

Citizenship and the State in Modern Arab Thought

(a Crisis of Relationship or a Quandary of Absence)

Yâsir Qanswah (*)

Andre Gorz observed (2001) that when all descriptions have proven useless, then what is left is to acknowledge 'Crisis', and harness it as the foundation for a new stable condition. What modern Arab thinkers are doing may well come within the scope of this perception (this 'acknowledgement') when they ask themselves about the nature of the relationship between the citizen and the state in the Arab world. They must confirm that there is a crisis in recent Muslim Arab political thought since no effective or precise concept has been put forward for establishing a coherent relationship between citizen rights and

obligations that are the two poles of a true balance for citizenship.

If this is the way things are, then the topic is open for discussion concerning the weaknesses in the social contract which, as Roger Scruton observed in 1984, "... is to be considered the broad description of the points of view which, considered as a whole, are the ideas expressed concerning legitimacy and political obligation in the context of any given contract." To find a solution, each modern Arab thinker concerned about these issues has put forward his theoretical contribution in the cause of discovering the aspects of failure or crisis, addressing them through appropriate insights so as to emerge with a consensus that will serve as the foundation for a valid relationship between the citizen and the state.

This notwithstanding, those contributions only add to the mountain of theory in the endless Arab search for a way out of the relational crisis between the citizen and the state. Furthermore, these contributions — from the dawn of the Arab Awakening in the 19th

century — seem to be reformist views that are characteristically self-serving rather than being an inter-active confluence of distinctive and differing ideas and perspectives that, in the end, pour into the theoretical reservoir of commitment intended to serve as a nexus for Arab political theory. Once we have referred to more than several theories or studies put forward for consideration in the arena of modern Arab political discussion, we are really speaking the language of western politics. Using this language and interpreting it is considered a competition to steal a march toward the wellspring of progressiveness or secularity.

What emerges is that the contemporary scenario for research has greater resemblance to “... the ideas of modern Muslim Arab reform seem to be trapped on the symbolic political level. The reform movement reads modern political terminology through old familiar lenses in the course of which it must face another problem that has to do with the mechanism of the concepts it has begun to use.

The concepts use terms like ‘freedom’, ‘constitution’, ‘reconciliation’ and others that, as are familiar, tend toward modern political thought that has broken with religious tradition. They also tend toward a modern civil society with its institutions dedicated to particular ends. These concepts have affected reformist thinkers, and they have had to find and coin Islamic equivalents. What they have actually found are concepts whose notions have no religious referents at all.” (This point was made by ‘Alî Awmlayl in 1985 in his book *Arab Terminology and the Nation State* [*al-istilahât al-‘arabiyyah wa ad-dawlah al-wataniyyah*] published in Beirut, pp. 25-26.)

Contemporary Arab political thought seems to be trying to avoid the errors of modern reformist thought on the one hand, and initiate a new intellectual treatment of the relationship between the citizen and the state in the Arab world on the other hand. But the crisis is a period of challenge to the stability of any given regime and its fitness to govern. Were we to applying this notion of crisis to the

relationship between the Arab citizen and the modern state as it existed in the 19th century, we would be frustrated, because we would not have lived with the political texts of modern Arab political thought that, subsequently, largely shaped the contours of the Arab political discourse contemporary with the crisis of relationship now at hand.

The pioneer texts of Rifâ‘ah at-Tahtâwî, Khayr-ud-Dîn at-Tûnisî, al-Afghânî, al-Kawâkibî, and Muhammad ‘Abduh did not discuss the matter of the relationship between the legitimacy and political obligation of the state’s political system and the rights and obligations of the citizen. In other words, they did not really discuss the matter of citizenship at all. Their discussion was not a fulsome and therapeutic description of how the subject of action related to the initiator of action and thereby resolved anxiety. It was not even a body of sage advice about a sound grounding for citizenship within an ideal state. Intellectually there was no relationship to really discuss. How, then, could there be a

crisis of relationship? For the sake of argument, were we to accept that there is essentially no crisis, could we then say that what we have here is actually a ‘quandary of absence’ of citizenship as the modern state would understand that term? The idea of crisis, even if it existed, has been around for a long time — from the 19th century to now — so that it is long past its ‘shelf-life’ as a crisis and has simply become an endemic condition.

Let us look at the notion of the modern state as the pioneer reformers described it and as Arabic thought subsequently picked it up. The two reformers, Rifâ‘ah at-Tahtâwî and Khayrud-Dîn at-Tûnisî provide an entry point for understanding the issue of citizenship, and define the ways the state determined to interfere with or outright disallow commitments and obligations in exchange for rights without which citizenship has no meaning.

First of all, the classical notion of the state was an abstract description of power and authority. The classical philosophers focused

upon the relationship between the people and the political authority. Subsequently the political philosophers turned their attention to the relationship between individuals and the state. This was a problem of political commitment that, implicitly, was pegged to the questions: ‘Why should I obey the dictates of the state? When can they be opposed and is that ever really possible?’

Let us begin with the writings of Rifâ‘ah at-Tahtâwî. He was not only a pioneer but, because he also belonged to the Egyptian ‘nation’, he reflected the concept of the classical state along with his personal political experience of the modern centralized state. This being his starting point, the term ‘homeland’ (*watan*) is what he used and not ‘state’ (*dawlah*). It was simply closer to at-Tahtâwî’s existential circumstances. He said, “The desire to civilize the homeland springs only from the love that the people have for it and this is the sense on the street. In the Prophetic Tradition, love of one’s homeland is a religious act.” Thus at-Tahtâwî, from an

emotional/fideist base, believed that the political objective of the citizen was to love the homeland.

Albert Hûranî has observed (1997), “It is for this reason that at-Tahtâwî constantly speaks of the ‘homeland’ and ‘love for the homeland’ in his *The Disciplines of the Heart* (*manâhij-ul-albâb*) and in his book on education. ... When he uses these expressions, it appears that at-Tahtâwî sometimes uses them in the context of a general discussion of the rights of any given society and its obligations. Sometimes, in the way he uses it, the phrase ‘love of homeland’ has almost the same ideological weight as Ibn Khaldûn’s term ‘clan solidarity’ (*‘asabiyyah*) by which Ibn Khaldûn meant the mutual bond that brought together people in society and gave shape to social power.”

Two things we observe in what at-Tahtâwî wrote: First, the antique spirit that was Rifâ‘ah at-Tahtâwî’s existential zone affirmed the emotional tie that resonated with the tribal or clan spirit of solidarity. Second, the term, ‘homeland’, points to something both specific

and provincial and not to a national entity as Arab nationalists would have it, nor to a religious entity like the Muslim Caliphate that presumed the full integration under the banner of the Ottoman Empire from which, during the age of Muhammad ‘Alî, the modern centralized state tried to distance itself in an effort to assert the autonomy of Egypt.

For all the insight of a pioneer like Rifâ‘ah at-Tahtâwî into the political and social problem, he still confined it to theoretical statements about practical politics. He takes recourse to discussing how political authority should be divided up, as Montesquieu talked about it, so that the authority of absolute government might be limited, but in the end he reverts to the executive authority presided over by the king. At-Tahtâwî wrote, “The first power is the power to implement the laws, legislate them and prioritize what should be implemented with regard to the law and legitimate policy. Then comes the power of the courts that are separate from the government. Third comes the executive authority that

implements the courts' decisions. These three forces coalesce into one that is the power of the legally constituted monarchy. ... It is the special and original right of the prince and none other shares it with him. Furthermore, he is the one responsible for promulgating the laws in that upon his command they are put together and rationalized, and work is carried out in accordance with them. In the monarch are gathered together all three powers that are the pillars of the governing power.”

The question begs asking: Why did Rifâ‘ah at-Tahtâwî, in the course of discussing the separation of powers, ignore the vital nature of the existing relationship between rights and responsibilities, or between legitimacy and political obligation or the idealized portrait of the social contract, and finally between citizenship and state? At-Tahtâwî contented himself with laying out the legislative and executive agendas and these he largely translated or Arabized or, with respect to some, gave them his own twist. He, the intellectual who spoke about civil rights, never

remarked upon them as rights the state must enshrine in its system of government, a system that draws its legitimacy from the acquiescence of its citizens, and, in the end, achieves political obligation through the obligations they must bear. He casts his notion of civil rights in the framework of the mutual interaction of individuals, the rights the populace of the single monarchy had over against each other. At-Tahtâwî wrote, “For most of the populace (read: the governed ‘flock’) in the context of the monarchy it can be simply stated that they have rights the one over against the other. These are called personal or special rights as over against general rights. These latter express the decrees that regulate the manner in which government works.”

The expression, ‘flock’ (*ar-ra‘iyyah*), points to the absence of one of the two basic components of the social contract. That missing component is the citizen whose inalienable rights defend political legitimacy under the citizen’s ability either to accept or

reject the governing political regime. The ‘flock’s’ commitment constitutes a limited sort of equality. There is only equality when taxes are collected or when conscripts are enrolled in the army and that sort of thing. If we may so express it, as at-Tahtâwî casts it, it appears that the social contract, without which there are no meaningful rights or obligations, is a contract that demands political obligation only when there is no political legitimacy that protects the rights of citizenship. If there is a notion of legitimacy in its accepted modern meaning, it is a reservoir that sustains the governing regime at an acceptable level, and should that regime fall below the level of acceptability then that it will collapse. The notion of ‘flock’ and ‘shepherd’ or the ‘shepherding regime’, however, takes us centuries back so far as the modern state is concerned, and effectively expunges the idea of citizenship from the modern Arabic lexicon. Lacking genuine legitimacy the ‘pastoral state’ (*ad-dawlah ar-ra‘awiyah*) seduces us into accepting a mortal wound to the Arab and Islamic body politic so long as the force and efforts of the politically

active religious pundits continue to bleed the Arab community with impunity.

In the cause of Islamic unity there was no consensus on the issue of legitimacy ... there was no mass movement of consultation or commitment of conscience or of allegiance ... that would condone establishing a state whether by force or by the domination of the 'elect'. In 1981 Ridwân as-Sayyid observed, "Under the circumstances there remained no such thing as Islamic unity. What remained was the sort of unity imposed by pagan Persian or Roman emperors. And that is what was remarked upon by some of the more prominent Companions of the Prophet like Husayn bin-'Alî, 'Abd-Allâh bin-'Umar and 'Abd-ur-Rahmân bin-Abû-Bakr when Mu'âwiyyah tried to get them to pledge allegiance to his son, Yazîd, as his successor. We know how long Muslim intellectuals struggled to accept 'the lesser of two evils' and it changed nothing. The loss of legitimacy meant the loss of unity and undermined the Muslim cause in the long term."

When at-Tahtâwî employed the term, ‘the flock’, instead of the term, ‘the citizens’, he was not only leaning upon his Muslim Arab heritage but was also focusing upon the centralized state that Muhammad ‘Alî established in Egypt and, so far as at-Tahtâwî was concerned, Muhammad ‘Alî was a paragon of justice. In his 1987 study, *Rationalization and Dissonance: Toward a Grounding of a Philosophy of Arab Political Theory* (*at-ta’wîl wa al-mufâraqah: nahu ta’sîl falsafah l-in-nadhar as-siyâsî al-‘arabî*), Kamâl ‘Abd-ul-Latîf observed, “For this reason at-Tahtâwî was never able to transcend his al-Azhar conditioning as that was doled out in his day. In the period that followed when Muhammad ‘Alî abandoned at-Tahtâwî and sent delegations to Europe, at-Tahtâwî, even though he never returned to al-Azhar, remained a faithful student of his Azharite studies with respect to its way of thinking and how it posed questions. ... Thus at-Tahtâwî’s writings are loaded with preachments on religion and religious ethics.”

With this as his heritage, at-Tahtâwî preferred monarchy to any other political system. The king was the spirit and the shepherd incarnate. As he put it, “The body has no integrity without its spirit but, by his mercy upon those who worship him, God implements his norms at all times. He appoints on earth those who will vindicate the oppressed against the oppressor and restrain the corrupt from doing injustice. He will endow the ‘flock’ with good things, and will recompense all with what they deserve, be they good or evil.”

If we look at another expression at-Tahtâwî uses we will understand clearly the inspiration behind his preference for the monarchical system. He writes, “You cannot understand the king without the ‘flock’; you cannot understand the ‘flock’ without the king. It is like fatherhood and sonship.” In that intimate relationship between king and ‘flock’, between fathers and the sons, the idea of citizenship or the correlation between rights and obligations has no meaning.

At the same time that the Ottoman Sultan Sulaymân bin-Salîm(**) signed a *firmân* (law) declaring himself “the free king of the whole land of Egypt,” he also signed a second *firmân* that said, “A woman shall not go out to the markets or onto the streets even if she be fully veiled. (Old women are excepted.) Whoever violates this shall be beaten, the tail of a donkey shall be tied to her hair, and she shall be paraded in the streets of Cairo.” A third *firmân* said, “We ask all people to behave in accord with the *Shari‘ah* and deport themselves as the Prophet’s tradition requires.” This took place in the 16th century within the ‘Supreme Ottoman State’ or the Ottoman Sultanate and its government and was not enacted by countries or peoples that were gathered under the state’s banner. In 1988 Ridwân as-Sayyid noted, “The Ottomans spoke of their regime as the ‘Supreme State’ and the other regimes as ‘Foreign States’.” The days of the Supreme Ottoman State in its dictatorial guise incarnated in Sultan Sulaymân bin-Salîm, ‘the free king of the whole land of Egypt’, yielded to the days of

Muhammad ‘Alî, three centuries later, founder of the modern state of Egypt. He became its preeminent and foremost capitalist. Muhammad ‘Alî worked at defining his relations with Europe not simply in terms of his being the ruler of Egypt, but also its dominant entrepreneur and the foremost and principal mediator between the Egyptian agricultural producer and the markets of Europe.

The real problem raised in framing modern Arab political thought is not its intellectual discontinuity with the Supreme Ottoman State and its absolute tyranny that gave no space for realizing citizenship, nor even with the subjugation of political thought to the oppressive presence of the state, be that ancient or modern, where there is no crisis in the link between the old (whose credibility has been exhausted blocking its reintroduction) and the modernizer whose standards tend toward a changed reality harking back the Napoleonic French campaign against Egypt. The essence of the problem lies in that there

are no foundational underpinnings for citizenship. It was never achieved so that a threat to it at any given time would constitute a ‘crisis’ that might be addressed by palliative solutions or profound insights of the sort that Arab intellectuals are now trying to amass with the hope of giving shape to a contemporary Arab political theory.

Emerging from the temporary ‘quandary of absence’ does not mean creating a crisis of legitimacy and political obligation or rights and obligations that threatens the state in the Arab world, be its source internal from popular opposition or external from a western culture import that brings with it its terminology and theories pressing for change. The primary concern is to be aware that the model of the state in the West is different. It is the product of a social, political and economic dynamic that has its own etiology. As Nazîh Nasîf al-Ayyûbî noted in 1985, “In the eastern model, the state conventionally sets about ‘creating its own class’, whereas in the capitalist model the

class engages in ‘shaping the state as it sees fit’.”

Rifâ‘ah at-Tahtâwî was not the only one upon whom the character of the centralized state pressed its conditions. Neither was he alone in his political religious heritage that rested upon the homily, rendering advice to the rulers while accepting their tyrannical rule, although simultaneously having reformist desires whose theoretical arguments were drawn from the experience of the West. Similar to at-Tahtâwî’s experience and from roughly the same starting points, we have the efforts of Khayr-ud-Dîn at-Tûnisî in Tunisia to address how to guide the state toward reform. That was followed by theoretical rationalizations of what actually happened. Furthermore the business did not forestall western theoretical insights that were Arabized and interpreted as political necessity dictated.

The reforms or the re-organizations that Ahmad Bey and Muhammad Bey as-Sâdiq implemented from 1839 to 1861 in Tunisia provided an good excuse for Khayr-ud-Dîn at-

Tûnisî to express his views on reform. He depended heavily upon western political ideas that he marshaled to serve notions of political legitimacy. But it quickly became apparent that he was obviously confusing the idea of the state with that of government. He wrote, “The state, through the council (of ministers), cannot finally refrain from taking what it requires both in terms of material assets and human resources.” In using the term ‘kingdom’ he refers to the state in contemporary terms. He writes, “The leadership of the kingdom lies in the steadfastness of those who work for its interests. They are obliged to expend their wealth and the blood of their children where it most benefits the kingdom.”

At-Tûnisî focuses upon the responsibilities of the executive authority presided over by the ruler or the king or the icon of the just tyrant in whose image the state exists and is exalted. He wrote, “The prosperity of kingdoms (i.e. states) or their hardships in the affairs of this world depend upon what their governance

acquires, upon the extent they implement political reforms that establish justice, and upon their acknowledgement and respect for the people that work for them.”

At-Tûnisî's desire for reform is in harmony with at-Tahtâwî's passion for the same cause, but neither of them makes note of the pointed sense of the notion in the context of his native social and intellectual environment. Each speaks about political enlightenment in his defense of political systems that derive their effectiveness from the constitution (that is constitutional government). But in the context of a just autocratic authority, who is the guarantor of the constitution's proper application? Interpreting the Islamic notion of consultation (*shûrâ*) as the democracy of parliamentary government does not seem to fit with the spirit of legitimist politics which is the protection of the rights of the worshippers, the weighing up of interests appropriate to time and circumstance, providing for controls over the corrupt person from usurping others' interests, deciding which is the lesser of two

evils that must be implemented, and so forth. From this perspective, how is the principle of civil liberty practiced in the context of civil society with legal political safeguards in place?

When at-Tûnisî speaks of civil liberty from a western perspective he divides it in two. He writes, “The term ‘liberty’ in their [western] understanding is applied in two meanings. One of them is called ‘personal liberty’ — in French terms, ‘civil liberty’. It means the freedom of the individual in his own person and in what he earns, his security of person, honor, material possessions and equality with others of his race being recognized by government. The individual need not fear personal oppression nor be anxious with regard to any of his rights. He will not be judged for anything that is not specified by the laws of the land that the council enacts. In general, the laws guide the shepherds just as they guide the flock. ... The second meaning refers to ‘political freedom’. The populace is requested to enter into the kingdom’s politics

and debate what is in the kingdom's best interests in a manner similar to what the Caliph 'Umar Ibn-ul-Khattâb indicated when he said, 'If any one of you sees in me crookedness, let him put me straight.' What the Caliph meant was deviation in his policy for the commonwealth and in his behavior with regard to it."

In promoting political participation in the context of a society or a state or a kingdom, at-Tûnisî speaks the language of the Enlightenment known to European society that shaped its liberal experience in a manner appropriate to the 19th century. The liberal notions were expressed in the language of a political heritage whose indicators are quite unique. The effective presence of the idea vanishes when at-Tûnisî applies it to his personal experience and in a very different environment. He quickly backs away from his call for a freedom that might have disastrous impact upon the monarchical system. He points to Montesquieu's saying, "When we hear about events in nations where full

freedom has been achieved, we note that there might be circumstances that require imposing a barrier to freedom temporarily.”

The reference to Montesquieu and not to Rousseau (even though both Arab pioneers knew Rousseau and occasionally quoted him) may have to do with Montesquieu’s concern for political authority and the laws needed to administer the business of politics. This he articulated in his famous writing, *The Spirit of Laws*. Rousseau, for his part, goes right to the social contract or the formal entry point for the idea of citizenship. For Rousseau the citizen was that independent individual who had the power to approve or withhold approval from his rulers. Thus Rousseau’s portrait of the social contract gives shape to the following exposition:

“When the contract of unity is finalized, it gives rise to an artificial corporate entity instead of to a collection of contracting members assessed by the number of votes they have. Through the contract this entity gains its unity, its shared identity, its life and its

corporate purpose. This general entity composed of the unity of all individuals was once called the ‘City’; it is now known as the ‘Republic’ or the body politic. Its members call it the State. When it plays a negative role it is called a political administration; when it fulfills a positive role it is called the ‘Sovereign Authority’. The participant members seen as a whole are known as the ‘People’; when viewed as individuals they are known as ‘Citizens’. In the limits of their participation in the sovereign authority they are known as ‘Subjects’ in the sense that they are all subject to the laws of the state.”

The portrait of the social contract presented by Rousseau does not fit with the convoluted character typical of political thought in Islam. The analytical concept that Rousseau puts forward in order to appreciate the relationship between the citizen and the state and the relationship between rights and obligations is historically discontinuous with what Muslim Arab thought came up with when it merged all authority in the person of the ruler who is

considered responsible for his ‘flock’. The ‘sheep’, for their part, are required to be obedient to the ruler who has no responsibility to them or for them save that he be just and fair, and these two qualities in the ruler give to them the only opportunity they have to enjoy the right of their citizenship.

References:

*) Yâsir Qanswah is a scholar and academic from Egypt.

**) Sulaymân bin-Salîm is known to western historians as ‘Suleyman I the Magnificent’ and in the Middle East as ‘Sulaymân the Law Giver’. The only son of Salîm ‘the Grim’, he ascended the Ottoman throne in 1520 without contest — something of a novelty in the

Ottoman system of succession. He ruled for 46 very eventful years. Our author, obviously, is not greatly impressed. [TR]