overtaken in a fault, ye which are spiritual restore such a one in the spirit of **meekness**;

curtail – cut short or reduce
solicitous – full of desire; eager
diabolical – characteristic of the devil; satanic
meekness – attitude of patient submissive humility

considering thyself, lest thou also be tempted." And elsewhere, "Let not the sun go down upon your wrath." And in the Gospel, "If **thy** brother shall **trespass** against thee, go and tell him his fault between thee and him alone." So, too, of sins which may create scandal the apostle says, "Them that sin rebuke before all, that others also may fear." For this purpose, and that we may keep that peace without which no man can see the Lord, many precepts are given which carefully inculcate mutual forgiveness; among which we may number that terrible word in which the servant is ordered to pay his formerly remitted debt of ten thousand talents, because he did not remit to his fellow-servant his debt of two hundred pence. To which parable the Lord Jesus added the words, "So likewise shall my heavenly Father do also unto you if ye from your hearts forgive not every one his brothers." It is thus the citizens of the city of God are healed while still they sojourn in this earth and sigh for the peace of their heavenly country. The Holy Spirit, too, works within, that the medicine externally applied may have some good result.

Otherwise, even though God Himself makes use of the creatures that are subject to Him, and in some human form addresses our human senses, whether we receive those impressions in sleep or in some external appearance, still, if He does not by His own inward grace sway and act upon the mind, no preaching of the truth is of any avail. But this God does, distinguishing between the vessels of wrath and the vessels of mercy, by His own very secret but very just providence. When He Himself aids the soul in His own hidden and wonderful ways, and the sin which dwells in our members, and is, as the apostle teaches, rather the punishment of sin, does not reign in our mortal body to obey the lusts of it, and when we no longer yield our members as instruments of unrighteousness, then the soul is converted from its own evil and selfish desires, and, God possessing it, it possesses itself in peace even in this life, and afterwards, with perfected health and endowed with immortality, will reign without sin in peace everlasting.

thy –
your (singular)
trespass –
commit an offense or a sin

SOURCE: St. Augustine of Hippo. City of God. Book XIV/XV. Catholic Encyclopaedia Online: <http://www.newadvent.org/fathers/120114.htm>

DISCUSSION QUESTIONS:

1. How do you understand the distinction St. Augustine makes between the Godly and Earthly cities? What attributes do these cities possess and what attributes are bestowed by God? Is the distinction between the Earthly and Heavenly cities clear-cut?
2. Does the Earthly city constitute essentially a secular entity? Where does humanity belong, to the Earthly or Heavenly city?
3. Why does St. Augustine say that any aberration from the orthodox religious

lifestyles is essentially wrong? Why does he say that it is improper "to live according to man"? Why does he presuppose that man is inherently evil? What makes him believe that? What kinds of truths exist? Which one is humanity to follow?

4. At the beginning of Book XV St. Augustine calls the two cities – "the communities of men." Furthermore, he says that both cities (or communities) live on Earth, while one is predestined "to suffer eternal punishment and death", and the other "to reign eternally with God." Could one imply that an Earthly city is something distinct from the above force (hereby the City of God) and, therefore, encapsulates a civil society in a broad pre-modern usage of the term?
5. Why is the distinction between the Earthly and "mystical" Heavenly cities for St. Augustine? Are the cities separated from each other? Is St. Augustine interested in reconciling them?
6. What are the highest of all possible earthly goods? Does St. Augustine decry the Earthly city and, therefore, strongly urge its agents to accept the supremacy of the Godly kingdom? What role does God have in St. Augustine's quest of finding a remedy for the turmoil ravaging the Earthly city?
7. In chapter 5 of Book XV, St. Augustine says that: "The quarrel, then, between Romulus and Remus shows how the Earthly city is divided against itself"? Why is St. Augustine uneasy with the divisions within the earthly city?
8. As we know today, civil society is a vibrant social sphere (between economy and the state) whereby individuals form associations and cleavages through mobilization based on self-interest. Could we think of the Earthly city as a catalyst for civil society? Do you think Heavenly and Earthly cities together may form a civil society?
9. In your view, how is it best to identify a civil society in St. Augustine's City of God? Is it justifiable to talk of civil society in the context of City of God?

ADDITIONAL READINGS:

Primary Source:

- St. Augustine of Hippo. City of God. Book XIV/XV. Catholic Encyclopaedia Online: <http://www.newadvent.org/fathers/120114.htm>

Secondary Source:

- Dominique Colas. Civil Society and Fanaticism: Conjoined Histories. Translated from French by Amy Jacobs. Stanford: Stanford University Press, 1997.pp. 42-98.

AL-HASAN IBN MUSA AN-NAVBAKHTI: SHI'ITE SECTS

An-Navbakhti was born in the middle of the third century AH (around 950-960 AD) in Baghdad, of a distinguished background. An-Navbakhti had extensive knowledge about religious literature and philosophy. The great majority of his works are polemical, refuting various doctrines, the ideas of which differed from Imamate ones. Among his non-extant polemical treatises sources list various 'refutations' such as A Refutation of [the Adherents of] Anthropomorphism, A Refutation of [the doctrine of] Metempsychosis, A Refutation of Ibn ar-Ravendi, and so on. An-Navbakhti's theoretical works [A Book about the Imamate, the Doctrine of Monotheism, etc.] are also polemical. However, his most famous work is Shi'ite Sects (Firaq ash-Shi'a).

IMAM ALI MOSQUE. NAJAF, IRAQ.

WHY, FOLLOWING THE PROPHET'S DEATH, DID THE MUSLIM COMMUNITY DIVERGENCE IN OPINIONS CONCERN ISSUES OF THE IMAMATE?

Since Allah took up the soul of Muhammad – may Allah bless him and his family! – all the sects of the community – both Shi'ites and non-Shi'ites – have continuously diverged in opinions regarding the imamate of each imam both during his life and after his death… Allah's envoy died in the month of Rabi' in 9 AH [June 631 AD], at the age of sixty-three. His prophecy lasted twenty-three years.

And the community divided into three parts. One of these was called ash-Shi'a. This comprised the supporters of Ali ibn Abu Talib, and from these came all the different Shi'ites.

[Another] party that pretended to military and civilian power was the **Ansars**. They called on this power to be entrusted to Sa'd ibn Ubada al Khazradji.

[A third] party joined the side of Abu Bakr ibn Kuhafa. They explained this by pointing to the fact that the Prophet had not indicated any definite successor but had presented the community with [a solution] to this problem, suggesting it elect whomever it liked [as its head]. Some used as an argument the tale of how Allah's Envoy had, on the night of his death, commanded Abu Bakr to be present at his associates' prayers. They advanced this as evidence of the Envoy's recognition of his right. They said: "He was pleasing to the Prophet as a manager of the affairs of our faith, and he is pleasing to us as a manager of the affairs of our secular life." And therefore they considered he had to be the successor of the Prophet.

A quarrel broke out between this party and the Ansars. Abu Bakr, Umar, **Abu Ubayda ibn al-Djarrakh** and **al-Mughira ibn Shu'ba al-Thakafi** were sent to the **Sakifa** of the Sa'id tribe. Meanwhile, the Ansars called on people to entrust the leadership to **Sa'd ibn Ubada al-Khazradji** and to recognise his right to military and civilian power. And they – Abu Bakr's followers and the Ansars – argued. And the Kharidjites said: "From us the Emir, and from you the Emir!" And this group [i.e., Abu Bakr's party] cited the argument that the

Ansars – inhabitants of Yathrib [Madina] from the Aws and Khazradj tribes, who concluded an agreement with Muhammad in 622

Abu Ubayda ibn al-Djarrakh – Prophet Muhammad's contemporary who together with Umar played a decisive role in the election of Abu Bakr as the first caliph

al-Mughira ibn Shu'ba al-Thakafi – companion of the Prophet who exercised various political functions under the Patriarchial Caliphs and the early Umayyads

Sakifa – the meeting place of this tribe, at which general tribal problems were usually resolved

Sa'd ibn Ubada al-Khazradji – a chief of the Sa'ida clan of the al-Khazradj tribe in Medina who collaborated with Muhammad. After becoming the chief of al-Khazradj and later of the entire Ansars, he was proposed for the post of the first caliph if Abu Bakr and Umar did not intervene

Prophet had said: "Imams are from the Qurayshites." Some of them claimed he had said: "The imamate befits only Qurayshis." [Then] the party of the Ansars and those who followed them returned to Abu Bakr, except for a small group of people together with Sa'd ibn Ubada.

WHAT WERE THE ARGUMENTS IN FAVOUR OF GRANTING ABU BAKR THE SPIRITUAL LEADERSHIP OF THE MUSLIM COMMUNITY?

And so most people came over to the side of Abu Bakr and Umar, unanimously acknowledging them and expressing their support for them. Meanwhile, the group that did not support Abu Bakr said: "We will not pay his **zakat** until it is clear to us whom power belongs to and whom Allah's Envoy left as his successor. We will divide the zakat amongst our poor and needy."

People renounced Islam and left it. The **Hanifites** recognised the prophecy of **Musaylima**, who had pretended to the prophetic mission even while Allah's Envoy had been alive. Abu Bakr sent his cavalry, commanded by **Khalid ibn al-Walid ibn al-Mahzumi**, against him. And he fought them. Musaylima and many others were killed; those remaining alive submitted to Abu Bakr. They [those who had renounced Islam] were called the **apostates**.

All these people [i.e., the first Muslims] were united until people began to criticise **Uthman ibn Affan** for the innovations he had introduced. Some left him without support. Others, except for those close to him from his household and a few others, sought to murder him, until he was killed. After his death, people swore an oath of allegiance to Ali, and they were called '**al-Djama'a**'.

WHY DID THE MUSLIM COMMUNITY SPLIT INTO VARIOUS GROUPS?

After this, they split and formed three groups. One was in favour of Ali ibn Abu Talib's rule. Another group separated together with Malik ibn Sa'd. This comprised Sa'ad ibn Abu Waqqas, Umar ibn al-Khattab, **Muhammad ibn Maslam al-Ansari** and **Usama ibn Zayd ibn Harisa al-Kalbi**, the **mawla** of Allah's Envoy. These people split from Ali and refused to fight either against or for him after they had sworn an oath to him and elected him. They were called the Mu'tazila ("the separated"), and began to be considered the ancestors of the Mu'tazilites for ever. They said: "It is inadmissible to fight either for or against Ali."

The third group opposed Ali. This comprised Talha ibn Abdallah, az-Zubayr ibn al-Awwali and Aisha, Abu Bakr's daughter. They went to Basra, captured it, slaughtered Ali's deputies there and took possession of the treasury. Ali set out against them. Talha and az-Zubayr were killed and their supporters put to flight. These were the participants in **the Battle of the Camel**. Some of them ran to Mu'awiya ibn Ali Sufayn. The Syrians joined them and they opposed Ali, calling for revenge for Uthman's murder and blaming Ali and his supporters for it. They then called on people to obey Mu'awiya and fight Ali. These were **the people of Siffin**.

Then some of Ali's supporters left him and went against him after two judges had concluded a court of arbitration between Ali, on one hand, and Mu'awiya and the Syrians, on the other. They said: "There is not court but God's!" and accused Ali of unbelief, renounced him and appointed Dhu's-Sudaya as their commander. He was a heretic. Ali then came out against them, fought them near Nahrawan, and killed them all, along with Dhu's-Sudaya. These were called the Harurites, because of the conflict near Harura. All these people together were called the 'Kharidjites' ("rebels"). All the Kharidjite sects originated from them.

After Ali's murder, his supporters joined up with a group [of supporters] of Talhi, az-Zubayr and Aisha and formed one party together with Mu'awiya ibn Abu Sufiyan – except

zakat – tax to help the Muslim poor. Muslim scholars of law interpret the term as 'purification'. [Paying 'purifies', making sinless the use of the wealth with which it is paid]

Hanifites – [Banu Hanifa]: part heathen, part Christian branch of the great tribe of Bakr Ibn Wa'il in North Africa. When Muhammad was in Yamam, Musaylima, whom the Khanifites recognised as a prophet announced his prophetic mission. He died in the conflict against the Muslims in 634

Musaylima [b. Habib, Abi Thumama] – because he claimed to be a prophet he is often called al-Kadhdhab, the liar or false prophet

Khalid ibn al-Walid ibn al-Mahzumi – Arab commander at the time of the first conquests

apostate – (trans. from arabic 'ahl ar-ridda' or 'ashab ar-ridda') adherents of the false prophet Musaylima, plus those tribes that externally professed Islam but returned to their heathen gods after Muhammad's death

Uthman ibn Affan – third rightly-guided caliphs (23-35/644-55)

al-Djama'a' – agreement

Muhammad ibn Maslam al-Ansari [Maslama b. Mukhallad al-Ansari] – companion of the Prophet who took part in the conquest of Egypt and remained in the country with the Muslim occupying forces

Usama ibn Zayd ibn Harisa al-Kalbi – was close to the Prophet Muhammad; was assigned by Abu Bakr to command a military expedition to avenge his father's defeat at Mu'ta (a town in Jordan)

mawla – patron, protector, master

the Battle of the Camel – in the first conflict between the Muslims one of the decisive episodes was the death of the camel on which Aisha was seated in an armour-protected palanquin. This inspired Ali's supporters

for a small group of Ali's supporters and those who acknowledged his imamate after the Prophet, and they, the majority – the Kashvites, plus the court stooges, plus the accomplices of all those who had won [I mean those who had joined up with Mu'awiya] – were all called 'Murdjiites', as they accepted everyone with diverse opinions and said that all those who turned towards the **Qibla** were believers, as a consequence of the fact that externally they firmly kept the faith. And they wished them all forgiveness for their sins.

WHO WERE THE UMAYYADS, AND ON THE BASIS OF WHICH PRINCIPLES DID THEY USURP SUPREME POWER?

Then these Murdjiites divided and formed four groups. One of these showed uncertainty in their words; these were the 'Djahmites', followers of **Djahma ibn Safwan**, the Khorasan Murdjiites.

[Another] group were the 'Ghaylanites' – followers of Ghaylan ibn Marwan. These were the Syrian Murdjiites.

[A third] group were the 'Masirites' – followers of Amr ibn Qays al-Masir. These were the Iraqi Murdjiites; Abu Hanifa and those like him belonged to this group.

[The fourth group] was called 'the doubters' [ash-Shukak] and the 'Butrites', who were in favour of supporting traditions…

The first of these said of the imamate that Allah's Envoy had departed this world without leaving anyone who could take his place [in the affairs] of his faith, through uniting what was disconnected, gathering together the Divine Word, showing concern for the administration of the affairs of the state and their subjects, defending peace, appointing emirs, assembling armed forces, jealously guarding Islam, restraining insurgents, teaching the ignorant and observing justice with regard to the aggrieved. They considered fulfilling the responsibility of each imam appointed after the Envoy.

Then these people divided in their opinions. Some said people had to try to use their own judgement in the question of appointing the imam and that all instances of religious and secular life were subject to decisions in accordance with one's own judgement. Others said: "Judgement is false, but Allah – great is He and glorious! – has commanded people to elect the imam in accordance with their own opinion."

One group of Mu'tazila dissented from their predecessors' opinions. They said the Prophet had clearly indicated the imam's qualities and characteristics but had not indicated his name or background – such is the doctrine that they created not long ago. Similarly, the group called "the supporters of tradition," having suffered failure in their argument with the Imamates, used the argument that the Prophet had definitely indicated Abu Bakr when commanding him to lead prayer. This group also defended their predecessors' teaching that after the Prophet's death the Muslims had said: "The imam who is good enough for the Divine Envoy in the affairs of our faith is good enough for us in our secular ones."

The supporters of the idea that the imamate was '**ikhmal**' diverged in their opinions concerning the imamate of the 'superior' and the 'surpassing'. Most thought the imamate ought to go to someone 'superior', or to someone 'surpassing', if any reason hindered the

the people of Siffin – in the Siffin Valley, not far from the right bank of the Euphrates and to the West of Rakka, there was a battle in 657 between the supporters of Ali and Mu'awiya that had great religious and political consequences

Qibla – al-Qibla "that which is opposite": the direction towards Mecca, or, rather, al-Ka'ba, which Muslims must face during prayer

Djahma ibn Safwan – Djahm ibn Safwan, mawla banu rasib: a theologian and preacher

Ikhmal – "undetermined," as the Prophet did not name anyone his successor

superior person from fulfilling the imam's duties. The rest agreed with the supporters of clear indication that the imamate belonged only to the 'superior', preferred person.

WHY DID THE PROPHET OF ISLAM NOT GIVE ANY INSTRUCTIONS ABOUT HIS SUCCESSOR OR ABOUT THE PROCEDURE FOR APPOINTING THE HEAD OF THE COMMUNITY?

They all also differed in opinion concerning the Prophet's will. Most of those who thought the imamate was 'undetermined' said: "The Divine Envoy died without leaving a will to anyone." The others said: "He left a will in the sense that he bequeathed people the fear of God."

Then they all diverged in their opinions concerning the imamate and those worthy of it. The Butrites, the followers of **al-Hasan ibn Salih ibn Hayy**, and those supporting his views said Ali had been the most superior of people after Allah's Envoy and had been of them the most worthy of the imamate, and that the oath of allegiance to Abu Bakr had not been a mistake. They abstained with regard to Uthman and supported Ali's party, saying his opponents would go to hell. They justified this by pointing to the fact that Ali himself had conferred the imamate to these two [i.e., Abu Bakr and Umar]; [in their view,] he was like someone who, having a right before someone else, yields the right to that person.

Sulayman ibn Djarir ar-Rakki and those adhering to his views said Ali had been the true imam, and that the oath of allegiance to Abu Bakr and Umar had been a mistake. The latter pair did not deserve to be called dishonest in terms of interpreting the Qur'an, for they had both interpreted it, but had made mistakes. These people renounced Uthman and accused him of heresy. According to them, whoever fought against Ali was a heretic.

Ibn at-Tammir and those adhering to his views considered that Ali had had the right to the imamate, that he was the most worthy person after Allah's Envoy, and that the community had not committed a great sin in appointing Abu Bakr and Umar as rulers but had made a mistake by leaving the Most Worthy aside. They renounced Uthman and those who fought against Ali, accusing them of unbelief.

Al-Fadl ar-Rakkashi, **Abu Shimr** and the Murdjiites adhering to their views considered that anyone who fulfilled the imam's obligations had the right to the imamate if they were knowledgeable about the Book and the Sunnah [of the Prophet]. They also believed that the imamate was established only with the agreement of the entire community.

Abu Hanifa and the remaining Murdjiites said: 'Only Qurayshis, and of those only those who appeal to the Book, the Sunnah and just action are suitable for the imamate; the imamate makes it compulsory and appearing together with it compulsory.' And this is in accordance with a tradition deriving from the Prophet, who said: 'The imams are from the Qurayshis.'

WHY DOES SUNNISM CONSIDER IMAMS MUST BE FROM THE QURAYSHI CLAN?

All the Kharidjites, except the **Nadjites**, said: "The imamate becomes anyone who observes the Book and the Sunnah and is knowledgeable about them, and the imamate can be established by the agreement [even] of two men."

The Nadjite Kharidjites said: "The community needs neither an imam, nor someone else. We and all people should base our relationships solely on the Book of Allah – great is He and glorious!"

The Mu'tazila said anyone who followed the Book and the Sunnah had the right to the imamate. Faced with choosing either a Qurayshite or a Nabatean, both of whom followed the Book and the Sunnah, they would appoint the Qurayshite imam. The

al-Hasan ibn Salih ibn Hayy – traditionist and Zaydi theologian. Al-Hasan defended the opinion that the imamate belonged to the descendents of Ali and Fatima

Sulayman ibn Djarir ar-Rakki – Zaydi theologian; the ideological preceptor and eponym of the Zaydite branch known as the Sulaymanites [or Djaririte]. His politico-religious activities took place in 750-790

Ibn at-Tammir – early Muslim theologian

Al-Fadl ar-Rakkashi – leader of the Basrian group of Mu'tazila – the Qadarites

Abu Shimr – Murdjiite theologian

Nadjites – Kharidjite sect; the followers of Nadj ibn Amir al-Hanafi

imamate became [legitimate] only with the community's agreement, with reflection and appointment by election….

Ibrahim an-Nazzam and those adhering to his views said: "The imamate befits anyone who follows the Book and the Sunnah in accordance with the word of Allah – great is He and glorious! Truly, the most noble of us in Allah's eyes is the most God-fearing." They [also] said the imamate was binding for people if they submitted to Allah and were righteous in their covert and overt thoughts. But they are such only given the condition that the distinguishing feature of the imam, whom they recognise and should follow, exists by necessity. And it is impossible that Allah – great is He and glorious – should allow them to recognise the imam without showing them his [distinguishing] feature, otherwise he would be allowing them something impossible.

Regarding the fact that the Muslims entrusted the imamate to Abu Bakr, they said that those who had done so had acted rightly, as at the time he was the most suitable amongst them, according to **qiyas** and **khabar**. With regard to qiyas, they said: "We find that people will strive to obey [another] person and will follow him in everything he says only under three conditions: if [that] person has a numerous family that helps him subjugate people; if the person possesses wealth and people submit to him because of his wealth; or if that person's faith makes him stand above others. And since I have found that Abu Bakr had very few relatives and was the poorest of them, we must admit that he was preferred only on account of his faith."

As for khabar, people agreed about Abu Bakr and consented to his imamate. The Prophet said: "Allah, the Blessed and the Omnipotent, will not let my community fall into error." And were people's agreement to it mistaken, in this [case] prayer and [the performance of] all instructions would be fallacious, and the Qur'an, which, after the Prophet, is for them a **hujja**, would be invalid. And this is the argument of all the Mu'tazila and Murdjiites….

Ibrahim an-Nazzam – Mu'tazilite theologian of the Basrian school

Qiyas – (trans. "analogy") judgement by analogy, one of the categories of independent ar-rai judgement, one of the leading principles of the rationalist study of questions of law

Khabar – (trans. news) tradition about Muhammad's words and deeds

Hujja – argument; proof

SOURCE: Al-Hasan ibn Musa an-Nawbakhti: Shi'ite Sects. Translated from the Arabic, with research and commentary, by S. M. Prozorov [trans. From Russian by Alistar Gainey, AKHP], Nauka, Moscow, 1973.

DISCUSSION QUESTIONS:

1. Why did the Muslim community debate who should inherit the power after Prophet Muhammad's death? Who did the Sunnis and Shi'ites claim to be the true caliphs?
2. Which groups initially claimed to rule the Imamate? Why does does a clear powerful figure need to exist and what is the legitimate relationship to the Prophet that that figure needs to possess?
3. How was power transferred from Abu Bakr to Umar Uthman and then to Ali? How did Ali come to power? What groups defied Ali's rule and formed their own? Why?

Were the clashes that the early Muslim community had purely concerning their views on matters of religion, nature and inheritance of power or also about the organization of the Imamate?

4. While the Sunni branch of Islam claims the caliph is supposed to be elected by the entire Muslim community, the Shi'ites hold the view that the supreme power of Allah's Envoy on earth is to be inherited and therefore belonged to Ali's family. Does an-Navbakhti explain why early Muslims disagreed over some fundamental issues? What do you believe were the reasons for these disagreements?
5. How did the groups that preached the return to tradition and Mutazilites interpret the Prophet's view on matters concerning the inheritance of power in the Imamate? Did the Divine Envoy leave a message as to who the Muslim community was to follow after his death?
6. What do the followers of Butrite and Murjiite sects say on this account? What do the Kharadjites, Nadjites, and Mutazilites say about this? Compare the views of the Sunni and Shi'ite communities concerning the qualities and recognition of imams? Why did Ali agree to the court of arbitration and why were the groups involved not satisfied with Ali's rule?
7. On what does the Shi'a community base its fundamentals of faith and belief that Ali is the true imam?
8. What is the significance of the differences in opinion and clashes that the early Muslims experienced? According to an-Navbakhti, what were their main points of disagreement? While acknowledging their differences, how were these groups able to hold up to a universally common faith? Could we claim that a vibrant civil society existed in the early stages of the development of the Imamate and that the two biggest communities managed to coexist. Why? Have these disagreements benefited the Muslim community as a whole?

ADDITIONAL READINGS:

- Marshall G. S. Hodgson. The Venture of Islam: The Classical Age of Islam. Chicago: University of Chicago Press, 1974.
- Francis Robinson (ed.), Islamic World: Illustrated History. Cambridge: Cambridge University Press, 1996. pp 2-16.
- Holt P.M. et al. The Cambridge History of Islam: Islamic Society and Civilisation. Cambridge: Cambridge University Press, 1970.
- The Encyclopaedia of Islam. Web-CD-ROM Edition. Brill Academic Publishers, 2003.
- Internet Islamic History Sourcebook. <http://www.fordham.edu/halsall/islam/islamsbook.html>
- The Islam and Islamic History in Arabia and Middle East. <http://www.islamicity.com/mosque/ihame/Ref5.htm>

MARTIN BUBER: THE WAY OF MAN

Martin Buber, a religious existentialist, was born in Vienna in 1878 and died in Jerusalem in 1965. Before 1933, he was a professor at the University of Frankfurt, Germany; from 1938 until his retirement, he was a professor at the Hebrew University in Jerusalem. With Y. L. Magnes he led the Yihud movement, devoted to Arab-Jewish understanding and for the creation of a bi-national state. He was a prolific writer. Some of his works are I and Thou (1923), Paths in Utopia (1946), Between Man and Man (1947), The Way of Man: According to the Teachings of Hasidism (1948), and Good and Evil (1953). Buber's main contribution to philosophy lies in the development of the idea of humans as relational beings and existence as encounter. Consistent with his philosophy, Buber promoted a dialogical approach to resolving all socio-political differences.

THE WAY OF MAN ACCORDING TO THE TEACHINGS OF HASIDISM

IV. BEGINNING WITH ONESELF

Once when **Rabbi** Yitzhak of Vorki was playing host to certain prominent men of Israel, they discussed the value to a household of an honest and efficient servant. They said that a good servant made for good management and cited Joseph at whose hands everything prospered. Rabbi Yitzhak objected. "I once thought that too," he said. "But then my teacher showed me that everything depends on the master of the house. You see, in my youth my wife gave me a great deal of trouble and, though I myself put up with her as best I could, I was sorry for the servants. So I went to my teacher, Rabbi David of Lelov, and asked him whether I should oppose my wife. All he said was: 'Why do you speak to me? Speak to yourself!' I thought over these words for quite a while before I understood them. But I did understand them when I recalled a certain saying of the Baal-Shem: 'There is thought, speech and action. Thought corresponds to one's wife, speech to one's children, and action to one's servants. Whoever straightens himself out in regard to all three will find that everything prospers at his hands.' Then I understood what my teacher had meant: everything depended on myself."

This story touches upon one of the deepest and most difficult problems of our life: the true origin of conflict between man and man.

Manifestations of conflict are usually explained either by the motives of which the quarreling parties are conscious as the occasion of their quarrel, and by the objective situations and processes which underlie these motives and in which both parties are involved; or, proceeding analytically, we try to explore the unconscious complexes to which these motives relate like mere symptoms of an illness to the organic disturbances themselves. Hasidic teaching coincides with this conception in that it, too, derives the problematics of external from that of internal life. But it differs in two essential points, one fundamental and one practical, the latter of which is even more important than the former.

Hasidism –
(Hasidic: piety, from the Hebrew root word *chesed* meaning "loving kindness") a Haredi Jewish religious movement

Rabbi –
religious teacher

The fundamental difference is that Hasidic teaching is not concerned with the exploration of particular psychical complications, but envisages man as a whole. This is, however, by no means a quantitative difference. For the Hasidic conception springs from the realization that the isolation of elements and partial processes from the whole hinders the comprehension of the whole, and that real transformation, real restoration, at first of the single person and subsequently of the relationship between him and his fellow men, can only be achieved by the comprehension of the whole as a whole. (Putting it paradoxically: the search for the center of gravity shifts it and thereby frustrates the whole attempt at overcoming the problematics involved.) This is not to say that there is no need to consider all the phenomena of the soul; but no one of them should be made so much the center of attention as if everything else could be derived from it; rather, they shall all be made starting points – not singly but in their vital connection.

The practical difference is that in Hasidism man is not treated as an object of examination but is called upon to "straighten himself out." At first, a man should himself realize that conflict-situations between himself and others are nothing but the effects of conflict-situations in his own soul; then he should try to overcome this inner conflict, so that afterwards he may go out to his fellow men and enter into new, transformed relationships with them.

Man naturally tries to avoid this decisive reversal – extremely repugnant to him in his accustomed relationship to the world – by referring him who thus appeals to him, or his own soul, if it is his soul that makes the appeal, to the fact that every conflict involves two parties and that, if he is expected to turn his attention from the external to his own internal conflict, his opponent should be expected to do the same. But just this perspective, in which a man sees himself only as an individual contrasted with other individuals, and not as a genuine person, whose transformation helps toward the transformation of the world, contains the fundamental error which Hasidic teaching denounces. The essential thing is to begin with oneself, and at this moment a man has nothing in the world to care about other than this beginning. Any other attitude would distract him from what he is about to begin, weaken his initiative, and thus frustrate the entire bold undertaking.

Rabbi Bunam taught:

"Our sages say: 'Seek peace in your own place.' You cannot find peace anywhere save in your own self. In the **psalm** we read: 'There is no peace in my bones because of my sin.' When a man has made peace within himself, he will be able to make peace in the whole world."

However, the story from which I started does not confine itself to pointing out the true origin of external conflicts, i.e., the internal conflict, in a general way. The quoted saying of the Baal-Shem states exactly in what the decisive inner conflict consists. It is the conflict between three principles in man's being and life, the principle of thought, the principle of speech, and the principle of action. The origin of all conflict between me and my fellow men is that I do not say what I mean, and that I do not do what I say. For this confuses and poisons, again and again and in increasing measure, the situation between myself and the other man, and I, in my internal disintegration, am no longer able to master it but, contrary to all my illusions, have become its slave. By our contradiction, our lie, we foster conflict-situations and give them power over us until they enslave us. From here, there is no way out but by the crucial realization: Everything depends on myself; and the crucial decision: I will straighten myself out.

Psalm -
book of poetry in the Hebrew Bible (the Christian Old Testament), included in the collected works known as the "Writings" or *Ketuvim*

But in order that a man may be capable of this great feat, he must first find his way from the casual, accessory elements of his existence to his own self; he must find his own self, not the trivial ego of the egotistic individual, but the deeper self of the person living in a relationship with the world. And that is also contrary to everything we are accustomed to.

I will close this chapter with an old jest as retold by a **zaddik**.

Rabbi Hanokh told this story:

There was once a man who was very stupid. When he got up in the morning it was so hard for him to find his clothes that at night he almost hesitated to go to bed for thinking of the trouble he would have on waking. One evening he finally made a great effort, took paper and pencil and as he undressed noted down exactly where he put everything he had on. The next morning, very well pleased with himself, he took the slip of paper in his hand and read: "cap" – there it was, he set it on his head; "pants'! – there they lay, he got into them; and so it went until he was fully dressed. "That's all very well, but now where am I myself?" he asked in great consternation. "Where in the world am I?" He looked and looked, but it was a vain search; he could not find himself. "And that is how it is with us," said the rabbi.

V. NOT TO BE PREOCCUPIED WITH ONESELF

Rabbi Hayyim of Zans [Nowy Sacz in Western Galicia] had married his son to the daughter of Rabbi Eliezer. The day after the wedding he visited the father of the bride and said: "Now that we are related I feel close to you and can tell you what is eating at my heart. Look! My hair and beard have grown white, and I have not yet atoned!"

"O my friend," replied Rabbi Eliezer, "you are thinking only of yourself. How about forgetting yourself and thinking of the world?"

What is said here seems to contradict everything I have **hitherto** reported of the teachings of Hasidism. We have heard that everyone should search his own heart, choose his particular way, bring about the unity of his being, begin with himself; and now we are told that man should forget himself. But, if we examine this injunction more closely, we find that it is not only consistent with the others but fits into the whole as a necessary link, as a necessary stage, in its particular place. One need only ask one question: "What for?" What am I to choose my particular way for? What am I to unify my being for? The reply is: Not for my own sake. This is why the previous injunction was: to begin with oneself. To begin with oneself, but not to end with oneself; to start from oneself, but not to aim at oneself; to comprehend oneself, but not to be preoccupied with oneself.

We see a zaddik, a wise, pious, kindly man, reproach himself in his old age for not yet having performed the true turning. The reply given him is apparently prompted by the opinion that he greatly overrates his sins and greatly underrates the penance he has already done. But what Rabbi Eliezer says goes beyond this. He says, in quite a general sense: "Do not keep worrying about what you have

Zaddik, Tzadik – title which is generally given to those who are considered to be righteous such as a spiritual master or rabbi. The root of the word tzadik, is tzedek which means justice or righteousness. This term thus refers to one who acts righteously

hitherto – until this time, to this place or point

done wrong, but apply the soul-power you are now wasting on self-reproach to such active relationship to the world as you are destined for. You should not be occupied with yourself but with the world."

First of all, we should properly understand what is said here about turning. It is known that turning stands in the center of the Jewish conception of the way of man. Turning is capable of renewing a man from within and changing his position in God's world, so that he who turns is seen standing above the perfect zaddik who does not know the abyss of sin. But turning means here something much greater than repentance and acts of penance; it means that, by a reversal of his whole being, a man who had been lost in the maze of selfishness, where he had always set himself as his goal, finds a way to God, that is, a way to the fulfillment of the particular task for which he, this particular man, has been destined by God. Repentance can only be an incentive to such active reversal; he who goes on fretting himself with repentance, he who tortures himself with the idea that his acts of penance are not sufficient, withholds his best energies from the work of reversal. In a sermon on the **Day of Atonement**, the Rabbi of **Ger** warned against self-torture:

"He who has done ill and talks about it and thinks about it all the time does not cast the base thing he did out of his thoughts, and whatever one thinks therein one is, one's soul is wholly and utterly in what one thinks, and so he dwells in baseness. He will certainly not be able to turn, for his spirit will grow coarse and his heart stubborn, and in addition to this he may be overcome by gloom. What would you? Rake the muck this way, rake the muck that way – it will always be muck. Have I sinned, or have I not sinned – what does Heaven get out of it? In the time I am brooding over it I could be stringing pearls for the delight of Heaven. That is why it is written: 'Depart from evil and do good' – turn wholly away from evil, do not dwell upon it, and do good. You have done wrong? Then counteract it by doing right."

But the significance of our story goes beyond this. He who tortures himself incessantly with the idea that he has not yet sufficiently atoned is essentially concerned with the salvation of his soul, with his personal fate in eternity. By rejecting this aim, Hasidism merely draws a conclusion from the teachings of Judaism generally. One of the main points in which Christianity differs from Judaism is that it makes each man's salvation his highest aim. Judaism regards each man's soul as a serving member of God's Creation which, by man's work, is to become the Kingdom of God; thus no soul has its object in itself, in its own salvation. True, each is to know itself, purify itself, perfect itself, but not for its own sake – neither for the sake of its temporal happiness nor for that of its eternal bliss – but for the sake of the work which it is destined to perform upon the world.

The pursuit of one's own salvation is here regarded merely as the sublimest form of self-intending. Self-intending is what Hasidism rejects most emphatically, and quite especially in the case of the man who has found and developed his own self. Rabbi Bunam said: "It is written: 'Now **Korah** took.' What did he take? He wanted to take himself – therefore, nothing he did could be of any worth." This is why Bunam contrasted the eternal Korah with the eternal Moses, the "humble" man, whose doings are not aimed at himself. Rabbi Bunam taught: "In every generation the soul of Moses and the soul of Korah return. But if once, in days to come, the soul of Korah is willing to subject itself to the soul of Moses, Korah will be redeemed."

Rabbi Bunam thus sees, as it were, the history of mankind on its road to redemption as a process involving two kinds of men, the proud who, if sometimes in the sublimest form, think of themselves, and the humble, who in all matters think of the

Day of Atonement – the most solemn and important of the Jewish holidays when Jews consider themselves forgiven by God

Ger – Hasidic dynasty from Góra Kalwaria

Korah – villain in the Hebrew Torah (the Christian Old Testament) who rebelled against Moses

world. Only when pride subjects itself to humility can it be redeemed; and only when it is redeemed can the world be redeemed.

After Rabbi Bunam's death, one of his disciples – the aforementioned Rabbi of Ger, from whose sermon on the Day of Atonement I quoted a few sentences – remarked: "Rabbi Bunam had the keys to all the firmaments. And why not? A man who does not think of himself is given all the keys."

The greatest of Rabbi Bunam's disciples, a truly tragic figure among the zaddikim, Rabbi Mendel of Kotzk, once said to his **congregation**: "What, after all, do I demand of you? Only three things: not to look furtively outside yourself, not to look furtively into others, and not to aim at yourselves." That is to say: firstly, everyone should preserve and hallow his own soul in its own particularity and in its own place and not envy the particularity and place of others; secondly, everyone should respect the secret in the soul of his fellow man and not, with brazen curiosity, intrude upon it and take advantage of it; and thirdly, everyone, in his relationship to the world, should be careful not to set himself as his aim.

VI. HERE WHERE ONE STANDS

Rabbi Bunam used to tell young men who came to him for the first time the story of Rabbi Eizik, son of Rabbi Yekel of Cracow. After many years of great poverty which had never shaken his faith in God, he dreamed someone bade him look for a treasure in Prague, under the bridge which leads to the king's palace. When the dream recurred a third time, Rabbi Eizik prepared for the journey and set out for Prague. But the bridge was guarded day and night and he did not dare to start digging. Nevertheless he went to the bridge every morning and kept walking around it until evening. Finally the captain of the guards, who had been watching him, asked in a kindly way whether he was looking for something or waiting for somebody. Rabbi Eizik told him of the dream which had brought him here from a faraway country. The captain laughed: "And so to please the dream, you poor fellow wore out your shoes to come here! As for having faith in dreams, if I had had it, I should have had to get going when a dream once told me to go to Cracow and dig for treasure under the stove in the room of a Jew – Eizik, son of Yekel, that was the name! Eizik, son of Yekel! I can just imagine what it would be like, how I should have to try every house over there, where one half of the Jews are named Eizik and the other Yekel!" And he laughed again. Rabbi Eizik bowed, traveled home, dug up the treasure from under the stove, and built the House of Prayer which is called "Reb Eizik Reb Yekel's Shul."

"Take this story to heart," Rabbi Bunam used to add, "and make what it says your own: There is something you cannot find anywhere in the world, not even at the zaddik's, and there is, nevertheless, a place where you can find it."

This, too, is a very old story, known from several popular literatures, but thoroughly reshaped by Hasidism. It has not merely – in a superficial sense – been transplanted into the Jewish sphere, it has been recast by the Hasidic melody in

congregation – group of persons gathered for worship and prayer

which it has been told; but even this is not decisive: the decisive change is that it has become, so to speak, transparent, and that a Hasidic truth is shining through its words. It has not had a "moral" appended to it, but the sage who retold it had at last discovered its true meaning and made it apparent.

There is something that can only be found in one place. It is a great treasure, which may be called the fulfillment of existence. The place where this treasure can be found is the place on which one stands.

Most of us achieve only at rare moments a clear realization of the fact that they have never tasted the fulfillment of existence, that their life does not participate in true, fulfilled existence, that, as it were, it passes true existence by. We nevertheless feel the deficiency at every moment, and in some measure strive to find – somewhere – what we are seeking. Somewhere, in some province of the world or of the mind, except where we stand, where we have been set – but it is there and nowhere else that the treasure can be found. The environment which I feel to be the natural one, the situation which has been assigned to me as my fate, the things that happen to me day after day, the things that claim me day after day – these contain my essential task and such fulfillment of existence as is open to me. It is said of a certain Talmudic master that the paths of heaven were as bright to him as the streets of his native town. Hasidism inverts the order: It is a greater thing if the streets of a man's native town are as bright to him as the paths of heaven. For it is here, where we stand, that we should try to make shine the light of the hidden divine life.

If we had power over the ends of the earth, it would not give us that fulfillment of existence which a quiet devoted relationship to nearby life can give us. If we knew the secrets of the upper worlds, they would not allow us so much actual participation in true existence as we can achieve by performing, with holy intent, a task belonging to our daily duties. Our treasure is hidden beneath the hearth of our own home.

The Baal-Shem teaches that no encounter with a being or a thing in the course of our life lacks a hidden significance. The people we live with or meet with, the animals that help us with our farm work, the soil we till, the materials we shape, the tools we use, they all contain a mysterious spiritual substance which depends on us for helping it toward its pure form, its perfection. It we neglect this spiritual substance sent across our path, if we think only in terms of momentary purposes, without developing a genuine relationship to the beings and things in whose life we ought to take part, as they in ours, then we shall ourselves be debarred from true, fulfilled existence. It is my conviction that this doctrine is essentially true. The highest culture of the soul remains basically arid and barren unless, day by day, waters of life pour forth into the soul from those little encounters to which we give their due; the most formidable power is intrinsically powerlessness unless it maintains a secret covenant with these contacts, both humble and helpful, with strange, and yet near, beings.

Some religions do not regard our sojourn on earth as true life. They either teach that everything appearing to us here is mere appearance, behind which we should penetrate, or that it is only a forecourt of the true world, a forecourt which we should cross without paying much attention to it. Judaism, on the contrary, teaches that what a man does now and here with holy intent is no less important, no less true – being a terrestrial indeed, but nonetheless factual, link with divine being – than the life in the world to come. This doctrine has found its fullest expression in Hasidism.

Rabbi Hanokh said: "The other nations too believe that there are two worlds. They too say: 'In the other world.' The difference is this: They think that the two are separate and severed, but Israel professes that the two worlds are essentially one and shall in fact become one."

In their true essence, the two worlds are one. They only have, as it were, moved apart. But they shall again become one, as they are in their true essence. Man was created for the purpose of unifying the two worlds. He contributes toward this unity by holy living, in relationship to the world in which he has been set, at the place on which he stands.

Once they told Rabbi Pinhas of the great misery among the needy. He listened, sunk in grief. Then he raised his head. "Let us draw God into the world," he cried, "and all need will be stilled."

But is this possible, to draw God into the world? Is this not an arrogant, presumptuous idea? How dare the lowly worm touch upon a matter which depends entirely on God's grace: how much of Himself He will vouchsafe to His creation?

Here again, Jewish doctrine is opposed to that of other religions, and again it is in Hasidism that it has found its fullest expression. God's grace consists precisely in this, that He wants to let Himself be won by man, that He places Himself, so to speak, into man's hands. God wants to come to His world, but He wants to come to it through man. This is the mystery of our existence, the superhuman chance of mankind.

"Where is the dwelling of God?"

This was the question with which the Rabbi of Kotzk surprised a number of learned men who happened to be visiting him.

They laughed at him: "What a thing to ask! Is not the whole world full of His glory?"

Then he answered his own question:

"God dwells wherever man lets Him in."

This is the ultimate purpose: to let God in. But we can let Him in only where we really stand, where we live, where we live a true life. If we maintain holy intercourse with the little world entrusted to us, if we help the holy spiritual substance to accomplish itself in that section of Creation in which we are living, then we are establishing, in this our place, a dwelling for the Divine Presence.

SOURCE: The Way of Man, According to the Teaching of HASIDISM, by Martin Buber, The CITADEL Press, Secaucus, New Jersey. 1966, pp. 26-30; 36-41

DISCUSSION QUESTIONS:

1. What are the main principles of Hasidism according to the author? What is the mission of man (humans) according to Hasidic teaching?
2. What did you understand from the first tale in this text? Do any of your personal experiences relate to this tale?
3. What is the way to understand God according to Hasidic doctrine? Is there any specific method of understanding in Judaism? Does the author talk about the individual way of each person to understand God? Do you know any school of teaching, particularly in Islam or Christianity, containing similarities to Hasidic ideas?
4. Could Hasidism become a universal teaching? Is it limited only to one particular religion? Do you think that according to Hasidic doctrine all human beings are equal in ability and in responsibility? If yes, why do people usually behave differently?
5. What kind of relationship should there be between the self and others (the issue discussed by the author according to Hasidic teaching)? What do it 'hiding from God' and 'hiding from Self' mean for Buber? Is hiding from God and self equal to hiding from social responsibilities?
6. Can you identify the pluralistic ideas within Hasidic doctrine? What do you think: is the Hasidic way of teaching useful for construction of civil society?
7. Do you agree with

REVIEW QUESTIONS:

1. Can you identify any similarity in approach to society between Muslim Suffis, Shi'ia's and the teaching of Hasidism?
2. How did you understand Martin Buber's and Augustine's opinions and teachings on God, understanding creation and handling social issues?
3. How is religion able to support civil society and community values, and to save the natural environment?
4. Compare the stories from Martin Buber with Tayab Salih's story on the doum tree of Wad Hamid.

ADDITIONAL READINGS:

1. Buber, Martin (1947; 2002). Between Man and Man. Routledge, pp. 250-251.
2. Buber, Martin [1954] (2005). "We Need The Arabs, They Need Us!", in Paul Mendes-Flohr (ed.): A Land of Two Peoples. University of Chicago. ISBN 0-226-07802-7.
3. Martin Buber's Final Legacy: "The Knowledge of Man"; by Maurice Friedman.
4. Buber's Philosophy as the Basis for Dialogical Psychotherapy and Contextual Therapy; by Maurice Friedman.
5. I, thou, and we: A dialogical approach to couples therapy
6. Dialogical and Person-Centred Approach to Psychotherapy

ANDREW WHITE
THE ROLE OF THE ISLAMIC WAQF IN STRENGTHENING SOUTH ASIAN CIVIL SOCIETY: PAKISTAN AS CASE STUDY

Andrew White is a senior fellow at the Melbourne Law School, Australia. He is working on his Ph.D. in Islamic Arbitration. He previously practiced law in the U.S. and Europe. His publications include several articles such as "Decentralized Environmental Taxation in Indonesia: A Proposed Double Dividend for Revenue Allocation and Environmental Regulation," in the Journal of Environmental Law (2007); "The Paradox of Corruption as Antithesis to Economic Development: Does Corruption Undermine Economic Development in Indonesia and China, and Why Are the Experiences Different in each Country?," in Asian-Pacific Law & Policy Journal (2007); "Breathing New Life into the Islamic Waqf: What Reforms can Fiqh Regarding Awqaf Adopt from the Common Law of Trusts without Violating Shari'ah?," in Real Property, Probate and Trust Journal (2006); and "The Role of the Islamic Waqf in Strengthening South Asian Civil Society: Pakistan as Case Study," in the International Journal of Civil Society Law.

INTRODUCTION

Civil society – basically the residual parts of society which fill the interstices between the State and the individual – has rapidly become the faddish '**hula hoop**' or 'new black' of contemporary political philosophy. Much is being written and discussed by political theorists, lawyers, and government policy wonks about the positive effects of a strong civil society. Benefits are touted for such wide-ranging priorities as democraticization and good governance, the rule of law, environmental regulation, gender equality, employment/labor rights, and poverty reduction. Although a strong civil society may not be quite the universal panacea for society's ills that many are seeking, it undeniably can be a powerful step in the direction of better government (more transparency and less corruption), better wealth-distribution (greater poverty reduction), and better provision of public services both in place of and ancillary to services provided by the State to its citizens.

Even more fashionable than debates centered on civil society, Islam and its various movements and belief-systems also has arisen as an **enthusiastic** topic of not only theological but also political discourse, especially following the tragic events of September 11, 2001 in the United States. Motivated in no small part by the confusion and fear (perhaps bordering on paranoia) instilled in many of us in the 'West' by, among others, a new crop of cocktail party 'Islamicists,' fundamentalist Christian evangelists, and the popular press, Islam generally is perceived as a dark counterpart to all the presumed virtues of (especially Western-based) civil society. It is popularly touted as a threat to principles of democracy and good-governance, a threat to individual freedoms and rights (especially for women), and in many ways a threat to civil society and all of its accomplishments.

hula hoop –
toy hoop, usually made of plastic, that is twirled around the waist, limbs, or neck. Metaphorically: an ordeal or test

enthusiastic –
filled with or motivated by enthusiasm; fanatical; keen

Fundamental to this juxtaposition of civil society and Islam as countervailing forces, each fighting on the battlefield of developing nations, is not only the lack of clarity regarding the concepts and institutions which comprise both civil society and Islam, generally, but also a lack of understanding regarding Islamic principles and institutions which historically have been fundamental to Islam and its adherents. The central role of philanthropy and charity in Islam, as a dynamic part of civil society – and particularly as historically promoted by one such institution, the Islamic trust or **waqf** – is the primary focus of this article. Indeed, the waqf (pl. awqaf) has been for many centuries a mainstay component of civil society in Muslim countries. Today, awqaf are enjoying a resurgence in Muslim society, both in the traditionally Muslim countries of the Middle East and in the Muslim-dominated countries of Asia. In these countries, the state expressly permits the establishment of awqaf through various enabling legislation, although it also strictly regulates and administers the creation and management of awqaf through diverse bureaucratic vehicles such as government waqf administrators and boards. As an illustration of such strict bureaucratic regulation, the regulatory framework in Pakistan is reviewed generally in this article. It is suggested that especially in Pakistan – where issues of control (and often co-option) by the government of various actors in civil society, as well as corruption and lack of transparency within the civil society institutions themselves, are predominant concerns – the waqf is inherently an institution which can allay many of these concerns and, at the same time, may provide a further dividend well-beyond mere temporal concerns…

….IV. THE WAQF: A DYNAMIC INSTITUTION PROMOTING ISLAMIC CIVIL SOCIETY

Given the paramount importance placed upon philanthropy and charity in Islam, formalized institutions evolved in order to facilitate the practices of **zakat** and **sadaqah**. As Azim Nanji explains, 'with the growth of the Muslim Umma in Medina, procedures for the collection and distribution of sadaqa and zakat were elaborated with the interconnected and evolving political, moral and social order.' By the time of the prophet Muhammad's death in 632 CE, 'a framework of practices governing the collection and distribution of the sadaqa and zakat contributions had already developed.' Out of this 'Prophetic precedent' there arose other formal institutions for voluntary charity and philanthropy, as well as for the collection of zakat by the government or Islamic community. Most significant among these today are the zakat fund and the waqf. The zakat fund, especially as a privately-managed institution (and the even more-innovative local zakat-funded development organization), is a relatively new, somewhat untested innovation in the Muslim world. The waqf, on the other hand, is a much older and more established philanthropic vehicle in Islam.

The zakat fund, an outgrowth from the mandatory system of zakat collection and distribution by Muslim governments and communities, collects and aggregates funds from many different individuals for charitable purposes. These funds are then disbursed directly to needy individuals or are used to deliver necessary social services, either directly by organizations established and operated by the zakat fund itself or through nonprofit organizations that deliver services to the poor or provide other social services. Zakat funds are established by governments (the more traditional model), by banks, or by similar funds-management institutions. As mentioned above, non-governmental zakat fund institutions appear to be a relatively recent development in Islamic charity.

waqf – (plural Arabic: أوقاف, awqāf) – an inalienable religious endowment in Islam

zakāh – "alms for the poor" (Arabic: زكاة) Islamic principle of giving a percentage of one's income to charity

sadaqah – (plural sadaqat) (Arabic: صدقة) Islamic term that means "voluntary charity". Prescribed charity collected or received for public welfare is known as Zakat

Dubai Islamic Bank, for example, claims that it established the 'first' Islamic Zakat Fund in 1975, 'as a pioneering initiative by Dubai Islamic Bank, as part of its belief in fulfilling the Zakat obligation imposed by God.' Moreover, although evidence of this is 'anecdotal rather than the result of in-depth study of zakat institutions,' there may be emerging a variety of new models. This includes such cross-border innovations as the recently-announced joint venture between the Dubai Government and the Zakat Fund in Abu Dhabi. Interestingly, while apparently they have not been studied enough yet to reach any concrete conclusions as to why these zakat funds may be growing in popularity, it may reflect the opening of Islamic societies to more pluralistic and democratic approaches; the emergence of a new and powerful Muslim middle class in the United States, Europe, South Asia, Southeast Asia, and even in the Middle East; and the increasingly international nature of relationships within the Islamic world.

In contrast to the contemporary zakat fund, the 'idea of the waqf is as old as humanity.' For millennia, societies have established temples and other places of religious worship, as well as properties exclusively dedicated as monasteries, schools, and libraries. Some scholars argue that the modern form of the waqf derives from Byzantine practice and, in the Abrahamaic tradition, Abraham is regarded as the founder of the first waqf in establishing endowed temples. Professor Timur Kuran elaborates in an in-depth study of the origins and development of the waqf:

The institution did not have to be developed from scratch because various ancient peoples – Persians, Egyptians, Turks, Jews, Byzantines, Romans, and others – had developed similar structures. Just as Islam itself did not emerge in a historical vacuum, so the first founders of Islamic trusts and the jurists who shaped the pertinent regulations almost certainly drew inspiration from models already present around them.

In turn, the waqf not only established itself as a 'defining feature of Islamic civilization .. . [but] it went on to become a source of cross-civilizational emulation.' Scholars credit the vaqf with having influenced the development of trusts in Western Europe – most notably the establishment of such venerable educational institutions as the University of Oxford and Merton College – 'where the institution of the trust emerged only in the 13th century, a half millennium after it struck roots in the Islamic Middle East.'

Interestingly, the institutional structure of the waqf has remained relatively uniform throughout most of its history. The basic elements are:

1. A declaration of the waqf made by the legal owner of property – usually made in writing, according to a form supplied by a notary, although oral forms appear to have been acceptable,
2. that he is immobilizing that property in perpetuity,
3. for a particular purpose,
4. to be managed according to certain criteria and priorities established by the founder,
5. for the benefit of a selected class of beneficiaries, and

6. designating a mutawalli (essentially the trustee) to manage the waqf, and prescribing the appointment of successor mutawallis;
7. any employees, if necessary, hired and managed by the mutawalli;
8. a fiduciary duty on the part of the mutawalli to manage the waqf according to the founder's declaration and in the interests of the beneficiaries, and
9. judicial oversight of the mutawalli' s appointment and activities by a local judge.

Over time, one more crucial element could be said to be added to this list: the role of the state. Especially in more modern times, as discussed further below, the state has exerted considerable pressure on judges and mutawallis, and has heavily regulated the creation and operation of the waqf. But otherwise – even though the rules for forming awqaf somewhat 'have varied across regions, time, and the schools of Islamic law' – the institutional structure of the awqaf has not changed.

Within this structural framework, traditional awqaf may be categorized into three types: the religious waqf, the philanthropic waqf, and the family (or posterity) waqf. Religious awqaf establish mosques and provide revenues for the maintenance and operation of mosques. In Islamic history, 'the first religious waqf is the mosque of Quba' in Madinah ... which was built upon the arrival of the Prophet Muhammad in 622 ... [and which still] stands now on the same site with a new and enlarged structure.

Philanthropic awqaf are broader in their scope than merely religious awqaf: they are established for the benefit of the poor, as well as for wide-ranging public interests such as basic social services, education, health care, libraries, roads and bridges, and parks – and even for the care of animals. Islamic jurists credit the prophet Muhammad with creating the first philanthropic waqf. According to Tradition, the Prophet inherited by will seven orchards, which he made into a charitable waqf for the benefit of the poor. A Hadith also speaks of the prophet Muhammad directing his Companion (and second successor to the caliphate) to establish a waqf, and sets forth clearly many of the conditions of this form of charity:

> **Ibn 'Umar** reported, 'Umar ibn al-Khattab got land in **Khaibar**; so he came to the Prophet, peace and blessings of Allah be on him, to consult him about it. He said, Messenger of Allah! I have got land in Khaibar than which I have never obtained more valuable property; what dost thou advise about it? He said: 'If thou likest, make a property itself to remain inalienable, and give (the profit from) it in charity." So 'Umar made it a charity on the condition that it shall not be sold, nor given away, nor inherited, and made it a charity among the needy and the relatives and to set free slaves and in the way of Allah...

According to Tradition, after making the above-described waqf, 'Umar decided to declare it in writing and he invited some of the Prophet's Companions to attest the document. According to Jaber, one of the Companions, when word got around of what 'Umar was doing, other real estate owner's starting creating their own awqaf. Supposedly, some of them not only created awqaf for the benefit of the needy, but also included a condition that their own children and descendants should have priority to the waqf revenues, with only the surplus going to benefit the poor. This was apparently the genesis of the third type of waqf, the family or posterity waqf. Soon, Islamic jurists rested authority for this type of waqf institution on sayings attributed to the prophet Muhammad – such as, 'It is better to leave your heirs rich than to leave

Umar – one of the Rashidin (rightly-guided caliphs) and one of the companions of the Prophet

Khaibar – (Arabic, خيبر) oasis 95 miles to the north of Medina

them destitute, begging from others' and 'One's family and descendents are fitting objects of charity ... To bestow on them and to provide for their future subsistence is more pious and obtains greater reward than to bestow on the indigent stranger. Indeed, a Hadith reports that, at the express recommendation of the Prophet, a certain Abu Talha created a waqf of his expansive date-palm garden from which the wealth was to be disributed among his relatives.

Of the three types of awqaf, the family waqf the most troubling to most rulers of Islamic and predominantly-Islamic states. Unlike the religious and purely philanthropic awqaf, the family waqf usually added little in the way of social services, yet it took away part of the state's tax base and protected properties from confiscation in times of fiscal emergency. As such, rulers sought to curb the creation of family awqaf by their Muslim subjects. Particularly in Islamic states, however, they also had to walk a fine line between discouraging certain awqaf and avoiding the appearance of impiety, the latter of which might weaken the ruler's legitimacy or authority. Ironically, the same ruling elite who sought to curb the establishment of family awqaf also needed to tread somewhat lightly because of their own interests in sheltering property in awqaf. The ruling elite – be they the political leadership, bureaucrats, military officials, judges or clerics – were also the predominant land owners and those who had the most wealth. Often, they were vulnerable to loss of political power and, with that, having their assets confiscated. Accordingly, "members of the ruling class established family awqaf as a means of ensuring their families against loss of political influence and earning capacity. Over the centuries, countless overconfident state officials who failed to take this precaution in a timely manner saw their assets expropriated and their families driven into poverty.' Especially as options for sheltering property were quite limited in early Islamic societies, therefore, it was in their own best interests to preserve the institution of the family waqf.

Traditionally, all three types of waqf enjoyed enormous growth and popularity – at least until modern governments, as well, began to see the waqf as a threat to their absolute power and control of society, and began seizing, nationalizing, replacing with state-run substitutes, or altogether closing down awqaf and other forms of Islamic philanthropy and charity. Throughout Islamic history, a remarkably large proportion of lands were dedicated as waqf lands and the awqaf were responsible for much of what comprised the classical Islamic city and society. Typically, dedicated waqf properties would include 'a mosque, a mausoleum for the founder, a madrasa (Islamic school), and commercial complexes such as a hostel for traveling traders or a covered bazaar, to generate income for the social services and religious facilities,' and even 'housing owned by the waqf, also rented for income, as well as other social service facilities, such as a hospital, public water fountain, soup kitchen, or orphanage.' Various studies indicate that fully three-fourths of the lands consisting of the Ottoman Empire were established as waqf lands; in the mid-19th century, waqf 'agricultural land constituted half of the size of land in Algeria' and one-third in Tunisia; and even in the mid-20th century, one-eighth in Egypt. Today,

more than 8,000 educational institutions and more than 123,000 mosques in Bangladesh alone are waqf institutions. A University in Karachi is financed by a waqf. A large shopping complex in Dakha is a waqf, providing employment to a large number of people and even financing a publication house, a large auditorium, and a mosque.

These and other innumerable examples underscore the preeminent role of the waqf in Islamic civil society throughout history. The waqf connected together all segments of Islamic society, even the poor and humble with the rich and influential. Moreover, while each individual establishing a waqf had his or her own reasons for doing so – be they altruistic or for the preservation of family wealth – one overriding reason for the waqfs preeminence in Islamic society, and that which distinguished the waqf from many types of Anglo-European trusts and strengthened it as an integral part of civil society, was the waqfs perpetuity. In Arabic, 'waqafa' means 'he was still' or 'stationary'. Waqf property is locked-up forever, as an irrevocable gift to God, for the ultimate good of mankind.

The element of perpetuity – both in the sense of duration as well as the repeated flow of its benefits – has positive economic benefits for society, especially that part of civil society concerned with delivering important social services. As observed by leading Islamic economist Monzer Kahf, societies benefit from the establishment of 'revenues/services generating permanent assets devoted to social objectives .. . providing for capital accumulation in the third sector that, over time, builds necessary infrastructure for providing social services on a not-for-profit [sic] basis. So important was the waqf to the provision of social services in early Islamic cultures, that for centuries the Muslim caliphates and states did not have departments or ministries to take care of "public works, roads, bridges, mosques, schools, libraries or hospitals, for the yields of the [waqf] endowment properties used to cover those public needs". As a micro-example, Zubaidah, the wife of Caliph Harun al-Rashid, made a waqf of all her wealth for the purpose of a road from Baghdad to Makkah.

Interestingly, it has been the element of perpetuity that also has caused modern states to seek to suppress, control, and at times, eliminate waqf institutions. Many of the same concerns that led the early ruling elite in Islamic countries to curb the establishment of especially the family awqaf, also has troubled modern rulers. Perpetual philanthropic institutions, such as the waqf, 'are the most state-threatening forms of charity, because they can endure and even grow over an indefinite period, and because they reinforce the leadership role of private families or religious institutions'. Throughout the Islamic world, 'Islamic charities emerged as the spread of wealth and influence created an elite with the ability and the desire to establish charities'.

Unfortunately, concomitant with the rapid growth of institutional Islamic philanthropy, 'poor governance' also became a problem within the sector – providing the modern states just the excuse they needed to step in and expropriate awqaf assets. As Jennifer Bremer dramatically summarized in a presentation at the annual meeting of the Center for the Study of Islam and Democracy:

The nature of the government in power did not appear to affect this overall progression from emergence to independence to decay and takeover. In the Ottoman empire, the sultan's position as caliph, and thus defender of the faith, did not protect private charities from being seized. The Ottoman's severely secular successor, Kemal Ataturk, continued the seizure of private charities begun by his religious predecessors. The sultan's counterparts in Egypt's royal family progressively suppressed private charities, but no less aggressively than did their Arab socialist over-throwers. The British colonial powers worked to limit the power and flexibility of Islamic charities, whether

in Palestine or British India, and their efforts were continued and expanded upon by the devoutly-Muslim government leaders of Pakistan.

It is interesting to observe also that, throughout the Islamic world and throughout time, it does not appear to be Islam itself or Islamic movements – as a part of civil society – which are in contention with the state. Instead, it is the strength of the civil society, and the assets it controls, which is the threat to modern states in the Islamic world. As discussed above and in the following section of this article examining regulation of awqaf in Pakistan, this struggle is even more pronounced in Asia and is expressed in greater state regulation of the creation, governance and operation of Islamic philanthropies and charities, such as the waqf. Under the British Raj, for example, the colonial government in what is now Pakistan initiated a legal structure to regulate awqaf and other endowments. This included requiring disputes be brought before unfamiliar British-controlled courts, instead of the traditional religious (local) courts, placing local waqf unders – the local elite – at a disadvantage. These moves, which diminished the socio-economic power of the local elite in contrast to the colonial powers, were resisted by Muslim legal activists constantly struggling with the new state. But, somewhat ironically, even after the end of the British Raj, the emergent Islamic states themselves continued tight control of Islamic charities…

THE WAQF AS AN ELEMENT OF CIVIL SOCIETY IN PAKISTAN. BACKGROUND

Against the sociopolitical and legal/regulatory backdrop described above, the waqf (or wakf, as it is often spelled in Pakistan) has remained virtually intact as a philanthropic and charitable institution. Indeed, in today's sociopolitical climate in Pakistan – where the state is trying to strike a balance between operating as a secular institution (resisting efforts to create a theocracy) and yet appease the religious (especially Islamic) elite – waqf institutions may be an effective way for the state to strengthen its political legitimacy, remedy its problems with public services delivery and, at the same time, endorse a venerable Islamic institution. In addition, because awqaf are almost always local in scope and management, they could more likely be viewed as non-threatening in a society where foreign-based philanthropy is not trusted, especially as it is perceived by conservative religious groups as 'trying to subvert the [Pakistani] traditional and religious value system ... [wanting] to introduce western cultural practices and values some aspects of which, according to the conservatives, are obscene and vulgar, and therefore, a threat to [Pakistani] way of life.'

The tradition of creating awqaf in Pakistan traces its roots back to the introduction of Muslim rule in that region, between the 8th and 18th centuries. While there were indigenous practices of philanthropy and charity already evident, Muslim rulers recognized that through establishment of awqaf they not only fulfilled their religious

obligations of zakat and sadaqah, but they also gained greater authority and power. As such, the Muslim aristocracy and other wealthy elite (the enormous wealth of South Asia was centered in the hands of a few) established a great number of awqaf for myriad public purposes ranging from building mosques and schools to even establishing an organization for financially assisting the marriage of poor girls.

Following the end of the Muslim-era of rule in Pakistan, classical Islamic rules of establishing and managing awqaf continued to be influential. Notwithstanding this, however, the state (beginning with the colonial government as well as the series of governments following independence) also has sought to maintain tight control over the registration and, especially, the management of awqaf. Generally, the regulations promulgated by the state have not interfered with traditional waqf principles. As is discussed below in the context of those regulations, however, some of the contemporary laws do place constraints on the waqf and give the state unilateral power that never existed under Short ah and fiqh, Islamic law and jurisprudence.

Prior to 1913, awqaf in British India (including modern Pakistan) were simply created and managed in accordance with traditional Shariah and fiqh principles, and the state maintained a fairly 'hands-off approach. When the colonial government promulgated the first major law for 'improving the legal condition' of voluntary associations – the Societies Registration Act of 1860 (in response to the 1857 'Mutiny') – the law merely created a juridical personality and provided a registration scheme for voluntary associations established by seven or more persons for, among other purposes, charity. No specific mention was made of awqaf. Similarly, when the Trusts Act, 1882, was passed – extensively regulating the creation and management of trusts, setting forth the rights and liabilities of beneficiaries and the powers and duties of trustees – it expressly provided that 'nothing herein contained affects the rules of Muhammadan law as to waqf.'

Only in response to a decision in 1894 by the British Privy Council declaring a family waqf invalid did the colonial government pass any law specifically addressing the establishment of awqaf in British India. The Mussalman Wakf Validating Act, 1913, ironically, was enacted in order to overturn the Privy Council decision. Together with the subsequent Mussalman Wakf Validating Act, 1930, which gave the 1913 Act retrospective effect over awqaf created prior to its enactment, the Mussalman Wakf Validating Act, 1913, expressly ratifies the 'validity of wakfs created by persons professing the Mussalman faith in favour of themselves, their families, children and descendants and ultimately for the benefit of the poor or for other religious, pious or charitable purposes.' Interestingly, the Privy Council decision was based upon its observation that family awqaf – so popular among the wealthy and politically powerful Muslims in British India – were created merely for the aggrandizement and economic benefit of the founders' families, contrary to true Islamic concepts of philanthropy and charity. The Privy Council noted that 'the provision for charity is so illusory that the poor are not entitled to receive a rupee till after total extinction of a family.' Notwithstanding this perhaps noble attempt to rein in the misuse of this important philanthropic institution – and even despite concurrence with the Privy Council decision by many Muslim clerics and experts in Islamic law – powerful political interests (backed largely by the financial resources of awqaf founded by wealthy Muslims) prevailed in the passage of the 1913 Act. As commented by a leading contemporary authority on Muslim philanthropic endowments in British India and modern Pakistan, the late Professor Gregory Kozlowski, the controversy over endowments also pointed to the possibility that 'politics sometimes shaped Islam quite as much as Islam shaped politics.'

Importantly, perhaps in deference to the powerful Muslim political interests which instigated its promulgation, the Act carefully avoids any direct conflict with Shariah or fiqh. The Act expressly defines a waqf as the 'permanent dedication of any property for any purpose recognised by the Mussalman law as religious, pious or charitable'. The Act allows creation of a waqf that 'in all other respects is in accordance with the provisions of Mussalman law'. And it includes a saving clause expressly providing that nothing in this Act shall affect any custom or usage whether local or prevalent among Mussalmans of any particular class or sect.

Significantly, while the Act declares as valid all family awqaf which ultimately fulfill religious, pious or charitable purposes, it does not exclude any other types of awqaf as invalid. As such, the Act does not interfere with the establishment of religious or purely philanthropic awqaf nor does it appear to interfere with the establishment of awqaf for purposes outside its scope. The Act very simply operates in a very limited and targeted fashion to negate the decision of the Privy Council regarding family awqaf.

THE MUSSALMAN WAKF ACT, 1923

The subsequent regulation of awqaf in Pakistan following the Privy Council decision and the consequent validating acts appear to have some positive features as well as some drawbacks. Clearly, some regulation of awqaf – leading to greater transparency and accountability – was necessary and is good. Under Islamic Rule, mutawallis were supervised by the Kazis, judges in Islamic courts. After establishment of the British Raj, however, the Islamic courts were abolished and mutawallis no longer feared the strictness and harshness of Islamic law. As was highlighted by the Privy Council decision, misuse of the waqf for personal gain and corruption by mutawallis was an increasing problem in British India throughout the 18th, 19th and early 20th centuries. Although British colonial policy was generally not to interfere in native religious matters, the situation worsened to such a point that the colonial government could no longer avoid taking a more active role toward reform. Following the 1857 'Mutiny', a number of waqf properties were placed under British control and, with passage of the Religious Endowment Act, 1863, these awqaf were transferred to local trustees and jurisdiction for any administrative disputes was given to the British courts. As awqaf grew in wealth and political power (including the ability to deliver financial support and blocks of votes behind 'friendly' politicians), however, it became increasingly impossible for the British to avoid undertaking more stringent reforms. Even the Muslim press began stridently to call for action, decrying that 'All Waqf properties have been made over to the plundering hands of the non-Godfearing and evil-following Mutawallies, and the Masjids and the other places of worship have merged into the depths of oblivion'!

Finally, in 1923 the colonial government enacted the first legislation to actually regulate awqaf in British India (including what is now Pakistan). The Mussalman Wakf Act, 1923 – which still continues in force today – was promulgated for the stated purpose of making 'provision for the better management of wakf property and for ensuring the keeping and publication of proper accounts in respect of such properties.' Toward that end, the 1923 Act requires that the mutawalli of every religious, pious or charitable waqf, within six months of its creation, must furnish to the local court a 'statement of particulars' containing the following:

1. a description of the waqf property sufficient for identification;
2. the gross annual income from such property;
3. the gross amount of such income which has been collected during the past five years or, if shorter, since the creation of the waqf;
4. the amount of Government revenues, local taxes and rents annually payable with respect to the property;
5. an estimate of expenses annually incurred in realizing the waqf income;
6. an accounting of amounts set apart under the waqf for salary of the mutawalli and allowances to individuals, for purely religious purposes, for charitable purposes, and for any other purposes; and
7. 'any other particulars which may be prescribed.'

The statement of particulars must be accompanied by a copy of the waqf or other instrument creating the waqf; if none is available, then the statement must also contain 'full particulars' of the 'origin, nature and objects' of the waqf. Once the statement of particulars has been filed with the court, the 1923 Act further provides that the court shall 'cause notice thereof to be affixed to some conspicuous place in the Court-house and to be published in such other manner, if any as may be prescribed.' After such public posting, any person may petition the court for an order requiring the mutawalli to provide further information, and the court has specific jurisdiction to so order.

Continued transparency and accountability is also a prominent feature of the 1923 Act. In addition to the initial statement of particulars, the mutawalli must file with the court an audited annual statement of accounts 'of all moneys received or expended by him on behalf of the wakf of which he is the mutawalli. And the audited annual statement of accounts (as well as the initial statement of particulars) must be signed and verified in the same manner as pleadings filed in accordance with Code of Civil Procedure.

Like the waqf validating acts, the 1923 Act avoids direct conflict with Shari'ah or fiqh, by defining a waqf as the 'permanent dedication of any property for any purpose recognised by the Mussalman law as religious, pious or charitable. Interestingly, the 1923 Act also expressly excludes from its definition of waqf, 'any wakf, such as is described in section 3 of the Mussalman Wakf Validating Act, 1913, under which any benefit is for the time being claimable for himself by the person by whom the wakf was created or by any of his family or descendants'. So long as the subject waqf is operating essentially as a family waqf, the registration and reporting requirements of the 1923 Act do not apply to it. On the other hand, if the personal or family benefit of the waqf ends at some point and the waqf reverts to a 'religious, pious or charitable' purpose, then the mutawalli is required to register the waqf as such with the court and his annual reporting requirements commence. The reasons for this exclusion of family awqaf are not evident in either the 1923 Act or relevant literature, although it

is likely that it was simply in deference to powerful Muslim clerics or political interests at the time who advocated on behalf of family awqaf.

Possibly unable to completely ignore that considerable institutional corruption and the apparent perversion of Islamic principles of philanthropy and charity were then-occurring in the context of family awqaf however, the framers of the 1923 Act did include an initial filing requirement applicable to family awqaf where 'the person creating the wakf or any member of his family or any of his descendants is at the commencement of this Act alive and entitled to claim any benefit thereunder.' Although the continuing annual reporting requirement does not appear to apply to this latter category of family awqaf – until and unless the waqf reverts to religious, pious or charitable purposes – the added provision at least had the initial effect of greater transparency and public accountability with respect to family awqaf which existed at the time of the law's enactment.

THE PROVINCIAL WAQF ORDINANCES

The provisions of the 1923 Act have been criticized more recently as providing 'relatively loose regulatory oversight' of waqf affairs. Addressing this concern, various provincial governments promulgated ordinances in 1979 which 'drastically supplemented' the 1923 Act. While the 1923 Act may be seen as a bit loose in its regulation of awqaf, the 1979 ordinances could easily be said to have gone to the other extreme. One such ordinance, the Punjab Waqf Properties Ordinance, 1979 is an example of these ordinances. Significantly, the Punjab waqf ordinance illustrates the extent to which the provincial governments have undertaken not only more circumscribed regulation of awqaf but also the direct control of malmanagement in some cases. Much of this regulation is quite broad and gives the government potentially arbitrary powers.

The Punjab waqf ordinance states its purpose as providing 'for the proper management and administration of waqf properties in the Province of Punjab'. In conjunction with the 1923 Act, the Punjab waqf ordinance requires that every waqf property in the province be registered, as prescribed by law. Like the 1923 Act, however, the Punjab waqf ordinance also does not apply to family awqaf, 'under which any benefit is for the time being claimable for himself by the person by whom the wakf was created or by any of his family or descendants'. The Punjab waqf ordinance does apply once the subject waqf reverts to a purpose 'recognised by Islam as religious, pious or charitable'.

Unfortunately, the Punjab waqf ordinance provides extremely broad measures by which the provincial government may accomplish its stated purpose. These are effected through the newly-created office of a provincial Chief Administrator of Auqaf (Awqaf). Under the ordinance, the Chief Administrator has supervisory authority over all awqaf in the province, and in certain circumstances, he may even assume direct responsibility for maladministration.

Pursuant to his supervisory authority, the Chief Administrator may require 'any person in charge of or exercising control over the management of any waqf property ... to furnish him with any return, statement, statistics or other information regarding such waqf property, or a copy of any document relating to such property. There is no limitation as to scope or relevance, or with respect to undue burden or expense (borne by the waqf), and the authority of the Chief Administrator in this regard is simply open-ended.

Further, the Chief Administrator may issue to the person in charge or control of a waqf, 'such instructions or directions for the proper administration, control, management and maintenance of such waqf property as he may deem necessary'. This authority also is not limited in any way by the ordinance. To the contrary, it is incredibly broad and arbitrary in its scope. The Chief Administrator has the express authority – within his absolute discretion – even to issue directions 'prohibiting delivery of sermons, khutbas or lectures,' if he determines that they may contain 'any matter prejudicial to the sovereignty and integrity of Pakistan or calculated to arouse feeling of hatred or disaffection amongst various religious sects or groups in the country,' or that they may indulge in 'party politics.'

In those situations where the provincial government wants to do more than merely monitor and control every aspect of a waqf's administration and activities, the Punjab waqf ordinance provides even broader regulation: the government, through the Chief Administrator, can actually completely take over the waqf and (with little limitation) do as it pleases with its assets. And this action is subject to no meaningful judicial oversight or other legal intervention.

In particular, the provincial government may vest in the Chief Administrator any waqf properties situated in the province, including all rights, assets, debts, liabilities and obligations relating to those awqaf. Furthermore, even if the provincial government as a body does not itself take such action, the Chief Administrator has discretion on his own initiative to take over waqf property and assume its administration, control, management and maintenance. Only two conditions restrict the take over of waqf property by the Chief Administrator:

First, the Chief Administrator must give notification (but not necessarily prior notice) to the malmanagement or mutawalli that the Chief Administrator is taking over the waqf property. Second, during the lifetime of a person founding a waqf property, the Chief Administrator may only take over the waqf with the consent of the founder and on such terms and conditions as may be agreed upon between the founder and the Chief Administrator. Significantly, the Chief Administrator's power to take over waqf property expressly includes 'control over the performance and management of religious, spiritual, cultural and other services and ceremonies (Rasoomat) at or in a waqf property.'

Once the Chief Administrator has taken over a waqf property, he has relatively unfettered discretion to do with it as he wishes. The only restriction is that a waqf property must be used for the purpose for which it was dedicated, has been used, or for any purpose recognised by Islam as religious, pious or charitable – all as the Chief Administrator 'may deem fit'. Furthermore, the provincial government may even permit the Chief Administrator to sell or dispose of the property and invest the proceeds in accordance with its directions, provided that the government is 'satisfied' that sale or disposal of the waqf property is necessary in order:

(a) to secure maximum economic benefits out of such property and to avoid loss or damage to such property; or
(b) to serve the best public interest and public purpose for which such property was dedicated; or

(c) to give effect to such wishes of the person dedicating the property as can be ascertained; or
(d) in the absence of evidence of express dedication, to enable the property to be used for the purpose for which it has been used or for any purpose recognised by Islam as religious, pious or charitable; or
(e) to provide maintenance to those who, on account of unemployment, sickness, infirmity or old age, are unable to maintain themselves; or
(f) to provide education, medical aid, housing, public facilities and services such as roads, sewerage, gas and electric power; or
(g) to prevent danger to life, property or public health.

While this seems to contravene the very essential and distinctive element that has always characterized waqf property – its perpetual dedication to the waqf purpose – at least the regulation does require that the proceeds of the sale must first be used to satisfy the main purpose of the waqf.

Allowing even greater government control and intervention in the administration – and essentially the ownership – of awqaf properties, the Punjab waqf ordinance also eliminates any meaningful judicial oversight regarding action taken under the ordinance. The right to appeal a Chief Administrator's take-over of a waqf property, for example, is extremely limited under the Punjab waqf ordinance. Although an appeal may be lodged with the District Court, and subsequently appealed to the High Court, the petitioner may only seek a declaration that the property is not a waqf property or that it is 'waqf property within limits stated in the petition' – such as, presumably, a family waqf or one where the founder is still living. Further giving the Chief Administrator an inherent advantage, during the pendency of such an appeal neither the District Court nor the High Court have jurisdiction to enter any temporary injunction or restraining order enjoining the Chief Administrator from actually proceeding with taking over the waqf property for which a notification has been issued.

Any action taken under the ordinance or otherwise by the Chief Administrator is also beyond the jurisdiction of any civil or revenue court, or any other authority to 'question the legality' of anything done, nor can any injunctive relief be issued in that regard. All persons taking action 'in good faith' pursuant to the ordinance are immune from suit, prosecution or other legal proceeding. Indeed, every action taken under the ordinance is deemed by the ordinance to have effect, regardless of anything inconsistent with that action 'contained in any document, decree or order of any court, deed, enactment or any instrument having effect by virtue of any such enactment other than this Ordinance.'

The Punjab waqf ordinance also has harsh punitive provisions. If any person obstructs resists, impedes or otherwise interferes with anyone acting pursuant to the ordinance, he is punishable by fine and/or imprisonment up to five years. Similarly, willful disobedience or failure to comply with any requisition, instruction or direction

issued by the Chief Administrator is punished with a fine of up to five hundred rupees, as well as up to fifty rupees for every day the disobedience or failure continues after the date of the conviction.

As succinctly summarized in a comprehensive study of law and philanthropy in Pakistan, the Punjab waqf ordinance 'allows the government arbitrary and non-judicial powers to take over and assume the administration, control, management and maintenance of any waqf property after the lifetime of the person creating the waqf. Moving perhaps from the realm of mere political authority to acting on behalf of Allah, the power to assume waqf property is not merely a penal or remedial measure but is based on the premise that the state has an overriding right to oust the mutawalli given that the property has in effect been gifted to Allah. Despite such rigorous regulation, however, the waqf in Pakistan appears likely to fare better than other parts of civil society. While no studies have been undertaken directly comparing the success of awqaf with other philanthropic and charitable institutions in Pakistan today, various studies do give the impression that Islamic institutions in Pakistan, such as awqaf, are courted by the government and subjected to less intimidation, than other civil society organizations. Other areas of government regulation encourage Islamic philanthropy and charity. Under the current income tax regulations, for example, the only tax-deductible donation that is exempt from the usual limits for tax deductibility is zakat. Under the Income Tax Ordinance, 2001, in computing taxable income, the amount of zakat paid is deducted from the total amount of income for the year. As observed recently in a study of Islamic politics in Pakistan, Islam is important to political success in that country. Most Pakistani leaders use it to 'appease and undermine their political adversaries, win over a predominantly illiterate, religious, and gullible population, and get money from oil-rich Muslim countries (especially from the early 1970s).' Certainly, they do not want to push the envelope too far in confronting Islamic institutions such as the waqf.

CONCLUDING THOUGHTS

Just as there is a vibrant and dynamic civil society today throughout the world, including Asia, Islamic civil society also continues to flourish. As Muslims look to traditions of zakat and sadaqah in creating innovative institutions such as the privately-managed zakat funds and local zakat-funded development organizations, the waqf is a time-honored and proven institution that also is beginning to enjoy a rebirth. Unlike other philanthropic and charitable institutions that are subject to being modified or terminated – or having their assets wasted or even expropriated – as a result of disgruntled beneficiaries or greedy governments, the waqf is relatively protected from these events by more than a millennium of Islamic law, jurisprudence and tradition.

Even in countries such as Pakistan where civil society is constantly locked in a struggle not only with the state but also within its own ranks, the waqf – while not immune from that struggle – at least has the best chance of survival. Unlike most other civil society organizations operating in these countries, the waqf benefits from age-old traditions of individual Islamic philanthropy and charity. And unlike most other civil society organizations, the vaqf benefits from being a tradition within the second-largest (and fastest growing) religion in the world. When states dominate and intervene in the administration and control of waqf properties, they are confronting a powerful sociopolitical and economic force. Little research has been undertaken in comparing

the experiences of awqaf with other civil society organizations vis-a-vis dominant and interventionist states such as Pakistan. In the post-9/11 world where many states (especially Islamic and predominantly-Islamic states) walk a fine line between authoritarian control and appeasement of Islamic groups, particularly those viewed as less radical, the role of the waqf as a dynamic actor in civil society should make interesting study. And as Islamic movements continue to struggle to redefine Islam in a modern context, studying the role of awqaf as they move from traditional charitable purposes to more activist roles within civil society, may become even more imperative.

SOURCE: "The Role of the Islamic Waqf in Strengthening South Asian Civil Society: Pakistan as Case Study," Vol. No. 4, Issue No. 2 International Journal of Civil Society Law pp. 7-37 (2006).

ANALYSIS QUESTIONS:

1. Is there one definition of civil society in the world pertinent to all countries?
2. How does the author challenge the popular statement on 'Islam as a threat to principles of democracy and good-governance, a threat to individual freedoms and rights (especially for women), and in many ways a threat to civil society and all of its accomplishments'?
3. What kinds of traditional institutions of civil society in Islam do you know? What is the waqf, or awqaf, according to Andrew White? Do you agree with the author's view on waqf as an ancient Islamic Institute promoting civil society? What are the other formal institutions for voluntary charity and philanthropy in Islam? When did they start to function?
4. Describe the institutional structure of the waqf. Why has it remained unchanged throughout history? What is the function of mutawallis? What are the differences between religious and philanthropic awqafs?
5. Describe the 'Musalman Waqf Act, 1923' and the 'Provincial Waqf Ordinances'. Why were they important for Pakistan?
6. What is the nature of awqaf in Pakistan as a traditional civil society institution: is it a means of social-economical independence from the state or it is a remedy against political tyranny?

REVIEW QUESTIONS:

1. Compare the waqf concept and its role in civil society with the role of sacred places (the Doum tree Wad Hamid) in the lives of a community.
2. Compare the role of family (George Yong), intellectuals (Ahmad Danish, Gaspirali Bey), different religious institutions (Waqf, mazars, sacred trees) and pubic opinion in maintaining civil society. Write an essay on this topic or write a scenario for a drama based on these materials.

ADDITIONAL READINGS:

- "Decentralized Environmental Taxation in Indonesia: A Proposed Double Dividend for Revenue Allocation and Environmental Regulation," Volume 19, No. 1 Journal of Environmental Law (Oxford University Press: 2007)
- "The Paradox of Corruption as Antithesis to Economic Development: Does Corruption Undermine Economic Development in Indonesia and China, and Why Are the Experiences Different in each Country?," Vol. No. 8, Issue 1 Asian-Pacific Law & Policy Journal(University of Hawai'i: 2007)
- "Breathing New Life into the Islamic Waqf: What Reforms can Fiqh Regarding Awqaf Adopt from the Common Law of Trusts without Violating Shari'ah?," Vol. No. 41, Issue No. 3 Real Property, Probate and Trust Journal(American Bar Association: 2006)
- http://www.masters.law.unimelb.edu.au/index.cfm?objectid=3A45C705-1422-207C-BA6886C167CEB45F&view=overview&sid=4009

CHAPTER THREE:
CIVIL SOCIETY ACROSS CULTURES

INTRODUCTION

The establishment and development of civil societies in several countries and civilizations are the focus of this chapter. These include American, Asian and European civil societies in their various stages of development and diversity. Comparison across cultures and civilizations offers a rich source of understanding the emphasis people place on modern socio-political values, such as liberty, equality, and justice for all citizens and non-citizens, and the socio-political process whereby they seek to realize these values.

These sets of readings reveal that contrary to the public espousal of modern civic values and virtues, many of these values are not realized and many of the civic virtues not practiced in day-to-day activities. The large-scale acceptance of paying lip service to some civic values and virtues is examined and defined as a national characteristic by some of the writers. The readers might want to examine these national characteristics that are criticized by the writers. Are these characteristics a weakness or strength of the nation? Do they impede civil society and/or promote greater cohesion in society? Are these traits necessary for national identity or are they exclusionary?

One perspective suggests that the development of a civil society is a threat to centralized political power. Do you agree with this idea? How does civil society pose a threat to political power? Wouldn't a vibrant civil society be of great support to any political power by taking over some of the numerous tasks that political authorities have to render to their citizens?

Similarly, there is a suggestion that strong family-centered cultures impede the development of civil society. In that case, the development of individualization precedes the development of civil society. A phenomenological analysis would probably reveal that less family responsibilities and greater free time enable individuals to volunteer their time and effort to civic causes. Thus, individualization of society enables the development of a civil society. Consequently, is not the desire for a vibrant civil society a modern aspiration?

Another theme that emerges in these readings relates to "modernizing" or "civilizing" efforts. What does it mean to say that we need to be modernized or civilized? Does this mean that many nations were not civilized but were barbarians of one sort or another? Would you agree with Gasprinskii that the "Islamic world [is] characterized by a dearth of knowledge, a lack of information, and torpor…?" If that is the case, how would you rejuvenate a religion, a culture, and/or a society?

In comparing modern developed civil societies, Werner Schiffauer argues that far from inoculating society against the disease of xenophobia, countries with strong civil societies are exhibiting greater chauvinistic tendencies. The paradox begs an analysis. Could the fear of losing jobs to foreigners, or the drain on the social services of a developed society, or the fear of diluting national identity or culture be core reasons? Then, how desirable is a strong civil society if its members are ruled by fear of the other?

THE QUAIL KING AND THE HUNTER

Once upon a time, there was a Quail King who reigned over a flock of a thousand quails.

There was also a very clever quail hunter. He knew how to make a quail call. Because this sounded just like a real quail crying for help, it never failed to attract other quails. Then the hunter covered them with a net, stuffed them in baskets, and sold them to make a living.

Because he always put the safety of his flock first the Quail King was highly respected by all. While on the lookout for danger, one day he came across the hunter and saw what he did. He thought, "This quail hunter has a good plan for destroying our relatives. I must make a better plan to save us."

Then he called together his whole nation of a thousand quails. He also invited other quails to attend the meeting. He said, "Greetings to our quail nation and welcome to our visitors. We are faced with great danger. Many of our relatives are being trapped and sold by a clever hunter. Then they are being killed and eaten. I have come up with a plan to save us all. When the hunter covers us with his net, every single one of us must raise his neck at the same time. Then, all together, we should fly away with the net and drop it on a thorn bush. That will keep him busy, and we will be able to escape with our lives." All agreed to follow this smart strategy.

The next day the hunter lured the quails with his quail call as usual. But when he threw his net over them, they all raised up their necks at once, flew away with the net, and dropped it on a thorn bush. He could catch no quails at all! In addition, it took him the rest of the day to loosen his net from the thorns - so he had no time left to try again!

The same thing happened on the following day. So he spent a second day unhooking his net from sharp thorns. He arrived home only to be greeted by his wife's sharp tongue! She complained, "You used to bring home quail to eat, and money from selling quails. Now you return empty-handed. What do you do all day? You must have another wife somewhere, who is feasting on quail meat at this very moment!"

The hunter replied, "Don't think such a thing, my darling. These days the quails have become very unified. They act as one, and raise up their necks and carry my net to a thorn bush. But thanks to you, my one and only wife, I know just what to do! Just as you argue with me, one day they too will argue, as relatives usually do. While they are occupied in conflict and bickering, I will trap them and bring them back to you. Then you will be pleased with me again. Until then, I must be patient."

The hunter had to put up with his wife's complaints for several more days. Then one morning after being lured by the quail call, it just so happened that one quail accidentally stepped on the head of another. He immediately got angry and squawked

at her. She removed her foot from his head and said, "Please don't be angry with me. Please excuse my mistake." But he would not listen. Soon both of them were squawking and squawking, and the conflict got worse and worse!

Hearing this bickering getting louder and louder, the Quail King said, "There is no advantage in conflict. Continuing it will lead to danger!" But they just wouldn't listen.

Then Quail King thought, "I'm afraid this silly conflict will keep them from cooperating to raise the net." So he commanded that all should escape. His own flock flew away at once.

And it was just in time too! Suddenly the quail hunter threw his net over the remaining quails. The two arguing quails said to each other, "I won't hold the net for you." Hearing this, even some of the other quails said, "Why should I hold the net for anyone else?"

So the conflict spread like wildfire. The hunter grabbed all the quails, stuffed them in his baskets, and took them home to his wife. Of course she was overjoyed, and they invited all their friends over for a big quail feast.

The moral is: There is safety in unity, and danger in conflict.

SOURCE: Buddhist Tales: Vol. 1 - The Quail King and the Hunter
www.buddhanet.net/e-learning/buddhism/bt1_35.htm - 15k

ANALYSIS QUESTIONS:

1. How much important is the cooperation of people in society and community? Do you think that the cooperation and unity of individuals are the main strengths or powers of civil society?
2. Can cooperation within the family be dangerous for society? What benefits can a state have if various parts of society are always cooperating together?

REVIEW QUESTIONS:

1. Please compare this tale with George Yong's speech on the power of the Chinese family and the importance of the state for the Chinese. If we analyses the main character of this tale which and what characters would symbolized the family, state and individuals?
2. If we compare this tale with Martin Buber's text and with Tayeb Salih's story what similarities and differences we can find between them?

ADDITIONAL READINGS:

- Buddhist Tale: Vol 1- The Quail King and the Hunter, www.buddhanet.net/e-learning/buddhism/bt1_35.htm - 15k
- Buddhist Studies, Primary: A Buddhist Jataka Tale (5) www.buddhanet.net/e-learning/buddhism/tale005.htm - 17k

GEORGE YONG-BOON YEO: SPECIAL LECTURE

George Yong-Boon Yeo, born in 1954, is the Singaporean Minister for Foreign Affairs. He earned an engineering degree from Cambridge University and an MBA from Harvard. He joined the Singaporean Defense Forces and rose to the rank of Brigadier-General. He has been a member of parliament and a minister in the Singaporean government since 1988. Among the many ministerial portfolios he held, the following indicate the range of his expertise: Finance, Foreign Affairs, Health, Information and Arts, and Trade and Industry.

SPECIAL LECTURE AT THE GOLDEN JUBILEE ANNIVERSARY OF NEW ASIA COLLEGE, HONG KONG, ON 29 OCT 99 AT 11.30 AM

Throughout Chinese history, a profound tension exists between stability and instability. Chinese civilisation is the longest continuous civilisation on earth going back more than 5,000 years. This shows the tenacity of the culture and its deep stability. However, Chinese society is also highly fragmented. The father of modern China, Sun Zhongsan, once described Chinese society as a tray of loose sand. Outside the extended family, Chinese people tend to be lacking in public spirit. In their minds, a clear distinction is made between what is within the family and what is outside the family. Within the extended family, mutual trust and assistance is taken for granted. Beyond the extended family, liberties are often taken unless there is a threat of punishment.

Without a strong state to hold Chinese society together, it can dissolve quickly into internal dispute and civil war. In physics, there is a phenomenon called "artificial stability". This describes a situation when stability is achieved by external control over what would otherwise be unstable. For example, a fighter aircraft, whether it is a Sopwith Camel, a Spitfire or an F-16, is designed to be unstable so that that aeroplane can manoeuvre freely in a **dogfight**. The control system or the pilot has to maintain stability all the time. Once the control is withdrawn, the aeroplane quickly turns left or right, up or down. In the same way, a bicycle is more stable when additional load is placed at the back but this makes it less manoeuvreable. When the load is placed in front, the bicycle is more unstable, but the rider finds it easier to steer the bicycle. Chinese society is "artificially stable". Without a good control system externally imposed, it becomes **chaotic**.

Many years ago, I had an interesting discussion with a **Suzhou** official. He told me that the **Jiangsu** Provincial Government was reluctant to develop the parts of Jiangsu adjacent to **Shanghai** because Shanghai might one day take over those areas as the city grew. When there were floods in the lower Yangtze Delta, decisions had to be taken whether to sacrifice large areas of farmland in Jiangsu or to allow Shanghai to be affected. Furious arguments would take place and **Beijing** would have to step in to arbitrate and decide. Without a strong centre in China, the different provinces could

dogfight – aerial combat between fighter aircraft. The term originated during World War I when pilots had to switch off their engines to avoid an aerodynamic stall when turning in the same direction as the aircrafts' torque. Observers on the ground heard sounds like dogs barking when the engines were restarted

chaotic – lacking a visible order or organization

Suzhou – city on the lower reaches of the Yangtze River and on the shores of Lake Taihu in the province of Jiangsu, China

Jiangsu – province of the People's Republic of China, located along the east coast of the country

Shanghai – the largest city in China

Beijing – capital of the People's Republic of China

quickly go to war with one another as had frequently happened in the long history of China. No wonder the Romance of the Three Kingdoms began with the famous saying that "long disunity leads to unity and long unity leads to disunity".

This tendency of Chinese society to be chaotic is both a strength and a weakness. The frequent disorderliness is also a source of creativity and dynamism. While China today remains an authoritarian state, there is intense competition at the provincial and city levels. It is a situation of controlled chaos.

The Idea of One China

Cycles of growth and decline are common in human history. What is unique and extraordinary about Chinese history is the ability of Chinese society to re-gather itself into a single polity again and again. The Han Dynasty was roughly contemporaneous with the Roman Empire. Both broke up at about the same time. The areas under the control of the Roman Empire never succeeded in reuniting themselves. Attempts were made by Charlemagne, Napolean, Hitler and others, but they never came close to achieving the dominance of Rome. Even the European Union today is a loose confederation of tribal groups. In contrast, China was able to reunify itself many times since the fall of the Han Dynasty. This is because the idea of one China is deeply embedded in the minds of all Chinese people.

For centuries, Chinese children, before they could read or write, were taught to recite the **San Zi Jing** through which the Confucianist idea of society being one big happy family is programmed into young minds. The three-character phrases are like strands of cultural DNA which are passed on from generation to generation. Thus, the political idea of one China is also a cultural idea. This distinguishes Chinese culture from other ancient cultures. For example, Jewish culture is as tenacious as Chinese culture but it does not put the same emphasis on political unity. Hindu culture is also an ancient culture. While Hindu culture encompasses political ideals, it does not programme into all Hindus the idea of one India the way Chinese culture does. For this reason, the idea of Taiwanese independence is emotionally unacceptable to many Chinese people because it goes against a long-held cultural ideal.

The Stability of the Chinese Family

However, like Jewish and Hindu cultures, Chinese culture places great emphasis on the family. This is the basic building block of Chinese society, and is almost indestructible. Despite wars and revolutions, floods and famines, the Chinese family has held together. In this century, despite family members being separated by hundreds or thousands of miles over long years, the Chinese family held together in a remarkable way. Strong Chinese families explain the strength of Chinese diaspora culture. Diaspora Chinese culture is much more tenacious than diaspora Japanese culture.

However, the strength of the Chinese family also means that, outside the circle of relatives and friends, Chinese people tend to be less public-spirited. The difference between the public spirit of Japanese people and Chinese people is well-known. I remember once visiting the **Meiji Shrine** in June when the blue irises were in bloom. Because the Meiji emperor planted blue irises which the empress loved, Japanese women romanticise these particular irises. On the day when I visited the shrine, there was a long procession of Japanese women lining up to view the blue irises. There was no rush. When it was their turn to take photographs, they took them quickly so as not to hold others back. When they saw litter on the ground, they picked it up. It is hard to imagine Chinese people ever behaving in this way. If there were a similar event in Singapore we would need many workers the following day to clean up the park.

San Zi Jing – one of the Chinese classic texts. It was probably written in the 13th century and attributed to Wang Yinglin (1223-1296) during the Song Dynasty

Meiji Shrine – located in Shibuya, Tokyo, Shinto shrine that is dedicated to the deified spirits of Emperor Meiji and his wife, Empress Shoken

Weakness of Independent Chinese Civil Society

In the confucianist classic "The Great Learning", we learn to cultivate the self, establish the family and govern the state, thereby bringing harmony to human society. At one end, we have the individual and the family; at the other we have the state as one big happy family. In reality, between the Chinese family and the Chinese state, there is a big disconnection. In western society, the space in between the family and the state is usually occupied by relatively independent civil society. This civil society makes possible Western democracy. In Chinese society, civil society is more problematic. When civil society is independent, the state takes a negative view of it because it dilutes central power. When central authority is strong, Chinese civil groups instinctively look to it for support and patronage. Without firm leadership, Chinese civil groups often suffer from internal conflict as individuals and groups jostle for control and official favour. This is a phenomenon which affects Chinese civil groups all over the world, including Singapore. In the journal Foreign Affairs, Francis Fukuyama described the same phenomenon from a different perspective. He traced it to the lack of "social capital" in Chinese society.

What is the reason for weak Chinese civil society? This is an important question because without strong civil society, Western-style democracy cannot take root. The weakness of Chinese civil society is a direct result of the strength of the family on the one hand and the centralised state on the other. Independent groups are hard to organise because of the lack of public spirit outside the family and state structure. These tendencies are deeply coded in Chinese culture and not easily changed. They are in the cultural DNA and shape the political institutions governing Chinese society. One way or another, democracy in Chinese society must take these tendencies into account. How democracy with Chinese characteristics will evolve in the next century is an important question in global history. I doubt very much that Western democratic systems will take root in China because the history and tradition are so different. Some scholars recommend a federal system for China, but that is not likely to succeed because of the idea of one China.

Genius of Chinese Statecraft

The genius of Chinese society is in statecraft. Without this genius, China could not have re-constituted itself again and again. I would like to highlight some key aspects of Chinese statecraft.

The first aspect is the separation of religion from politics. In many countries religion remains an important part of politics making governance more difficult. In South Asia today, we have in India a self-conscious Hindu government, and in Pakistan an army that has become more Islamic over the years now in control. In Western Europe, religious wars decimated entire populations right up to the 17th century. In Eastern Europe, religion is still an important factor in politics, nowhere more so than in the **Balkans**. In contrast, the Chinese state has been secular for most of China's history. Communist atheism took easy root in China partly because it conformed to Chinese political culture. Confucius advised that the state should keep religion at arm's length.

Balkans – historical name of a geographic region of southeastern Europe. The region takes its name from the Balkan Mountains, which run through the centre of Bulgaria into eastern Serbia

Another important aspect of Chinese statecraft is recruitment of officials on the basis of examinations. When the civil service was invented in China, it was a revolutionary idea in the world. It was only 200 to 300 years ago that this idea found its way to the West. Now it is universally accepted around the world. But nowhere in the world, except in China, is this elitist system extended over such a wide geographical area and to such a degree. In the Chinese mind, that the provincial governor could be from another province is culturally acceptable. One cannot imagine in Europe today, despite the European Union, that a German could become the mayor of Paris, much less, the president of France. In China, this cross-posting from one end of the empire to the other has been done for over 2,000 years. During the Tang Dynasty, a few prime ministers were of non-Han origin. A Korean general led the Tang army across the Tianshan mountains into Central Asia where it was defeated by the Arabs. A Japanese jinshi governed Vietnam, then a part of the Chinese Empire.

Chinese statecraft always recognised the problem of corruption and **nepotism**. By various means, the Chinese state set up systems to limit this problem. But it could never be got rid of completely because of the strength of family ties. During the Ming and Qing dynasties and in China today, high officials are not posted to the districts they come from, not within a distance of 500 li. By this rule, no Singaporean could be a minister in Singapore, and no Hong Konger should be governing Hong Kong. This point is worth reflecting on. In China, a high official working in his native district would face unbearable pressure to favour relatives and friends. Therefore, it is always better to bring in an outsider who can be objective. But this outsider is not a foreigner. He is still Chinese and therefore legitimate. Such an outsider would not be acceptable as a high official in a European country or in Singapore. In Hong Kong under one-country-two-systems, Hong Kongers are supposed to govern themselves. This is only possible because the public institutions of Hong Kong are derived from the British, which is also the case in Singapore.

A system which enables high officials to be posted from one corner of the empire to another can only be achieved if power is concentrated at the centre. This has long been an essential aspect of Chinese statecraft. The Leninist method of organisation was in line with that political tradition which explains why it was easily transplanted onto Chinese soil. In fact, both the Communist Party and the **Kuomingtang** adapted Leninist party organisation. The People's Action Party in Singapore also developed the same method of organisation because it had to fight the Communist Party of Malaya. Certain cultural characteristics are persistent.

In the next century, China will have to move towards more democratic organisation, the rule of law and constitutional governance. It will evolve its own system taking ideas from the West and adapting them to Chinese conditions. The technological revolution sweeping the world also requires the Chinese state to devolve more power downwards and to empower as many individuals as possible. These changes are unavoidable if China is to be economically strong. Without economic strength, the Chinese state will be weak. Once the Chinese state declines, it will eventually break up and society will be in chaos once again.

nepotism – showing favoritism toward relatives and friends, based upon that relationship, rather than on an objective evaluation of ability, meritocracy or suitability

Kuomintang of China – Chinese Nationalist Party, the ruling political party of the Republic of China

Confucianism – Chinese ethical and philosophical system developed from the teachings of the Chinese philosopher Confucius. It focuses on human morality and right action. It might be considered a state religion of some East Asian countries, because of governmental promotion of Confucian values

Confucianism - Past, Present and Future

In making this adaptation to the challenges of technology and the modern world, Confucianist ideas will have to be interpreted afresh. **Confucianism** will not be discarded because it is an inseparable part of Chinese culture. To remain close to the people, Chinese communism must gradually accommodate Confucianism. A reverse takeover is likely to happen. China will eventually digest the ideas of Marx and Lenin so completely that they become Chinese. Chinese civilisation will transform and absorb Communism the way it transformed and absorbed Buddhism from India.

When I visited **Mao Zedong's** birthplace in Shaoshan three years ago, it was interesting to see how Chinese culture is incorporating Mao, the man and his ideas. The Mao ancestral temple where joss sticks are burnt is next to the Mao Zedong memorial hall. The grave sites of Mao Zedong's parents and grandparents have been cleaned up. Mao Zedong has entered the Chinese pantheon as another deity to be worshipped. His good deeds are remembered; the evil deeds are blamed on others. This is nothing new in Chinese history.

The same digestion and absorption of Western democratic ideas will also take place. In theory, all Chinese accept the ideas of democracy whether they live on the Mainland, Hong Kong or Taiwan. But the practice of democracy is quite another matter. Even in Taiwan, the evolution of democratic institutions has still to go through many twists and turns. Political corruption in Taiwan and the involvement of secret societies in local politics are serious problems. For Hong Kong, it will also be a long road which must eventually lead back to the Motherland. For Singapore, democracy with Singaporean characteristics will continue to evolve in response to the challenges of the knowledge economy, globalisation and racial politics in Southeast Asia.

Internationally, a China, however strong, will have to contend with other big powers which are neither tributary states nor barbarians. While no country can ignore China in the next century, China cannot expect to be the middle kingdom in the world. In official policy pronouncements, China is very humble and recognises the equality of all nations. But, deep down, Chinese people feel culturally superior with a sense of their own destiny. If they did not feel so, Chinese culture could not have survived for so long. This sense of superiority can give rise to big problems if it becomes excessive. The idea of the Chinese race will have to be moderated in this new world. A Hong Kong Chinese has become the Governor-General of Canada. Another Hong Kong Chinese is the Governor of the State of Washington in the US. In Southeast Asia, many ethnic Chinese hold important political positions. They can only do this by not allowing their sense of race to become excessive. This is a challenge for China in the next century. The Confucianism of the 21st century cannot place China at the centre of the universe.

So long as we recognise this to be problem, it can be managed. We face the problem of inter-racial relations everyday in Singapore. When the Chinese Foreign Ministry, in response to the outrage expressed by Chinese inside and outside China, took a strong position against the violence done to Chinese Indonesians in May 1998, eyebrows were raised in Southeast Asia. When President Jiang Zemin asked to visit Chinatown in Bangkok last month, eyebrows were raised in Thailand. The Li Wenhe case in Los Alamos has racial undertones which we must recognise.

I have touched on some aspects of Chinese culture which influence the development of Chinese politics without giving clear answers to many of the problems that exist. There can be no clear answers. The Chinese revolution which overthrew imperial rule is still on-going. It is the greatest revolution the world has ever seen, starting with the Taiping Revolution, 1911, May Fourth, the anti-Japanese war, 1949, the Cultural Revolution and **Deng Xiaoping**'s final push to reform and open up China. The destiny of Hong Kong is

Mao Zedong (Mao Tse-tung) – Chinese military and political leader who led the Communist Party of China (CPC) to victory against the Kuomintang (KMT) in the Chinese Civil War, and was the leader of the People's Republic of China (PRC) from its establishment in 1949 until his death in 1976

Deng Xiaoping – prominent Chinese revolutionary, politician, pragmatist and reformer, as well as the late leader of the Communist Party of China (CPC)

bound up with the progress of this revolution. But how much better is it to be a young Chinese today than it was to be a young Chinese 50 years ago, 100 years ago or 150 years ago. Whatever the current problems, there is a cultural self-confidence that they can be overcome and the future secured. This is also a story about the past, present and future of Confucianism and its pervasive influence on the continuing evolution of Chinese culture and politics.

SOURCE: http://www.networkchinese.com/talks/gybyeo/gybyeo_eng.html

ANALYSIS QUESTIONS:

1. Why did the father of modern China, Sun Zhongsan, describe Chinese society as a tray of loose sand? What is the role of the State in Chinese society, according to the author? Why does the author use analogies from science to explain society? What is the phenomenon of 'artificial stability'?
2. What do you think about the idea of one China during history and the author's comparisons of China with Roman Empire and ancient India? Do you agree with this comparison? How is the Confucian idea of society as one big happy family inculcated into young minds in China?
3. What can you say about the weakness of civil society in China? Why do civil groups in China traditionally rely upon State support, instead of being a mediator between the state and the people as in the West?
4. Why does the author of this article have doubts about the success of the Western democratic system in China? Are culture and tradition synonymous with destiny? Do you agree with the author? If so, why?
5. Can you highlight some key aspects of Chinese statecraft as the author did? What do you think about the future of Chinese society?

REVIEW QUESTIONS:

1. Compare this article with concepts of civil society presented by Augustine (Christianity), Nawbakhti (Islam) and Martin Buber (Jews). Can these authors agree with the points raised by George Yong-Boon Yeo about Christianity, Islam and Judaism?
2. What is the place of religion and state in Chinese, European and Muslim societies? What is the relationship between civil society and religion?

ADDITIONAL READING:

- Speech-Text Archival and Retrieval System, speech by bg (res) george yong-boon yeo minister of state for finance and minister of state for foreign affairs at the heritage hunt exhibition opening at ... stars.nhb.gov.sg/stars/public/search.jsp?speaker=Yeo+Yong-Boon+George - 17k -
- National Heritage Board (2006). "Yeo, George". Singapore: The Encyclopedia. Ed. Tommy T.B. Koh et al.. Singapore: Editions Didier Millet. 600. ISBN 981-4155-63-2.

AHMAD DONISH: ESSAY ON THE ORGANIZATION OF CIVILIZATION AND CO-OPERATION

Ahmad Makhdum Donish was born in Bukhara in 1826 and died in 1897. He is reputed to be one of the earliest influential voices for reform in Central Asia. The criticisms of Donish were provoked by the decline of Muslim fortunes in Central Asia and his belief that the collapse of Central Asian society could only be revived through comprehensive reform. Donish studied at a madrasa and mastered astronomy, calligraphy, art, and diplomacy. In a poem he wrote that the state gloried in seven individuals, the philosopher, the doctor, the astrologer, the singer, the calligrapher, the poet and the painter – and that he himself was all these at once. His most important works are Siyohat az Bukhara bi Piterzburg (1876) and Navodir ul-Vaqoye' (Singular Events, 1868-1873, revised in 1875). The Risola dar Nazmi Tamaddun va Ta'avun (Essay on the Organization of Civilization and Co-operation) is part of this work.

MIR-I ARAB MADRASAH, BUKHARA

INTRODUCTION

[…]

The prophets have appealed for the people to be set on the right track. Their appeal and addresses are called 'shariat and sunnat'. The aspiration to defend the essence [purity] of the Shariat is a prerogative of prophets and ancestors. After prophets and the educated, leadership regarding external manifestations of the Shariat, i.e., the **mediatory** mission, is also a privilege of rulers. Such in degrees of leadership are those destined to hold power, whom the All-Merciful God has chosen from the people, imposed obligations on and elevated to the throne of government.

To the wise, government and prophecy are like two precious stones from
the same ring.

Anyone who does not rule by the **ululamir**'s command and does not take the path of mediation is a successor of **Pharaoh** and **Haman**.

Hence, anyone who is the master of troops and an army, showing the way and guarding the caravan, must primarily be himself an embodiment of the purity of justice and conscience, faith and religion, so that his subjects and territory increase for the people. And if he himself is unsteady in his destiny, his commands and preliminary actions will not affect people's hearts. And if he wants to accomplish his command through blows with sticks, it will be carried out externally, but internally it will produce the reverse.

Muhtasib… your ass exposed in the market place,
How can you hit the prostitute, that she should cover her face.

Improving state government in justness and peace is obligatory and important, for just and peaceful government of the people guarantees the ruler's peaceful existence in one city, and this affects the province and the whole territory. If things are otherwise, the peaceful existence cannot spread further even from one house to a neighbouring one. And ultimately the state of the subjects and the state will get worse.

mediatory –
being in a middle position; acting through, involving, or dependent on an intervening agency

ululamir –
most high ruler

Pharaoh and Haman –
despotic rulers and ancient enemies of the Jews; also in Arabic tradition the Pharaoh regarded himself as divine. Qur'an (28:38)

muhtasib –
religious police man, enforces shari'ah law

Thus, there has arisen the need to improve methods of achieving a balanced life and means of equilibrium so that those whom God has chosen to hold power are the leadership. And those of them who want may accept this, and those who do not may not. We have given our lives to our favourites. We have given them the element of purport for free. Whoever does not accept this material may take back the values they have given away.

[…]

CHAPTER 1
ON THE DIGNITY OF RULING AND ON THE CORRECT BEHAVIOUR OF RULERS TOWARDS THE RULED

Know that having power is a great matter, and means one needs knowledge and practice to be Almighty God's deputy, a follower of the Divine path in all the territories under one's power and the basis of government and power. And a ruler cannot know fully what he has been created for and what his destiny is. The world is his dwelling-place, but it is not where he will stay. He is like a traveller whose point of departure is his mother's womb and final abode the grave. His homeland and abode are somewhere else. Every year and month and day that make up his life brings him closer to his homeland. Each has to cross a bridge he spends his whole life erecting, and those who forget about their abode and their dwelling-place are ignorant. Those who do not call for anything in the world more than divine guidance on the path and are satisfied with the world within the limits of their needs and requirements, and for whom everything else is like a lethal poison, are wise. And as much as he collected the things of the world, he can use only what is appointed to him and belongs to him, moreover, everything else is sorrow and regret. Thus, everything garnered through unjust means is a torment to the latter and aggravates their position.

It is difficult to oppose the world's pleasures and passions other than through hardships and ordeals. But the knowing, the lucid, know full well that pleasures last but a day, no more, and for this reason pleasures are ultimately destroyed.

[…]

And again [the prophet enunciated]: "The just imam and the conscientious sovereign are nearer to Almighty God and more loved by Him." [...] And such wealth may be better than that which the Creator gives someone in the form of the possibility to rule and which makes one hour of that person's life equal to the whole life of another. And whoever does not know the value of this wealth (gift) and is busy with the weight his own pleasures and passions is condemned to provoke spite and enmity.

He will be invested with qualities of justice given the fulfilment of ten conditions.

CONDITION 1. Whenever a subject appears before a ruler, the sovereign must imagine himself in the subject's shoes, and the subject in his. Then he will not be able to take any decision concerning his subject that he would not take concerning himself, and everything that is not so is treachery.

On a sunny day, when the Prophet was sitting in the shade, **Jabrail** appeared to him and said: "You are in the shade, but your retainers are in the sun!" Only in this form did he express his displeasure. And the Prophet ordered in this instance: "Whoever wants to avoid hell and end up in paradise must, as soon as death catches up with him, pronounce the words: 'There is no God but Allah, and Muhammad is His Prophet.' He must also do nothing to another Muslim that he would not wish done to himself."

Jabrail –
also known as Gabriel, an angel of God in the Qur'an

They say that Caliph **Ma'mun** decided to go for a walk on the plain with the Chief Qadi of Baghdad, **Yahya Aksam**, and they walked through flowers. On the way, Ma'mum was in the shade, but Yakhya led his horse under the sun. On the way back, it worked out that Ma'mun walked in the sunny part and Yakhya in the shade. The Qadi said: "O Emir of the faithful! Walk on this side, where the shade is." Ma'mun answered: "On the way to the flowers I was in the shade and you were in the sun. It would not be fair if I walked in the shade on the way back and you in the sun." The Qadi said: "We are always in the shade of the Caliph's good deeds. If we spend a little time in the sun, what of it?" Ma'mun replied: "You have done what it was necessary for you to do according to justice, but we will not permit our just decision to be encroached on." Truly, this is the case.

CONDITION 2. Do not allow Muslims who have come with business to wait long in their chambers, for if a Muslim has turned to you out of necessity it is worthless engaging in extra prayers, for the solution to the visitor's problem is more important than any extra prayers.

They say that **Umar Abdulaziz**, after spending a whole day up until late evening occupied with the affairs of his people, got tired and went home to rest for an hour. His son said to him: "But what if death catches up with you today and those expecting your signature cannot solve their problems because of your absence?" He answered: "You are right," and returned to the court.

CONDITION 3. Imitate the **Rashiddin** caliphs in eating and drinking. Do not let your soul become used to good food and beautiful clothes, for without temperance justice is impossible.

They say that **Umar** – may the Lord's blessing be with him! – asked **Salman**, "What did you hear about my position that you would censure." He answered: "I have heard that you right away prepared two forms of food and two gowns, one for the daytime and one for the night." Umar asked him what else he had heard. He answered: "Nothing more." He [Umar] said: "I renounce the fulfilment of these two as well."

They say that on the day **Ali** took the throne of the Caliphate he went and bought a gown costing three dirams at the market. The sleeves and hem were long, and he cut them off with a knife. People asked him why he had done this. He replied: "It is more convenient for ablutions, more within the bounds of what is permitted, and also does not differ so much from what is possible for the faithful."

CONDITION 4. Speak without malice and spite, and do not get annoyed by taking in many arguments. Do not be fastidious about talking with weak citizens. The Prophet, may God praise him and give him peace, said: "If a ruler does not avoid talking with the people gently, but harshly, Almighty God will be gentle with him on the Day of Resurrection." And he said: "Lord, be merciful to all rulers who are gentle to their people and harsh to all those who are harsh to their people." And he said: 'Rule is good if people obey it; command is bad when it comes with error.'

Hisham Abdumalik was one of the caliphs and asked **Abduhazim**: 'How can a ruler be saved?' The latter said: 'By confiscating justly every diram you confiscate,

Ma'mun –
Abu Jafar al-Ma'mun ibn Harun (786-833), Abbasid Caliph (r. 813-833)

Yahya Aksam –
Abu Muhammad al-Marwazi Yahya ibn Aksam (d. 857) pupil of al-Shafi, judge and counsellor to the Abbasid Caliphs

Umar Abdulaziz –
Umayyad Caliph (c. 680-720) fifth caliph (r.717-720)

Rashiddin –
the four righteous caliphs, companions of the prophet and the first four caliphs of the Arabic empire

Umar –
Umar b. al-Khattab (d. 644), the second righteous caliph (r. 634-644), a driving force behind the early conquests and the creation of the early Islamic empire

Salman –
Salman al-Farsi, one of the Prophet's companions

Ali –
Ali ibn Abu Talib (d. 660), the fourth righteous caliph (r. 656-660) cousin and son-in-law to Muhammad

Hisham Abdumalik –
Hisham ibn Abd al-Malik (691-743), Umayyad Caliph (r. 724-743)

Abduhazim –
Abd al-Hamid (d. 750) chief secretary to the Umayyad Caliphs. His most famous essays are addressed to secretaries and sets forth the dignity of office and their responsibilities

and if you invest it, this will be accepted by God.' Abdumalik asked: 'Who can do this?' Abduhazim replied: 'Whoever hates hell and wants to end up in paradise.'

They say that someone once committed a crime and ran away. His brother was brought to Ma'mun. The latter said: "If you do not bring your brother, I will order you to be killed." He answered: "O ruler of the faithful! If your executioner wants to kill me, but you tell him to spare me and not kill me, will he spare me or not?" Ma'mun said: "He will spare you." He said: "I have brought you an order from God, that you will become sovereign of the whole world, and this order is: '**an laa tazir waazirah wizr'ukraa**'." Ma'mun ordered: "Spare him; he has found his deed of acquittal."

They say that "Caliph Ma'mun ousted Ahmad ibn Urva from ruling Ahvaz and brought him before the law because of his crimes and misdeeds. Ahmad said: 'On the coming day of resurrection, the commander of believers will be brought before justice and his crimes will be shown to him. What will be better for him on that day: forgiveness or punishment?' Ma'mun answered: 'I want him to be forgiven.' Ahmad said: 'Then forgive me today.' Ma'mun said: 'You are forgiven; go back to your affairs.'"

Mus'ab ibn Zubayr defeated **Mukhtar** and gave the order for him and his subordinates to be executed. One of them begged: "O all-powerful ruler! I ask you, take this mirror and look at the handsomeness and tenderness of your face, so that you can clearly imagine that if you execute me then in the future, on the Day of Resurrection, I will hang by your hem in front of the Just Judge – God. It would be disappointing to darken the handsome charm of such a face with the blood of such a poor person as I." Mus'ab thought over these words and said: "I renounce your blood: I forgive you." Then the man said: "A life of starvation is worse than death." Mus'ab ordered everything that had been confiscated from him to be returned to him.

One day, Ma'mun was riding along the streets of Baghdad when a man came up to him and began to shout out requests and complaints. The Caliph's horse got frightened and threw him to the ground, and his people wanted to punish the man. Ma'mun stopped them, got up and remounted his horse. The man who had been shouting was already quaking with fear. He had no hope of being left alive and expected the executioner. Ma'mun, however, asked for a piece of paper and wrote on it that the man's request be carried out.

CONDITION 5. No one's agreement allows one to act in contrast to the Shari'ah, and no one must allow weakness and **toadying** in their commands. And you must know that half of the people are always unhappy with the ruler. For it is impossible to please an enemy with the truth. And it is impossible to obtain common agreement from the people. And if a sovereign rules without **cupidity**, he does not need to be wary of the people's animosity. And if the Almighty and Sovereign of all is pleased with him, then the people will also be pleased with him. And this is what the Blessed Lord says: "Almighty God will be pleased with whoever endeavours to please Him without satisfying the people, and will make the people pleased with him. But God will be displeased with whoever seeks to satisfy the people without satisfying Him and will make the people displeased with him."

And Umar – may the Lord be pleased with him – said: "Every day when I go to sleep I know that some of my people are unhappy with me. And it is true that if one acts unjustly towards them they will be unhappy. And anyone who renounced satisfying the Lord in the name of satisfying the whole people would be extremely stupid."

CONDITION 6. So as not to terrify your subjects with violence and contempt, but to treat them with charity and mercy, you need to bring your heart close to them, and then the armed forces and the people will be pleased with you.

The Prophet – may the Lord be pleased with him – ordered: "Consider the best imams and sovereigns to be those who love you, and love them yourself. The worst

an laa tazir waazirah wizr'ukraa –
'that no soul shall bear the burden of another'. Qur'an (53:38)

Mus'ab ibn Zubayr –
(d. 691) son of the famous Companion of the Prophet Zubair ibn al-Awwan

Mukhtar –
al-Mukhtar ibn Abi Ubayd al-Thakafi (c. 622–687), leader of a pro-Ali movement in al-Kufa 685-7 and therefore opponent of the al-Zubayr family

toadying –
flattering or deferring to others for self-serving reasons; sycophanty

cupidity –
excessive desire, especially for wealth

rulers are those who consider you enemies and whom you consider enemies, and who curse you and whom you curse."

And the ruler must be absorbed by the fact that those close to him extol him, so that he thinks all are pleased with him and that they are saying this flattery from their hearts or that similar behaviour of theirs comes from fear. Hence, he should command his subordinates to research (ascertain) and ask of the people their opinions of him, for he can learn about his inadequacies from the people.

CONDITION 7. He must not be ignorant of the danger threatening his power and state. He must know full well that the office of leader and sovereign is a means through which it is possible to acquire happiness and authority in the world and the next life.

[…]

SOURCE: Ahmad Donish. "Essay on the Organisation of Civilisation and Co-operation" in Navodir al-Vaqoye (Singular Events) vol. 2. Dushanbe: Donish, 1989, pp 115-122.

DISCUSSION QUESTIONS:

1. What are the aspects of fair rule and the qualities of a fair ruler?
2. How would you describe Donish's concept of the "mediatory mission"? How does this mission relate to just government?
3. How does Donish define the state, the ruler and the people?
4. Having read Donish's work, do you think that he was responsible for shaking the traditional ways of thinking about society? Consider both the content and the style of his writing?
5. Are there any forms of control over a ruler's activities?
6. How do you understand the story of Jibrail criticising Mohammed when he sits in the shade? How does this relate to Donish's counsel to rulers?
7. What is the role of wisdom and knowledge in state government?
8. What other qualities does a ruler need if government is to be just?
9. How does Donish define the rights and responsibilities of the ruler and citizens? What are the strong and weak points of this concept?

REVIEW QUESTIONS:

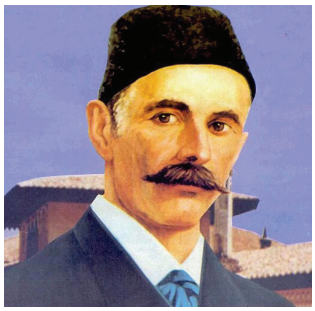
1. Can we speak of the ruler and the ruled in terms of denizens of heavenly and earthly cities respectively?
2. Compare Donish's counsel to rulers that they should be just and fair with Locke's insistence that fair counsel is needed in civil society to decide on disputes over private property.

3. How does Donish understand the relationship of the ruler to the people? How would Donish's understanding of civil liberties differ from that of Locke and Hegel?
4. According to this text, why are rulers necessary, and what is their role? How would the other authors you have read before agree or disagree? What kind of rulers are appropriate for civil society? What forms of government do Donish and Locke favour?
5. Donish writes this text to the Emir of Bukhara, an autocratic ruler. Do you think that his advice would be applicable in a modern democracy? How might it differ?
6. How should commands be carried out and who should control them? Compare Donish with the other authors you have read.

ADDITIONAL READINGS:

- Allworth, Edward. Central Asia: 130 years of Russian dominance, a historical overview. Third Edition. Durham: Duke University Press, 1994.
- Allworth, Edward. The Modern Uzbeks: from the fourteenth century to the Present, a cultural history. Stanford: Standford University Press, 1990.
- Brower, Daniel R. and Edward J Lazzerini (ed.). Russia's Orient: imperial borderlands and peoples, 1700-1917. Bloomington: Indian University Press, 1997.
- Khalid, Adeeb. The Politics of Muslim Cultural Reform: Jadidism in Central Asia. Berkeley: University of California Press, 1998.
- Kurzman, Charles. Liberal Islam: a sourcebook. Oxford: Oxford University Press, 1998.

ISMAIL BEY GASPRINSKII: FIRST STEPS TOWARD CIVILISING THE RUSSIAN MUSLIMS



Ismail Bey (Gaspirali) Gasprinskii, (1851-1914), a Crimean Tatar, was one of the early voices calling for reform of society in Central Asia. A leader of the Jadid reformist movement, he championed the cause of the "new-method" school. One of his first published essays that had a significant influence was A Critical Look at European Civilization (Avrupa Medeniyetine bir Nazar-I Muvazene, 1885). The following text, First Steps toward Civilizing the Russian Muslims, published in 1901, describes his reaction towards the changes made in the Muslim societies in Russia. As the publisher of the well-known Perevodchik/Tercuman (The Interpreter), Gaspirali also wielded a powerful tool of propaganda. This newspaper was one of the most influential and is still seen as one of the media which influenced many of the later reformists, especially in Central Asia. Gaspirali was himself a teacher who not only advocated reform in the classroom but also practiced it.

At the present time, despite the fact that the Muslim subjects of Russia lag far behind [other peoples], and that they share in so little of modern life, this great [Turkic/Muslim] society is not all that **incognisant** [of what is happening around it]; and one cannot deny that within it a revival is taking place. Granted that this revival is not imposing; and so long as you do not pay close attention, you will not even notice it. Yet it is enough for us that with some attention it can be observed, because it undoubtedly represents the beginning of progress and civilisation.

Twenty or twenty-five years ago, God be praised, although a considerable number of **[Turkic/Muslim] religious works** were published in Russia, only three items dealing with science and literature were written in our language [that is, all of the Turkic dialects of the Russian Empire]. Of these, one was the **Bilik** published by the Orientalist **Radlov**, the second was the almanac of Qayyum Efendi **Nasiri**, and the third comprised the comedies of Mirza Fath 'Ali **Akhundov**. Two of these works appeared in Kazan, while the third was published in Tiflis. At that same time, a Turkic-language newspaper entitled Ekingi [The Sower] was founded in Baku by Hasan Bey **Melikov**. Although it had only a brief existence [1875-1877], the newspaper cast a ray of light, like a lightning bolt upon [long] dormant ideas.

Even though a few works such as the tale of Tahir ve Zühre (**Tahir and Zühre**) were available [at that time], these cannot be included [in our discussion] because of their lack of literary significance. [Among Muslims] the state of general knowledge was regrettably pitiful. Unaware of the discoveries of Johannes **Kepler** and Isaac **Newton**, Muslim society viewed the world and cosmos through the eyes of **Ptolemy**, and was heedless of both contemporary affairs and the lifestyles of other nations. In short, whatever may have been the circumstances of the civilised world four hundred years ago, we Muslims find ourselves today in exactly the same circumstances; that is, we are four hundred years behind!

incognisant – unaware

Turkic/Muslim religious works – as part of Empress Catherine II's (1762-1796) final attempt to create a successful state policy toward the Muslim subjects of the Russian Empire, all books used in Muslim schools after 1786 were to be printed and translated at government expense in dual-language editions: in Russian and Tatar

Bilik – Qutadghu Bilik (The Wisdom of Royal Glory), by Yussuf Khass Hajib, 11th century)

Radlov – Vasilii Vasil'evich Radlov (Russia, 1837-1918) was a well-known Russian orientalist, one-time inspector for the Tatar, Bashkir, and Kirgiz schools in the Kazan School District, and a member of the Russian Academy of Sciences

Nasiri – (Tatarstan, 1825-1902) a noted reformer and editor of the newspaper Qazan Kalindari

Akhundov – Mirza Fatih 'Ali Akhundov (Azerbaijan, 1812-1878) worked as an oriental translator for the Russian government. Famous for the comedies to which Gaspirali mentions, he was also considered a pioneer of the theatre among the Turkic peoples, and the first Azeri to write a novel in the vernacular

But now in this same Islamic world characterised by a **dearth** of knowledge, a lack of information, and **torpor**, one can discern a slight revival, a degree of awakening and understanding. This revival is not the result of some external influence, but is a marvellous, natural phenomenon born from within.

In 1881 we published an essay in Russian entitled **Russkoe musul'manstvo** (Russian Islam). Therein we called upon Muslims to write and translate works concerning science, literature, and contemporary progress. Praise God, for we were fortunate that our appeal coincided with the intentions and thoughts of many individuals. As a result, today, some twenty years later, as many as three hundred scientific and literary works have been published in our own language. I realise that for a people numbering in the millions, the publication of three hundred items in twenty years is not a great deal. Nevertheless, compared with the three works that I mentioned above, one hundred times those three is not insignificant.

Generally speaking, the contents of these three hundred **national** works are such as to encourage people to read and learn. Among the books themselves are those that discuss geography, introductory philosophy, astronomy, the preservation of health, and other useful knowledge. New-method [usûl-i cedid] **primers** and reading books, plays, and one or two national novels make up the literary contributions.

The authors of the above are young mullas who have been trained in our national madrasas and who, through self-education, have acquired scientific knowledge. But those youth who have entered the [Russian] gymnasia and universities have not yet performed a service to our national literature. Although the mullas have taken many steps forward, these others have just made a beginning.

There is a very simple explanation for this regrettable state of affairs. While our enlightened, educated Muslims know Russian and European languages, and while they enter various professions such as medicine, engineering, mining, and law, they are unable to read and write in their own national language! There is no educated Russian who does not read and write his own native tongue, no educated Austrian, Pole, Georgian, or Armenian who is not literate in his own national language. Unfortunately, this is not the case with our people.

Above all else Islam makes two demands [on its adherents]: one is education, the other is prayer. As a consequence, in every place where Muslims are to be found, a maktab [a primary school] is built for the former and a mosque for the latter. Depending upon the locality, they are constructed either of stone, wood, or felt cloth. Those of sedentary Muslims are found in fixed places; those of nomads are portable and travel along with them. Everyone knows that the Islamic world's largest and most important buildings and building complexes consist of maktabs and mosques. In every village, in every quarter, somehow or other one will find a place of instruction. In Russia, at a time when education was hardly considered and there were only two Russian schools to be found in the whole country, every Muslim village had one maktab apiece. But, if in former days these schools sufficed and were efficient, we must all acknowledge that to meet the demands of today they are in need of reform.

For several years I was in the teaching profession, and [during that time] I became intimately acquainted with conditions in the Russian schools and Muslim maktab. [In the latter] the poor students would **rock** at their reading desks for six or seven hours everyday for five or six years. There were many nights when I was unable to sleep because of my bitterness and regret at seeing them deprived of the ability to write and of a knowledge of the **catechism** and other matters, and their inability to acquire, in the end, anything other than the talent for repeating an Arabic sentence.

School time was being wasted. The teaching of skills, techniques, the Russian lan-

Melikov –
Hasan Bey Melikov Zerdabi (Zardabi, Azerbaijan, 1842-1907) educator and journalist who devoted his adult life to improving Muslim schools, developing education for girls, establishing charitable societies, and promoting Islamic theatre

Tahir and Zühre –
famous love story between a young couple

Kepler –
Johannes Kepler (1571-1630), German astronomer who first stated laws of planetary motion to describe how the planets revolve around the sun

Newton –
Sir Isaac Newton (1642-1727), English physicist remembered for developing calculus and for his law of gravitation and three laws of motion

Ptolemy –
2nd century AD Alexandrian astronomer who proposed a geocentric system of astronomy that was undisputed until Copernicus

dearth –
lack of

torpor –
dullness; sluggishness; inactivity

Russkoe musul'manstvo –
the article which first brought Gaspirali fame as a reformer. He discusses the need for modernisation and suggests that an enlightened Russian government and an awakened Muslim people are the key to this reform

national –
milli - the reader is cautioned to understand this is a cultural and not political term [translator's note]

primers –
textbooks for primary education

rock –
the traditional memorisation of lessons was aided by rocking the upper body

catechism –
body of fundamental principles or beliefs, especially of religious doctrine

guage, and other matters was [so inadequate] that a fifth-year maktab student could neither perform his daily prayers properly nor write a simple letter. A remedy had to be found for this state of affairs. It was necessary to complete the teaching of religion well and in a short time, and then to find a way to provide [the students] with the skills, languages, and information needed for today's world.

It was because of this that we opened a discussion of the new method [usûl-i cedid] in 1884 in Tercüman, the newspaper that we had founded in 1883. A graded and **phonetic** primer was published and a maktab in Bakhchisarai was changed over to this method and system. The visible progress made by the students of this maktab compelled other schools to adopt the method. In six months, after mastering reading and writing in Turkic and the four basic arithmetical processes, the novice students had begun lessons to learn Arabic, and were reading a book that taught the elements of religion. [Their successes] reverberated in far-off provinces, and today the "phonetic method" [usûl-i savtiye] has spread all the way to Chinese Turkistan. [In the intervening period] over five hundred old-[method] maktabs have been reformed. Because the opportunity presented itself, Russian language teachers have been invited to a number of maktabs, and one hears that perfect Russian has been acquired with ease. (For example, in maktabs in Bakhchisarai, Sheki, Kuldzha, Shirvan, Nakchivan, and other places.)

Great success has been achieved in awakening public opinion concerning the maktab because Muslims are an alert people who, once they are exposed to something, come to know and understand it. Consequently, I am hopeful that there will be other reforms and that the idea of change will not be reserved only for primary schools. Reform of the Arab madrasas as well has been engraved on the heart of the nation. After spending eight or ten years studying grammar, which is the primary introduction to the Arab and Islamic sciences, and after being "imprisoned in the madrasa" for fifteen years, the student does not know Arabic. He will have come across the names of [religious scholars such as] **Ghazali**, **Bukhari**, and **Taftazani**, but will have had no acquaintance with the likes of 'Ali Husayn **ibn Sina**, **Farabi**, or Ibn **Khaldun**. Consequently, it dawns on many men that this is not a very sound or reasonable way to terminate their education. Thanks to this [realisation], and with the intention of renovating the educational method, they have been rather successful in reforming and reorganising the following madrasas: the Zincirli in Bakhchisarai, the Barudi in Kazan, the Osmanov in Ufa, and the Husannov in Orenburg. In order to facilitate the teaching of Arabic, newly organised grammar books have been published. For example, there are the works of Ahmed Hadi Efendi **Maksudi** [published] in Kazan.

The search for knowledge does not take this path alone. Profiting from the state-run primary schools, Muslim students are entering the [Russian] gymnasia and universities in order to become acquainted with contemporary progress and learning, and the number who complete [these schools] is increasing. Twenty years ago, one of our people had received a university education; now such people number more than one hundred. Fifty Muslim young men who have received a [Russian] higher education and

phonetic – representing the sounds of speech with a set of distinct symbols, each designating a single sound

Abu Hamid Muhammad al-Ghazali (1058-1111); **Muhammad ibn Isma'il al-Bukhari** (810-870); **Sa'd al-Din Taftazani** (1322-1389); **Ali Husayn ibn Sina** (980-1037); **Abu Ibrahim al-Farabi** (961); **Ibn Khaldun** (1332-1406) **–** well-respected Islamic intellectuals

Maksudi – (1867-1941), specifically his Al-Kavanin al-nahviya (The rules of grammar)

who have entered the professions of engineering, medicine, law, etc., can be found in Baku alone. There are also those who have been educated in, and returned home from, French and German universities.

It is noteworthy that there is a greater number of Muslims in the southern provinces who study Russian than there are in the inner provinces. We hope that our coreligionists up and down the Volga will recognise that they are being **delinquent** in this matter, and that they will endeavour to become acquainted with contemporary progress through a knowledge of the Russian language. There are thousands of scientific and technical works written in Russian and it is necessary to profit from them.

In a similar way the national theatre is the product of recent years. Besides the comedies of Mirza Fatih 'Ali [Akhindov], which have been around for some time, several new comedies have been written and published. Theatrical plays in the national language have appeared in Baku, Karabagh, Gendzhe, and Bakhchisarai. In Baku a permanent theatrical company has been formed, and one or two plays have been translated from Russian. Armenian, Georgian, and Jewish girls serve in the roles of women. We are thankful [for all of this], but it cannot be denied that our theatre rests on one leg.

One notices traces of awakening and progress among Muslim women, who have remained even further behind in comparison with Muslim men. If you want proof [of progress in this area], I can only give you a little. In the last days of winter, there appears a white flower growing in the snow; surely you know it. If this bloom is not proof that summer has arrived, it is a certain sign that the beginning of summer is near. There are some signs just like this one [with regard to the advancement of our women]. Twenty-five years ago [Khanifa Khanim], the respected wife of Hasan Bey [Melikov Zerdabi] (who was one of our journalists), was the only Muslim woman who had received an education; now there exist perhaps twenty such women. In St. Petersburg, in a women's medical [nursing?] school, three Muslim women are studying medical science, and one is practicing medicine. It is well known that two Muslim women are writing, and their results are being published. Let them be examples and models for emerging authors. This world is one of hope; why should we despair?

Charity, giving alms, and helping others are fundamental to the Islamic faith. Because of this, God be praised, we can say that there is no one who does not tithe or give alms and [other assistance]. Everyone contributes within his means, and thus every year a great deal of money is dispensed in this way. Nevertheless, while there are those who help themselves to these charities, there are others too ashamed to do so, and, as a result, go hungry. Being aware of the fact that there is a lot for some and nothing for others, the public has begun to rectify the situation. In recent years, to provide order to charitable activities and increase the opportunities for such projects, the idea of the charitable society has emerged. Twenty-five years ago, in all of Russia, there was only one Muslim charitable society, in Vladikavkaz. Today such societies have been established and are carrying on their tasks in each of the following places: Khankerman, Kazan, Troitsk, Semipalatinsk, Ufa, and Hadzhi Terhan.

[The extent of] publishing activity and the book trade is the most concrete testimony to the degree of advancement and progress of a nation; it is the most direct proof. Twenty years ago, there were two printing presses in Muslim hands: that of the 'Abdullin Tag publishing house in Kazan, and of the Insizade press in Tiflis. Now there exist the Tercüman press in Bakhchisarai, the press of Ilias Mirza **Boragani** in St. Petersburg, of the Karimov brothers in Kazan, of Mulla Ibrahim **Karimov** in Orenburg, and of Doctor Akhundov and 'Ali Merdan **Bey** in Baku. In all we have progressed from two such establishments to eight.

delinquent – failing to do what law or duty requires

Karimov – Ghilman ibn Ibrahim Karimov (1841-1902)

Bey – 'Ali Merdan Bey Topchibashev (1862-1934)

I am leaving it up to each reader to evaluate the degree of progress and advancement that has been made in each of the areas [of Muslim life] about which I have been writing.

SOURCE: Ismail Bey Gasprinskii, Mebadi-yi Temeddün-i Islamiyan-i Rus (First Steps Towards Civilising the Russian Muslims), translated from Tatar by Edward Lazzerini in Charles Kurzman (ed.). Modernist Islam 1840-1940: A Sourcebook. Oxford: Oxford University Press, 2002, pp. 223-226.

DISCUSSION QUESTIONS:

1. How does Gaspirali envision the civilising process? What tools does he suggest are the most important in that process?
2. What kind of citizens does Gaspirali want to create? Modern? Reformed? True Muslims? Civilised?
3. Do you agree with Gaspirali that the printing of science and literature are vital for the creation of a good society? Why?
4. How do you understand 'modernisation'? What does this imply about Gaspirali's aspirations, and about the region's past?
5. Do you think that the state-run schools are in conflict with the traditional madrasas? Who do you think has the right to create civil society? Should Muslims attend state-run schools? What conflicts might arise?
6. How would you answer Gaspirali's last statement: "evaluate the degree of progress and advancement that has been made"?
7. Why do you think women should or should not have the right and responsibility to study?

REVIEW QUESTIONS:

1. How does education play a role in creating genuine civil society? Is it a good idea to bring about reform through youth, as Gaspirali suggests? Compare Gaspirali's vision with Hegel's belief in education as a facilitator of objectivity within subjectivity.
2. What conflicts might Gaspirali have had with Russian officials? In his writing John Locke tries to make a distinction between political and civil societies and their functions. Is that distinction visible in Gaspirali's text?
3. For Marx, civil society is in constant opposition with the state. Do you think that Gaspirali's new method schools represent similar opposition?
4. What is "civil" for An-Nawbakhti, Locke, Hegel, Marx and Gasrprinskii?
5. Is "civil society" possible in a Muslim society? Compare Gaspirali's vision with that of Ahmad Donish.

ADDITIONAL READINGS:

- Allworth, Edward. Central Asia: 130 years of Russian dominance, a historical overview. Third Edition. Durham: Duke University Press, 1994.
- Allworth, Edward. The Modern Uzbeks: from the fourteenth century to the present, a cultural history. Stanford: Hoover Institution Press, 1990.
- Brower, Daniel R. and Edward J Lazzerini (ed.). Russia's Orient: imperial borderlands and peoples, 1700-1917. Bloomington: Indian University Press, 1997.
- International Committee for Crimea. Celebrating the Life of Ismail Bey Gaspirali (1851-1914). Washington: 2001. URL: http://www.iccrimea.org/gaspirali/.
- Khalid, Adeeb. The Politics of Muslim Cultural Reform: Jadidism in Central Asia. Berkeley: University of California Press, 1998.
- Kreindler, Isabelle T. "Soviet Muslims: Gains and Losses as a Result of Soviet Language Planning," in Muslim Eurasia: conflicting legacies, ed. Yaacov Ro'i. London: Frank Cass, 1995, pp 187-203.
- Kurzman, Charles. Liberal Islam: a sourcebook. Oxford: Oxford University Press, 1998.

PROF. DR. WERNER SCHIFFAUER: THE CIVIL SOCIETY AND THE OUTSIDER

DRAWING THE BOUNDARIES IN FOUR POLITICAL CULTURES

Born in 1951, Werner Schiffauer is a German ethnologist and journalist and teaches cultural and social anthropology at the European University in Frankfurt. He earned his doctorate in 1987. Turkey and Turkish immigrants to Germany are the focus of his study and scholarship. He has written extensively on Turkish migrants to Germany and Islam in Germany. He is a member of the Advisory Board of Ethos: Journal of Anthropology.

The civil society – far removed from the **Utopia** of being a **bulwark** against **xenophobia** – seems itself to be breeding an aversion to that which is different. In any case, the European countries are today reacting more sensitively and with greater force than other states to the flow of migration connected with the collapse of the existing world order. I shall try here to give a few reasons for this.

The civil society and the Outsider

The civil society, as it has developed in northern Europe, is based on the idea of the individual in free exchange. In simple terms, one could say we are concerned with a form of society that has the market, the forum and the stage as its central institutions. The market stands for the free and rational exchange of goods; the forum for all the institutions of public politics, in which the volonté générale is formed in a free exchange of beliefs, and agreement is achieved on a bien commun; finally the stage is intended (pars pro toto) to stand for the sites of public culture, where a system of symbolic exchange develops – with which (often at a less explicit level) classifications develop and values emerge. These institutions can also be found individually in other societies – however, the civil society is characterized by the narrow relationship in which it places all three institutions.

The culture of the civil society has one anthropological **peculiarity**: a specific form of socialization is required so that free exchange can function. A break is needed with the otherwise universally applicable idea that primary relationships (of family, friendship and allegiance) should also be given primary importance, which in a manner of speaking implies a concentric construction of the social world: one feels oneself most indebted – taken quite literally – to one's nearest; the larger and more inclusive the social unit becomes, the smaller will be the degree of owed loyalty. However, in Europe the ideal has become established that the collective is more important than the individual, that the general public interest outweighs the particular. In the event of a conflict, the collective (formally the rule, materially the bien commun) has priority over the individual.

The demands that this ideal of socialization places on the individual can be demonstrated by the problem of distributing social positions. From this ideal it follows that one should proceed without consideration of the person when distributing social positions, that the position should be awarded to the best but not the nearest. Those

Utopia – name for an ideal community

bulwark – wall or similar structure used as a fortification; rampart

xenophobia – intense dislike and/or fear of people from other countries. It comes from the Greek words (xenos), meaning "foreigner," "stranger," and (phobos), meaning "fear." The term is typically used to describe a fear or dislike of foreigners or of people significantly different from oneself

peculiarity – distinguishing trait, etc. that is characteristic of a particular person; idiosyncrasy

who continue to attach primary importance to relationships make themselves guilty of nepotism, **favouritism** and a 'jobs for the boys' mentality. Hence a specific imposition is introduced: on the positive side it implies that circumstances may dictate that one has to turn against one's nearest when awarding positions; on the negative side that one has to see complete strangers being giving preference when posts are awarded. In short, it involves an extremely effective type of socialization – but also a very precarious one.

One problem of this form of socialization is the drawing of boundaries. Boundaries to the outside in effect specify the area for which this imposition of the modern is to apply. In terms of politics they mark the area to which one is subordinated – they specify the group whose majority decisions one should accept, even if they involve individual disadvantages. In terms of commerce they mark that group of persons for whom the rule 'the best man wins' applies. It is therefore no coincidence that the history of European culture in particular is a history of drawing boundaries (and therefore naturally also of excluding). Every opening, every shift, every transformation of the borders signifies a reduction in control and, hence, in opportunities. We are currently experiencing this in Germany. It also describes what is perhaps the crucial **dilemma** of this culture of public life: from its own internal logic, from its own concept, it is designed for universalization; in practice any expansion means an increase in imposition and raises problems of legitimation, in that increasingly anonymous authorities make decisions on the individual, who has to compete with an ever greater number of applicants. In actual fact the development of this culture of the general public could be written as a history of the restructuring of boundaries: the integration of new groups not uncommonly led to the exclusion of other groups (or even the same group on a different level: it is no coincidence that the legal integration of Jews was countered with new forms of discrimination).

From its design, the civil society is the form of society that (by virtue of its emphasis on the collective) principally admits the outsider to the social game; however, on the basis of the imposition that this carries it is also a form of society that repeatedly excludes the outsider. The outsider undergoes integration and discrimination. The precise form taken by this relationship between integration and exclusion depends on the specific characteristics of the civil society in each case, and upon what special solution has been taken to the relationship between the individual and the collective in each political culture.

favouritism – the practice of giving special treatment to a person or group

dilemma – is a problem offering at least two solutions or possibilities, of which none are practically acceptable

homogeneous – composed of similar or identical parts or elements

monarchy – form of government in which supreme authority is vested in a single and usually hereditary figure, such as a king, and whose powers can vary from those of an absolute despot to those of a figurehead

Jacobinism – the practices of the Jacobins, a political group advocating equalitarian democracy during the French Revolution

France

In French culture the individual is reconciled with the collective via the idea of the universality of common sense. There are clear – in principle universally valid – rules to which everyone is subject. One is bound to these rules. The institution that in my view most clearly expresses this concept is the omnipresent concours of competitions and selection examinations. It is an absolutely rational, universal and egalitarian procedure for the distribution of social positions.

Rationality, equality and universality correspond with a centralist and (on the European scale) remarkably **homogeneous** culture: "In France, the absolute **monarchy** and then later **Jacobinism** have cleared the 'one indivisible' republic of its regional, linguistic and religious peculiarities." (Kepel 1991:63) In the public sphere they had and have lost nothing. The principle of the collective, the nation, was designed specifically as a contrast to all the cultural particularisms. Dumont writes "[in French culture] I am a person by nature and French by chance". In a manner of speaking, the nation is the framework for the emancipation of the individual.

Here liberty is associated very strongly – if not even identified – with equality. It is very typical that in France the integration of outsiders has been attempted by means

of anti-discrimination laws – the most stringent in Europe. We are concerned with a "policy of equal treatment and punishment of discrimination" remarks Costa-Lascoux (1991: 285) – with a policy aimed at giving equal rights to individuals and that does not acknowledge group rights (as for example in setting quotas).

However, this does mark a problem area: liberty naturally also means an opportunity for the genesis of differences, which not uncommonly tend to burst the fine and clear distinction of the public from the private. My impression is that the multilayered and discriminating French discussion does in fact revolve around solving the problem of the difference. Only facets of this can be indicated here. In the first place, the discourse on equality appears to reside with the left. Robert Grillo (1985: 51 ff.) analyses two forms of the discourse on outsiders. The first discourse is inclusive and egalitarian and centres around the term immigré – he evokes the association of the 'international working class'. Less surprisingly this discourse is to be found particularly strongly in the ranks of the communist trade union CGT. The other discourse is exclusive and focuses on the term étranger; this is accompanied by the associations of 'nationality', 'culture', 'language', 'race' and according to comments by CGT members this is a 'bourgeois', a divisive term. On the other hand, the left cannot consider ethnicity entirely in abstraction; this is generally classified as a 'secondary contradiction' in the conceptual field. There is a special problem in this field in that any stronger weighting of culture, such as the right to be different, the droit à la différence of the '68 generation, is very rapidly transformed to its opposite and is now being used by the right for a new discourse of exclusion. The once progressive demand is now in a manner of speaking being reversed through the strengthening of the French nation's right to its own peculiarities – and intolerance is being derived instead of tolerance.

Against the background of a debate structured in this way, it becomes clear why the 'veil affair' in Creil created so many waves. The religious leaders in Creil demanded 'positive discrimination' for young Muslim girls attending state schools: they were to have the right to wear the veil and not take part in sport or music lessons. Apparently the right or freedom to be different was being demanded here – and namely in the very sensitive area of **secularism**. The striking feature is that with this demand the French public was being confronted with the '**heterogeneous**' – with a demand that plainly did not fit into the existing categories and the current position of the fronts, a demand that was 'at odds' with the classifications. In French society the demand for positive discrimination must be a disquieting paradox.

Great Britain

In Great Britain a solution has developed to the relationship of the individual to society which in many respects gives the impression of being precisely the inverse of the French answer. Liberty and equality in Great Britain are weighted in a fundamentally different way.

Like the French nation, the British has developed from an already existing state structure. If, however, the French understanding of the State has developed in several

secularism – assertion that governmental practices or institutions should exist separately from religion or religious beliefs

heterogeneous – object or system consisting of multiple items having a large number of structural variations

far-reaching restructuring processes (during absolutism, the French Revolution and during the constitutional uprisings of 1830 and 1848), the British relationship seems instead to have grown organically. On the one hand this affects the State as a whole: the attitude of the Union to each of its individual constituent parts has grown up from a special condition – Great Britain is not a uniform legal territory. However, the relationship of local authorities and central government has also grown organically: from a strong position of the feudal lords and municipal corporations, local administrations have grown up with considerable autonomy and have maintained widespread control.

The French relationship of the individual to the state thus appears designed and rational, whereas the British appears badly arranged and to have grown over time. It consists of a series of certain rights and local peculiarities. If in France "equality and **rationalism** ... are both expressed and secured in strictly rational, artificially-designed constitutions", the English constitution is "irrational", "immense" and consists of established rights, as Ernst Troeltsch (1925: 91) comments.

In this inegalitarian culture a concept of liberty developed, which is essentially associated with a person's inviolability and freedom of movement. The individuals' spheres – private spheres and group rights alike – are carefully protected, and in fact both legally and through a sophisticated culture of social conventions. This (incidentally) is the foundation on which an unusual pluralism of lifestyles can develop.

How can a volonté générale become established in this culture? The guarantor for the public culture seems here to be not so much the state (here scepticism tends to prevail) as the reliance upon social discourse. Team sports serve as an example. It was not just by chance that they originated in Great Britain – with all their implications of rules, fair play, but also toughness in the conflict. Transferred to the political sphere, this means a culture of public debate, in which fewer punches are pulled than in Germany. In this context dealings with the outsider revolve around the question of group rights. This applies to both the discourse of exclusion and that of inclusion.

The first point to note is that British racism is associated with the working class (the French, on the other hand, with the **bourgeoisie**). This becomes understandable from the specifically British context of forming niches and subcultures. The formula is as follows: the closer the relationships of interdependence (in terms of work, home, leisure) the more clearly defined will be the worker culture, and the more xenophobic. The classic example is London's East End: a very strong self-awareness has developed here (genuine or native East Ender), which is linked to an explicit territorial claim. East Enders become so by demonstrating that the East End belongs to them (Cohen 1988: 34). Hence British racism appears to relate more strongly to the particular group than does the French or German variety.

"As long as immigrants 'keep themselves to themselves', stick to their own occupational and housing areas, they are 'no problem'. They have their territories and public proprieties and we have ours. But as soon as immigrants are seen to be beginning to break out of these confines, for example, by asserting their claim to social justice, there is a shift towards a much more aggressive racism" (ibid.35)

It is not merely the exclusion discourse but also that of inclusion which makes group rights stronger than elsewhere in Europe. Agreements have been achieved in the process of collective integration – frequently at a local level – "often in a typically British process of compromise and ad hoc deals with discrete sections of a local authority" (Nielsen 1992:17). I find the effect that this policy of acknowledging group rights and positive discrimination had upon one French observer very remarkable: "The exclusion of certain layers of the population, some of whom live in ghettos in Britain, leads to anomalies in a democratic system based on common law. Should we welcome the

rationalism – any view appealing to reason as a source of knowledge or justification

Bourgeoisie – members of the upper or merchant class, whose status or power comes from employment, education, and wealth

fact that, as in **Birmingham** for example, there are 'muslim' or 'pakistani' schools, and that girls are excluded from certain science subjects and have separate swimming lessons so that they may swim 'fully clothed' in 'pure' water? Is this to be welcomed in the name of the fight against discrimination?" (Costa-Lascoux 1991: 285)

In other words, this observer is of the opinion that any policy of positive discrimination results in a reinforcement of inequality.

In the British system immigrant organizations, which represent interests and act as negotiating partners, enjoy a strong position. This also indicates – internally – a structural competition between the fractions. It is against this background that the logic of the "Rushdie affair" – as far as it concerned Great Britain – becomes understandable.

I share Kepel's thesis that it involves an attempt by the imams to establish themselves as community leaders. According to Kepel, it was "a test for the ability of the imams to wrest political concessions from the state. They demanded that the book be banned, and in exchange for this promised to end the unrest in the **ghettos**. They had set themselves an intermediate target that was intended to strengthen their role as mediators, and were prepared for suitable returns (the strengthening of the religious community system) to restore the social peace" (Kepel 1991: 65).

I have the impression that the "Rushdie affair" confronted the British public with the phenomenon of heterogeneity in a comparable way to the "veil affair" in France. In fact because the demand for a strengthening of the group rights was also linked with the demand for intolerance – and it thus struck a similarly neuralgic point in the British public as did the "veil affair" in the French. In all probability this would have become even clearer if Khomeini's Fatwa had not further simplified the dispute by excessive radicalization.

The United States

An unusual solution to the relationship of the individual to the collective was found in the American culture.

Like British culture, the American is also committed to the idea of the individual's liberty. At the same time this idea – probably because of its character as a country of immigration – is noticeably radicalized. Whereas liberty in Great Britain tends to be formulated defensively – namely as the inviolability of the person, in the American ideology this is radically increased because of the stress on the agonal principle: for Europeans the individual's responsibility for his or her own life in American society is emphasized to an alien (but also fascinating) extent.

One principal scepticism against the state corresponds with this: the common good should establish itself in a process of free exchange of the social forces. Regulation and limitation through protection (such as that formulated in Germany with the concept of the social state) are not regarded as guarantors but as restrictions on liberty, as a paternalistic position. A substantialist formulation of "common weal", perhaps by experts as in the German position, would be regarded as almost dangerous. "Above

Birmingham – an industrial city in central England with a large Asian population

ghetto – portion of a city in which members of a minority group live especially because of social, legal, or economic pressure

all it raises concerns that Rousseau distinguishes the volonté générale from the apparently empirical will of the whole community. In this way the volonté générale can be especially useful to power-hungry intellectuals in justifying their dictatorship, which they practise with reference to the Etrue interests of the people – interests which naturally can only be recognized by the dictators themselves." (Petersen 1990: 10) The quotation refers to neoliberal thinkers but it does reflect a basic trend, as observed for example in evangelist revival movements.

This context leads to a completely unique variant of integrating the outsider. In Europe the boundaries are drawn to the outside, whereas in the USA the external exclusion appears to be less important. There is a basic feeling that outsiders should have the right to immigrate – but that there is no collective responsibility for them. Or to put it another way, while the external boundaries have been set at lower levels than in Europe, the internal boundaries (initially at least) have been drawn higher. To me this basic feeling seems to have been nurtured on the notion of mankind ideology, the dream of setting up a new nation formed from the old nationalities and at the same time elevating them – and this in the dialectic sense of "overcoming" and "maintaining". Werner Sollors (1986) has reduced this dual character to the formula of descent and consent. The emphasis on descent corresponds to a fundamental affirmation of social heterogeneity: contrary to the European view, cultural variety is not regarded as a source of weakness but fundamentally as a source of strength and rejuvenation. This background can be used to formulate a notion – namely that the "last ones in" are in fact the "genuine" Americans (whereas those who have already been living there for several generations have already forfeited this notion through privilege and lethargy): not that this notion could in the remotest sense command a majority – the point worth noting is that it has been possible to think it, whereas in Europe it is inconceivable. This emphasis on consent is connected to the great vision of the melting pot, which, as Sollors has shown, in a manner of speaking secularizes the (protestant) element of rebirth in just the same way as it does the (alchemistic) element of revival.

As a rule the tense relationship between heterogeneity and unity has been resolved over time. Collective integration of national groups has been possible because it has been linked with the promise of individual assimilation in the second generation, but especially in the third. The first generation of settlers would live in the ghetto, the second generation would achieve a general ascent, the third would be completely assimilated into American society (with the socio-economic position of the first generation having been taken over by a new group of immigrants). Provided the promise of a rise existed for the following generation, the ghetto did not represent any problems of legitimation (instead it was possible to interpret it as an "intermediate stage", as a source of strength). This idea was in fact only plausible within the confines of the **Calvinist** view of humanity. Only here could one proceed from the premise that the starting chances might be bad – but that the hard-worker, the winner, would nevertheless succeed.

Critics remind us that this vision has never been realistic; this became particularly clear in the case of the Afro-American and the Hispano-American immigrants during the fifties. Nevertheless, this ideology proved to be remarkably resistant provided one could hold on to the belief that these groups formed the last wave of immigration at that particular time. However, it broke down when the East Asian immigrants, an ethnic group that had immigrated more recently, managed to achieve a rapid economic climb – or at least appeared to have succeeded in this. This group thus usurped the place that legitimately should have gone to the Afro-American and Hispano-American population. This, in my opinion, appears to be the crucial cause for the growing im-

Calvinism –
theological system and an approach to the Christian life that emphasizes the rule of God over all things

portance of the ethnic discourse.

I believe that the danger this presents for the collective principle does not (as is occasionally claimed) lie in cultural decay. On the contrary, the introduction of ethnic studies in universities appears to fit in precisely with the great American vision. The danger is far more that the consensus discourse will be overrun by the ethnic discourse. The danger of an ethnic frame of reference is that it makes rational agreement on the bien commun very difficult, if not impossible. For instance, this came out in an almost oppressive manner from Joan Didion's major coverage of the public reactions after a jogger had been brutally raped by a group of six youths consisting of Blacks and Hispanics (Didion 1991). It was shown that relative clarity about the events – there were confessions – did not exclude the ethnic evaluation: on the part of the Blacks, apart from the suspicion of a plot and false accusations, there was the feeling that in the reverse case (six Whites raping a black woman) the surge of indignation would in no way have been as great. On the part of the Whites there was the feeling that it was time to defend the "town". On both sides generalizations were drawn from the actual incident, and it was elevated to the level of a conflict between Black and White.

Germany

The relationship of the individual to the collective is determined in an essentially different way in German political culture than in the French and English. To my mind the key seems to lie in a different notion of liberty: in France liberty is associated with equality and in Great Britain with inviolability, whereas in Germany liberty is mentioned noticeably often in the same breath as "responsibility" and only those who are capable of responsibility should enter into the free exchange in which the volonté générale emerges.

Differing ideas of the public at large correspond to the concept of liberty. I have the impression that in France, just as in England, there exists a feeling of trust that the common good will prevail if only the social preliminaries are correct: in France, if equality is established and the individuals keep to the rules; in Great Britain, if the rules of liberty remain inviolate and the rules of combat are observed. In both cases 1. affirmation of the rules is demanded, which then permits 2. the ordered social competition, which finally 3. results in the formation of the common good. This trust is missing in Germany's political culture. The commitment to the rules of the game only appears unsatisfactory, as "merely external": before and in addition to the affirmation of the rule, identification with the general well-being is demanded (a "sacrifice to the whole", says Troeltsch [1925: 91]). One cannot and may not be free until the collective has been internalized.

One might say that the relationship of the individual to the collective in German political culture is conceived dialectically. Crucial to this in my view seems to be Schiller's term of the individual-collective. This can be reduced to the following formula: the reference of collective and individual is not possible unless the collective is achieved within the individual to just the same extent as the reverse is true of the individual in the collective.

Let us first consider the collective side. Which discourse in German culture is to determine the common weal? The answer is – in the group of the best-informed, the experts. I find the German expert report, the "counsel of the wise", a curious structure. Before every round of pay talks, the economic research institutes deliver their expert reports, they thus lay down the "sensible" – prior to and independently of each round of pay negotiations. Any excessively great deviation then apparently confronts the parties to the negotiations with problems of legitimation. All of this suggests a certain scepticism towards solving social problems autonomously: a fear that the unfettered interest, the force of particular groups, will be accepted at the cost of the common weal, if at first no clear framework is set. In short, it is the expert commission that "removed from the pressure of the street" and in an essentially independent discourse defines the common weal. With its civil service structure, Germany is treating itself to the rather expensive luxury of a caste of experts who, removed from the social power game, are committed to the common good. The institutional form in which the individual is realised within the collective is the experts' republic.

Lets us now turn to the side of the individual: how is the individual induced to think, feel and act in a socially responsible way? In other words, how is the collective realized within the individual? The reply, as already formulated by Schiller, is – through education. Education conveys the collective and the individual within each person. Not too long ago, word had it that a person begins with the Abitur. This expresses the attitude that it is actually only they who have been shaped within who are "people" in the full sense, i.e. that they as fellow players in society are eligible to take on rights and duties. This may well have much to do with the fact that educational record plays a decisive role in the distribution of positions within Germany.

The German understanding of individuality also finds its expression in this pedagogical attitude: as articulated in a certain worry about "doing justice to the individual case". The institution of the concours would never find acceptance here because it would be regarded as too "mechanical" as a method of distributing resources. This also appears to me to explain why policies of antidiscrimination and positive discrimination (e.g. by introducing quotas) both face such difficulties here.

This entire construction bears a character of the educated bourgeoisie. This may well be connected with the German history of building the nation. In Germany's case – contrary to the others described here for comparison – we are concerned with the nationalism of unification: the State framework first had to be created. This means that the membership criterion, of who belongs to the nation had to be formulated culturally – "inwardly". However, the cultural experts are appointed by the intellectual fraction of the bourgeoisie.

This particular form of considering the relationship of the individual to the collective is, on the one hand, efficient (Troeltsch [1925:96] still speaks proudly of a "high degree of organizability" of the Germans – even today one would still concede this, albeit with a bitter after-taste) but, on the other hand, very strenuous. In fact there is a tendency to transfer to the individual that which in other societies occurs in an exchange between individuals. A noticeable yearning for normality – for clarity, predictability – are factors I consider to be related.

One frequently observed peculiarity of German culture is directly linked to this. The culture of inwardness, the identification with the whole, the positive assessment of the State has a noticeable correlate in a relatively weakly pronounced social culture (in comparison with England and France). There are problems in establishing social rituals. Rules, adherence to rules, civilité seem to contradict the value of inwardness (and its associated values of sincerity and honesty). There is a feeling that these rules are "external". The logic of this code – to enable social intercourse while at the same time maintaining (and

affirming) inner distance, foreignness – goes against the demand for identification. Much of the helplessness in the contact with the outsider is connected with the weakly characterized civilité. Contact which demands sincerity right from the outset is plainly asking too much. However, a second consequence assumes a more important role: in a culture where identification with the whole is rated as a condition for social participation, the outsider has a difficult foothold from the very beginning. Can one accept this inner (and hence invisible) affirmation from someone who has grown up in a different culture? After all, perhaps "the outsider" only identifies himself externally with the common good, does he really feel himself committed? The National Socialist anti-Semitic discourse seems to my mind characterized precisely by the fact that it considered even the most assimilated Jew "underneath it all" to be a cosmopolitan, a journeyman without a true homeland, etc.

This may be one reason for the fact that behaviour towards outsiders (as Thomas Schmid and Daniel Cohn-Bendit have recently shown [1992]) in this country oscillates between two poles: namely individual assimilation on the one hand and on the other the (psychic) suppression of the fact that Germany is a country of immigration. If the conservative variant of the assimilation discourse confronts the outsider with, as it were, an unyielding demand to adapt and fit in, the liberal version tends to take a pedagogical and protectionist attitude – it stands for soft assimilation. It was noticeable that the discourse on the outsider was for years dominated almost exclusively by educationalists, whereas sociologists, political scientists and ethnologists were very hesitant in taking the floor. It is connected with this tendency that the outsider is defined as a problem almost from the very beginning. A certain degree of protectionism seems to accompany this: for example there is an observable hesitancy amongst social scientists to seize on and discuss delinquent practices – a pattern of behaviour that contrasts particularly starkly with the American openness to such problems.

The other pole is suppression of the fact that foreigners live here and will stay. One of the most remarkable features of the German discourse is that, despite knowledge to the contrary, the fiction is still maintained that the so-called "**Gastarbeiter**" (the term "guest-worker" becomes more and more ridiculous with each passing year) will one day return to their countries of origin (or that there is still belief in the fiction that Germany is not an immigration land).

Gastarbeiter – German for "guest worker" It refers to people who had moved to Germany mainly in the 1960s and 70s, seeking work as part of a formal guest worker programme (Gastarbeiterprogramm)

This blindness to reality follows the same logic as the concept of assimilation: in both cases the outsider disappears from the nation.

SOURCE: http://www.kuwi.euv-frankfurt-o.de/de/lehrstuhl/vs/anthro/inhaber/publikationen/publikationen_online/the_civil_society_and_the_outsider.pdf ; Text submitted to internet: 20th May 1998. URL: http://viadrina.euv-frankfurt-o.de/~anthro/veronli_s.html

ANALYSIS QUESTIONS:

1. Why, according to the author, is the idea of the individual in free exchange so impor-

tant for civil society? Please, list three central institutions of civil society according to the European experience.

2. Why is the drawing of boundaries to outsiders considered by the author as a one of the problems of socialization? Describe the role of integration and exclusion pertaining to civil society.
3. Explain the relationship between individuals and collective groups in each political culture analyzed by the author in detail: France, Great Britain, United States and Germany.

4. Why is the institution of competition and selection for examinations so important for civil society in France? Comment on the following: "in French culture I am a person by nature and French by chance".
5. How do European civil societies manage the problem of differences, diversity and pluralism? How do these societies deal with the facts of tolerance and intolerance, the 'veil affair', racism and so on? Can the idea of equality help to solve the problems?
6. What are the differences between the concepts of individual liberty in France, America and Germany? Why is the notion of responsibility (liberty) more important for Germany?
7. Summarize the approaches cultivated towards immigrants in European countries. What is the policy of drawing internal and external boundaries in the West?
8. Compare the drawing of boundaries illustrated in this article with the condition of Asian migrants in modern Russia. What can the institutions of civil society in Russia do to solve the issues of labor migrants?

REVIEW QUESTIONS:

1. If we compare this article with those by Ismail Bey Gaspirali, Ahmad Danish, Mahatma Gandhi and George Yong-Boon Yeo, what kind of common ground can we find in them regarding civil society?
2. Do you think Dr. Schiffauer would agree with the suggested points on civil society in Asian countries and on the role of particular social groups?
3. George Yong-Boon Yeo stresses the point that it is impossible to place the European concept of civil society into the Chinese context. Would Dr. Schiffauer and Andrew White agree with him in terms of the Islamic context? What would George Yong's response to them be?
4. List the main principles of civil society that are common for all world civilizations. What are the central principles for civil society in the Western, Asian (China, Philippines) and Muslim countries? – Liberty, Responsibility, Charity, Philanthropic approaches, Voluntarism, Generosity, Public service, or something else?

ADDITIONAL READING:

- Islamism in the Diaspora. The fascination of political Islam among second generation German Turks. Werner Schiffauer.
  www.transcomm.ox.ac.uk/working%20papers/Schiffauer_Islamism.PDF
- Islam and Identity in Germany
  www.flwi.ugent.be/cie/documenten/islam_in_germany.pdf

CHAPTER FOUR:
CRITIQUE OF CIVIL SOCIETY

INTRODUCTION

Several thinkers make the argument that each era in human history has been defined by a ruling class. This idea is a further development of Aristotle's classification of governments. Aristotle classifies the best forms of government on the basis of the ruling classes, such as Monarchy, Aristocracy, and polity. Aristotle found that all of the forms of government were simultaneously in existence in several Greek City-States. Modern political thinkers have found that different forms of government dominate different eras of human history.

In this chapter, two main themes are offered (1) an analysis of the ruling classes in contemporary society, and (2) an examination of the binary opposition of national/religious identity with civil society. Both the discourses enjoin the reader to look more closely and critically at the nature of contemporary societies.

If each era is distinguished by a new ruling class, then contemporary societies, too, should be distinguished by a new ruling class. Clearly, the ruling class need not be necessarily the wealthiest or the most politically powerful class; however, they are the class that either defines or implements the rules that govern all classes and all citizens.

Definition, or rather redefinition, in the post-Soviet era has become all the rage according to Žižek. From democracy to identity to civil society, each redefinition might seem like a re-invention. The reader might want to examine Žižek's unique insight into Eastern Europe's attempts at redefinition and to the distortion he sees in the re-invention in the East of the aging institutions of the West. Is xenophobia and anti-Semitism on the rise in the East? Is Žižek correct in his argument that democratic pluralism is being overshadowed by authoritarian nationalism?

However, Gellner contrasts civil society with Marxist and Muslim societies, which he notes as the only alternatives to civil society in the contemporary world. Obviously, with the fall of the wall, we are left with Muslim societies as the only alternative to civil society. Other than faith or religion, what are the main differences between civil and Muslim societies? Why is Gellner astonished by the resilience of the formal faith of Islam?

In critically examining civil society, under the tutelage of Gramsci, Žižek, and Gellner, does civil society seem less than overwhelmingly desirable? Does it seem to be merely another variant of social order and organization? Or, does it seem to be the only just order that can be established by human society?

THE BLUE MOSQUE. MAZAR-E SHARIF, AFGHANISTAN.

SAIRA SHAH: THE STORYTELLER'S DAUGHTER

Saira Shah, storyteller, journalist, documentarian and writer from the UK (London), the daughter of the famous Sufi fabulist Idries Shah, "returned to her family's homeland cloaked in a burqa to witness the shocking realities of Afghan life". The selected piece from her book "The Storyteller's Daughter" published in 2003, illustrates the life of Afghan refugees in Pakistan, their difficulties with civil society organizations based there and the power of family leadership. Saira Shah is the first women storyteller to represent Afghani people both inside and out of Afghanistan.

One woman's return to her lost homeland
Go higher – behold the human spirit.
Jalaluddin Rumi

The time had finally come when I could no longer juggle my contradictory worlds of East and West. I had to choose between them. After we got back from **Jaji**, in summer 1987, I moved out of the Peshawar Club, and Beat and I set up house together. I knew that, by living with a man to whom I was neither married nor related, I had brought disgrace upon my family.

Uncle Mirza visited my new home only once. I was used to his **flamboyant** arrivals at the wheel of his Toyota packed with relatives: master of his domain, his horn tooting gaily, his English hat perched jauntily on his head. This time it was different. He came alone and on foot. As I watched him make the long trek up my driveway, he seemed diminished and diffident, an old man lost in a foreign land.

He came as far as my veranda. He preferred not to come in, he said; he just wanted to tell me something. I braced myself for the storm: how disgraceful I was and how, if I persisted in living this independent life, I would be banished from the protection of my kin.

But he hadn't come for that at all. He just wanted to tell me about Jamil Haidar; the man on the white horse who had epitomized for me all that was noble about the **mujahidin**, Jamil Haidar, who had sat smelling Bukhara roses in the garden, whose wife we had saved and whom my uncle had been supporting for years with instalments from his savings. This year, those savings had run dry. In their fury, Jamil Haidar and his band of mujahidin had torn down my uncle's home.

Uncle Mirza refused my offer of tea. After he had delivered this bombshell, he put his English hat defeatedly back on his head, walked down my driveway and out of my life. We never had the dramatic falling-out I had dreaded – but as I watched his beloved figure disappear into the distance, I knew that we were on two different planets, whose orbits were drawing us further and further apart.

Jaji – village and the centre of Jaji Maydan District, Khost Province, Afghanistan

flamboyant – behaving in a very noticeable, extravagant way

mujahid (plural: mujahidin) – ("struggler") a Muslim involved in a jihad, who is fighting in a war or involved in any other struggle

Beat's and my new home was beside the canal that divided the city of Peshawar from the sprawling Nasirbagh refugee camp. One day, when I was walking in Nasirbagh, a refugee accosted me. He said simply: "Madam, I need a position so that I can feed my wife and small children. Kindly furnish me with one." He might have been asking a department-store attendant for some trivial item, or seeking directions from a well-disposed stranger. To refuse him would have been churlish.

His name was Rahim, and although I had made a private pledge never to have household staff, something in his black eyes seemed to pierce me, and before I knew what I had done, I had engaged him on the spot.

I told myself it would be good for my Persian to listen to his poetical utterances. Rahim spoke the dialect called Dari, which means "of the court." It is the language of the historical kings of Persia and of the thirteenth-century literary classics. Nowadays it is considered unbearably rustic in Iran, but it survives in the mountains of Afghanistan. It was rather like taking on a manservant who persisted in speaking Shakespearian English.

Rahim did not walk, he "beat the feet." He did not talk, he "hit words." He did not grow old, his "years were eaten." He was constantly afflicted with adventures, things that "passed upon the head." Even something as prosaic as an orange took on new meaning to my ears when Rahim spoke: narang – probably the origin of the English word – literally means "no sorrow." Persian proverbs and flowery quotations tripped off his tongue – usually to trounce me in our frequent arguments.

I soon discovered that Rahim was in uncontestable control of our lives. As he took his first pay cheque, he sternly reminded me: "My wages really come from Allah, even though He may direct them through your agency. If it is His will, Allah will provide. Either through you or through someone else."

Rahim reminded me irresistibly of a commanding figure in my family's mythological corpus: my grandfather's faithful Pushtun retainer, Ahmad Shah. It was he who had stolen the **maharaja's** grandmother from her fishpool in the palace all those years ago. My father remembered him as being over six foot tall, with the straw-coloured skin and the grey-green eyes of the true frontiersman. He was never separated from his Lee Enfield rifle or from his long Afghan knife, and his favourite means of relaxation was to polish them both until they shone.

Bobo wrote about him in her memoirs, too: "He would work well and faithfully for three months or so. Then he would say he must go. He never asked whether he might go. The word was must. If you asked him why he used so strong a phrase, he would place his hand over his heart, and throw a far-flung glance southwards, the direction of his homeland."

I can picture my gentle Scottish grandmother, who had exiled herself for ever from her blood family, looking wistfully through her window at Kabul's spectacular mountain range, as she continued: "If you belong to the Highlands yourself, you will understand what he meant. You would appreciate that inward loyalty to your own hills, although you might be surrounded by other, higher ones elsewhere. You would know that, assuredly, there comes a time when the heart remembers, regret asserts itself, and back you must go."

One morning, I discovered that a new group of refugees had taken up residence on the bank of the canal beside my home. It was not a good spot. The canal was fetid with the excreta that poured into it from hundreds of shanty-huts, latrines and restaurants. Like the rotting tentacle of a vile sea-beast, it lay suppurating in the sun. Until now, no refugee had been desperate enough to settle next to its

maharaja –
Sanskrit for "great king" or "high king"

sluggish waters, but that morning a little group of four or five families had already pitched a ragged camp next to it, in a bowl of choking white dust that reflected the sun without mercy.

When I went down to visit them, a flurry of women's hands tugged at me like ferns and burrs, pulling the hem of my dress, stroking my face. They were not begging; at least not for money. They were soliciting something more fundamental: my time, my attention, my sympathy.

Their leader impressed me. He was a frail, white-bearded old man, who looked like a schoolbook illustration of a biblical prophet. He sat still, and with perfect dignity, his hand upon his wooden staff, his hooded eyes gazing back in the direction of the mountains they had left. You could not see the mountains from this dustbowl. But the old man had something of the seer about him. I was sure he could picture them quite clearly.

"Where are you from, Father?" I asked him. "By God's grace, we are from Kunar province."

As I had been to Kunar – with Zahir Shah on my first trip to Afghanistan – we talked about the various villages I had visited along the river Pech. The old man's eyes lit up when I spoke of his hills and streams, of the houses clutching the sides of the mountains, the flocks of sheep and the shepherd children dashing up and down the slopes.

"What brings you so far from your homeland?" I asked, as soon as it was polite to do so.

"God is generous. There was an offensive somewhere on the other side of our mountain. Our village was bombed the next day, although we have never had anything to do with the fighting forces. We began to walk to Pakistan. On the way it was Allah's will to take from me my little grandson, the blessing of my old age."

We both fell silent. Eventually he continued: "If a tree could move on foot or feather it would not suffer the agony of the saw or the wounds of the blade. Allah has brought us here and, as we can walk no further, this is where we shall stay. We shall await whatever He has in store for us."

"Father, you cannot stay here. You must be registered as refugees, then you will be assigned to a proper camp and you will be given food and shelter."

"Whatever Allah wills."

I told him how to begin the process of registration: first they must get identification from one of the mujahidin political parties, linked with the various armed factions. They could use this to get a ration card from the United Nations High Commission for Refugees.

The old man looked bewildered. "But we have never been involved with politics or armed factions before," he said, "and I have never asked for help."

"Don't worry, you are in Pakistan now," I told him.

He smiled, in a manner I could not get out of my mind. "We are, and we always have been, in the hands of Allah."

The old man didn't know it, but just metres from his squalid camp lay the nerve centre of the world's largest refugee aid effort, dedicated to helping people like him. Nestling in the plush suburb of University Town were the headquarters of more than fifty international agencies serving some two and a half million dispossessed Afghans. Few of the recipients of their charity ever penetrated this oasis of tree-lined avenues, luxury villas, off-the-record briefings, satellite dishes, irrigated gardens and air-conditioned Pajeros.

Foreign-aid money was sloshing into Peshawar: around eighty million dollars a year to the UNHCR alone. But as the myths the West wished to maintain diverged more and more from Afghanistan's reality, political strings tied the aid effort in knots. The myth said that every able-bodied Afghan was involved in the armed struggle, so to get a ration card refugees had to become affiliated to an armed faction. The myth said that the refugees would soon be going home, so camps remained transitory and bereft of hope.

The next day, as I returned from the bazaar, I saw that the new refugees were still in the dip beside the canal. I went to ask the old man why they had not yet been moved to a better camp.

"My daughter, we went to the mujahidin political party most active in our area. There, we waited all day for registration. The official demanded a huge bribe, so we gave him the jewellery my wife received on her wedding day. He has told us to return to his office tomorrow."

"What will you do?" I asked him.

"The Prophet, peace be upon him, adjured us to trust in God. We shall go tomorrow to wait at the party office for our identification. Then, if God wills, we may receive some rations."

The old man insisted on carrying my shopping-bags back home for me. He was frail, and he staggered, straight-backed, under their weight. By now, I was desperate to help him, so tried to press money into his hand. He looked at me with the closest to anger I had seen in his eyes. "Are you not ashamed to offer payment for what was done for God?"

For the local economy, refugees were big business. Peshawar was booming. If you were a local entrepreneur, a war profiteer or a Westerner, it was difficult not to prosper. Even the international press had a voracious appetite for news about the war, and Beat and I had also picked up several lucrative contracts for aid-agency publications. We opened a joint journalists' office in our villa, which Beat grandly christened the International Information Office.

Within an hour, a lonely figure made the trek up the drive. He was wearing a billowing brown shilwar kamis, and his hair was neatly brilliantined back. He carried a satchel.

"Is this the International Information Office?" he asked.

"Yes."

"In that case," he said, "give me some international information."

We thought this interview was amusing, but it had a profound effect upon Rahim. A few hours later, I found him striding sorrowfully up and down the road outside the gate.

"Madam," he said, "my heart has become narrow."

I waited for this to be explained. Rahim let his remark sink in for just long enough, and then announced: "The vegetable seller informs me that our neighbor on the left has been robbed by badmarshis, bandits. This house is unguarded. All manner of people are permitted to walk up to the door without even being kept waiting. It gives a low impression of the status of the owners."

Sensing my impatience, Rahim cut to the point: "Madam, in short, we need a chowki dar, a man with a gun to watch the door. I would do it myself, but I have other duties. However, I shall arrange a good man. To ensure he is reliable, and as brave as a lion, I shall give you my own brother."

The next day, Rahim's brother, Shafi, arrived. Contrary to expectation, he did not have a gun. He didn't seem all that bright either. His eyes didn't focus in one place, although his fixed smile of ineffable sweetness made up for it. "Rahim!" I said sternly. "Where is the gun?"

At that moment, there was a hesitant crunch of gravel from the driveway. An ancient man was hobbling towards us. He was so emaciated that I feared he might collapse under the weight of the seventy-year-old Lee Enfield rifle he was carrying on his back.

Rahim drew himself up to his full height. His chest swelled with pride. "This good grandfather fought the feran-ghee, the British foreigners, when he was just a boy. He earned the title ghazi, hero, before he was ten. Now Shan is his pupil. He is learning the secrets of battle from this great warrior. Both pupil and master will come and guard your house. Rahim has arranged it."

"But, Rahim, he is very old," I said,

"And Shafi is very young," said Rahim smoothly. "Now you have the benefits of both: the strength of youth and the wisdom of age combined."

It was an unanswerable argument. I agreed to take them both on a month's probation. As I went back into the house, the old man stuffed a rag into the barrel of his rifle, stretched out on a charpoy and fell asleep.

Rahim began to consolidate a minor empire. With such a large household to care for, he now needed a woman to wash everyone's clothes. He procured from somewhere a toothless old hag who took up residence in a corner of the kitchen. He also acquired a stunted personal assistant whom he never permitted to stand in my presence. This servant of a servant crawled from room to room sweeping up with a single twig. It left Rahim free to do the jobs he excelled at: supervising, handling the money and running his own ingenious and lucrative recycling business.

All our rubbish was carefully sifted, sorted by type, and passed on to his confederate, the vegetable seller, to be sold in the bazaar. One day I found that the public letter-writer had a note from my mother pinned on to the wall beside his stall. His disciples were sitting in a semi-circle around it, earnestly trying to copy her negligent scrawl. Their own notepads were made from bundles of my draft articles. Rahim had sold the blank space on the back.

Bits of tin foil and elastic bands were lovingly collated and sold on, while objects of which Rahim disapproved (foreign canned goods, audio cassettes and, for some reason, paper-clips) would slip mysteriously into the bin and be wafted away for ever to the bazaar. Items that he felt should never be thrown away (used cotton-wool balls, the disposable containers for my contact-lens solution and any form of medicine, however out-of-date) would be lovingly retrieved and presented at inconvenient moments –

between the second and third courses of a dinner party was considered a particularly auspicious time. It was an end to privacy of any kind.

As neither of the chowki dars was up to the job of protecting us, Beat decided to get geese to guard the office. One day he returned excitedly from the market with a couple of vicious-looking specimens. Rahim pored over them. His face had become the colour of a prune: I realized that goose-buying was definitely in the category of chores that were his exclusive domain. "Rahim! Get the chowki dars to dig a pond!" cried Beat, oblivious to the tremendous hurt that Rahim was suffering. Wordlessly, and with great dignity, Rahim picked up the geese. He carried them down the drive and vanished into the seething bazaar that started just beyond the front gate.

Three hours later, he returned. In his arms were not two but four geese of gigantic size. They completely eclipsed the pair that Beat had been rash enough to buy.

Rahim's face shone with joy. In the manner of one telling an Arabian Nights fairytale, he declaimed: "Sir, you are a foreigner. Therefore it was not your fault that you were swindled in the bazaar. However, the villain from whom you bought those geese of inferior aspect did not know that he would have to answer to Rahim. I have myself been to the market and, after many incidents falling upon my head, I discovered the thief in question. I beat him until he agreed to take back the birds. With the money he gave me in compensation for trying to cheat a foreigner, I have purchased four geese worthy of your standing. They are the bravest and fiercest geese in the Hindu Kush and until this moment they were in my own backyard, since it was I who brought them from my home in Jalalabad. Note: they are not Pakistani geese, but Afghan geese. They will cackle like an army when intruders approach and, if it is Allah's will, thine enemies will be put to flight. That is all."

He set about building them a special pond with his own hands. Thanks to his own swift action, the water of his face had narrowly escaped being spilled.

Over the next weeks, I kept a close eye on the Afghan refugees beside the canal. For shelter, they knotted a couple of rags over some sticks, and from somewhere they procured a blackened iron kettle. Otherwise, the spot they had chosen remained as inadvisable as ever. I sent Rahim down with food for them. One day, he returned in fury. "Before the antidote arrives from Iraq, the snake-bitten one will be dead," he fumed. "Those unfortunate people say that they attended the offices of the UNHCR. They were told that the Peshawar region is full up with refugees. If they wish to receive aid, they must be transported hundreds of miles away to the plains of Sindh. Now these people are waiting for others from their village to join them. They agreed that the first to arrive would wait in Peshawar for the rest. And, besides, they do not wish to move to the blazing plains."

I was aghast. "But what are they going to do?"

"Madam, they will wait where they are. They say they will rely upon God to protect them."

The next time I went to visit the old man and his family beside the canal, he said: "It is not seemly that you leave without taking a little nush-i-jan, life-giving sustenance." Accepting so much as a cup of tea made with the canal's slimy water was deeply inadvisable, but to refuse refreshment would be an insult. There was no way out.

Tea and bread appeared from nowhere. A rag was spread, and we sat upon it as delicately as if it were a silken cushion. Now that he had the dignity of a guest, the old man became confident and expansive, even slightly sanctimonious. I glimpsed the person he must have been before his life was turned upside down: a grand old sheikh full of elegant courtesies, wise saws and moral discourse. Now that he had lost everything else, I hung upon his every word.

We talked of the times in which we were living, through what Afghans were already calling the musibat, the calamity. He reminded me of other calamities the people of Afghanistan had faced: the coming of Alexander the Great, the century of war when the Arabs invaded, the horrific onslaughts by the barbarians from the north. So much fighting, misery and death, all for what the invaders merely imagined would quench their thirst for riches.

Once, he said, a poor man approached the great Afghan king Mahmud of Ghazna and asked him to fill his begging bowl. But the king's money disappeared, as if the bowl had no bottom. The haughty monarch called for more gold to be brought. When half of the treasure of his kingdom had vanished, Mahmud admitted defeat. "This bowl represents the desires of man," said the beggar-sage. "There is no limit to man's capacity to devour."

One day, I found a brightly painted bus standing in the dip where the refugees were camped. Clustered round it, with their meagre belongings strewn about them, were the women and children I had come to know. There was an excited hubbub about the place; it was clear that something was going on.

When I hurried down to the dip, they greeted me cheerfully. Only the old man, their leader, remained sitting impassively on a stone, surveying the scene. "May you never be tired, Father," I said. "I am glad to see that the bus has finally come to take you to Sindh."

"May you be well, my daughter. This is not the bus from the refugee authorities. Nor is it taking us to Sindh."

"What is going on, then?" I was startled into asking a more direct question than is polite by the strict rules of Afghan etiquette.

"The Prophet, peace be upon him, said, 'Trust in God, but tie your camel.' We trust in Allah, but what we can do for ourselves, we must. The people from our village have not arrived; perhaps they have met with misfortune on the way. Here, in Pakistan, our children are becoming ill. Every day we have to sell a few more of our belongings to buy food to keep alive. Our hearts ache for our own hillsides and orchards. I have therefore resolved to return. My eldest daughter, who is a widow, has consented to sell her gold earrings, and we have hired this bus. It will take us to the border, and from there we will walk until we reach our village. Be it however destroyed, it is better to die there than to be buried alive in this dusty grave. Every breath we draw here is a slow death. In our own village we may starve without owing anything to anyone. Here we starve, as objects of charity, in thrall to people who tell us how and where we should live."

I watched as the last of the women and children bustled aboard the bus. When he was satisfied that everyone was seated, the old man himself, with stately dignity, rose unaided from his stone. He walked slowly to the bus, saluted me, and climbed on board.

I waved goodbye and stood there, reflecting, long after its horn had blared, and its garish fat belly had disappeared from view.

SOURCE: The storyteller's Daughter by Shah Saira, New York, 2003, pp. 144-155

ANALYSIS QUESTIONS:

1. What kind of story is it? What was Saira Shah, the writer of this story, doing in Peshawar? Where is this city located? How does she find this Pakistani city after arriving there? How were the conditions of life in this city? What kind of relationships does this city have with Afghanistan?
2. How does she describe the life of refugees from Afghanistan? What were the main concerns of the people arriving from Afghanistan? Did they usually receive relief?
3. How did the United Nation High Commission for Refugee and other aid organizations perform? How do civil society organizations function during times of war and peace? How can be they useful for people affected by disaster situations?
4. What can the story of old man and his family teach us? Why didn't they receive any assistance?
5. Why did they decide to return home? What can you say about the role of military and political organizations in maintaining civil order in the third world countries, like Pakistan and Afghanistan?
6. What are the reasons of corruption in society? Why does corruption exist even in times of disaster? Which is more trustworthy: family or some civil organization? Why can't even international organizations be free from corruption?

REVIEW QUESTIONS:

1. Please, compare this text with the previous texts presented in chapter 3. Can you find any parallels with the theories of civil society developed by George Yong, Mahatma Gandhi, Ismail Bey Gaspirali, Werner Schiffauer and others?
2. If we accept these theories, what is the role of intellectuals in Afghan society?
3. Afghanistan passed through some socialist stages in its history. Can we observe any elements of a new, emerging class in Afghan society?
4. How important are civil society organizations in Afghanistan and Pakistan? How is it possible, in your opinion, to harmonize different segments of Afghan (military, political, civil) society?

ADDITIONAL READINGS:

- Guardian article dated 12 August 2005
- 'Beneath the Veil' http://www.imdb.com/title/tt0294350/
- 'Death in Gaza' http://www.imdb.com/title/tt0412631/
- 'Unholy War' http://www.imdb.com/title/tt0301975/

ANTONIO GRAMSCI: THE INTELLECTUALS

Antonio Gramsci (January 22, 1891 - April 27, 1937) was an Italian writer, politician and political theorist. He is well known for his concept of cultural hegemony, a means of maintaining the state in a capitalist society. Following Marx and Lenin in this article he claimed that the notion of "the intellectuals", as a distinct social category independent of class, is a myth. All men are intellectuals, in that all have intellectual and rational faculties, but not all men have the social function of intellectuals. Intellectuals consist of two groups: traditional and 'organic' intellectuals. He claimed that modern intellectuals were not simply talkers, the 'men of letters', but directors and organisers who helped build society and produce *hegemony*. Reading this article please think on the role of intellectuals in civil society.

The Formation of the Intellectuals

Are intellectuals an autonomous and independent social group, or does every social group have its own particular specialised category of intellectuals? The problem is a complex one, because of the variety of forms assumed to date by the real historical process of formation of the different categories of intellectuals.

The most important of these forms are two:

1. Every social group, coming into existence on the original terrain of an essential function in the world of economic production, creates together with itself, organically, one or more strata of intellectuals which give it homogeneity and an awareness of its own function not only in the economic but also in the social and political fields. The capitalist entrepreneur creates alongside himself the industrial technician, the specialist in political economy, the organizers of a new culture, of a new legal system, etc. It should be noted that the entrepreneur himself represents a higher level of social elaboration, already characterized by a certain directive and technical (i.e. intellectual) capacity: he must have a certain technical capacity, not only in the limited sphere of his activity and initiative but in other spheres as well, at least in those which are closest to economic production. He must be an organiser of masses of men; he must be an organiser of the "confidence" of investors in his business, of the customers for his product, etc. If not all entrepreneurs, at least an élite amongst them must have the capacity to be organisers of society in general, including all its complex organism of services, right up to the state organism, because of the need to create the conditions most favourable to the expansion of their own class; or at the least they must possess the capacity to choose the deputies to whom to entrust this activity of organis-

hegemony – concept that has been used to describe and explain the dominance of one social group over another

ing the general system of relationships external to the business itself. It can be observed that the "organic" intellectuals which every new class creates alongside itself and elaborates in the course of its development, are for the most part "specialisations" of partial aspects of the primitive activity of the new social type which the new class has brought into prominence.

Even feudal lords were possessors of a particular technical capacity, military capacity, and it is precisely from the moment at which the **aristocracy** loses its **monopoly** of technico-military capacity that the crisis of feudalism begins. But the formation of intellectuals in the feudal world and in the preceding classical world is a question to be examined separately: this formation and elaboration follows ways and means which must be studied concretely. Thus it is to be noted that the mass of the peasantry, although it performs an essential function in the world of production, does not elaborate its own "organic" intellectuals, nor does it "assimilate" any stratum of "traditional" intellectuals, although it is from the peasantry that other social groups draw many of their intellectuals and a high proportion of traditional intellectuals are of peasant origin.

2. However, every "essential" social group which emerges into history out of the preceding economic structure, and as an expression of a development of this structure, has found (at least in all of history up to the present) categories of intellectuals already in existence and which seemed indeed to represent an historical continuity uninterrupted even by the most complicated and radical changes in political and social forms.

The most typical of these categories of intellectuals is that of the **ecclesiastics**, who for a long time (for a whole phase of history, which is partly characterised by this very monopoly) held a monopoly of a number of important services: religious ideology, that is the philosophy and science of the age, together with schools, education, morality, justice, charity, good works, etc. The category of ecclesiastics can be considered the category of intellectuals organically bound to the landed aristocracy. It had equal status juridically with the aristocracy, with which it shared the exercise of feudal ownership of land, and the use of state privileges connected with property. But the monopoly held by the ecclesiastics in the superstructural field was not exercised without a struggle or without limitations, and hence there took place the birth, in various forms (to be gone into and studied concretely), of other categories, favoured and enabled to expand by the growing strength of the central power of the monarch, right up to absolutism. Thus we find the formation of the noblesse de robe, with its own privileges, a stratum of administrators, etc., scholars and scientists, theorists, non-ecclesiastical philosophers, etc.

Since these various categories of traditional intellectuals experience through an "**esprit de corps**" their uninterrupted historical continuity and their special qualification, they thus put themselves forward as autonomous and independent of the dominant social group. This self-assessment is not without consequences in the ideological and political field, consequences of wide-ranging import. The whole of idealist philosophy can easily be connected with this position assumed by the social complex of intellectuals and can be defined as the expression of that social utopia by which the intellectuals think of themselves as "independent", autonomous, endowed with a character of their own, etc.

aristocracy – hereditary ruling class; nobility

monopoly – when a specific individual or enterprise has sufficient control over a particular product or service to determine significantly the terms on which other individuals shall have access to it

ecclesiastic – of or associated with the Christian Church or clergy

esprit de corps – intangible term used for the capacity of people to maintain belief in an institution or a goal, or even in oneself and others

One should note however that if the Pope and the leading **hierarchy** of the Church consider themselves more linked to Christ and to the apostles than they are to senators Agnelli and Benni[1] the same does not hold for Gentile and Croce, for example: Croce in particular feels himself closely linked to Aristotle and Plato, but he does not conceal, on the other hand, his links with senators Agnelli and Benni, and it is precisely here that one can discern the most significant character of Croce's philosophy.

What are the "maximum" limits of acceptance of the term "intellectual"? Can one find a unitary criterion to characterise equally all the diverse and disparate activities of intellectuals and to distinguish these at the same time and in an essential way from the activities of other social groupings? The most widespread error of method seems to me that of having looked for this criterion of distinction in the intrinsic nature of intellectual activities, rather than in the ensemble of the system of relations in which these activities (and therefore the intellectual groups who personify them) have their place within the general complex of social relations. Indeed the worker or proletarian, for example, is not specifically characterised by his manual or instrumental work, but by performing this work in specific conditions and in specific social relations (apart from the consideration that purely physical labour does not exist and that even Taylor's phrase of "trained gorilla"[2] is a metaphor to indicate a limit in a certain direction: in any physical work, even the most degraded and mechanical, there exists a minimum of technical qualification, that is, a minimum of creative intellectual activity.) And we have already observed that the entrepreneur, by virtue of his very function, must have to some degree a certain number of qualifications of an intellectual nature although his part in society is determined not by these, but by the general social relations which specifically characterise the position of the entrepreneur within industry.

All men are intellectuals, one could therefore say: but not all men have in society the function of intellectuals.

When one distinguishes between intellectuals and non-intellectuals, one is referring in reality only to the immediate social function of the professional category of the intellectuals, that is, one has in mind the direction in which their specific professional activity is weighted, whether towards intellectual elaboration or towards muscular-nervous effort. This means that, although one can speak of intellectuals, one cannot speak of non-intellectuals, because non-intellectuals do not exist. But even the relationship between efforts of intellectual-cerebral elaboration and muscular-nervous effort is not always the same, so that there are varying degrees

1 Heads of FIAT and Montecatini (Chemicals) respectively, of whom Gramsci had direct experience during the Ordine Nuovo period

2 For Frederick Taylor and his notion of the manual worker as a "trained gorilla", see Gramsci's "Americanism and Fordism", in Selections from the Prison Notebooks. Translated and Edited by Q. Hoare and G. N. Smith. New York: International Publishers, page 277-318.

hierarchy – arrangement of objects, people, elements, values, grades, orders, classes, etc., in a ranked or graduated series

of specific intellectual activity. There is no human activity from which every form of intellectual participation can be excluded: **homo faber** cannot be separated from **homo sapiens**. Each man, finally, outside his professional activity, carries on some form of intellectual activity, that is, he is a "philosopher", an artist, a man of taste, he participates in a particular conception of the world, has a conscious line of moral conduct, and therefore contributes to sustain a conception of the world or to modify it, that is, to bring into being new modes of thought.

The problem of creating a new stratum of intellectuals consists therefore in the critical elaboration of the intellectual activity that exists in everyone at a certain degree of development, modifying its relationship with the muscular-nervous effort towards a new equilibrium, and ensuring that the muscular-nervous effort itself; in so far as it is an element of a general practical activity, which is perpetually innovating the physical and social world, becomes the foundation of a new and integral conception of the world. The traditional and vulgarised type of the intellectual is given by the man of letters, the philosopher, the artist. Therefore journalists, who claim to be men of letters, philosophers, and artists, also regard themselves as the "true" intellectuals. In the modern world, technical education, closely bound to industrial labour even at the most primitive and unqualified level, must form the basis of the new type of intellectual.

On this basis the weekly Ordine Nuovo worked to develop certain forms of new intellectualism and to determine its new concepts, and this was not the least of the reasons for its success, since such a conception corresponded to latent aspirations and conformed to the development of the real forms of life. The mode of being of the new intellectual can no longer consist in eloquence, which is an exterior and momentary mover of feelings and passions, but in active participation in practical life, as constructor, organiser, "permanent persuader" and not just a simple orator (but superior at the same time to the abstract mathematical spirit); from technique-as-work one proceeds to technique-as-science and to the humanistic conception of history, without which one remains "specialised" and does not become "directive" (specialised and political).

Thus there are historically-formed specialised categories for the exercise of the intellectual function. They are formed in connection with all social groups, but especially in connection with the more important, and they undergo more extensive and complex elaboration in connection with the dominant social group. One of the most important characteristics of any group that is developing towards dominance is its struggle to assimilate and to conquer "ideologically" the traditional intellectuals, but this assimilation and conquest is made quicker and more efficacious the more the group in question succeeds in simultaneously elaborating its own organic intellectuals. The enormous development of activity and organisation in education in the broad sense in the societies that emerged from the medieval world is an index of the importance assumed in the modern world by intellectual functions and categories. Parallel with the attempt to deepen and to broaden the "intellectuality" of each individual, there has also been an attempt to multiply and narrow the various specialisations. This can be seen from educational institutions at all levels, up to and including the organisms that exist to promote so-called "high culture" in all fields of science and technology.

School is the instrument through which intellectuals of various levels are elaborated. The complexity of the intellectual function in different states can be measured objectively by the number and gradation of specialised schools: the more

homo faber –
"Man the Maker" refers to humans as controlling the environment through tools

homo sapiens –
Latin: "wise human" or "knowing human"

extensive the "area" covered by education and numerous the "vertical" "levels" of schooling, the more complex the cultural world, the civilisation, of a particular state. A point of comparison can be found in the sphere of industrial technology: the industrialisation of a country can be measured by how well equipped it is in the production of machines with which to produce machines, and in the manufacture of ever more accurate instruments for making both machines and further instruments for making machines, etc. The country which is best equipped in the construction of instruments for experimental scientific laboratories and in the construction of instruments with which to test the first instruments, can be regarded as the most complex in the technical-industrial field, with the highest level of civilisation, etc. The same applies to the preparation of intellectuals and to the schools dedicated to this preparation; schools and institutes of high culture can be assimilated to each other. In this field also, quantity cannot be separated from quality. To the most refined technical-cultural specialisation there cannot but correspond the maximum possible diffusion of primary education and the maximum care taken to expand the middle grades numerically as much as possible. Naturally this need to provide the widest base possible for the selection and elaboration of the top intellectual qualifications – i.e. to give a democratic structure to high culture and top-level technology – is not without its disadvantages: it creates the possibility of vast crises of unemployment – for the middle intellectual strata, and in all modern societies this actually takes place.

It is worth noting that the elaboration of intellectual strata in concrete reality does not take place on the terrain of abstract democracy but in accordance with very concrete traditional historical processes. Strata have grown up which traditionally "produce" intellectuals and these strata coincide with those which have specialised in "saving", i.e. the petty and middle landed **bourgeoisie** and certain strata of the petty and middle urban bourgeoisie. The varying distribution of different types of school (classical and professional) over the "economic" territory and the varying aspirations of different categories within these strata determine, or give form to, the production of various branches of intellectual specialisation. Thus in Italy the rural bourgeoisie produces in particular state functionaries and professional people, whereas the urban bourgeoisie produces technicians for industry. Consequently it is largely northern Italy which produces technicians and the South which produces functionaries and professional men.

The relationship between the intellectuals and the world of production is not as direct as it is with the fundamental social groups but is, in varying degrees, "mediated" by the whole fabric of society and by the complex of superstructures, of which the intellectuals are, precisely, the "functionaries". It should be possible both to measure the "organic quality" [organicità] of the various intellectual strata and their degree of connection with a fundamental social group, and to establish a gradation of their functions and of the superstructures from the bottom to the

bourgeoisie – members of the upper or merchant class, whose status or power comes from employment, education, and wealth

top (from the structural base upwards). What we can do, for the moment, is to fix two major superstructural "levels": the one that can be called "civil society", that is the ensemble of organisms commonly called "private", and that of "political society" or "the State". These two levels correspond on the one hand to the function of "hegemony" which the dominant group exercises throughout society and on the other hand to that of "direct domination" or command exercised through the State and "juridical" government. The functions in question are precisely organisational and connective. The intellectuals are the dominant group's "deputies" exercising the subaltern functions of social hegemony and political government. These comprise:

1. The "spontaneous" consent given by the great masses of the population to the general direction imposed on social life by the dominant fundamental group; this consent is "historically" caused by the prestige (and consequent confidence) which the dominant group enjoys because of its position and function in the world of production.
2. The apparatus of state coercive power which "legally" enforces discipline on those groups who do not "consent" either actively or passively. This apparatus is, however, constituted for the whole of society in anticipation of moments of crisis of command and direction when spontaneous consent has failed.

This way of posing the problem has as a result a considerable extension of the concept of intellectual, but it is the only way which enables one to reach a concrete approximation of reality. It also lashes with preconceptions of caste. The function of organizing social hegemony and state domination certainly gives rise to a particular division of labour and therefore to a whole hierarchy of qualifications in some of which there is no apparent attribution of directive or organisational functions. For example, in the apparatus of social and state direction there exist a whole series of jobs of a manual and instrumental character (non-executive work, agents rather than officials or functionaries). It is obvious that such a distinction has to be made just as it is obvious that other distinctions have to be made as well. Indeed, intellectual activity must also be distinguished in terms of its intrinsic characteristics, according to levels which in moments of extreme opposition represent a real qualitative difference – at the highest level would be the creators of the various sciences, philosophy, art, etc., at the lowest the most humble "administrators" and divulgators of pre-existing, traditional, accumulated intellectual wealth.

In the modern world the category of intellectuals, understood in this sense, has undergone an unprecedented expansion. The democratic-**bureaucratic** system has given rise to a great mass of functions which are not all justified by the social necessities of production, though they are justified by the political necessities of the dominant fundamental group. Hence Loria's conception of the unproductive "worker" (but unproductive in relation to whom and to what mode of production?), a conception which could in part be justified if one takes account of the fact that these masses exploit their position to take for themselves a large cut out of the national income. Mass formation has standardised individuals both psychologically and in terms of individual qualification and has produced the same phenomena as with other standardised masses: competition which makes necessary organisations for the defence of professions, unemployment, over-production in the schools, emigration, etc.

bureaucracy –
the structure and set of regulations in place to control activity, usually in large organizations and government

SOURCE: http://www.marxists.org/archive/gramsci/prison_notebooks/problems/intellectuals.htm ; Source: Gramsci, Antonio. 1971. "The Intellectuals", in Selections from the Prison Notebooks. Translated and Edited by Q. Hoare and G. N. Smith. New York: International Publishers, page 3-23; Transcribed: Jason Sanford Greenberg.

ANALYSIS QUESTIONS:

1. What were the functions of intellectuals in society and state we observe throughout history? What is the social role of intellectuals? Which types of intellectuals do you know?
2. Why does every social group create strata of intellectuals? What are the differences between traditional and 'original' intellectuals?
3. Comment on the following phrase of Gramsci: 'All men are intellectuals, one could therefore say: but not all men have in society the function of intellectuals.' What are the main differences between intellectuals and non-intellectuals?
4. What is the role of educational institutions as an instrument of elaborating intellectuals as a strata? What is the relationship between intellectuals and industry?
5. What are the different positions of Rural and Urban types of intellectuals? What is the distinction between intellectuals as an organic category of every fundamental social group and intellectuals as a traditional category?
6. Identify the differences between cultural society, political society and civil society from this article. What is the role of state and political parties in civil society? Please, explain the problem of domination.
7. What can you say about the relationship between the elite and the masses, about the formation of categories of intellectuals and of their relationship with national forces in the Roman imperia, Europe, USA, Russia, India, China and Japan? Do you agree with the author that intellectuals are an instrument of domination?

REVIEW QUESTIONS:

1. Compare the ideas of Gramsci with the concepts presented by Mahatma Gandi, Ahmad Donish, Ismail Bey Gaspirali (Chapter 3), concerning the role of intellectuals in society and find differences and similarities. Are intellectuals closer to state or to civil society? Are they just tools to intermediate and harmonize both?
2. If 'All Men Are Brothers', according to the Mahantma Gandi, why and for what purpose is society divided into different segments (political, cultural, civil society) as we can see it in the article presented by Gramsci? Is the reason for this division political, economical, sociological, or is it just the result of specialization of labor during history? How can civil society manage, or overcome the principals of domination?

ADDITIONAL READINGS:

- Bottomore, Tom (1992). The Dictionary of Marxist Thought. Blackwell Publishers. ISBN 0631180826.
- Gramsci, Antonio (1971). Selections from the Prison Notebooks. International Publishers. ISBN 071780397X.
- Jay, Martin (1986). Marxism and Totality: The Adventures of a Concept from Lukacs to Habermas. University of California Press. ISBN 0520057422.
- Joll, James (1977). Antonio Gramsci. Viking Press. ISBN 0670129429.
- Kolakowski, Leszek (1981). Main Currents of Marxism, Vol. III: The Breakdown. Oxford University Press. ISBN 0192851098.
- Boggs, Carl (1984). The Two Revolutions: Gramsci and the Dilemmas of Western Marxism. South End Press. ISBN 0896082261.

SLAVOJ ŽIŽEK: EASTERN EUROPE'S REPUBLICS OF GILEAD

Slavoj Žižek, born in Slovenia in 1949, received a doctorate in Philosophy from the University of Ljubljana. In 1990 he was a candidate with the party Liberal Democracy of Laocenia for Presidency of the Republic of Slovenia. His major works are The Sublime Object of Ideology, (1989), For They Know Not What They Do (1991), The Ticklish Subject (1999), Did Somebody Say Totalitarianism? (2001), Revolution at the Gates: Žižek on Lenin, the 1917 Writings (2002), How to Read Lacan (2006), besides others.

Why is the West so fascinated by the recent events in Eastern Europe? The answer seems obvious: what fascinates the Western gaze is the re-invention of democracy. It is as if democracy, which in the West shows increasing signs of decay and crisis, lost in bureaucratic routine and publicity-style election campaigns, is being rediscovered in Eastern Europe in all its freshness and novelty. The function of this fascination is thus purely ideological: in Eastern Europe the West looks for its own lost origins, for the authentic experience of 'democratic invention'. In other words, Eastern Europe functions for the West as its Ego-Ideal: the point from which the West sees itself in a likeable, idealised form, as worthy of love. The real object of fascination for the West is the gaze, namely the supposedly naive gaze by means of which Eastern Europe stares back at the West, fascinated by its democracy. It is as if the Eastern gaze is still able to perceive in Western societies its **agalma**, treasure that causes democratic enthusiasm and which the West has long lost the taste of.

The reality now emerging in Eastern Europe is, however, a disturbing distortion of this idyllic picture of the two mutually fascinated gazes. It is best illustrated by the strange destiny of a well-known Soviet joke about Rabinovitch, a Jew who wants to emigrate. The bureaucrat at the emigration office asks him why. Rabinovitch answers: 'There are two reasons why. The first is that I'm afraid that the Communists will lose power in the Soviet Union, and the new forces will blame us Jews for the Communist crimes.[...] 'But,' interrupts the bureaucrat, 'this is pure nonsense, the power of the Communists will last forever!' 'Well,' responds Rabinovitch calmly, 'that's my second reason.' In The Sublime Object of Ideology, published in 1989,[1] it was still possible to count on the efficacy of this joke; however, according to the latest information, the main reason cited by Jews emigrating from the Soviet Union is Rabinovitch's first reason. They fear, in effect, that, with the disintegration of Communism and the emergence of nationalistic forces openly advocating anti-Semitism, the blame will again be put on them. So today we can easily imagine the

agalma –
Greek: statue; sculpture; "thing to delight the gods"

1 Slavoj Žižek, The Sublime Object of Ideology, Verso, London, 1989, pp. 175-6.

reversal of the joke, with Rabinovitch answering the bureaucrat's question thus: 'There are two reasons why. The first is that I know that Communism in Russia will last forever, nothing will really change here, and this prospect is unbearable for me...' 'But,' interrupts the bureaucrat, 'this is pure nonsense, Communism is disintegrating all around!' 'That's my second reason!' responds Rabinovitch.

The dark side of the processes current in Eastern Europe is thus the gradual retreat of the liberal-democratic tendency in the face of the growth of corporate national populism with all its usual elements, from **xenophobia** to anti-Semitism. The swiftness of this process has been surprising: today, we find anti-Semitism in East Germany (where one attributes to Jews the lack of food, and to Vietnamese the lack of bicycles) and in Hungary and in Romania (where the persecution of the Hungarian minority also continues). Even in Poland we can perceive signs of a split within Solidarity: the rise of a nationalist-populist faction that imputes to the 'cosmopolitan intellectual' (the old regime's codeword for Jews) the failure of the recent government's measures.

THE NATION-THING

To explain this unexpected turn, we have to rethink the most elementary notions about national identification – and here, psychoanalysis can be of help. The element that holds together a given community cannot be reduced to the point of symbolic identification: the bond linking its members always implies a shared relationship toward a Thing, toward Enjoyment **incarnated**.[2] This relationship toward the Thing, structured by means of fantasies, is what is at stake when we speak of the menace to our 'way of life' presented by the Other: it is what is threatened when, for example, a white Englishman is panicked because of the growing presence of 'aliens.' What he wants to defend at any price is not reducible to the so-called set of values that offer support to national identity. National identification is by definition sustained by a relationship toward the Nation qua Thing. This Nation-Thing is determined by a series of contradictory properties. It appears to us as 'our Thing' (perhaps we could say cosa nostra), as something accessible only to us, as something 'they', the others, cannot grasp, but which is nonetheless constantly menaced by 'them'. It appears as what gives **plenitude** and **vivacity** to our life, and yet the only way we can determine it is by resorting to different versions of an empty **tautology**: all we can say about it is, ultimately, that the Thing is 'itself, 'the real Thing', 'what it really is about', and so on. If we ate asked how we can recognise the presence of this Thing, the only consistent answer is that the Thing is present in that elusive entity called 'our way of life'. All we can do is enumerate disconnected fragments of the way our community organises its feasts, its rituals of mating, its initiation ceremonies – in short, all the details by which is made visible the unique way a community organises its enjoyment. Although the first, so to speak, automatic, association that arises here is of course that of the reactionary, sentimental Blut und Boden, we should not forget that such a reference to a 'way of life' can also have a distinctive 'leftist' connotation. Note George Orwell's

xenophobia – extreme dislike or fear of foreigners, their customs, their religions, etc.
incarnate – realize in action or fact; actualize
qua – in the capacity or character of; as; by virtue of being
plenitude – the quality or state of being full or complete; fullness; completeness
vivacious – lively in temper, conduct, or spirit
tautology – the unnecessary and usually unintentional use of two words to express one meaning

2 For a dedicated elaboration of this notion of the Thing, see Jacque Lacan, Le Séminaire VII – L'éthique de la psychoanalyse, Paris 1986. Note here the enjoyment (jouissance) is not to be equated with pleasure: enjoyment is precisely 'pleasure is unpleasure'; it designates the paradoxical satisfaction procured by a painful encounter with a Thing that perturbs the equilibrium of the 'pleasure' principle.' In other words, enjoyment is located 'beyond the pleasure principle.'

essays from the war years, in which he attempted to define the contours of an English patriotism opposed to the official, puffy-imperialist version of it: his points of reference were precisely those details that characterise the 'way of life' of the working class (the evening gathering in the local pub, and so forth).[3]

This paradoxical existence of an entity that 'is' only in so far as the subjects believe (in the other's belief) in its existence, is the mode of being proper to ideological Causes: the 'normal' order of causality is here inverted, since it is the Cause itself that is produced by its effects (the ideological practices that it animates). However, it is precisely at this point that the difference separating Lacan from 'discursive idealism' emerges most forcefully: Lacan is far from reducing the (national, etc.) cause to a performative effect of the discursive practices that refer to it. The pure discursive effect doesn't have enough 'substance' to exert the attraction proper to a Cause; and the Lacanian term for the strange 'substance' that must be added to enable a Cause to obtain its positive **ontological** consistency – the only 'substance' acknowledged by psychoanalysis – is, of course, enjoyment (as Lacan states explicitly in his Le Séminaire XX – Encore). A nation exists only as long as its specific enjoyment continues to be materialised in certain social practices, and transmitted in national myths that structure these practices. To emphasise, in a 'deconstructivist' mode, that the Nation is not a biological or transhistorical fact but a contingent discursive construction, an overdetermined result of textual practices, is thus misleading: it overlooks the role of a remainder of some real, non-discursive kernel of enjoyment which must be present for the Nation qua discursive-entity-effect to achieve its ontological consistency.[4]

It would, however, be erroneous simply to reduce the national Thing to the features composing a specific 'way of life'. The Thing is not directly a collection of these features; there is 'something more' in it, something that is present in these features, that appears through them. Members of a community who partake in a given 'way of life' believe in their Thing, where this belief has a reflexive structure proper to the inter subjective space: 'I believe in the (national) Thing' is equal to 'I believe that others (members of my community) believe in the Thing,' The tautological character

3 The way these fragments persist across ethnic barriers can be sometimes quite affecting: as, for example, with Robert Mugabe who, when asked by a journalist what was the most precious legacy of British colonialism to Zimbabwe, answered without hesitation, 'cricket' – a senselessly ritualised game, almost beyond the grasp of a Continental, in which the prescribed gestures (or, more precisely, gestures established by an unwritten tradition) – the way to throw a ball, for example – appear grotesquely 'dysfunctional'.

4 The fact that a subject fully 'exists' only through enjoyment – that is, the ultimate coincidence of 'existence' and 'enjoyment' – was indicated in Lacan's early Seminars by the ambiguously traumatic status of existence: 'By definition, there is something so improbable about all existence that one is in effect perpetually questioning oneself about its reality.' (The Seminars of Jacques Lacan, Book II, Cambridge 1988, p. 226.) This proposition becomes much clearer if we simply replace 'existence' with 'enjoyment' thus: 'By definition, there is something so improbable about all enjoyment that one is in effect perpetually questioning oneself about its reality.' The fundamental subjective position of a hysteric consists precisely in such a questioning about one's existence qua enjoyment, while a sadistic pervert avoids this questioning by transposing the 'pain of existence' on to the other (his victim).

ontology – branch of metaphysics concerned with the nature and relations of being, a particular theory about the nature of being or the kinds of things that have existence

of the Thing – its semantic void, the fact that all we can say about it is that it is 'the real Thing' – is founded precisely in this paradoxical reflexive structure. The national Thing exists as long as members of the community believe in it; it is literally an effect of this belief in itself. The structure here is the same as that of the Holy Spirit in Christianity. The Holy Spirit is the community of believers in which Christ lives after his death; to believe in Him is to believe in belief itself – to believe that I'm not alone, that I'm a member of the community of believers. I do not need any external proof or confirmation of the truth of my belief: by the mere act of my belief in others' belief, the Holy Spirit is here. In other words, the whole meaning of the Thing consists in the fact that 'it means something' to people.

THEFT OF ENJOYMENT

Nationalism thus presents a privileged domain of the eruption of enjoyment into the social field. The national Cause is ultimately nothing but the way subjects of a given ethnic community organise their enjoyment through national myths. What is therefore at stake in ethnic tensions is always the possession of the national Thing. We always **impute** to the 'other' an excessive enjoyment; s/he wants to steal our enjoyment (by ruining our way of life) and/or has access to some secret, perverse enjoyment. In short, what really bothers us about the 'other' is the peculiar way it organises its enjoyment: precisely the surplus, the 'excess'' that pertains to it – the smell of their food, their 'noisy' songs and dances, their strange manners, their attitude to work (in the racist perspective, the 'other' is either a workaholic stealing our jobs or an idler living on our labour; and it is quite amusing to note the ease with which one passes from **reproaching** the other with a refusal to work, to reproaching him for the theft of work). The basic paradox is that our Thing is conceived as something inaccessible to the other, and at the same time threatened by it; this is also the case with castration, which, according to Freud, is experienced as something that 'really cannot happen', but we are nonetheless horrified by its prospect. The ground of incompatibility between different ethnic subject positions is thus not exclusively the different structure of their symbolic identifications. What categorically resists universalisation is rather the particular structure of their relationship towards enjoyment.

Why does the Other remain Other? What is the cause for our hatred of him, for our hatred of him in our very being? It is hatred of the enjoyment in the Other. This would be the most general formula of the modern racism we are witnessing today: a hatred of the particular way the Other enjoys . . . The question of tolerance or intolerance is not at all concerned with the subject of science and its human rights. It is located on the level of tolerance or intolerance toward the enjoyment of the Other, the Other as he who essentially steals my own enjoyment. We know, of course, that the fundamental status of the object is to be always already snatched away by the Other. It is precisely this theft of enjoyment that we write down in shorthand as minus-Phi, the matheme of castration. The problem is apparently unsolvable as the Other is the Other in my interior. The root of racism is thus hatred of my own enjoyment. There is no other enjoyment but my own. If the Other is in me, occupying the place of extimacy, then the hatred is also my own.[5]

impute – say that someone is responsible for something that has happened, or that something is the cause of something else

reproach – to express disappointment in or displeasure with (a person) for conduct that is blameworthy or in need of amendment

5 Jacques-Alain Miller, 'Extimité', unpublished lecture, Paris, 27 November 1985.

What we conceal by imputing to the Other the theft of enjoyment is the traumatic fact that we never possessed what was allegedly stolen from us: the lack ('castration') is original; enjoyment constitutes itself as 'stolen', or, to quote Hegel's precise formulation from his Science of Logic, it 'only comes to be through being left behind'.[6] Yugoslavia today is a case-study of such a paradox, in which we are witness to a detailed network of 'decantations' and 'thefts' of enjoyment. Every nationality has built its own mythology narrating how other nations deprive it of the vital part of enjoyment the possession of which would allow it to live fully. If we read all these mythologies together, we obtain Escher's well-known visual paradox of a network of basins where, following the principle of perpetuum mobile, water pours from one basin into another until the circle is closed, so that by moving the whole way downstream we find ourselves back at our starting point. These fantasies are structured in a complementary, symmetrical way. Slovenes are being deprived of their enjoyment by 'Southerners' (Serbians, Bosnians) because of their proverbial laziness, Balkan corruption, dirty and noisy enjoyment, and because they demand bottomless economic support, stealing from Slovenes their precious accumulation by means of which Slovenia could already have caught up with Western Europe. The Slovenes themselves, on the other hand, are supposed to rob Serbs because of their unnatural diligence, stiffness and selfish calculation; instead of yielding to simple life pleasures, Slovenes perversely enjoy constantly devising means of depriving Serbs of the results of their hard labour, by commercial profiteering, by reselling what they bought cheaply in Serbia. Slovenes are afraid that Serbs will '**inundate**' them, and that they will thus lose their national identity. Serbs reproach Slovenes with their 'separatism', which means simply that Slovenes are not prepared to recognise themselves as a sub-species of Serb. To mark their difference from the 'Southerners', recent Slovenian popular historiography has been obsessed with proving that Slovenes are not really Slavs but in fact of Etruscan origin. Serbs, on the other hand, excel in proving how Serbia was a victim of 'Vatican-Comintern conspiracy': their idée fixe is that there was a secret joint plan of Catholics and Communists to destroy Serbian statehood. The basic premise of both is of course 'We don't want anything foreign, we just want what rightfully belongs to us.' In both cases, the root of these fantasies is clearly hatred of one's own enjoyment. Slovenes, for example, repress their own enjoyment by means of obsessional activity, and it is this very enjoyment which returns in the real, in the figure of the dirty and easy-going 'Southerners'.[7]

inundate – cover with a flood, overflow, overwhelm

6 G.W.F. Hegel, The Science of Logic, Oxford 1975, p. 402.

7 The mechanism at work here is of course that of paranoia. At its most elementary, paranoia consists in this very externalisation of the function of castration in a positive agency appearing as the 'thief of enjoyment'. By means of a somewhat risky generalisation of the foreclosure of the Name-of-the-Father (the elementary structure of paranoia, according to Lacan), we could perhaps sustain the thesis that Eastern Europe's national paranoia stems precisely from the fact that Eastern Europe's nations are not yet fully constituted as 'authentic states': it is as if the failed, foreclosed state's symbolic authority 'returns in the real' in the shape of the Other, the 'thief of enjoyment'.

This logic is, however, far from being limited to 'backward' Balkan conditions. The way that 'theft of enjoyment', or – to use a Lacanian technical term – imaginary castration, is an extremely useful notion for analysing today's ideological processes, can be further exemplified by a feature of the American ideology of the eighties: its obsession with the idea that there might still be some American POWs alive in Vietnam, leading a miserable existence, forgotten by their own country. This obsession articulated itself in a series of macho adventures of a hero undertaking a solitary rescue mission (Rambo II: Missing In Action). The fantasy-scenario supporting it is, however, far more interesting. It is as if down there, far away in the Vietnamese jungle, America has lost a precious part of itself, has been deprived of an essential element of its very life-substance, the essence of its potency; and as if this was the ultimate cause of its decline and impotence in the post-Vietnam War, Carter years, so that recapturing this stolen, forgotten part became a component of the Reaganesque reaffirmation of a strong America.[8]

ANTAGONISM AND ENJOYMENT

What sets in motion this logic of the 'theft of enjoyment' is of course not immediate social reality – the reality of different ethnic communities living closely together – but the inner antagonism inherent to these communities. It is possible to have a multitude of ethnic communities living side by side without racial tensions (like today's California); on the other hand, one does not need a lot of 'real' Jews to impute to them some mysterious enjoyment that threatens us (it is well known that in Nazi Germany anti-Semitism was most ferocious in those parts where there were almost no Jews; in today's East Germany the anti-Semitic skinheads outnumber Jews by ten to one). Our perception of 'real' Jews is always mediated by a symbolic-ideological structure which tries to cope with social antagonism: the real 'secret' of the Jew is our own antagonism. In today's America, for example, a role resembling that of the Jew is being played more and more by the Japanese. Witness the obsession of the American media with the idea that the Japanese don't know how to enjoy themselves. The reason for Japan's increasing economic superiority over the USA is located in the somewhat mysterious fact that the Japanese don't consume enough, that they accumulate too much wealth. If we look closely at the logic of this accusation, it is clear that what American 'spontaneous' ideology really reproaches the Japanese for is not simply their inability to take pleasure, but the fact that their very relationship between work and enjoyment is strangely distorted. It is as if they find enjoyment in their excessive renunciation of pleasure, in their zeal, in their inability to 'take it easy', to relax and enjoy; and it is this attitude that is perceived as a threat to American supremacy, which is why the American media report with such evident relief how the Japanese are finally learning to consume, and why American television depicts with such self-satisfaction Japanese

8 I am indebted for this idea to William Warner's paper 'Spectacular Action: Rambo, Reaganism, and the Cultural Articulation of the Hero', presented at the colloquium 'Psychoanalysis, Politics and the Image', at New York State University, Buffalo, on 8 November 1989. Incidentally, Rambo II is in this respect far inferior to Rambo I, which accomplishes an extremely interesting ideological re-articulation: it condenses in the same person the 'leftist' image of a lone hippy vagrant threatened by the small-town atmosphere embodied in a cruel sheriff, and the 'rightist' image of a lone avenger taking the law into his own hands and doing away with the corrupt bureaucratic machinery. This condensation implies, of course, the hegemony of the second figure, so that Rambo I succeeded in including in the 'rightist' articulation one of the crucial elements of the American 'leftist' political imaginary.

tourists staring at the wonders of the American pleasure industry: they are finally 'becoming like us', learning our way to enjoy.

It is too easy to dispose of this problematic by pointing out that this is simply the transposition, the ideological displacement, of the effective socio-economic antagonisms of today's capitalism. The problem is that, while this is undoubtedly true, it is precisely through such a displacement that desire is constituted. What we gain by transposing the perception of inherent social antagonisms into this fascination by the Other (Jew, Japanese) is the fantasy-organisation of desire. The Lacanian thesis that enjoyment is ultimately always enjoyment of the Other – enjoyment supposed, imputed to the Other – and that, conversely, the hatred of the Other's enjoyment is always the hatred of one's own enjoyment, is perfectly exemplified by this logic of the 'theft of enjoyment'. What are fantasies about the Other's special, excessive enjoyment – about the Black's superior potency and sexual appetite, about the special relationship of Jews or Japanese towards money and work – if not precisely so many ways, for us, to organise our own enjoyment? Do we not find enjoyment precisely in fantasising about the Other's enjoyment, in this ambivalent attitude towards it? Do we not obtain satisfaction by means of the very supposition that the Other enjoys in a way inaccessible to us? Is not the reason for the Other's enjoyment to exert such a powerful fascination, that in it we represent to ourselves our own innermost relationship with enjoyment? And, conversely, is the anti-Semitic capitalist's hatred of the Jew not the hatred of the excess that pertains to capitalism itself, that which is produced by its inherent antagonistic nature? Is capitalism's hatred of the Jew not the hatred of its own innermost, essential feature? For this reason, it is not sufficient to point out who the racist's Other presents a threat to our identity. We should rather invert this proposition: the fascinating image of the Other personifies our own innermost split – what is already 'in us more than ourselves' – and thus prevents us from achieving full identity with ourselves. The hatred of the Other is the hatred of our own excess of enjoyment.

HOW THE REAL 'RETURNS TO ITS PLACE'

The national Thing thus functions as a kind of 'particular Absolute' resisting universalisation, bestowing its special 'tonality' upon every neutral, universal notion. It is for this reason that the eruption of the national Thing in all its violence has always taken by surprise the devotees of international solidarity. Perhaps the most notable case was the disastrous collapse of international solidarity within the worker's movement in the face of 'patriotic' euphoria at the outbreak of the First World War. Today, it is difficult to imagine what a traumatic shock it was for the leaders of all currents of social democracy and socialism, from Eduard Bernstein to Lenin, when the social-democratic parties of all countries (with the exception of the Bolsheviks in Russia and Serbia) gave way to chauvinist outbursts, and stood 'patriotically' behind 'their' respective governments, oblivious of the proclaimed solidarity of the working class 'without country'. This shock, the powerless fascination felt by its participants, bears witness to an encounter with the

Real of enjoyment. That is to say, the basic paradox is that these chauvinist outbursts of 'patriotic feeling' were far from unexpected. Years before the actual outbreak of the War, social democracy drew the attention of workers to the fact that imperialist forces were preparing for a new world war, and warned against yielding to 'patriotic' chauvinism. Even at the very outbreak of hostilities, in the days following the Sarajevo assassination, the German social democrats cautioned workers that the ruling class would use the assassination as an excuse to declare war. Furthermore, the Socialist International adopted a formal resolution obliging all its members to vote against war credits. When war broke out, international solidarity vanished into thin air. An anecdote showing how this overnight reversal took Lenin by surprise is significant: when he saw the daily newspaper of German social democracy announcing on its front page that the social-democratic deputies had voted for the war credits, he was at 'first convinced that the issue had been fabricated by German police to lead workers astray'!

And it is the same in today's Eastern Europe. The 'spontaneous' presupposition was that what is 'repressed' there, what will burst out once the lid of 'totalitarianism' is removed, will be democratic desire in all its forms, from political pluralism to flourishing market economy. What we are getting instead, now that the lid is removed, are more and more ethnic conflicts, based upon the constructions of different 'thieves of enjoyment': as if, beneath the Communist surface, there glimmered a wealth of 'pathological' fantasies, waiting for their moment to arrive – a perfect exemplification of the Lacanian notion of communication, where the speaker gets back from the addressee his own message in its true, inverted form. The emergence of ethnic Causes breaks the narcissistic spell of the West's complacent recognition of its own values in the East: Eastern Europe is returning to the West the 'repressed' truth of its democratic desire. And what we should point out is, again, the powerless fascination of (what remains of) the critical leftist intellectuals when faced with this outburst of national enjoyment. They are, of course, reluctant to embrace fully the national Cause; they are desperately trying to maintain a kind of distance from it. This distance is, however, false: a disavowal of the fact that their desire is already implied, caught in it.

Far from being produced by the radical break in Eastern Europe, an obsessive adherence to the national Cause is precisely what remains the same throughout this process – what, for example, Ceausescu and the now ascendant radical rightist-nationalist tendencies in Romania have in common. Here we encounter the Real, that which 'always returns to its place' (Lacan), the kernel that persists unchanged in the midst of the radical change in society's symbolic identity. It is therefore wrong to conceive this rise of nationalism as a kind of 'reaction' to the alleged Communist betrayal of national roots: the common idea that because Communist power ripped out the entire traditional fabric of society, the only remaining point on which to base resistance is national identity. It was already Communist power which produced the compulsive attachment to the national Cause, an attachment that became more exclusive the more totalitarian the power structure. The most extreme cases are to be found in Ceausescu's Romania, in Cambodia under **the Khmer Rouge**, in North Korea and in Albania.[9] The ethnic Cause is thus the leftover that persists once the network of Communist ideological fabric disintegrates. We can

Khmer Rouge – extremist Communist organization that ruled Cambodia from 1975 to 1979. The term "Khmer Rouge," meaning "Red Khmer" in French, was coined by Cambodian head of state Norodom Sihanouk and was later adopted in English

9 This attachment is not without its comical side effects. Because of his Albanian origins, John Belushi, the very embodiment of Hollywood 'decadence', who died of a drugs overdose, enjoys today a cult status in Albania: the official media praise him as a 'great patriot and humanist' who was 'always ready to embrace the just and progressive causes of humanity'!

detect it in the way the figure of the Enemy is constructed in today's Romania, for example: Communism is treated as a foreign body, as the Intruder which poisoned and corrupted the sane Body of the Nation; as something that really could not have its origins in our own ethnic tradition, and which therefore has to be cut off for the sanity of the Nation's Body to be restored. The anti-Semitic connotation is here unmistakable: in the Soviet Union, the Russian nationalist organisation, Pamyat, likes to count the number of Jews in Lenin's Politburo, in order to prove its 'non-Russian' character. A popular pastime in Eastern Europe is no longer simply to put all the blame on Communists, but to play the game 'who was behind the Communists?' (Jews for Russians and Romanians; Croatians and Slovenes for Serbs; and so on). This construction of the Enemy reproduces in its pure – so to speak, distilled – form, the way the Enemy was constructed in the late Communist nationalist-totalitarian regimes: what we get, once we overthrow the Communist symbolic form, is the underlying relation to the ethnic Cause, stripped of this form.

MASTERING THE EXCESS

So, why this unexpected disappointment? Why does authoritarian nationalism overshadow democratic pluralism? Why the chauvinist obsession with the 'theft of enjoyment', instead of openness towards ethnic diversity? Because, at this point, the Left's standard analysis of the causes of ethnic tensions in the 'real socialist' countries proved to be wrong. Its thesis was that ethnic tensions were instigated and manipulated by the ruling Party bureaucracy as a means of legitimising their hold on power. In Romania, for example, the nationalist obsession, the dream of Great Romania, the forceful assimilation of Hungarian and other minorities, created a constant tension which legitimised Ceausescu's hold on power. In Yugoslavia, the growing tensions between Serbs and Albanians, Croats and Serbs, Slovenes and Serbs, and so on, illustrate how corrupted local bureaucracies can prolong their power by presenting themselves as sole defenders of national interests. This hypothesis was refuted, however, in a most spectacular way by the recent events: once the rule of the Communist bureaucracies was broken, ethnic tensions emerged even more forcefully. So, why does this attachment to the ethnic Cause persist even after the power structure that produced it has collapsed? Here, a combined reference to the classical Marxist theory of capitalism and to Lacanian psychoanalysis might be of help.

The elementary feature of capitalism consists in its inherent structural imbalance, its innermost antagonistic character: the constant crisis, the incessant revolutionising of its conditions of existence. Capitalism has no 'normal', balanced state: its 'normal' state is the permanent production of an excess – the only way for it to survive is to expand. Capitalism is thus caught in a kind of loop, a vicious circle, that was clearly designated already by Marx: it produces more than does any other socio-economic formation to satisfy needs, but the result is the creation of even more needs to be satisfied; the more wealth it creates, the greater is the need to create even more

wealth. It should be clear from that why Lacan designated capitalism the reign of the discourse of the Hysteric: this vicious circle of a desire, whose apparent satisfaction only widens the gap of its dissatisfaction, is what defines hysteria. There exists effectively a kind of structural homology between capitalism and the Freudian notion of superego. The basic paradox of the superego also concerns a certain structural imbalance: the more we obey its command, the more we feel guilty; so that renunciation entails only a demand for more renunciation, repentance more guilt – as in capitalism, where a growth of production to fill out the lack, only increases the lack.

It is against this background that we should grasp the logic of what Lacan calls the (discourse of the) Master: its role is precisely to introduce balance, to regulate the excess. Precapitalist societies were still able to dominate the structural imbalance proper to the superego in so far as their dominant discourse was that of the Master. In his last works, Michel Foucault showed how the ancient Master embodied the ethics of self-mastery and 'just measure': the entire tradition of precapitalist ethics aimed at preventing the excess proper to the human libidinal economy from exploding. With capitalism, however, this function of the Master is suspended, and the vicious circle of the superego revolves freely.

Now, it should also be clear where the corporatist temptation comes from; that is, why this temptation is the necessary reverse of capitalism. Let us take the ideological edifice of fascist corporatism: the fascist dream is simply to have capitalism without its 'excess', without the antagonism that causes its structural imbalance. Which is why we have, in fascism, on one hand, the return to the figure of the Master – Leader – who guarantees the stability and balance of the social fabric, who again saves us from the society's structural imbalance; and, on the other hand, the reason for this imbalance is projected into the figure of the Jew whose 'excessive' accumulation and greed are deemed the cause of social antagonism. The dream is thus that, since the excess was introduced from outside – the work of an alien intruder – its elimination would enable us to obtain once again a stable social organism whose parts form a harmonious corporate body, where, in contrast to capitalism's constant social displacement, everybody would again occupy their own place. The function of the Master is to dominate the excess by locating its cause in a clearly delimited social agency: 'It is they who steal our enjoyment, who, by means of their excessive attitude, introduce imbalance and antagonism.' With the figure of the Master, the antagonism inherent to the social structure is transformed into the relationship of power, in the struggle for domination between us and them, the cause of antagonistic imbalance.

CAPITALISM WITHOUT CAPITALISM

Perhaps this matrix helps us also to grasp the re-emergence of national chauvinism in Eastern Europe as a kind of 'shock absorber' against the sudden exposure to capitalist openness and imbalance. It is as if, in the very moment when the bond, the chain, preventing the free development of capitalism – a deregulated production of the excess – was broken, it was countered by a demand for a new Master to bridle it. The demand is for the establishment of a stable and clearly defined social Body that will restrain capitalism's destructive potential by cutting off the 'excessive' element; and since this social Body is experienced as that of a Nation, the cause of imbalance 'spontaneously' assumes the form of a 'national enemy'.

When the democratic opposition was still fighting against Communist power, it united under the sign of 'civil society' all the 'anti-totalitarian' elements, from the Church to the

leftist intellectuals. Within the 'spontaneous' experience of the unity of this fight, the crucial fact passed unnoticed: that the same words used by all participants refer to two fundamentally different languages, to two different worlds.[10] Now that the opposition has won, this victory necessarily assumes the shape of a split: the enthusiastic solidarity of the fight against Communist power has lost its mobilising potential; the fissure separating the two political universes cannot be concealed anymore. This fissure is of course that of the well-known couple Gemeinschaft/Gesellschaft: traditional, organically linked community versus 'alienated' society which dissolves all organic links. The problem of Eastern Europe's nationalist populism is that it perceived Communism's 'threat' from the perspective of Gemeinschaft – as a foreign body corroding the organic texture of the national community; it thereby actually imputes to Communism the crucial feature of capitalism itself. In its moralistic opposition to the Communist 'depravity', the nationalist-populist moral majority unknowingly prolongs the thrust of the previous Communist regime toward state qua organic community. The desire at work in this symptomatic substitution of Communism for capitalism is a desire for capitalism-cum-Gemeinschaft: a desire for capitalism without the 'alienated' civil society, without the formal-external relations between individuals. Fantasies about the 'theft of enjoyment', the re-emergence of anti-Semitism, and so on, are the price to be paid for this impossible desire.

Paradoxically, we could say that what Eastern Europe needs most now is more alienation: the establishment of an 'alienated' state that would maintain its distance from civil society, that would be 'formal', 'empty', embodying no particular ethnic community's dream (and thus keeping the space open for them all). Otherwise, the vision depicted by Margaret Atwood in her The Handmaid's Tale, the vision of a near-future 'Republic of Gilead' where a moral-majority fundamentalism reigns, will come closer to being realised in Eastern Europe than in the USA itself.

---

10 What we have here can be grasped by means of the Lacanian opposition, 'subject of the enunciated/subject of the enunciation' (sujet d'énoncé/sujet d'énonciation): the same enunciated (demands for freedom and democracy, and so forth) is supported by a totally different position of the enunciation, is spoken from a totally different horizon of meaning. In Slovenia today, this fissure appears in an exemplary way apropos of the motto 'national reconciliation' proposed by the opposition: the desire to overcome old traumas of national division that result from Communist rule. Now that the opposition has won, it has become clear that this motto functions in two opposed ways. Both sides agree that the only way to cut short the circle of revenge, the wild acting out of old hatreds, is a 'working through' of the traumatic past: one should confront in broad daylight the demons of the past; long-repressed memories should become part of the nation's history-narrative. The aims to be achieved via such a 'working through', however, differ radically. One conceives 'reconciliation' as a means to achieve new national unity, organic solidarity, the recognition of all Slovenes in a new 'dream' of a common destiny. Within this perspective, past victims of the Communist oppression function like ritual animals whose sacrifice guarantees present unity; those who oppose this unity eo ipso betray their sacrifice. Whereas for the others 'reconciliation' means precisely reconciliation with the fact that there is no organic unity of Slovenes; that the multitude of 'dreams' is irreducible; that nobody has the right to enforce his/ her own dream on the others. One must accept the traumatic fact that past victims were utterly unnecessary, that there was no 'meaning' in them. Referring to the conceptual apparatus articulated by Ernesto Laclau and Chantal Mouffe in their Hegemony and Socialist Strategy (Verso, London 1985), we could say that perhaps the crucial hegemonic fight in Slovenia today is the fight for 'national reconciliation', for the appropriation of this 'floating signifier'.

SOURCE: Slavoj Žižek, "Eastern Europe's Republics of Gilead." New Left Review. Understanding Post-Communism, Number 183 September/October, 1990, pp. 50-62.

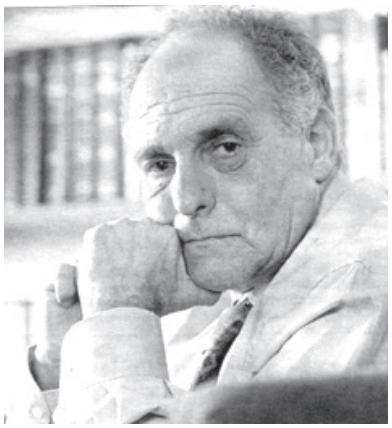
DISCUSSION QUESTIONS:

1. What kind of trends does Žižek observe in Eastern Europe with the demise of communism and the wave of rapid democratization? Give examples. What is the relevance of the joke about Rabinovich to Žižek's argument? How does Žižek explain xenophobia and the call for greater national consciousness in Eastern Europe?
2. What is a "Nation-Thing"? How do you understand "the Enjoyment"? How, according to Žižek, do these notions help explain the creation of stronger nationalistic bonds and the ensuing hatred or the "Other"?
3. Referring to the Lacanian psychoanalysis, how does Žižek explain the creation of a "Nation"? Do you agree with him that the Nation is a product primarily triggered by a non-historical discursive enterprise widely accepted amongst members of the given community or ethnic group? How, according to Žižek, is oneness upheld in a community? What is the importance of Enjoyment and the Thing in this enterprise?
4. What in "our Thing" is incompatible with the "Other"? What is it with the "Other" that corrupts and distorts the "Thing"? What is the relationship of the Nation to Enjoyment? What feeds hatred towards the "Other"? Why is Enjoyment being "stolen"? How do nations explain the process of being deprived of their Enjoyment by the "Other"? Why does Žižek call it imaginary? Give examples.
5. How is the hatred of the enjoyment of the "Other", or excess of it therein, a reflection of the hatred of enjoyment within "our" Nation itself?
6. Why did the call for nationalism pervade society after the collapse of communism? How does Žižek explain the compatibility of democracy and nationalistic tendencies in Eastern Europe? What does Lacan's discourse of the Master have to do with the process of the emergence of national cause?
7. How does the new capitalist regime help continue the damaging wave of nationalist-moralistic tendencies that hinder the development of genuine civil society? What is the controversial conclusion that Žižek reaches for Eastern European republics? Why does he think that the state needs to keep a safe distance from 'civil society'?

ADDITIONAL READINGS:

- Slavoj Žižek. The Sublime Object of Ideology, Verso, London, 1989.
- Slavoj Žižek. "From Joyce-the-Symptom to the Symptom of Power". http://plexus.org/lacink11/zizek.htm
- Interviews with Slavoj Žižek. http://eserver.org/bs/59/zizek.html ; http://www.spiked-online.com/Printable/00000002D2C4.htm

ERNEST GELLNER: CONDITIONS OF LIBERTY: CIVIL SOCIETY AND ITS RIVALS



A distinguished British theorist and writer, Ernest Gellner was one of the major contributors to social anthropology and philosophy of the second half of the twentieth century. His work is both admired and severely critiqued by many of his contemporaries while his holistic approach in theorizing is both illuminating and ambiguous. He was born in 1925 in Paris in a Jewish family that lived in Prague until the German occupation of 1939 and then moved to England. His major works are Words and Things (1959), Saints of the Atlas (1969), Thought and Change (1964), Legitimation of Belief (1975), and Nations and Nationalism (1983), among others.

A SLOGAN IS BORN

A new ideal was born, or reborn, in recent decades: Civil Society. Previously, a person interested in the notion of Civil Society could be assumed to be a historian of ideas, concerned perhaps with Locke or Hegel. But the phrase itself had no living resonance or **evocativeness**. Rather, it seemed distinctly covered with dust. And now, all of a sudden, it has been taken out and thoroughly dusted, and has become a shining emblem.

There is relatively little mystery concerning why this should have happened. The condition defined by this term had become highly valued and loaded with political appeal. In extensive parts of the world, what it denoted was absent. This lack came in due course to be strongly felt and bitterly resented: eventually it turned into an aching void. The absence was felt acutely in societies which had strongly centralised all aspects of life, and where a single political-economic-ideological hierarchy tolerated no rivals and one single vision defined not only truth but also personal **rectitude**. This caused the rest of society to approximate an atomised condition, and dissent then became a mark of heresy or, in the terminology of modern **ideocracy**, it defined an 'enemy of the people'.

Societies of this kind had emerged through the influence and the implementation of Marxism, and one way of summarising the central intuition of Marxism is to say: Civil Society is a fraud. The idea of a plurality of institutions – both opposing and balancing the state, and in turn controlled and protected by the state – is, in the Marxist view, merely the provision of a façade for a hidden and maleficent domination. It helps to reinforce such a domination by coercive institutions masquerading as benign, neutral or divinely ordained. Marxism claims to unmask both partners in this deception – the state which protects Civil Society, and Civil Society which provides a counterweight to the state. Both are damned as redundant and fraudulent.

So, it was claimed, there is no need for such a formula: once exploitation comes to an end, a social order will emerge which will have no need of coercive reinforcement. Only a pathological internal division of society created the need for a state;

evocativeness – tending or having power to remind
rectitude – moral uprightness; righteousness
ideocracy – rule or government based on ideology or theory

the overcoming of that condition automatically renders the state redundant. There will be no need for a state, and so naturally there will also be no need for additional institutions to counterbalance that central agency of order.

On this view the whole **cluster** of ideas associated with the phrase Civil Society stands for something which is both **spurious** and unnecessary. A harmonious social order, free of both exploitation and oppression, is possible after all. The formula for its construction is available. Its realisation is on the agenda of history, and its coming will be ensured both by the inner logic of events and by the iron will of the quasi-religious order devoted to its implementation.

The actual experience of societies endeavouring to implement this vision in the end also conclusively undermined it. The first attempt at liberalising Communist societies after the death of Stalin and in the course of the **Khrushchevian thaw** was, indeed, still marked by a **retention** of the original faith, and a desire to free it from its alleged 'deformations'. The central idea remained valid, it was felt, and only its implementation had gone astray. If there was a dominant slogan accompanying the reforms of that period within Marxist societies, it was 'alienation'. The same term also provided a focus for the intellectual activity of those in the West eager to endow Marxism with a new life and a fresh, moralistic image. The works of the young Marx, including parts of which he himself had later come to be ashamed and had never published, were revived with a view to offering a formulation of Marxism which was moralistic rather than scientistic, and which could provide a standard for judging and correcting faulty implementation of Marxism (a danger previously not seriously considered). The moral inspiration and aspiration of Marxism was stressed more than its scientistic pretensions. There was still the belief that, technically, Communism could be and would be effective, and that, morally, if only it was purged of its deformations, it could be admirable.

By the time of the second liberalisation under Gorbachev, nothing remained of either of these two illusions. The second liberalisation had been provoked and rendered necessary by an indisputable, and no longer disputed, technical failure and inferiority. As for moral superiority, strangely enough the **sleazy** but at least relatively mild **squalor** of the Brezhnev years proved far more corrosive for the image of the faith than the total, pervasive, random and massively destructive terror of Stalinism. That terror could at least be seen as the fearful but appropriately dramatic **heralding** of a totally new social order, the coming of a new man. It was indeed frequently seen in such a light. It was somehow fitting that the coming of a new humanity would be sanctified by so much blood. The squalor, on the other hand, heralded nothing at all except, perhaps, more squalor. It is possible to live with squalor, especially if the regime guilty of it is also relatively tolerant of those who do not actively oppose or threaten the system, but it hardly heralds a new dawn for mankind.

Now a new ideal or counter-vision, or at least a slogan-contrast, was required, and appropriately enough it was found in Civil Society, in the idea of institutional and ideological pluralism, which prevents the establishment of monopoly of power and truth, and counterbalances those central institutions which, though necessary, might otherwise acquire such monopoly. The actual practice of Marxism had led, wherever it came to be implemented, to what might be called Caesaro-Papism-Mammonism, to the near-total fusion of the political, ideological and economic hierarchies. The state, the church-party and the economic managers were all parts of one single nomenklatura. A single and centralised hierarchy with an unambiguous apex monopolised all important decisions. Autonomy of the formal segments, consultation and electoral decision-taking were all of them pure theatre, and known to be such. This tendency was perhaps specially marked

cluster – group of similar elements brought together
spurious – not genuine; false
Khrushchevian thaw – policy of loosening the regime in the USSR since Krushchev took over the position of the First Secretary of the Communist Party in 1956
retention – keeping in mind; holding on to
sleazy – dishonest or corrupt
squalor – filthy and wretched condition or quality
heralding – sign or indication of something to come

in a society which had in any case been, even prior to the coming of Marxism, strongly Caesaro-Papist. The superimposition of Marxism on Byzantine theology and traditions proved disastrous. Modern administrative and communication technology had made economic centralisation both more feasible and more disastrous than it had been in the days when Russian villages were isolated by impassable mud in spring and autumn, and when nature herself, if not human will, had circumscribed autocracy. Modern technology at the service of Caesaro-Papism did not shine in economic performance, but it endowed authoritarianism with an altogether new, totalitarian quality.

By the 1980s if not before, the consequences of such a system had become plain for all to see. Economically it was disastrous, and had caused the Soviet Union to be beaten simultaneously in the consumerist and in the arms race. It was bad enough for a country to have a Chayanovite peasantry and working class – one preferring security to increased output, as the Russian economist Chayanov had shown – but the unification of all hierarchies also led to a Chayanovite bureaucracy, one playing politics and playing safe, rather than committed to effectiveness. Its members were inevitably far more concerned with their position inside the networks than they were with technical efficiency, which would earn them no good marks and was indeed liable to earn them black ones. They learnt how to cheat the plan rather than how to increase output. Excessive zeal for production would cause friction, and might well earn a person guilty of it the label of **saboteur**.

At the same time, the system led to an atomised, individualised society, where it was barely possible – or literally not possible at all – to found a philatelic club without political supervision. Far from creating a new social man, one freed from egotistic greed, commodity fetishism and competitiveness, which had been the Marxist hope, the system created isolated, amoral, cynical individualists-without-opportunity, skilled at double-talk and trimming within the system, but incapable of effective enterprise. In these circumstances, the very thing which Marxism had proclaimed to be a fraud was suddenly seen to be something that was to be most ardently desired. The dusty term, drawn from antiquated political theory, belonging to long, obscure and justly forgotten debates, re-emerged, suddenly endowed with a new and powerful capacity to stir enthusiasm and inspire action.

What is it?

The simplest, immediate and intuitively obvious definition, which also has a good deal of merit, is that Civil Society is that set of diverse non-governmental institutions which is strong enough to counterbalance the state and, while not preventing the state from fulfilling its role of keeper of the peace and arbitrator between major interests, can nevertheless prevent it from dominating and atomising the rest of society.

Such a definition conveys the idea contained in the phrase, and also highlights the reason for the newly-emerged attractiveness of the slogan. None the less, this definition has a grave deficiency. It is good as far as it goes, but it does not go far enough. The problem is simple: such a definition would include under the notion of 'Civil Society' many forms of social order which would not satisfy us.

saboteur – one who commits sabotage

The point is this: historically, mankind has not always suffered under centralised despotism. It has suffered from it frequently, more often than not perhaps, but not everywhere and at all times; quite frequently it was free from such oppression.

The imposition of a despotism is not always an easy matter. Pre-modern polities quite often lack the equipment for pulverising and then dominating the societies they control. They are interested in extracting as much surplus as possible and ensuring obedience, but frequently the best way of doing this is to allow local communities to administer themselves, and merely oblige them to supply produce – or labour – on pain of punishment. In circumstances favourable to them, such as those conducive to mobile pastoralism or prevailing in difficult mountainous terrain, local communities can even become fully independent and effectively resist demands for taxation or **corvée**. In most places in the agrarian world, however, power is concentrated in one dominant and, by our standards, oppressive centre.

The logic of successive elimination of rival candidates for power until one only remains, does indeed operate in certain widely prevalent conditions, such as river valleys. In places where the vanquished cannot escape (because they depend for their survival on immobile fields, for instance), but can be deprived of arms, it then leads to a marked concentration of power and to exploitation. But these conditions do not prevail everywhere. What all this means is that in the traditional agrarian world, though its polities are most often monarchical, one nevertheless often finds internally well-organised, self-administering and partly or wholly autonomous sub-communities.

These, however, maintain their cohesion, internal discipline and solidarity with the help of much ritual, employed to underscore and enforce social roles and obligations. The social roles are generally conceived and defined in kin terms, and may indeed frequently be filled in terms of the kin positions of their occupants. So political, economic, ritual and any other kinds of obligation are superimposed on each other in a single idiom. This strengthens all of them: one cannot ignore one's obligation, for instance, without imperilling other relationships. The price of such strengthening is of course that all spheres of life become rigid, and innovation, technical or other, is rendered that much harder. The social visibility and authority of relationships is fortified by a plethora of ritual reminders: as in a military organization, discipline is enforced by a proliferation of minor rules and hence additional possible **transgressions**, the avoidance of which puts a heavy and constant burden on each individual, and thus keeps him in awe of the social order as a whole. There are so many ways of putting a foot wrong that a man is always at risk and seldom socially innocent. This being so, he needs to maintain a fund of good will among his fellows and his superiors, to compensate for the transgressions which he cannot but commit, and which render him perpetually vulnerable. His role is stable and ritually orchestrated. It is both internalised and externalised: it enters deep into his soul, and a plethora of markers pervades the outward life of the community. It endows him with an identity both secure and inescapable. He knows only too well who he is and what is expected of him: his prospects of redefining his own identity are negligible.

Traditional man can sometimes escape the tyranny of kings, but only at the cost of falling under the tyranny of cousins, and of ritual. The kin-defined, ritually orchestrated, severely demanding and life-pervading systems of the 'ancient city',[1] in Fustel de Coulanges's sense, may indeed succeed at least for a time in avoiding tyrannical

corvée – day of unpaid work required of a vassal by a feudal lord

transgression – violation of a law, command, or duty

1 Fustel de Colanges, La Cité Antique, Paris, 1864; reprinted Paris, 1967.

centralization, but only at the cost of a most demanding culture, one which modern man would find intolerably **stifling**. Roughly, the general sociological law of agrarian society states that man must be subject to either kings or cousins, though quite often, of course, he is subject to both. Kings generally dominate societies through the intermediary of local institutions and communities, so that a tyrant at the centre is sustained by local institutions, and vice versa.

Therefore, if we are to define our notion of Civil Society effectively, we must first of all distinguish it from something which may in itself be attractive or **repulsive**, or perhaps both, but which is radically distinct from it: the segmentary community which avoids central tyranny by firmly turning the individual into an integral part of the social sub-unit. Romantics feel nostalgia for it and modern individualists may **loathe** it; but what concerns us here is that, whatever our feelings for it may be, it is very, very different from our notion of Civil Society, even though it satisfies that plausible initial definition of it. It may, indeed, be pluralistic and centralization-resistant, but it does not confer on its members the kind of freedom we require and expect from Civil Society.

Fustel de Coulanges in his La Cité Antique did more than perhaps anyone else to establish this distinction. His aim was to disabuse his fellow French citizens, who had for some time been eager to invoke the alleged liberties of the ancients as precedents for the liberties they were eager to acquire or to fortify in their own society. But this was a total misunderstanding, Fustel claimed:

> L'idée que l'on s'est faite de la Grèce et de Rome a souvent troublé nos générations. Pour avoir mal observé les institutions de la cité ancienne, on a imaginé de les faire revivre chez nous. On s'est fait illusion sur la liberté chez les anciens et pour cela seul la liberté chez les modernes a été mise en péeril.[2]

Fustel was eager to cure his compatriots of their illusions, and thereby guard against the dangers inherent in them. Fustel was anticipated on this point by Benjamin Constant[3] who, however, only pointed out the absence of individual freedom among the ancients (even when they enjoyed liberty in the sense that their city was free of a tyrant or of foreign domination). He did not see, or at any rate he did not firmly point out, the role of social sub-groups and of ritual in the subjugation of the individual. So he cannot altogether be claimed as an ancestor of the **Durkheimian** sociological and anthropological tradition, and hence of the understanding of a kind of society which, though plural, does not resemble our Civil Society.

stifling – unbearable
repulsive – causing extreme dislike
loathe – dislike
Emile Durkheim (1858-1917) – French social scientist, the father of sociology

2 Ibid., p. 2.

3 'Liberty of the Ancients compared with that of the Moderns', in Benjamin Constant, Political Writings, B. Fontana (ed.), Cambridge, 1998. pp. 308-29.

Segmentary communities constitute an important social form, but it is one which differs significantly both from centralised tyrannies and from our Civil Society. Nor can Constant really be hailed as the anticipator of the distinction between 'positive' and 'negative' liberty. The objection to the ancient city is not so much that it prefers positive liberty (fulfilment) to negative liberty (absence of external constraints), but that its crucial defects preclude the possibility of formulating this contrast. It thrusts on to the individual an ascribed identity, which then may or may not be fulfilled, whereas a modern conception of freedom includes the requirement that identities be chosen rather than ascribed.

This particular danger of confusing modern and ancient liberty may not be serious in our time: the rhetoric of the recent converts to the idea of Civil Society does not contain much, if indeed it contains any, invocation of the ancient liberties of the Greeks and Romans. **Pericles** was not invoked, nor **Plutarch** quoted, by striking dockyard workers or miners in Gdansk or Donetzk. Nevertheless, a proper understanding of what the ideal of Civil Society really means now must distinguish it from an implicit identification with any and every plural society, within which well-established institutions counterbalance the state. That is simply too broad. The danger of such a mistake is present in current discourse if it adopts the intuitively plausible definition of Civil Society which already takes for granted a modern context and, so, tacitly excludes ancient pluralism. But, unless 'segmentary' societies are clearly excluded, the definition of Civil Society invoked at the start includes them, and mistakenly identifies them with what we want now. But such an equation is not merely in error theoretically, it also has practical consequences. These, even if they are not the same as those of the French contemporaries and predecessors of Fustel, are important.

Fustel is exceedingly eloquent on the matter of how much real individual liberty in the modern sense there was in the ancient city:

> La cité avait été fondée sur une religion et constituée comme une Eglise. De là sa force; de la aussi son omnipotence et l'empire absolu qu'elle exerçait sur ses membres. Dans une société établie sur de tels principes, la liberté individuelle ne pouvait pas exister. Le citoyen était soumis en toutes choses et sans aucune reserve à la cité ... La vie privee n'échappait pas a cette omnipotence de l'Etat… Il exerçait sa tyrannic jusque dans les plus petites choses…[4]

Fustel was concerned to show how this kind of plural, non-centralised, but socially oppressive society, despite its political pluralism could never satisfy a modern craving for Civil Society. It was eventually replaced by a new order, one in which the Christian separation of religion and polity made individual liberty thinkable. In this way, Fustel was not merely the ancestor of those who, like L. Dumont,[5] try to locate the religious origins of Western individualism, but also of those who seek to understand the kind of society based on the principles he had laid bare, and which in due course was to be called 'segmentary'. Fustel's story recorded the disappearance and replacement of one set of such societies, those of classical antiquity. In fact they had not disappeared from the earth, or even from the Mediterranean. They are a hardy plant, which is part of the reason why they merit attention.

Pericles – died 429 B.C, Athenian leader noted for advancing democracy in Athens

Plutarch – A.D. 46-120, Greek biographer and philosopher

4 Fustel de Coulanges, op. cit., p. 265.

5 Cf. Louis Dumont, From Mandeville to Marx, Chicago, 1977.

Fustel and his ideas have thus also become the inspiration of those many investigators, who have since come to be called social anthropologists, who are eager to understand societies which long continued to function in the manner which Fustel credited primarily to Mediterranean antiquity. In his own time, Emile Masqueray rediscovered the ancient city, under Muslim camouflage, in the Berber hills of Algeria.[6] For some reason which might repay investigation, the great Parisian star Fustel and the provincial nobody Masqueray coldly and almost completely ignored each other, though they must have known each other and their paths had crossed: Masqueray's scheme of evolution of Berber communities in Algeria mirrored Fustel's triadic succession in the ancient Mediterranean. Was it general or academic politics which explains this mutual avoidance by the two men? More recently, an American scholar has used Fustel, directly rather than mediated by Durkheim as is more common, in studying a long-urbanised and unusual Asian population, the Nepalese Newars. After summarising Fustel's segmentary account of society and the way in which each level of segments was sustained by its deities and rites, Robert Levy goes on to comment:

Fustel's portrait contained a deeply-felt myth, that of an earthly paradise of orderly, family-based unities prior to a transformation into a larger, impersonal and conflict-ridden state organisation.[7]

Perhaps Fustel's materials were indeed used to help foster such a myth, though Fustel himself was rather concerned, as we have seen, to counter an earlier myth, that of the ancient city as a precursor or model of the French Revolution and its ideals.

But the real situation is at the very least triangular (later we may need to add further options): there are the segmentary communities, cousin-ridden and ritual-ridden, free perhaps of central tyranny, but not really free in a sense that would satisfy us; there is centralisation which grinds into the dust all subsidiary social institutions or sub-communities, whether ritually stifling or not; and finally, there is the third alternative we seek to define and attain. It excludes both stifling communalism and centralised authoritarianism. It is this kind of Civil Society which concerns us.

A proper definition of it must take all this into account: Civil Society has at the very least two contrasts, and so its essence cannot be seized with the help of a merely bi-polar opposition between pluralism and monocentrism. We must try to understand that which we have suddenly discovered we possess and value. Many of us in the West took it for granted (some still do), as a kind of normal human condition, while those in the East learnt to love it more ardently by being so thoroughly deprived of it, and by seeing the utter falsity of the faith which declared it to be redundant and fraudulent. But we need to know just what it is we love. We can only identify it through characterising the full variety of its historic contrasts.[8]

---

6 Emile Masqueray, Formation des Cités Chez les Populations Sédentaires de l'Algérie, Paris, 1886; reprinted Aix-en-Provence, 1983, F. Colonna (ed.).

7 Robert I. Levy, Mesocosm, Berkeley, 1990, p. 21.

8 There is an excellent survey of the discussion and relevance of the notions of Civil Society by John Keane,

THE TWO NEIGHBOURS

Atlantic society is endowed with Civil Society, and on the whole, at any rate since 1945, it has enjoyed it without giving it much or any thought. Much contemporary social theory takes it for granted in an almost comical manner: it simply starts out with the assumption of an unconstrained and secular individual, unhampered by social or theological bonds, freely choosing his aims, and reaching some agreement concerning social order with his fellows. In this manner, Civil Society is simply presupposed as some kind of inherent attribute of the human condition! It is the corollary of a certain vision of man. It is naïve universalisation of a rather fortunate kind of man – the inhabitant of Civil Society. In reality, he is radically distinct from members of other kinds of society. He is not man-as-such.

It is only the rediscovery of this deal in Eastern Europe in the course of the last two decades that has reminded the inhabitants of the liberal states on either shore of the northern Atlantic of just what it is that they possess. But having become aware of it, we should also notice that this liberal civilisation possessed on its eastern and south-eastern borders two rather different kinds of neighbour.

Each of these neighbours has at times been a source of grave problems, sometimes simultaneously. In 1956, the West allowed its preoccupation with the real or imagined danger of Nasser to give second place to the issue of the repression of Magyar liberty (though admittedly, it is less than clear just what the West could possibly have done at that time, had its priorities been different). By contrast, in 1990, it was precisely the marked improvement of relations with north-eastern neighbours which enabled the West to be incomparably more effective in the Middle East than it had been in 1956. Saddam, unlike Nasser, was not able to profit from a European confrontation synchronised with his own aggression.

As became manifest in the course of the late 1980s, leading up to its subsequent disintegration, the Marxist world was marked by an almost total loss of faith in its own erstwhile central doctrine, and also by a strong and pervasive yearning for Civil Society. It is in this region after all that the slogan and the ideal were reborn and endowed with a new and vibrant meaning. The Muslim world, by contrast, is marked by the astonishing resilience of its formal faith, and merely weak, at best, at striving for Civil Society. Its absence is not widely felt to be scandalous, and stirs up relatively little local interest. On the contrary, ruthlessly **clientelist**, winner-takes-all polities are largely taken for granted and accepted as inherent in the nature of things.

In each case, Civil Society is or was conspicuous by its absence. But in one case, there is a strong craving for it, thwarted only or primarily by the inability of the society, at any rate so far, to create the appropriate economic preconditions, whereas in the other case the desire itself is largely, though not wholly, lacking.

A thing is perhaps best understood through its contrasts: and here we have at least two contrasts, quite distinct from each other, of the entity which concerns us. Perhaps it should be approached through looking at each of these oppositions in succession, and combining what we can learn from each.

Andrew Arato, Pierre Rosenvallon, Jacque Rupnik, Adam Michnik, Elmer Hankiss and others, in Krishan Kumar, 'Civil Society; an inquiry into the usefulness of an historical term', in The British Journal of Sociology, vol. 44, no. 3 (September 1993). See also Dominique Colas, 'Le Glaive et le Fléau, Généalogie du Fanatisme et de la Société Civile', Grasset (ed.), 1992; Civil Society and the State: New European Perspectives, John Keane (ed.), London, 1988; Market Economy and Civil Society in Hungary, C. M. Hann (ed.), London, 1990; Idea of Civil Society, Adams B. Seligman, New York, 1992.

clientelist – relating to client-patron system of social interaction

SOURCE: Ernest Gellner. Conditions of Liberty: Civil Society and its Rivals. Penguin Books, 1996, pp. 1-43.

DISCUSSION QUESTIONS:

1. Why is it important for Gellner to give his synopsis of the Marxist vision of Civil Society early in his text? How does the Marxist failure, according to Gellner, help us recognize the current trend in understanding and implementing Civil Society in Eastern Europe?
2. Was the Soviet Union a realization of the true Marxist project? What conditions led to a quick emergence of Civil Society in the post-socialist world? What message did this rapid transformation have for liberal societies in the West?
3. What working definition does Gellner give for Civil Society and what sort of deficiencies does he believe this definition carries? What aspect of the modern understanding of Civil Society is Gellner most troubled with? How does Gellner approach understanding of the term?
4. Does Gellner hold a bias toward individual freedom and liberty vis-à-vis community interests in the modern concept of Civil Society? Why should we, according to Gellner, exclude "ancient pluralism" when talking about the feasibility of modern Civil Society?
5. Why does Gellner believe Islam does not satisfy some groups of Eastern peoples? How does Gellner explain the course of development of fundamentalism within Islam?
6. Why, according to Gellner, have clientist networks in Islamic societies superseded formal power institutions in fulfilling the functions of the state? How are religious devotion and morality compatible with rampant clientelism? Does it undermine Islam's high moral purposes?
7. How are Islamic societies capable of combining and maintaining individual compliance and satisfaction with the state of affairs when they lack crucial institutions essential for the development of civil society?
8. Does Gellner believe that the Enlightenment alone served as the necessary precondition for the emergence of Civil Society in the Western world? How was Marxism able to handily employ the lessons drawn from the French Revolution? Do you agree with Gellner that "no one has a good word to say for Marxism"? Do you think that Gellner is right to label Soviet experience as Marxism? Why has Marxism failed to attain its goals?

REVIEW QUESTIONS:

1. In his writing Gellner talks about the obvious failure of the Soviet communist system. What arguments do they present to support their positions? 2. What are the definitions of Civil Society that Locke, Hegel, Marx, and Gellner give? How do the different definitions provided help us understand what the term encompasses? Which of the terms, in your view, best suits the modern liberal society?
3. In his book, Gellner says that we should exclude the segmentary community from the modern notion of Civil Society? Do the cleavages in the Shiite community and the differences in views of various sects prove this idea? Based on what you have read in "Shiite Sects", do you believe Gellner is right to assert that the Muslim community strives toward the establishment of the Umma, a community with shared beliefs and practices without a visible government structure?

ADDITIONAL READINGS:

- Gellner Resource Page – http://www.lse.ac.uk/collections/gellner/
  Resource site including excerpts from this philosopher's writings, commentaries on him, bibliography and biography.
- Ernest Gellner – http://cscs.umich.edu/~crshalizi/notebooks/gellner.html
  Cosma Shalizi's reflection on this thinker, and a bibliography.
- An Interview with Ernest Gellner:
  http://www.lse.ac.uk/collections/gellner/InterGellner.html
- Lecture by Gellner on civil society:
  http://www.alanmacfarlane.com/ancestors/Gellner.html
- Ernest Gellner biography – http://lucy.ukc.ac.uk/Gellner/Gellner.html
- Wikipedia: Ernest Gellner – http://www.wikipedia.org/wiki/Ernest_Gellner
- Ernest Gellner. Conditions of Liberty: Civil Society and Its Rivals. Penguin Books, 1996.

CHAPTER FIVE:
CIVIL SOCIETY AND GENDER

INTRODUCTION

All societies, throughout history, have been concerned with right conduct towards women and children. These concerns, often stemming from disputes between husbands and wives and among men about the "use and abuse of their women" by other men, have given us family laws, family courts, and elaborate rules for the proper "handling" of women. Are these concerns, laws, and regulation a natural outgrowth of concern for women or are they another attempt to regulate property and ownership rights?

In this chapter, the readers will come across such rules and laws, often dictated by men, as well as women's efforts to gain their rights in various societies during various periods of human history. Women have sought legal and social justice and continue to fight for their rights in many societies. In some societies they have been given legal and declarative rights and in others they have had to fight for their rights and for justice. This naturally prompts the question as to how we would distinguish women's rights from human rights: are they one and the same, or are they different?

Some texts also bring women's voices, both of scholars and activists, to the forefront. But these voices do not speak the same language all the time, nor do they hold the same values. The diversity of contexts, cultures, needs and observations of these women authors inform the ideas and arguments offered in these texts. The reader is enjoined to pay particular attention to the subtle variations in arguments and comprehension of issues, problems and solutions offered in the chapter. For example, are women's problems and issues local and particular to that culture or are they global and therefore require universal solutions?

Two texts address issues pertaining to gender in the context of Islam in two different countries that are undergoing reform: Egypt and Iran. Both texts offer a glimpse into the culture, religion, and society of these two reforming countries as they grapple with women's desire for control over their own lives. Readers could easily compare and contrast gender-related issues in these two countries. For a critical and fruitful examination of these two texts, some questions are: do women in these two countries with Muslim majorities have the same aspirations, face similar obstacles, and achieve comparable results? Are the arguments against women's aspirations in both countries similar in style, content, and reasoning?

Furthermore, other texts call into question feminist theories and western preoccupation with gender inequality in non-Western societies. In reading these texts, some questions that require careful consideration are: do westerners rank societies as developed, developing or backward on the basis of the level of gender equality? Are efforts to find a global common cause of women's issues a form of western imperialism?

NADIA SONNEVELD: IF ONLY THERE WAS KHUL'...

Nadia Sonneveld received her M.A. degree in Cultural Anthropology in 2000, and her M.A. degree in Arabic Language and Culture in 2002 from Leiden University. As her M.A. research focused on the reinterpretation of khul' in Egypt, her Ph.D. research at the ISIM focuses on the drafting of the law, its implementation in the courts, and its effects in everyday life.

In the mid 1970s, a film, Uridu Hallan (I Want a Solution), drew attention to the plight of women applying for divorce under Egyptian law. Three decades later, Egyptian women are the first in the Middle East to have gained the right to unilateral divorce through a procedure called khul'. Cartoons and two films now depict khul' as a law designed mainly for immoral westernized Egyptian women from the upper classes.

In Uridu Hallan, Doreya, a middle-aged Egyptian upper class woman wants to divorce her husband. Since her only son had grown up and had just left the parental home in order to study abroad, she decided that the time was ripe to divorce her unfaithful, alcoholic, and abusive husband whom her father had forced her to marry twenty years earlier.

When she requested him to divorce her he refused, saying that he could not understand that she suddenly wanted a divorce after twenty years of marriage unless "her eye was on another man." As a consequence, Doreya was left no other choice then to file a divorce case in court. Her case was endlessly postponed and she found herself dividing her time between work and going to the court without any results. As her case dragged on, she became more interested in learning the difference between women's divorce rights in Islam as compared to the divorce rights she had as an Egyptian Muslim woman under the Egyptian legal system. She discovered that Islam gives women the right to divorce their husband unilaterally through a procedure called **khul'**. One day, she found the police at her door – sent by her husband – to force her back to the marital "home" through a so-called "ta'ah" (obedience) ordinance. Instead of "returning home" Doreya ran down the stairs and fled to her brother's apartment. There she met a friend of her brother and after a while they fell in love. Slowly Doreya started getting hopes for a new future.

Yet, the "obedience" ordinance had angered her to such an extent that she decided to make an appointment with the Minister of Justice. During her visit she told him about the "khul' **hadith**" in which a woman approached the Prophet telling him that she hated living with her husband although she thought of her husband as a good and religious man. The Prophet asked her if she was willing to give back to him the mahr (dowry) which he had given her upon marriage. She agreed, and after she returned it to her husband, the Prophet divorced her from him. The Minister of Justice was impressed

Khul' (خلع) –
law introduced in Egypt in 2000 that allows a Muslim woman to divorce her husband. As a condition of the divorce, the woman renounces any financial claim on the husband and any entitlement to the matrimonial home

Hadith –
oral traditions relating to the words and deeds of the Islamic prophet Muhammad. Hadith collections are regarded as important tools for determining the Sunnah, or Muslim way of life, by all traditional schools of jurisprudence

by her knowledge of Islamic law and he promised to study the matter. He abolished the "obedience" ordinance in the sense that the police were no longer allowed to force a woman back "home". However, he did not give women the right to divorce by way of khul', nor did he set out to facilitate the existing divorce procedures so as to put an end to a practice which made women spend years in court without necessarily obtaining a divorce at the end of that period as happened to Doreya. After four long years the judge refused to grant her a divorce. Instead of marrying the friend of her brother whom she was in love with, she was still legally married to a man whom she hated and from whom she had already been separated for years in public and many claimed that it revived the reform initiatives of the old Personal Status Laws which had last been amended in the 1920s. It is difficult to measure its effects, but it is beyond doubt that the film reflected the mood of the seventies in which hope, when a new reform proposal was introduced, and disappointment, when it was rejected again, succeeded each other. While the reform initiatives of 1971, 1975, and 1977 were all rejected by Parliament, Sadat pushed through a reform of Personal Status Law in 1979 during a period of parliamentary recess. The new law aroused a lot of controversy and especially the fact that women were given automatically the right to a divorce in case their husband married a second wife, enraged religious leaders, as well as the general public. However, since Sadat had issued the law when Parliament was in recess, some lawyers appealed the constitutionality of the law in the High Court which declared it unconstitutional on formal grounds in May 1985. The High Court did not declare the law unconstitutional on the ground that its content violated the Sharia. Although in July 1985 a new, adapted version of the 1979 law (law no.100/1985) was accepted by the Parliament, women felt disappointed. They again set out to reform the Personal Status Law.

Where in the film, Doreya went to visit the Minister of Justice in order to ask him to change the"obedience"ordinance and urge him to introduce unilateral divorce by way of khul' instead, more than a decade later, women's activists also went to see the Minister of Justice, in order to discuss how they could facilitate the procedures governing judicial divorce cases initiated by women. After years of working with the Ministry of Justice, government officials, well known lawyers, and religious authorities, the women's activists made a big step forward when the People's Assembly passed Law no. 1/2000 on the Reorganization of Certain Terms and Procedures of Litigation in Personal Status Matters. Soon the law became known as the "khul' law" after one of its 79 clauses which allowed for a khul' without the consent of the husband. According to this interpretation of khul': "A married couple may mutually agree to separation. However, if they do not agree and the wife sues demanding it; separates herself from her husband by forfeiting all her financial legal rights; and restores to him the sadaq (dowry) he gave to her, then the court is to divorce her from him" (article 20).

The *"khul' law"* criticized

In contrast to what one might expect, khul' was criticized by many defenders of women's rights, one of whom was Husna Shah, the scriptwriter of "I Want a Solution". In an interview in an Egyptian newspaper in 2000 she said that khul' will only be used in case of extreme necessity since the wife will have to forgo her financial rights such as alimony. For this reason, a woman will hesitate to approach a court. Husna Shah even predicted that women who do not opt for khul' but who continue to live in discordant marriages, will resort again to "the cleaver and the plastics bags," a reference to criminal cases in which women, unable to obtain a divorce, ended up

Khul "Law"–
Khul is a measure that was introduced in Egypt in 2000 that allows a Muslim woman to divorce her husband

murdering their husbands.

Husna Shah did not stand alone in her criticism. Other proponents of women's rights also were of the opinion that khul' would only be an option for richer women since they were the only ones likely to be able to pay back the dowry as well as give up their financial rights. Opponents of reform of the existing divorce rules articulated much fiercer criticism. They also stated that giving women unilateral divorce rights would lead to sky-rocketing divorce rates, and hence the destruction of the Egyptian family since women were too emotional to be given this right. As long as women remained obedient to their husband, family life and society in general would prosper. However, when women would leave their husband and ask for a khul', this would lead to the breakdown of the Egyptian family and, hence, to that of Egyptian society at large. Often opponents called women applying for khul' nashiz (disobedient).

Cartoons appeared to provide a very popular means for those opposing reform of divorce rules to express their criticism of the new "khul' law." They depicted women with moustaches, women flirting with other men, men in shackles and men pushing prams, all conveying the same message: once women were giving the right to unilateral divorce, they would misuse it. As a result Egyptian family life would fall apart. What is particularly interesting is that many, if not all, cartoons depicted women as westernized Egyptian women who did not wear the veil, but instead wore tight garments and who walked on high heels.

The issue of westernization and women's (dis)obedience was also a central theme in two films which dealt with the development of khul' after its introduction in 2000. Both films were comedies and in both cases they showed how two women from the higher classes tried to divorce their husbands. The first film, Muhami Khul' (Khul'Lawyer) was released in 2003 and showed how a young and attractive woman of the high heels and tight clothes type, who owned a factory wanted to divorce her husband because he was snoring. For this purpose she approached a lawyer who accepted her case but only on the condition that they would construe snoring as sexual impotence, otherwise they would have no chance of winning the case. During the process they (not surprisingly) fell in love with each other. She won the case but in the end the two did not marry each other after she caused a scandal by swimming in her bikini in the river which ran along the house of his parents in the village.

The title of the second film Uridu Khul'an (I Want Khul') is a pun on the film Uridu Hallan and was released in late 2005. Again, we see how an upper class woman with two children resorts to khul' in order to pressure her husband to give her permission to leave the house in order to work again. He had refused to let her work after he had come home one afternoon only to find out that his two children had changed the house into a chaos during his wife's absence. Since he thinks that her main responsibility is in the house, he refuses to let her work again after which the wife files the first khul' case in the country. The media, eager to cover this first khul' case, starts to cover her case in every national paper and on television. As a consequence the husband, afraid of his high position, becomes so embarrassed that he starts to give in to her wishes bit by bit.

Both the cartoons and the two films use the imagery of westernized Egyptian women to suggest that khul' is only in the interest of already liberated and immoral rich elite women who will only use it for frivolous reasons. In fact, however, the majority of those filing for a divorce through khul' are Egyptian women from the lower middle classes who do not wish to divorce their husband merely because they snore or because they forbid them to work, but because their lives have in some way been made impossible. Many of these women have husbands who do not have jobs and refuse to work, or husbands who have left them for another woman without divorcing them, thereby forcing them to run the household alone and to work outside the house as well as making it impossible for them to remarry. In such cases it is ironic that husbands frequently react to their wife's khul' case by filing an "obedience" ordinance. Apart from attempting to save their honour by putting the blame on their wife, they hope to make it difficult for her to obtain a divorce or they hope that the "obedience" ordinance will scare her to such an extent that she will withdraw her case.

The problems of these women are not easily recognized as the main discourse still relates khul' to women's disobedience and consequently the destruction of the Egyptian family. Approximately 35 years after Doreya's Uridu Hallan Egyptian women are in a position to say Uridu Khul'an. The relationship between khul' and disobedience, however, makes filing for a divorce through khul' a stigmatizing experience. What is more, this problem is not limited to a small group of westernized elite women as most women who resort to khul' are from modest backgrounds.

SOURCE: Media & Representation, Nadia Sonniveldo, 2006, 50. Cartoon from Al Wafd Newspaper foresees that, after the passing of the new Personal Status Law, women will be in control, 27 January.

DISCUSSION QUESTIONS:

1. Give a brief summary of this text and identify the main idea.
2. Can you explain to which class Doreya belonged? Why did she want to divorce her husband? What happened when she was in her brother's apartment?
3. Who has the right of divorce (men or women) according to Islamic doctrine? How did you understand the word Khul' which Doreya used? Retell and explain the "Khul hadith"? What was the Ministry of Justice's decision about Doreya's problem?
4. Explain what during 1971-1975 and 1977 in the Egyptian Parliament regarding these issues?
5. What is the Khul' law according to Husna Shah, the scriptwriter of "I Want a Solution"? Did she disagree with Doreya?
6. How do you understand the cartoons and these two films Muhami Khul and Uridu Khul'an?
7. Are most of the women who support Khul' law rich and westernized?
8. What do you personally think about Khul' law? Is it possible in your society, or is the Egypt experience completely different from your context? Do you agree with Doreya? If yes, why? If no, why not.
9. Write an argumentative essay concerning the topic of man and divorce in Central Asia.

REVIEW QUESTIONS:

1. What are the relationships between Civil Society and Gender issues?
2. How might this text change the view of Ernest Gellner on Islam and women's rights?
3. What kinds of change can intellectual women bring for the development of the society you are living in? What would be the reaction of the author to the ideas of Gramsci concerning the role of intellectuals in society?
4. What kinds of positive or negative perspectives did the socialist republics bring (including the approaches presented by Zizek on Eastern Europe's Republics) concerning women's rights and divorce?
5. What do you think about the historical premises of Islamic Law concerning the status and rights of woman and divorce?
6. How far can women contribute to the development of civil society?

ADDITIONAL READINGS:

- GENDER AND ISLAM IN AFRICA: DISCOURSES, PRACTICES, AND EMPOWERMENT OF WOMEN, (PDF) , May 20 – 22, 2004.
  Nadia Sonneveld, Institute for the Study of Islam in the Modern World
  www.northwestern.edu/african-studies/Pdfs/ISITA_Colloq_04.pdf
- CURRENT CONTENTS OF PERIODICALS ON THE MIDDLE EAST, Nadia Sonneveld, "If only there was khul'..." [50-51] ... Nadia Ramsis Farah, "Arab Women's Development: How Relevant are UNDP Measurements?
  meria.idc.ac.il/currentcontents/ccv26n3.html
- If only there was khul' … Nadia Sonneveld is a Ph.D. candidate at ISIM, doing research on the implementation of. the Egyptian "khul' law" of 2000 in the courts and in daily life. ...
  www.isim.nl/files/Review_17/Review_17-50.pdf

THE UPPER PART OF THE STELE OF HAMMURABI'S CODE OF LAWS

THE CODE OF HAMMURABI

Hammurabi (ca. 1810 BCE - 1750 BCE), was the sixth king of Babylon. Hammurabi is known for the laws and had one of the first written codes of law in history. The Code of Hammurabi was a code of Babylonian Law which was written on a large stone monument and put in a public place where everyone could see it. The stele was later captured by the Elamites and taken to their capital. It was found there again in 1901, and is now in the Louvre Museum in Paris.

AN INSCRIPTION OF THE CODE OF HAMMURABI

An inscription of the Code of Hammurabi

…Hammurabi, the prince, called of Bel am I, making riches and increase, enriching **Nippur** and Dur-ilu beyond compare, sublime patron of E-kur; who reestablished **Eridu** and purified the worship of E-apsu; who conquered the four quarters of the world, made great the name of Babylon, rejoiced the heart of Marduk, his lord who daily pays his devotions in Saggil; …the royal scion of Eternity; the mighty monarch, the sun of Babylon, whose rays shed light over the land of **Sumer** and **Akkad**; the king, obeyed by the four quarters of the world; Beloved of Ninni, am I.

When **Marduk** sent me to rule over men, to give the protection of right to the land, I did right and righteousness in . . . , and brought about the well-being of the oppressed. …

127 If anyone "point the finger" (slander) at a sister of a god or the wife of anyone, and can not prove it, this man shall be taken before the judges and his brow shall be marked. (by cutting the skin, or perhaps hair.)

128 If a man take a woman to wife, but has no intercourse with her, this woman is no wife to him.

129 If a man's wife be surprised (in flagrante delicto) with another man, both shall be tied and thrown into the water, but the husband may pardon his wife and the king his slaves.

130 If a man violate the wife (betrothed or child-wife) of another man, who has never known a man, and still lives in her father's house, and sleeps with her and be surprised, this man shall be put to death, but the wife is blameless.

131 If a man bring a charge against one's wife, but she is not surprised with another man, she must take an oath and then may return to her house.

132 If the "finger is pointed" at a man's wife about another man, but she is not caught sleeping with the other man, she shall jump into the river for her husband.

133 If a man is taken prisoner in war, and there is a sustenance in his house, but his wife leave house and court, and go to another house: because this wife did not keep her court, and went to another house, she shall be judicially condemned and thrown into the water.

134 If anyone be captured in war and there is not sustenance in his house, if then his wife

Nippur – one of the most ancient of all the Sumerian cities. It was the special seat of the worship of the Sumerian god

Eridu – the earliest city in southern Mesopotamia, founded c. 5400 BCE. Eridu was founded by the Sumerian deity Enki, later known by the Akkadians as Ea

Sumer – civilization and historical region located in southern Iraq (Mesopotamia), known as the 'Cradle of Civilization'

Akkadian Empire – empire centered in the city of Akkad and its surrounding region in central Mesopotamia

Marduk – the Babylonian name of a late-generation god from ancient Mesopotamia and patron deity of the city of Babylon when it permanently became the political center of the Euphrates valley in the time of Hammurabi

go to another house this woman shall be held blameless.

135 If a man be taken prisoner in war and there be no sustenance in his house and his wife go to another house and bear children; and if later her husband return and come to his home: then this wife shall return to her husband, but the children follow their father.

136 If anyone leave his house, run away, and then his wife go to another house, if then he return, and wishes to take his wife back: because he fled from his home and ran away, the wife of this runaway shall not return to her husband.

137 If a man wish to separate from a woman who has borne him children, or from his wife who has borne him children: then he shall give that wife her dowry, and a part of the **usufruct** of field, garden, and property, so that she can rear her children. When she has brought up her children, a portion of all that is given to the children, equal as that of one son, shall be given to her. She may then marry the man of her heart.

138 If a man wishes to separate from his wife who has borne him no children, he shall give her the amount of her purchase money and the dowry which she brought from her father's house, and let her go.

139 If there was no purchase price he shall give her one mina of gold as a gift of release.

140 If he be a freed man he shall give her one-third of a mina of gold.

141 If a man's wife, who lives in his house, wishes to leave it, plunges into debt, tries to ruin her house, neglects her husband, and is judicially convicted: if her husband offer her release, she may go on her way, and he gives her nothing as a gift of release. If her husband does not wish to release her, and if he take another wife, she shall remain as servant in her husband's house.

142 If a woman quarrel with her husband, and say: "You are not congenial to me," the reasons for her prejudice must be presented. If she is guiltless, and there is no fault on her part, but he leaves and neglects her, then no guilt attaches to this woman, she shall take her dowry and go back to her father's house.

143 If she is not innocent, but leaves her husband, and ruins her house, neglecting her husband, this woman shall be cast into the water.

144 If a man take a wife and this woman give her husband a maid-servant, and she bear him children, but this man wishes to take another wife, this shall not be permitted to him; he shall not take a second wife.

145 If a man take a wife, and she bear him no children, and he intend to take another wife: if he take this second wife, and bring her into the house, this second wife shall not be allowed equality with his wife.

146 If a man take a wife and she give this man a maid-servant as wife and she bear him children, and then this maid assume equality with the wife: because she has borne him children her master shall not sell her for money, but he may keep her as a slave, reckoning her among the maid-servants.

147 If she have not borne him children, then her mistress may sell her for money.

148 If a man take a wife, and she be seized by disease, if he then desire to take a second wife he shall not put away his wife, who has been attacked by disease, but he shall keep her in the house which he has built and support her so long as she lives.

149 If this woman does not wish to remain in her husband's house, then he shall compensate her for the dowry that she brought with her from her father's house, and she may go.

150 If a man give his wife a field, garden, and house and a deed therefor, if then after the death of her husband the sons raise no claim, then the mother may bequeath all to

usufruct –
the right to enjoy benefits or profits from something, as real property, while not being the owner of it

one of her sons whom she prefers, and need leave nothing to his brothers.

151 If a woman who lived in a man's house made an agreement with her husband, that no creditor can arrest her, and has given a document therefor: if that man, before he married that woman, had a debt, the creditor can not hold the woman for it. But if the woman, before she entered the man's house, had contracted a debt, her creditor can not arrest her husband therefor.

152 If after the woman had entered the man's house, both contracted a debt, both must pay the merchant.

153 If the wife of one man on account of another man has their mates (her husband and the other man's wife) murdered, both of them shall be impaled.

154 If a man be guilty of incest with his daughter, he shall be driven from the place (exiled).

155 If a man betroth a girl to his son, and his son have intercourse with her, but he (the father) afterward defile her, and be surprised, then he shall be bound and cast into the water (drowned).

156 If a man betroth a girl to his son, but his son has not known her, and if then he defile her, he shall pay her half a gold mina, and compensate her for all that she brought out of her father's house. She may marry the man of her heart.

157 If anyone be guilty of incest with his mother after his father, both shall be burned.

158 If anyone be surprised after his father with his chief wife, who has borne children, he shall be driven out of his father's house.

159 If anyone, who has brought chattels into his father-in-law's house, and has paid the purchase-money, looks for another wife, and says to his father-in-law: "I do not want your daughter," the girl's father may keep all that he had brought.

160 If a man bring chattels into the house of his father-in-law, and pay the "purchase price" (for his wife): if then the father of the girl say: "I will not give you my daughter," he shall give him back all that he brought with him.

161 If a man bring chattels into his father-in-law's house and pay the "purchase price," if then his friend slander him, and his father-in-law say to the young husband: "You shall not marry my daughter," then he shall give back to him undiminished all that he had brought with him; but his wife shall not be married to the friend.

162 If a man marry a woman, and she bear sons to him; if then this woman die, then shall her father have no claim on her dowry; this belongs to her sons.

163 If a man marry a woman and she bear him no sons; if then this woman die, if the "purchase price" which he had paid into the house of his father-in-law is repaid to him, her husband shall have no claim upon the dowry of this woman; it belongs to her father's house.

164 If his father-in-law do not pay back to him the amount of the "purchase price" he may subtract the amount of the "Purchase price" from the dowry, and then pay the remainder to her father's house.

165 If a man give to one of his sons whom he prefers a field, garden, and house, and a

deed therefor: if later the father die, and the brothers divide the estate, then they shall first give him the present of his father, and he shall accept it; and the rest of the paternal property shall they divide.

166 If a man take wives for his son, but take no wife for his minor son, and if then he die: if the sons divide the estate, they shall set aside besides his portion the money for the "purchase price" for the minor brother who had taken no wife as yet, and secure a wife for him.

167 If a man marry a wife and she bear him children: if this wife die and he then take another wife and she bear him children: if then the father die, the sons must not partition the estate according to the mothers, they shall divide the dowries of their mothers only in this way; the paternal estate they shall divide equally with one another.

168 If a man wish to put his son out of his house, and declare before the judge: "I want to put my son out," then the judge shall examine into his reasons. If the son be guilty of no great fault, for which he can be rightfully put out, the father shall not put him out.

169 If he be guilty of a grave fault, which should rightfully deprive him of the filial relationship, the father shall forgive him the first time; but if he be guilty of a grave fault a second time the father may deprive his son of all filial relation.

170 If his wife bear sons to a man, or his maid-servant have borne sons, and the father while still living says to the children whom his maid-servant has borne: "My sons," and he count them with the sons of his wife; if then the father die, then the sons of the wife and of the maid-servant shall divide the paternal property in common. The son of the wife is to partition and choose.

171 If, however, the father while still living did not say to the sons of the maid-servant: "My sons," and then the father dies, then the sons of the maid-servant shall not share with the sons of the wife, but the freedom of the maid and her sons shall be granted. The sons of the wife shall have no right to enslave the sons of the maid; the wife shall take her dowry (from her father), and the gift that her husband gave her and deeded to her (separate from dowry, or the purchase-money paid her father), and live in the home of her husband: so long as she lives she shall use it, it shall not be sold for money. Whatever she leaves shall belong to her children.

172 If her husband made her no gift, she shall be compensated for her gift, and she shall receive a portion from the estate of her husband, equal to that of one child. If her sons oppress her, to force her out of the house, the judge shall examine into the matter, and if the sons are at fault the woman shall not leave her husband's house. If the woman desire to leave the house, she must leave to her sons the gift which her husband gave her, but she may take the dowry of her father's house. Then she may marry the man of her heart.

173 If this woman bear sons to her second husband, in the place to which she went, and then die, her earlier and later sons shall divide the dowry between them.

174 If she bear no sons to her second husband, the sons of her first husband shall have the dowry.

175 If a State slave or the slave of a freed man marry the daughter of a free man, and children are born, the master of the slave shall have no right to enslave the children of the free.

176 If, however, a State slave or the slave of a freed man marry a man's daughter, and after he marries her she bring a dowry from a father's house, if then they both enjoy it and found a household, and accumulate means, if then the slave die, then she who was free born may take her dowry, and all that her husband and she had earned; she

shall divide them into two parts, one-half the master for the slave shall take, and the other half shall the free-born woman take for her children. If the free-born woman had no gift she shall take all that her husband and she had earned and divide it into two parts; and the master of the slave shall take one-half and she shall take the other for her children.

177 If a widow, whose children are not grown, wishes to enter another house (remarry), she shall not enter it without the knowledge of the judge. If she enter another house the judge shall examine the state of the house of her first husband. Then the house of her first husband shall be entrusted to the second husband and the woman herself as managers. And a record must be made thereof. She shall keep the house in order, bring up the children, and not sell the household utensils. He who buys the utensils of the children of a widow shall lose his money, and the goods shall return to their owners.

178 If a "devoted woman" or a prostitute to whom her father has given a dowry and a deed therefor, but if in this deed it is not stated that she may bequeath it as she pleases, and has not explicitly stated that she has the right of disposal; if then her father die, then her brothers shall hold her field and garden, and give her corn, oil, and milk according to her portion, and satisfy her. If her brothers do not give her corn, oil, and milk according to her share, then her field and garden shall support her. She shall have the usufruct of field and garden and all that her father gave her so long as she lives, but she can not sell or assign it to others. Her position of inheritance belongs to her brothers.

179 If a "sister of a god," or a prostitute, receive a gift from her father and a deed in which it has been explicitly stated that she may dispose of it as she pleases, and give her complete disposition thereof: if then her father die, then she may leave her property to whomsoever she pleases. Her brothers can raise no claim thereto.

180 If a father give a present to his daughter – either marriageable or a prostitute (unmarriageable) – and then die, then she is to receive a portion as a child from the paternal estate, and enjoy its usufruct so long as she lives. Her estate belongs to her brothers.

181 If a father devote a temple-maid or temple-virgin to God and give her no present: if then the father die, she shall receive the third of a child's portion from the inheritance of her father's house, and enjoy its usufruct so long as she lives. Her estate belongs to her brothers.

182 If a father devote his daughter as a wife of Mardi of Babylon (as in 181), and give her no present, nor a deed; if then her father die, then shall she receive one-third of her portion as a child of her father's house from her brothers, but Marduk may leave her estate to whomsoever she wishes.

183 If a man give his daughter by a concubine a dowry, and a husband, and a deed; if then her father die, she shall receive no portion from the paternal estate.

184 If a man do not give a dowry to his daughter by a concubine, and no husband; if then

her father die, her brother shall give her a dowry according to her father's wealth and secure a husband for her.

191 If a man, who had adopted a son and reared him, founded a household, and had children, wish to put this adopted son out, then this son shall not simply go his way. His adoptive father shall give him of his wealth one-third of a child's portion, and then he may go. He shall not give him of the field, garden, and house.

192 If a son of a paramour or a prostitute say to his adoptive father or mother: "You are not my father, or my mother," his tongue shall be cut off.

193 If the son of a paramour or a prostitute desire his father's house, and desert his adoptive father and adoptive mother, and goes to his father's house, then shall his eye be put out.

194 If a man give his child to a nurse and the child die in her hands, but the nurse unbeknown to the father and mother nurse another child, then they shall convict her of having nursed another child without the knowledge of the father and mother and her breasts shall be cut off.

195 If a son strike his father, his hands shall be hewn off.

196 If a man put out the eye of another man, his eye shall be put out. [An eye for an eye]

Translated by L.W. King (1910)
Edited by Richard Hooker

SOURCE: http://www.wsu.edu/~dee/MESO/CODE.HTM

ANALYSIS QUESTIONS:

1. Who was Hammurabi? What is the Code of Hammurabi? Why is it so famous in the world?
2. How are women protected in terms of their human rights in the Code of Hammurabi? How far are marriage, women's individual and family life, and the right to property protected?
3. What can we learn from Hammurabi's marriage contract? How far are women protected against the violence of men, and various physical, social and health conditions?
4. How far are women protected during separation from their husbands, in case of divorce?
5. Compare the problem of divorce presented in this text with the modern Western and Islamic laws on divorce. What kind of advantages, in this regard, does the Code of Hammurabi contain?
6. Comment on this passage: "If a woman quarrels with her husband, and says: "You are not congenial to me," the reasons for her prejudice must be presented. If she is guiltless, and there is no fault on her part, but he leaves and neglects her, then no guilt attaches to this woman, she shall take her dowry and go back to her father's house."
7. Do you think that a woman, according to the Code of Hammurabi, has the right initiate divorce?
8. How important was the birth of children for the protection of women's rights? To what extent were the rights of wives, daughters and sisters protected by law in Babylonian society?

REVIEW QUESTIONS:

1. Discuss the issues of human rights, especially, divorce (talaq, khul etc.) in modern Muslim society (Egypt, Nadia Sonneveld) and Babylon (Code of Hammurabi).

ADDITIONAL READINGS:

1. Charles F. Horne, Ph.D. (1915). The Code of Hammurabi : Introduction (English). Yale University. Retrieved on September 14, 2007.
2. Edited by Richard Hooker; Translated by L.W. King (1910) (1996). Mesopotamia: The Code of Hammurabi (English). Washington State University. Retrieved on September 14, 2007.
3. commonlaw.com; C. H. W. Johns. Code of Hammurabi (English). commonlaw.com. Retrieved on September 14, 2007.
4. Bryant, Tamera (2005). The Life & Times of Hammurabi. Bear: Mitchell Lane Publishers. ISBN 9781584153382.
5. Mieroop, Marc (2004). King Hammurabi of Babylon: a Biography. Cambridge: Blackwell Publishers. ISBN 9781405126601.
6. Hammurabi, King; C. H. W. Johns (Translator) (2000). The Oldest Code of Laws in the World. City: Lawbook Exchange Ltd. ISBN 9781584770619.

A YOUNG IRANIAN WOMAN IS WARNED ABOUT HER IMMODEST DRESS.

ZIBA MIR-HOSSEINI: DEBATING WOMEN

Ziba Mir-Hosseini is an independent consultant, researcher and writer on Middle Eastern issues, specialising in gender, family relations, Islam, law and development. She obtained her PhD in Social Anthropology in 1980 at the University of Cambridge; Dr. Mir-Hosseini is the author of "Marriage on Trial: A Study of Islamic Family Law in Iran and Morocco" (I. B. Tauris, 1993), "Islam and Gender: The Religious Debate in Contemporary Iran" (Princeton University Press, 1999; I. B. Tauris, 2000), and most recently "Feminism and the Islamic Republic: Dialogues with the Ulema" (Princeton University Press, 1999). She has also produced with Kim Longinotto, two feature-length documentaries on contemporary issues in Iran: "Divorce Iranian Style" (1998) and "Runaway" (2001).

DEBATING WOMEN: GENDER AND THE PUBLIC SPHERE IN POST-REVOLUTIONARY IRAN

Introduction

In the third decade of the Islamic Republic, Iran is going through a transition as significant as that which ushered in the 1979 Revolution. The radical discourse of the 1980s is yielding to a more pluralistic one that is painfully trying to reconcile Islam with democracy and human rights. The turning point in this transition was the 1997 presidential election, which brought the moderate government of Mohammad Khatami into office. It also gave birth to a reformist movement and a vocal press that are paving the way, against intense and sometimes violent opposition from part of the clerical establishment, for 'democracy Iranian style'. The massive victory of reformist candidates in the municipal and parliamentary elections of 1999 and 2000, and Khatami's re-election in June 2001 with over 77 per cent of the votes, speak not only of the strength of mass support for the movement, but of the degree to which people have learned to exercise their democratic rights. One visible outcome of this movement is the emergence of a public sphere in which different notions of Islam, modernity and citizenship are openly debated. I use the term 'public sphere' in Habermas's sense, of 'a theatre in modern societies in which political participation is enacted through the medium of talk. It is the space in which citizens deliberate about their common affairs, hence an institutionalised arena of discursive interaction'. Conceptually distinct from the state, the public sphere is 'the site of the production and circulation of discourses that can in principle be critical of the state'. For almost three years between August 1997, when Khatami took office, and June 2000, when the sixth Majles (parliament) opened, the press was the main site of such discourses in Iran. Assuming the role of absent political parties, the press (though not the media at large) also became the sole platform through which the reformists could promote their agenda and their visions for a democratic system of governance. In this, the press injected notions such as transparency, accountability, the rule of law and respect for the civil rights of individuals into the opaque, factional and

undemocratic political culture of the Islamic Republic. All this was done under the rubric of 'Civil Society' *(jame'eh madam)*.

In this chapter, I examine the ways in which women have used the emergent public sphere in the Islamic Republic to debate and negotiate their rights in law and society. I do this through a discussion of the 'women's press', which continues to serve as the main site of production of discourses on gender rights. I ask two questions: To what extent is the emergent public sphere not only informed and shaped by established patriarchal views of religion, culture, society and politics, but is also challenging and transforming these views? And what do the women's press and the positions taken by their key female protagonists tell us about the potential of political reforms in creating a democratic society within the context of an Islamic Republic?

It is imperative, in my view, to address these two questions, not only because of the unequal constructions of gender rights in Islamic law but also because of the patriarchal and male-centred political culture of Iran, where discussion of gender rights is largely confined to women's magazines. A democratic society should surely address core problems of power relations, such as gender inequality. Yet male Iranian intellectuals, both secular and religious (though not clerics), have so far resisted any serious engagement with gender issues. But first, let me situate the civil society debate within the currents and eddies of reformist Iran.

The Civil Society Debate in the Iranian Political Context

The notion of 'civil society' entered the official discourse of the Islamic Republic during the 1997 presidential election, becoming a kind of **euphemism** for a democratic system of governance. The debate has its roots, however, in a critique of the state that emerged in the late 1980s, and by the early 1990s was being aired in religious and secular intellectual journals. Civil Society or *jame'eh madani* stood in opposition to Islamic Society or *jame'eh eslami* as promoted by the segment of the state that adhered to a **totalitarian** mode of governance and a legalistic notion of Islam *(eslam-e feqahati)*. The debate was actually much older, and has been part of twentieth-century political discourses and developments in Iran. It was present during both the 1906 Constitutional Revolution and the 1979 Islamic Revolution, though in different forms. Indeed, the 'Islamic Republic' was but the latest child of this debate; its constitution, as Schirazi has shown, is a compromise document, combining theocratic and democratic principles and institutions. On the one hand, the constitution recognises the people's right to choose who will govern them, establishing democratic and legislative institutions such as the Majles and the presidency, both elected by direct vote. On the other hand, it subordinates the people's will to the clerical establishment, through institutions such as the *velayat-e faqih* (Rule of the Supreme Jurist or Jurisconsult) and *Shura-ye Negahban* (The Guardian Council). As long as Ayatollah Khomeini was alive; the tension between those two notions of sovereignty was relatively dormant. His personal and political charisma helped to bridge the gap between e*slamiyat* and *jomhuriyat,* Islamism and Republicanism. Afterwards, however, the tension was beginning to surface and the contradictions inherent in the very concept of 'Islamic Republic' were felt even by those who, a decade earlier, had argued vehemently for the vesting of all power in the clerical establishment as guardians of the **sharia**. The end of the war with Iraq in 1988, and Khomeini's death in 1989, brought a shift in the power structure. With Ali Khamene'i as the new *vali-ye*

euphemism – substitution of an agreeable or less offensive expression in place of one that may offend or suggest something unpleasant to the listener

totalitarianism (or totalitarian rule) – concept used to describe political systems where a state regulates nearly every aspect of public and private life.

sharia – (Arabic: شريعة transliteration: sharia'h) is the body of Islamic religious law

faqih (Supreme Jurist) and Ali Akbar Hashemi Rafsanjani as president, the Islamic Republic entered a phase often referred to as 'Reconstruction'. It was marked by increased tension between the different visions of Islam – and between the two ruling factions, the so-called 'Rightists' and 'Leftists'. The latter were dominant under Khomeini and enjoyed his implicit sanction, but gradually lost their hold on government ministries and the Majles, and also their influence in the judiciary. Among the Leftists was the current president, Mohammad Khatami, who had been minister of Islamic Guidance and Culture since 1982; he resigned in 1992 under pressure from the Rightists, who saw his policies as allowing a form of 'cultural invasion'.

Marginalised and experiencing the same treatment that they had meted out to their political rivals a decade earlier (such as the Liberation Movement which formed the majority in the first revolutionary government of Mehdi Bazargan), the Leftists went through a process of rethinking. It was during this period of political retreat that some of them broke away from an absolutist ideology, and began to argue for democratic principles and the rule of law. During the 1997 presidential elections, this faction re-emerged, with Khatami as its candidate and Civil Society as its slogan. The Rightists, who now enjoyed the support of the new *vali-ye faqih,* thought their hold on power complete and saw the time as ripe for realizing their *jame 'eh-eslami,* a totalitarian Utopia shaped by the mandates of Islamic law and subject to the rule of the clerical establishment. Their **triumphalism** blinded them to the potency of the *jame'eh madani* slogan as signalling the ardent desire of most Iranians for freedom and democracy.

The Politics of the Women's Press and Reforms

The women's press, as the main forum for gender debates, has been both player and pawn in these developments on the country's fragile political landscape. In August 1998, Fa'ezeh Hashemi – then a member of the Fifth Majles and still in the reformist camp – launched *Zan* (Woman), the first-ever women's daily newspaper." In April 1999, it was shut down on the orders of the Revolutionary Court. Among the charges brought against Zan was 'insulting Islam': the culprit was a cartoon which showed a man holding a couple at gun-point in their house. The husband advises the robber: 'Kill her not me, her *diyeh* (blood money) is half. '

In spring 2000, when I conducted my latest field-research in Iran, there were ten publications that could be classed as 'serious' women's magazines. All but three were aligned with the reform movement, though belonging to assorted political groups and tendencies and adhering to varying gender perspectives. Here I discuss them in order of their emergence, locating them within the broader context of the reform movement – but with two caveats.

First, rather than focusing on their content as 'texts', I consider who produces them, and whose voice and what gender perspective they represent. I shall do this through recounting my debates with their editors, with some of whom I had already established a dialogue in the mid-1980s. To understand gender debates in Iran (or for

triumphalism – attitude or belief that a particular doctrine, religion, culture, or social system is superior to and should triumph over all others

that matter any other debate), it is not sufficient to examine what is said: one must appreciate who the debaters are, and 'read between the lines'. What is not articulated (silences, omissions) can be as significant as what is.

Second, I exclude from the discussion three publications which, in my view, have made little contribution to the gender debates in reformist Iran. All three are aligned with the anti-reformist camp (now referred to as the 'Conservatives') and have retained the early gender discourse of the Islamic Republic, which is highly ideological and has little appeal in today's ideology-fatigued Iran. They are: *Mahjubeh* (Veiled), published in English by the Organisation for Islamic Propagation and intended for foreign readers; *Sorush-e Banovan* (Women's Messenger Angel), published by the Islamic Republic of Iran Broadcasting (IRIB); and *Zan-e Ruz* (Women of Today), published by the Kayhan Institute. Both the latter are aimed at a readership within Iran. *Zan-e Ruz is* Iran's oldest women's magazine, and the only one to have survived the Revolution. In its pre-revolutionary incarnation, it combined fashion with serious advocacy of women's rights. Ayatollah Motahhari's seminal text, 'Women's Rights in Islam', which framed the official gender discourse of the Islamic Republic, first appeared as a series of articles in *Zan-e Ruz* in 1966 amidst a debate between Motahhari and a pro-reform judge. After the Revolution, *Zan-e Ruz* continued its advocacy role, and helped shape and criticise the Islamic Republic's nascent discourse and policies on gender. However, by the late 1980s, it started to lose its impetus and, as we shall see, defections from *Zan-e Ruz* gave birth to three new journals. *Zan-e Ruz* has never quite been an independent voice; today, it is also more marginal than ever to gender debates.

Payam-e Hajer. The Voice of Religious-Nationalist Opposition

Payam-e Hajer (Hagar's Message) started life in 1980 as the journal of the Islamic Women's Institute of Iran *(Mo'assaseh Eslami-ye Zanan-e Iran)* headed by Azam Taleqani, a political prisoner in Pahlavi Iran and daughter of the late Ayatollah Taleqani. Shortly after the Revolution, Azam Taleqani and her associates took over the pre-revolutionary, state-sponsored Women's Organisation of Iran *(Sazman-e Zanan-e Iran)* and, to 'Islamise' and 'purify' it, purged its personnel and destroyed part of its library. But the journal's budget was axed by the Provisional Government, and disagreements developed between Taleqani and some of her allies.

A veteran politician, Azam Taleqani kept the journal going and became its licence-holder, which under Iranian law means bearing the burden of responsibility for its religio-political correctness. *Payam-e Hajer* has since gone through several formats and editorial boards. In spring 2000, it appeared as a weekly, and was among the best-selling reformist journals, found in all Tehran news-stalls. It is aligned with a tendency within the reformist movement that currently has no share in the state structure of the Islamic Republic. Known as National-Religious (*melli-mazhabi),* this tendency played an active role in the Revolution, and formed the Provisional Government headed by Mehdi Bazargan. After his resignation, which followed the occupation of the United States Embassy by radical forces and the subsequent hostage-crisis, the group was marginalised. Although some key figures were prosecuted, it continued its political activities in the Islamic Republic as the only tolerated opposition. In the 1997 presidential election, the group joined the reformist forces and supported Khatami, but it again became the target of persecution. In March 2001, the head of the Revolutionary Courts ordered the arrest of 42 distinguished members of the group. Among them was Mohammad Bastehnegar, Azam's brother-in-law. Their arrest was clearly intended to create divisions among the reformists and to discourage participation in the coming presidential election in June,

but it backfired. Not only did it provoke strong protest from the Majles and leading reformists, but it also became another argument for civil society and the rule of law – and a further incentive for people to vote for reform. In a bizarre statement issued by the Revolutionary Court (and reported by the official news agency, IRNA), the National-Religious detainees were charged with 'trying to overthrow the Islamic Republic by legal means'. Some of those arrested were released, while the rest remained in detention. The Revolutionary Court's statement speaks volumes about the inability of the anti-reform forces – for which the judiciary is the last bastion – to come to terms with the realities of civil society activism in reformist Iran.

Taleqani and her journal are the voice of the Islamic Republic's first generation of women activists, who soon became disillusioned by its policies. Some of them with more radical views were later barred from holding public office. These women avoid any association with the term '**feminism**', and their gender activism is a mixture of conformity and subversion.' while awaiting their ideal vision of Islam to materialise, they question and challenge the conservative forces within the clerical establishment.

Taleqani was a member of the first Majles (1980-84), but in 1992 and 1996 the Guardian Council vetoed her candidacy. She nominated herself as candidate in the 1997 presidential election, and was once again rejected. She did not remain silent but demanded an explanation. In an open letter to the Council, she asked whether she was rejected because of her gender. The Council never replied, but the episode triggered a debate on a woman's right to be president: did the phrase *rejal siasi va mazhabi* in Article 115 of the constitution mean 'political and religious personalities' irrespective of gender, or were only men envisaged, as in the literal meaning of the Arabic term *rejal* (plural of *rajul)!* The Council did not allow her to run for the February 2000 Majles elections.

From the outset, Taleqani has been bold in her critique of the Islamic Republic's gender policies; yet in her journal, factional and ideological politics have always overshadowed discussion of gender and women's rights. As Parvin Ardalan notes, whenever censorship in the country relaxes, *Payam-e Hajer's* coverage of women's rights diminishes.' I asked Taleqani why. She replied, 'I believe that in our country women's problems are secondary to political ones. What our people need is a correct analysis. Women are part of society, and when its problems are solved, women's issues will be solved'. I reminded her that she had said the same thing over twenty years before; when the Revolution succeeded; she took over the Women's Organisation – only for Iranian women to lose some of the legal rights they had enjoyed under the Pahlavi regime. Taleqani protested: This was not my position. I wanted certain [Islamic] foundations to be consolidated, and then to move according to them; that is to say, to have rational foundations, so that we can reason with them ... That is why it is so important to have a free press, without which, of course, reforms will still go ahead; as they started without a free press. But only in a society governed by a democratic logic can one examine all shortcomings and find solutions for them. In reality, this reformist movement will transform the society's culture.

feminism – belief in the right of women to have political, social, and economic equality with men

This exchange took place on 18 April 2000, when the Conservatives were striking back in full force after the landslide victory of the Reformists in the Majles elections in February. The future of the reforms hung in a delicate balance; it was not the time to re-open old wounds. Taleqani had given me an appointment at 10 p.m. that day (the only free time she could manage) in her office, which also houses *Payam-e Hajer.* On arrival, I found everyone clustered around a small television set, watching the broadcast on the national channel of an edited film of a conference held a week earlier in Berlin to discuss reform prospects in Iran. Attended by key reformists, the conference was disrupted by a group from the Iranian extremist opposition abroad – one woman performed an erotic Persian dance, another appeared in a bikini and headscarf, and a man stripped to show his torture-marks. All this was filmed by – and cynics say, staged in collaboration with – the Conservative-dominated Iranian Television (IRIB), which by broadcasting a carefully-edited version was effectively discrediting the reformists for taking part in a meeting where 'immoral acts' occurred. This logic convinced no one, but became the pretext for the judiciary's prosecution of the reformist participants. On their return to Iran, they were all summoned by the Revolutionary Court and four of them, including two women, were jailed. A week later, in the wake of a speech by the *Vali-ye Faqih* deploring that some newspapers were infiltrated by 'enemies of the revolution', fourteen reformist newspapers and magazines were closed down by the judiciary.' *Payam-e Hajer was* one of them. This was not the first time that Taleqani and her journal faced the wrath of the judiciary. In 1993, after ignoring a caution to stop publishing Ayatollah Montazeri's lectures, all its printed copies were confiscated, and it remained closed for two years, after which it reappeared as a quarterly. It remains to be seen when and in what format it will re-emerge.

Neda: The Voice of Women of the Elite

Neda (The Call) is a quarterly published by the Women's Society of the Islamic Republic *(Jami'at-e Zanan-e jomhuri-ye Islami),* headed by Zahra Mostafavi, Ayatollah Khomeini's daughter. It is edited by his granddaughter, Fereshteh A'rabi. The Society was formed in 1987, as A'rabi explained to me in an interview, 'because we felt the need for a political organisation in which women could be active, and act as a political party'. Two years later, she continued, the Society launched its own journal, because 'an organisation needs to make its objectives heard and to have an audience. We did not want women as our sole audience. We believed that we could be effective for women when we reform our society. We first need to correct the views of our men – our law – and policy-makers – about women's issues'.

Like other such groups, the Women's Society makes its presence felt mainly at election time, by issuing a list of candidates and declaring support for specific positions and policies. During the 1997 presidential election, the Society supported Khatami, whose brother, Mohammad Reza, is married to another granddaughter of Khomeini. Since then, the Society has been among the moderate groups in favour of reform. In February 2000, four women on its list entered the Sixth Majles, of whom two – Soheila Jelowdarzadeh and Fatemeh Rake'i – are members of its central committee. Rake'i, who is also a poet and university lecturer, has been among the most outspoken reformist members of the Sixth Majles. Jelowdarzadeh, who had been in the previous Majles, now became the first woman to be elected to the Majles Speakers Committee. Both are also among the most active members of the Women's Commission of the Majles, pushing for legislation to address gender inequalities in current laws.

Neda is the voice of the women of the power elite, demanding a share for themselves in politics. Its readership is narrow, it is rarely found at news-stands, and many women do

not know of its existence. '*Neda* lacks the attraction of other women's journals, and is a bit heavy for women; most of our subscribers are men, or research and governmental institutions', its editor boasts. The 29 issues that have appeared so far (it publishes irregularly) lack a coherent gender discourse and vision. The early issues are highly ideological, featuring Ayatollah Khomeini's life, his views on women, and interviews with his family; or his two sons, Ahmed and Mostafa. Though more recent issues address women's legal rights, featuring interviews with progressive-minded clerics, they remain timid in their critique of the gender inequalities in sharia law. The journal evidently addresses the male ruling elite, not women, and is unmoved by women's increasing discontent. Rather than linking it to official gender policies, *Neda* sees this discontent as a by-product of modernity, for which there can be no immediate solution. As A'rabi put it to me: 'the situation for our grandmothers, whose lives were totally ruled by tradition, was perhaps better than ours; their situation was more or less in harmony with their expectations; in some ways we are paving the way for our daughters.'

Zanan: The Voice of Islamic Dissent

Zanan (Women) is an independent monthly and the first journal in the Islamic Republic to challenge unequal gender rights. It is part of a modernist tendency that remained dormant during the years of war with Iraq (1980-88), then re-emerged after Ayatollah Khomeini's death, which, as already mentioned, was followed by an increase in tension between different visions of Islam. Supporters of this tendency, referred to as 'New Religious Thinking' *(now-andishi-ye dini),* show a refreshing, pragmatic vigour and willingness to engage with non-religious perspectives. They no longer reject an idea simply because it is Western, nor do they see Islam as a blueprint with an in-built and fixed programme for social action.

Debates stemming from their ideas, now aired in a variety of journals and periodicals, can be traced to developments in the Kayhan Institute, following the publication of Abdolkarim Soroush's controversial articles on the historicity and relativity of religious knowledge. Known as 'Contraction and Expansion of the Sharia', these articles appeared intermittently in *Kayhan Farhangi* (Cultural Kayhan) between 1988 and 1990. Separating religion from religious knowledge, Soroush argued that while the former was sacred and immutable, the latter was human and evolved over time as a result of forces external to religion itself. The heated debate that attended their publication led to the closure of *Kayhan-e Farhangi* in June 1990 – and the departure from Kayhan Institute of a group of Muslim intellectuals sympathetic to Soroush. Two key figures among them were Shahla Sherkat, who had been editor of *Zan-e Ruz* since 1982, and Mashallah Shamsolvaezin. Both soon became editors of new journals: Shamsolvaezin of *Kiyan* (Foundation), launched in October 1991, and Sherkat of its sister paper, *Zanan,* launched in February 1992.

These two journals became a magnet for those whose ideas and writings now form the backbone of the New Religious Thinking. One might observe that in the Iran of the

1990s, they played a role similar to that of the Hosseiniyeh Ershad in the 1970s: *Kiyan* was the main forum for influential Muslim intellectuals like Soroush, just as the Hosseiniyeh had been for Ali Shariati. *Zanan* ensured that women and their demands remained part of the new discourse, and set a new frame of reference in which Islam could be reconciled with feminism. It made no apologies for drawing on Western feminist sources and collaborating with Iranian secular feminists – both novel and daring in the context of the Iran of the early 1980s. Two of its regular contributors were a secularist female lawyer, Mehrangiz Kar, and a male cleric, Seyyed Mohsen Sa'idzadeh, who in their articles took issue with the very premises of the official Islamic discourse on women, laying bare their inherent gender bias.

During the 1997 presidential elections, *Zanan* had a role in mobilising women's support for Khatami by depicting him as the candidate in favour of gender equality, and his opponent, Nateq-Nuri, as the one against it. In autumn 1999, *Zanan* started a new section entitled 'New Religious Thinking and the Question of Women', in which leading male reformists were drawn into a conversation. This proved revealing in many ways. It not only showed that none of these men had thought about gender equality or taken the issue seriously, but also betrayed their ambivalence over the matter, especially when it came to the family domain. They repeated old cliches, or talked in broad and general terms, or displayed their reluctance to include gender rights among the priorities of the reform movement. Some stated that once their democratic ideals were realised, issues such as 'women's rights' would sort themselves out; others said that women themselves should fight their own battles, and it was time for women to become producers of theories, not mere consumers. The more forthright ones said that they did not believe in gender equality and saw it as a red-herring.

Zanan is the only women's magazine that is commercially viable, and is also respected by most Iranian feminists living abroad. It has survived three court trials, but lost two of its most important contributors. Sa'idzadeh was detained in June 1998 after the publication of an article in the now-closed liberal daily *Jame'eh,* in which he compared religious traditionalists in Iran to the Taliban in Afghanistan. He was released five months later but defrocked and deemed 'forbidden-pen' – deprived, in other words, of his clerical status and the capacity to have his writings published. Kar was detained in April 2000 after her return from participation in the Berlin conference; she was released two months later, and tried in November along with other reformists. Her trial and that of Shahla Lahiji, a prominent woman publisher and another Berlin participant, were closed, although the trials of the others were open. Kar and Lahiji were both sentenced to four years and six months of imprisonment for 'threatening national security' and 'propaganda against the Islamic Republic'. It is expected that the sentences will be curtailed on appeal; but to judge from her recent interviews, Kar's co-operation with *Zanan* has come to an end.

Shahla Sherkat, another participant in the Berlin Conference, was also charged with 'denying the necessity of the rule of **hejab**'. In her trial (which was open) in November 2000, Sherkat questioned the wisdom of the compulsory imposition of *hejab.* While stressing that she believed in the Islamic rule of *hejab* and had observed it all her life, she questioned the religious value of the dress code imposed by the Islamic Republic, calling it the 'official uniform' rather than the 'true *hejab*' mandated by Islam. She was sentenced to a six-month suspended term of imprisonment and also fined. If not overturned on appeal, this could bring about the closure of *Zanan* since, under the controversial press law of 1999 (passed in the final days of the Fifth Majles), no one with a court conviction can be the 'licence-holder' of any kind of publication.

hejab or ħijāb –
Arabic term for "cover" based on the root حجب meaning to veil, to cover, to screen, to shelter

Where is *Zanan* now headed, almost a decade after its launch? A glance at the issues so far published suggests that it has gradually moved away from its preoccupation with progressive **ijtihad** as the primary means of improving women's legal and cultural lot. Its legal section is no longer the centrepiece, and has been replaced by articles about concepts of women's rights in Islamic and feminist discourses, round-table features and discussions with reformists. One reason is the loss of two of its key collaborators, Sa'idzadeh and Kar; another is that to remain commercially viable, *Zanan* must attract readers from among middle-class women, most of whom are repelled by religiously-framed arguments. There is also Sherkat's own growing disillusionment with the politics of gender in Islam. Her open embrace of feminism puts her in a difficult situation. She receives little support from male reformists, who are reluctant to take part in gender debates, and when they are drawn in have nothing of substance to say. Her colleagues in *Kiyan* have totally ignored gender issues in their journal, which has neither featured any articles on women's rights in Islam nor made any allusion to the politics of gender in the Islamic Republic. Elite women, like those in *Nedaand* in government, keep their distance: feminism is still a taboo subject in Iranian politics, and they dare not risk their political legitimacy by association. Sherkat is more or less ignored by secular women, those whose voices and organisations were suppressed soon after the Revolution, and for whom it became a political act *not* to get involved in the gender debates of the Islamic Republic. At the same time, the threat of closure hangs over *Zanan* like the sword of Damocles; Sherkat cannot afford to be more outspoken in her critique of gender inequality in Islamic law, or of the official discourse." Despite all this, she is determined to continue airing women's problems in *Zanan,* which, in her own words, 'is like a child to me, but a child that is very bothersome'.

Payam-e Zan The Voice of Clerical Orthodoxy

Launched in March 1992, *Payam-e Zan* (Woman's Message) is published in Qom, the heart of the Iranian clerical establishment. One of the publications of the Islamic Propaganda Office of Qom Seminaries *(howzeh),* its entire editorial board is made up of male clerics. Its gender discourse, which seeks to counter that of *Zanan,* is a modified version of that developed by Ayatollah Motahhari in pre-revolutionary Iran, as part of the discourse of religious opposition to the Pahlavis. It rejects gender equality as a Western concept with no place in Islam, and instead puts forward the notion of complementarity of gender rights and duties. It argues that the apparent disparity in rights and duties between men and women as mandated in Islamic laws, if properly understood, is the essence of divine justice. This is so because the sharia is in harmony with the law of nature, embodying God's design for men, women and society. While admitting the injustices that are done in the name of the sharia – the plight of divorced women was widely highlighted in die 1960 by the secular women's press, as it is now by their Islamic counterparts – Motahhari then blamed them on the non-Islamic state of society and men who had abandoned Islam. *Payam-e Zan* now blames them on incorrect interpretation and implementation of the sharia.

ijtihad – technical term of Islamic law that describes the process of making a legal decision by independent interpretation of the legal sources, the Qur'an and the Sunnah

Rather than 'woman's message' as might be understood by its name, *Payam-e Zan* is the message of clerics in Qom, intent on finding an 'Islamic solution for the Woman Question'. It is also the message of the clerical faction that adheres to Khomeini's vision of an Islamic state, the *velayat-e faqih* where the sharia, as interpreted and administered by the ruling jurist aided by the Guardian Council, reigns supreme. This doctrine holds that the sharia should regulate every aspect of life, but must be able to deal with the challenges of the new world in a realistic way. The latter consideration has been at the root of the emergence of a new 'dynamic' school of Islamic jurisprudence in Qom *(feqh-e puya),* as opposed to the 'traditional' school *(feqh-e sonnati).*

So far there has been little manifestation of the new school in *Payam-e Zan,* though a gradual shift in the tone and content of the journal's articles, if not its gender perspective, can be detected. Articles in the early years are defensive and apologetic in tone and uniform in the arguments put forward to justify the sharia position; articles in recent issues are more diverse in tone, and some are indeed critical of traditional views on the nature of women's rights. This shift has become more evident since 1997.

The editor, Seyyed Zia Mortazavi, is a student of Ayatollah Yusef Sane'i, who is well known for his progressive interpretations of family law, and has come out in defence of the reformists. *Payam-e Zan* has a wide readership in Qom, and among conservative religious families who do not allow *Zanan* into their homes.

Between 1995 and 1997 I held a series of discussions with the editorial board of *Payam-e Zan,* during which we debated women's rights in Islam. Elsewhere I have written a detailed account of these meetings, in which we often talked across each other. My repeated efforts to bring a sociological dimension to the discussion were in vain, as the clerics would skilfully shift ground, invoking ethical rules. When I reminded them that many of these ethical rules have never been translated into legal rulings, they would answer, 'Then that is the fault of Muslims, not Islam'. We often found ourselves in a position where, although we agreed that a particular ruling was discriminatory, they could not retract their assertion that all sharia legal rulings were the essence of justice; they saw it their duty to defend these rulings and rationalise them on religious grounds. At the same time, I could not pursue my points, as I was concerned about being accused of a lack of belief and being too 'Western' in my orientation.

My exchanges with *Payam-e Zan* were clearly conservative in content. Not surprisingly, the journal managed to keep this flavour in the way it published the transcript, giving the reader the impression that it had prevailed in our arguments, and even managed to persuade me. They changed the order in which I raised the issues. The first session, in which I sought common ground with the clerics, and was testing how far I could go in exposing my own ideas, appears in *Payam-e Zan* as though it were the concluding session. The actual final session, though amicable, was confrontational and concluded without agreement. In addition, though they carefully preserved the wording of my questions and the responses, they omitted some of my questions while expanding their responses to beyond what was in fact recorded. Both the omissions and the additions highlight *Payam-e Zan's* own perspective.

The significance of these discussions is that it is now feasible to conduct them in clerical circles in Qom and that clerics are willing to debate with women like me (educated in the West) to seek to understand the logic of feminist critiques of the sharia rulings and to ascertain for themselves whether they contain any useful proposals for resolving basic gender problems. This is indeed new and has little precedent in the scholarly tradition of the Qom seminaries.

***Farzaneh:* The Voice of Pragmatism and Opportunism**

If *Payam-e Zan* was the response of men in Qom to *Zanan* and the like, that of women in the political establishment in Tehran was *Farzaneh* (The Wise), launched in autumn 1993. A quarterly with academic claims, offering articles in both Persian and English, *Farzaneh* announced itself as the first women's studies journal in Iran. As with *Zanan,* its birth was related to disagreements within *Zan-e Ruz* over how women's issues should be addressed. in winter 1991, soon after Shahla Sherkat's departure, four articles appeared in *Zan-e Ruz,* under the banner 'Feminism from the beginning until now'. Disparaging the stance taken by Sherkat, these articles contend that 'feminism', as a movement and consciousness, is alien and irrelevant to Muslim societies, where Islam grants women their rights. They reject feminism as a concept rooted in the West, where Judaeo-Christian religious traditions imposed such disadvantages on women that they have little choice but to organise themselves. The writer of these articles, Mahboubeh Ommi (Abbasqolizadeh), became editor *of Farzaneh,* where she adopts a rather different stance. In 'Why *Farzaneh?',* her editorial introduction to the new journal, she argues for establishing the field of Women's Studies in Iran though rejecting organised and independent feminism. 'The women's question is a universal one that stems from the characteristics of feminine nature', she writes, even if it manifests itself differently according to context. It is futile, therefore, to address women's disadvantages in the same way as those resulting from class, race or other stratifications. Instead, she argues that the 'Women's Question' must be brought into the academic domain where it can be analysed and understood, and where suitable strategies can be planned to redress it. The solutions found can then be filtered into society at large, as 'experts' give their informed advice to policy-makers. In short, she proposes a top-down approach, a prescriptive feminism from above.'

Farzaneh's director, Massoumeh Ebtekar, is a veteran in political matters. She was the spokesperson of the students who occupied the United States Embassy in 1980 and seized hostages. Ebtekar was initiated into women's politics during the 1985 Women's Conference in Nairobi (Kenya), where she was a member of the Iranian delegation. For the 1995 Beijing Conference, *Farzaneh* played an active role. Both Ebtekar and Ommi organised a number of workshops in Iran to familiarise women's NGOs with the workings of United Nations' conferences, and both also participated in the international meetings at which the Conference Document was shaped.

Appointed as Khatami's deputy in the Organisation for Environmental Protection, Ebtekar became the first woman in the government since the Revolution. But her entry into government brought a halt to *Farzaneh's* publication. The editorial in Issue 9 of spring 1998 – which appeared after more than a year's silence – speaks of a difference of opinion between the two women. Entitled 'The Red Line and Our Positions', Ommi's editorial addresses Ebtekar and criticises the government for its passive response, especially that of its female members, to the anti-women measures taken by the conservatives. She cites Iran's decision not to affirm the United Nations' Convention on the Elimination of Discrimination against Women, as well as two bills introduced by conservatives in

the Fifth Majles in May 1998. The first of those bills required the adaptation of medical services to religious laws, meaning that doctors could treat only patients of the same sex; the second banned press 'exploitation of images of women' and outlawed 'the creation of conflicts between men and women by propagating women's rights outside the legal and Islamic framework'. The editorial ends with a promise to devote the next issue to critical evaluation of the legacy of the last two decades' developments in the area of women's rights.

This new issue (no. 10) finally appeared in spring 2001. Meanwhile, Ommi (who now uses her maiden name Abbasqolizadeh) runs a publishing firm that brings out books by reformist writers. In April 2000, when I asked her about the fate of *Farzaneh,* and her own current stance on gender matters, she replied, 'I need to find a new direction; I am now in the stage of deliberation. She admitted that *Farzaneh's* attempt to promote feminism-from-above is no longer viable, but robustly defended its involvement in the organisation of women's NGOs. She asserted that she no longer believed in the effectiveness of piecemeal solutions, and doubted whether women's rights could be achieved in the framework of the official understanding of Islam. 'I now need to "pause" and "deliberate"', mused Abbasqolizadeh.

Hoquq-e Zanan andjens-e Dowom: Emerging Religious and Secular Voices

In March 1998, the cacophony of voices and ideas debating about women was joined by two other journals that approached the issues from two different angles, and framing them in varied discourses. One was Ashraf Geramizadegan's *Hoquq-e Zanan* (Women's Rights), which argues for attaining justice and women's equality within the norms of the sharia, as well as Iranian mores and culture. Geramizadegan replaced Shahla Sherkat as editor of *Zan-e Ruz* in 1991 – but resigned her post in February 1997 'to keep the respect of her pen', as she put it to me on her last day at work. She had joined *Zan-e Ruz* in 1982 as a legal advisor, and initiated a dialogue with a number of progressive clerics and women parliamentarians, which she continues in her own journal. In *Hoquq-e Zanan* she takes these dialogues to a different level. Not only the thrust but the tone of the questions that she now poses are radically different from those in *Zan-e Ruz.* For instance, the third issue *of Hoquq-e Zanan,* which appeared in July 1998, carried a conversation with Ayatollah Musavi Bojnurdi entitled 'Islam Does Not Permit Violence against Women', in which the idea of *tamkin* (sexual submission) as defined by Muslim jurists is questioned. According to Bojnurdi, a husband cannot compel his wife to have sex, since it constitutes an act of violence that is condemned in Islam. the editorial in the same issue carries Geramizadegari's response to those who objected to her journal's advocacy for women and condemned its feminist tone and agenda. She writes, 'Our women have made themselves the ladder for the progress of members of the family and society, without being able to achieve their own individual, social and scientific goals. Women have fewer resources than men to empower themselves, and above all, the law has paid little attention to their situation'.

So far, twenty issues of the *Hoquq-e Zanan* have appeared, similar in format, and to some extent in content, to early issues of *Zanan.'* There are articles on women's legal rights in Islam, on women's movements in the world and on women's political participation, which are essentially a discussion of the development of feminism and its various expressions in the West and elsewhere. But unlike Sherkat, Geramizadegan does not call herself a feminist, and has avoided even mentioning the term in her editorials. I asked her why. Her response was: Our problem with this term is that it is associated with radical and extreme expressions of feminism; that is, it has not been understood as a women's

social movement for equal rights and justice. Feminism is seen as a negative force and its positive contributions have been ignored. We consider ourselves to be advocates of women's rights, and if they call this feminism, then I must say we are feminist, but not in the radical meaning that they say. When we see inequality we want to change it in line with our culture and tradition.

Noushin Ahmadi Khorasani, the editor of *jens-e Dovvom* (The Second Sex), on the other hand, has no qualms about using the term and placing Iranian women's issues in the context of international feminism. In her late twenties, Ahmadi Khorasani, is a writer and publisher who belongs to a generation of women that have come of age in the Islamic Republic, and whose feminist consciousness has been shaped in opposition to its policies. On the occasion of International Women's Day in 1997, she edited a special issue of *Farhang-e Towse'eh* (The Culture of Development), and then two collections of articles, entitled *Negah-e Zan* (Woman's Perspective). She applied for a licence for a women's journal, which has still not been issued by the Ministry of Islamic Guidance.

Meanwhile, she brings out *Jens-e Dovvom* as a collection of articles. It is the first women's publication to openly adhere to a secular perspective. Its very existence is a measure of the greater tolerance and openness of the policies of the Ministry of Islamic Guidance under Khatami.

The first issue *of Jens-e Dovvom* appeared in March 1998, followed by eight others marked by a leftist penchant and the conspicuous absence of any discussion of religion. There are articles on working women and women's movements, translations of well-known feminist texts, and writings by and interviews with Iranian feminist scholars abroad, like Afsaneh Najmabadi and Nayereh Tohidi. Each volume has a section containing articles on a special theme, such as Women and Modernism, Women's Organisation, Civil Society, and Democracy and Women. The theme in combined issue 6/7, spring 2000, was the imprisonment of Mehrangiz Kar and Shahla Lahiji, the two prominent women secular activists who attended the Berlin Conference. The texts of their conference presentations were published, together with other articles about them – including one by Ahmadi Khorasani, entitled 'The Demands of Three Generations of Women in Prison'. Concluding with the demands of women of her own generation, she writes:

Now Iranian women want to know, what is the actual 'crime' of these two women? Is 'writing' and 'speaking' on women's issues a crime? If so, you can return to sixteenth-century England, and dig out that 'damned' decree about women's chatter, and make it a law and enforce it in the twenty-first century! The reason for their arrest is a question that is whispering in the hearts of us women but does not have the power to emerge, because we don't know how to ask it without being 'trapped' ourselves. The fear of 'being trapped' is a plague that threatens our society. If the conditions are such that Iranian women today do not ask why their peers have been arrested it is not because they do not care, but because of the suppressed 'fear' that the Iranian nation has been accustomed to for centuries, and despite so many things that have happened in the past two or three years the 'fear' has not left our nest.

Conclusion

To recall the key questions that I posed at the outset: what do these journals and the positions that they adopt tell us about the state of civil society and gender rights in reformist Iran?

First, Iran today is going through an arduous transition from theocracy to democracy, a process that will doubtless continue for some time to come. The debate on civil society is part of this transition – an umbrella concept, a euphemism – in which different notions of Islam, and different modes of governance are juxtaposed. At one end of the spectrum are those arguing for a pluralistic and tolerant Islam at ease with human rights and democratic values? At the other are those who defend an absolutist and legalistic Islam that tolerates no dissent and makes little concession to the people's will and contemporary realities. Paradoxically, the creation of an Islamic Republic in 1979 in Iran appears to be paving the way for the de-sacralisation of the sharia and the secularisation of society. As I have argued elsewhere, this has occurred mainly through the transformation of Shi'i jurisprudence from a scholarly discipline whose relevance was confined to the seminaries, into the ideology of a state backed by a modern state apparatus. The close identification of the sharia with a 'modern' state and its practice in a 'modern' world – the backbone of the project of Islamisation – has opened the door to unprecedented interpretations of notions of family, gender, society and polity in Islamic law. This is so because, once the sharia became the law of the land in Iran, not only the state but also ordinary people – whether believing or practising Muslims or not – have had to redefine their relationship with the sharia. Such a redefinition is the consequence of the state's ideological construction of the sharia; its refusal to honor the *de facto,* if not *dejure,* independence of the sharia from the state apparatus. It would perhaps be one of history's sharpest ironies if the legacy of Khomeini's doctrine of *velayat-e faqih* – intended to provide the basis for an Islamic state – opens the way for a full separation between state and religion in Iran, an eventuality that scholars like Ernest Gellner have argued was unlikely to happen in the Muslim world.

Second, with the exception of *Neda* and *Payam-e Zan,* which are linked to patriarchal and clerical structures of power and put forward 'politically' and 'Islamically' acceptable gender perspectives, the other five journals discussed are independent voices that are rooted in civil society. They indicate the existence not only of 'a theatre in which political participation is enacted through the medium of talk', but also of a diversity of voices within the reformist movement. Though they take different gender positions, all these journals appear to agree on their aims and also on their premises as far as gender relations are concerned. They all want to change the present situation, they all agree on the principle of women's rights. They differ, however, in the details of what they consider these rights to be, and the means of achieving them.

Finally, the debate on gender rights has so far been largely confined to women's magazines. If this continues, it could both ghettoise and marginalise women's rights in reformist Iran. The inherent contradiction between gender rights as constructed in Islamic law and in a democratic society is one of the sore points on which there has been virtual silence from male participants in the debate. This silence was eloquently challenged by Mehrangiz Kar in her address to Akbar Ganji, Iran's most outspoken pro-reform journalist, editor of the weekly *Rah-e Now* (The New Way) that is now closed, and presently serving a jail sentence for his writings. Kar opens her address with a revealing observation about the malaise in reformist discourses when it comes to the 'women's question'. She notes that the front page of each of the first fifteen issues of *Rah-e now* features a close-up photograph of a male intellectual, whether Islamic or

secular, embellished by an impressive quotation. The editor seems to be unaware that half the population are women; neither their voices nor their issues seem to be part of this New Way for which the editor and his colleagues are agitating.

For male clerics in Iran, women's demand for equal rights has become a problem for which they are seeking an answer within the Islamic framework, though they prefer to do the thinking for women. But this is not the case with male lay intellectuals, whether secular or religious. The fact of the matter is that gender equality is a notion to which men in reformist Iran still tend not to subscribe. Whereas secular male intellectuals are trapped in leftist discourses that can only accept feminism as part of (and subordinate to) wider socialist goals, male religious intellectuals have so internalized the code of sexual segregation that they have abandoned even thinking about the issue vis-à-vis their female counterparts in *Zanan*. The reluctance of both secular and religious intellectuals to enter any meaningful debate on gender must be seen in this context, and their silence must be taken for what is implied. Farideh Farhi rightly observes that as democratic feminist theorists have repeatedly reminded us, the emergence of a democratic public sphere has never been defined solely by the struggle against absolutism and traditional authority but has always been based on the exclusion and containment of some people. What reformists must realise is that the creation of a democratic society entails addressing core problems of power relations – among which is that of gender inequality.

SOURCE: Civil Society in the Contemporary World by Amyn B. Sajoo. London, New York, 2002, pp. 95-122

DISCUSSION QUESTIONS:

1. Can you identify the contradictions between Civil Society and Islamic principles according to this text? What do you think about the relationship between Civil Society and Gender?
2. What are the reasons for groupings in Iranian society? What are the differences between Rightist and Leftist groups? Which of these group's ideas are closest to civil society according to the position of the author?
3. Can you describe three publications on early gender discourse in the Islamic Republic? Which of these publications had considerable impact upon society?
4. Who, according to the text, is Taleqani? How far have her activities influenced gender issues in Iran?
5. Can you define the differences and similarities between *Payam-e Hajer* and other journals mentioned in text?
6. What are the achievements of the Women's Society of the Islamic Republic *Neda* in Government? Who was the first woman speaker in the *Majles*?

7. How many achievements have you noticed in the activity of the *Zanan* journal? How do you understand Shahla Sherkat's points?
8. How would you describe the collaboration among these different women's journals and women's societies?
9. How did you understand the position of author? What did you understand her main points on gender problems in Iran to be? Is she trying to support women in Iran?
10. Do you agree with the author's viewpoints?

REVIEW QUESTIONS:

1. What are the similarities between Iranian women in the Hosseini article and Egyptian women in Sonneveld's piece? Do you think 'khul' would be acceptable in Iran as well?
2. Compare Doreya with Shahla Sherkat and other Iranian women? Can you characterize reformist women in Iran and Egypt regarding their relation to the state?
3. Compare these two countries concerning the status of men and women. In which country do you think women are most active and what are the reasons for it? Is there any evidence that the elements of the Code of Hammurabi still influence the Middle East?

ADDITIONAL READINGS:

- Mir-Hosseini, Ziba (1996) "Stretching The Limits: A Feminist Reading of the Shari'a in Post-Khomeini Iran," in Mai Yamani (ed.), Feminism and Islam: Legal and Literary Perspectives, pp. 285-319. New York: New York University Press
- Ziba Mir-Hosseini, Religious Modernists and the "Woman Question": Challenges and Complicities, Twenty Years of Islamic Revolution: Political and Social Transition in Iran since 1979, Syracuse University Press, 2002, pp 74-95.
- Edward G. Browne, The Persian Revolution of 1905-1909. Mage Publishers (July 1995). ISBN 0-934211-45-0
- Farideh Farhi, Religious Intellectuals, the "Woman Question," and the Struggle for the Creation of a Democratic Public Sphere in Iran, International Journal of Politics, Culture and Society, Vol. 15, No.2, Winter 2001.
- Shirin Ebadi, Iran Awakening: A Memoir of Revolution and Hope, Random House (May 2, 2006), ISBN 1-4000-6470-8

JEAN BETHKE ELSHTAIN: FEMINISM, FAMILY, AND COMMUNITY

Jean Bethke Elshtain is a American feminist political philosopher. Professor Elshtain was born in the irrigated farm country of northern Colorado and grew up in the small village of Timnath, Colorado. She is the Laura Spelman Rockefeller Professor of Social and Political Ethics at the University of Chicago Divinity School, and is a contributing editor for The New Republic. She has written numerous essays and authored and/or edited twenty books, including Just War Against Terror: The Burden of American Power in a Violent World, Jane Addams and the Dream of American Democracy and Augustine and the Limits of Politics.

I must write a piece on feminism, family, and community. I write as someone who has been involved in the politics of the feminist movement since the early 1960s, someone who characterizes her own work as made possible in part by the intellectual ferment feminism has generated. But, as I begin, I find that the image of a strong woman, my grandmother, supplants all other visions, wipes out abstract ideologies and theoretical models. I see her instructing her grandchildren in the crafts that create things of beauty and utility to provide envelopes for our bodies, *warmth* for our beds, and food for our tables. I mark her pride and her intensity, her conviction that she has lived a good and a productive life. I know that what keeps the fires of her life burning is the drive to pass her heritage of wisdom, piety, and goodness on to her great-grandchildren. That my grandmother's image emerges so powerfully is appropriate. For the need to write this piece derives from my discontent with the way "the family" has been treated in much feminist and radical argumentation since the 1960s, and with the way "community," while celebrated, has remained mostly an empty term—for there is no way to create real communities out of an aggregate of "freely" choosing adults

The term my grandmother uses to describe her people is *unsere Leute,* "our people," a people without a country but with an authentic historic identity, the Volga Germans. She could never see herself through the lens of some abstract universalism like "class"; for her, always, "peoplehood" was paramount. To Marx and his orthodox followers she and her people are "rural idiots," for they formed a peasant society and most of them remain farmers. Yet the tradition that ties these people to the land also makes them profoundly suspicious of the "progressive" force represented by capitalism. "Our people's" way of life was threaded through and through by a populist pietism—a deeply rooted animus against experts ("big shots" to my grandma), the too powerful ("Pride goeth before the fall, and some of them guys are gonna fall hard, just you wait"), and the too rich ("It is easier for a camel to go through the eye of a needle than for a rich man to enter the Kingdom of God"). This pietism cautioned against judging things by appearances only, stressed responsibility to and for one's life as a social life lived among others, advocated going the "extra mile" (the Good Samaritan parable)

and tempering justice with mere (the Prodigal Son).

None of the values of "our people" mesh neatly with the "needs" of capitalism, nor with market images of human beings; they clash at nearly every point. Yet the ties of such organic communities have been seen by those progressive movements that grew out of Enlightenment rationalism and liberal myths of historic progress as precisely what we all need to be "liberated from." The hard truth we have now come up against is, simply, this: to the extent that reformers and radicals see family and traditional community as reactionary by definition and repressive by nature, to that extent they have bought into a one-dimensional image of human beings. This is a serious charge and I intend to defend it.

First, a few reminders of the way in which the family was singled out by powerful voices within middle-class movements for social change—feminist, radical, "psychological"—as *the* institution most deeply implicated in the oppression of all people but of women in particular. Calls for "smashing" the family, or its dramatic transformation in order to bring it in line with a feminist or left-wing revolution abstractly conceived, helped to invite the reaction we now face. The right has been able to portray itself as the defender of family life in part because of the early and dramatic hostility of many, though not all, feminists and radicals to all traditional social forms.

The right's portrayal of feminist and radical antifamilialism is of course drastically overdrawn, but there is just enough truth to make the charges seem plausible. Most American citizens see themselves, first and foremost, as family men and women and members of communities, and much of their energy is devoted to keeping these families and communities alive. Thus far feminists and radicals have failed to provide a compelling vision of an alternative society to grip the imagination and gain the adherence of these citizens. It may be that none of this commitment to family and traditional community *should persist,* not in 1982, not according to certain ideologies. But, to repeat one of Freud's favorite quotations, *"La theorie c'est ban, mats fa riempeche d'exister."* (Theory is good, but it doesn't prevent things from existing.) I shall argue that things that exist—such as the family—incorporate values that implicitly challenge corporate power and antidemocratic, managerial elites, and that this potential can be strengthened.

It would be tedious to repeat in detail all the charges against the family, but a reminder is necessary. Unless we recall at least some of these charges, we will fail to appreciate the complex interaction between protest and reaction. My now-yellowed copy of *Women and Revolution,* a "newspaper of revolutionary women's liberation," dated May-June 1971, outlines in bold letters its "program" on family, education, and production:

The institution of the family is **inherently** reactionary and helps to maintain the capitalist system. The family, as a socioeconomic unit, is oppressive to its members. Women are especially oppressed by the family... . Each nuclear family exists in isolation from the rest of society and, thus, weakens the class consciousness of the workers.

In a widely circulated essay by Laurel Limpus on "Liberation of Women: Sexual Repression and the Family," the family was declared "the central agent of repression," inculcating "both the subservience of women and sexual taboos." Married women were called dishonest "prostitutes" for, unlike real prostitutes, they were in bad faith about what they were up to. Another manifesto depicted the new mother as a pitiful creature descending into a condition of terminal social decay, imprisoned in the home, which "is perhaps the basis of all evil." The editors of *No More Fun and Games* reduced childbearing and rearing to terms of crude possession. A woman choosing motherhood signifies that she has not "achieved sufficient maturity and autonomy and is seeking a

hopeless fulfillment through neurotic channels."

There were, of course, always feminists who had deep reservations about these arguments, but they were made by such influential theorists as Kate Millett, for whom the entire society was but the oppressive, patriarchal family writ large, with women cast as universal victims and an oppressed class, or by Germaine Greer, who enjoined women who would be "free" to leave their homes and families in pursuit of the **untrammeled** life. Orthodox Marxist feminism, according to Jane Humphries, in her critical essay "The Working-Class Family: A Marxist Perspective," views the family through a lens labeled "functional requisites of capital" and depicts mothering as a kind of hapless mimicry of production, the "reproduction of a future commodity labor power."

True, there were, and are, feminists of all sorts who refused to jump on the anti-familial bandwagon. But this should not obscure the fact that a major thrust of early feminist rhetoric was a dramatic insistence that the family was "the enemy." Even a liberal feminist such as Betty Friedan, in her "first-stage" incarnation, referred to the home as a "comfortable concentration camp" and celebrated, as an alternative to suburban housewifery, not a transformed vision of the human community but women's **absorption** into the exciting world of those "able, ambitious" men who went off to the city and "kept on growing."

Feminist critics of family life were joined by a variety of (mostly male) cultural radicals. Counterculture protesters sought escape from their uptight families in drug experimentation and communal living that soon ran ashoal on its own inner contradiction—a **simultaneous** commitment to individual freedom (to "do your own thing") and total community. Psychological radicals found in R. D. Laing a guru who proclaimed that all human beings, having been raised in families, were "half-crazed creatures." Familial love and parental concern got redescribed by Laing as devious forms of violence. "From the moment of birth," he declared, "when the Stone Age baby confronts the twentieth-century mother, the baby is subjected to these forces of violence called love. ..." Families were a bunch of "gangsters" and homes were sites of "reciprocal terrorism." Mocking the efforts of parents to provide security for their children, often under such difficult conditions as those depicted by Sen-nett and Cobb in *The Hidden Injuries of Class,* Laing denounced parental action as a debased "protection racket."

In retrospect, much of this criticism has the air of "hit and run" and is made by radicals who refused to acknowledge any of the legitimate human needs for intimacy and security imbedded and answered, however imperfectly, within the traditional family. Already weakened by market forces that eroded community ties and severed work from community life, the American family, by the 1960s, was a **vulnerable** target for social criticism and personal-political protest. But family critics failed to come through on what should have been an essential part of their agenda: they did not articulate viable, humane alternatives to replace what they proposed to reform or "smash." Instead, they tended to reiterate as dogma the notion that if people were no longer dependent

on families, they would get together to demand radical social change.

The unhappy history of the past several decades tells a different story. What ***oozed*** into the vacuum created by the breakup of community and the breakdown of families were the forces of right-wing reaction and a bewildering smorgasbord of cults, human-potential movements, and *therapeutic* options for those who could afford them. The most widespread reaction to the crisis of the family is the embattled retreat embodied in such groups as the Moral Majority. It is important to remember that militant right-wing reaction did not create our current troubles; instead, human beings who were frightened by a world increasingly out of their effective control, concerned to preserve what they saw as traditional values imperiled by liberals and radicals, got caught up in an ideology that sought to return to some imagined Good Old Days when men were men, women knew their place, children kept their place, and all was well.

It would be inaccurate, and self-serving, for feminists and radicals to see all this as no more than thousands of Americans being manipulated by the right around such issues as the family. Conservatives addressed themselves forcefully (though often dishonestly) to those cultural issues posed most dramatically in the 1960s. So far, feminists and other social critics have failed to tackle the moral issues posed by the crisis in American institutions, most importantly in the family.

Another frequently sinister alternative to family and community is presented by dozens of cults and *cult like* groups. The Jim Joneses of this world prey on persons who have fallen into despair or confusion. Cults moved into the vacuum created by the "thinning-out" of community and family ties, even as they further eroded those ties to preclude any outside locus for human relations. In an argument that eerily replicates radical claims that attachment to the family vitiates commitment to "the Cause," Jim Jones rejected a request by two members of his doomed cult for a Thanksgiving visit to the family of one of them in these words: "It's time for you to cut your family ties.... Blood ties are dangerous because they prevent people from being totally dedicated to the Cause." "Families are a part of the enemy system," one of Jones's henchmen declared. "They do not love you. . . . They don't understand this Cause, and therefore you cannot trust them."

Those who find *any* analytic comparison between certain sorts of radical protest and the theory and practice of cults unsavory, should reflect for a moment on the similarities between the views of the family propounded in each instance—that it is part of an oppressive structure inimical to liberation and the Cause; that it inhibits wholehearted political and social commitment; that it exists to perpetuate an "enemy" system. Then it is worth pondering the proposed solutions: creating some unspecified "higher form" of the family; forming a cult, a commune, or a postrevolutionary society, in which no one has an "exclusive" relationship with anybody; the absorption of childrearing "functions" by everybody, or by a public bureaucracy, or by a private sector whose enlightened entrepreneurs would meet a social need and garner a profit by going into what one Marxist critic nicely dubbed the "Kentucky Fried Children" business.

Ordinary citizens see in all this yet another assault on those social forms that help their lives make sense. The presumptions that in order to have a revolutionary or feminist consciousness one must disconnect oneself from particular ties, from what Jane Addams called "the family claim," are correctly perceived by members of working-class and traditional communities as destructive of their way of life. They sometimes even recognize in such views an extension of those market forces that have nearly annihilated older forms of social existence and replaced them by atomistic ways of life. The standpoint of "possessive individualism"—a term I owe to the political theorist C. B. Macpherson—dovetails perfectly with markets and fails to consider the emotional and social needs the family continues,

however fitfully, to fulfill.

For my grandmother, the "I" of the self was always a "we," located within a dense web of human ties. She could no more think of herself outside the tissue of *"unsere Leute"* than she could fly. These ties of community were altered forever by the twin forces of liberalism and capitalism, emerging historically in tandem and realizing, in practice, awesome possibilities for both good and ill unthinkable in older social formations. For women, the promises of liberalism were slow to come, including their incorporation into the reigning definition of "the person" as a being with an identity separable from that of others—whether one's spouse, one's family, or one's community. Liberal society opened up possibilities for persons to "relocate" themselves, as civil society grew more open-textured, to move away from older ties and constraints toward personal identities that are self-defined and chosen.

The ideal was that free individuals, in pursuit of self-interest, would also be mindful of higher duties as citizens of a political community. Unfortunately, the prevailing norm for public identity in liberal America has become almost indistinguishable from its predatory variant of "possessive individualism." The terms under which individuals act in the public world are thoroughly permeated by market values that undermine possibilities for a shared life of civic virtue. This free-market model, translated into feminist protest and cultural revolt, becomes either the ideology of the "how to get yours" versions of feminism or, more "radically," the ideology that proclaims all constraints on individual expression to be coercive.

So we get an ideal of nonbinding commitments, with particular appeal to the upper-middle class, the mobile, and the well-educated, served up as a radical repast. The overall effect of all this "actualizing" of selves is supposed to be a wider good, for modes of radical protest indebted to classical liberalism implicitly embrace a notion of an "invisible hand"; operating to transform self-interest and personal freedom into a social benefit.

But this will not do, finally, for there is no way to make a community out of "possessive individuals." Within this frame, where the individuals are "free" only insofar as each is the sole "proprietor" of self, the only acceptable human relations are those calculated to yield maximum utility. Within such a perspective, all human ties, including marriage, must be construed as starkly contractual—supplanting marriage and communities as social compacts.

The social compact is a different notion from that of contract. It is inseparable from ideals of **civic** virtue and retains a hold on working class, religious, and rural culture. A compact is no contingent agreement but a solemn commitment to create something "new" out of disparate elements—a family, a community, a polity—whose individual members do not remain "as before" once they become part of this social mode of existence. Within the social compact, community members, ideally, share values that are sustained by moral **suasion**, not enforced by coercion. Unlike social-contract theories, the compact ideal revolves around the varying needs of human beings over the span of their life cycle. Contract theory is a static view: it presents a picture of consenting, rational adults—a world in which no one is born and no one dies. Children, old people, ill and dying people who need care are nowhere to be seen.

Now, in practice, contractual society remains linked, in ways that go unacknowledged,

to older notions of the social compact. In Michael Walzer's words, "What made liberalism endurable for all these years was the fact that the individualism it generated was imperfect, tempered by older restraints and loyalties, by stable patterns of local, ethnic, religious, or class relationships. An untempered liberalism would be unendurable." But that is precisely what feminist and radical protest grounded in "possessive individualism" refuses to recognize; this protest has failed to demonstrate convincingly how intimate social relations are to be sustained if individualism continues to erode the social foundations upon which individuals are nourished in the first place.

"My body, my self" is a necessary corrective when communities *overwhelm* the individual or stifle dissent. But the obsession with "self" that is one hallmark of much radical protest offers no opposition to the terms of market society. As more and more areas of social life are subjected to decisions made along the lines of a narrowly construed theory of policy science, it is families and the remnants of traditional communities that can preserve meanings and embody relations that cannot be settled by impersonal standards. And this is why notions of a social compact that are different from the dominant public ideology in a bureaucratic state, whether capitalist or communist, hold out the possibility of radical critique. Those feminists and radicals who have faced the fact that they have failed to gain allegiance to their cause from the very people in whose behalf their struggle is **ostensibly** being waged should consider this world and understand its potential for social opposition.

In the concluding section of this essay I shall draw feminism and traditional notions of family life into a mutual relation in a manner that does not see earlier terms of women's oppression as the only way to restore family life. Instead, I shall embrace a revitalized form of family life and community as one way to break the destructive hold of market images on feminist protest. If we fail in this effort, we are likely to see more of the defensive reactions of right-wing movements and the destructive possibilities of cults. My aim is to contest, not to abandon, the grounds of tradition, a terrain thus far handed over to the right.

Feminists who reject the terms of our society are in the best position emphatically to assay the powerful symbols that inspire familial, religious, and community loyalties. Harry Boyte observes that "the basic theory that saw revolutionary consciousness as an abstract universalism, a rootless cosmopolitanism, and that saw anticapitalist insurgency as growing from radical deracination continues to hold sway over the left." But this world view remains willfully blind to the phenomenon, documented by social historians, that anticapitalist struggles have been waged by human beings determined to defend their particular historic identities, not by "homeless" masses in the grip of such notions as "sex-class." The Solidarity movement in Poland is animated by profoundly communal and religious values; so was Martin Luther King's Southern Christian Leadership Conference with its base in Southern black churches. And we could cite many other examples.

To recover what Simone Weil called our "need for roots," we must first give up the hollow notion that all families or religious institutions reinforce the ideology of the wider society. Only then can we set about recasting a vision of the family as central to any humane way of life. By "family" I mean the widely accepted, popular understanding of the term as having its basis in marriage and kinship, involving links between particular persons that cannot be reduced to instrumental terms. This family stands as one barrier between human beings and the flattening out of their social world under the demands of untrammeled self-interest.

Feminist protest that sought the elimination of this sphere of traditional femininity was understandable when it was a response by women to conditions of their identities that had grown problematic under the pressures of modernization and capitalism. But the end-point of this feminist argumentation, whether radical or liberal, is ironically self-defeating, for it requires that women, in the name of feminism, embrace the terms of a public life that was

created by men who had rejected or devalued the world of the traditionally "feminine" with its "softer" virtues. Behold, the new woman as the old man!

An alternative to the feminist protest that seeks women's full absorption within the market society must make contact with women's traditional social sphere. Women's world arose on a template of concern and care for others. Any viable human community must have, in its ranks, an important segment devoted to the protection of vulnerable human life. That, historically, has been the mission of women. The pity is not that women reflect an ethic of social responsibility but that the public world has, for the most part, repudiated such an edict. Rather than denying women the meaning their traditional world provided, even under conditions of male domination, feminists should move to challenge a society that downgrades female-created and -sustained values.

If it is the case, as Carol Gilligan has argued, that women have a distinctive moral "voice," emphasizing concern and responsibility for others, feminists should be among the first to preserve the sphere that makes this morality possible and to determine how best to extend its imperatives to serve a less-than-humane public world. If Gilligan learns that women now have a greater ability to identify with others, to sustain a variety of personal relationships, and locates those qualities and capacities in women's involvement with children, friends, and communities, feminists must think about what would be lost if we gave up this realm altogether in the name of an abstract ideal of liberation.

Right-wing defenses of the family can only be countered by a feminism that agrees that the family is a **prerequisite** for any form of social life and that a particular ideal of the family is imperative to create a more humane society. One sign of hope is the attempt by many men and women, not all of them professionals, both to sustain strong family ties and simultaneously to struggle toward more **egalitarian** relations between husband and wife.

The feminism I have in mind bears little resemblance to that "major shift" in thinking on the family some claim has taken place in Betty Friedan's *The Second Stage*. Friedan's vision of the family embodies an accommodation with the corporate and political structures most deeply implicated in the breakdown of family ties in the first place. The kind of family arrangement Friedan celebrates as exemplary (dual-career professionals on flexi-time, but often requiring paid help) is possible, at best, for the top 10—15 percent of the American population. For the remaining 85 percent we get the reiteration of a pretty standard liberal agenda—more day care, more reliance on social-engineering "experts," and, *mirabile dictu,* the final "transcendence" of any conflict between "self-realization" and "social good." Such sleight of hand blunts the edges of conflict and diffuses political debate. If, finally, the aims of a feminism guided by the values of current society, the needs of individuals for long-time intimate ties, and the attainment of some notion of the social good are all compatible, what has all the fuss been about?

My version of a feminist perspective that makes a case for family ties, unlike Friedan's, refuses to build either familial or feminist alternatives on the shaky sand of accommodation to the status quo. In defining the family simply as the place "you come home to," Friedan defines it out of existence. Her logic dictates that she put on a par with one another the

swinging single in an "adult residential village"; the young couple struggling to raise their family and to make ends meet in an inflationary recession; the husband and wife, now grandparents, who have spent 40 years of their lives together; the single parent **exhausted** by the double responsibility for home and a job; and the four college kids who have rented a house together for the fall semester.

If a feminist case for the family is to bear any critical weight, important conflicts between popular understanding of the family and attempts by a variety of groups to redefine it in a way that accepts nearly any social arrangement human beings conjure up as "families" must not be evaded. To throw the honorable mantle "family" over every ad hoc collection of persons who happen to be under one roof at the same time is to diminish the genuine achievements of family men and women who have retained their commitments to and for one another. Feminism of the sort I propose recognizes that there is no final resolution to the twin goals of individual freedom and social good. To skip over these matters by celebrating widespread social breakdown as evidence of vital social change is to trivialize profoundly important questions.

Within the family of which I write the nourishment of humanity takes place at every point in the life cycle. This family concerns itself with those who have gone before and those who are to come after. But responsibilities for children are paramount. We know—the evidence on this score is overwhelming—that children incur an assault to their humanity if they suffer from neglect, from the *uprootedness* that comes from being "cared for" by no one in particular. The evidence we have of what happens to children deprived of attachments to specific adults bears out that we are talking about a prerequisite for authentic human existence.

In their understandable preoccupation with the status and role of women, feminists, until recently, were too little concerned with the impact of social change on whole families. Social feminism of the sort I propose places children in the center of its concern—children surrounded, as they need to be, by parents or their permanent, not temporary, substitutes. Unless or until this happens, the right will retain a powerful opening wedge into popular consciousness, for ordinary people love and fear for their children. The feminism I seek is not reducible to a clever strategic move; it is, instead, the reaffirmation of moral imperatives and their insertion into the heart of feminist politics.

This is a recognition Antonio Gramsci seems to have come to toward the end of his life when he wrote, in a passage of exquisite pathos:

How many times have I wondered if it is really possible to forge links with a mass of people when one has never had strong feelings for anyone, not even one's parents; if it is possible to love a collectivity when one has not been deeply loved oneself, by individual human creatures. Hasn't this had some effect on my life as a militant, has it not tended to make me sterile and reduce my quality as a revolutionary by making everything a matter of intellect, of mere magical calculation?

My call, finally, is for a rethinking of terms that have tended to over-schematize the world as one of either/ors: either traditional family life or careerism, and so on. The vision I propose opens the way to a transformed notion of community that repudiates the unacceptable poles of narcissistic self-absorption, on the one hand, and single-minded, overweening commitment to "the Cause" on the other. It sees human beings as social but not as so over socialized that they emerge as passive reactors to external stimuli. In affirming the dignity of the human subject, beginning with the needs of children, social feminism challenges irresponsible corporate power and a politics of group self-interest, for both run roughshod over the needs of families. It indicts an economic system that denies families a living, family wage and that forces both parents into the labor force, often against the will of the woman

who would prefer to be with her children but must, instead work at a low-pay, dead-end job just to make "ends meet." The solution to this dilemma is not to join Friedan's chorus for more day care, which implicitly accepts an economic system that cannot provide decently for its families, but to challenge that system. Nor is this an argument against day care; it is a refusal to embrace the standard liberal agenda of more provision of social services to ameliorate the destructive effects of a socially irresponsible corporate structure.

If we dare to hope for a future, one coherent way is to articulate a vision of feminism and a radical politics that does not require that either feminism or radicalism be feared or despised by decent, ordinary people. "American history and tradition," writes Boyte, like that of any nation, embodies contradictions between rapaciously individualist, democratic, and authoritarian elements. To reclaim the best in Americans traditions and history is to rediscover the popular democratic *heritage*: our nation's civic idealism, our practices of mutual aid and self-help, our religious wellsprings of social justice.

I began these reflections on feminism, family, and community by honoring the integrity of my grandmother, recalling, as I did, Virginia Woolf's prescient cry to the women of her generation that the education of their uneducated mothers and grandmothers must have had "great virtues as well as defects" and that "we should be extremely foolish if we threw away the results of that education or gave up the knowledge that we have obtained from it for any bribe or decoration whatever." A second luminescent image also asks that I "attend" to it. Several months ago, I read a remarkable book by a moral philosopher, Philip Hallie, who told the story of the village of Le Chambon-sur-Lignon and the "goodness" that, happened there during one of the darkest moments in Western history. The entire community committed itself to resist the Nazi occupation of France by rescuing Jews, giving them food, shelter, and safety at risk to their own lives, providing them with false identity cards and helping them escape into neutral Switzerland. It was a quiet struggle. There were no macho heroes, no Maquis members engaged in **guerrilla** tactics. There was instead, waged by these pietists, many of them pacifist, a struggle that "began and ended in the privacy of people's homes." Decisions that were turning points in the struggle took place in kitchens. Males did not dictate these decisions; women and children were centrally involved. "A kitchen is a private, intimate place; in it there are no uniforms, no buttons or badges symbolizing public duty and public support," writes Hallie. Yet through this "kitchen struggle" a few thousand human beings were changed, **irrevocably,** by their resistance, as they spared hundreds the ultimate terror of nazism.

Orthodoxies holding that this village and its families, like all villages and families, are merely performing decreed functions for the larger social order cannot explain Le Chambon. For there, and at great risk to themselves, Le Chambon's men, women, and children did just the opposite. Let Freud have the final word: "La theorie c'est bon, mais ca n empeche d'exister."

SOURCE: Ashville Reader, The Individual in the Contemporary World. Acton, Massachusetts, 1999, 127-138.

DISCUSSION QUESTIONS:

1. Please, describe the story presented by Elshtain: How different was the view of Elshtain's grandmother from the feminists? What was Elshtain's argument about?
2. How was the concept of "family" explained by Marxists? Do Marxists support the notion of family? Do you agree with Marxists arguments presented in this text? Please, bring any evidence from the Soviet experience of keeping the family (ask your parents and grandparents).
3. What is an American cultural approach in terms of keeping the family? Does American view of the family contradict the feminist approach? Do you think that there is only one American view, but not many?
4. Is the example of Elshtain about the Jews enough to justify the suggested point? Are there enough arguments to be supported?
5. What do you think: why would the feminists despise the notion of family? Can you explain the differences between feminists and author's opinion? Does author support feminists? If yes how?
6. Please, bring any evidence or fact that shows feminists activity in your country or region? Do you personally agree with idea of feminists? If yes why? If not why?

REVIEW QUESTION:

1. What are the similarities between Elshtain and Ziba Mir-Hosaini's opinion concerning women and feminism? Please, identify the differences and any contradictions between their opinions suggested in these texts.
2. Is the Ziba Mir-Hosseini against feminists like Enshtain? Does Hosaini talk about any anti-family groups, like Marxists and others which mentioned by Elshtain? Do you agree that Marxists are really anti-family groups? Do you think that women living in Muslim countries will support Elshtain's ideas? If not, why? Please compare this text with the Code of Hammurabi. Do you find any common ground for discussion?

FURTHER READINGS:

- Just War against Terror: The Burden of American Power in a Violent World (2003)
- Jane Addams and the Dream of American Democracy (2002)
- Who Are We? Critical Reflections and Hopeful Possibilities. Politics and Ethical Discourse (2000)
- New Wine in Old Bottles: International Politics and Ethical Discourse (1998)
- Real Politics: Political Theory and Everyday Life (1997)
- Augustine and the Limits of Politics (1996)
- Democracy on Trial (1995)
- Power Trips and Other Journeys (1990)
- Women and War (1987)
- Meditations on Modern Political Thought (1986)
- Public Man, Private Woman: Women in Social and Political Thought (1981)

CHRISTINE DE PIZAN: THE BOOK OF THE CITY OF LADIES

Christine de Pizan (also seen as de Pisan) (1364-1430) was a writer and analyst of the medieval era who strongly challenged misogyny and stereotypes that were prevalent in the male-dominated realm of the arts. De Pizan was born in Venice. By 1405, she had completed her most successful literary works, The Book of the City of Ladies and The Treasure of the City of Ladies, or The Book of the Three Virtues. The first of these tries to show the importance of women's past contributions to society, and the second strives to teach women of all estates how to cultivate useful qualities in order to counteract the growth of misogyny.

33. CONCERNING THE SABINE LADIES, WHO MADE PEACE AMONG THEIR FRIENDS?

"I can also tell you about many ladies of the ancient pagan religion who were responsible for saving their homelands, cities, and towns. I will acquit myself with two exceptionally noteworthy examples, and nothing more, which will prove the case for them all. After **Romulus** and Remus had founded the city of Rome and after Romulus had peopled and filled the city with all the knights and men of arms whom he had been able to select and assemble following several victories, Romulus eagerly took pains to find them wives so that they could have children who would take possession of the city and dominion forever. However, he did not know precisely how he could find wives for himself and his companions, for the Sabine kings and princes and countrymen did not want to give them their daughters in marriage because the Romans seemed extremely unstable to the Sabines, who feared having any relationship with the haughty and strange Romans. Therefore, Romulus concocted a ruse whereby he announced throughout the entire land a tournament and joust to which he invited the princes and kings and all people to bring their ladies and daughters to watch the amusement offered by foreign knights. On the day of festivities, the assembled audience was large on both sides, and many ladies and young women had come there to watch the games. Among others, the king of the Sabines brought his beautiful and well-bred daughter, accompanied by all the ladies and girls of the country who waited on her. The jousts were held outside the city on a plain next to a mountain, and the ladies were all seated according to rank on the mountainside. There the knights competed against one another in performing deeds of valor and prowess, and the sight of the beautiful ladies gave them more strength and daring to perform knightly deeds. To give you a brief account, after the jousting had lasted long enough, when the time seemed right to Romulus to carry out his plan, he took out a great ivory hunting horn and sounded a loud blast. All his men understood well this sound and signal; they left the game and rushed at the ladies. Romulus snatched the king's daughter (with whom he was already quite smitten), and each of the others likewise took a woman for himself. They forc-

Romulus –
(Roman mythology) the legendary founder of Rome and the twin brother of Remus

ibly lifted them onto their horses and fled to the city, where they securely locked the gates. The outcry and sorrow of the fathers and relatives from outside the city and of the ladies who had been forcibly carried off was enormous, but their weeping was of no avail to them. Romulus married his lady with great ceremony and the others did likewise. A great war broke out because of this incident, for as soon as the king of the Sabines could, he moved against the Romans with a large army. However, it was not easy to defeat them, for they were a valiant people. The war had already lasted five years when, one day, the enemies assembled on a field in all their strength, and it was inevitable that there would be an enormous loss of life and a great slaughter. The Romans had already moved out in great strength when the queen assembled all the ladies of the city in a temple for a discussion. The queen, who was so wise and good and beautiful, began to address them, 'Most honored Sabine ladies, my dear sisters and companions, you are well acquainted with the rape which our husbands committed against us. On this account, our fathers and relatives are waging war against our husbands and our husbands against them. So it is that this deadly war can be neither ended nor continued without our participation.

No matter who is victorious, it will still be disastrous for us, for if our husbands are conquered, what a terrible grief and desolation it will be for us, who rightfully love them and who have already had children by them, little children who would be left fatherless. If our husbands win and our fathers and relatives are killed, we will certainly grieve at our misfortune. What is done is done, and cannot be otherwise. Therefore, it seems to me that it would be a very good idea if we could find some other means of re-establishing peace amid all this war. If you follow my advice and do what I shall do, I am certain that we will be able to put an end to this.' They all responded to the lady's words by saying that they would gladly obey her commands. Then the queen made herself completely dishevelled and barefoot, and all the ladies did likewise. Those who had children either carried them in their arms or brought them along and so there were many children as well as pregnant women. The queen went in the lead, followed by this piteous procession, and they arrived at the battlefield exactly at the hour when the armies were poised to fight, positioning themselves between the two armies so that the enemies would have to fight in the midst of the assembled women. The queen knelt down and all the other women did the same, crying out in a loud voice, 'Most dear fathers and kinsmen, our lords and beloved husbands, for God's sake, make peace! Otherwise we prefer to die under your horses' hoofs.' Seeing their wives and children weeping there, the husbands were greatly amazed, and, of course, greatly pained. Similarly, seeing their daughters touched and moved the hearts of the fathers. Looking at each other with pity for these ladies who had so humbly entreated them, their hostility changed to the loving piety of sons toward fathers, and both sides were forced to throw down their arms, embrace one another, and make peace. Romulus led the Sabine king, his sire, into his city, and greatly honored him and all his company. Thus, thanks to the sense and virtue of this queen and these ladies, the Romans and Sabines were saved from destruction."

SOURCE: Pizan Christine de. The Book of the City of Ladies. Trans. Earl Jeffrey Richards. New York: Persia Books, 1998. 147-150.

[Concerning the Sabine Ladies who made peace among their fire]

DISCUSSION QUESTIONS:

1. Describe the story from Christine de Pizan identifying the main characters: Who was the Romulus? Why did Romulus decide to find wives for his companions? Why didn't the Sabine kings want to give their daughters to Romulus and his companions?
2. Describe the efforts of Romulus to reach his goal? Did Romulus and his companions succeed in their aims? What did the Queen do for the sake of peace between his husband and his Father? Can you explain the Queen's points and speeches? What did the Queen do with the women and their children at the beginning of the war?
3. Can you describe the role of the Queen and the women in bringing peace between their husbands and fathers? What is the author's purpose in re-telling this story? Does he want to show the significance of women?
4. Do you support women's active involvement in society? If yes, why? If not, why not? Can you provide any examples of women's involvement from the experience of your own country, especially during difficult times in history?

REVIEW QUESTIONS:

1. What are the similarities between Elshtain's position and Christine de Pizan's ideas?
2. Does Elshtain's idea of supporting the family fit with Christine de Pizan's story?
3. If we compare this story with the Code of Hammurabi, what are the similarities and differences concerning the role and rights of women?

ADDITIONAL READINGS:

- Campbell, Karlyn K., Three Tall Women: Radical Challenges to Criticism, Pedagogy, and Theory, The Carroll C. Arnold Distinguished Lecture National Communication Association, November 2001 Boston: Pearson Education Inc, 2003.
- Green, Karen, and Mews, Constant, eds, Healing the Body Politic: The Political Thought of Christine de Pizan, Turnhout, Belgium: Brepols, 2005.
- Redfern, Jenny, "Christine de Pisan and The Treasure of the City of Ladies: A Medieval Rhetorician and Her Rhetoric" in Lunsford, Andrea A, ed. Reclaiming Rhetorica: Women and in the Rhetorical Tradition, Pittsburgh: University of Pittsburgh Press, 1995.
- Willard, Charity C., Christine de Pizan: Her Life and Works, New York: Persea Books, 1984.
- Richards, Earl Jeffrey, ed, Reinterpreting Christine de Pizan, Athens, GA: Univer-

sity of Georgia Press, 1992.
- Quilligan, Maureen, The Allegory of Female Authority: Christine de Pizan's "Cité des Dames". New York: Cornell University Press, 1991.

JULIE HEMMENT: GLOBAL CIVIL SOCIETY AND THE LOCAL COSTS OF BELONGING

Julie Hemment is the Assistant Professor in the Department of Anthropology of the University of Massachusetts. Her areas of interest and expertise are: Russia, post-socialism, gender and transition, non-governmental organizations (NGO's) and global civil society, and feminist anthropology. Her main publications are Empowering Women in Russia: Activism, Aid and NGO's; and New Anthropologies of Europe, 2007.

GLOBAL CIVIL SOCIETY AND THE LOCAL COSTS OF BELONGING: DEFINING VIOLENCE AGAINST WOMEN IN RUSSIA

The Riddle of the Third Sector: Civil Society, International Aid, and NGOs in Russia
Anthropological Quarterly

In May 1998 activists from crisis centers all over Russia gathered in Moscow for a conference to discuss the formalization of their thus-far loose network into a national association. The conference was a veritable gala. I was stunned to see almost all of my Moscow-based women's movement acquaintances, as well as representatives of the main international foundations and agencies (the Ford Foundation, the Open Society Institute, the American Bar Association, the British Embassy, Amnesty International). Everybody who was anybody in the field of women's community activism and development was there.

At the conference, the theme of universalism sounded loud. The first speakers – mostly representatives of international agencies – emphasized cross-cultural commonality. One of the first to the podium was a British woman, a representative of an expatriate club and a longtime benefactor of antiviolence campaigns. As she put it, "Violence against women is not a Russian problem but an international problem, affecting women of all religious and national backgrounds. We are all vulnerable to violence from men; most of us in this room will have experienced violence at some stage in their lives." She offered words of encouragement to the new network – "my point is that we were where you are now." Her remarks were intended to bring the women in the room together. They were met, however, with weary frustration by some attendees. An activist of a Moscow-based group with whom I was well acquainted muttered "I always switch off when foreigners speak"; another woman groaned "men are people too." Dissent such as this erupted at the margins (in the coffee breaks, the corridors, in whispered asides), but this remark

and these objections remained unheard.

This vignette highlights some of the key tensions of transnational women's activism that this article explores: the divisiveness of Western aid, the ambiguous role of nongovernmental organizations (NGOs), and the local costs of belonging in transnational or global campaigns. The campaign against violence against women is one of the most prominent campaigns of the Russian women's movement. It is one in which almost all the main women's organizations participate, in some form or another (indeed, I was attending the Moscow conference as both researcher and advocate, representing the women's group I worked with to set up a crisis center). However, the ubiquity of the issue in Russia testifies less to local perceptions of needs than to the success of transnational campaigns and the work of international donor agencies. Beyond limited, elite circles, the work of crisis centers is not understood.

This raises thorny questions about women's activism and social movements in contemporary conditions of globalization. The effectiveness of the global women's movement surely rests on its ability to heed local concerns. However, I argue that the campaigns and the logic of grants and funding that drive them impede this process. The framing of violence against women not only screens out local constructions of events, but it deflects attention from other issues of social justice, notably the material forces that oppress women. This is a troubling outcome for a movement that intends to challenge the global inequities that contribute to women's **marginalization**. It suggests that we need to be more attentive to the context within which **feminist** initiatives are nested. Examining my own participation in the campaigns as a Western scholar and activist, I argue that we need to interrogate our use of Western feminist models and concepts in order to be responsive to local knowledge and to achieve truly democratic transnational engagements.

Russia offers an interesting vantage point from which to interrogate these processes. Russian women activists are relative newcomers to the international stage; bar a few early connections during the Soviet period, they first entered into dialogue with Western feminists following the collapse of the Soviet Union in 1991. As walls and boundaries were dismantled and democratization got underway, feminist scholars and activists rushed to join in solidarity with Russian women; a mass of horizontal relationships formed under the rubric of sister-city schemes, academic exchanges, and, later, NGO activity. This context helps to explain the tone of the British speaker's remarks. The excitement that was generated by the democratic "revolutions" in the Eastern bloc gave rise to a dizzying sense of possibility and a climate of liberal **triumphalism** that legitimated this stance and these kinds of interventions. However, contrary to what she supposes, we were *not* where they are now. A distinct history and a distinct set of gender alignments shape Russian women's activism. What is more, activism around women's issues emerged not only in the context of the euphoria of democratic change but in the context of intense economic dislocation, too. Women's groups formed in response to the devastation wrought by "shock therapy," the market-oriented economic reforms implemented in the early 1990s by democratic Russian politicians under the tutelage of U.S. and western European economists. These structural adjustment policies led to the dismantling of the social security system and sharp cutbacks in the health care system, affecting women disproportionately. This situation informs women's perceptions of needs and definitions of problems. The best way to scrutinize and evaluate the effectiveness of transnational campaigns is to examine their local manifestations; this "place-based ethnography" does just that (Escobar 2000). Drawing on nineteen

marginalization – to relegate or confine to a lower social standing or outer limit or edge, as of social standing. Marginalization involves people being denied degrees of power. Marginalization has the potential to result in severe material deprivation, and in its most extreme form can exterminate groups

feminist – person who supports the equality of women with men. One who believes in the social, political, and economical equality of the sexes

triumphalism – attitude or belief that a particular doctrine, religion, culture, or social system is superior to and should triumph over all others. Triumphalism is not an articulated doctrine but rather a term that is used to characterize certain attitudes or belief systems by parties such as political commentators and historians

months of ethnographic fieldwork conducted between 1997 and 2001, I examine the new crisis centers from the two vantage points that my research afforded me – high-profile foundation-sponsored events and interactions with provincial women's groups. Presenting insights gained in the context of an action research project that I undertook with one group, this article highlights local contestation about the campaigns, exploring the competing conceptions of the "crisis" facing Russian women that the campaigns have displaced. In highlighting these alternative constructions, it examines the extent to which activists have been able to translate the issue of gendered violence and to root it in their concerns.

Whence the transnational campaigns?

Before considering these local understandings and concerns, I will first subject the campaigns themselves to scrutiny. The presumed transparency of the issue in international development circles is interesting in itself. Since the 1990s, the campaign against violence against women has had broad resonance across locations. It is assumed to address a universal problem, the content of which is assumed and taken for granted, as my opening vignette suggests.

By the late nineties, violence against women was not only a feminist issue that concerned women's groups; it had become an international development issue. It had won broad acceptance at the United Nations and is still prioritized by international foundations that work with women's community groups. The campaigns are determinedly transnational. The formulation (or framing, to use the language of recent social movements theory) of violence against women is deliberately inclusive, pitched in such terms as to encompass diverse social practices – from spousal abuse to female genital mutilation. How was this achieved?

Gendered violence has long been a concern of local women's movements. In the United States and western Europe, the battered-women's movement was a prominent component of second-wave organizing. The first women's crisis centers were survivor-led grassroots organizations. The provision of shelters – secret safe houses where women victims of domestic abuse could take temporary refuge – was central to these early campaigns. Elsewhere, women's groups organized around local manifestations of violence – in India around campaigns against dowry deaths; in Latin America against the state-sanctioned violence perpetrated by authoritarian regimes.

Until the late 1980s, gendered violence was a feminist issue and was not regarded with much seriousness at the international level. In the late eighties and early nineties this changed, when, due to the efforts of activists of the international women's movement, the framing of violence against women went global. In their influential account of the development of transnational advocacy networks (networks of activists that coalesce and operate across national frontiers), Margaret

Keck and Kathryn Sikkink (1998) explain how the issue achieved such currency. Violence against women emerged in the 1980s as a framing that had the power to unite women from the North and South. Until that point, attempts to unify in global campaigns had been largely unsuccessful. Women's activists of North and South had been deeply divided and unable to achieve a common agenda. While Northern (or "first-world") feminists had been preoccupied with issues of gender discrimination and equality, Southern (or "third-world") women were more concerned with issues of social justice and development, which affected both men and women, albeit in different ways. Violence against women was a framing that could encompass a broad range of practices and hence bring about dialogue between women from different locations.

Its success at the international level was largely due to the innovation of linking women's rights to human rights, bringing together two powerful constituencies for the first time – human rights activists and feminists. Feminist activists first pushed the issue to international prominence at the 1993 Vienna UN human rights conference. Their strategizing coincided with international concern about the systemic use of rape in war in Bosnia, and it was effective. In 1994, the UN High Commission on Human Rights appointed the first special rapporteur on violence against women, and the **Hague Tribunal** recognized rape in warfare as a crime against humanity.

The UN Fourth World Conference on the Status of Women in Beijing, 1995, was a pivotal moment for the success of the framing. Combating violence against women emerged as a central policy agenda both of the international women's movement and of international development. The campaigns have galvanized support across diverse constituencies, among politicians and donors. In the late eighties major U.S. foundations decided to make violence against women a funding priority, channeling funds to NGOs that address the issue. As one American male coordinator of a crisis center training I attended explained to his Russian trainees, "[In the United States] we've found that domestic violence is an easy theme to go to the public with. People give readily. We're at the point where it's politically correct to support this type of organization."

Clearly there is much to celebrate here. Indeed, many feminist scholars regard the prominence of the campaigns as an unqualified success. The campaigns have been analyzed in terms of the increased influence and effectiveness of transnational social movements (TSMs), or transnational advocacy networks (TANs). Such accounts are in keeping with celebratory accounts of NGOs and civil society; here, TSMs represent the positive, liberatory side of globalization. However, there are alternative, less sanguine ways to view this.

While it is true that transnational campaigns such as these unite women's groups across different locations, they do so at a cost. Anthropologist Aihwa Ong provides a critical reading of the "strategic sisterhood" that is the basis of this and other North-South alliances in the post-Beijing conference era. She presents it as an alliance driven by the desire of Northern women that ignores geopolitical inequalities and that is insensitive to non-first-world cultural values. She argues that transnational campaigns are based on a distinctly individualist formulation of "rights" that is Western-specific. The skepticism among activists that I detected in my research points toward similar frustrations in the postsocialist context.

Building on this and other critiques, I wish to introduce a note of caution in my account of the campaigns. First, I suggest that the very success of the framing

Hague Tribunal – the Permanent Court of Arbitration (PCA), is an international organization based in the Hague in the Netherlands. It was established in 1899 as one of the acts of the first Hague Peace Conference, which makes it the oldest institution for international dispute resolution

can also be regarded as its weakness. Although the framing certainly yields cross-cultural clarity, it does so at a cost. At the transnational level, it works insofar as it is a catchall. However, this catchall quality screens out crucial nuances in the ways people define violence against women in different local contexts. In this article, I will go on to argue that in postsocialist "democratizing" contexts, as in "developing" ones, the framing deflects attention from issues of redistributive justice.

Second, it is important to consider the political economic context of the campaigns. The issue achieved prominence at a time of crucial shifts in global development agendas. The rise of NGOs and the success of the campaigns took place at a time when a neoliberal vision of development has achieved hegemony. This has introduced "a new kind of relationship between the state and civil society and advanced a distinctive definition of the political domain and its participants – based on a minimalist conception of both the state and democracy" (Alvarez, Dagnino, and Escobar 1998, 1). Concerns about these processes have been raised by both scholars and activists, in Southern or "developing" contexts as well as in the postsocialist one. Support for NGOs is provided within this new rubric and comes with strings attached; NGOs that accept donor support are required to take on the responsibilities of the retreating state, picking up the slack for the radical free market. What is more, the sudden influx of grants and funding brings about dramatic changes in organizing. Ironically, "NGO-ization" has demobilized social movements. It has contributed to the formation of new hierarchies and allowed former elites to flourish. In many cases it also signals the triumph of Washington- or Geneva-based agendas over local concerns.

The gendered violence campaigns do not operate outside this political economic context. Indeed, the forces that enable them, the logic that drives them, and their effects demonstrate their complicity. Concern about violence against women originated in the second-wave political slogan "the personal is political," which challenged the inviolability of the home and politicized it. However, the radical critique of patriarchy and gender-based economic inequality that was fundamental to the battered-women's movement in the United States and western Europe has fallen out of the transnational campaigns. In a grotesque inversion, the campaigns reprivatize the problem of domestic violence by focusing on interpersonal relations between spouses to the exclusion of structural factors outside, specifically the economic upheavals that most women believe pose the greatest threat to themselves and their families. In a disturbing way, the work of the campaigns thus overlaps with the privatizing intent of neo-liberalism. Indeed, this helps to explain the success of the issue among donors in the West. It is easier to garner support and international outrage around issues concerning sex and that position women

as victims than around issues of social justice (Snitow 1999).

Accounting for the rise of crisis centers in Russia: Foundations, funding, and feminists.

For complex reasons, violence against women is not an issue that local groups were likely to have raised by themselves. The meeting of Western feminists and Russian women activists in the early 1990s discursively created the issue. These feminist-oriented Russian women set up the first crisis centers, first in Moscow and St. Petersburg, then in provincial cities. In the decade of their existence – a decade of rapid and tumultuous transformations in Russia – the crisis center network has undergone significant change. Donor support has been a key factor in its development, and feminist-oriented Russian activists have played a crucial role as brokers of ideas.

Since their arrival in Russia in the early 1990s, donor agencies have channeled a proportionally small but ideologically significant portion of civil society aid to women's groups. They met with a diverse range of women's organizations. While some were set up during the mid-1980s, when Mikhail S. Gorbachev's liberalizing reforms permitted the formation of independent groups for the first time, most were founded in the early to mid-1990s in response to the dislocations of the market I have described. While some had their roots in official Soviet era women's organizations *(zhensovety),* others regarded themselves as determinedly independent from the former regime; a small but prominent minority identified as feminist. These groups of highly educated women were mostly clustered in institutes and universities. Familiar with Western academic literature, they brought insights from Western feminism to bear on Soviet gender relations and on the effects of political and economic reform. They were also committed to practice and spearheaded attempts to bring about unity among women's groups, organizing two Independent Women's Movement forums in 1991 and 1992. This latter group found itself particularly well positioned to take advantage of the new opportunities of democratization aid. Members' knowledge of foreign languages, experience of travel, and familiarity with liberal democratic and Western feminist concepts made for easy dialogue with the representatives of donor agencies. The crisis centers they founded, often in collaboration with Western feminist activists, were greeted enthusiastically by international donor agencies and were among the first women's projects to receive support.

However, while these initiatives won a great deal of international attention, they were less successful at home. The Independent Russian Women's Movement was marginal in Russia and did not have broad support. On the contrary, most men and women regarded women's groups with suspicion and hostility, particularly those that identified as "feminist." For complex reasons, there is no commonly shared perception of gender discrimination in Russia or other former socialist states. As many scholars have noted, the commonly held notion is that the socialist state "spoiled" both men and women, emasculating men and making women too aggressive and assertive, denying them natural expression of difference and self-realization *(samorealizatsiia)*. Men and women perceived themselves to be equally victimized by the state. As **Peggy Watson** puts it, "Under state socialism, society was excluded as a whole, and citizens, far from feeling excluded relative to each other, were held together in a form of political unity" (1997, 25).

Peggy Watson – a unique musician recognized as one of San Diego's leading acoustic singer/songwriters but has been embraced by the jazz and pop world as well

I found that among feminist-oriented women's projects, crisis centers were

regarded with particular incomprehension and skepticism. Indeed, even some women activists involved in the campaigns admitted that they did not think gendered violence was the most pressing issue facing Russian women and expressed concern that so many resources were put into it.

There was plenty of conflict in the private realm in the USSR. However, women with violent spouses were unlikely to recognize their experience in terms of gendered violence. Crisis centers are premised on a set of property relations that are bourgeois and on an alignment of public and private that is liberal democratic. They presume that women are both economically dependent on men and stuck in the private sphere. This was not true for Soviet women, who were brought into the workforce and guaranteed formal equality by the socialist "paternalist" or "parent" state (Verdery 1996, 63). Soviet-era property arrangements also complicate the picture. The nationalization of all property meant that there was no ideology of private ownership to give Soviet citizens the illusion of domestic inviolability. Many Soviet citizens lived in the notorious communal apartments, sharing kitchen and bathroom facilities with their neighbors. What is more, few married couples lived autonomously as nuclear families. Chronic housing shortages meant that many people lived with extended family, grandparents, in-laws, and siblings. For all these reasons, domestic conflict most commonly expressed itself in the form of tension over rights to living space, interpersonal strife, or alcoholism. Although patterns are certainly changing with the introduction of a free market, lack of housing remains the most chronic problem. Indeed, this helps to explain why women's shelters have not taken off in Russia. A further obstacle to crisis centers has been the fact that during state socialism the private sphere was constituted as a kind of "refuge" for both men and women. It was considered to be a site of authenticity against the morally compromised public sphere, and women and men alike jealously guarded its integrity (Verdery 1996). Today, the private sphere remains a (reconstituted) refuge for most Russian people, a site of precious and sustaining networks that offset the violence and chaos that is perceived to be "outside" (mafia, crime, corruption, poverty). Despite the fact that levels of familial violence appear to have increased in the post-Soviet period, most women do not consider it the most pressing problem. Furthermore, as many crisis center workers acknowledge, Russian women who have experienced sexual or domestic violence are commonly mistrustful of attempts from outside to intervene.

Until 1995, crisis centers were marginal offshoots of the Independent Russian Women's Movement, and although they were celebrated in international circles, their work was little understood at home. Despite this lack of fit, in the mid-nineties the antiviolence campaigns in Russia underwent a qualitative shift. As "violence against women" became an international development issue, more funds were allocated to it and crisis centers moved from being small, rather peripheral offshoots of the women's movement to become third-sector heavyweights, a central plank of the

independent women's movement and a showpiece of foundation-NGO relations.

The transnational campaigns brought a key resource to Russian women's groups – a model around which to organize. This model is accompanied by skills and methods that can be transferred and taught. For activists, the crisis center model offers a blueprint and a framework. Neat, easy to learn, it has become a kind of do-it-yourself NGO kit. Foundation support has financed the production of easy-to-use materials – brochures, posters, and handbooks, including one titled "How to Create a Women's Crisis Center." The Moscow-based network offers trainings, assisted by foundation support. These teach not only crisis counseling and non-directive listening skills (the hallmark skills of crisis centers) but also management, NGO development, and public relations.

Russian crisis centers have adopted what they call the "international model" and work to a specific set of standards. Through telephone hotlines and individual consultations, they provide free and confidential legal and psychological counseling to female victims of sexual or domestic violence. Counselors undergo eighty hours of training, run by staff of the most experienced centers with input from feminist psychologists, scholars, and lawyers.

What does all this mean to Russian activists? While I insist on the need to situate my study of Russian crisis centers within this "broader political geography" (Gal and Kligman 2000, 4), I do not mean to suggest that the global blocks out the local, or to describe the flow of ideas as unidirectional. Recent scholarship of globalization has argued persuasively against this kind of determinism, and feminist scholars are prominent in the discussion. Russian women activists draw on international aid and Western models as resources, translating them as necessary. In the process, projects and campaigns are transformed, not imported statically. How do these "traveling discourses" (Gal and Kligman 2000) arrive, what are the processes of "translation" they undergo (Tsing 1997), and with what do they interact as they are "glocalized"?

In the course of my research during 1995-97, I found that the notion of crisis center did have a kind of local resonance. Once again, the violence against women framing caught on because of its catchall quality. Here, however, the keyword was not violence *(nasilie)* but crisis *(krizis)*. One of the things that struck me in the course of my research was the ubiquity of the notion of crisis center *(krizisnyi tsentr)*. I came across many women (out of the loop of trainings and unfamiliar with the international model) who expressed their intent to set one up or described their work (unconnected with sexual or domestic violence) to be "something like a crisis center." I came to relate this rhetorical persistence to the fact that the whole of Russian society is perceived to be in crisis – with good cause. In addition to the perception of social and economic breakdown, the Russian crisis is also perceived to be a psychic condition – there is a great deal of talk about the neuroticization of society.

The perspective from the provinces: Competing crises and the displacement of the economic

Zhenskii Svet (Women's Light) is a small university-based women's group, dedicated to women's education and consciousness-raising. It was founded in the provincial city Tver' in 1991, long before the arrival of Western foundations, in the first wave of independent organizing in Russia. Its founder was Valentina,

a professor of history and one of Russia's few self-identified feminists, who had written her dissertation on the Western women's movement. One of the reasons I originally made contact with this group was because it claimed to have a crisis center. However, I arrived to find that this was not so. While the notion of crisis center did exist within the group, it had not quite taken root. The idea had first been introduced to the group in 1992 by some visiting German feminists; however, the project collapsed when the Germans failed to secure funding, and local interest had since waned. When I asked group members about this, they told me that sexual and domestic violence was something they had not really thought much about. It was a terrible thing, but they did not feel any real connection to it. They also insisted that women would not come together around this issue, because it was too private. They could not see how such a project could work in Tver'.

However, the idea of crisis center had remained in the group, in diffuse forms. Lydia was the custodian of one of these crisis center plans. An unemployed woman in her fifties, she attended Zhenskii Svet regularly. I met frequently with her in the course of my stay in Tver' in 1997. Lydia explained that she was not concerned with dealing with the women victims of sexual violence. She intended her crisis center, or "anti-crisis center" *(anti-krizisnyi tsentr)* as she preferred to call it, to be a service to assist women who encounter economic discrimination *(ekonomicheskaia diskriminatsiia)* or (gendered) discrimination in the workplace. This was a new term to refer to a new phenomenon, since the Soviet regime had an ideological commitment to both full employment and gender equality. She understood that in the United States and western European countries a crisis center was a service for the victims of sexual and domestic violence but argued that in Russia such a conception did not make sense. She insisted that although sexual violence was indisputably a terrible thing, it was a much less widespread problem than economic violence and discrimination, which touched almost every woman's life.

As I pieced her story together, I came to regard it as a classic survivor's narrative. She had encountered "discrimination" in her own life and now wanted to set up a service to assist women in similar situations. Two years ago, before I met her, Lydia was pressured to quit her job as a sociological analyst at the Federal Employment Service when initially generous state funding was cut back. Forced to make layoffs, her boss began to exert pressure *(davlenie)* on some members of the staff to leave – to leave, as it were, of their own volition (so that her boss could avoid paying unemployment benefits). Although both men and women staffed the office, he targeted the women in the group. Lydia experienced this as a profound shock, a profound "crisis," as did her female colleagues, who went through the same process. She told me that it was the first time she and her coworkers had had to face the idea of unemployment. She was shocked at the callous disregard of her rights. She was shocked at how her boss, a former *military officer,* she emphasized, had "pressed" her to leave. Agitated by the memory, she told me that

the pressure was so intense that one woman had been "on the verge of a heart attack." Lydia's account evoked the profoundly destabilizing social dislocation she and her colleagues had experienced at this time. Unemployment was not merely distressing to her on account of the financial burden it placed on her but because it was an attack on her dignity, on her very identity, her sense of self. It also cast a blow to her worldview. She was shaken by the fact that a person of education and high social standing (an officer) had behaved in this way.

In many ways, Lydia's story is paradigmatic of women's early nongovernmental organizing in Russia. Regardless of how they described themselves, of the educational levels of their members, of their location or ideological hue, in the early 1990s women's groups were engaged in a common purpose. They were survival mechanisms, set up for and by women who were hard hit by social and economic reform. Involvement in this activity goes beyond a concern with the gendered effects of the market and is frequently driven by a generalized perception of material, moral, and psychological crisis. In their different ways, these organizations have taken on the challenge of creating new forms of social solidarity and togetherness following the collapse of the Soviet collective.

Although Lydia's conception of crisis center emphasized structural factors – economic violence attributable to the market and shock therapy and their gendered effects – hers was neither a straightforwardly "feminist" nor anticapitalist construction. Indeed, she did not address her sense of discrimination toward men as a group or toward the institutions whose policies contributed to it (the International Monetary Fund and the Russian government). Instead, she addressed herself to the absent, retreating Soviet state. She had been able to find a state agency that had overturned the decision. Although she had not been awarded material compensation, she had received symbolic recognition of the injustice of her dismissal. She intended her crisis center to be a project that would provide similar assistance to local women. Lydia's case perhaps looks idiosyncratic. In many ways, she represents a prior understanding of crisis center, one that preceded the arrival of foundation support. However, I found echoes of her understanding elsewhere. Between 1995 and 1997, before the action research project in Tver', I visited crisis centers in St. Petersburg and several provincial cities. These visits provided alternative insights and left me with quite different impressions of the antiviolence campaigns than those I received in Moscow. Despite the fact that they formally adopt the crisis center model (i.e., the "international standard"), many of these centers had much broader programs in response to local needs. As the director of one provincial crisis center said to me over coffee, "We go to these Moscow-based seminars, workshops, and conferences, but our agendas are still driven by local concerns." Because these centers are raising the issue of violence against women for the first time, only a relatively small proportion of clients call to discuss it. All the counselors I spoke to confirmed that when they first set up, a wide range of people called their hotlines. Men called as well as women and, strikingly, a lot of pensioners – in sum, those who felt marginalized and vulnerable. I was told that people called to speak about diverse issues – unemployment, unpaid wages, loneliness, alcoholism, loss of children to the military service, as well as domestic or sexual violence. As one St. Petersburg-based activist put it, "there is great confusion now, the old system is broken down, but it's not clear what is emerging. People are confused, and there is a great demand for information. They don't know what to ask for, who to speak to, how to name their problems."

Centers have responded to this in different ways; some speak to all callers, others only to women victims of violence. One center in Sergiev-Posad abandoned its women-only focus for a few years in response to local incomprehension.

Counselors in all the centers I visited informed me that women who do call to speak about gendered violence frequently relate it to a range of other materially based issues, such as unemployment, impoverishment, and cramped living space. In response to this, counselors focus on the woman in broader social context, particularly on the family. Activists in provincial cities, where they may provide the only women-oriented services, conclude that it makes no sense to specialize too narrowly. They say it is impossible to separate the problem of domestic or sexual violence from other issues women face. In general, counselors afford a high priority to clients' material problems. In one St. Petersburg center, survivor support groups place great emphasis on practical steps women can take, sometimes resulting in members of a group going into business together.

These constructions could work to inform the work of the transnational feminist movement; these critiques could be the basis for dialogue. The effectiveness of the global women's movement surely rests on its ability to heed local concerns. As Ellen Dorsey puts it, we need to "carefully tread the line between building common strategies and reflecting the actual concerns and dynamism of the movement on the ground" lest the movement be discredited (1997, 355). However, there are some serious systemic impediments. First, the logic of grants and funding encourages groups to adopt the themes and terminologies prioritized by donors, making issues that fall outside this rubric unnarratable. Second, NGO staff and donor representatives are frequently not disposed to listen to these commentaries. For both these reasons, crisis centers experience great pressure to conform to the "international model."

Furthermore, I found that the rubric of the crisis center and the technologies that accompanied it brought about significant changes in the ways both staff and their clients formulated the problems facing women, making the articulation of critiques and counterstrategies still less likely. In Russia, technologies and methods that are designed to empower women – such as nondirective active listening – ironically work against this insofar as they dissuade clients and counselors from articulating their material concerns. Techniques of nondirective active listening require callers to come to their own solutions. Crisis centers provide information and consultations (on legal issues and social services) but encourage clients to take part in the defense of their rights and make their own decisions. While most centers offer free legal advice, their main message is frequently what not to expect from the state. The director of one center told me, "Their first question is always, 'What will the state do for me [as a battered woman] if I get divorced?' I explain that they have little realistic chance of getting help." In survivor support groups, she works to make women aware of these material and political issues, to recognize that the state is not going to help them, and that the only way forward is to help themselves.

Tver' and Zhenskii Svet: Adopting the Western model

This dynamic became clear to me in the course of my interactions with Zhenskii Svet. The action research process that I undertook with members of Zhenskii Svet brought the two models of crisis center I have outlined into competition. Lydia's "anti-crisis center" for unemployed women was pitched against a "crisis center" for women victims of domestic and sexual violence that accepted the framing of violence against women backed by the transnational campaigns. The latter won out. It won not because it best expressed members' idea of the most important problem facing local women in Tver' but because it was considered most likely to succeed. In crucial ways, as facilitator of the seminar and as a Western outsider with resources to bring to the project, I was the arbiter. The latter model had two advantages. First, it had broad legitimacy among two key constituencies – Western donor agencies and actors of the local administration. Second, it was organizationally viable. Both characteristics were consequences of international donor involvement and the success of transnational feminist campaigns.

Through the action research project, I was able to lend my energies to the group as it negotiated the contradictory nongovernmental field. In this context, my status as a Western outsider and my familiarity with donor priorities became a valuable resource that group members were able to deploy. In the course of my fieldwork, I had amassed a great deal of information about women's crisis centers and realized that the network offered great possibilities for provincial women's groups. I shared this information with members of Zhenskii Svet.

Some of the women began to see the founding of a crisis center as a way to strengthen and institutionalize some of the more socially oriented programs offered by Zhenskii Svet. They saw it as a potential base from which already existing projects could be run and as a place where young women could gain work experience. A key player in this project was Oktiabrina, a doctor and one of the newest and most enthusiastic participants of the group. An assertive, practical woman in her midthirties, she had recently moved to Tver' from Siberia with her family when her engineer husband lost his job. She worked part-time at one of the local hospitals, renting office space with another doctor, drawing a meager salary, and offering free seminars in women's health through Zhenskii Svet.

When I met her, she was looking for a niche, a place to which she could bring her considerable energies and that would allow her independence. "I'm not afraid of hard work," she told me, "the main thing is that I am committed to what I do." She dreamed of being able to bring about a unity between what she called her hobby (issues of women's health, the women's movement) and her career. The idea of setting up a crisis center appealed to Oktiabrina because it most closely approximated the "concrete social project" she wanted to be involved in. Her own economic vulnerability meant that she was attuned to the plight of women in the city, and she wanted to do something practical to meet their needs. Furthermore, she was persuaded by the issue of gendered violence. As a doctor, she had noticed that many of her women patients had bruises under their clothes. "It was obvious that some of them had violent spouses, but there was no way to talk to them about it," she said.

In summer 1998, with the endorsement of other members of Zhenskii Svet, Oktiabrina and I embarked on a preparatory project to set up a crisis center for

women in Tver'. Our aims were to learn more about existing services and to locate sources of financial and material support. We met with members of the local administration and staff of the local social security services and traveled to Moscow and several provincial cities to visit and learn from other crisis centers. It was a successful strategy. The Tver' project coincided with a specific moment of expansion in the network of crisis centers. It was seeking to re-register itself as a national association and was eager to find more collaborators throughout the Russian Federation. To this end, its sponsors provided start-up funds for new centers and were glad to make the acquaintance of a provincial woman activist well versed in the tenets of the international women's movement. At the same time, in Tver' local conditions were ripe. Since the mid-nineties, "women's issues" have had political currency in Russia. Throughout the regions of the Russian Federation, officials are now mandated to undertake steps to provide services for women. In this way, "crisis center" has entered the lexicon of government officials and social services personnel and is on the books. We won the support of two key political figures in the city – the mayor (who was preparing for reelection) and the president's representative to the *oblast'* (a woman journalist with an insecure political base who had begun to dabble in the "women's movement" in order to generate support for herself in the city). They were only too happy to make the acquaintance of a community group willing to undertake such an endeavor.

The center set up in fall 1998. Oktiabrina pulled together a group of interested women who were prepared to start work on a voluntary basis and led seminars based on the training she had received in Moscow. At the outset of the project, she acknowledged that she saw setting up a crisis center as a pragmatic move. If it took off, it would make a good umbrella project under which already existing projects could continue to run and new ones could be devised. She saw it as a pilot project through which she could discover what local women perceive their real problems to be.

As I have followed the crisis center over the last four years, I have been able to trace the shifting perceptions of its staff and volunteers. In the first months of its existence, gendered violence was very much on the periphery of the project. The first clients who came to the center were either already personally acquainted in some way with staff members or were chance passers-by. These women did not talk about domestic violence but discussed instead a variety of other, mostly materially based problems. When I asked them about their plans for the near future, Oktiabrina and other staff and volunteers talked of setting up a variety of other projects within the center to meet local women's needs – a "work therapy" club (designed to help local women go into business together and consider economic strategies), a social club, and seminars in cosmetology and women's health. Oktiabrina confided that in some ways she regretted focusing so directly on sexual and domestic violence. She told me, "Women who really experience this will rarely come forward to talk about it – I uncover it in conversations, it lies buried, it is

very often a source of grief, but in focusing on it, we scare women away."

She gave a very different account when we met in Boston in February 2000 while she was attending a training course for Russian professionals working on domestic violence. She exhibited increasing self-confidence, both in her own position and in the validity of the crisis center narrative. She told me that much had changed since a telephone had been installed in August 1999. This enabled the center to finally open a hotline for women *(telefon doveriia),* and as soon as the service was advertised the center had been inundated with calls. There was a great appetite in the city for telephone hotlines, and (particularly) for free psychological counseling. The hotline is open from nine to six every day except weekends. Oktiabrina told me that they receive between fifty and seventy calls per month, of which between six and fifteen pertain to domestic violence.

I asked her to tell me about the issues clients raised. She told me that many come to discuss problems in their relationships *(vzaimootnoshenie)* with the people they live with – alcoholism or conflicts over living space upon divorce. I asked her how many of these people had experienced domestic violence. She paused to consider and told me that in each case there is an element of domestic violence. However, this was loosely defined. One woman came to speak of problems with her mother, another about difficult relations with her sister. The rest came to discuss issues with their spouses. She told me that she was surprised that women are willing to come forward and to talk about their problems, however they define them, and that she was surprised too that people do speak about forms of domestic violence. "The need is real," she told me.

She had devised an interesting strategy to overcome the problem of women's reluctance to speak of "domestic violence." Center staff have two distinct modes of representing their work. They advertise the hotline as a generalized service, as a hotline for women *(telefon doveriia dlia zhenshchin),* "so we don't scare women away." Since fall 1999, the center has run a couple of support groups, which staff advertise as a "support group for women" *(gruppa podderzhki dlia zhenshchin),* not specifying spousal abuse. When speaking to clients, they avoid terminology that might alienate women; they do not use the term *violence (nasilie)* or *violent behavior (nasil'stvennoe povedenie)* but speak instead of controlling behavior *(kontroliruiushchee povedenie)*. Likewise, they do not refer to the violator *(nasil'nik)* but the offender *(obidchik)*. They discuss the myths *(mify)* and prejudices *(predubezhdeniia)* surrounding rape and domestic violence. Meanwhile, they use the language of the campaigns and speak of domestic violence, or violence against women, in their outreach and educational work, for example, when speaking to the media, when lobbying the mayor, and when giving lectures to students of the university, of the police academy, or to lawyers.

Oktiabrina attributed the success of the project to the framing of violence against women. As she put it, "It was important for us to define a specific area of activity in order to achieve this. If we had chosen to deal with violence more broadly, or with economic issues, or with alcoholism as some people suggested, we wouldn't have been able to do it." She told me that the main achievement of the last six months is that the center now has a name, an image *(imadzh)* in the city. She has been able to overcome local skepticism precisely due to the international support that the project has won. The symbolic aspect of this support was as important as the material; she had used it as a bargaining chip in negotiations with local power brokers, and it had won her the grudging support of those who

were very skeptical about the issue.

As is clear from her latest account, what appears to have changed most markedly is Oktiabrina's own sense of conviction. Women come with similar problems as previously. However, she is more convinced of the efficacy of her project and more tightly socialized into the campaigns. I tried to push her to reflect on this. What did these shifts in orientation mean to her? I gained no sense that she was torn by these changes. Rather, she was clearly proud of her work and its success. "We've come a long way," she told me, "there used to be no language for this kind of thing. Now the authorities have been forced to recognize the problem."

Our most recent conversations reveal a greater degree of ambivalence. When I last returned in summer 2001, I found Oktiabrina preoccupied with new questions. Although eloquent about the importance of the work she does, she was alive to its contradictions and eager to discuss the ambivalence of collaboration with donor agencies. Together with Lena, a crisis center colleague from a neighboring city, we discussed these issues. In the course of our conversation it became clear that the two women were dissatisfied and baffled by foundation policies and felt unheard by foundation representatives. Although they felt that they were doing useful work, they were frustrated that bureaucratic activities took up so much time. What is more, they felt constrained. Grants permit and exclude specific activities, down to the themes of trainings. Lena explained that agency evaluators had recently visited her center and it was absolutely clear to her that they were not interested in the content of the center's activities; "they just need pretty numbers, they don't need to hear my thoughts *(razmyshlenie)* about our work." Further, they were concerned that donors were moving away from supporting the theme of *nasilie* (violence). The new theme, she continued, was *torgovlia liud'mi* (trafficking). Oktiabrina nodded, saying, "We have to be like chameleons to please the foundations. Even if you don't want to take it [trafficking] on, you have to!"

Finally, they had begun to feel a sense of futility about the work they had been encouraged into. They had successfully raised an issue that both felt was real and important, but at the same time they were aware that it was nested within a host of other concerns. As with the other crisis centers I came across, they found that their clients came to discuss a wide variety of issues. Although they were frequently able to locate (or "uncover") an element of domestic violence in clients' accounts (whether it was verbal or psychological abuse, economic pressure, or actual physical violence carried out by spouses or male relatives), clients most pressingly made reference to material problems that affected both them and their families. Their work with women uncovered issues that they felt powerless to address – problems connected with unemployment, unpaid wages, and the crisis of living space. "All we can offer is psychological support. It doesn't resolve the main issues," Oktiabrina lamented, "We can't solve the material problems." Lena agreed, saying, "The global attention to solving women's problems must be the business of the government!

Housing, the police, the law – it's too much on our shoulders!"

Conclusions

In this account so far, I have tried to convey the local meanings that get screened out by the international renditions of the violence-against-women campaigns. So what lessons for the transnational women's movement can we draw from this specific case?

While it is important to celebrate the success of the crisis center network in terms of the economic and political opportunities it provides local women, we also need to critically interrogate the success of the campaigns and to be aware of their discursive effects. Within contemporary conditions of globalization, transnational gender politics operates as a mode of power that constitutes some women and some issues as deserving, excluding others (Mindry 2001). Indeed, understanding these effects helps us interpret the skepticism of some of the women involved in the campaigns, such as the activist whose comments I began with.

Skepticism about these campaigns testifies to the fact that many people experience these campaigns and similar ones as primitivizing. Since the fall of the Soviet Union, "violence against women" has become an international development issue, a marker to gauge the "civilization" of states. According to this yardstick, despite the collapse of the political, military, and conceptual boundaries of the cold war, Russia remains as far away from the West as ever before. In fact, ironically, rather than drawing closer, it has slipped backward (from Soviet gender equality to a place of "uncivilized" gender relations). I believe that it was precisely this discursive effect that many of my interlocutors objected to. Furthermore, the framing used by the international campaigns has the ideological effect of obscuring the fact that violence against women is structurally endemic within liberal-democratic capitalist regimes. It is not so much the case that liberal democratic "civil" society is not violent but that the system allows for the existence (and occasionally encourages the provision) of services to mop it up. Making gender and violence a marker of development obscures a fact that both crisis counselors and their clients know very well – that all forms of violence, including gendered violence, have been exacerbated by structural adjustment, the very liberalizing project that was supposed to bring civility to Russia. No wonder those engaged in the ideological work of these campaigns feel ambivalent about them.

The discursive prominence of terms such as *crisis center* and *violence* and their prioritization exemplifies some troubling aspects of Western democratization aid. The prominence of the issue of violence against women can be read as part of a broader trend, marking a discursive privatization of the social dislocation accompanying transition and a de-politicization of the economic. Stopping up the gaps of the radical free market, services such as crisis centers act as mediators, educating Russian people into the new order. The individualizing, economizing discourses that these centers put out ("self-help," "self-reliance") educate people out of politics, out of expecting anything from the crumbling and retreating state. The winning out of the "international model" marks an abandonment of attempts to tackle structural problems, as my examples from Tver' reveal. Interestingly, in both Oktiabrina's and Lydia's crisis center projects are foreground issues of individual change and development rather than structural issues, and there is little critical discussion of the path of democratization and development. One of the last things Oktiabrina said to me was that women needed to be educated out of

the "myth" that domestic violence has material roots. Here, she was making the feminist argument that domestic violence could not be justified as a response to economic hardship. Still, in her ready adoption of this framing, I see her as still taking on the old socialist state and its discredited, materialist ideologies, perhaps not fully aware of the implications of the new ideology that is taking its place. Meanwhile, over time the element of structural critique dropped out of Lydia's "anti-crisis center" plan. Whereas formerly she had at least implicitly addressed the state and the illegality of economic discrimination and dismissals, she began to speak only in terms of psychological support. Her new project description was "to afford psychological support to women who are suffering the consequences of loss of work."

However, this is not the full story. My Tver' case study shows how the model of crisis center has been appropriated and embraced and deployed to various different ends. The women of Zhenskii Svet, like many other activists, made a pragmatic, strategic decision to set up a crisis center. They were to some extent coerced into the framing, yet they have been able to reappropriate it in key ways. The crisis center meets group needs and objectives that preceded the arrival of Western funding. It has become an important discursive site where social dislocation and confusion are explored and made sense of, where needs can be defined and named, and survival strategies formulated. Like other NGOs, it is a dynamic site in which people negotiate the past and the present. No less significantly, it serves as an effective niche, a foothold for those who work there, and contributes to the creation of new forms of solidarity and togetherness. What's more, crisis centers bring nongovernmental women's activists into dialogue with state agencies, contributing to important realignments between spheres.

I regard my colleagues' appropriation of the model as an ambivalent thing – it is part co-optation, part self-justification, and part testimony to a new formulation of gendered violence. Work conducted in the center both embraces and exceeds the gendered violence narrative. In their commentaries I see the germ of a critique and the potential formulation of a collective, or at least less individualistic, response to gendered violence that could be useful to us all.

SOURCE: Global Civil Society and Local Costs of Belonging: Defining 'Violence Against Women' in Russia, Signs: Journal of Women in Culture and Society 29

(3):815-840; 2004

DISCUSSION QUESTIONS:

1. What kind of women's problems and difficulties are there in Russia? What are the responsibilities of civil society groups in solving women's problems in Russia?
2. Can you identify the main points of the representatives of an expatriate club and a longtime benefactor of antiviolence campaigns in the case of women's problems in Russia?
3. How did you understand the campaign activities part in solving women problems in Russia? Can you describe the activities and responsibilities against violence in Russia?
4. How did you understand the author's position in this text in terms of women's problems in Russia? Did she support women? Did you ever face problems such as violence against women in your own country? What do you think: is it a global or a local problem? Do you know any campaigns to protect women in your own country?

REVIEW QUESTIONS:

1. Do Iran and Egypt need campaigns against violence against women like those described by Julie Humment? Can you find any similarity between Russian women's activities and that in other societies like Iran and Egypt from Mir-Hosseini and Elshtain's texts?
2. Identify the differences and similarities between Julie Hemment's and Bethke's ideas about women and family problems.
3. Does the problem of women in Russia as described by Julie Hemment exist in Iran? Can you compare these two societies in terms of women's problems?

ADDITIONAL READINGS:

- GENDERED VIOLENCE IN CRISIS: RUSSIAN NGOs HELP THEMSELVES TO LIBERAL FEMINIST DISCOURSES. Julie Hemment. Cornell University. condor.depaul.edu/~rrotenbe/aeer/v17n1/Hemment.pdf
- Hemment, Julie, The Riddle of the Third Sector: Civil Society, International Aid, and NGOs in Russia, Anthropological Quarterly – Volume 77, Number 2, Spring 2004, pp. 215-241
- Centre for Russian and East European Studies, www.crees.bham.ac.uk/research/ - Published: 23/2/2008 Last Visited: 25/4/2007
- Post-Soviet Women Encountering Transition: Nation Building, Economic Survival, and Civic Activism (Woodrow Wilson Center Press) (Hardcover), by Kathleen Kuehnast (Editor), Carol Nechemias (Editor)

CHAPTER SIX:
MODERN INQUIRES INTO CIVIL SOCIETY

INTRODUCTION

Contemporary inquiries into civil society highlight the fact that establishing democratic forms of government with detailed constitutions does not guarantee an active and effective civil society. In other words, it does not guarantee implementation of reasonable policies, nor does it guarantee good leadership. It does not even guarantee the subordination of the military to civil authority. What then is necessary for good government, better living conditions, and effective policy implementation to achieve these goals?

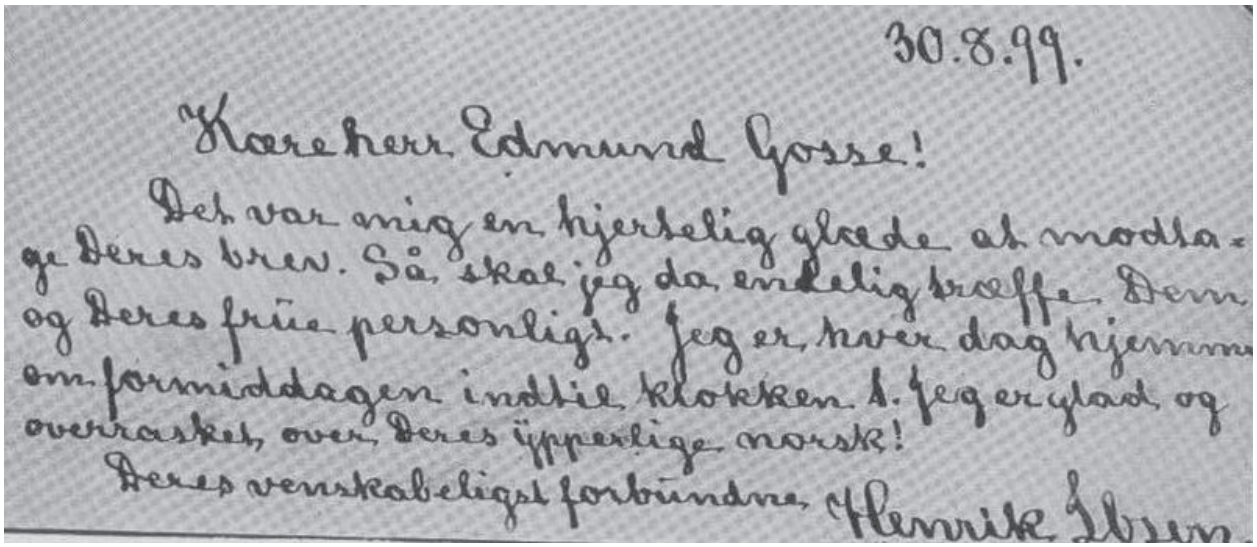
Each of the texts in this chapter brings a cogent perspective to the question. Deferring to expertise, wisdom, competence, and to ethical standards are amongst the answers. Democracy in many ways seems to be undermining this due deference to knowledge, capability and/or even the good. Instead, a noticeable culture of apathy in some democracies, mediocrity in others, and even civil disorder in yet others can be seen. The question then is how can democratic societies strive towards higher standards of governance, better life for their citizens, and development of a humane society?

One text highlights the fact that economic development must be balanced by social development, which must be subordinate to well-thought-out ethical standards. Education is seen as the vehicle to usher in this balanced vision. One is compelled to ask, what is the role of education in developing civil society? In what manner does education need to be instituted to deliver a vibrant civil society? How deep is the link between education and civil society? Can education deliver citizens of a given state equality, liberty, and sound government?

Another text examines the idea of the compatibility of Islam with secular society. Among conservative populations of the Islamic world, there has been a hankering to go back to the utopia of the prophet's era while liberal elements of that same Islamic world have desired to join the modern world, accept modern values, and live in a contemporary reality. What are the hopes for a vibrant civil society given these two committed constituents fighting a battle for supremacy in the Islamic world?

For example, in Central Asia how is the yearning for better governance, society, and rights being expressed? Are there large-scale Islamic movements? Do they have a large following? Are they committed to developing better civil societies? How do they engage the youth and the elderly at the same time? What do they say about the rights and conditions of the lives of non-Muslims? Do these movements make an effort to deal with the pluralistic societies in which they are seeking political power?

In most Asian countries, the dreams and hopes of people are focused on economic development of their countries. The success of Japan's post-war economy has made it the economic leader in Asia. It offers an Asian model of prosperity, democracy and civil society. How does Japan manage the relationship between the state and civil society? What are the forces that challenge each other and the state to develop their vision of a vibrant, progressive society? Could this be the model for all of Asia?



30.8.99.

Kære herr Edmund Gosse!

Det var mig en hjertelig glæde at modtage Deres brev. Så skal jeg da endelig træffe Dem og Deres frue personligt. Jeg er hver dag hjemme om formiddagen indtil klokken 1. Jeg er glad og overrasket over Deres ypperlige norsk!

Deres venskabeligst forbundne, Henrik Ibsen

LETTER FROM IBSEN TO EDMUND GOSSE IN 1899.

HENRIK IBSEN: AN ENEMY OF THE PEOPLE

Henrik Johan Ibsen (March 20, 1828 - May 23, 1906) was a Norwegian playwrite and the father of modern realistic drama. He is celebrated as a national symbol by Norwegians. Ibsen founded the modern stage by introducing a critical eye and free inquiry into the conditions of life and issues of morality. Ibsen challenged the belief that the community is a noble institution that could be trusted. On the contrary, he argued, the individual, who stands alone, is more often "right" than the mass of people. Ibsen's main writings are Catiline (1850), The Burial Mound (1850), St. John's Eve (1852), Lady Inger of Oestraat (1854), The Feast at Solhaug (1855), Olaf Liljekrans (1856), The Vikings at Helgeland (1857), Love's Comedy (1862), Ghosts (1881), and An Enemy of the People (1882).

… **Dr. Stockmann:** I should like to have seen anyone, a few days ago, dare to attempt to silence me as has been done tonight! I would have defended my sacred rights as a man, like a lion! But now it is all one to me; I have something of even weightier importance to say to you. (*The crowd presses nearer to him, MORTEN KIIL conspicuous among them.*)

Dr. Stockmann: (*continuing*) I have thought and pondered a great deal, these last few days – pondered over such a variety of things that in the end my head seemed too full to hold them –

Peter Stockmann: (*with a cough*) Ahem!

Dr. Stockmann: – but I got them clear in my mind at last, and then I saw the whole situation lucidly. And that is why I am standing here tonight. I have a great revelation to make to you, my fellow-citizens! I will impart to you a discovery of a far wider scope than the trifling matter that our water supply is poisoned and our medicinal Baths are standing on pestiferous soil.

A number of voices: (*shouting*) Don't talk about the Baths! We won't hear you! None of that!

Dr. Stockmann: I have already told you that what I want to speak about is the great discovery I have made lately – the discovery that all the sources of our moral life are poisoned and that the whole fabric of our civic community is founded on the pestiferous soil of falsehood.

Voices of disconcerted Citizens: What is that he says?

Peter Stockmann: Such an insinuation – !

Viking –
one of the groupd of Norse (Scandinavian) explorers, warriors, merchants and pirates who raided and colonized wide areas of Europe from the late eighth to early eleventh century. These Norsemen used their famed longships to travel as far east as Constantinople and the Volga River in Russia, and as far west as Iceland, Greenland and Newfoundland. This period of Viking expansion is known as the Viking Age, and forms the major part of the medieval history of Scandinavia, the British Isles and Europe in general

Aslaksen: (*with his hand on his bell*) I call upon the speaker to moderate his language.

Dr. Stockmann: I have always loved my native town as a man only can love the home of his youthful days. I was not old when I went away from here; and exile, longing and memories cast as it were an additional halo over both the town and its inhabitants. (*Some clapping and applause.*) And there I stayed, for many years, in a horrible hole far away up north. When I came into contact with some of the people that lived scattered about among the rocks, I often thought it would have been more service to the poor half- starved creatures if a veterinary doctor had been sent up there, instead of a man like me. (*Murmurs among the crowd.*)

Billing: (*laying down his pen*) I'm damned if I have ever heard – !

Hovstad: It is an insult to a respectable population!

Dr. Stockmann: Wait a bit! I do not think anyone will charge me with having forgotten my native town up there. I was like one of the cider-ducks brooding on its nest, and what I hatched was the plans for these Baths. (*Applause and protests.*) And then when fate at last decreed for me the great happiness of coming home again – I assure you, gentlemen, I thought I had nothing more in the world to wish for. Or rather, there was one thing I wished for – eagerly, untiringly, ardently – and that was to be able to be of service to my native town and the good of the community.

Peter Stockmann: (*looking at the ceiling*) You chose a strange way of doing it – ahem!

Dr. Stockmann: And so, with my eyes blinded to the real facts, I revelled in happiness. But yesterday morning – no, to be precise, it was yesterday afternoon – the eyes of my mind were opened wide, and the first thing I realised was the colossal stupidity of the authorities. (*Uproar, shouts and laughter, MRS. STOCKMANN coughs persistently.*)

Peter Stockmann: Mr. Chairman!

Aslaksen: (*ringing his bell*) By virtue of my authority – !

Dr. Stockmann: It is a petty thing to catch me up on a word, Mr. Aslaksen. What I mean is only that I got scent of the unbelievable piggishness our leading men had been responsible for down at the Baths. I can't stand leading men at any price! – I have had enough of such people in my time. They are like billy-goats on a young plantation; they do mischief everywhere. They stand in a free man's way, whichever way he turns, and what I should like best would be to see them exterminated like any other vermin. (*Uproar.*)

Peter Stockmann: Mr. Chairman, can we allow such expressions to pass?

Aslaksen: (*with his hand on his bell*) Doctor!

Dr. Stockmann: I cannot understand how it is that I have only now acquired a clear conception of what these gentry are, when I had almost daily before my eyes in

this town such an excellent specimen of them – my brother Peter – slow-witted and hide-bound in prejudice. (*Laughter, uproar and hisses. MRS. STOCKMANN Sits coughing assiduously. ASLAKSEN rings his bell violently.*)

The Drunken Man: (*who has got in again*) Is it me he is talking about? My name's Petersen, all right – but devil take me if I –

Angry Voices: Turn out that drunken man! Turn him out. (*He is turned out again.*)

Peter Stockmann: Who was that person?

1st Citizen: I don't know who he is, Mr. Mayor.

2nd Citizen: He doesn't belong here.

3rd Citizen: I expect he is a navvy from over at – (*the rest is inaudible*).

Aslaksen: He had obviously had too much beer. Proceed, Doctor; but please strive to be moderate in your language.

Dr. Stockmann: Very well, gentlemen, I will say no more about our leading men. And if anyone imagines, from what I have just said, that my object is to attack these people this evening, he is wrong – absolutely wide of the mark. For I cherish the comforting conviction that these parasites – all these venerable relics of a dying school of thought – are most admirably paving the way for their own extinction; they need no doctor's help to hasten their end. Nor is it folk of that kind who constitute the most pressing danger to the community. It is not they who are most instrumental in poisoning the sources of our moral life and infecting the ground on which we stand. It is not they who are the most dangerous enemies of truth and freedom amongst us.

Shouts from all sides: Who then? Who is it? Name! Name!

Dr. Stockmann: You may depend upon it – I shall name them! That is precisely the great discovery I made yesterday. (*Raises his voice.*) The most dangerous enemy of truth and freedom amongst us is the compact majority – yes, the damned compact Liberal majority – that is it! Now you know! (*Tremendous uproar. Most of the crowd are shouting, stamping and hissing. Some of the older men among them exchange stolen glances and seem to be enjoying themselves. MRS. STOCKMANN gets up, looking anxious. EJLIF and MORTEN advance threateningly upon some schoolboys who are playing pranks. ASLAKSEN rings his bell and begs for silence. HOVSTAD and BILLING both talk at once, but are inaudible. At last quiet is restored.*)

Aslaksen: As Chairman, I call upon the speaker to withdraw the ill-considered expressions he has just used.

Dr. Stockmann: Never, Mr. Aslaksen! It is the majority in our community that denies me my freedom and seeks to prevent my speaking the truth.

Hovstad: The majority always has right on its side.

Billing: And truth too, by God!

Dr. Stockmann: The majority never has right on its side. Never, I say! That is one of these social lies against which an independent, intelligent man must wage war. Who is it that constitute the majority of the population in a country? Is it the clever folk, or the stupid? I don't imagine you will dispute the fact that at present the stupid people are in an absolutely overwhelming majority all the world over. But, good Lord! – you can never pretend that it is right that the stupid folk should govern the clever ones I *(Uproar and cries.)* Oh, yes – you can shout me down, I know! But you cannot answer me. The majority has might on its side – unfortunately; but right it has not. I am in the right – I and a few other scattered individuals. The minority is always in the right. (*Renewed uproar.*)

Hovstad: Aha! – so Dr. Stockmann has become an aristocrat since the day before yesterday!

Dr. Stockmann: I have already said that I don't intend to waste a word on the puny, narrow-chested, short-winded crew whom we are leaving astern. Pulsating life no longer concerns itself with them. I am thinking of the few, the scattered few amongst us, who have absorbed new and vigorous truths. Such men stand, as it were, at the outposts, so far ahead that the compact majority has not yet been able to come up with them; and there they are fighting for truths that are too newly-born into the world of consciousness to have any considerable number of people on their side as yet.

Hovstad: So the Doctor is a revolutionary now!

Dr. Stockmann: Good heavens – of course I am, Mr. Hovstad! I propose to raise a revolution against the lie that the majority has the monopoly of the truth. What sort of truths are they that the majority usually supports? They are truths that are of such advanced age that they are beginning to break up. And if a truth is as old as that, it is also in a fair way to become a lie, gentlemen. (*Laughter and mocking cries.*) Yes, believe me or not, as you like; but truths are by no means as long-lived at **Methuselah** – as some folk imagine. A normally constituted truth lives, let us say, as a rule seventeen or eighteen, or at most twenty years – seldom longer. But truths as aged as that are always worn frightfully thin, and nevertheless it is only then that the majority recognises them and recommends them to the community as wholesome moral nourishment. There is no great nutritive value in that sort of fare, I can assure you; and, as a doctor, I ought to know. These "majority truths" are like last year's cured meat – like rancid, tainted ham; and they are the origin of the moral scurvy that is rampant in our communities.

Methuselah – according to the Hebrew Bible, he lived to 969 years, the longest lifespan recorded for a human. The name Methuselah has become a general synonym for any living creature of great age

Aslaksen: It appears to me that the speaker is wandering a long way from his subject.

Peter Stockmann: I quite agree with the Chairman.

Dr. Stockmann: Have you gone clean out of your senses, Peter? I am sticking as closely to my subject as I can; for my subject is precisely this, that it is the masses, the majority – this infernal compact majority – that poisons the sources of our moral life and infects the ground we stand on.

Hovstad: And all this because the great, broadminded majority of the people is prudent enough to show deference only to well-ascertained and well-approved truths?

Dr. Stockmann: Ah, my good Mr. Hovstad, don't talk nonsense about well-ascertained truths! The truths of which the masses now approve are the very truths that the fighters at the outposts held to in the days of our grandfathers. We fighters at the outposts nowadays no longer approve of them; and I do not believe there is any other well-ascertained truth except this, that no community can live a healthy life if it is nourished only on such old marrowless truths.

Hovstad: But, instead of standing there using vague generalities, it would be interesting if you would tell us what these old marrowless truths are, that we are nourished on. (*Applause from many quarters.*)

Dr. Stockmann: Oh, I could give you a whole string of such abominations; but to begin with I will confine myself to one well-approved truth, which at bottom is a foul lie, but upon which nevertheless Mr. Hovstad and the "People's Messenger" and all the "Messenger's" supporters are nourished.

Hovstad: And that is – ?

Dr. Stockmann: That is, the doctrine you have inherited from your forefathers and proclaim thoughtlessly far and wide – the doctrine that the public, the crowd, the masses, are the essential part of the population – that they constitute the People – that the common folk, the ignorant and incomplete element in the community, have the same right to pronounce judgment and to, approve, to direct and to govern, as the isolated, intellectually superior personalities in it.

Billing: Well, damn me if ever I –

Hovstad: (*at the same time, shouting out*) Fellow-citizens, take good note of that!

A number of voices: (*angrily*) Oho! We are not the People! Only the superior folk are to govern, are they!

A Workman: Turn the fellow out for talking such rubbish!

Another: Out with him!

Another: (*calling out*) Blow your horn, Evensen!

(*A horn is blown loudly, amidst hisses and an angry uproar.*)

Dr. Stockmann: (*when the noise has somewhat abated*) Be reasonable! Can't you stand hearing the voice of truth for once? I don't in the least expect you to agree with me all at once; but I must say I did expect Mr. Hovstad to admit I was right, when he had recovered his composure a little. He claims to be a freethinker.

Voices: (*in murmurs of astonishment*) Freethinker, did he say? Is Hovstad a freethinker?

Hovstad: (*shouting*) Prove it, Dr. Stockmann! When have I said so in print?

Dr. Stockmann: (*reflecting*) No, confound it, you are right! You have never had the courage to. Well, I won't put you in a hole, Mr. Hovstad. Let us say it is I that am the freethinker, then. I am going to prove to you, scientifically, that the "People's Messenger" leads you by the nose in a shameful manner when it tells you that you – that the common people, the crowd, the masses, are the real essence of the People. That is only a newspaper lie, I tell you! The common people are nothing more than the raw material of which a People is made. (*Groans, laughter and uproar.*) Well, isn't that the case? Isn't there an enormous difference between a well-bred and an ill-bred strain of animals? Take, for instance, a common barn-door hen. What sort of eating do you get from a shrivelled up old scrag of a fowl like that? Not much, do you! And what sort of eggs does it lay? A fairly good crow or a raven can lay pretty nearly as good an egg. But take a well-bred Spanish or Japanese hen, or a good pheasant or a turkey – then you will see the difference. Or take the case of dogs, with whom we humans are on such intimate terms. Think first of an ordinary common cur – I mean one of the horrible, coarse-haired, low-bred curs that do nothing but run about the streets and befoul the walls of the houses. Compare one of these curs with a poodle whose sires for many generations have been bred in a gentleman's house, where they have had the best of food and had the opportunity of hearing soft voices and music. Do you not think that the poodle's brain is developed to quite a different degree from that of the cur? Of course it is. It is puppies of well-bred poodles like that, that showmen train to do incredibly clever tricks – things that a common cur could never learn to do even if it stood on its head. (*Uproar and mocking cries.*)

A Citizen: (*calls out*) Are you going to make out we are dogs, now?

Another Citizen: We are not animals, Doctor!

Dr. Stockmann: Yes but, bless my soul, we are, my friend! It is true we are the finest animals anyone could wish for; but, even among us, exceptionally fine animals

are rare. There is a tremendous difference between poodle-men and cur-men. And the amusing part of it is, that Mr. Hovstad quite agrees with me as long as it is a question of four-footed animals.

Hovstad: Yes, it is true enough as far as they are concerned.

Dr. Stockmann: Very well. But as soon as I extend the principle and apply it to two-legged animals, Mr. Hovstad stops short. He no longer dares to think independently, or to pursue his ideas to their logical conclusion; so, he turns the whole theory upside down and proclaims in the "People's Messenger" that it is the barn-door hens and street curs that are the finest specimens in the menagerie. But that is always the way, as long as a man retains the traces of common origin and has not worked his way up to intellectual distinction.

Hovstad: I lay no claim to any sort of distinction, I am the son of humble country-folk, and I am proud that the stock I come from is rooted deep among the common people he insults.

Voices: Bravo, Hovstad! Bravo! Bravo!

Dr. Stockmann: The kind of common people I mean are not only to be found low down in the social scale; they crawl and swarm all around us – even in the highest social positions. You have only to look at your own fine, distinguished Mayor! My brother Peter is every bit as plebeian as anyone that walks in two shoes – (*laughter and hisses*)

Peter Stockmann: I protest against personal allusions of this kind.

Dr. Stockmann: (*imperturbably*) – and that, not because he is like myself, descended from some old rascal of a pirate from Pomerania or thereabouts – because that is who we are descended from.

Peter Stockmann: An absurd legend. I deny it!

Dr. Stockmann: But because he thinks what his superiors think, and holds the same opinions as they, People who do that are, intellectually speaking, common people; and, that is why my magnificent brother Peter is in reality so very far from any distinction – and consequently also so far from being liberal-minded.

Peter Stockmann: Mr. Chairman!

Hovstad: So it is only the distinguished men that are liberal-minded in this country? We are learning something quite new! (*Laughter.*)

Dr. Stockmann: Yes, that is part of my new discovery too. And another part of it is that broad-mindedness is almost precisely the same thing as morality. That is why I maintain that it is absolutely inexcusable in the "People's Messenger" to proclaim, day in and day out, the false doctrine that it is the masses, the crowd, the compact majority, that have the monopoly of broad-mindedness and morality – and that vice and corruption and every kind of intellectual depravity are the result of culture, just as all the filth that is draining into our Baths is the result of the tanneries up at Molledal! (*Uproar and interruptions. DR. STOCKMANN is undisturbed, and goes on, carried away by his ardour, with a smile.*) And yet this same "People's Messenger" can go on preaching that the masses ought to be elevated to higher conditions of life! But, bless my soul, if the "Messenger's" teaching is to be depended upon, this very raising up the masses would mean nothing more or less than setting them straightway upon the paths of depravity! Happily the theory that culture demoralises is only an old falsehood that our forefathers believed in and we have inherited. No, it is ignorance, poverty, ugly conditions of life, that do the devil's work! In a house which does not get aired and swept every day – my wife Katherine maintains that the floor ought to be scrubbed as well, but that is a debatable question – in such a house, let me tell you, people will lose within two or three years the power of thinking or acting in a moral manner. Lack of oxygen weakens the conscience. And there must be a plentiful lack of oxygen in very many houses in this town, I should think, judging from the fact that the whole compact majority can be unconscientious enough to wish to build the town's prosperity on a quagmire of falsehood and deceit.

Aslaksen:. We cannot allow such a grave accusation to be flung at a citizen community.

A Citizen: I move that the Chairman direct the speaker to sit down.

Voices: (*angrily*) Hear, hear! Quite right! Make him sit down!

Dr. Stockmann: (*losing his self-control*) Then I will go and shout the truth at every street corner! I will write it in other towns' newspapers! The whole country shall know what is going on here!

Hovstad: It almost seems as if Dr. Stockmann's intention were to ruin the town.

Dr. Stockmann: Yes, my native town is so dear to me that I would rather ruin it than see it flourishing upon a lie.

Aslaksen:. This is really serious. (*Uproar and cat-calls MRS. STOCKMANN coughs, but to no purpose; her husband does not listen to her any longer.*)

Hovstad: (*shouting above the din*) A man must be a public enemy to wish to ruin a whole community!

Dr. Stockmann: (*with growing fervor*) What does the destruction of a community

matter, if it lives on lies? It ought to be razed to the ground. I tell you – All who live by lies ought to be exterminated like vermin! You will end by infecting the whole country; you will bring about such a state of things that the whole country will deserve to be ruined. And if things come to that pass, I shall say from the bottom of my heart: Let the whole country perish, let all these people be exterminated!

Voices from the crowd: That is talking like an out-and-out enemy of the people!

Billing: There sounded the voice of the people, by all that's holy!

The whole crowd: (*shouting*) Yes, yes! He is an enemy of the people! He hates his country! He hates his own people!

Aslaksen:. Both as a citizen and as an individual, I am profoundly disturbed by what we have had to listen to. Dr. Stockmann has shown himself in a light I should never have dreamed of. I am unhappily obliged to subscribe to the opinion which I have just heard my estimable fellow-citizens utter; and I propose that we should give expression to that opinion in a resolution. I propose a resolution as follows: "This meeting declares that it considers Dr. Thomas Stockmann, Medical Officer of the Baths, to be an enemy of the people." (*A storm of cheers and applause. A number of men surround the DOCTOR and hiss him. MRS. STOCKMANN and PETRA have got up from their seats. MORTEN and EJLIF are fighting the other schoolboys for hissing; some of their elders separate them.*)

Dr. Stockmann: (*to the men who are hissing him*) Oh, you fools! I tell you that –

Aslaksen: (*ringing his bell*) We cannot hear you now, Doctor. A formal vote is about to be taken; but, out of regard for personal feelings, it shall be by ballot and not verbal. Have you any clean paper, Mr. Billing?

Billing: I have both blue and white here.

Aslaksen: (*going to him*) That will do nicely; we shall get on more quickly that way. Cut it up into small strips – yes, that's it. (*To the meeting*:) Blue means no; white means yes. I will come round myself and collect votes. (*PETER STOCKMANN leaves the hall. ASLAKSEN and one or two others go round the room with the slips of paper in their hats.*)

SOURCE: Henrik Ibsen: An Enemy of the People, Dramatic Persona, www.classi-creader.com/booktoc.php/sid.7/bookid.1535/-9k-

ANALYSIS QUESTIONS:

1. Describe the main characters in this drama. How does this drama help in understanding the conditions of life and society? Can drama be an effective means of communicating with people? What is the role of the writer in diagnosing the weaknesses of society in a particular time?
2. How does the main character of this drama come to the following conclusion about his society: "all the sources of our moral life are poisoned and that the whole fabric of our civic community is founded on the pestiferous soil of falsehood"? Why?
3. Who should govern society in your opinion: ordinary people or a few elite individuals?
4. Comment on the point made by Dr. Stockmann that 'if the truth is old it will become a lie'? Do you agree or disagree?
5. What can you say about the voting procedure at this meeting? What do you think about the voting system and selection process in general? Can it ever be as effective as we want it to be?

REVIEW QUESTIONS:

1. Compare the main ideas of this text with the texts from Chapter 4 and 5 in their general approaches to the notion of civil society.
2. What kind of similar ideas we can find in Ibsen's 'The Enemy of Truth' and Antonio Gramsci, Ahmad Danish and Ismail Bey Gaspirali's concepts on the role of intellectuals in maintaining and reforming society?
3. Do you think Ibsen's main character was positive in his approach to gender ssues? Is this approach able to solve gender problems in modern society in better ways?
4. Which concept is more important for solving human rights issues: individualism or majoritarism (communality)?

ADDITIONAL READINGS:

- Henrik Ibsen, A New Biography. Robert Ferguson. Richard Cohen Books, London, 1996.
- Henrik Ibsen, The Prominence of Nora: Familiar is Familial
- The International Ibsen Bibliography
- Works by Henrik Ibsen at Project Gutenberg
- Ibsen's Realist Cycle
- Henrik Ibsen, (biography by Edmund Gosse) available at Project Gutenberg.
- Henrik Ibsen - A Bibliography of Criticism and Biography, by Ina Ten Eyck Firkins, from Project Gutenberg
- Shapiro, Bruce. Divine Madness and the Absurd Paradox. (1990) ISBN 9780313272905
- Downs, Brian. Ibsen: The Intellectual Background (1946)

HIS HIGHNESS THE AGA KHAN: COSMOPOLITAN SOCIETY (SPEECH)

His Highness the Aga Khan became Imam of the Shia Imami Ismaili Muslims on July 11, 1957 at the age of 20, succeeding his grandfather, Sir Sultan Mahomed Shah Aga Khan. He is the 49th hereditary Imam of the Shia Imami Ismaili Muslims and a direct descendant of the Prophet Muhammad through his cousin and son-in-law, Ali, the first Imam, and his wife Fatima, the Prophet's daughter. In the 1830s, Aga Hassanaly Shah, the 46th Ismaili Imam, was granted the honorary hereditary title of Aga Khan by the Shah of Persia. The title His Highness was granted by Her Majesty the Queen of Great Britain in 1957, and His Royal Highness by His Imperial Majesty the Shah of Iran in 1959. The Aga Khan is founder and Chairman of the Aga Khan Development Network (AKDN), one of the largest private development networks in the world. AKDN agencies operate in social and economic development as well as the field of culture, with special focus on countries of the Third World.

President Sampaio,
Rector Manuel Patricio,
Professor Adriano Moreira,
Excellencies,
Distinguished Guests,
Ladies and Gentlemen

It is a great honour to be invited here today to address this esteemed audience on such a relevant topic. Our title speaks of societies which are at once plural and peaceful – a goal which is important but also elusive. For even our best efforts to combine stability with modernity seem to be constantly disrupted.

Some of these disruptions come from new technologies – from internet blogs to biogenetics. Others spring from nature – from changing weather patterns or mutating viruses. Still others arise from social transformations – new patterns of family life – and enormous migrations of people.

Newspaper headlines remind us daily of growing strains and stresses: Civil disorder in places as affluent as France and Australia; the plight of hurricane victims in Louisiana and earthquake victims in Kashmir; the uses of nuclear energy; the sense of impotence amid suffering in places like **Darfur**.

Darfur –
a region in Sudan. An independent sultanate for several hundred years, it was incorporated into Sudan by Anglo-Egyptian forces. The region is divided into three federal states: West Darfur, South Darfur and North Darfur which are coordinated by a Transitional Darfur Regional Authority. Due to the war in Darfur, the region has been in a state of humanitarian emergency since 2003

The planet becomes more crowded and its resources less abundant. The gap widens between rich and poor. People everywhere cry out against these evils. But change, when it comes at all, is painfully slow, and we sometimes seem to be sliding backward.

I should also mention here the headlines of this past week which chart the widening gulf between Islamic and Western societies. Here the culprit has not been military action or diplomatic failure but the power of media images – deeply offensive caricatures – which have profoundly offended one billion four hundred million Muslims around

the world – including myself.

The question I ask – as I read all these headlines – is this: Why are political and civil leaders, in rich and poor nations alike, unable to develop the vision and harness the will to confront such challenges more effectively?

What makes this sense of impasse especially disturbing is that it so often represents a failure of democracy. For many centuries, it was the conviction of enlightened people that societies would truly come to grips with their problems once they became democratic. The great barrier to progress, they said, was that governments listened to the special few – rather than the voice of the many. If we could only advance the march of democracy, they argued, then a progressive agenda would inevitably fall into place.

But I am not sure that such an analysis holds up any longer. For the past half century, we have seen great waves of ostensibly democratic reform – from the fading of colonialism in mid-century to the fall of the **Iron Curtain**. But despite this apparent progress, the results have often been disappointing.

I can scarcely count, nor fully catalog, the variety of governments which I have visited over the past five decades – from the most autocratic to the most participatory. Often, the more democratic governments were the more effective and responsible. But this was not consistently true – and I have recently found it to be decreasingly true. In fact, nearly forty percent of UN member nations are now categorized as "failed democracies."

Democracy and progress do not always go hand in hand – and the growing threat of "**Failed States**" can often be described as "the Failure of Democracy."

Frequently, democratic failures grow out of sheer incompetence. Publics are asked to vote on issues that bewilder them. Candidates obscure their own views and distort their opponents' positions. Journalists transmit superficial rhetoric and slight underlying realities. People are appointed to jobs they cannot do – but are rarely held accountable.

Corruption for some becomes a way of life. Meanwhile, the Media tell audiences what they want to know rather than what they ought to know. And what too many people want today is not to be informed – but to be entertained.

The breakdowns are institutional as well as personal. Democratic systems veer between too many checks and balances – and too few. Parliaments, in particular, often lack the expertise and structure to grapple with complex problems – and they are often too factionalized or too subservient to sustain a coherent view.

For all these reasons, democracies often make bad decisions. And when democracies are ineffective, disenchanted publics are tempted in other directions.

Latin America is one place where democracy was thought to be expanding in recent years. Yet the UN Development Program reports that 55 percent of those surveyed in 18 Latin American countries would support authoritarian rule if it brought economic progress.

The challenge of democratic competence, then, is a central problem of our time. Meeting that challenge must be one of our central callings.

The challenge of democratic renewal has been vastly compounded by another development which is also mentioned in the title of this symposium. I refer to the rapid proliferation of **cosmopolitan** populations. The world is becoming more pluralist in fact – but it is not keeping pace in spirit. "Cosmopolitan" social patterns have not yet been matched by what I would call "a cosmopolitan ethic."

Peoples mix and mingle, side by side, to an extent that was once unimaginable. Waves of migration indelibly change the rhythms, colours and flavours of their host communities.

Some 150 million legal immigrants live outside their country of birth, joined by uncounted millions who have immigrated illegally.

Iron Curtain – the symbolic, ideological and physical boundary dividing Europe into two separate areas from the end of the World War II in 1945 until the end of the Cold War in 1991. On both sides of the Iron Curtain, the states developed their own international economic and military alliances: the Council for Mutual Economic Assistance and Warsaw Pact on the east side with the Soviet Union as most important member, and North Atlantic Treaty Organization and the European Community on the west with the United States

Failed States – term often used by political commentators and journalists to describe a state perceived as having failed at some of the basic conditions and responsibilities of a sovereign government

cosmopolitan – society where people of many ethnicities, religions and cultures meet and live in close proximity

These trends will continue. **Globalization** has dissolved the tight bond between community and geography. Economic opportunity – for rich and poor alike – can lie in distant lands. Some 45 million young people enter the job market in the developing world each year – but there are not enough jobs at home for all of them. Meanwhile war and civil conflict add their refugees to the mix.

Immigration brings both blessings and problems. Immigrants now account for two thirds of the population growth in the 30 member countries of the OECD, where an aging workforce requires new young workers. Meanwhile, remittances sent home by immigrants total some $145 billion a year – and generate nearly $300 billion in economic activity – more than is provided either by Foreign Development Aid or Foreign Direct Investment.

At the same time, immigrant communities can sharply strain public and private resources. The resulting competition with older residents can cause resentment and hostility. More than half of the respondents in various European opinion polls have a negative view of immigration. The so-called "Clash of Civilizations" is both a local and a global danger.

But it need not be this way. Nor has it always been this way down through the sweep of history. Yes – cultural clash has been one major theme in the human story. But so has inter-cultural cooperation.

This country and this university know from your own history how Islamic and Christian cultures met in this part of the world many centuries ago – and how enriching their interactions were for both traditions. This is a good time and place to emphasize the manifold blessings that come when peoples decide to stop shouting at one another, and instead begin listening and learning.

Cross cultural interaction has been a central focus of my own activities in the nearly 50 years since I became Imam of the Shia Ismaili Muslims. The ethics of Islam bridge faith and society, so my responsibilities as spiritual leader are accompanied by a strong engagement in issues of community well-being.

The Ismailis are themselves a culturally-diverse community. They live – as minorities – in more than twenty-five countries, primarily in the developing world, but also in Europe – including Portugal – and North America. This Ismaili multi-cultural experience is reflected in the approach of the Aga Khan Development Network – working with a wide array of partners to help the disadvantaged, regardless of their origin. We are pleased, for example, that our work in Portugal has recently been formalized in cooperative agreements with both the Portugese Government and the Patriarchate of Lisbon.

In discussing cultural diversity, let me also mention our recent partnership with the Government of Canada to create a new **Global Centre for Pluralism** in Ottawa. This Centre will draw on both Ismaili experience and the experience of Canada itself, where a pluralist society thrives – and where – in contrast to much of world opinion, 80 per cent of the public welcomes immigration as a positive development

In honoring me today, you honor the tradition which I represent, and, in doing so, you are renewing an inspiring story of intercultural affection and intercultural respect, of mutual dependence and mutual reinforcement.

This brings me to my central question. What is it we can now do to nurture healthy

globalization –
in its literal sense is the process of transformation of local or regional phenomena into global ones

Global Centre for Pluralism –
an international centre for research, education and exchange about the values, practices and policies that underpin pluralist societies. Based in Ottawa, Canada, the centre seeks to assist the creation of successful societies and was founded on the premise that tolerance, openness and understanding toward the cultures, social structures, values and faiths of other people are now essential to the survival of an independent world. The Global Centre for Pluralism is an international initiative of His Highness the Aga Khan, 49th hereditary Imam of Ismaili Muslims, and was established jointly with the Government of Canada in 2006. Located in the old Canadian War Museum building along Ottawa's Sussex Drive, the Centre draws inspiration from the Canadian experience

and competent democracies, in old settings where democracy has grown weary and in new settings where it is freshly planted? I would make three suggestions – each of which is reflected in the experience of this university.

First, we must strengthen our civil institutions. This means realizing that a democratic society requires much more than democratic politics. Governments alone do not make democracy work. Private initiative is also essential, including a vital role for those institutions which are collectively described as "civil society."

By civil society I mean an array of institutions which operate on a private, voluntary basis – but which are driven by public motivations. They include institutions dedicated to education, to culture, to science and to research. They include commercial, labor, professional and ethnic associations, as well as entities devoted to maintaining health, protecting the environment, and curing disease. Religious institutions are central to civil society – and so are institutions of the media.

Sometimes, in our preoccupation with government and politics, we neglect the importance of civil institutions. I am not suggesting we ignore politics – but I am suggesting that we think beyond our political preoccupations. A thriving civil sector is essential in renewing the promise of democracy.

The second democratic pillar I would mention is education – rigorous, responsible and relevant education. We must do a better job of training leaders and shaping institutions to meet more demanding tests of competence and higher standards of excellence. This means moving beyond the notion that better education simply means broader schooling – wider access to formal learning. We must accompany our concern for quantity with a heightened concern for quality. Are the curricula we teach relevant to the knotty problems of the future? Or are we still providing a twentieth century education for twenty-first century leaders?

Our system of Aga Khan Universities and Aga Khan Academies are addressing such questions as they work to advance the concept of meritocracy in the developing world and to maintain world class standards which will stretch our students rather than patronizing them.

For too long some of our schools have taught too many subjects as subsets of dogmatic commitments. Economic insights, for example, were treated as ideological choices – rather than as exercises in scientific problem solving. Too often, education made our students less flexible – confident to the point of arrogance that they now had all the answers – rather than more flexible – humble in their life-long openness to new questions and new responses.

An important goal of quality education is to equip each generation to participate effectively in what has been called "the great conversation" of our times. This means, on one hand, being unafraid of controversy. But it also means being sensitive to the values and outlooks of others.

This brings me back to the current headlines. For I must believe that it is ignorance which explains the publishing of those caricatures which have brought such pain to Islamic peoples. I note that the Danish journal where the controversy originated acknowledged, in a recent letter of apology, that it had never realized the sensitivities involved.

In this light, perhaps, the controversy can be described less as a clash of civilizations and more as a clash of ignorance. The alternative explanation would be that the offense was intended – in which case we would be confronted with evil of a different sort. But even to attribute the problem to ignorance is in no way to minimize its importance. In a pluralistic world, the consequences of ignorance can be profoundly damaging.

Perhaps, too, it is ignorance which has allowed so many participants in this discus-

sion to confuse liberty with license – implying that the sheer absence of restraint on human impulse can constitute a sufficient moral framework. This is not to say that governments should censor offensive speech. Nor does the answer lie in violent words or violent actions. But I am suggesting that freedom of expression is an incomplete value unless it is used honorably, and that the obligations of citizenship in any society should include a commitment to informed and responsible expression.

If we can commit ourselves, on all sides, to that objective, then the current crisis could become an educational opportunity – an occasion for enhanced awareness and broadened perspectives.

Ignorance, arrogance, insensitivity – these attitudes rank high among the great public enemies of our time. And the educational enterprise, at its best, can be an effective antidote to all of them.

Let me move, then, to my third suggestion for strengthening democracy in a pluralistic world – the renewal of ethical commitment.

Democratic processes are presumably about the sharing of power, broadening the number who help shape social decisions. But that sharing – in and of itself – means little apart from the purposes for which power is finally used.

To speak of end purposes, in turn, is to enter the realm of ethics. What are our ultimate goals? Whose interests do we seek to serve? How, in an increasingly cynical time, can we inspire people to a new set of aspirations – reaching beyond rampant materialism, the new relativism, self-serving individualism, and resurgent tribalism.

The search for justice and security, the struggle for equality of opportunity, the quest for tolerance and harmony, the pursuit of human dignity – these are moral imperatives which we must work and think about on a daily basis.

In the ethical realm – as in the educational realm – one of the great stumbling blocks is arrogance. Even the resurgence of religious feeling – which should be such a positive force – can become a negative influence when it turns into self-righteousness. All of the world's great religions warn against this excess – yet in the name of those same religions too many are tempted to play God themselves – rather than recognising their humility before the Divine.

A central element in a truly religious outlook, it seems to me, is the quality of personal humility – a recognition that strive as we might, we will still fall short of our ideals, that climb as we might, there will still be unexplored and mysterious peaks above us. It means recognizing our own creaturehood – and thus our human limitations. In that recognition, it seems to me, lies our best protection against false prophecies and divisive dogmatism.

A deepening sense of spiritual commitment – and the ethical framework that goes with it – will be a central requirement if we are to find our way through the minefields and the quicksands of modern life. A strengthening of religious institutions should be a vital part of this process. To be sure, freedom of religion is a critical value in a pluralistic society. But if freedom of religion deteriorates into freedom from religion – then societies will find themselves lost in a bleak and unpromising landscape – with no compass, no roadmap and

no sense of ultimate direction.

What I am calling for, in sum, is an ethical sensibility which can be shared across denominational lines and which can foster a universal moral outlook.

In conclusion, then, I would ask you think with me about these three requirements: a new emphasis on civil institutions, a more rigorous concern for educational excellence, and a renewed commitment to ethical standards. For these are all ways in which we can encourage a climate of positive pluralism in our world – and thus help meet the current crisis of democracy.

For only in such a climate will we come to see our differences as sources of enrichment rather than sources of division. And only in such a climate can we come to see "the other" not as a curse or a threat, but as an opportunity and a blessing – whether "the other" lives across the street – or across the world.

DISCUSSION QUESTIONS:

1. How do you understand the notion of cosmopolitanism? How was cosmopolitan society identified in this text? Do you think being cosmopolitan is good?
2. What kind of world crisis situations were mentioned by the author? Why does the author, in the case of Islam and the West, mention the gap between rich and poor?
3. Why does the author mention the failures of democracy in this world? Why have third world countries had problems in constructing democracy? Do you agree with the author's argument in this case?
4. What does the cosmopolitan ethic mean according to the author? Does he believe in pluralism? Can you bring any examples of pluralism from your own experience? Is pluralism important in democratic society?
5. How did the author, as Imam of Shi'a Ismaili Islam, emphasize cultural co-operation? What are the central focus activities of the author as Imam of Shi'a Ismaili Islam? How does he explain the diversity within Shi'a Ismaili Islam in the world?
6. Describe three suggestions the author made about constructing democracy? What is the role of civil institutions in strengthening democracy? Do you agree with these author's suggestions or not? Explain.

ADDITIONAL READINGS:

1. Thobani, Akbarali (1993). Islam's Quiet Revolutionary: The Story of Aga Khan the Fourth. Vantage Press.
2. (20 May 2006) Address by His Highess the Aga Khan to the Tutzing Evangelical Academy Upon Receiving the "Tolerance" Award. Germany: http://www.akdn.org/speeches_detail.asp?ID=605.
3. (15 June 2007) Address by His Highess the Aga Khan at the Graduation Ceremony of the Masters of Public Affairs Programme at the Institut d'Etudes Politiques de Paris. Paris: www.akdn.org/speeches/2007June15_en.
4. "Where do the agencies of the AKDN obtain their funding? (FAQs). http://www.akdn.org/faq.asp
5. (June 2004) Speech by President Robert Bigerneau conferring Honorary Doctorate. University of Toronto.

LEE M. HABASONDA: THE MILITARY, CIVIL SOCIETY AND DEMOCRACY IN ZAMBIA

Conflict Management Specialist, Mr. Habasonda is Executive Director of the Southern African Centre for the Constructive Resolution of disputes (SACCORD) in Zambia. The organisation promotes civic education in democracy and peaceful resolution of conflicts. Mr. Habasonda participated in the United Nations Election Mission in East Timor (UNAMET) and has also observed in the SADC region.

THE MILITARY, CIVIL SOCIETY AND DEMOCRACY IN ZAMBIA: PROSPECTS FOR THE FUTURE

INTRODUCTION

There is a growing tradition of civil society activism in Zambia. The interest shown by foreign donors in strengthening non-governmental organisations (NGOs) have contributed to this. However, the role of civil society in contributing to the deepening of civil-military relations remains unclear. Despite the existence of many organisations concerned with issues such as human rights, election monitoring, women's rights, peace or policy advocacy, these groups have tended to lack a clear agenda for intervention in matters that affect the military establishment.

Perhaps the most important task that civil society in Zambia has taken for granted in the process of consolidating democracy is the building of relations that ensure the subordination of the military to civilian control. There are clear indicators that either civil society has not come to grips with the role of the military in a democracy or it has merely decided to 'let sleeping dogs lie'. Although there is interaction between civil society and the military at certain levels, the nature of armed forces dictates that they be engaged on substantive matters in a manner different from traditional methods of civil society advocacy. Consequently, the executive and legislature become important avenues to articulate matters of defence and security.

The involvement of civil society is seen increasingly as an important resource in balancing civil-military relations. In exploring the civil society partnership in building better civil-military relations, it is important to note that civil society is a complex concept that can perhaps best be understood from the perspective of its functions, relationships, location and association.

In this paper, civil society will generally refer to those groups and institutions involved in education and advocacy for building a high political culture. These are mainly human rights and governance based organisations. They include the Inter-African Network for Human Rights (AFRONET), the Foundation for Democratic Process (FODEP), the Catholic Commission for Justice and Peace (CCJP), Women for Change (WFC), the Legal Resource Foundation (LRF), the Zambia Civic Education Association (ZCEA), the

Non-governmental Organisation Co-ordinating Committee (NGOCC), the Southern African Centre for Constructive Resolution of Disputes (SACCORD), the Zambia National Women Lobby Group (ZNWLG), the Law Association of Zambia (LAZ), the Anti-Voter Apathy Project (AVAP), the Zambia Independent Monitoring Team (ZIMT), Women in Law and Development in Zambia (WILDAF) and the Zambia Association for Research and Development (ZARD).

These groups vary in strength and size as well as in their financial means. Though they have a common goal in enhancing democracy in Zambia, these groups focus on different aspects of the democratic process. They complement each other, with their activities sometimes overlapping on certain governance issues. What they have failed to do, however, is take a leading role in the democratisation of the military.

This paper will examine and explore the potential and opportunities that exist for civil society to help build a basis for stable civil-military relations as democratisation unfolds in Zambia. The paper also discusses the potential for engaging government at various levels in order to create a working relationship with parliament and civilian members of the defence establishment to deal with matters of defence policy, budgeting and professionalism in the military.

Despite the democratisation process of recent years, discussion of the foiled coup attempt in 1997, is restricted. Furthermore, defence matters and especially expenditure in Zambia is still largely an in-house affair. Citizens and other institutions of democratic governance have limited ways of participating in matters within the realm of defence and security. However, as the democratic process consolidates and practises of openness spread, there is an increasing realisation that matters of security and defence cannot be left to the military alone. This is the challenge facing Zambian civil and political society.

DEFENCE AND DEMOCRACY

As with the consolidation of democracy, a single institution cannot enhance civil-military relations on its own. It requires a partnership to identify new horizons, manage risks and facilitate processes. It is the responsibility of civil society to develop and facilitate partnerships that explore traditionally entrenched stereotypes about the military and civil society.

In Zambia, the civil and military establishments are perceived as distinct entities with little or no common elements. But a closer examination of the position of the military within the structural changes during the Zambian civilian transition, shows that the military also faces demands that will invariably require new partnerships. One such demand is how the military should deal with its culture of secrecy about military affairs. The independent media and the expanding civil and political liberties make it possible to question such secrecy. The issue of HIV/AIDS in the military can no longer be hidden using military secrecy as an excuse.

For example, in November 1999, 13 journalists from the independent daily newspaper, The Post, appeared before the High Court in Lusaka on charges of espionage for publishing a story about Zambia's military preparedness (or lack thereof) against attacks from Angola. The publication prompted arrests of the journalists concerned. The information had been posted on a website and was already in the public domain. The court decision to acquit the journalists shows that the military faces a new era of openness. It is important that the armed forces become part of the democratic state by respecting human rights, political liberties and sensible economic competition.

Until recently, the Zambian military was the only major public institution whose

role in the reform processes was not publicly discussed despite it being a major recipient of public funds. Not even the powerful international multilateral institutions have ventured to scrutinize the military.

The 1990s, for instance, witnessed two attempted coups in Zambia. The first, in 1990, was widely regarded at the time as a protest by the pro-democracy movement. Generally, the civil society groups welcomed the protest despite its methods. This was probably due to fatigue in their struggle with the paternalistic control of the well-established one-party system. The perception today is that, although the 1990 coup did not succeed, it was a catalyst for the reintroduction of multiparty politics that had been consigned to political oblivion for 17 years, and is now associated with the return of democracy to Zambia.

The second coup attempt in the past decade occurred in 1997 under a multiparty regime. The junior officers who had temporarily seized the national radio station cited economic decadence and poverty as reasons for their action. They outlined what they thought were failures of the government as a justification for its dethronement. One day after the coup attempt, a state of emergency was declared.

Interestingly, civil society groups were divided over this action. Some, including the labour movement, supported it, while most of the human rights NGOs described it as an affront to the rights of citizens. This incident showed that the political institutions built by the civilian government were still weak and had failed to build adequate civil-military relations.

The lesson to be learned from this incident is that as the processes of globalisation and democracy unfold, the concepts of defence and security need to be discussed within Zambia, and new definitions agreed upon by all groups involved.

Traditional ideas about security should be updated to take account of the evolving culture of military professionalism and openness. Civil society groups, the judiciary, parliament and the executive, through the ministry of defence, will need to collaborate if any meaningful reforms are to be achieved by the new democratic dispensation.

This is supported by Jakkie Cilliers' (1995) postulate that where securely institutionalised civilian control exists, it is typically the product of long-standing national tradition and a complex set of formal and informal measures that affect the government, civil society and the military itself.

Cilliers concludes that three elements define the parameters within which the military operates:

- Measures that are contained in or derived from international law, the constitution or legislation;
- elements that fall outside the formal ambit of the state and so pertain to civil society; and
- those elements related to the military itself, its culture, the nature of a military disciplinary system, including the doctrines governing the roles and tasks of the military.

It is clear from the above that civilian supremacy is a collective result of many elements

and the absence or weakness of even one of them is problematic for stable civil-military relations. The following section will briefly look at the military establishment in Zambia.

The principal goal of the defence forces is to protect national interest, including democracy, by deterring attacks on those interests. The military is a powerful institution because it has statutory authority over the means of violence, and how it relates to civil society groups in general cannot be ignored in the democratisation process. To a large extent the defence force has carried out its traditional mandate. In meeting the above objectives it has carried out a range of activities such as construction projects, production activities, disaster management, de-mining, HIV/AIDS programmes, chaplaincy, peacekeeping, military co-operation and, recently, efforts are being made at media relations.

During both the 1991 and 1996 multiparty elections, the military remained in the barracks and supported the country's transition from one party state to democracy and did not interfere during the second round of elections. However, it would appear that the intervention by junior officers who attempted to overthrow the government in 1997 resulted from the disagreements that preceded the 1996 elections. The elections were mired in controversy following constitutional amendments that were seen as discriminatory and that led the main opposition party to boycott the electoral process. Democratic behaviour is a fundamental factor in stable civil-military relations in this context. It is probable that if the politicians had acted in an atmosphere of consensus and compromise, the armed forces would not have found a pretext for intervention. Civil society groups therefore have a mandate to take up their position to promote the democratic process, thereby avoiding similar controversies.

CIVIL SOCIETY

Civil society organisations in Zambia are registered under the Societies Act CAP 105 Section (2) of the Laws of Zambia. These are organisations established to:

- actively address the varied and complex needs of society;
- establish mechanisms by which governments, markets and for profit organisations are held accountable to the public;
- promote pluralism and diversity; and
- protect and strengthen cultural, religious, ethnic, linguistic and other identities.

In this discussion, civil society will refer to the groups mentioned at the beginning of this paper. The role of these civil society groups is to organise and contribute to the exchange and sharing of ideas on a range of issues as they relate to governance. These groups have sometimes challenged and at other times co-operated with the state. More often than not, they create space for dialogue through civic education, policy advocacy, lobbying or any such mechanisms to bridge the gaps through which individuals and communities can fulfil their goals in life.

In Zambia, these organisations have carried out activities around factors that:

- encourage the effective participation of citizens in various political, social, economic or other processes;
- make people aware of their human rights and responsibilities, and take up their role in a democracy;
- encourage the involvement of people in decision-making processes, as well as in the implementation and management of programmes that affect their welfare; and
- allow the people to be actors and beneficiaries of any initiatives that impact on their lives.

These values are viewed as essential to the consolidation and sustainability of both civil-military relations and democracy itself. This is supported by Huntington

who argues that preventing military intervention in society depends on the ability of a state to build a strong civilian institution. This process has begun in Zambia but has not progressed far. It is more concerned with citizen awareness and values, rather than the restructuring of actual institutions.

The number of NGOs involved in inculcating the above values is a step in the right direction as far as strengthening political institutions is concerned, although policy makers have not been properly lobbied. The efforts of civil society organisations are bearing fruit in helping to establish new values, and enable citizens to face the challenges of a multiparty political system, including appreciating peaceful transfers of power from one regime to another.

It is therefore imperative that political leadership allows, and even encourages, other sections of society (business, labour, professional associations, trade unions, women, youth, farmers' co-operatives, NGO bodies and community organisations) to act independently to help sustain Zambia's growing democracy and harmonious civil-military relations since 'without a vigorous civil society the state is narrowly based and susceptible to capture by political or economic interests'. Civil society therefore represents a countervailing force to government in managing public affairs, including defence and security.

A BASIS FOR BRIDGING THE GAP

An analysis of the work of non-governmental actors in the field of democracy in Zambia shows that there is still little acceptance of the need to include the military as a partner (even indirectly) in the state and responsibility for protecting and enhancing democracy in the country.

NGOs seem to be content with the status quo whereby the military is a remote, distinct entity whose affairs they can seldom talk about. This detachment of civil society may be explained by the structural arrangements that do not permit them to intervene effectively.

As Hutchful observes, 'the uniform is seen as a badge of separation and intimidation; joining the military is the equivalent of self-expulsion from civil life'. There is also a feeling that civilians have no business with, or expertise in, military affairs. The intimidation accompanying efforts to research military issues is extremely frustrating. The division in Zambia between the military and civil society is deep, and unlike the case in African traditional society where defence was a community responsibility, the specialisation and bureaucratisation of the modern military has separated civilians from the defence functions. At the same time it has created the problem of mutual suspicion.

However, global security trends and the growth of civil and political societies will almost inevitably shape the future of democracy and civil-military relations, even in Zambia. Zambian military personnel are beginning to attend seminars, albeit suspiciously, with ordinary citizens. Following the executive decision in 1993 that the Ministry of Defence estimates of expenditure should be subject to parliamentary debate,

the Zambian parliament introduced the Parliamentary Committee on Foreign Affairs, National Security and Defence in 1998. It appears, however, that there is a void in engaging elected representatives regarding this matter and, indeed, military policy and other affairs. Little work has been accomplished, as both parliament and civil society groups are apparently unsure of the military's role in a democracy and of how to effectively relate on policy issues.

For example, the Auditor General's reports indicate abuse of funds in the Ministry of Defence between 1994 and 1999. Neither Parliament nor civil society has pursued this matter as aggressively as they do with other public sector abuses. This should explain something about the dilemma of relations between military and society. It is evident that comments on military conduct in Zambia by citizens or politicians are not made openly. This is true even when they may not approve of what the military has done. In a few cases soldiers or military personnel have beaten up civilians and burnt down villages because of social differences with the communities. Well-known incidents have occurred in the Kaoma, Ndola Rural and Mumbwa districts in the last decade. Public condemnation of these acts was limited and the incidents were treated as a 'passing phase in relations', as one government official explained.

The lack of understanding can be traced to problems on both sides of the divide. On the one hand, many civil society groups view government merely as a source of political authority rather than as a partner that can be influenced. On the other hand, elected representatives do not appreciate the value of input from civil society groups. The result has been a lack of proper articulation of military matters as they affect citizens. The problem can be seen in terms of political culture. Vibrancy of the civil society is necessarily a function of the political culture, which largely takes its cue from elected representatives.

Elected representatives appear to have assumed that they do not need other civil sectors to take part in their debates and yet it seems that no clear military policy has been debated, despite attempts by the military to remove them from power. For its part, civil society has not been aggressive enough in advocating clear and unchallenged civilian responsibility of the defence establishment, especially through the National Assembly or the Ministry of Defence. This should have been their part in the campaign.

FUTURE PROSPECTS

It is vital that civil society and research institutions venture into the terrain of defence in a democracy. Possible topics of research include how democratic transitions affect the structure of military operations; defence policy; budgeting; respect for human rights; accountability; and subordination of the military to the civilian regime. Once there is accurate information and a body of literature, it will be easier to lobby both the executive and the legislature to address the issues in a more positive manner. It would be backed by public pressure, which arises from the public availability of information.

THE NEED FOR COLLABORATION

Good political leadership can promote stability in a state by engaging with those officers who have political ambitions and keeping the military separate from civilian political power. This is why civil society groups must play an important role in building relationships and institutions that minimise tension among the civilian leadership, citizens and the military. However, during this transitional stage, interventions by civil society must involve careful planning and calculated strategy. Careful thought must be given to shaping institutional roles and relationships.

Although the executive is responsible for the day-to-day control of military forces, the oversight role must be exercised by parliament.

However, due to the near dominance of the ruling party in the legislature, scrutinising the executive's arrangements on matters of defence and then offering criticism yields no positive response or results. The Ministry of Defence does not seem to have performed well in accounting for its budgetary allocation but public comment on this is unlikely.

Military issues deserve the same transparency as other forms of institutional restructuring. Public exposure of the workings and disposition of military funding could be of interest not only to ordinary citizens but also to many in the military itself, who have no control over or insight into how institutional funds are managed within the military establishment.

Two main areas where collaborative efforts could bear fruit are defence policy and budgeting. As explained earlier, NGOs and other civil society groups have not yet engaged their elected representatives or the executive arm of government.

DEFENCE POLICY

Civil-military collaboration in this area will result in a policy that is better understood, and widely supported. Without collaboration, the policy is a hit-and-miss affair. One example relates to Zambia's position in the pan-African war in the Great Lakes region. The neutral or mediator stance was neither discussed in parliament nor tabled for consultation with the Zambian population. A few civil society voices did appeal to the executive not to engage in the war. These may, or may not, have played a part in the decision not to go to war.

Nevertheless, with regard to the decision taken by the executive to mediate, concerns of accountability still arise. Millions of Kwacha have been spent by the executive shuttling between the Democratic Republic of Congo and Lusaka to attend meetings. Although there was no engagement in war, Zambians still deserved to know how much money was spent by the executive on these peace errands, as it has budgetary implications for other sectors of the economy.

Another example is the lack of consultation when military personnel are sent on UN peacekeeping missions. Although this is one of the roles of the military, citizens must be allowed to discuss the consequences of changes in the defence budget and the impact this has on the economy in general. It also has implications if military personnel are killed in these missions. Replacing personnel is costly and requires careful planning and consultation. During 2000, over 400 Zambian troops were captured, and later released, by rebel forces in Sierra Leone while on a UN mission. The negative effects were not only felt by those in government, but by the citizens who had not been afforded the opportunity to take part in discussing the participation of Zambian military personnel. It was an executive decision, which was not necessarily wrong, but required wider consultation within the democratic

framework where defence and security must be a community concern for every citizen. With the increasing dominance of economic security and welfare, and indeed the protection of civil and political rights, leaving such matters to the executive alone is becoming a risky affair.

Contemporary discourse on defence demands that resource management and transparency of defence planning and budgeting must be the basic tools for building confidence in defence policy during democratisation. This is essential for improving the quality of policy formulation and implementation regarding democratic processes. It leads to better policy targeting, thereby enhancing a closer fit between the needs and demands of both the civilian population and the military. It further allows for better conformity between policy intent and outcomes, thus harmonising civil-military relations.

THE DEFENCE BUDGET

Spending on defence must be seen within the context of the broader economy. Ordinary citizens and their associations should be involved in, and informed of, the defense spending process. They can then make informed decisions on what sort of defence budget is needed.

In Zambia, the factors they would need to consider would most likely include the assessment of the political and military situation, the geopolitical position of the country and the overall economic conditions that prevail. However, as already observed, efforts in this direction are limited because military matters are not considered to be in the public domain, and therefore subject to public discussion, especially by ordinary citizens and non-technocrats.

Defence budgeting and expenditure should be a public process because it involves the optimal allocation of resources. Defence economists argue that the choice of the level of military expenditure is a political decision which reflects the preferences of the government in power, and consequently needs the ordinary people's support to work effectively judged against other needs.

Military expenditure is one area where civil society intervention and academic scholarship could provide support to Parliament and other bureaucratic structures such as the Ministry of Defence. Collaboration on such issues will definitely strengthen the military in subtle but important ways.

This is especially important in Zambia where the economy is in decline. By extension, defence economics is faced with the real alternative of welfare security. What this means is that the inept and incompetent management of defense resources turns into a major mechanism not only for internal welfare but also for external security.

The Ministry of Finance provides an opportunity to outside stakeholders when it draws up the budget for each year. Civil society has certainly not exploited this opportunity although the Catholic Commission for Justice and Peace has tried to comment on those issues on which it has information and can argue effectively. Generally, therefore, civil society still needs to utilise this avenue. The budget is not only a legally-standardized basic public financial tool but also a means of ensuring accountability. The opportunity to influence the budget process should be taken if any positive development is to be achieved in the transformation of the views of the military establishment. This is because the process needs to be transparent, efficient and effective.

This process is also important because it will focus on how the resources are allocated and how those resources, once allocated, will be managed. This process is improved by the presence of watchdog bodies from civil societies. However, due to lack of reliable information on defence spending in Zambia (although aggregates

are available), it is impossible to assess trends and developments in military spending with any accuracy.

WHISTLE BLOWING

One of the traditional roles of civil society is to expose acts that are incompatible with professional conduct in the public sector. In Zambia, democracy activists play an important role in highlighting the importance of political participation and freedom in human life; they help keep government responsible and accountable, including helping to educate citizens.

However, they have not filled this role in the military sector. For example, rumours of recruitment and promotion on the basis of ethnic group; nepotism; allegiance to the ruling party; and the infiltration of military ranks by political cadres continue to make the rounds. Civil society has not dared to venture into this terrain to help the military uphold its professionalism.

The independent media has, however, endeavoured to expose some of the malpractices and human rights violations related to the military and defence establishment. An example of human rights violation was the denial of accommodation to soldiers whom the court acquitted after the attempted coup of 1997, despite the ruling that the soldiers be granted their former conditions of service.

Sustained pressure on the elected leadership to enquire about such matters would no doubt aid professionalism in the military. This is the envisaged role of civil society in the 21st century. In addition, civil society groups involved in democracy could help design curricula and, from time to time, be visiting lecturers at the Staff Defence College to discuss community issues, the promotion of democracy, and share their experience of civic matters. Conversely, military personnel could be invited to seminars organised by civil society to discuss issues of common interest, especially military subordination to civil control.

CONCLUSION

It is vital that the relationships between the military, elected representatives and civil society are redefined according to democratic principles. The challenge for the three sets of actors is to create, nourish and perpetuate dialogue among the different components of society in order to avoid violent confrontations. This will enhance cross-sectoral collaboration, the purpose of which is to achieve convergent objectives through combined efforts, but where the respective roles and responsibilities of all the actors involved remain distinct. The rationale is that these interactions will generate synergistic effects on the democratic process.

One workable proposal is the formation of liaison teams that report to parliament or are convened under the Ministry of Defence. These teams could assist in a variety of initiatives such as managing partnerships between defence personnel and civilians, defining the role of armed forces in democratic processes, the rule of law and respect for human rights. In such a way, the military would be seen as an integral part of the democratic

process and would give citizens the courage to discuss matters affecting them.

Sustainable success will depend on the ability to make progress in tackling the issues of economic development and government institutions, and how they affect the military during the transition to democracy. Results will only be seen when all three parties interact and communicate with each other in nonviolent ways.

The Zambian government launched an initiative in 2000 known as the National Capacity Building Programme (NCBP) for good governance in Zambia. The document does not, however, mention anything about how the democratisation programmes will affect or involve the military establishment. Neither Parliament nor civil society made an effort to draw attention to this glaring omission. Again, it is up to civil society and Parliament, if they see fit, to find points of intervention when the programme is implemented, since they missed the opportunity at its conception.

Currently, the biggest challenge for civil society is to build appropriate coalitions, which must as far as possible include allies from the military, Parliament, the judiciary and executive branches of government. These coalitions can begin to address the problems highlighted in this paper. Scholars, researchers and policy makers have a serious responsibility to take the opportunities that present themselves. It is high time that civil society develop the autonomous means and ability to challenge and, if necessary, help restructure the prevailing security doctrine. It has been glossed over often enough. As an institution that uses public funds, the military needs to become part of the democratic process through the active involvement of civil society.

SOURCE: Lee M. Habasonda, The Military, Civil Society and Democracy in Zambia, www.iss.co.za/pubs/ASR/11No2/Habasonda.html

DISCUSSION QUESTIONS:

1. What is the role of the military in construction and consolidation of civil society in general and in Zambia in particular? Does the military control the state and civil society in Zambia? What does the author mean by civic military? How is it related to civil society?
2. According to this paper, which groups and institutions do 'civil societies' generally refer to? What institutions are involved in education? Who is responsible for building a high political culture? What are the activities of these institutions in the process of democracy consolidation in Zambia?
3. How can we enhance civil – military relations? What kinds of difficulties did the author mention in relationships between civil society and military? Why does Zambia need to develop civil military? How would it be done according the author? Through which institutions?
4. Explain the example that appeared in an 'Independent Daily Newspaper' about the importance of the military.
5. Describe Cilliers' three elements defining the parameters of military operations. How did you understand them? Can you find examples of the existence of these elements elsewhere?
6. The author particularly talks about the relationships between the military and Civil Society, and the role of the military in constructing civil society. Do you agree with his opinion? If yes, why? If no, why not?
7. Are the author's ideas relevant to other cultural contexts (for example, Central

Asia, Turkey, Pakistan), and the role of the military in maintaining civil society?

REVIEW QUESTIONS:

1. Do you think we can find similar opinions on the role of the military in supporting civil order and civil society within the texts of this course?
2. What would Mahatma Gandhi's response be (non-violence concept) to the author's point?

ADDITIONAL READINGS:

- Lee M. Habasonda, Documents on Security Sector Reform, www.ssronline.org/document_search.cfm
- Global Facilitation Network for Security Sector Reform, www.ssrnetwork.net/doc_library/document_detail.php?id=3433
- Lee M. Habasonda, Reality of Aid, www.afrodad.org/downloads/publications/ROA 2006 Final.pdf
- The military, civil society and Democracy, www.issafrica.org/dynamic/administration/file_manager/file_links/

CANTERBURY MOSQUE, NEW ZEALAND

MUHAMMED ARKOUN: THE RULE OF LAW AND CIVIL SOCIETY IN MUSLIM CONTEXTS: BEYOND DUALIST THINKING

Mohammed Arkoun is currently Emeritus Professor of the History of Islamic Thought, La Sorbonne (Paris III), as well as Senior Research Fellow and member of the Board of Governors of The Institute of Ismaili Studies in London, serves as a jury member for the Aga Khan Award for Architecture and is a member of the National Ethics Committee for Life and Health Sciences. His major works include: The Unthought in Contemporary Islamic Thought (2002); Rethinking Islam: Common Questions, Uncommon Answers, (1994); Building and Meaning in the Islamic World (1983); and Spirituality in Architecture (1995).

Fetishism of each one for his merchandise: jurists walk on the head because they think that law is the reality.

K. Marx, German Ideology

I want to know how long we can go on doing this stuff in defence of western society without ceasing to be the sort of society that is worth defending. That's all. And what stuff – meddling with tin-pot third-world countries, bullying them, smashing their economies, rigging their elections, assassinating their leaders, buying their politicians like popcorn, ignoring they are starving, they are uneducated, kicking their peasants from the land, arming their oppressors to the teeth, turning their children into tomorrow's terrorists, manipulating the media, lying constantly.

John Le Carre, Lecture at John Hopkins University, 1986

Islamism is a fecund fuel.

Hassan II, Le Monde 9/8/1988

SIYASA SHAR'IYYA, RULE OF LAW, CIVIL SOCIETY

To summarize the central arguments concerning the rule of law and civil society in Islamic contexts, past and present, I can propose the following brief statements

in the hope to enlarge, deepen, and enhance scientific research and enrich the debate with more concrete facts, more examples of experiences developed here and there in contemporary societies. I wish that my propositions had been received and used as heuristic hypotheses, because there is still a long way to go in Islamic contexts to achieve the rule of law claimed everywhere in the dreamed of civil society. Even the level of democratic practices and institutions already achieved and in process of improvement in the Western and Scandinavian European societies, goes a long way to achieving this goal.

1. The biological and social sciences have established the constraining evidence that the activities of the human mind are all based on and conditioned by bio-socio-historical mechanisms. Philosophers draw conclusions from this evidence; but theologians and managers of the sacred resist this 'materialist', reductionist theory. The collapse of the Marxist-Communist ideology has liberated an area of scientific research and critical reassessment of the dichotomist, binary framework of analysis and interpretation concerning the two conflicting spheres of spiritual authority versus political power (hukm/sulta; auctoritas/potestas), intangible ethical principles and virtues versus relational truths and values, sacred law and contingent law. But such scientific leaps are not integrated into the populist culture and ways of reasoning used in daily life, educational practices and social and official discourses. This discrepancy is, of course, far wider and more influential in Islamic contexts.

2. The content, functions and authority of religion are changing profoundly under the impact of the new forces and options offered by globalization. The problem for Islam and Muslims is to know whether they should resist against these forces as they did modernity, or whether globalization will be more effective in changing the status of the state and political institutions, the collective mentalities concerning traditional beliefs, rituals and values, educational practices, channels of communication and the relationship to scientific knowledge, especially in the domain of human, social, political and legal sciences. The changes that might take place are unpredictable, because all the societies considered in this essay are under-analyzed, or as it used to be put, they are economically and culturally underdeveloped. Not only is scholarship a very slow process, but institutions for scientific research and learning, well-trained scholars and professors, educational and cultural activities are either rare, or poorly-funded and ill-prepared for heavy and difficult tasks. So how can the problems, demands and expectations be tackled by so many peoples who are forced to make use of obsolete knowledge, archaic bureaucracy, disintegrated urban spaces and architecture, decontextualized beliefs, values and references?

3. According to these historical statements, it becomes irrelevant to keep asking whether or not Islam is compatible with secularism, democracy and human rights. Islam is controlled by the state; there is strong opposition to establishing a secular, liberal regime, and a desire to substitute it for a more 'authentic orthodox' Islamic regime following the example of the Iranian Islamic revolution. In terms of theology, if any political regime monopolizes the control of Islam, it loses its legitimacy **ipso facto**. That is why, the caliphate, the imamate, the sultanate, the emirates and the so-called republican regimes of today pay a college of official

ipso facto –
Latin phrase, directly translated as "by the fact itself", which means that a certain effect is a direct consequence of the action in question, instead of being brought about by a subsequent action such as the verdict of a tribunal. It is a term of art used in philosophy, law and science.

'ulama' to maintain a fiction of religious legitimacy.[1] I use the following expression to describe this historical and doctrinal situation of Islam: Islam is theologically Protestant and politically Catholic.

4. Contemporary societies use many devices for resisting and overcoming the oppressive policies of their regimes; but they have greater difficulties when the vast majority of the female population is confined to the home and private domestic activities and there is an increasing number of jobless, illiterate, homeless orphans cut from any collective memory, deprived of a promising vision of the future, unconscious of the rights attached to modern citizenship and consequently unable to discover and respect the necessity and the functions of the connection between society and social responsibility. Sociologists do not address this crucial issue often enough, because the silent majority of the population can be heard only when it resorts to demonstrations, rioting and violence. So where are the chances and opportunities that promote the emergence of a modern enabling civil society? With slight modifications, these structural impediments are to be found today in all Islamic contexts.

5. Can the paradigms of contemporary international relations accelerate the shift of post-colonial or **Third World** states from their patrimonial, patriarchal order to the democratic features and functions of the rule of law? Confronted with modern pluralist states, all the authoritarian states present themselves as full supporters of democratic values and institutions; but their domestic policy remains contrary to this image which is merely for show. To achieve empowerment through the 'governed' population, the state should pay more attention to developing a relevant culture of citizenship that provides greater social cohesion, less division and tension between the heterogeneous collective psyche, a high level of universal education, adequate distribution and maintenance of skills and a humanist vision through the building process of national purposes. It is a historical fact that these conditions were very seldom fulfilled or even thought of in that perspective in any known Third World state. It is true that the leap from a bipolar to multi-polar world has resulted in more instability, violence, wars and a single major power dictating the international agenda. 'We (USA) will retain the pre-eminent responsibility for addressing selectively those who are wrong, who threaten not only our interests, but those of our allies or friends, who could seriously unsettle international relations' (Arab Studies Quarterly, 1993, vol. 15/4, p. 15).

Third World – categorical label used to describe countries that are considered to be underdeveloped in terms of their economy or level of industrialization, globalization, standard of living, health, education or other criteria for advancements

1 See Malika Zeghal, Gardiens de l'Islam: Les oulemas d'al-Azhar dans l'Egypte contemporaine, Paris, 1996.

6. The whole of the present chapter can be re-written under the general title 'Umma and Civil Society'. Umma as a spiritual **Utopia** was inaugurated with the prophetic discourse, developed and enriched through a great diversity of religious, political, ethical and social experiences, articulated intellectually in a large number of major works. This umma is still alive as a terrestrial and eschatological hope, project and aspiration in the collective minds of millions of believers. The main problem to be addressed today that is facing the modern secular unachieved – unachievable? – plan of civil society is the following: does the traditional Utopia of the umma with its specific culture and mindsets, constitute an intellectual, spiritual, ethical and legal obstacle to the acceptance and contribution of the historically advanced building process of a modern, secular, civil society? Conversely, does such a civil society which is still an idealized imaginary one, pursued and partially achieved in the democratic regimes of Western Europe and North America, present ontological, spiritual, ethical and humanistic perspectives for the overall emancipation of the human condition, which definitely supersede those taught and still held valid by the traditional religions and their adherents? Expressed in these terms, the problem requires much critical, modern investigation using comparative history and the anthropology of all religious and secular systems of thought and action.

7. There is a last vital problem concerning not only the 'rest of the world', but the powerful hegemonic Western states where the intellectual and scientific agenda is defined, fixed, prescribed, although continuously debated, and imposed on the future of human existence and the status of human dignity. It is clear from the themes, questions and points that I have raised throughout this book that tele-techno-scientific reasoning coupled with the Management of the so-called Human Resources (MHR), are mobilizing all human attention and energy in the service of the free market. Anthropology as cultural criticism, ethical definition of the limits in which any historical action by an individual or a community should take place, philosophical resistance to any form of violence justified by the promise of liberation from oppression and the negation of human dignity, is minimized, narrowed, neglected, disqualified, if not declared useless whenever the 'rights', 'interests', and 'comfort' of those in a hegemonic position are threatened. What is left then to those on the side of the victims, the oppressed, those 'without history' to be fully admitted among those who hold the monopoly on being the dignified? We know the answer of the revolutionary movements for liberation since the British, American and French Revolutions to Lenin, Stalin, Trotsky, Milosevic and all twentieth century leaders of wars against colonial domination who led criminally devastating operations to end up with even more violence, collective tragedies, semantic disorder and intellectual perversions still expanding at the dawn of the twenty-first century. If we are to consider the significance of the tragic failure of 'Western' reason on the horizon of meaning and hope for all living peoples on our small planet, we should also rethink the case, still not addressed, of Hitler and his 'final solution'. To enlighten this crucial point, I add this ethical principle:

For the third millennium, the struggle against semantic disorder and perversions of the intellect should supersede, precede and be sustained in all cultures, religions, systems of thought and political regimes whenever there is a historical necessity to initiate a war of liberation from oppression, domination and exclusion. Violence is a fact to be contained, refused, eradicated by all means; it is not a thesis to be discussed, be it the structural violence codified, legalized everywhere in all

Utopia –
the name for an ideal community or society, taken from the title of a book written in 1516 by Sir Thomas More describing a fictional island in the Atlantic Ocean, possessing a seemingly perfect socio-politico-legal system. The term was used to describe both intentional communities that attempted to create an ideal society, and fictional societies portrayed in literature. "Utopia" is sometimes used pejoratively, in reference to an unrealistic ideal that is impossible to achieve, and has spawned other concepts, most prominently dystopia

cultures and religions, or physical, military violence. There is no way to legitimize any level, any form of violence between human beings or against animals and the environment, as long as human beings are unable to find the irreversible way out from what I call the anthropological triangle of violence, sacred and Truth'.

SOURCE: Islam: to Reform or to Subvert? Saqi Books in Assosiation with The Institute of Ismaili Studies, London, 2005, pp. 298-334.

DISCUSSION QUESTIONS:

1. What limits for his enquiry of locating and comparing conditions for civil society in Islamic and European contexts does Arkoun set at the outset? Why does Arkoun think that pre-modern and post-colonial histories of many presently underdeveloped nations constitute an important factor to explore in his enquiry?
2. How, according to Arkoun, do the authorities legitimise their powers in Islamic societies? Is the separation of religion and politics possible in Islamic societies? What or who is the source of Truth for you? Explain.
3. According to Arkoun, what are the differences in historical experiences that European and Muslim civilisations had that help explain the secularisation of Europe and, conversely, the decay of reason in Islam?
4. Why are values and norms 'sacralised' in a religious realm? Do you think that Arkoun's juxtaposition of religious orthodox and secular social frames is justified? Why does Arkoun believe Islamic civil society is not compatible with the Western liberal one? Why is it hard to envision a secular rule of law and civil liberties enshrined for all in Muslim societies? Is Arkoun biased in his approach? Do you agree or disagree with him? Explain.
5. How does Arkoun justify the lean towards a liberal, secular approach to defining a society's ethical issues, vis-à-vis religion-based? What are the necessary components for the development of thriving civil societies in the Muslim world?
6. According to Arkoun, what is the source of universal civic virtue? Do you believe in his prediction that Muslim societies will eventually become susceptible to Western liberal values? Do you believe that a liberal Western societal model is the ultimate goal of all communities of peoples, regardless of geographic, cultural, and historical backgrounds?
7. Arkoun, while not being satisfied with the patrimonial structure of Muslim societies that hinders the development of civil society, is similarly unconvinced that imposing a Western model upon Islam offers a viable alternative. What would your response to him be in this regard? What model, if any, should Islam follow?

REVIEW QUESTIONS:

1. Both Arkoun and Gellner talk about the features of present Muslim communities that hinder the development of liberal civil society. Do their analyses differ? While both Arkoun and Gellner aspire to the emergence of a genuine civil society within an Islamic context, what approaches do they propose for attaining it?
2. Writing nearly a century before Arkoun, Ismail Bey Gaspriskii notes the importance of helping Muslim communities in Tzarist Russia catch up with the knowledge and progress of the day. Would Arkoun be satisfied with stressing education as a vital part of civilization, an approach offered by Gasprinskii? What do these authors say about the role of the 'ulama' and 'taqlid' in creating civil societies in the Muslim world? Why do they both think it is important to allow women to take a greater role in social life?

ADDITIONAL READINGS:

- Amyn Sajoo (ed.) Civil Society in the Muslim World: Contemporary Perspectives. I. B. Taurus Pablishers: New York in Association with Institute of Ismaili Studies, London, 2002.
- Kurzman, Charles. Liberal Islam: A Sourcebook. Oxford: Oxford University Press, 1998.
- Kurzman, Charles. Modernist Islam 1840-1940: A Sourcebook. Oxford: Oxford University Press, 2002.
- Mohammed Arkoun. The Unthought in Contemporary Islamic Thought. Saqi Books, 2002.

OLIVIER ROY
SOVIET LEGACIES AND WESTERN AID IMPERATIVES IN THE NEW CENTRAL ASIA

Olivier Roy (born 1949) is a research director at the French National Center for Scientific Research (CNRS) and a lecturer for both the School for Advanced Studies in the Social Sciences (EHESS) and the Institut d'Etudes Politiques de Paris (IEP). Roy is the author of numerous books on subjects including Iran, Islam, and Asian politics. These works include Globalized Islam: The search for a new ummah; Today's Turkey: A European State?; and The Illusions of September 11. His most well-known book, The Failure of Political Islam (1996), is a standard text for students of political Islam.

The prevailing discourse on civil society within the Muslim world at large is certainly relevant to the unfolding context of Central Asia, and there is no reason to search for an analytical paradigm that is specific to this region (that is the six former Soviet Muslim republics of Azerbaijan, Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan). There is, however, a distinctive feature of the Central Asian experience that complicates the debate on civil society, namely, the legacy of seventy-odd years of Soviet rule. How does one assess the implications of that legacy with regard to the contemporary social and economic fabric – from urban cultures to collective farms – in the emergent republics of Central Asia?

Three sets of conceptualisations of civil society have been variously invoked and applied with respect to Central Asia, each drawing upon wider global definitions as well as post-Soviet realities. First, there is the notion of networks of free citizens – professional associations, unions, political parties, public interest groups – that create political space as a prerequisite for building democracy and the rule of law. This view is dominant among humanitarian workers and international organizations active in Central Asia, including their indigenous **subsidiaries** or NGOs that are internationally-funded. In essence, democracy and the rule of law (as well as their human rights adjuncts) are cast as universal concepts in which a society is constituted of free citizens who are not bound by any corporate or collective links, and enter freely into associations to work for the common good. A free market is seen as a necessary condition for such an evolution.

The problem with this conceptual approach is that it is often perceived by local people (rightly or wrongly) as an abstract and idealized paradigm that stems from modern Western experiences, which have resulted from historical processes that spanned centuries. It is felt that this Western-based model is now being offered as a mandatory, ready-made blueprint for reforms to be implemented in 'oriental' societies within the span of a single generation.

subsidiary –
company that is completely controlled by another company

A second conceptualization involves traditional networks of solidarity, based on primordial communities of kinship and patronage that allow the population to resist the **encroachments** of a strong authoritarian state, or to compensate for the weakness or corruption of the state. It should be observed on this score that states may **simultaneously** be weak and authoritarian. The majority of so-called Third World societies tend to experience either a weak or an authoritarian type of state, or both at the same time. Without questioning the theoretical validity of this conceptual approach, the primary challenge is to determine the extent to which there is a 'traditional society' in Central Asia. Another issue is that such a view is intrinsically pessimistic about state-building, for the organs of state are seen as part of the problem rather than the solution.

Yet a third approach postulates a 'religious civil society' (the term used by the current Iranian President, Mohammed Khatami, and by the influential Iranian philosopher Abdolkarim Soroush), in which a community of believers undertake to live according to the values and ethics of their faith (in this case Islam). They envisage building a polity that will ensure the preservation of their **authentic** identity and legitimacy, while resisting Western encroachments – even in the very definition of what ought to be a 'civil society'. The values and ethics in question are seen as the basis for developing political institutions that will bypass both dictatorship and democracy based on Western values. This is the view espoused by Islamist thinkers, who often (as did Khatami) refer to the **Puritans**' paradigm. The latter, of course, established local communities based on the free gathering of individual believers who took the political decision to live according to the true tenets of their Christian faith, with no references to traditional and primordial solidarity ties (of family, class or origin). These, in turn, metamorphosed into religious civil societies and eventually into modern polities based on open ideological and political choices.

The problem here is in distinguishing between traditional society and religious society. Is such a 'Muslim civil society' a return to traditional modes of living and governance, or, to the contrary, a reconstruction of the pristine community from the time of the Prophet (with its purity blurred by subsequent political distortions and borrowings from indigenous non-Islamic cultures)? Such communities are based on virtue and ethics rather than on permanent institutions or the rule of law. What happens when the charismatic momentum, the *etat de grace,* disappears?

Religious communities – from **Calvinist** Geneva to Puritan Boston – have tended not to endure in history as political entities. Those that have survived relatively long have done so as sects or **ghettoized** communities (like the Amish in Pennsylvania), not as political models.

The foregoing definitions differ mostly on how to assess the nature and resiliency of traditional society. In the first conceptualisation, based on Western ideas of political and economic freedom (free elections, free markets), 'civil society' has to be created from scratch in Central Asia. This is either because there is nothing of value today upon which to build (the entire Soviet legacy being cast as negative) – or because there is no such thing as a traditional society in Central Asia, owing to the onslaught of the Soviet system on previous social structures, and the ensuing absence of anything that can be described as a Soviet *society.* Conversely, the anthropological and Muslim approaches converge on one point: that there is a danger of artificially importing values and institutions from a Western model that might be both less universal and less democratic than it claims.

However, these two approaches differ on what they see as positive historical inheritances in Central Asia. The Islamists invoke not so much the society prior to sovietisation, but rather an idealistic model of the 'true Islamic society' where social, economic and political relations would be shaped by explicit values stemming from individual faith and

encroachments –
take another's possessions or rights gradually or stealthily

simultaneously –
happening, existing, or done at the same time

authentic –
of undisputed origin or authorship; genuine, reliable or accurate

Puritans –
member of a group of English Protestants who in the 16th and 17th centuries advocated strict religious discipline along with simplification of the ceremonies and creeds of the Church of England. They contended that the Church of England had become a product of political struggles and man-made doctrines. The Puritans were one branch of dissenters who decided that the Church of England was beyond reform. Escaping persecution from church leadership and the king, they fled to America

Calvinism –
theological system and an approach to the Christian life that emphasizes God's sovereignty or control over all things. The Reformed tradition was advanced by several theologians such as Martin Bucer, Heinrich Bullinger, Peter Martyr Vermigli, and Huldrych Zwingli, but it bears the name of the French reformer John Calvin because of his prominent influence on it and because of his role in the confessional and ecclesiastical debates throughout the 16th century. Today this term also refers to the doctrines and practices of the Reformed churches of which Calvin was an early leader. Less commonly, it can refer to the individual teaching of Calvin himself

ghettoized –
set apart as in a ghetto; isolate

religious-inspired personal behaviour, at the expense of traditional clanic, **parentage** and **patronage** networks. For the anthropologists, on the other hand, those traditional collective identities are the prime safeguard against the encroachments of the state. In this sense, the Islamists accept the 'Western' notion that civil society is based on individuals and not on corporate or **primordial** groups, even if they consider that individuals should enter into some sort of collective community – *the jama'at of* the believers. They also criticise traditional society from which they wish to extract only that which belongs exclusively to Muslim culture *(waqfs,* or religious endowments, independent schooling systems, charity and solidarity, and so on). But what exactly do we mean by 'traditional society' in post-Soviet Central Asia? Clarifying this issue is vital in undertaking a meaningful analysis of civil society in the region, no matter what definition(s) one chooses to privilege.

TRADITIONAL SOCIETY IN CENTRAL ASIA

Soviet recasting of patterns of power and networking

Among the numerous international development groups and agencies operating in the republics of Central Asia, a common view is that the task of building civil society has to be undertaken from scratch, because nothing exists that can meaningfully be identified as 'civic culture' after seven decades of sovietism. The very notion of a society as distinct from the domain of the state is felt to have been eroded and ultimately destroyed. After all, the Soviet Union constituted a totalitarian system in which the state was the alpha, beta and omega of all socio-political existence. Factors like collectivization, the assault against traditional society in the 1920s and 1930s, and the political hegemony of the Communist Party eliminated any semblance of what one would consider the warp and woof of civic life.

Accordingly, the policies of the International Monetary Fund (IMF), the World Bank and the United Nations Development Programme (UNDP) have sought to advance prompt and maximal economic privatisation, in effect aiming to remove any vestiges of the *kolkhoz* (collective farms) system. Yet a closer look at the existing society shows that there is, in fact, an immense social fabric left over from the Soviet era. It comprises networks of people based on traditional patterns of solidarity groups: extended families or *awlad,* clans, neighbourhood clusters or *mahalla,* and solidarity groupings or *qawm* of varied sociological basis. These networks function at three levels: (a) organising support among citizens (for instance through the *gap* or rotating association to gather and distribute interest-free loans), (b) protecting the individual against the encroachments of an authoritarian if not despotic state, and (c) positioning the individual within the state apparatus through patron-client networks. The *kolkhoz* system has acquired an anthropological reality that goes beyond socialist ideology, because it is the expression of the *recasting* of former solidarity groups into a 'socialist' system. In this sense, one should speak of 'sovietism' to characterise the anthropological reality of social life in the former Soviet Union, outside the ideological curtain.

parentage – the kinship relation of an offspring to the parents

patronage – support or encouragement of a patron, as for an institution or cause

primordial – having existed from the beginning; in an earliest or original stage or state

Evidently, civic life on the basis of social networks has not been destroyed by the Soviet system, even if some groups have been physically eliminated or went into exile (as with Turkmen or Uzbek clans that fought alongside the Basmachi insurgents in the early 1920s). Rather, solidarity groups have been **reincarnated** within the structures of the Soviet system either through the transformation of pre-existing groups (like Turkmen clans turned into brigades in collective farms) or the fabrication of new clusters following the creation *ex nihilo* of *kolkhozes* in depopulated or redeemed lands (like the marshes of Southern Tajikistan) – but still functioning along the patterns of traditional solidarity groups. Indeed, the internal administrative structures of the *kolkhoz* have reshaped and strengthened many of these traditional identity groups. The brigade and the *uchatska* (housing estates) often duplicate the *qawm* and *mahalla* segmentation, imparting to them an almost administrative reality which, of course, has never been expressed in official terms. Traditional **endogamy** tended also to strengthen the identity of the group, together with the fact that in the Soviet system work was allocated on the basis of such groupings (as may occur with privatisation today). The structure of the Communist Party also often projected these anthropological segmentations into identity groups: local leaders would come from the dominant group, and regional factions tended to fight each other or to enter into alliances on the basis of recast traditional groups of solidarity. In these latter alliances, ties were built neither on ideological nor on political common bounds, but on patronage networks based on what was perceived as a common 'primordial' identity, whether clanic or geographic.

Hence, collective farms became the new tribes of Central Asia. Neighborhoods or *mahalla* were also institutionalized by the Soviet system, through the establishment of local bodies under the authority of the city district. Socialist ideology had little to do with this complex process: identities were incarnated in the framework of Soviet bureaucratic structures, which is a form of statisation. On the other hand, the networks diverted, undermined and used state power for their own ends – facilitating benefits for the group from inputs, privileges and perks that in an over-centralized system could be obtained only by positioning one's own group within the Soviet apparatus. Such a strategy presupposes political loyalty to the system (because the group benefits from it), amid contestation among groups playing the game through political *feuds* and alliances inside the Communist Party, and often calling for arbitration from Moscow.

Such political contestation was hardly more than a power game: after the Stalinist purges of 1937, it never had any ideological or intellectual dimension. It was played according to traditional rules, expressed in proper Soviet terminology (a faction would be dubbed 'nationalist' by its opponents, for example). To speak of Marxist or communist/socialist ideology in this context makes very little sense. What we had was 'sovietism', a peculiar combination of bureaucracy, clanism, patronage relationships, localism and centralization. It did not consist in a sharing of power between the centre (Moscow) and the periphery, but rather in a divide between two different spheres of concerns – one relating to strategy, security, military and state ideology that was controlled by Moscow, and another relating to appointments of local cadres, distribution of power and economic perks that was controlled by indigenous leaders. The frontier between the two spheres was constantly shifting; but during the period of the *satraps,* that is the first secretaries of the republican communist parties who were in charge roughly between 1959 and 1983, a clear distinction between these spheres of power was visible. Local rulers gave full loyalty to Moscow, avoiding intervention in strategic matters (like the definition, territorial delimitations and status of the various autonomous re-

reincarnated – cause to appear in a new form; refurbish or revitalize

endogamy – the practice of marrying within the social group, rejecting others based solely on culture as being unsuitable for marriage or other close personal relationships. Cultures that practice endogamy require marriage between specified social groups, classes, or ethnicities

gions, socialist republics, and so on) – yet achieved a great deal of internal autonomy, given that Moscow was unwilling and unable to intervene at the local level because it lacked the required informants, intermediaries and cadres. Moscow had to depend on local cadres who themselves played on traditional patterns of power, networking, brokerage, and even matrimonial strategies. It did not help Moscow's cause that the local branches of the Soviet secret police (the KGB) were divided after the Second World War between high-ranking officers, most of them Europeans with a high level of turnover and no knowledge of local languages, and grass-roots permanent local officers, who were personally engaged in traditional relationships with the local population and tended to keep troubles 'inside the family.'

In other words, the local society was able with the complicity of its leaders to largely resist deep Russification and state control, while also adopting sovietism and granting lip-service to the Russian big brother. Local elites were entirely loyal to Moscow, and at the same time resisted any direct Muscovite encroachment. Only in 1983 did divorce proceedings begin between Moscow and the local elites, when the new general secretary of the Soviet Communist Party, Yuri Andropov, blamed the 'Uzbek Mafia' for the corruption of the Soviet system. In equating southern culture with corruption, Andropov sparked a nationalist backlash among the very local elites upon whose loyalty the Soviet system had relied. It is in the above sense that I assert that a traditional sovietised society – or a Soviet re-traditionalized society – existed. The issue for us is: what to do with it? How far can it be construed as the basis for a genuine civil society? Ignoring or discarding its existence implies overlooking or bypassing the real social actors, not only at the level of the state but, more significantly, at the grassroots level. The beneficiaries of such an approach are what may be regarded as Western-fit, isolated actors with limited leverage and influence, inefficient and non-threatening to the real actors. And the consequence is to engender what I consider to be a 'window civil society'.

The growing gap between ruling elites and grass-roots networks

With the collapse of the Soviet Union and the independence in 1991 of the Central Asian republics, the old political power games continued apace, only without the **erstwhile** external arbitration. It was precisely this that led to the kinds of concentration of power in the hands of a single group – whether regional, ethno-linguistic or otherwise – that were to result in the civil war in Tajikistan.

The complex relationship between organs of state and groups of solidarity did not stop evolving in this post-independence period. Presidential factions in the various republics were at first based largely on regional affiliations; they have since developed into patronage networks. Leaders such as Uzbekistan's Islam Karimov and Turkmenistan's Saparmurad Nyazov played on traditional cultural values, equating 'tradition' with 'national' for food, music *(maqam* being rehabilitated by President Nyazov while opera

erstwhile – former; at a previous time

and ballet were forbidden), ethical values and so on. In 1993, President Karimov issued a decree on *mahalla,* giving them some powers of social control (e.g. the authority to issue wedding certificates); he went as far as to create a 'President's contest for the best daughter-in-law', which duly rewarded obedience to mothers-in-law. In this context, statisation and re-traditionalisation have been occurring hand-in-hand.

But post-independence political development has had the same effect in each of the republics: the delinking of ruling elites from their rural and traditional wellsprings. In order to feed the urban populations and to elicit foreign exchange by marketing industrial crops (such as cotton) on the world market, the ruling elites have imposed production quotas on the *kolkhozes* and farmers. Privatisation has been undertaken in favour of well-connected local apparatchiks (bureaucrats), usually the chairman of a former *kolkhoz*. The status of these apparatchik-farmers has been **ambiguous**. They used the opacity of privatisation laws, or simply ignored these laws and, through their political connections, created large farms in which *ex-kolkhozians* were hired as waged laborers. At the same time, however, they managed to appear as the new *khans* or local notables acting as middlemen between the rural population and an increasingly authoritarian state. In any case, traditional patterns of networking, solidarity and clientism do provide a safety net amidst the growing pauperization of society, and the failure of the state to meet the basic needs of the population. One instance is the informal *gap* system in which a group of people (often women) converge to put some money together to lend to their members, who undertake to **reimburse** the group without having to pay interest.

Without venturing into the finer details here, it should be evident that such a traditional civil society offers a shield not only against state coercion but also against the economic ravages stemming from the collapse of Soviet social security nets. What this type of society does *not* do is provide political actors. On the contrary, its success (limited as this may be) owes precisely to the readiness of the key actors to remain **aloof** from politics – or to play a conservative role that does not challenge the political status quo, regardless of who the ruling elites are. Moreover, such a civil society is based not on the expression of the will of individual free citizens, but on group-oriented networks of solidarity. These networks seldom give birth to political parties, since they do not have a blueprint or vision for what should be done at the level of the nation, state or society at large. The one exception in this respect, as we shall see, is the Islamist parties. This, in any event, is the 'real' society to which two alternative models of what I consider 'ideological' civil societies have been opposed, by very different sets of actors.

THE MYTH OF 'ISLAMIC' CIVIL SOCIETY

In modern parlance, the building of a civil society entails the replacement of primordial communities and traditional networks or patronage relationships by associations based on individual, direct affiliations through civic or ideological commitment. To what extent can such new affiliations contribute to creating a political sphere that would be different from the traditional social fabric, without appearing merely as a foreign import? A traditionalist Muslim (or Islamist) critique assails the concept of civil society in these terms – and is readily dismissed by Western humanitarian workers on the grounds that the Islamist activists espousing the critique have achieved little in building civil society. More broadly, the Islamists' conception of individual rights and democracy has been deemed in Western quarters (whether

ambiguous – doubtful or uncertain

reimburse – repay (money borrowed); refund

aloof – at a distance but within view

state or NGOs) to be inadequate and damaging, yet the insistence on 'authenticity' strikes a chord among many believers, especially the youth. One does not even have to look as far as Afghanistan under the Taliban in this regard; witness the recent breakthrough of the Hizb al-Tahrir movement in Uzbekistan (and to a lesser degree in Tajikistan and Kyrgyzstan).

The Islamist movements have striven to bypass traditional affiliations by appealing to the sense of common belonging among Muslims, invoking the religious umma or community that transcends social and ethnic barriers. In Iran, as already noted, the term 'religious civil society' has been invoked at the highest levels, as well as among intellectuals. In Central Asia, the anthropologist Nazif Shahrani looked at the endeavour to build 'communities of trust' around mosques at a local level. The idea here is that by returning to the true tenets of Islam, it is possible to build local communities that will eventually furnish the model for the rest of the polity, where Islamic laws and ethics would be the front for social justice and regulation. This would, prospectively, undercut the rationale for an authoritarian state.

In 1992, in the town of Namangan in Central Asia's Ferghana Valley (which straddles Uzbekistan, Kyrgyzstan and Tajikistan), a local movement calling itself Adalat (Justice) briefly took control. It imposed an 'Islamic' order, complete with sharia courts, a ban on alcohol, and so on. Other attempts were made by religious activists in the region between 1992 and 1999 – but without overt political control – to break into wedding parties to stop gender mixing, dancing and the serving of alcohol. Also, many mosques were built by self-taught *mullahs* (preachers) to function as social centres and even NGOs; they also sought to bypass traditional solidarity clusters and establish more religious communities that offered mutual assistance and education. Such endeavors to foster new types of grass-roots communities with social implications (solidarity) have yet to succeed, but one should not underestimate the potential impact of the call to create a more equitable and just society through the application of Islamic laws and values.

Why was the effectiveness of the Islamist movements so limited? Firstly, because of pervasive and fairly large-scale state repression and outright military defeat. In the instance of Tajikistan's Islamic Renaissance Party (IRP), there was defeat in the 1992 civil war, leading to exile and then a return in 1997 as a junior partner in a government coalition. The Uzbek IRP was suppressed between 1992 and 1995, while the Islamic Movement of Uzbekistan (IMU) – comprising former Adalat and IRP members – is waging an armed struggle from Afghanistan against the Uzbek government. State repression since 1999 has also curtailed more modest Islamist ventures. But there is a second reality that such ventures must contend with: nowhere, it would seem, have the Islamists been able to bypass traditional types of solidarity groups. Indeed, they have often mirrored these very networks in their activities and organization.

For despite their supranational claims, these movements have largely been shaped by national particularities. Sooner or later, they tend to express domestic regionalist

alignments and interests irrespective of the ideological veneer of Islamism. This was the case with the Tajik IRP, which represented a regionalist group – the Gharmis – who entered a coalition government at least in part to stave off threats to national survival from assertive Uzbekistan. In this sense, the Islamist parties do contribute to the development of a political sphere in Central Asia (as in the Middle East). They do so by challenging authoritarian secular states, introducing ideological references, and offering models of modernist parties; but their ultimate objective is to achieve power, not civil society. Their activism at the local level is either to provide a springboard for national political contestation, or to have a local stronghold to which they can retreat after a political defeat. Whether as regionalist parties (like the IRP) or as conventional (conservative) parties, they are driven not by any blueprint for civil society but the simple will to power at the highest levels.

References to and invocations of 'Islamic' imagery and agendas have not supplied the keys to unlocking stubborn traditional affiliations. For all its 'modernity', political Islam in Central Asia has more often than not duplicated rather than reshaped old alignments and markers of identity. The same is true for more traditional forms of Islam that readily express or adapt to the fabric of traditional society. Most of the recently-built mosques, for example, expressed first of all a *mahalla* identity and are attended by members of the same traditional solidarity groups *(mahalla, qawm,* clan). During the Namangan upheaval in 1992, the *mahalla* played a key role in mobilizing the people around local mosques.

It is appropriate at this juncture to consider the status of Sufi (spiritual) networks, which were a vivid facet of pre-Soviet Islam and have been able to resist sovietisation (notably in the instance of the Naqshbandi order). There appears to have been a generational crisis among the Sufi networks in the last phase of Soviet rule. Many young, 'born-again' Muslims, even when they were brought up in a Sufi milieu, were subsequently attracted by what have come to be called 'Wahhabi' ideas, an orthodoxy not necessarily linked with Saudi Arabia but to a broadly hard-line *scripturalism*. When they became politicized in the late 1980s, these youths joined political Islamist movements: prominent examples include the Tajiks Abdullo Nuri and Akbar Turajanzade (whose father is a well-known Qaderi Sufi). There is a generation gap in the Sufi orders. Traditional affiliations in which a whole clan or tribe collectively associated with a 'holy' family seem to be on the wane. We can, however, witness since the late 1990s a Sufi revival that involves converging around a *pir* (an inspired individual) among people from varied horizons, sometimes at a distance from the place where the *pir* lives. Here, affiliations do not seem to reflect traditional identities, and may be the product of a personal spiritual quest. The issue is whether the Sufi revival will attract today's younger generation, a matter on which we lack field data. In any case, Sufi activities appear to occur at a private level, rather than to extend into the domain of public organization of any kind (charity, teaching, social work).

A final element that merits particular consideration here is the growing influence of the Hizb al-Tahrir movement in Uzbekistan. Created in 1953 as an Islamist party to contribute to the struggle to liberate Palestine, it gradually evolved after establishing its headquarters in London towards becoming a supranational movement. Its propaganda stresses two points: (a) that Muslims should revert to the true tenets of Islam in daily life and congregate in a single organization, whatever their ethnic or national affiliations; and (b) that they should proclaim the Caliphate by ignoring present states, nations and political institutions. For them, since the

umma already exists as a community in itself, it ought to be transformed into a polity. Although the movement's affiliations are rather secretive, they do not seem to duplicate traditional identity groups. Recruitment at the international level is largely among the second generation of migrant-Muslims, and its outlook is more a response to authoritarian state secularism, and to traditionalist Islam. Hizb's insistence on a personal and individual engagement makes the party a modernist organization. Yet the defiance and disaffection vis-à-vis existing social and political structure pushes its members to behave less like a modern political grouping than a sect (even towards fellow Muslims who do not share their views).

Hizb's members are organized in small circles *(da'ira)* of five to seven persons, headed by a *mushrif.* Each group member knows only the members of his/her circle, and only the *mushrif knows* the next superior stage that members can attain. By ignoring day-to-day politics and rejecting participation in any extant political system, they contribute to spreading the notion of an alternative ideal society. In terms of their zone of influence within Central Asia, their appeal thus far has been predominantly among ethnic Uzbeks, even in Tajikistan and Kyrgyzstan. However, in August 2001, Hizb's presence in Azerbaijan prompted several arrests and some concern about the possible widening of their influence.

It is clear that there is a common interest between Western organizations and local regimes to exclude them from the debate on civil society. But however opposed the Hizb may be to **pluralist**, democratic values, the movement does represent a demand from the grass-roots level to resist **authoritarian** behaviour by state organs, and to create spaces of solidarity and autonomy, if not freedom. Even in this instance, it seems to me that ethnic, tribal and local identities cannot be kept out of the activist agenda: ideology and religion appear only to cloak those underlying realities. If the result is not quite a return to the *status quo ante,* it is still clear that ideological/religious affiliations alone are not able to generate a political civil society.

THE 'WESTERN' MODEL OF CIVIL SOCIETY

As indicated at the outset, this approach has two main elements of policy: (a) the fostering of privatisation and free market economics, and (b) the protection and promotion of human rights, democracy, a free press and the status of women. The World Bank, IMF, UN agencies and private NGOs and foundations are the chief proponents of this model. It is also heavily subsidized by the European Union, notably through the 'Tacis' (Technical Assistance for CIS countries) programme for rural privatisation. The two elements define a coherent policy approach, of seeking to advance civil society of free citizens in free markets. We will not discuss here the philosophical validity of such a model, but rather its practical implications.

pluralism – diversity of views, as opposed to one single approach or method of interpretation

authoritarianism – form of government characterized by an emphasis on the authority of the state in a republic or union. It is a political system controlled by nonelected rulers who usually permit some degree of individual freedom

Privatisation: the revenge of Soviet society

Under the guidelines of the IMF, privatisation aimed to create a new class of private farmers and to free peasant-cultivators from the confines of former Soviet collective affiliations and identities. At this juncture, the results fall well short of that objective. The policy has, in fact, been conducted along the very lines of Soviet society, giving further authority to local *scripturalism,* which now have a proper economic basis that they lacked before. The dependency of the peasants on 'notables' has not disappeared but simply been transformed into a new relationship of economic dominance. Privatisation has not produced new actors, only new space for action for the traditional actors. All this has little to do with the content of new laws, which differ from Kazakhstan down to Tajikistan; rather, it concerns the social realities within which the laws operate, and in turn create.

A strictly legalist stance toward privatisation simply fails to take into account the formidable thrust of local practices and actors. It is also a mistake to believe that peasants who are deprived of access to private lands by arbitrary measures (no authorization from the local governor, no access to credit) will necessarily react to such abuses of power. They may well prefer, under the circumstances, to remain in more familiar relationships of client and patron – expressed today in terms of employer/worker or landowner/tenant relations, or in the best instance as small-scale shareholders in a co-operative headed by a club of big members.

Whatever the scope of the legislation, which can range from full privatisation of the land (Azerbaijan, Kazakhstan, Kyrgyzstan) to state ownership of the land while conceding exploitation rights to private farmers (Uzbekistan), the results tend to be similar. Large estates are created in favour of former *kolkhoz,* apparatchiks (usually chairmen and their families) under two alternative forms. One is that of a 'model farm' which involves the best land and agricultural machinery for specializing in lucrative crops, while hiring former *kolkhozians* as waged laborers. The other is a kind of *latifundia* where most of the *kolkhozians,* though working independently on their own tenured land, have a crop-sharing agreement *(ijara)* with the leadership of the *kolkhoz;* this makes them more like tenants than private farmers. The process of re-concentration of land ownership, even where the land has officially been divided equally among *kolkhozians,* is possible only because the apparatchiks have access to credit and inputs (like fertilizers) – or access to the right connections to plead their case with a bureaucracy controlled by former communist party colleagues. It is a process that is well known, even if not well publicized, by the international agencies that consider it a lesser evil in managing two contradictory requirements. They wish to create, on the one hand, viable farms (far larger than the unprofitable patches that would result from equal sharing among all peasants, which usually yields 2-3 hectares), and on the other, avoid massive urban migration from the countryside because of the overly large concentration of lands among a handful of landowners. The present system entails a slow shift from collective farms to different forms of land-concentration, leaving a significant part of the rural population at a lower status; but it comes close to meeting those two requirements.

Some NGOs that are acutely aware of this distortion of privatisation have tried to directly support genuinely independent small farmers (usually dissidents from the *kolkhoz* system). Yet these independent farmers generally need to be almost entirely supported by subsidies from the outside, since they lack both money and the ability to pull strings within the local bureaucracy. Whatever the free market perspective on

privatisation, it clearly operates in favour of former apparatchiks who play on traditional patterns of patronage (as shown above), as well as on modern economics (using their political connections in a more or less legal way for access to credit, export licences, and so on). In a word, the modern entrepreneurs are not quite actors of the sort envisaged by the Western model of civil society: instead, they embody the transition between a bureaucratic/clanic system and a business/clanic system.

One of the outcomes is to re-cast traditional social patterns into a new model of land-tenure. We have the apparatchik-farmer, often competent, hard-working and far less corrupt than the bureaucrat, who bases his activities on the traditional networks of solidarity groups, clientelism and patronage. We also have networks of solidarity converted into networks of patronage, where the average peasant is ever dependant on the new landowner, due to the collapse of state social security. The new notables may provide some social protection against political loyalty, if not fealty. They behave neither like proudly individualistic American Midwest farmers, nor like the mafiosi among the *nouveaux riches* of the former Soviet Union. Rather, they are new *begs* and *khans,* notables looking for wealth, power and prestige, but retaining a semblance of social responsibility. Their concern with status and prestige (which can involve conspicuous spending at weddings and circumcisions) contributes to maintaining networks of social protection, patronage for their children, and for tenants who seek jobs in the cities. They may also provide a counterweight to the excessive power of the bureaucracy, such as by acting as brokers for peasants; in this regard, there are rich parallels with traditional Middle and Near East rural notables (*aghas* and *khans)*. It is important to observe that they are not absentee landlords: they work and live in the countryside, even if some of their offspring may pursue their careers in the cities.

Hence, in as much as the paradigm of 'Western' civil society is fundamentally predicated on actors who are independent citizens, the beneficiaries of privatisation in Central Asia do not fit that mould. The power and effectiveness of the latter is vested in traditional patterns of patronage and group identity – a reality that is not necessarily negative, for it allows the traditional-Soviet society to avert absolute collapse. It has nothing, however, to do with 'modern' civil society unless we recognize that it is traditional society where civic life happens.

This might explain some of the current tensions not only between apparatchik-farmers and central governments, but also between the latter and increasingly powerful urban-based entrepreneurs. After all, in the post-independence period, the expectation among ruling elites is that power and its benefits will devolve to the contending political factions, and mainly to the presidential faction. With Moscow out of the picture at least in terms of the routines of governance, who needs alternative centres – economic, traditional or otherwise – as a 'counterweight'? Further, the decrease in state revenues (no more subsidies from Moscow) has 'shrunk the pie' that contending networks of patronage can hope to get a piece of. The state even

tries to retake control of the more lucrative farm holdings; to impose quotas for crops, and enlarge the profits it makes from paying farmers far lower prices than their products would command in global markets.

Still more worrying is the recent trend in Uzbekistan where, in the wake of a severe drought, the central government has moved to forcibly buy food crops at low prices, and resorted to requisitions – an unsavory reminder of the worst of the Soviet era. In response, the new apparatchik-farmers have agitated to get rid of the quotas and obtain direct access to global markets for their products, all against sharp resistance from Tashkent. In order to break personal ties between local economic actors and the bureaucracy, and to avoid new build-ups of local power, Tashkent – like authoritarian governments elsewhere in the region – ensure that local governors *(hakims)* undergo a regular turnover.

The new entrepreneurs in Central Asia have, by and large, benefited in terms of status and power from their connections with the state. But now the changing patterns of state control, amidst economic scarcity and political insecurity, have jeopardized many of those relationships. A good example of the fragility of the status of the new entrepreneurs is the regional incarnation of the 'Cola Wars', as the *Wall Street Journal* reports:

When the cola wars came to Uzbekistan in the mid-1990s, Coca-Cola Co. emerged the big winner. Many Uzbeks and foreigners concluded that the reason was a not-so-secret weapon: a partnership with the son-in-law of President Islam Karimov. But last month, the president's 29-year-old daughter, Gulnora Karimova-Maqsudi, separated from her husband, Mansur Maqsudi, 34, president of Coke's local bottling company. And since then, the cola giant's fortunes in Uzbekistan have abruptly changed. Tax inspectors, fire inspectors, customs inspectors, and even an anti-narcotics official, have descended on Coke's main bottling plant in the Uzbek capital of Tashkent.

This episode exemplifies the way the political oligarchies tend to deal with businessmen and landowners. In turn, it may prompt landowners to strengthen their local constituency in order to find a counterweight to the unpredictability of the state: they may solicit the support of their own networks of solidarity, while trying to appear to be defending the interests of their wider constituency on the premise of traditional clanic and identity ties. In other words, they may **revivify** traditional patterns of socialization and grouping in response to the encroachment of the state. In this sense, the landowners and entrepreneurs are the 'real' actors of a putative civil society in the region, a buffer against the economic, political and social intrusions of the state in various forms. Once again, however, it is clear that the social basis of their status lies in traditional patterns of socialization. They have little, if any, genuine interest in human rights or democratic values – except, of course, when they find their own status to be threatened by official abuses of power.

A window civil society: NGOs and Westernized elites

Most Western-sponsored programmes that support the building of a civil society in Central Asia seek new local actors who are less associated with 'Soviet-traditional society'. The programmes are channelled mainly through NGOs, whether foreign or domestic (though the latter are almost always subsidized externally). Their activities span a wide spectrum, from support for battered women and the development of news media to promoting environmental awareness, democratization, small business and English-language proficiency, to privatisation.

revivify – impart new life, energy, or spirit to

Few of these programmes are funded exclusively by private organizations; Western governments and United Nations-related agencies are the main sources. One exception is the Soros Foundation, with its 'open society' programmes; but by and large, private money is partnered with more substantial governmental funds. Such funds are usually provided on a project-basis, and the projects must, of course, conform to the overall agenda of the sponsors – which is premised on the 'Western' paradigm of civil society. In practical terms, few of the sponsors actually venture into the field, or have a firm grasp of ground-level realities. Accordingly, the importation of abstract visions and models is *rife*, parallel to what Elizabeth Faier has observed about Palestine: 'Activists contend that in order to receive foreign funds, they must design programmes and market local organizations in ways that appeal to Western agency agendas for Middle East development and peaceful relations between Jews and Arabs'. I do not wish to criticise here the benevolent intentions of those promoting the entirely laudable causes of democracy or battered women. My purpose is to address the fallout from these policy ventures, beginning with the situation regarding the 'new' local actors.

In general, NGOs recruit local staff among young domestic academics and intellectuals. The reasons for this preference include language ability, 'bureaucratic' competence (they know how to prepare reports and to address audiences), and the capacity to understand what foreign NGOs want. Also, these individuals are available: they lost their positions of prestige that the Soviet system provided to academics, rarely have any business connections, and as academics today must scratch out a living at a salary of 10-20 US dollars a month. The fact that many intellectuals have few real links with networks and groups of solidarity give to their new employers the (often correct) impression that they are independent-minded. But this also implies that they are not anchored in the actual, traditionally-oriented civic webs, formed of the actors discussed earlier that constitute true civil society at this juncture. Alternatively, if they do have these contacts, then their traditionalist tenor attenuates the ability of the intellectuals to spread the new gospel of freedom and citizenship. The predicament of these individuals is that they can have an impact on the traditional social context only if they play by its rules – which puts them at odds with the values and agenda of their employing institutions. Frequently, they are perceived by the local population both as part of the traditional system of networks (wherein they are expected to allow their family and relatives to benefit from their position), and as profiting from Western assistance (with the huge discrepancy between their salaries and domestic ones making them appear as a sort of 'humanitarian aristocracy').

If the picture seems gloomy, we should nevertheless acknowledge the many positive effects of NGO activities in this regard. They do encourage computer literacy and the spread of Internet use, they promote the use of English (the key global language), they offer scholarships to deserving youth, and so on; all of which gives breathing space to an educated class (including many women) on a **meritocratic** basis. Further,

meritocratic – system in which advancement is based on individual ability or achievement

by employing intellectuals whose status has been damaged by independence, NGOs neutralise the apprehension of the ruling elites that these new activists might become political actors. Their status as humanitarian activists precludes them from writing about or involving themselves directly in political life. Few governments will move against local cadres of foreign or foreign-connected NGOs. True, the Taliban did so in Afghanistan, but only after they had become the target of international sanctions. Members of the intelligentsia who come under attack by officialdom tend to be those lacking the proper foreign connections. In effect, international institutions both protect and neutralise the local actors they hire. In the process, they create 'natural reserves' for the endangered species of democratic intellectuals making the NGOs the equivalent of the World Wildlife Fund – dedicated to the protection of threatened humans – rather than the promotion of civil society. In fact, 'recycling' the cadre of local NGO employees into the domestic economy as effective members of society remains a challenge. They tend to inhabit a *ghetto* of sorts. In part this is because many acquire a social status that does not fit into domestic social landscapes: battered women, for example, are not considered a serious issue by any government in Central Asia. Moreover, as noted, NGO recruitment tends to foster a privileged class of employees who stand apart from the local populace.

In addition, the NGOs often contribute to a brain drain. A young intellectual who has attained a position of importance in an NGO has little opportunity to pursue a meaningful career within his country – until he becomes an expatriate. His NGO background and experience rarely provide a springboard for action domestically, where the relevant networks are tightly knit. To make a career in the NGO universe or within the United Nations, he will probably be obliged to leave town (sometimes with the benefit of a scholarship to an American or Western European university, or perhaps by marrying a foreign colleague). In other words, NGOs are less likely to create a stable new generation of future cadres than to facilitate the thinning of the intellectual class within Central Asia.

The upshot is the advancing of what I have described as 'window civil societies', constituted of isolated local intellectuals and numerous programmes with little long-term coherence. There is a mirror effect in which we help people who we believe resemble us. As noted, there are certainly many positive side-effects, from creating local employment to social centres and fuelling cyber-literacy. Yet the NGOs are able to do what they do for very specific reasons: they have money and connections, and their capacity to contribute to the employment (and real estate) market earns them friends. They are also good customers for the few local hotels and supermarkets. With rare exceptions, however, they do not impact domestic elements of power – or the deep challenges of corruption and narcotics – and therefore are not seen as a threat to the status quo. Indeed, successful NGOs function in areas where the authorities do not see any kind of challenge, a dissymmetry of interests that allows them to function without affecting the salient dynamics of state-society relations.

WHAT SHOULD BE DONE?

International institutions and NGOs both need to engage with the real actors in the region's new republics – even where they do not share exactly the same agenda. Apparatchik – farmers, entrepreneurs, local notables, even local religious figures when they have a social agenda, are the local partners who matter. Building

civil society is going to be a more meaningful exercise if it is predicated on the social fabric as it exists and is evolving, rather than on abstract perceptual models derived from elsewhere of what civic culture ought to be. Reconsideration is also required of the nexus between privatisation and democracy, which is neither automatic nor compelling. In a word, international aid agencies must give up their ideological assumptions and be more attentive to the anthropological realities of Central Asian societies. This is not to deny that those realities are evolving, and the cast of actors gradually changing. Nor can one exclude the possibility of abrupt and radical political change, with all the implications that this would have for the prevailing social fabric.

Meanwhile, priority should be accorded to micro-projects, because these are usually more sensitive to the needs of indigenous communities, and hence more effective in helping to change attitudes without injuring the traditional solidarities that are sometimes the only safety net for an impoverished population. The *mahalla,* for example, ought to be regarded as a sound basic unit of social functionality and development planning – and so should the former collective farms. This can be the case even if privatisation as a long-term objective is preserved; the issue is to proceed in a manner that is compatible with maintaining key local solidarities. In this context local notables in particular need to be engaged as part of an overall strategy of reducing the dependency of grass-roots units on the control of the state bureaucracy. Indeed, the focal goal of political reform at large in post-independence Central Asia should remain the loosening of the grip of the central organs of state on society. In practical terms this means putting an end to industrial and agricultural quotas, and giving direct global access to entrepreneurs and farmers. In the final analysis, this loosening of the state's grip is an essential aspect of the evolution of modern civic culture at the national level and beyond.

SOURCE: "Civil Society in the Muslim World" Amyn B. Sajoo, London, New York 2002, 123-148

DISCUSSION QUESTIONS:

1. Describe the difficulties concerning the conceptualization of civil society in modern Central Asia mentioned by the author? Do you agree with the suggested list of forms identified by Oliver Roy?
2. Can you explain the particularity of the concept of religious civil society? Do you agree with the explanation of this concept described in this text? What are the differences between "*traditional society* "and "*religious society*"
3. Do you understand the meaning of the notion *traditional society* and its role in Central Asia? How many traditional patterns of solidarity are pointed out in this text? What are their functions?

4. What are collective farms – the "*kolkhoz*" described by author? Do any real relations exist between "*kolkhoz*" and institutions of civil society? Have you ever heard about life in "*kolkhozes*" from the older generation, your parents and relations? If not, can you do some research on this topic?
4. Did you ever hear about the notion of *Islamic civil society*? How is the concept of "*Islamic civil society*" described by author? What did the western humanitarian workers say about Islamic civil society? Did they recognize civil society in the Muslim World? Do you agree with author in this case? If yes, why and if not, why not?
5. Why do you think western scholars focusing on Islamic movements in Central Asia? How do you understand the idea of Nazif Shahrani in this text? Why was the effectiveness of the Islamist movements so limited?
6. What were the activities of Islamic parties described by author in Central Asia? What are their purposes: prosperity, social justice, renaissance, nostalgia, to return to ethical values, to return to a totalitarian system, or something else? Particularly, how did your recognize Hisb al-Tahrir's activities and purposes? Do you agree with author's interpretation?
7. Can you explain the models of western Civil Society? What are the author's suggestions for the construction and reconstruction of civil society in Central Asia? Do you know any elements of civil society in traditional and modern culture (soviet and post-Soviet) in Central Asia?
8. What are your suggestions for democratization and civil society promotion in your region?

REVIEW QUESTIONS:

1. Identify the similarities and differences in the ideas and notions of civil society presented in this chapter (M.Arkoun, Ali Asani, Ibsen, Habasonda, Paul Waley, etc.).
2. How would Muhammad Arkoun react to the suggestion of Oliver Roy on the construction of civil society in Central Asia?
3. List the elements of civil society common to Western, Islamic, and Japanese societies (M.Arkoun, Oliver Roy, Paul Waley). Is it possible to have one model of civil society for all regions of the world?
4. Can you identify the weaknesses of the concept of civil society in general? Can civil society be a total system, excluding other concepts of social organization?

ADDITIONAL READINGS:

- Olivier Roy, Biography and works, http://en.wikipedia.org/wiki/Olivier_Roy
- Globalized Islam, Olivier Roy, www.columbia.edu/cu/cup/catalog/data/023113/0231134983.HTM
- Conversation with Olivier Roy, www.globetrotter.berkeley.edu/people7/Roy/roy07-con0.html
- Olivier Roy, open Democracy, www.opendemocracy.net/author/Olivier_Roy.jsp

PAUL WALEY: RUINING AND RESTORING RIVERS: THE STATE AND CIVIL SOCIETY IN JAPAN

Paul Waley is a professor of Human Geography at the University of Leeds in the United Kingdom. Grand nephew of the famous scholar Arthur Waley, the younger Waley is also a noted scholar and author and specialist on Japan. Waley's literary works consist both of general published works and academic scholarship. Waley's books offer an insightful and lively look into Japan, past and present. Waley's published academic works take a more technical view of his favorite topics, in particular Japanese history and geography. His works include: Japanese Capitals in Historical Perspective: Place, Power and Memory in Kyoto, Edo and Tokyo (co-authored with N. Fiévé); Tokyo: City Of Stories; and Tokyo Now and Then: An Explorer's Guide.

Rivers in Japan and Currents in Civil Society

The postwar history of Japan can be seen in terms of the inexorable march of development through construction (generally in concrete). Much of the resulting conflict has focussed on struggles over water, in its various forms and attributes. It has also played itself out against the backdrop of an immense transformation in the human and physical landscape of postwar Japan. Large-scale migration to cities has been accompanied by almost total urbanization and industrialization of coastal areas. At the same time, rivers and their banks, as well as over half the country's coast, have been cast in concrete, with consequences that are only now being acknowledged. Dams were built across nearly all of Japan's rivers to provide power for industry, as well as water for the cities and irrigation for farmers.

The combination of steep and thickly-wooded mountain slopes and packed but productive plains, consisting largely of paddy fields, combined to form a potent protection force against flooding, but with urbanization in the flood plains and widespread reforestation to conifers in the mountains, the land lost its absorptive capacity. Japan's rivers flood easily; they are generally quite short, rushing down narrow valleys before wandering sluggishly through alluvial flood plains, where in the summer months, swollen by seasonal rains, they are liable to burst their banks. All told, the presence of water is as remarkable a feature of the Japanese landscape as is the presence of mountains. Equally remarkable, however, is the aesthetic impoverishment of the landscape resulting from the encasement of rivers.

The dramatically manipulated landscape of rivers, their beds, banks and flood plains serves as a setting to the issues that are examined in this paper. These concern civil society, especially in the context of a rise in volunteer activity in recent years, a growth that both coincided with and was spurred by the **Kobe** earthquake of 1995, and which (in one way or another) encouraged the passage of new legislation, the NPO Law, in 1998. Reflecting on a much more robust discussion concerning China and East

Kobe – the sixth-largest city in Japan and capital of Hyōgo Prefecture with a population of about 1.5 million. The city is located in the Kansai region of Japan and is part of the Keihanshin (京阪神 Keihanshin?) metropolitan area. Kobe is classified as one of Japan's seventeen designated cities. Kobe was one of the first cities to open for trade with the West following the end of the policy of seclusion and has since been known as a cosmopolitan port city

Asia, this paper seeks to modulate the view of civil society that judges its effectiveness according to its distance from the state and state organs; it argues instead that environmental groups in Japan reinforce and extend differences of opinion within the state bureaucracy, differences that would otherwise remain concealed. In this sense, civil society stretches the state, even as state representatives (government officials) move their planning agenda forward by working closely with a select group of like-minded academics, planners and environmentalists. The issue of public works, which has fed into representations of Japan as a "construction state," has divided members of the Ministry of Land, Infrastructure and Transport (MLIT), as it did its precursor, the Ministry of Construction. The divisions extend into individual bureaus such as the River Bureau have caused rifts between the ministry's central office in Tokyo and its regional offices.

This means questioning our understanding of civil society in the Japanese context. The present paper attempts to explore areas that fall between different positions and points of emphasis on the nature of the state and civil society in Japan. It argues that there is an interlocking and overlapping relationship between the state and civil society, treating this as a busy territory, inhabited by a "soft elite" of academics, environmentalists and government officials (often acting in a "civilian" capacity). They stand against (and to some extent between) a "hard elite" (or ruling triad) of business leaders, politicians and bureaucrats and a small band of "hard" campaigners against dams and similar construction projects.

Why the specific focus on rivers? In the last ten years or so, there has been an extraordinary mushrooming of citizen and environmental groups around water and rivers and the issues that they encapsulate. Rivers have become a central preoccupation, a rallying point, and a locational device for organizing activities. Rivers link upstream and downriver regions, but they are crossed by various administrative boundaries. The soft elite of river-based campaigners see action around rivers as a force for combating the divisiveness stemming from administrative division. Set against that, however, rivers are also a location of conflict. The continued construction of dams has prompted an increasingly active opposition. Anti-dam campaigners are angered by what they see as the continued grip exercised by the hard elite, but they are aware too of the impact of media coverage and the extent of generally tacit support from large sections of the public as well as from some in the bureaucracy.

The Meiji Restoration – brought the Tokugawa Period to an end in 1867, marked a new beginning for Japan. The Meiji leaders embarked on a process of modernization, believing this to be the only guarantee of independence and defense against future international threats, and they encouraged Westernization as a means to modernization and wealth. During the first decade of Meiji rule, the government enacted a series of reforms which brought drastic changes to Japanese society. These reforms dismantled the traditional four class system in Japan, abolished feudal privileges, instated compulsory education, and promoted industrialization. The Meiji rulers were convinced that by emulating the Western world through rapid industrialization and modernization, Japan would achieve its desired position in the world

The focus on rivers in Japan has been driven by a smallish nucleus of people – this soft elite of government officials, academics, planners and environmentalists – seeking partial and, as they would see it, pragmatic remedies to the damage caused by widespread reliance on concrete to exploit water and then channel it out to sea. They have tried to combat this in two ways: through the creation of a new programme of comprehensive river-basin management, and through river restoration and re-landscaping projects. In both cases, their strategy has been to spark the interest and involve the energies of local people by bringing together local environment-focussed groups into river-basin-wide networks or by involving them in river restoration projects.

The view of Japan as a society under transformation crystallized around the unparalleled flowering of volunteer activity in the aftermath of the Kobe earthquake of 15 January 1995. The period of export-driven economic growth was over, replaced by a consumer-led information society; the growing number of volunteer groups was seen as a reflection of this trend. This came against a historical background of a tight control of civil society bodies, relaxed somewhat after the war, when the narrow entrance into official recognition as a public-interest legal person (PILP) established by the **Meiji** civil

code was opened a little wider to allow authorization of organizations operating in areas including education, social welfare and religion. But in all cases, recognition was only granted at the discretion of the controlling ministry. There are, however, large and important areas of activity that operate outside the PILP framework, among them consumer groups, and most especially the cooperative movement, with Seikyo at its heart. The same applies to environment-related groups and international exchange groups, which are particularly active in exchanges with neighbouring Asian countries, and to a vast array of forums, in which Japanese people meet in an organized way outside of the categories of state and business.

As a response both to the surge of volunteer activity after the 1995 Kobe earthquake and to broader processes of change in Japan, a new law (known for short as the NPO law) was enacted in 1998. This law sanctioned the status of non-profit organizations in Japan and in so doing altered the relationship between the state and civil society. According to some, this loosened the state's grip; others have argued that in giving the state new freedom to subcontract, it allowed the state greater purchase on civil society groups. Uptake initially was slow, with civil society groups concerned about the accounting and reporting obligations attached to recognition, and it was not until the year 2000 that large numbers of groups started to apply.

States and Civil Society in China and East Asia

Civil society's theoretical equidistance between state and market is both a source of its conceptual strength and a subject of dispute. Groups within civil society, it can be argued, have been clear beneficiaries of the rolling back and reformulation of the role of the state in the current neo-liberal regime. But in the context of China at least, the tendency has been to play on the role of the state, and to describe a civil society that supports and is supported, and regulated, by the state – a civil society, in other words, that cannot be treated as an autonomous sphere. The state is understood as the traditional centre of gravity, a view that can be traced back at least to Weber, although against this commentators have argued in respect to China that there is a "long history of autonomous group formation."

Many academics and campaigners with an interest in Asia became transfixed by the events of spring and early summer 1989 in Tiananmen, and these have coloured scholarly writing on civil society in the context of East Asia, as did the collapse of the Iron Curtain at around the same time in Europe. Behind much of the ensuing discussion lay a normative view of how civil society should operate: as a check on an otherwise less than benign and generally rather domineering state, but alongside this came a realization that the state exercises a considerable measure of control. Michael Frolic, for example, argues that civil society in China is either state-led, where organizations are sponsored or coopted by the corporatist state and are involved in helping the state manage society, or Western-oriented, inhabited by groups either allied to NGOs in the West or operating along similar channels and at least potentially anti-state. He

emphasizes state-led civil society, which he sees as "a form of corporatism. The state determines which organizations are legitimate and forms an unequal partnership with them. The state does not dominate directly. It leaves some degree of autonomy to these organizations."

Tony Saich, on the other hand, warns against over-emphasis of the role of the state, whose capacity to "exert extensive formal control... is increasingly limited," although he too makes it clear that the Chinese Communist Party still possesses powerful mechanisms of control. Recently added to these mechanisms are the Regulations on the Registration and Management of Social Organizations, passed in 1998, under which all such organizations need a sponsoring unit. This can be seen as a Chinese equivalent of the contemporaneously enacted NPO law in Japan. Saich writes of the regulations that they are designed to "mimic the compartmentalization of government departments and limit horizontal linkage." Nevertheless, overall he concludes by underlining the "capacity of social organizations to evade such tight strictures and to negotiate more beneficial relations." According to this view, the relationship between state and civil society in China is being transformed.

In East Asia as a whole, the relationship between the state and civil society has been diverse. It ranges, in the analysis of Muthiah Alagappa, from a group of countries, amongst them China, in which there is "a high degree of state control over the legally sanctioned social organizations," to Indonesia, the Philippines, Thailand, South Korea and Taiwan, where, "despite misgivings, lapses, and periodic setbacks, states and civil society groups acknowledge one another's legitimacy, interact on the basis of accepted norms and rules, and minimize resorting to violence." Japan is seen as an outlier, with a civil society that is "at the national level ... small – even miniscule compared to other developed countries and even some newly industrializing and developing countries in Asia." Any such categorization puts pay to attempts to create a neat conceptualization of a "Confucian" brand of state-civil society interaction for China, Taiwan, South Korea and Japan, in which the state is seen to be dominant. Equally, we are steered away from an easy correlation between the extent of democratic government and the strength of civil society. According to this reading, civil society in the "mature" democracy of Japan is less influential than in the "upstart" democratic environment of Taiwan.

And yet, having acknowledged the overwhelming good sense of an argument that prefers to reflect on the complexity of situations rather than create facile generalizations, similarities in a number of spheres make it tempting to treat these countries under the same rubric. The positions are familiar but no less valid for that: in the political sphere, politicians have been prone to clientelism and factionalism; in the economic sphere, growth has been directed by a compact, qualified, motivated bureaucracy (less so for China). In all four countries, "new" or "nontraditional" religious organizations have had a considerable impact, often out of proportion to their numerical size. In these countries too there is a tendency for a bifurcation to manifest itself between an institutionalized and a noninstitutionalized civil society. Broadly speaking, it would appear that not only can we see commonalities here but, further, that state-civil society interaction is a starting point for discussion and interpretation. Indeed, as Alagappa himself concludes, "there is much overlap between civil and political societies; the boundary separating them is porous." This porosity, as we shall soon see, is as evident in Japan as it elsewhere in Asia – if not more so.

Civil Society and Environmental Action in Japan

Traditional political-economy interpretations have placed Japan somewhere on a spectrum between a "strong state country" and one in which business interests

predominate over compliant government organs, generally closer to the former than the latter. More recently, commentators have tended to see Japan as run by a much looser, indeed fragmented, coalition of interest groups clustering around specific issues. Broadbent, for example, sees economic growth as driven by alliances of forces built around specific development-oriented projects. Here the emphasis is on coalitions and networks, and it is within this line of thought that the concept of a soft elite, as put forth in this paper, best fits. Standing in approximate contrast to this but relating to the notion of a hard elite is McCormack's reading of Japan's political structure in terms of the "construction state" (doken kokka or doboku kokka), a term used also by Japanese writers such as Honma Yoshihito and Igarashi Takayoshi. In this reading, a dominant vortex of forces coalesces around construction projects to ensure itself constant business while despoliating the country's environment and impoverishing its people (McCormack's Iron Triangle includes, as we have seen, the construction industry). One of the most remarkable features of the construction state is its durability and the continuing ability of its leading members to plan and undertake mammoth projects. Indeed, McCormack goes so far as to argue that "while the manufacturing sector had adapted – albeit at great social cost – to the neo-liberal order, the core construction sector has, if anything, tightened its grip on the state."

By comparison with China, the English-language literature on civil society and environmental action in Japan has been rather sparse. Margaret McKean, in her seminal work on citizens' movements, is insistent on the transformative power of activists working at the local level on pollution and environmental issues. Generally, however, the literature is characterized by an emphasis on what Robert Mason refers to as an "underdeveloped civic culture." Mason divides "domestically oriented environmental groups, the vast majority of them spontaneous and ad hoc, [into] three types ... those that demand compensation, those that oppose development, and those that suggest alternative ways of living." "A sceptical, but perhaps accurate, view," he writes, "... is that government agencies are becoming more adept at co-opting NGOs." This interpretation is echoed in comments by Tessa Morris-Suzuki: "The fact that participation in NGO activities is spontaneous and well-motivated does not necessarily safeguard participants from becoming enmeshed in schemes to shore up the existing edifices of power."

Other writers, such as Bouissou and Leblanc, have tended to see civil society in Japan in a more positive light, as a response to a decline in mainstream politics but one that draws its strength from older forms of community action. Bouissou argues that the "consolidation of new democratic practices and new civic movements ... prove the vitality – one Western observers have not always acknowledged – of the Japanese citizenry as a political actor." He goes on to argue that "Japanese civic movements also draw on the symbolic cultural foundations of the centuries-old village community (mura), which remains the paradigm of social organization in the collective unconscious." This response draws sustenance from postwar Japanese writers, such as Uchida Yoshihiko, who made reference to premodern traditions of community organization in terms of community-as-civil-society.

Environmental campaigning in response to specific events has been (and remains, as we will see) a more active domain within Japanese society than within more generalized movements. Iijima Nobuko, the founder of environmental sociology in Japan, has classified environmental movements into the categories of pollution victims, anti-development, pollution export protest and environmental protection/natural environment creation. Ui Jun, seeing "the problem of pollution [as] an essential part of the capitalist economy of Japan," has been involved in several campaigns himself. In her history of contemporary environmental protest in Japan, Margaret McKean has drawn attention to the role of environmental campaigns in creating a new political dynamic, especially at the local political level.

But in recent years the central event preoccupying most commentators has been the passage in 1998 of a law that significantly facilitates the creation of NGOs (referred to in Japan, not coincidentally, as NPOs, nonprofit organizations). Robert Pekkanen places the passage of this law under sustained scrutiny. He describes the reluctance of political actors to relinquish some of their social controls through the passage of legislation that would formalize the legal status of organizations within the nonprofit sector. The state-society relationship is neatly analyzed by Steinhoff, who shows how, depending on circumstances, different configurations of the relationship between government/official (*kan*) and people (*min*) prevail. In doing so, she demonstrates the variety of ways in which civil society interacts with the state in Japan. Reflecting on the case studies introduced in the book (her contribution forms the concluding chapter), she delineates four types of interactions between the official world and the people: *kan* over *min*, *kan* parallels *min*, *min* checks *kan* as equals, and *kan* represents *min*.

Can we say, then, as Michael Frolic does for China, that there are two types of civil society in Japan – one state-led and the other against the state? A number of explicatory frameworks for contemporary Japan restate this basic duality. Tsujinaka Yutaka argues that civil society in Japan has tended to be considered in either an "institutionalist-statist" or a "social-pluralist perspective." These perspectives translate very crudely into a binary view of state-led and anti-state civil society. Within them, a number of different positions have been adopted. Among writers whose work falls into the first category are those, like Robert Pekkanen, who are especially concerned with the regulatory framework of public interest groups and who emphasize the state's reluctance to open the door and recognize civil society activity, although recently Pekkanen has qualified this view with an assessment of civil society as newly influential if still small-scale. Others have focussed on the state's ability to co-opt civil society groups, sometimes exploiting them in a subcontractual relationship. A further group of writers, whose work can be seen as belonging within a social-pluralist perspective, have concentrated their attention on those civil society groups involved in protest against the state.

Binary divisions within civil society are identified by Deguchi Masayuki, who juxtaposes institutionalized with noninstitutionalized NPOs; the former include neighbourhood associations and other civil society groups that act as agents or subcontractors for government and the state. For Pekkanen, the Japanese state "seeks to nurture social capital-type civil society groups and to discourage pluralistic, lobbying-type civil society groups." "State regulation," he argues, "shapes the development of civil society more than any other single factor." The state sets the parameters within which civil society operates. Others have deployed more overtly culturalist arguments to depict the nature of civil society in Japan as being inspired by a Buddhist ethos set against the Confucianism of the state. But the general drift of comments supports the notion of a strong state that sets the rules and a more or less subordinate civil society sphere.

Environmental Campaigners in Japan

Recent contributions to the debate about civil society in Japan have focussed principally on the rise in volunteerism and the state's response in the form of the NPO Law. Relatively little attention has been paid to civil society groups as they interact with the environment, and yet this represents one of the main areas of civil society activity, and within this area rivers have become a focus for a varied raft of campaigns and activities. It might at first sight seem simplest to categorize these campaigns and activities as either state-led or anti-state, and to leave it at that, but this would obscure the overlapping and interlocking relationship between those operating inside and outside the state and the debates and disagreements that take place on both sides, and more particularly amongst government officials. More beneficial perhaps, while recognizing the claims of a state-led and anti-state dialectical structure, is to refine our understanding of the borders between state and non-state, to destabilize our conception of the state as monolithic, and to acknowledge the role in environment-oriented civil society groups of elite-level coalitions and charismatic leaders.

The following discussion retains the basic state-led versus anti-state juxtaposition, but treats it to an examination by interjecting reflections on the role of individuals and the coalitions that cut across state vs. non-state distinctions. Elites, in this context, are generally drawn from the ranks of urban professionals. They may be working inside the state, most likely as local government officials. But they may also be academics or landscape designers. They are often bound together, whether working in or out of state-related organizations, by a number of institutions – for example, Tokyo Agricultural University, where many environmental leaders studied, and Yokohama City Government, reflecting the centrality of Yokohama and certain offices within its government to a number of activities. In their makeup and interests, they reflect recent changes in Japanese society, with the growth of a significant stratum of design and planning consultants, some of them self-employed, others staffers in small companies, often working as subcontractors for the state. In addition, there is a small but significant segment of writers, photographers and artists involved and a further grouping of environmentalists and specialists in outdoor pursuits. Some of those working as officials of local government participate in environmental activities as lay people; more often, they occupy a less easily defined position, "commuting" between state and non-state spheres. Among this soft elite are a very small number of campaign leaders, charismatic individuals who shape and frame the activities of this elite and exercise a measure of soft control.

Rivers, Basins and Umbrellas

There is a fairly distinct if overlapping chronology to Japan's river-focussed environmental movement. It begins, so to speak, with a prologue, with initial recommendations in the late-1970s and early to mid-1980s on new thinking about floods and flood control. During the next period, from the mid-1980s to the mid-1990s, fresh ground

was broken mainly through consciousness-raising efforts. Books were written, seminars held and visits undertaken to sites in Europe and North America. This led in the 1990s to a period of pilot projects, several of them in locations surrounding Tokyo. Largely overlapping with this, from the mid-1990s on, comes a period of diffusion of good practice throughout the country under the guidance of umbrella groups. And finally the last few years have seen two trends: river-focussed groups adopting NPO status and the increasing involvement of schools and students.

This development through time reflects at least three factors. The first, from the 1970s into the 1980s, was the product of a period of rapid economic growth and the resulting despoliation of the environment, leading to dramatic instances of flash flooding. The second, from the 1980s into the 1990s, was characterized by the gradual rise to positions of influence of a generation of officials who had been educated during the period of university ferment of the late 1960s and early 1970s. And the third, in the 1990s, grew out of the blossoming of lay activism that stemmed from disenchantment with the perceived corruption of politicians and bureaucrats.

The diffusion of this activity represents a movement outwards from the centre, but the centre should not be seen as coterminous with the state. In fact, the centre here consists of a small but growing cohort of academics, government officials and other experts intent on guiding policy and practice away from a technocratic fix to environmental problems. As new ideas have been spread around the country, they have merged with and given direction to any number of local groups. The consequence of all this activity to the country's physical environment is as yet unclear, but it does appear to have created a new social space for political action.

During the 1970s (the period I have referred to here as a prologue), the incidence and severity of flooding showed no signs of abating despite the blanket use of concrete to encase waterways. The Ministry of Construction's advisory panel on rivers, the River Council (Kasen Shingikai), came up with recommendations to roll back the use of concrete, re-introduce flood meadows, and institute a more general regime of comprehensive basin-wide planning. The River Council is made up of invited experts from universities, utility companies, etc., and can itself be seen as a point of intersection between state and civil society. As a result of these concerns, a number of measures have been taken over the last few decades, including amendments to the River Law (Kasen Ho) in 1997 that identify the need to protect the environment and that incorporate procedures for consultation with local residents in the framing of river-basin management plans. As a result of the report, councils for "comprehensive river planning" (sogo kasen keikaku) were established in a number of the largest and most densely-populated river basins, and plans drafted under the aegis of the ministry's regional offices. The effectiveness of these measures has been questioned by experts and, in private, by certain government officials. Nevertheless, this represents a first prise de position by strategically placed and prominent persons operating on the conjoined borders of the political and expert worlds.

The first phase proper of river-focussed activity revolved around a series of projects and a number of individuals, most of them active in Yokohama, just south of Tokyo, a city that has long been considered a centre of innovation. The activities took two predominant forms. In the first place, they involved the workings of a couple of river-oriented groups. The Yokohama Association to Consider Rivers (Yokohama Kawa o Kangaeru Kai) was founded in 1982. The group has had up to about 250 members, one-third of whom work for the Yokohama City Government, and it distributes about one thousand copies of its newsletter annually. It has no officials, no constitution and

no decision-making procedures. One of the overall aims of the group's activities is to bring residents and local government officials together through joint participation in activities (which have been both educational and recreational). The group is still in existence, although its activities have decreased in recent years. A second Yokohama-based group, the City Rivers Research Association (Toshi Kasen Kenkyukai), much smaller than the first, has significant overlap of personnel. It was founded in 1986 by a group of influential academics, local government officials, consultants and others involved in town planning, landscaping and rivers. The issues discussed and researched have tended to be at the forefront of thinking and practice – among them, river ecosystems and nature restoration, techniques of ecological landscaping of rivers, postmodernist river planning, and the preservation and rehabilitation of former engineering installations and techniques.

Secondly, there was a growing amount of practical environmental and ecological work built around symbolic elements of the landscape and of the ecumene. In a number of cities such as Tokyo and Yokohama, rivers were re-landscaped according to a re-imagined traditional aesthetic that sought to repudiate many of the harsher aspects of the dominant technocratic approach. At the same time, and in contrast to the "artificial" aesthetic of these projects, an attempt was made to reintegrate local people with the ecological order of their localities using fireflies and other animals with symbolic cultural significance. While these projects were generally planned and undertaken by local government officials, in the case of the latter set of projects, there was a much greater degree of crossover with people outside government. In the case of one of Japan's leading environmental campaigners, the late Mori Seiwa, there is no meaningful way to draw a line between official and nonofficial activities. Mori, author of the influential campaigning tome Toshi to kawa (Cities and Rivers, published in 1984), worked as an environmental scientist for the Yokohama City Government. Instrumental in most of the state-supported activities and campaigns mentioned in this paper, Mori launched a series of initiatives in the 1980s to create **biotopes** where fireflies could live and breed.

The next phase was the period of pilot projects, consciousness-raising exercises, countless seminars and good-practice manuals, most of them financed through funds administered by bodies affiliated to the Ministry of Construction (MoC). The pilot projects were set in train from about the year 1990, with the aim of changing the ideas that underpinned river landscaping. Drawing on river restoration projects in countries like Switzerland and Germany, a small number of highly motivated officials and experts initiated pilot projects on Japanese rivers and then coordinated a programme of seminars and symposia to spread good practice. They set up new government-affiliated bodies, umbrella organizations, national conferences and study groups to facilitate this process. This was a very extensive campaign, and one that drew the attention of the media, resulting among other things in a television series on "home country rivers" (furusato no kawa). The campaign was specifically – and controversially – aimed

biotope – an area of uniform environmental conditions providing a living place for a specific assemblage of plants and animals. Biotope is almost synonymous with the term habitat, but while the subject of a habitat is a species or a population, the subject of a biotope is a biological community

at setting to right the damage seen to have been caused by decades of government-funded public works. It was highly controversial within the Ministry of Construction, where it faced determined and entrenched opposition. It was led by Seki Masakazu, an MoC official who died an untimely death in 1994, in close conjunction with a small group of like-minded environmental and landscape planners, academics and government officials (mainly in local government). This was, in other words, a movement that was driven by a coalition of people both in and out of the state. It was in ethos both state-led and anti-state at the same time, driven by a soft elite drawn from both the state and civil society.

Two important pilot projects were both undertaken in the folds of the Tokyo conurbation. Both projects were initiated by government officials, but there the similarity ends. In Hino, in the far west suburbs of Tokyo, Sasaki Nobuyoshi, an official of the local government planned and oversaw the "restoration" of a short stretch of waterway. Using carefully researched techniques, he was able to incorporate a high degree of ecological "authenticity." Working in the face of some criticism from his superior within the local government and relying in large part on his own enthusiasm, he was later promoted and had to relinquish his river restoration activities. Here a state official, in the face of opposition from within, pushed an agenda based as much on personal enthusiasm and commitment as local policy.

TR Net was a far larger pilot project, bringing together various citizens' groups along the Tsurumi River and its tributaries. The river, which has its source in the still largely rural hills of the western part of the Tokyo Metropolis, flows through the cities of Kawasaki and Yokohama. It is only 42.5 kilometres long, but the catchment area covers some 235 square kilometres and counts a population of 1.7 million inhabitants. The river has a history of severe flooding, and this, combined with the intensity of the pressures of urbanization, was one of the main reasons it was chosen by the government as a pilot project. TR Net brings together over 30 different citizens' groups with an interest in the river and the locality. The Tsurumi scheme was started in 1994 with a contribution of two million yen from Yokohama City Government. In 1997 it sprouted a limited liability company (yugen kaisha), advising on the holding of events and river-related activities, and it now enjoys the use of one floor of the regional office of the Ministry of Construction. It is clear, then, that the state in various manifestations has been an important actor in the Tsurumi scheme. The project was a pilot for the MoC and received large amounts of moral support from government officials through a sort of partnership of intent that materialized in the form of symposia, workshops and a host of events sponsored or staged by local government offices (principally Yokohama City Government) or central government (generally the MoC's regional office). Several of its leading figures continue to play a part in the direction of national environmental policy. At the same time, it relies heavily on the enthusiasm and energy of a small number of community leaders, landscape planners, university professors and "off-duty" local government officials.

TR Net was instrumental in showing the way forward for a number of other umbrella groups, whose diffusion throughout Japan in the 1990s marks the next phase in river-focussed environmental campaigning. Many of the country's main river basins now have umbrella groups, or network organizations, supported by regional offices of MLIT and coordinated by academics, experts and environmentalists. As these umbrella groups have sought and obtained NPO status over the last few years, so their relationship with the sponsoring ministry has had to change, and finance is now more likely to come through applications for funding than direct payments from government. These issues

caused tensions to surface amongst people associated with an umbrella association, the Kitakami River Exchange Association (Kitakamigawa Renkei Koryukai), that brings together groups working along Japan's second-longest river. This association now has NPO status, but its close involvement with the state has been a problem, with one group active at the mouth of the river actually leaving the umbrella association.

The Asahi River Basin Network (AR Net), which is composed of groups based along the Asahi and tributaries in Okayama Prefecture between Kobe and Hiroshima, operates according to a rather different dynamic. AR Net was founded and driven forward by an MLIT official, Takehara Kazuo. Takehara's own account of the organization is cast in terms that belie his own role. While this is not the place to discuss the nuances and implications of Takehara's story, it is important to note the role of charismatic leadership as an alternative to that of soft elites in driving forward environmental agendas in Japan. Through a journey that he made from the river's source, pulling a wooden marker in a cart, Takehara was able to galvanize interest and enthusiasm in river-based environmental campaigns among a number of people and groups. This "pilgrimage" was undertaken when Takehara moved to this post in 1996 with the aim of casting his ministry's role in a new and more positive light. With the support of his then superior officers, Takehara used the ministry's local office as a meeting point for local environmental groups. In his activities he has focussed on environmental education with schools. He created an extensive on-line resource for the exchange of messages and information related to the needs of teachers and students. He also instituted a network of "Asahi river professors" (Asahikawa hakase), experts willing to share their knowledge through his network, as well as an annual symposium. The continued success of the network is largely dependent on Takehara's abundant enthusiasm. The support of the ministry is contingent on the political stance adopted by his regional head of office, and on Takehara's continued involvement. The state here, far from being monolithic, becomes a space that contains disparate views.

There is no central organization of river-based environmental groups as such, but there are a number of loose-knit national forums, of which the most prominent is the National Association for Local Water Environment Groups (Zenkoku Mizu Kankyo Koryukai), known as Mizukan for short. Mizukan acts as a central point for information exchange and as an organizer of annual seminars and workshops. It shares with the groups it links the aim of bringing together people from business, government and education, as well as from broader, nonexpert circles (san, kan, gaku, y a). It has NPO status (since October 2003), using the staff and office facilities of its coordinating officer (daihyo riji), Yamamichi Shozo, who is a landscape designer and environmentalist. A similar sort of role is played by the National Conference of Water Regions and Water Cities (Suigo Suito Zenkoku Kaigi). This latter organization is even more loosely constructed and is more issue-oriented and hence polemical than Mizukan. There is a significant overlap of personnel among these groups, as well as a certain amount of duplication in terms of activities and debates.

Since 1997, once a year on the nearest weekend to River Day (kawa no hi, 7 July), Mizukan members and MLIT officials have organized a national workshop for people involved in river-related environmental campaigns. This is very much a meeting of the faithful, with the trappings of a religious rally. A panel of experts – university professors, landscape designers and, more generally, leaders of the river restoration movement – award prizes to restoration projects that meet a number of objectives such as citizen participation, environmental education and care for ecosystems. In 2002, 73 groups took part, including five from Korea, and 74 in 2003. In 2003, eight projects were introduced by participating school students; a further eight comprised activities involving children. Eleven projects were led by MLIT regional offices. Most of the others involved citizens' groups of one form or another. The projects presented to successive River Day Workshops, reflecting river-based activity around the country, have concentrated on "soft" pursuits that bring people together, and they avoid controversial campaigning issues.

Broadly speaking, the activities of river-based groups have one (or occasionally two) of three main thrusts: educational, environmental and recreational. Projects with an educational emphasis inevitably have a natural history orientation, especially where they involve children. Pond hoppers (amenbo), for example, are a focus of activity for school children that belong to one of the AR Net groups. Other groups are built around local history and culture. Thus, one of the groups associated with the Kitakami River Exchange Association has been undertaking a historical rediscovery of regional trade routes in the premodern period. Environmental activity, accounting for the majority of projects, involves all sorts of schemes to improve, clean, re-landscape and restore river banks and beds. Summer festivals, boats and boat racing figure among the more popular recreational river-related events.

This, then, is the final phase in this chronology of river-based movements, a phase stimulated by the diffusion of river-focussed environmental campaigns, by the growing adoption of NPO status and by the increasing involvement of schools. River-focussed environmental campaigns have spread out from their earlier proselytizing approach, with its reliance on a Confucian vocabulary. The campaigns now feature a more recreationally oriented array of activities alongside symposia and other learning-based events. Throughout this process of development, however, we see the difficulties in proffering one formula for civil society's relationship with the state; this relationship cannot be categorized simply as one of state leadership or even of state support, or as being defined by state co-optation.

Rivers and Dams: Lines of Conflict

Some of the same blurring of lines and ambiguities exists, if not quite so acutely, with the concept of anti-state environment-related civil society, featuring the small band of "hard" campaigners referred to above. Civil society groups over the last 15 years have led campaigns against the construction of dams and other barriers across rivers and mud flats. Many campaigns have been extremely bitter and protracted. Alongside these, there have been campaigns against the construction of airports (for Kobe, for example) and highways and bridges. Several of these campaigns, at various stages, have drawn support from government officials and politicians, although not necessarily with a successful outcome. And they have prompted the new Ministry of Land, Infrastructure and Transport to appreciate that it needs to reflect on and engage with issues of environmental sustainability. A number of causes celebres – the Nagara River, the Yoshino River, Isahaya Bay, Kawabe Dam – surfaced in the 1990s and grabbed

the attention of the media, forming a roll-call of campaigns reminiscent of the fevered struggles of the four great pollution cases of the 1960s and 1970s. One of the most drawn-out and bitter struggles was that surrounding the construction of a barrage across the lower reaches of the Nagara River near Nagoya. A defining moment during the protest was the argument in 1990 between the director of the Environment Agency and the minister of construction over whether to carry out a more thorough impact assessment; the EA director lost and was forced to resign. Opposition to the dam was led by a number of high-profile people, including the writer Amano Reiko, who subsequently went on a hunger strike in 1992 and then again in 1995. The dam gates were closed on the day that a rapidly ailing Amano was taken to hospital. Public opinion and the media turned very strongly against the ministry but failed to deflect it from its course.

Another cause celebre is that of the Isahaya barrage, the lynchpin of a longstanding project to drain flood tides at the mouth of several rivers in Kyushu in the southwest of Japan. The project was first mooted in 1952 by the Ministry of Agriculture in response to farmers campaigning for more farmland, but with later agricultural overproduction this argument was replaced by others considered more persuasive. When the plan was resuscitated in the 1990s, the local mayor put pressure on his own officials and on local residents to sign a petition supporting the reclamation. The gates of the tidal barrier were closed in 1997, in a welter of publicity and despite increasingly hostile public opinion. The following year, cultivators of nori seaweed found their harvests drastically reduced. Local fishers were angered by a sharp drop in their catch. Ill effects to various species, including the mudskipper (mutsugoro), were reported. One of the main points of criticism was the failure to consider the effects of silting. Opposition to the construction plan was led by a local fisher, Yamashita Hirofumi, who went on to become leader of the Japan Wetland Action Network, a capacity in which he received much attention, particularly abroad, and a wide spectrum of support at home.

Some recent high-profile campaigns have eventually achieved successful outcomes. In Shikoku, the government had planned to construct a barrage near the mouth of the Yoshino River. Such was the hostility to the plan that campaigners successfully engineered the holding of a referendum, in which the voters of Tokushima City expressed opposition to the project. Initially, indications were that the ministry would disregard public opinion and go ahead with the construction of a dam, but it later ruled out such action. More recently, mixed signals have been sent out once again. Similar campaigns have been waged against the reclamation of Japan's fifth-largest lake, Lake Nakaumi in Shimane Prefecture, with over half a million people signing a petition to have the project halted. This campaign was ultimately successful. In Tokyo Bay, the Sanbanze tidal flats were saved when the governor of Chiba Prefecture, Domoto Akiko, ruled against a drainage project there in September 2001.

The well-known author Tanaka Yasuo made the transition from opposition figure to a position of authority, winning the post of governor of Nagano Prefecture. He

campaigned on a promise to end the construction of dams in the mountainous prefecture, and then surprised his officials by doing just that. Although he subsequently lost a vote of confidence, Tanaka was voted back into office by his supporters in the prefecture, and he has stuck to his opposition to dam construction. In this case, the state has found itself in the unusual position of being forced to absorb a figure from the opposition without having co-opted his thinking. Tanaka remains something of a maverick within Japan's body politic.

In most of these cases, government policy has been characterized by an apparent rigidity, an unwillingness to change a previously decided course, however unreasonable or inexpedient it is shown to be. The government has been inclined to use questionable data to claim that its policy is needed, both to provide drinking water and for flood control. There has been widespread anger directed against the government amongst sections of the public, whose views are represented and articulated in media such as the Asahi newspaper. Critics claim that the government vastly exaggerates the increase in demand for water in order to justify the construction of dams. Some of these critics have jobs in government, generally in local authorities but a few of them in central government. On this and other issues, various opposition politicians, and even some within the ruling party, have allied themselves with protesters, again suggesting that a more complicated picture than might be supposed exists between representatives of the state on the one hand and civil society groups protesting against specific state policies on the other.

Conclusion: Qualifying the Centrality of the State

It has been suggested, by Pekkanen for example, that the longstanding political and economic crisis in Japan has already seen civil society attain a new position of prominence, with conventional political parties beginning to look to civil society groups for support and advice. Indeed, this can perhaps be seen in spheres such as community planning and more especially social welfare, where the state is very much reliant on the services of NPOs. Equally, it can be argued that in recent years the state has regrouped and retained its position of control through the co-option and redirection of civil society groups, for example by outsourcing social welfare contracts. Japanese NPOs, for their part, tend to portray their own situation in terms of weakness, especially in their funding base, and they can be heard to argue that they need support from the state. Are they led, or co-opted, by the state? Indeed, is this a useful distinction in the Japanese case? Can we, along with Evans in his reference to a broader East Asia, talk of a partially-embedded autonomy for civil society in Japan?

This paper has attempted to describe and delineate environment-oriented activities in Japan in terms of overlapping and interlocking relationships. It has accepted as an overall organizational conceit the distinction between state-led (and state-co-opted) efforts on the one hand and anti-state efforts on the other. But it has done this primarily to draw attention to the problems that lie therein. It has introduced two areas of environmental activity in contemporary Japan: river restoration projects and protests against the construction of barriers across waterways. In the former case, I have argued that projects are led by a soft elite, a coalition of like-minded people both inside the state and out, driving forward an environmental agenda to which they are deeply committed. For many of them, their commitment to this agenda comes first, and they carry it with them out of the government offices in which they work and down to the riverbanks where they are active. In the process, they often find themselves at loggerheads with colleagues whose professional loyalties lie with a different,

more technocratic understanding of environmental management and whose personal connections link them with corporate leaders and construction companies.

Equally, they stand in opposition to "hard" campaigners, many of whom regard a position within and on the borders of the state with deep ambivalence. The confrontations that occurred over the construction of dams and other barriers punctured popular support for state projects and undermined popular faith in the overall moral probity of the state. The Isahaya, Nagara, Yoshino and other protest campaigns drew considerable support from the public and accentuated disagreements amongst bureaucrats and politicians. The state has been forced into an adjustment, even if it is only partial and (perhaps) temporary. Comprehensive river planning and the river restoration movement has now become more of a mainstream consideration within government planning. The soft elite of officials and opinion leaders have, arguably, pulled their more recalcitrant colleagues a small distance towards the moral high ground on the environment. They have in the process reinforced their position between the state and civil society, in a territory that is much traversed and increasingly well populated.

SOURS: University of Leeds, U.K., April 2005; Ruining and Restoring Rivers: The State and Civil Society in Japan

DISCUSSION QUESTIONS:

1. How do you understand the relationship between the environment and civil society in this text? Why did the author particularly emphasize environmental issues? What has been going on in the postwar history of Japan?
2. Can you describe the impact of civil society on the state regarding environmental issues and projects? How was the relationship between civil society groups and the state addressed by the author? Is civil society more active than the state in raising environmental issues in Japan?
3. How did you understand the opinion of Robert Mason? Can you describe the view points of other writers such as Bouissou and Leblanc in this text? Who is Iijima Nobuko? Can you explain the environmental movement categories he classified?
4. How do you understand the two types of civil society in Japan? Who identified them?
5. What was the misunderstanding between civil society and the state in some of the projects? How did civil society benefit from it?

REVIEW QUESTIONS:

1. Do the environmental problems raised by Paul Waley concern Central Asian countries as well? Do you know any movements launched by civil society groups in Central Asia showing the importance of environmental issues? What have local intellectuals suggested to solve the problems of the Aral sea? How do Central Asian farmers want to overcome the results of Soviet cotton monoculture created by 'kolkhoz' and 'sovkhozs' (Oliver Roy) in agriculture?
2. How is preservation of the environment raised by people in other Post-Soviet countries by civil society organizations and scientific associations? How can sacred places, religious leaders (Ali Asani) and sacred books: the Bible, the Holy Qur'an, etc. help in this regard? Do you think that the notions of the City of God and good civil society have the same meaning?
3. Is it possible to solve environmental problems using the military and technology? Do youth or women activists think about environmental issues in Central Asia?
4. In the texts by Ernest Gelner and Muhammad Hatami, which positions on civil society do you prefer and why?
5. How do you understand the notion of Plural and Peaceful Civil Society (HH Aga Khan, Ali Asani, Muhammed Arkoun)?
6. What is more important for civil society: to have strong individualism or healthy community (society)? How we can change the community (society) from the "enemy of the people" (according to Ibsen) into the 'friend of the people'?
7. What do you think about the weaknesses of the concept of civil society? Does civilization have any good alternatives to civil society? Can humanity have a variety of forms, according to place and time?

ADDITIONAL READINGS:

- Paul Waley and his biography. www.en.wikipedia.org/wiki/Paul_Waley
- Historical Review of Kyoto, www.muse.jhu.edu/demo/journal_of_japanese_studies/v030/30.1mcclain.pdf
- Paul Waley's Homepage, www.geog.leeds.ac.uk/staff/p.waley/
- Paul Waley, Who Cares about the Environment in Japan? www.ieas.berkeley.edu/events/

PHOTO AND IMAGE CREDITS

http://en.wikipedia.org/wiki/Image:Bhagavad_Gita,_a_19th_century_manuscript.jpg
http://en.wikipedia.org/wiki/Krishna
http://en.wikipedia.org/wiki/Image:GitaUpadeshTirumala.jpg
http://en.wikipedia.org/wiki/Image:Confucius_-_Project_Gutenberg_eText_15250.jpg
http://en.wikipedia.org/wiki/Image:Ibn_Khaldoun.jpg
http://en.wikipedia.org/wiki/Image:JohnLocke.png
http://en.wikipedia.org/wiki/Image:Hegel3.jpg
http://en.wikipedia.org/wiki/Image:Karl_Marx_001.jpg
http://upload.wikimedia.org/wikipedia/en/c/cc/Salih.jpg
http://en.wikipedia.org/wiki/Image:Augustine_of_Hippo.jpg
http://en.wikipedia.org/wiki/Image:Meshed_ali_usnavy_(PD).jpg
http://en.wikipedia.org/wiki/Image:Buber.jpeg
http://en.wikipedia.org/wiki/Image:Yeo_et_Rice.jpg
http://en.wikipedia.org/wiki/Image:Bukhara03.jpg
http://en.wikipedia.org/wiki/Image:Ismail_Gaspirali.jpg
http://en.wikipedia.org/wiki/Image:Mazar-e_sharif_-_Steve_Evans.jpg
http://en.wikipedia.org/wiki/Image:Gramsci.png
http://en.wikipedia.org/wiki/Slavoj_%C5%BDi%C5%BEek
http://en.wikipedia.org/wiki/Image:Ernestgellner2.jpg
http://en.wikipedia.org/wiki/Image:Fatensolution.jpg
http://en.wikipedia.org/wiki/Image:Milkau_Oberer_Teil_der_Stele_mit_dem_Text_von_Hammurapis_Gesetzescode_369-2.jpg
http://en.wikipedia.org/wiki/Image:CodexOfHammurabi.jpg
http://en.wikipedia.org/wiki/Image:Badhijab.jpg
http://en.wikipedia.org/wiki/Image:Christine_de_Pisan_and_her_son.jpg
http://en.wikipedia.org/wiki/Image:Handwriting2.jpg
http://en.wikipedia.org/wiki/Image:Ibsen_photography.jpg
http://www.akdn.org
http://en.wikipedia.org/wiki/Image:Snowy_Mosque.JPG
Islam: to reform or to Subvert?". Saqi Books in Assosiation with the Institute of Ismaili Studies, London, 2005

IDENTIFYING CIVIL SOCIETY

Editors: ***Jonathan Edwins, Farrukh Ashrapov***

UNIVERSITY OF CENTRAL ASIA
Aga Khan Humanities Project
47A, Druzhbi Narodov avenue
734013 Dushanbe, Tajikistan
Tel. +992 (372) 245823
Fax +992 (372) 510128
Email: info@ucentralasia.org
http://www.akdn.org/humanities/Humanity.htm

NOT FOR SALE!

НЕ ДЛЯ ПРОДАЖИ!

ISBN 978-99947-829-6-3