Chapter One:

Introduction and Background
1-1. Statement of the problem

The civil society in Iran has been a major concern for many scholars during the past two decades, particularly after the president Khatami’s coming to power in 1997. What makes the scholars attracted to this subject is that since the Islamic Revolution in Iran in 1979, there have been many controversies among the scholars both within and outside the country to the effect whether this revolution has contributed to the rise and growth of civil society in the country or has adversely affected this process. Also, the compatibility between Islam and human rights is another issue which gained the attention of observers following the establishment of the Islamic Republic in Iran. Indeed, there existed and continue to exist many debates on whether an Islamic political system and government is able to promote human rights or it will not respect them.

Logically, after large mass participation in the process of the Islamic Revolution, it was a major research and study concern that if such mass political actions could bring about positive results for the development of civil society and prospects for democratization after the authoritarian regime has collapsed. Due to many domestic and external problems faced by the Islamic Republic from its establishment in 1979 until 1997, the issue of civil society and respect for human rights has been subject to less attention on the part of scholars and researchers. But after the landslide victory gained by Seyed Mohammad Khatami and the reformist-minded groups and factions in Iran, once again the subject come into fore since 1997 and a public and open debate was initiated within the Iranian society with
regard to the potential and possibilities of the growth of civil society and the role it plays in the promotion of human rights in the Islamic republic of Iran.

Since that time, the discussions of civil society in Iran depended on the successes and failures President Khatami and his reformist allies faced in the realization of their progressive agenda but, what has been absent in such research work and studies was the profound investigation of the current political struggles for civil society and increased democratization in the broader framework of Iranian contemporary history dating back to the rise of modern state in Iran under Reza Shah Pahlavi and before the revolution under Mohammad Reza Shah Pahlavi.

On this basis, this research aims at exploring the obstacles to the growth of civil society and promotion of human rights in Iran beyond the everyday’s political debates under president Khatami, so it seeks to find the barriers and problems in the way of more democratization in Iran in the structure of Iranian state and mentalities, viewpoints and value obligations of Iranian political elite.

Although this research refers to the period of Khatami’s presidency, it will look back at the root of Iranian state under the Pahlavi regime and the post-revolution state until 1997.

1-2. Research Question

The main question this research seeks to answer includes:

“What have been the main obstacles to the growth of civil society in
Iran in the period of 1997-2004 and what are the prospects for the development of the civil society and promotion of human rights in the near future?”

Indeed, the research wants to explore the principal problems and barriers that made the growth of civil society and promotion of human rights in Iran under President Khatami very fragile or, according to some scholars, even impossible to occur.

1-3. Research Hypothesis

The Main hypothesis that has been designed to answer the main question of the research can be explained as follows:

“The structure of authoritarian government and the mindset of Iranian established political elites prevent the growth of civil society and promotion of human rights in Iran. It makes it very difficult to be realized. Therefore, as long as the Iranian political elite do not change their outlook on democratization and the development of civil society, no major progress will be achieved in this regard.”

This hypothesis means that the very structure of Iranian government both before and after the Islamic Revolution has hindered the growth of civil society and has prevented it from playing a significant role in the promotion of human right in Iran. In the meantime, the mindset of the Iranian political elites both prior to and following the revolution were not consistent with fostering civil society and providing the grounds for democratization in Iran.
1-4. Research Methodology

The research methodology used to do this research is descriptive-analytical.

Also the method for gathering data is mainly bibliographical. Of course, in order to explore the problems and obstacles to the growth of civil society in Iran, a number of interviews have been conducted with certain authorities in the Khatami`s government who preferred to remain anonymous.

Since this research is categorized as a research work in the field of political sociology of Iran, here various phases of development of political sociology in Iran are discussed.

1-5. Scope and Limitations of the Study

This research covers most of former Iranian President Khatami`s years in office between 1997 and 2004. The main limitations in the way of conducting the research included lack of sufficient academic sources on civil society and human rights. Indeed, both of these topics have just recently entered the scene of political debates among Iranian intellectuals as well as political elites. The sensitive nature of human rights in Iranian context has been another limitation that prevented the researcher from undertaking interviews with many human rights activities and from carrying out field study.

1-6. Literature Review

In *Iran Encountering Globalization: Problems and Prospects* edited by
Ali Mohammadi, contributors such as Homa Katouzian examine the current state of Iran, looking at a wide range of areas including the economy, finance, politics, the media, the position of women and migration. In an article on civil society in Iran, Katouzian believes that the Iranian post-Revolutionary experiences with authoritarianism and democracy make it very difficult to predict what will be the future of civil society in Iran. He believes that the society's responsibility and elite inclination are two major factors in determining the future of civil society in Iran.

In *Iran at the Crossroads* edited by John L. Esposito and R.K. Ramazani, it is argued that the Islamic Republic of Iran has now entered its third decade of existence. Many of the revolutionary organs and governmental institutions that were established after the overthrow of the Pahlavi monarchy in 1979 have now become institutionalized. Domestically, over the past 20 years reforms have been gradually introduced in political, social, and economic areas with varying degrees of success. In the international arena, Iran has generally normalized its once stormy relations with the outside world and has entered into various cooperative arrangements with its neighbors. This engaging and informative book, edited by two respected scholars of Middle Eastern studies analyzes both the accomplishments of the Islamic Republic and the challenges that lie ahead. The contributors to this book give a fascinating picture of contemporary Iranian society, culture, politics, and economics. It is proposed in the book that at the dawn of the 21st century, we are witnessing the redefining and reforming of the Islamic Republic, a struggle between the President Khatami’s reformist agenda and more
militant conservative forces led by Ayatollah Khamenei, Iran's Supreme Religious Guide. The Islamic Republic of Iran at 20 is a place of new promises and aspirations whose political, economic, and socioeconomic struggles have significance not only for Iranians but also for Iran's relations with the international community. Iran at the Crossroads provides an intimate view of Iran, domestically and internationally, and the current struggle to reconstruct and thus re-legitimize the revolution.

Homa Katouzian in *Iranian History and Politics: State and Society in Perpetual Conflict* proposes his most detailed and comprehensive statement of theory of arbitrary state and society in Iran. Its applications to Iranian history and politics are both modern and traditional. Every chapter is a study of its own specific topics while being firmly a part of the whole argument. The discussions include close comparisons with the history of Europe to demonstrate the diversities of the logic and sociology of Iranian history from their European counterparts. Being the first modern theory of Iranian history, it has helped to resolve many of the anomalies resulting from the application of traditional theories.

Homa Katouzian in his other book, *State and Society in Iran: The Eclipse of the Qajars and the Emergence of the Pahlavis* argues that Iran was the first country of the Middle East to experience (in 1905-6) a popular revolution that demanded the rule of law and parliamentary government. Seeking to explain this pattern, Katouzian offers a theoretical framework for the study of Iranian history, state and society which is then applied to social and political developments
from the Constitutional Revolution to the fall of the Qajar state.

Nikki R. Keddie in *Modern Iran: Roots and Results of Revolution* brings the story of modern Iran to the 21st century, exploring the political, cultural, and social changes of the past quarter century. Keddie provides insightful commentary on the Iran-Iraq war, the Persian Gulf War, and the effects of September 11 and Iran's strategic relationship with the US.

Mohsen M. Milani in *The Making of Iran's Islamic Revolution: From Monarchy to Islamic Republic* offers new insights into the causes and profound consequences of Iran's Islamic Revolution. Drawing on dozens of personal interviews with the officials of the Islamic Republic and on recently released documents, he presents a provocative analysis of the dynamics and characteristics of factional politics in Islamic Iran. Among the new issues covered are the events leading up to the Teheran hostage crisis, Ayatollah Khomeini's life and writings, President Rafsanjani's activities against the Shah, Rafsanjani's recent reforms, Iran's involvement in the Kuwaiti crisis, and the domestic and foreign policy challenges facing Iran in the post-Cold War era. Milani's treatment is methodical, deeply analytical and cites many sources which have not been referenced in other books in English.

Ali Ansari in *A History of Modern Iran since 1921: The Pahlavis and After*, combining detailed historical narrative with comprehensive analysis and explanation, presents a new interpretation of the complex cultural polity that is modern Iran. Straddled between the world's two major energy basins, the Persian Gulf and the Caspian
Sea, and possessing a rich reservoir of hydrocarbon resources as well as diverse minerals, Iran has always been economically significant. The Islamic Revolution thrust the country back onto the political centre-stage, and dramatically altered relations between Iran and the West. This book looks at these developments within an historical context. It charts how Iran sought to respond to the challenge of the West through reform and revolution, and to reverse the decline of the previous century with an ambitious program of development. This text offers a new interpretation of key events including the 1979 Revolution and the origins of the Iran-Iraq war. The author uses wide range of foreign and Persian sources including interviews with key players and shows how domestic and international events combined to produce certain outcomes.

V. Matthias Struwe in The Policy of "Critical Dialogue": An Analysis of European Human Rights Policy Towards Iran from 1992 to 1997 suggests that in 1992 the EU Council of Ministers declared that Iran's domestic human rights abuses, its continued obstruction of the Arab-Israeli peace process, its refusal to revoke the 'fatwa' against Salman Rushdie, and its sponsorship of international terrorism had to be opposed by a policy of constructive but critical engagement: "the critical dialogue". He argues that the EU concentrated on the promotion of human rights and pressure on Iranian foreign policy as part of its commitment to pursuing an active human rights policy as a core element of the European Common Foreign and Security Policy. As it is evident from the title of the book, the writer does not pay much
attention to the internal dynamism of human rights promotion in Iran and the role civil society plays or can play in this regard.

Katerina Dalacoura in *Engagement or Coercion?: Weighing Western Human Rights Policies Towards Turkey, Iran, and Egypt* analyzes the impact of U.S. and European states’ human rights policies on Turkey, Iran and Egypt. It concludes that, contrary to conventional wisdom, cooperative engagement with these countries yields greater results than the more intrusive policies and coercive instruments in the Western foreign policy arsenal, such as aid tied to conditions, economic sanctions, and diplomatic isolation. The book places the human rights issue in the wider context of foreign relations between the Western and Middle Eastern states and demonstrates that the effectiveness of human rights policies cannot be assessed in isolation from the broader political relationships between them. Katerina Dalacoura argues that working with governments to achieve human rights reform has been more effective because these cooperative attempts have coincided with domestic trends towards greater liberalization. The book also demonstrates that the more discreet instruments of Western human rights policy, such as exercising political pressure, voicing criticism, and expressing concern in a consistent but low-key manner, have likewise influenced the human rights situation in the target countries in a more favorable manner than imposed mandates. As a whole, this book adopts a logical approach to the issue of human rights in the target countries and does not ignore the role of internal factors. But the writer mostly pays attention to the states not civil society in her analysis of internal factors.
1-7. Political Sociology of Iran

Although studying social phenomena based on philosophy has a long record, as new knowledge, which was based on the realities of human societies, evolved; those studies came under serious criticism. New knowledge is that knowledge which led to separation of experimental sciences from philosophy due to its ability to review phenomena and complex social events, inventions, and unlimited discoveries in natural sciences such as chemistry and physics. In the middle of the 18th century, it led to the emergence of a positivist school of thought which emphasized the use of natural sciences’ methods in social sciences.\(^1\) Positivism uses observation and experiment for objective recognition of social and human life and explains them through gathering objective data according to a causative relationship. On the whole, originality of positivism in the 19th century made way for theoretical discussions about social sciences and increased interest in politics and sociology which greatly helped develop sociology and led to the emergence of political sociology. During the 20th century, various viewpoints such as Marxism, pluralism, and the theory of discourse criticized positivism.\(^2\) However, despite enjoying positive points with regard to analyzing a modern society, they could not discredit role of positivism in the study of social phenomena. Many scholars of social sciences still prefer the method proposed by Auguste Comte to analyze social and political issues in various societies, especially the developing societies.
In view of the above introduction, suitable answers are sought for the following questions: Firstly, what factors have affected general and political sociology in Iran and what issues has been the focus of their attention? Secondly, have changes in paradigms of political sociology subsequent to World War II, had any effect on study and assessment of social phenomena in Iran? Finally, what is the theoretical basis of contemporary sociology and its practical paradigm in Iran? I start the debate with a glance at various stages of the evolution of political sociology in Iran. I will try to answer the said questions in three stages. In general, the evolution of sociology in Iran and its subdisciplines such as political sociology, during the past 100 years can be divided into three stages: the first stage coincides with the Constitutional Revolution and continues until the establishment of the Tehran University in 1934. The second stage encompasses sociologic education and research during the reigns of Reza Shah and Mohammad Reza Shah. The third stage consists of the past 29 years and includes widespread official and unofficial efforts aimed to indigenize and Islamize sociology.

The first stage of prosperity of unofficial social research dates back to before the Constitutional Revolution. In the late 19th century; that is, during the last 20 years of Nasser-eddin Shah's rule and the early 11 years of Mozaffar-ed-din Shah's, many Iranian intellectuals who were inspired by western thinkers and social scientists and had an eye on the achievements of bourgeois revolution of France embarked on many efforts to recognize the reason for social backwardness of Iranians. They wrote many papers to increase social insight of the Iranian people and establish theoretical and cultural
grounds for constitutionalism. They also played an important role in catalyzing freedom-seeking ideas during the Constitutional Revolution. The most prominent of those intellectuals who promoted freedom seeking, modernity and rule of law, included Bahr-ol-Malek Mohammad Khan Sinaki (1845-1919), Mirza Malkom Khan Nazem-od-Dowleh (1870-1947), Zeinolabedin Maraghe’ei (1876-1949), Mirza Yousef Mostashar-od-Dowleh Tabrizi (1853-1334), Mirza Fathali Akhoundzadeh (1848-1919), Abdolrahim Talebov Tabrizi (1871-1950), and Mirza (Abdolhossein) Aqakhan Kermani (1891-1935).³

Generally Speaking, political and social works of the abovementioned personalities, including Kermani, abound with rationalism and realism. They chose a simple language to analyze the reasons behind economic and cultural problems and spared no endeavor for promoting political and social awareness of the Iranian people to pave the way for constitutionalism and rule of law. Their studies introduced, for the first time, such concepts as politics, governance, and society to political culture of Iran.⁴ At the same time, due to lack of a single theoretical frame for their thoughts, those ideas cannot be called sociology in a specialized sense. In other words, although some thinkers paid attention to social and political phenomena of the 19th century, but there is no new approach to be called sociology; because that kind of thought belongs to the modern world and is rooted in the Western culture and civilization. Anthony Giddens, the prominent British sociologist also believes that sociology is the child of modernism. The same is true about Iran. That is, discussions about sociology and its accessory branches are new and
were associated with the introduction of modernity, as well as economic development and political changes.

The emergence of modern social sciences in Iran coincided with establishment of modern government since compilation of constitution following the Constitutional Revolution and subsequent to the establishment of new civilizational institutions to run the country under the first Pahlavi monarch. Naturally, the government needed educated people to put economic, social, and administrative affairs in order; people who could analyze social issues and have good information about new models for establishing social and political organizations. To this end, a large number of students were sent to study in Europe and the United States. Most people who went to European countries through the government or their personal expense between 1921 and 1941 were employed at Tehran University and other centers upon returning to Iran and were determined to bring about major changes in the country’s educational system by availing of modern science.5

The positivist school of thought established by Auguste Comte and sociological theories of Émile Durkheim, were theoretical breeding grounds for general and political sociology in Iran.6

The expansion of political sociology as a modern science which studies various aspects of power, government and society, relationship between social forces and state bodies and the effect of interaction between society and politics on political and social developments through scientific methods took shape under Mohammad Reza Shah’s rule. In this period, sociology and its
subdisciplines were taught at all educational centers of the country after a short time. Under the reign of Pahlavis, many books were published on sociology and its subdisciplines as well as about political and social issues in Iran. Many of them were direct translations of Western textbooks and historical books and only few researchers chose the Iranian society as the subject of their studies. Some of them cast doubt on common Western viewpoints in political sociology and focused on such issues as political and class structure of the Iranian society, historical barriers to the growth of capitalism and reasons behind the weakness of bourgeoisie, reasons behind, cultural backwardness and the development of bureaucracy. They were instrumental in spreading political awareness and social science research as well as administrative and social developments of Iran. In short, the following factors played a role in emergence and spread of sociology and its sub-disciplines including political sociology: 1. creating subjective and objective conditions for the establishment of civilizational institutions as well as social science and humanities education; 2. attention to the viewpoints of western scientists as well as social and political theorists which led to the spread of social thoughts and clarified the significance of society and government; 3. expanding governmental and nongovernmental scientific and research centers to that sociology was taught at most faculties of literature and humanities and about 16 percent of total students were studying in social sciences; 4. financial support from the government was another factor which promoted education of social sciences. The government took valuable steps in the late 1950s, especially in the 1960s, from the viewpoint of investments in increasing the number of
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educational centers, admitting new students and training new university teachers.7

Apart from the third group of sociologist who were less influential in determining general and political sociologic developments of the society, one can daresay that academic sociology in Iran was affected by the ideas of French sociologists including Auguste Comte and Émile Durkheim, until the late 1950s. At the same time, the ideas of Carl Marx formed the basis of social research and were blended with positivist as well as Marxist ideas. Since the early 1960s, under the influence of basic changes in Iran’s social and higher education systems and due to the employment of Iranians who were educated in the United States, the views of French pioneer socialists gradually lost in importance and Iranian sociology was mostly based on scientific and research methods of the American sociologists from that time. The American sociology with its extremely experimental and behavioral approach greatly affected the Iranian sociology and political sociology.8

After the establishment of the Islamic Republic of Iran, educational activities of universities grounded to a standstill for three years due to the Cultural Revolution which aimed at Islamizing the educational system and under the pretext of preventing political activities of students. The objectives of revolutionary elite from Islamizing universities was not limited to a single academic major, but they believed that the Cultural Revolution should lead to basic changes in humanities and social sciences. Out of academic courses, sociology and political science were analyzed and criticized more
because of their higher reliance on educational system of the west and emphasis was put on changing their contents. Though most technical, engineering, agricultural and medical faculties were opened by 1982, the Cultural Revolution Headquarters was not willing to reopen social sciences and humanities faculties, especially when it came to sociology and political science. Social science and humanities faculties were first reopened in 1983. Since the early 1979 up to the late 1980s, sociology came under vehement criticism as being incompatible with religious teachings, being unscientific, and being unable to handle social problems. They stressed the need to basically review the content of social sciences as well as sociology curriculum. The Cultural Revolution Headquarters divided social sciences into six categories in order to train specialized manpower for social organizations and state-run bodies. They included: 1. social communications; 2. social planning; 3. social cooperation and welfare; 4. social services; 5. social science teaching; 6. social studies (sociology). In practice, yet decisions made by the Cultural Revolution Headquarters made sociology dependent upon government agencies more than before, instead of creating more suitable grounds for the expansion of political and social studies and research by scholars and researchers outside universities. They also led to limitations with regard to both education and assessment of social issues. In addition, many professors of social sciences and humanities were purged from universities during those years; others decided to settle in the United States or European countries to continue their scientific activities. Shortage of university teachers on the one hand, and the expansion of higher education centers on the
other, led to the employment of new graduates of various domestic and foreign universities. Addition of that manpower to academic society and the fact that they were incompatible with academic environment and differed from past generations from the viewpoint of social origins, educational ambience as well as age and political attachments, only exacerbated the crisis that was already nagging the education of social sciences.

After the termination of war with Iraq and the election of Mr. Hashemi Rafsanjani as president, the necessity of reconstructing war damages and the need to specialized manpower in various economic and educational sectors created a new atmosphere for assessing social and humane issues related to educational development of the country. Transition from a closed social atmosphere and wartime economic conditions to a period of reconstruction and economic development laid suitable grounds for social studies both at universities and in the society. By and by, a group of young university lecturers and researchers who followed a very liberal approach or advocated a revisionist Islamic approach joined critical analysts of social issues and tried to compete with totalitarian ideologues who ruled the society through presenting their own viewpoints. Many of those personalities were provided with better educational and publication facilities under Mr. Khatami’s government to forward their ideas on social crises that were plaguing the society. Many scholars and most political activists and journalists who supported the reform movement, or for any reason supported political reforms, hailed from a new middle class who were graduates of various fields of social sciences. A close look at their work will demonstrate that they were
mostly influenced by political and social theories of contemporary western thinkers. That situation signaled a major development in the new generation of sociologists, especially among researchers and journalists who supported the reform movement. Yet, a part of that theoretical development in approach to social sciences was a result of an overall metamorphosis as well as political and social changes in Iranian society under former president, Seyed Mohammad Khatami.\textsuperscript{12} Interestingly, new scholars were discrepant on how to go on with sociology education as well as analysis of political and social issues. A group was trying to keep theoretical and behavioral traditions of pre-revolutionary sociologists. Another group insisted on application of critical sociology. A third group, which comprised the majority of academic sociologists and researchers of social issues outside universities paid more attention to cultural issues when studying the trend of political and social developments in Iran as a result of relative openness of research atmosphere.\textsuperscript{13} The latter group, which established new research centers; developed sociology education at Bachelor’s, Master’s, and Doctorate degree levels, availed of financial and spiritual support of governmental bodies and enjoyed a better position compared to other groups. On the whole, during the past two decades, despite the existence of multiple approaches to political and social issues, two major scientific and research fields i.e., political sociology and social – class sociology emerged. The main axes of political and social sociology in Iran include politics and society, tradition and modernism, social issues and their relation to religion, social forces and their role in political life as well as reasons behind underdevelopment of the society. Undoubtedly, creation of a suitable
atmosphere for theoretical and field studies and interest in implementing research plans which are generally carried out by university teachers and researchers have helped advance study of social and political issues. According to statistics produced at the Tehran International Book Fair in May 2005, during the first four years of the 2000s, 43 books on political sociology of Iran alone were published by scholars and researchers not affiliated to seminary and university. Yet, most sociologic studies in Iran were carried out by political science scholars and, hence, political sociology is closer to politics and governing power than any other science in Iran.\textsuperscript{14} We must accept that great advances have been achieved both with regard to sociologic training, and analysis of social issues.

1-8. Islam and Civil Society

Opening of the printing houses and publication of newspapers, the introduction of modern methods of education, and the appearance of political parties, were all factors that made considerable impact on the outlook of Muslims in the past decades. In our times, factors like globalization, advances in communication technology, and the information explosion are similarly exerting enormous pressures on the existing belief systems within the Islamic belief-ecosystem.

Of particular interest is one re-emerging factor that seems to be capable of playing a positive role in resolving, or at least damping down, the identity crisis in Muslim communities. This element is the discourse of civil society which has made a remarkable comeback in the West in recent years\textsuperscript{15} and is gradually gaining ground in the Islamic countries.\textsuperscript{16} In the past few years, an impressively large
number of papers and books on the subject of civil society have been published in various Islamic countries. Universities, research centers and government bodies in these countries have convened numerous conferences and seminars on the subject. In a fashion more or less comparable to what has happened in the West, the notion of civil society has received a mixed reaction amongst Muslim intellectuals, scholars, statesmen and political activists. In the West, there are those who ardently advocate such a society. While there are others who would voice concern about this model. Ernest Gellner has praised it as an ideal whose reappearance should be heartily welcomed. John Gray who used this model, now concludes that a more pluralistic approach, with some resemblance to the pluralism propounded by Alistair McIntyre though not identical with it, should be developed.

In the context of the Islamic belief-ecosystem too, there are those who argue that this notion is quite incompatible with Islamic views. Others are advocating an Islamic civil society. And yet a third group is of the opinion that the notion of a civil society is ideology-neutral. To adjudicate between these seemingly discordant positions, we have to impose a rather restrictive condition. The critical dialogue concerning the status of civil society within the boundaries of the Islamic ecosystem, could only be held with those interlocutors who subscribe to some interpretations of Islam which would endorse and uphold the essential right of reason in pursuing real life problems. I shall call these interpretations the rational ones for want of a better word. With regards to these interpretations it could be asked, is civil society realizable in an Islamic environment? If so, is it
desirable? It is argued that the rational approaches to Islam will benefit from some bona fide model of civil society, provided that they remain open to rational criticism and appraisal. It will be further propounded that while there is no inherent contradiction between the notion of civil society and Islamic doctrines, the concept of an Islamic civil society, may lead to undesired consequences.

At the outset we should first make clear what we mean by a bona fide model of civil society. Following Cohen and Arato, civil society is a sphere of social interaction between state on the one hand and the economy on the other. This sphere, in its turn, is composed above all of the family, voluntary associations, social movements and forms of public communication and self-mobilization. Civil society, in this sense, is institutionalized and generalized through laws and rights. In this model, civil society is not identified with all of social life outside the administrative machinery of state and economic process in the narrow sense. Thus for example, according to this working definition, political organizations, political parties and parliaments, as well as organizations of production and distribution of goods, like firms, cooperatives and partnerships are not part of civil society per se. The political and economic role of civil society is not directly related to the control or conquest of political and or economic power. What it depends on is the generation of influence through the life of democratic associations and unconstrained discussions in the cultural public sphere.

The argument against incompatibility of civil society with Islam has appeared in two distinct forms. On the one hand there are those
writers, usually Western orientalists and occasionally their Oriental companions, who following Max Weber\textsuperscript{24} would claim that contrary to Western societies, the structure of Islamic societies is not amenable to the emergence of civil societies. B.S. Turner, in a recent study, has thus summarized the two main features of this line of argument:

“The first is to make a dichotomous contrast between the static history and structure of Islamic societies and the evolutionary character of occidental Christian culture... The second... is to provide a list of causes that explain the stationariness of Islandom. The list typically includes the absence of private property, the general presence of slavery and the prominence of despotic government... These features... can be summarized by the observation that Oriental social formation possessed an overdeveloped state without an equivalent `civil society’.”\textsuperscript{25}

Yet, as a number of researchers have shown, the above argument is based on an oversimplified picture of life in Islamic societies and cities, from which many essential aspects are omitted. For example, it has been shown that in many Islamic cities, Muslim professional guilds and urban corporations had actually created embryonic civil societies. Louise Massignon, for instance, has observed that:

“There was not a single town... from Central Asia to Mesopotarmia, which did not have its Ayyarun [the vigilantes] ... they... seem to be more closely linked with the local bourgeoisie in support of a native prince,... Sometimes the bourgeoisie relied on them in resisting the authorities..., in the majority of towns which had
no shorteh (police force), they formed an indispensable local militia,... upon whom the people of the city relied.”

Bernard Lewis, in a more critical vein, having compared the similarities and the differences between the Muslim and the Western European urban grouping, has endorsed the independent nature and social function of the Islamic guilds:

“Unlike the European guilds, which were basically a public service, recognized, privileged and administered by public authorities, seigniorial, municipal or royal, the Islamic guild was a spontaneous development from below, created not in response to a state need, but to the social requirements of the laboring masses themselves.”

Whereas orientalists have based their argument against the compatibility of the models of civil society and Islam on the so-called ‘stationariness of Islamdom’, quite recently, some Muslim writers have argued against the thesis of compatibility from a doctrinal point of view. According to these writers, who, by and large, advocate a traditional approach to Islam, civil society, is a product of the liberal philosophical tradition and this tradition is inherently at odds with the Islamic ideas and ideals. S. Larijani, a lecturer in Qom seminary, is amongst the advocates of this view. In a recent paper entitled, ‘Religion and the Civil Society’ he has spelled out the main argument of this group of writers in the following way:

“In a nutshell, civil society and liberalism are twin brothers, and one of the main theses of liberalism and therefore of the civil society, is the neutrality of the state. This is not consistent with pure Islamic doctrines, unless one is so infatuated with liberalism, that he does not
care about such an inconsistency and that is another matter. Contrary to the views of a number of myopic intellectuals, liberalism is not only incompatible with the fundamentals of religious belief in general, and with Islamic thought in particular, it also poses grave philosophical problems for the individual. A necessary consequence of the liberal doctrine is that every immoral law, if it is endorsed by all and sundry is practicable. The duty of the state is to pave the way for its implementation. This is because the state has no criterion for distinguishing wrong and right.”

A critical assessment of the arguments of traditional Muslim writers takes us beyond the scope of this discussion. However, suffice it to say that the development of the models of civil society has not been a prerogative of the Liberal thinkers in its narrow sense. Hegel, Marx, as well as subsequent socialist and Marxist writers have also made significant contributions in this field. Moreover, to equate laissez-faire or unconstrained freedom with liberalism is to refute the actual history of ideas. In the past two decades many thinkers have endeavored to develop more refined models of civil society in which the rights and liberties of the individuals are reconciled with a partnership between the state and the society.

It seems the main objection of the traditionalist Muslim writers to the notion of civil society is that such a society would pave the way for moral and social decadence. Though one can sympathize with such concerns, one should not, as some of these writers seem to have done, conflate permissiveness with moral pluralism. While the former
could lead to moral impropriety, the latter basically involves divergent sub-moralities in relation to the same area of conduct.

One can think of such a society as not just built on a Hobbesian kind of social contract, but one that also benefits from a moral contract or a covenant. A society based on a social contract is maintained by an external force, with the monopoly of justified use of coercive power belonging to the state. A covenant, by contrast, is maintained by an internalized sense of identity, kinship, loyalty, obligation, responsibility and reciprocity. Parties can disengage from a contract when it is no longer to their mutual benefit to continue. A covenant binds them even, perhaps especially, in difficult times. This is because a covenant is not predicated on interests, but instead on loyalty, fidelity, and holding together even when things seem to be driving matters apart. While this model of civil society might succeed in mitigating the opposition of more conservative and traditional Muslim writers, it may prompt the discontent of critically minded citizens of the Islamic communities. It might, for example, be argued against this approach to civil society that to endow the moral law with precedence over the law of the land could lead to dangerous and undesirable consequences.

H. L. A. Hart provides a solution that allows this difficulty to be circumvented. He advocates accepting that the law of the land, notwithstanding the possible sacredness of its sources, is a set of fallible interpretations by mere mortals and as such is not only not sacred, but may not even be moral in an ideally desired sense. Yet this law has to be made as moral as possible. This is close to the view
that science should be seen as an approximation to truth rather than the truth. In a civil society as proposed here, citizens can play an active role in producing better rendering of the laws governing the conduct of the society.

Civil society in the defined sense can also exert a decisive influence toward a satisfactory resolution of the so-called identity crisis. The identity of an individual partly takes shape in his society. In a despotic or absolutist society, there is very limited room for maneuver for the individual. As a result his or her identity will not have sufficient chance to flourish and its potentials cannot fully actualize. In a civil society strengthened with the notion of moral contract, values like freedom, equality, solidarity, democracy and basic rights can be realized. Society can facilitate the constructive interaction between different elements of the belief systems and therefore, can assist to produce novel solutions to the so-called crisis of identity.

The issue of pluralism also has a bearing on the notion of an Islamic civil society. Traditionalists have argued that it is a superfluous or an incongruent concept: we either have Islamic society or civil society. And since these two societies are based on two different ideologies, they cannot be reconciled. However, it seems that the argument for pluralism provides a strong rebuttal of the positions of both the traditionalist and the proponents of the Islamic civil society.

Indeed, civil society, like the different forms of government and the various institutions that have evolved during the process of maturation of human civilization, is ideology-neutral. It is a means to an end, and like all other means can be used properly or misused.
However, it must be emphasized that an ideology-neutral model need not be necessarily value-free. In fact, the model of civil society advocated here is value-laden. However, the values on which such a society is based are of universal character: values like rationality, freedom, equity and the like. We will deal with more of this later on.

The thesis of an Islamic civil society, however, suffers from other shortcomings. Whose Islam is meant in such a society? Is there just one model of Islamic civil society or many? Apparently, we are facing a dilemma here. To opt for the first horn of the dilemma would bring about the charges of rigidity and predetermination. To reach for the second horn however, would amount to arbitrariness, if not outright contradiction in terms.

Islamic ideals and ideas can act as regulative principles in the Kantian sense as ideal objectives, which would inspire the citizens and toward which they strive. However, they would not act as pre-imposed straight jackets, hindering the development of the people. It was said that the model of civil society advocated here could help the rational interpretations of Islam to meet the challenges of identity crisis. However, a qualification needs to be added. The identity crisis, as pointed out above, is a serious threat to the very existence of the belief systems. In this process only those belief systems which are the fittest could survive. The fittest are those which have the highest capacity for adaptability to rapidly changing situations.

Within the context of the Islamic ecosystem, there exists a belief system with a long history and rich varieties. Its main characteristic has always been the great emphasis that it lays on such basic values
as freedom, tolerance, equity, responsibility, love and respect for all manifestations of God on earth, that is, all creatures small and large, animate or inanimate. Though some varieties of this particular belief system have traditionally looked rather suspiciously upon the role of intellect and reason, few highly sophisticated and well-developed versions have managed to blend a unique synthesis between rational and trans-rational elements like love and direct and intuitive wisdom.

Approaches that have managed to incorporate the more sophisticated trans-rational (mystical) traditions, and have embarked on the project of implementing a model of civil society more or less similar to what briefly described here, are better placed to weather the storm which is blowing over the Islamic lands. They will be more successful in meeting the challenges facing Muslim communities in the next millennium.
Notes and References:


8- Torabi, op. cit., pp. 92-96.


10- General specifications of academic courses related to humanities, art and agriculture at universities and higher educational centers of the Islamic Republic of Iran as approved by the Cultural Revolution Headquarters, Public Relations Department of Cultural Revolution Headquarters, no date, pp. 54-59.
11- Azghani, op. cit., pp. 119-122.


13- Ibid., pp. 42-44.

14- The works of Hossein Bashiriyeh, Mahmoud Sari-ol-Ghalam, Amir Mohammad Haji Yousefi and Mohammad Reza Tajik are few examples.

15- The authors have rightly emphasized that: “Thus we are convinced that the recent reemergence of the ‘discourse of civil society’ is at the heart of a sea change in contemporary political culture.” See J. L. Cohen & A. Arato, Civil Society and Political Theory, Cambridge, MA: The MIT Press, 1992, p. 3.


23- The relation between reason and religion within the Islamic belief-ecosystem is a vexed and complicated one. Taking a cursory glance at the history of Islam, it can
be seen that Muslims have adopted three different attitudes toward the use of reason and the rational attitude. Some have regarded it as a dangerous enemy for belief, others have emphasized the compatibility of reason and religion and the third group has urged going beyond the realm of reason and into the realm of direct and immediate religious experience.


Other researchers, emphasizing the historical importance of these embryonic civil societies within the context of Islamic cities and Muslim communities, have gone further. They show that while from a doctrinal point of view, there has been no restriction for the flourishing of civil society in the past Islamic communities, other historical and environmental factors have hampered their development.

30- The critics of liberalism have even endorsed this view. See for example, John Gray, *Liberalisms*, London: Routledge, 1989.
31- John Keane, op. cit, note 30 has, among other things, briefly discussed the socialist version of such refined models. J. L. Cohen & A. Arato, op. cit. note 14, have based their model of the views of Habermas. Karl Popper has tried to combine the aspirations of liberalism with some of the ideals of socialism,*The Lesson of this Century*, London: Routledge, 1997. J. Shearmur, in *The Political Thought of Karl Popper*, London: Routledge, 1996, has discussed Popper’s brand of liberalism. For the significance of the moral component in Popper’s thought, and the notion of
morality as a method, see A. Paya, Translator’s Note, in the Persian translation of Popper’s *The Lesson of this Century*, Tehran: Tarh-e Nou, 1998. Among the modern Liberal writers, Isiah Berlin too, has tried to develop a version of liberalism in which, the rights and liberties of the individual and the social responsibilities of the state could be reconciled. John Gray has called Berlin’s model “Agonistic Liberalism” and has discussed it in his *Post-Liberalism: Studies in Political Thought*, London: Routledge, 1993.

32- S. Larijani, op.cit. note 20. Similar views can be found in the works of M. H. Mesbah, a professor of philosophy at Qom Seminary, who is, by far, one of the most ardent end vociferous proponents of this position. For a clear and concise statement of his position see his “Islam vs. Liberalism,” *Iran* 4, 966, p. 8.

33- Kant was of the view that governments are obliged to keep their contract with their citizens and this contract is moral not political. See, H. Reiss, ed., *Kant’s Political Writings*, Cambridge: Cambridge University Press, 1991.


36- S. Larijani, op.cit.

37- One such argument in support of this claim can be made by analogy to the natural ecosystems. In these systems those organisms that make the best use of the very resources available within their own ecosystem, stand a better chance of survival. Similarly, those belief ecosystems which make the best use of the resources within their own belief ecosystems, i.e., their own “past traditions”, will be in a better position to ward off the threat to their integrity. For a discussion of the importance of “tradition” and the rational approach toward it see, Karl Popper, Toward a Rational Theory of Tradition, in *Conjectures & Refutations*, London: Routledge & Kegan Paul, 1972.