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## Civil society in the context of Arab world: Conceptual Understanding

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### ABSTRACT

*Civil society is one of the most contested, ominous, and ambiguous concepts in social sciences. It is contested because it means many things to different intellectuals at the same time. Because of different and even contested views, the notion of civil society has become ambiguous. As a result, it is difficult to attain a united and an integrated understanding of civil society. One of the problems surrounded the analysis of civil society is to adopt universalist view and supposing that civil society "should" have similar features in all contexts. International agencies deal with civil society in developing countries as a metaphor of west. However, developing countries, such as Arab states has different historical trajectories of the civil society developments. In contrast to the universalist understanding of civil society, there is a contextual perception, according to which civil society is embedded in a meaningful mixture of political, social, and historical place. In other words, civil society is embedded in a context. Contextual understanding supposes the heterogeneity of the concerned phenomenon. Studying civil society in this paper adopts contextual understanding to conceptualize civil society in the Arab world.*

**Keywords:** Civil Society, Context

### 1. INTRODUCTION

In general, it is difficult to present a definition of civil society. If we add "the context" to civil society, then the task might be easier. No concept has known discussion and contested explanations more than civil society in political theory. From Aristotle to Gramsci, many interpretations were given to civil society. However, the common view is that civil society is a rule-governed society based on the consent of individuals. It is a process through which individuals organize, negotiate, struggle, or agree with each other and with the centers of political and economic authority. Through voluntary associations, movements, parties, unions, the individual is able to act publicly.<sup>(1)</sup>

The dominant view on civil society is that it emerged in Europe. Civil society flourished within an atmosphere characterized by the transition of the political power source from Church to the state. Civil society in this sense expressed the will of individuals versus supernatural power to organize their life. That doesn't mean that there is no civil society in non-Western contexts. I suppose that there is civil society in the Arab context but it differs in its emergence, meaning, components, and relations with the state from civil society in Western context.

In this paper, I am going to highlight the concept of civil society and the same concept in the Arab context. Studying civil society in terms of context in my paper has two important aspects: meaning of civil society and relations between the state and civil society.

The paper is divided into three sections. The first one is the concept of civil society. The second section is Arab understanding of the civil society concept. Third part explains relations between state and civil society in the Arab context. finally, I will conclude with key points.

### 2. THE CONCEPT OF CIVIL SOCIETY

It has been argued that the emergence of the civil society concept traced back to Aristotle when he talked about communal life; polis, *koinonía politiké*, or city-state which is the highest form of community described by the intellectual.<sup>(2)</sup> Political community or city-state is a product of nature. It is an independent and self-sufficient association of free and equal persons united by common values accepted by its members, who are political animals by nature.<sup>(3)</sup> *Kioinia Politike* was translated into *socitis civilis* by Leonardo Bruni and reflected the urban life of Florence in the fifteenth century.

Sudipta Kaviraj and Sunil Khilnani argue that the term of political community in its original sense allowed no distinction between state and society. It simply meant a collection of human beings united within a legitimate political order.<sup>(4)</sup>

With social contract theorists, political commonwealth, government, state, civil state, and civil society were used interchangeably to refer to a law-governed society with a common power constituted artificially and voluntarily by the wills of individuals. Therefore, political society was not a work of nature, rather it was constituted by individuals.

The first moment at which civil society concept became separated from political community was when it was theorized in terms of political economists like Adam Smith and Adam Ferguson. These thinkers looked at civil society as an economic and self-regulating society distinguishable from the state.<sup>(5)</sup>

Hegel's project was to reconcile particular interests embodied in the realm of civil society (like private ownership) with a moral and a rich vision community by the existence of the regulating law.<sup>(6)</sup>

In "Philosophy of Right," Hegel shifted the life of morality from bourgeoisie civil society to the life of the state. In other words, common good finds its embodiment only in the right of state.

The differentiation of civil society from state becomes more advanced with Alexis De Tocqueville who analyzes the importance of civil associations in maintaining democracy and protecting individuals from a despotic state. Helmut Anheier, Marlies Glasius, and Mary Kaldor point out that according to Tocqueville associations are necessary to provide a check on the state power and thus they promote freedom and equality.<sup>(7)</sup>

Whereas civil society breaks the isolation of individuals according to Tocqueville and contributes to realize self-consciousness of free will through the process of labor according to Hegel, it becomes a space of a fragmented man in the capitalist society according to Marx.

Marxist analysis deals with civil society "*bürgerliche Gesellschaft*" as the first social formation in history to divorce the individual's legal-political status from their socioeconomic role.<sup>(8)</sup>

Marx states: "Where the political state has attained its pure development, man ... leads a twofold life, ... life in the *political community*, in which he considers himself a *communal being*, and life in *civil society*, in which he acts as a *private individual*, regards other men as a means, degrades himself into a means and becomes a plaything of alien powers."<sup>(9)</sup>

The concept still have developments. It was used in contrast of the state of nature with social contract theory and later became in contrast to the positive state itself. Unlike Marx, Gramsci located civil society in superstructure wherein the ruling class imposes its hegemony over society to extract consent to its rule. It was differentiated from both the state and the economic sphere. It became a non-state and a non-economic area of social interaction and it includes cultural institutions; church, schools, associations, trade unions, and other cultural institutions.

Tanvir Anjum points out that according to Gramsci, civil society is a sphere of social life where individuals exercise their free will without any control of state.<sup>(10)</sup>

If the faults of particularity of interests within civil society could be corrected by the full realization of freedom in the state (Hegel), and emancipation of alienated man could be achieved through revolution which withdraw the state and "*bürgerliche Gesellschaft*" (Marx), Gramsci asserts that the place wherein the hegemony is imposed is the same place where the revolution appears.

Tocquevillian and Gramscian contributions to civil society debate play a critical role in shaping civil society as a political project for democratization, a sphere through which people in Central and Eastern Europe and Latin America resisted authoritarian regimes in 1970s – 1980s.

Democratization in Eastern Europe, Central Europe, and Latin American was the direct cause of spreading discourse of civil society around the world. In addition, globalization has provided a basis for understanding many political, social, and economic notions beyond their place of origin. The rediscovery of civil society concept in 1970s-1980s and the emergence of transnational NGOs has made it more difficult than before to obtain a contemporary understanding of civil society.

### **3. ARAB UNDERSTANDING OF THE CIVIL SOCIETY CONCEPT**

Recent literature on contextual understanding of civil society is divided into two categories. The first is the Orientalist view which acknowledges that civil society is a product of western history. This position restricts civil society to Western European and American models (namely Tocquevillian model). The second is the moderate view which adopts contextual understanding of civil society and asserts that civil society should be understood as a human phenomenon which has cultural, social, economic, and

political specificity. It is concerned with the manifestations of civil society organizations in multi contexts. This strand doesn't ignore that the concept is the achievement of the European modernity. However, what matters is how to understand civil society in contexts whose historical trajectory of civil society, politics, and state is different.

Conceptualizing civil society in the Arab context is very difficult. When Arab intellectuals introduced the discourse of civil society, this was part of the global trend in 1980s. Whether civil society has its logic in non-western societies or not has not been agreed upon until this moment in the Arab countries

Amani Kandil, the executive member at Arab Network for NGOs, sees it is better to look at civil society as a heterogeneous phenomenon impacted by socio-cultural, economic, and political context. This enables us-as she points out- to notice the features of the phenomenon under study which differs from societies to others. The scholar adds that the starting point for elaborating the theory of civil society in the Arab context is to rely on Arab reality because principles ruling human history are not restricted to a single trajectory.

The period of revolutionary struggle in 1970s and 1980s and the collapse of the Soviet Union was the period when the discourse of civil society started in the Arab countries or MENA (Middle East and North Africa). The discourse of civil society in the Arab context is more complicated than in the western context due to many reasons. Until now, there has been a disagreement whether civil society itself exists or not. Some Arab intellectuals argue that whereas the emergence of civil society in Europe was related to historical, political, and social circumstances, they are completely different or absent in the Arab context. The profound bases and processes of rule of law, autonomous individuals, civic and political liberties are relatively absent in the context of Arab world.

Azmi Bsharah, the Palestinian thinker, asserts that the prerequisite for civil society formation in west was the presence of free and autonomous citizens.<sup>(11)</sup> Therefore, what Arab countries have is the manifestations of voluntary organizations that are not autonomous. They also exist in a context where primordial connections of individuals to a tribe, a clan, and a sect are more powerful than civic ties. This analysis leads intellectuals to speak about "Ahli Society" or "al mujtama al ahli" (indigenous or domestic society). *Ahli* in Arabic language refers to the people's connotations to their natural communities.

Karim Abu Halawah, the Syrian thinker and the lecturer at Damascus University, points out that what has been talked about in the Arab context is not civil society but one component of civil society that is "Ahli society" (the people society). He criticizes those scholars who use civil society and Ahli Society interchangeably because membership in Ahli Society doesn't go beyond natural community whereas membership in civil society is based on free choice. Abu Halawah acknowledges that many Ahli society organizations (*ahlia*) were born by the will of government.<sup>(12)</sup>

According to the view of these thinkers, we have two concepts of civil society. *Al mujtama al ahli* that is indigenous society and local initiatives. It includes religious charity and social solidarity constituted around clans, tribes, and families. The idea of civil society is not new in the Arab world. Volunteerism, people initiatives, and religious charity: *sadaqah* (voluntary charity), *waqf* (public endowment), and Christian charity outside the family and the state, aiming at the public benefit has long roots in the Arab history. In Egypt, for instance, Cairo University was an association formulated by the indigenous initiatives in 1908. Geographical Association of Egypt was established by people's initiatives in 1875.<sup>(13)</sup>

The second concept is *al mujtama al madani* (civil society) which includes modern liberal associations like cultural clubs. Mohammad Abed Al- Jabri, the Arab contemporary intellectual, argues that *al mujtama al madani* means assembling in cities. In this sense, "*Madani*" in the Arab thought derives from "*Al tammadon*," (Urbanism). There is another meaning explained by the contemporary Lebanese's historian, Wagih Kawtharani. He analyzes civil society with linkage to the idea of citizenship versus subjugation.

Ottoman Empire adopted constitutional reforms which were synchronized with the so-called "Renaissance in the Arab Region" in the nineteenth century. The aim of these reforms was, as Kawtharani explains, to harmonize the concept of "*mwatana*" (citizenship) with "*Ra'wyya Osmaniya*" (the primacy of Sultan over all social classes). Muslim thinkers had studied in Europe and came back, holding ideas about the institutions of the European modern. They called for "Equality, Justice, and Liberty," refusing the centrality of the Ottoman authority.<sup>(14)</sup> Accordingly, Kawtharani links civil society with the enlightened middle class and the status of citizenship.

Arabic dictionaries define "Civil" (*madani*) as "a transformation from the state of primitiveness to a state of familiarity and delight and holding the values of the *cities*."<sup>(15)</sup> Therefore, it indicates what Ibn Khaldun describes in his "*Introduction*," the transformation from Bedouin society to urbanism "*madania*" and the criteria upon which society becomes civil "*madani*" is to settle in cities. Therefore, it derives from "urbanism" (*madania*). Urbanism is equivalent to civilization in Arabic language. Civil in Arabic language and Arab understanding is the *urban face of life*.

With the advance of the neo-liberal agenda in the Arab region during 1980s-1990s, the operationalized concept of civil society in terms of NGOs and third sector emerged. Arab academic community complied with the global concept of civil society as voluntary organizations located between the state and the market.<sup>(16)</sup>

The notion agreed upon was based on the criteria adopted by the John Hopkins University's International Comparative Project (volunteerism, the non-profit character, the work for public benefit, independence from government). Arab civil society is thus an old-new phenomenon.

#### **4. RELATIONS BETWEEN STATE AND CIVIL SOCIETY IN THE ARAB CONTEXT**

Albert Hourani, the British historian from Lebanon and the specialist in the “Middle East” studies, discusses that the birth of state in Arab history was one function of the Prophet Mohammad Mission because there must have been a political leader at the head of “*Umma*.”<sup>(17)</sup> Therefore, it was impossible to have Islam society without state.

The European countries had known church/state dichotomy and conflict between them which ended up by the victory of the nation-state. Then, religion eroded to the private sphere. Throughout history, the state in the Arab region has justified its legitimacy by religion. The moment at which rule in Islam shifted from Shura to a system based on power “al Mulk” started during the Umayyad state.

When Muawiya Ibn Abi Sufian took over power, he replaced it by a hereditary rule. Mohammad Abed Al -Jabri expressed the transition of Islam state from Caliphate system to “Mulk” as a transition from a state without political sphere to the state in which political sphere emanated. In this space, politics started to be exercised. Before this transition, religion and politics were associated and it was not possible to have an autonomous political sphere. He added a sophisticated reason, that is, in the early time of Islam, there was no diversity or plurality in society. However, with conquests, Muslim society became diverse and plural. In this new version of society, Caliphs enabled opponents to criticize as long as they didn’t threaten the rule. Nevertheless, this political space was not a sphere in which opponents participated in the decision - making process because tribalism still decided everything. *Umma* exceeded tribalism. However, it didn’t eliminate it. Muslims who were members of *Ummah* kept their relations to tribes as the social framework.

During the Abbasid clique period, the creed of Islam transformed into obedience of people to the Sultan in the name of religion. Society became pyramidal: at the top there was the Caliph, at the middle the upper class was located, and at the bottom there was the rest of people.

The dichotomy between religion and politics was not the question raised by the Arab political intellectuals nor it was a shifting paradigm in the formulation of modern state. It became a question only when Arabs realized the modernity gap in technologies, sciences, and modes of governments between them and the European countries in the nineteenth century. Then, they raised questions about Arab backwardness. They started to compare all their political concepts to those in Europe.

The educated middle class in the nineteenth century “colonial period” hold ideas about citizenship contributed to open the Arab region for external ideas about modernity in Europe. So, the question of modernity in the Arab context was how can we “as Arabs” reconcile between the Arab identity and western ideas?

Burhan Ghalioun, the French Syrian professor of sociology at the Université de Paris III Sorbonne University in Paris, asserts that in the European context the modern state is built on the cancellation of class distinction, first of the feudalists and later of bourgeois, in favor of a state that gains its legitimacy by guaranteeing equality and the rule of law. Accordingly, individuals abandoned their family as a social component and belonged to the state as the guarantee of rights and freedom.<sup>(18)</sup>

Hamdi A Hassan argues the organizing principles of social relations of Arab civil society are embedded in a concrete social context where the family and the network of kinship are the Archimedean point to which individuals related. He adds that the emergence of states in the Arab world on the ruin of the Ottoman Empire from 1918 and on could be characterized by the failure to develop modern nation- states with mature political structure. During this period, Arab states monopolized power not only through the penetration of civil society and through coercion, but also by preventing the emergence of autonomous socio-political groups.<sup>(19)</sup>

Primordial relations in the Arab society have its political dimension. In other words, the nature of social structure extends to political domain. Hamdi Al Hassan argues that politics and power relationships within Arab states are defined by kinship and the regulation of social relations. State “*Dawla*” in Arab countries lacks the Weberian Bureaucracy that is characterized by legal liability. Loyalty in Arab countries is not to the rule of law but to the one’s place in vertically social networks. Because primordial relations are powerful with the absence of guaranteed liberty, politics in the Arab world is a sphere of direct intervention by regimes. The logic result is the absence of autonomous personality and the rule of law. This situation resulted into a specific phenomenon: people connotations to tribal and family ties become the only guaranteed protection from the tyrannical state. In all Arab states, there is a gap between state and society translated into a crisis of legitimacy. Politics becomes the reign of coercion and a direct administrative intervention by regimes, rather than rule through mutual consent.

After independence during 1950s-1960s, two threats justified the tendency of Arab state to prioritize national security over democracy and civil society. the first one was the Israeli occupation of Palestine and parts of other Arab states. The second threat was the rise of Islam as a solution. National security has curtailed political freedom. As a result, civil society is more coopted than being a participant in national agenda in a “strong state- weak society” context.

The general situation of civil society until 1980s could be expressed by the zero- sum game. Strengthening the power of the state meant for civil society lose the power of action. Under repression, civil society’s strategy was not to challenge the regimes; rather it aimed, as Ziad Abdel Samad and Kinda Mohamadieh argue, to “accommodate the regimes in their struggle against foreign threats and those deriving from the emergence of religious tendencies, more specifically the Islamic movements.”<sup>(20)</sup> This is what so-called “closed space of civil society in the Arab context.”

The first moment at which civil society struggled to open closed spaces after independence was during 2000s. A research conducted by the Ibn Khaldun Center for Development Studies in 2007 clarified that “cracks are beginning to show in the authoritarian structure of most of the Arab states, as people in many Arab countries came out into the streets, in defiance of emergency laws, calling for freedom and reform. Citizens’ pressures are therefore mounting on the incumbent autocrats to open up their system to greater participation by the various opposition forces.”<sup>(21)</sup>

The most powerful strike on the African continent in the past fifty years was workers’ strikes upraised in 2007 in Egypt. Corruption, economic and social marginalization, and the violation of rights were the dependent factors which contributed to make apolitical civil society political. Although the number of politically active organizations of the bulk Egyptian civil society organizations didn’t exceed 25% in 2010, these groups managed to exert pressure on government before 25 January 2011 and during the transitional period. It did so through their reports and media statements. However, in 2011 these efforts were more intensive. There were many calls in many Arab countries before 2011 by CSOs for political reforms. Nevertheless, only in 2011, civil society took a revolutionary action to lead a structural change by overthrowing the Mubarak regime.

As it becomes clear the relation between state and civil society is not trust relationship. Although Arab states invited NGOs to play a role in development during 1990s, political role of civil society was tamed. Despite of the paradigm of partnership between state and civil society which emerged after the withdrew of the state from social service sector and NGOs came to fill the gap left by the state, the state still considered civil society as apolitical society. I agree with Azmi Besharah with the idea that civil society without politics and outside the battle for democracy is an empty concept.

## 5. CONCLUSION

Civil society is a very problematic concept. It is difficult to attain a united understanding of the concept. Since 1990s, civil society has become a global concept. Global factors were the most important factors which contributed to the emergence of the discourse of civil society in the Arab context. However, civil society has its roots in the Arab context. Religious charity is an old manifestation of civil society. I called this aspect "al mujtama al ahli" alongside with social solidarity constituted around clans, families, and tribes. Civil society concept in the Arab context also traced back to the 19<sup>th</sup> century when Arab thinkers travelled to the West and reproduced ideas of citizenship and liberty into Arab context. Nevertheless, the explicit discourse on civil society has been started since 1990s with the collapse of the Soviet Union and revolutions against communism. Revolutions in Eastern and Central Europe added a new concept of civil society "civil society against state" in addition to democratic form of civil society "check and partnership".

The relationship between state and civil society in the Arab context overlaps between conflict and partnership. Partnership in development and conflict in politics. Conflict between state and society has been translated since 2011. However, traditional compositions of society of Arab states threatened the state itself not the regimes. Traditional and primordial ties give individuals protection not because they are citizens but because they are members of communal group. That is why calling for democracy transformed into conflict over identities in 2011.

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