

*Review Essay*

Islam and Civil Society: From the  
Paradigm of Compatibility to  
Critical Engagement

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**Book Reviewed:** Sohail H. Hashmi, ed. *Islamic Political Ethics: Civil Society, Pluralism, and Conflict*. Foreword by Jack Miles. Princeton and Oxford: Princeton University Press, 2002. 227 pages.

This edited volume is a welcome addition to the growing literature of Islamic political ethics. These collected essays address some of the most difficult and urgent issues facing the Islamic world today. Political rule, pluralism, civil society, nation-states, constitutionalism, and the religio-ethical foundations of Islamic politics are just a few of the issues that the contributors analyze in their respective chapters.

The essays' overall tone is affirmative, for the apparent tension between Islamic politics and the universally accepted values of democracy and civil society is reducible to historical and political factors rather than to an innate incompatibility between the two. While there is some wisdom in emphasizing this, it considerably weakens the articles' critical nature.

Given the political situation of present-day Muslim countries, it may be considered a luxury to question the virtues of parliamentary democracy, openness, and civil society. Nevertheless, a selective reading of both the

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Islamic tradition and the modern notions of open society is not sufficient for reconstructing an Islamic political ethics that will be legitimate in the eyes of most Muslims as well as responding to the pressing issues of modern politics and international relations. The book under review is a solid step in this direction, but falls short of going beyond the “paradigm of compatibility.” With the exception of Hasan Hanafi’s essay, others seem to assume a fixed and standard definition of democracy, civil society, and pluralism without giving any in-depth analyses of these concepts.

This partly explains why current Islamic literature on the subject has made no substantial contribution to the discourse of democracy and civil society. The overwhelming concern of Muslim scholars and intellectuals has been to present and reread the Islamic tradition in such a way as to show its receptiveness to the liberal ideals of modern democracy. This concern is understandable, especially given the post-9/11 era in which we live. There are, however, deeper philosophical issues involved in any discussion of political rule and international relations, issues extending from metaphysics and ethics to cosmology and political philosophy. While it is true that no single tradition can remain insular and impervious to the impact and challenge of other traditions, it is also true that translating one tradition’s political nomenclature into that of another and then stopping at the presumed commensurability of the two (or more traditions) is not enough to articulate a discourse of ethics and politics.

This makes an all-the-more-convincing case for a critical engagement with the rising global culture. At this point, there are several compelling questions, such as the following: To what extent can – or will – an Islamic discourse of political ethics allow itself to be part of this global culture, which is secular in its essential outlook? How should the Islamic world react to the secular-humanist assumption that humanity will outgrow religion? Will the emerging culture of religious and cultural coexistence tolerate other traditions only by secularizing them? Moreover, can we assume a blanket definition of such terms as *pluralism*, *civil society*, and *democracy* and then apply them to the Islamic world? How are we to approach competing models of civil society on the one hand, and globalization on the other? Considering that the Islamic world is the missing piece in the current discussions of globalization and civil society, these questions are bound to be raised in a critical manner. Keeping this in mind, it is not surprising to see that both Huntington’s clash of civilizations paradigm and Fukuyama’s end of history mythology place Islam at the other end of the spectrum.

These and similar questions are being raised by various scholars and intellectuals, and the answers will come by means of a concerted effort and over a period of serious reflection and articulation. The book under review brings together a number of such attempts. Even though some of the essays are written as reflections and the more scholarly ones are limited to secondary sources (thus one should not expect any scholarly contributions), the book conveys several important messages and dispels many misgivings about the Muslim tradition and its approach toward civil society and religious-cultural pluralism. Now, let's turn to the individual essays.

Jack Miles, author of the Pulitzer Prize winning book *God: A Biography*, wrote an introduction that highlights the essays' importance by calling for a redefinition and revival of *theology* as a term of mediation between the Islamic world and the West. Miles uses theology, in a very broad and loose sense, as the "intellectual element in religion." This is a fine definition if we limit the term to the western tradition. While his call for a "theological" (i.e., intellectual) debate over the foundations of civilization, coexistence, and fruitful cooperation is well taken, his insistence that the "Muslim umma ... be persuaded to make its repudiation of al-Qa'ida's perverted vision of Islam more unmistakable, more persistent, and more emphatic" is somewhat incongruous. In addition, it is likely to fall on deaf ears in the Islamic world, as the American response to 9/11 from the hawks in the Bush administration to the Christian Right has been no less fundamentalist and destructive than that of Osama bin Laden. It also insinuates that somehow the Islamic world has condemned the extremism and terrorism of al-Qa'ida as a matter of political expediency rather than as a genuine response to the killing of innocent people in the name of Islam or any other cause – a claim that has been made by many right-wing conservatives to defame Islam and Muslims after 9/11.

Sohail H. Hashmi's "Preface" sets the tone for the book and underlies four major themes that run through the essays: the rethinking of Islamic political theory, the difference between Islamism and fundamentalism, the ever-closing gap between what is deemed domestic and international, and the articulation of an Islamic political ethics as a global project that defines the book's common agenda.

The first essay is Kelsay's "Civil Society and Government in Islam." It begins by drawing parallels between the Lockean and Hegelian notions of civil society and the Islamic discourse of moral society. Kelsay gives a brief summary of the Prophet's life to show its relevance for Muslim political thought, and refers to *din wa dunya* as "religion and politics," which should be translated more properly as "religion and the world," because politics is

only one of the ways in which people manage their “worldly life.” He refers to the “complimentarity thesis,” namely, that religion and politics, or religious and political institutions, play complimentary roles in the pursuit of human happiness. Kelsay considers the sphere of *masjid*, *madrrasah*, and *jami‘ah* regulated by the ulama as the “closest analogy in classical Islam to ‘civil society.’” With this, the relation between the ulama and the *khilafah* is presented as the main parameter of an analysis of civil society in classical Islam.

Although this approach has some merit, it disregards other aspects of classical Muslim life, such as the Sufi orders and the networks of professional organizations or lodges (*asnaf*). In discussing the nineteenth-century transition of Muslim politics from the classical *khilafah* to modern republicanism based on the nation-state model, Kelsay mentions ‘Ali ‘Abd al-Raziq and outlines his defense for abolishing the caliphate. A more interesting case, which he does not mention here, is that of Seyyid Bey, the Ottoman scholar and politician who gave a famous speech in the first Turkish Parliament in 1924-25. In that speech, he argued against the caliphate and claimed that its function is included in the republic (*cumhuriyyet*), thus making a case for religious republicanism. Even though Kelsay seems to overemphasize the ulama-*khilafah* dichotomy, his essay makes a strong case for the existence of civil society in the Islamic tradition.

Farhad Kazemi’s essay, “Perspectives on Islam and Civil Society,” highlights some of the difficulties of modern Islamist politics and emphasizes “civility” and the presence of non-state institutions as the basis of civil society. Kazemi sees no inherent contradiction between the Islamic tradition and civil society. However, he finds Islamist politics especially vulnerable in four areas: sovereignty and social contract, religious minorities, gender, and lay intellectuals. Distinguishing between fundamentalist and liberal Islamists, Kazemi argues for the flourishing of the latter.

Hasan Hanafi’s essay, “Alternative Conceptions of Civil Society,” takes up the same issue as Kazemi’s essay and argues for the possibility of deriving an Islamic concept of civil society from Islam’s basic teachings and practices. As opposed to totally rejecting or accepting civil society, Hanafi takes a critical position, which he calls the “the reformist or modernist alternative,” and states that “similarities can be maintained and differences can be bridged through creative interpretation – or *ijtihad* – of the basic ethical sources of Islam.” He defines Islamic states in civil terms: Contrary to the radicals’ views, the notion of an Islamic state does not consist of implementing the penal code, but rather is based on applying the

law's spirit or intent (*maqasid al-Shari'ah*). While emphasizing civil society's importance, Hanafi does not see it as a "panacea for all the problems of state and society." In this sense, Hanafi's essay calls for critical engagement with modern notions of democracy and civil society.

M. Raquibuz Zaman's essay, "Islamic Perspectives on Territorial Boundaries and Autonomy," provides a useful survey of the concepts of boundaries, ownership, distribution, and the norms of religious coexistence. Noting that law in Islam is normative rather than prescriptive, he turns to the views of classical jurists, culled mostly from secondary sources, and discusses the question of religious, political, and geographical boundaries within a contemporary Islamic context. The author also responds to some western historians who selectively present the views of certain jurists, especially those of al-Shafi'i and al-Sarakhsi, on jihad and the *dar al-islam*–*dar al-harb* dichotomy as representing the majority and "orthodox" views of the Islamic tradition.

Sulayman Nyang's essay, "Religion and the Maintenance of Boundaries: An Islamic View," continues Zaman's discussion by focusing on the religious and physical conditions of making boundaries. He posits religions as sources of boundaries that apply both across and within religious communities. Like Zaman, Nyang's main concern is to argue for religious differentiation without discrimination. In this view, boundaries, religious or otherwise, are legitimate and necessary to maintain law and order. Thus, the distinction between Muslims and non-Muslims and their respective communities does not necessarily create a substantive division in society; rather, it contributes to the consolidation of peace and order. While considering the ultimate end of religious boundaries as peaceful and harmonious coexistence, Nyang does not address the apparent tension between the exclusively religious boundaries and what he calls the "Adamic" or "Abrahamic" criteria to determine who belongs where and why.

The essay by Dale Eickelman, "Islam and Ethical Pluralism," presents perhaps the most cogent and philosophical analysis of the book's main theme. He argues that Islam's "remarkably modern" origins allow for a theology of ethical and cultural pluralism. Noting that the fragmentation of religious and political authority in Islam preempts authoritarianism, Eickelman interprets the Qur'an's basic teachings as being conducive to an open society. To show Muslim societies' awareness of other religious and cultural traditions, he cites a number of historical examples and makes some interesting observations on the flourishing and transformation of the Islamic culture's various zones.

He then turns to the modern period and focuses on Turkey, particularly the case of Saïd Nursi, the founder of the Nurcu movement, and several other Muslim intellectuals and activists, such as Muhammad Shahrur of Syria, Fethullah Gülen of Turkey, Muhammad Khatami of Iran, and Nurcholish Madjid of Indonesia. Eickelman's main point is that although religious intolerance and fanaticism cannot be prevented absolutely, the theological foundations and cultural experiences of Muslim societies enable them to foster a genuine culture of pluralism and coexistence.

Muhammad Khalid Masud's essay, "The Scope of Pluralism in Islamic Moral Traditions," continues Eickelman's discussion by concentrating on ethical theories in Islam. He presents Islam primarily as a moral tradition, and analyzes the six major moral traditions represented by the Hadith literature, the *adab* tradition, the philosophers, the Sufis, the theologians (*mutakallimūn*), and finally legal (*fiqhi*) ethics. In discussing these traditions, Masud emphasizes the culture of pluralism in regards to the Islamic world rather than to its experience with peoples of other faiths and cultures. To underscore the relevance of this tradition for today's issues, Masud analyzes the areas of social regulation, citizenship, bioethics, and human sexuality. Expectedly, these topics are discussed very briefly and invoked as exemplifying the kind of ethical pluralism for which Masud argues. Aligning himself with the modernists, Masud ends his essay with the all-too-often-repeated call for the revival of reason in the Muslim world to address the issues he raises.

Sohail Hashmi's thoughtful essay, "Islamic Ethics in International Society," begins by suggesting the "disentangle[ment of] Islamic ethics from medieval Islamic law (Shari'ah)" – a call that runs throughout his chapter. His main concern and strategy in bridging the gap between the classical Islamic legal tradition and modern international law is to take the Qur'anic message as a "moral code upon which a legal system can be constructed," for which he provides a number of convincing arguments. His exclusive focus on law, however, obscures the wide spectrum of ethical thinking in the Islamic tradition. Thus, his argument about coupling the conservatism of Sunni legal thought with that of Ash'arite theology is insightful but simplistic, for it ignores other centrifugal forces of the Islamic intellectual tradition (e.g., philosophy and Sufism).

Hashmi aptly analyzes the challenges that the modern international world system poses to contemporary Islamic thought, and argues that the international norms accepted by Muslim states have not been addressed in modern Islamic political thought. He also examines such key issues as jus-

tice, human rights, democracy, distributive justice, and diversity from the point of view of an Islamic political body. Pointing to the disillusionment of Muslim intellectuals and leaders with western political ideals and their disturbingly poor implementation and failure in the Islamic world, Sarajevo being only one example, Hashmi concludes by emphasizing religion's positive role in building a just and moral human habitat.

The only critical essay in the book is Bassam Tibi's "War and Peace in Islam." Judging by its quality and its wild generalizations and essentializations, one wonders if the editor made a good choice by including it in this book. One could easily have chosen another essay to represent a more critical perspective without Tibi's disturbingly simplistic analyses and blatant mistakes. His main argument is that Islam, a violent religion bent on subsuming all humanity into its outdated worldview, has been historically alien to notions of international peace and human rights, and thus is incapable of accommodating their underlying values.

This view has many supporters and is not surprising. What makes Tibi's essay a second-rate Eurocentric ideological argument is its ahistorical and essentialist approach. Consider the following: He begins by defining Islam as an absolutist ideology and then moves to his "Arab centrism" – despite his denial – on the basis that "the most important trends in Sunni Islam have been occurring in the Arab world (all Sunni Muslims are, for example, bound by the fatwas of the Islamic al-Azhar university in Cairo)." This assumption is not only wrong, because what happens in Sarajevo, Istanbul, and Kuala Lumpur is no less important than what happens in Cairo, but also misleading, because Tibi fails to give even a full picture of the Arab world itself.

His essay is filled with such shallow, hugely oversimplified, and mostly nonsensical statements as "the Qur'an chronicles the establishment of Islam in Arabia between the years 610 and 632" (Are the verses of the Qur'an the "chronicles" of Islam?); "All Qur'anic verses revealed between 622 and the death of the Prophet in 632 relate to the establishment of Islam in Medina through violent struggle" (Has anyone heard such a claim before?); "The establishment of the new Islamic polity at Medina and the spread of the new religion were accomplished by waging war. The sword became the symbolic image of Islam in the West" (Thus Tibi mistakes the western perception of Islam for the historical basis of its spread); "Muslims tend to quote the Qur'an selectively to support their own ethical views" (So Tibi is assuming that Muslims are misguided in believing that their religion is one of peace, and it is his duty to teach them that they have been woefully

misled by their sacred book); “Ahmad ibn Khalid al-Nasiri (1835-97) was the first Muslim *‘alim* (man of learning) of his age to acknowledge the lack of unity in the Islamic community (*ummah*), as well as Islam’s weakness in the face of its enemies” (Apparently Tibi knows nothing about the debates among Ottoman scholars and intellectuals, Indian Muslims, and, of course, many other Arab thinkers before the 1870s); “Although international law prohibits war, Islamic law (*shari‘a*) prescribes war against unbelievers” (Neither parts of this sentence are correct, and Tibi provides no sources to substantiate his huge claims); “The ground for war is always the dissemination of Islam throughout the world” (It is just stupendous how Tibi presents this extremist and fringe interpretation as the “orthodox” view of Islam. I guess Tibi likes the fundamentalism of Osama bin Laden more than anything else.). And finally, his conclusion: The only way to prevent a clash of civilizations between Islam and the West is for the Muslims to undergo a “cultural accommodation” and accept the “changed international environment” (it is not clear what Tibi means by this), and that they treat with equity and mutual respect those who do not share their beliefs.

The last essay of the book is a second essay by Sohail Hashmi: “Interpreting the Islamic Ethics of War and Peace.” Pointing out the widespread consternation about war and peace in Islam, Hashmi attempts to reinterpret jihad in the Qur’an and the Sunnah, and argues that the medieval Muslim jurists understood jihad primarily in legal terms and thus failed to articulate its primarily ethical content. He calls the Qur’an’s position toward war an “idealistic realism,” namely, the idea that since the use of force cannot be completely eliminated from human life, it must be addressed as a reality and regulated under strict conditions. In a broad sense, this is the distinction between *jus ad bellum* (justification to use force, i.e., just war) and *jus in bello* (conditions and limitations of war) in the western tradition. In discussing modern interpretations of jihad, Hashmi refers to “fundamentalists” and modernists as the two competing views in the modern Islamic world.

As in many other writings, however, Hashmi fails to give a clear definition of the “fundamentalists.” Who are they? Does the term refer to people like Osama bin Laden, some Wahhabi scholars, or to Hasan al-Banna, Sayyid Qutb, al-Mawdudi, al-Turabi, Mutahhari, Khomeini, Khatami, or to all of them in one stroke? In the West, the term has become so murky and ideologically charged that we either have to define it precisely and unequivocally or stop using it. Part of the difficulty stems from the fact that the so-called Islamic fundamentalism is not a coherent body of religious ideas and

ideological constructs to which we can consistently refer. It is rather, as Hashmi points out, a *mélange* of political ideas and positions couched in the language of religious fervor and moral superiority against the regimes in Muslim countries and their Euro-American supporters. While there is no denying the reality of extremism in the Muslim world, “Islamic fundamentalism” has become a figure of discourse, a powerful one indeed, to suppress any criticism of modern neo-imperialism. Among the modernists, Hashmi presents Muhammad Abu Zahra and M. Hamidullah as two examples. I think this is a mislabeling, for neither of them can be properly called “modernist” unless the term is used in a very loose and broad sense.

In conclusion, this is a timely contribution to the ongoing debate over Islam and political rule in the modern world. The essays address a wide audience, Muslim and non-Muslim alike, and clarify the positions of Muslim scholars and intellectuals on numerous important issues. Let us hope that works of this kind will increase in both quantity and quality.