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### Abstract

#### Excerpt

As late as 1966, Martin Wight could still pose the question: “why is there no international relations theory?” By this he meant the absence of a tradition of speculation about relations between states, family of nations, or the international community, comparable to that of political theory as speculation about the state. To the extent that it did exist, it was marked by “intellectual and moral poverty” caused both by the prejudice imposed by the sovereign state and the belief in progress (Wight 1995: 15-16 &19). Unlike political theory, which has been progressivist in its concern with pursuing interests of state as “theory of the good life”, international politics as the “theory of survival” constituted the “realm of recurrence and repetition” (Wight 1995: 25 & 32). Essentially, therefore, it had nothing new to offer.

**Keywords:** *Abdel-Rahman bin Khaldun (1332-1406 AD), assabiyya (social solidarity), Divine Law (Shari’ah), international relations theory, neo-classical Islamic framework*

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# THE ISLAMIC PARADIGM OF NATIONS: TOWARD A NEO-CLASSICAL APPROACH

Amr G.E. Sabet

## Introduction

As late as 1966, Martin Wight could still pose the question: “why is there no international relations theory?” By this he meant the absence of a tradition of speculation about relations *between* states, family of nations, or the international community, comparable to that of political theory as speculation *about* the state. To the extent that it did exist, it was marked by “intellectual and moral poverty” caused both by the prejudice imposed by the sovereign state and the belief in progress (Wight 1995: 15-16 & 19). Unlike political theory, which has been progressivist in its concern with pursuing interests of state as “theory of the good life”, international politics as the “theory of survival” constituted the “realm of recurrence and repetition” (Wight 1995: 25 & 32). Essentially, therefore, it had nothing new to offer.

This challenging viewpoint spawned a dynamic of intellectual activities, which by the 1990s had enriched the discipline of international relations in ways earlier unforeseen. The assumptions of repetitiveness and recurrences, which had hindered the field’s potential for expansion and risked limiting its horizons, were contested. No longer was the field constrained by a preoccupation with state survival or lack of appropriate concepts with which to theorize about global politics. The discipline drew on advancements in the cognate fields of social and political theory, which opened new horizons of theoretical unfolding. It became sufficiently enriched and diversified to be able to challenge claims to a “consensually recognized or determined” nature of world politics and to overcome conceptual paucity and rigidity (Burchill & Linklater 1993: 7-8).

Much of what Wight had indicated in the 1960s may not be as pertinent to the current state of Western international theory, given the gamut of intellectual developments that have taken place since. In surpassing the simplicity of earlier approaches, the field, in fact, became a victim of its own success. Well into the 1990s it continues to suffer from a lack of an authoritative paradigm on the one hand, and a confusing array of proliferating paradigms on the other (Holsti 1985: 1-7). Nevertheless, the dynamism exhibited in addressing these contentions reflected a positive attitude toward problem solving, the highlighting of which could perhaps inspire similar outlooks among constituents of diverse cultures.

Alternatively, there appears to be a continued streak of relevance in this caveat as far as a potential Islamic theoretical counterpart is concerned. Since classical times around the 8<sup>th</sup> century AD onwards, the Islamic paradigm of law

of nations basically divided the world into two opposing domains. One constituted the abode of Islam (*dar al-Islam* or *Pax Islamica*), comprising the “sovereign” Islamic State ruling over both Muslims and protected non-Muslim communities (See Fig. 1).

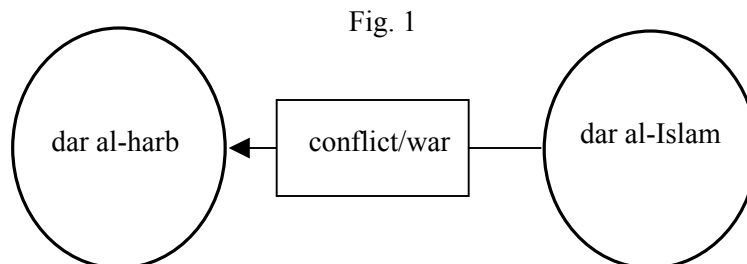


Fig. 1 represents the simple classical Islamic Theory dividing the world into the two broad categories of abode of Islam and abode of War (*harb*).

The other, falling beyond the pale of *Pax Islamica*, represented the abode of war (*dar al-harb*) (Khadduri 1966: 11). This law of nations was not considered to be separate from the broader aspects of Islamic jurisprudence, but rather as an extension of the *Shari'ah* or sacred law. As it developed over time and found its full expression under the Abbasid Dynasty (750-1258 AD), it came to acquire some kind of “sacrosanct soundness” as part of the *Shari'ah* itself (Al-Ghunaimi 1969: 133). Hence it made no clear distinction between the sources and sanctions of domestic or municipal law, and the analogous categories pertaining to external relations (Khadduri 1966: 6).<sup>1</sup> Islamic external outlook, thus, came to be persistently based on perceptions of foreign relations as guided and heavily influenced by a religiously based “domestic analogy” (Suganami 1989: 9). This was natural given the universality of Islam, and the fact that *dar al-harb* was not recognized on an equal footing as legitimate or sovereign. It was the territory yet to be brought from the “state of nature” into the fold of the Divine (Khadduri 1966: 13).

This static view had much to do with the Islamic paradigm’s religio-legalistic foundation. Since absolute moral values rarely change, theory acquired metaphysical dimensions. Elevated to the religio-moral level, theory lost its essential cognitive characteristics. Despite obvious and unrelenting transformations in the nature and structure of the global system, the classical paradigm endures as the realm of recurrence and repetition. Yet it continues to shape and influence Muslim consciousness, even as it increasingly comes under heavy strains. To what limits, though, could it sustain such influence, in the face of a starkly inhospitable global reality, and, without reinstating the cognitive aspects, has become a question of importance.

Its “analogous” structure further raises questions as to the extent it is possible to develop an Islamic theory of international relations without having first re-delineated this relationship. According to one view expressed by F. L. Oppenheim, “international” law assimilated by a domestic legal system beyond a certain demarcation is likely to contradict its essential qualities. Once crossing a threshold, it would cease being “international” law, as the medium through which relations are conducted between *sovereign* nations (Suganami 1989: 67). The dilemma this poses for Islamic jurisprudence is obvious. In conducting relations with non-Muslim *de facto*, though not necessarily *de jure*, “sovereignties”, whose law is to govern and set the conditions of interaction? To disrupt the inside/outside continuum is to subordinate sacred imperatives to positivist or non-Islamic values. This remains the case even where values may overlap, as the sanctioning source must continue, in principal, to occupy a super-ordinate position. Thus, the basic structure of the paradigm does not allow for conducting foreign relations, and if any sustained relations are to be conducted, the paradigm is rendered inapplicable. Nevertheless, only limited and un-systematized speculation about expanding the theory’s horizons has been pursued, allowing it to be judged by some Muslim scholars, perhaps hastily, as practically anachronistic and irrelevant (Sulayman 1993: 61 & 97).

The purpose of this paper is to introduce new elements of dynamism into the theory’s static structure and hence contribute to reconstructing and reexamining its possible relevance as a *neo-classical* conceptual device. This highly needed “therapy” for theoretical irrelevance aims at restoring “intelligibility” and “awareness” of the theory, and at founding a new, cleaned-up basis for conceptual and methodological construction and formation (Sartori 1984: 50). Ability to conceptualize is a prerequisite for any possible shift from being simply an object of world politics toward being a subject and a participant. Only subsequently, would it be possible to re-establish the significance of the Islamic theory of law of nations as a religious, ideological and political regime in the service of policies and strategies which touch upon world events. The purpose is to provide a guide for “knowledgeable practices”, constitutive of “subjects”, as *reflectivists* in the field of international relations would normally put it (Wendt 1992: 392).

### **Conceptual and Theoretical Issues**

To conceptualize is to understand. “‘Understanding’...means...having whatever ideas and concepts are needed to recognize that a great many different phenomena are part of a coherent whole” (Heisenberg 1971: 33). This involves a series of processes by which theoretical matrices achieve a significant measure of relative consensus and comprehension in any particular community. Conceptualization, in other words, allows for undergoing the theoretical process by which advancement from the level of abstract ideas or constructs toward policy development and application can be made. It guards against confusion and *ad hoc* decision-making, and serves to set and sustain subsequent policies within a congruous strategic framework. It follows, therefore, that a lack of conception or of a conceptual reference entails a lack of and inability to understand or comprehend. It further

means that the ability to tackle the flow of information becomes acutely diminished, and so is the capacity to judge or make decisions of a strategic nature. Failing to process information pre-empts the competence to act.

In discussing matters of strategy and war, B. H. Liddell Hart emphasized the crucial importance of conception as a guiding principle in peace and/or conflict. He underscored that distracting the mind and expectations of opponents deprived them of their freedom of action as a sequel to their loss of freedom of conception (Liddell Hart 1967: 341-342). The effectiveness of a strategic vision depends more “on the ability to paralyze an enemy’s action rather than the theoretical object of crushing his forces” (Liddell Hart 1967: 341-346). Such was the significance that in many instances of strategic or grand-strategic contestation, it took only conceptual maneuvering to determine a winning or losing outcome. Fighting became secondary or redundant as opponents lost their sense of self-representation and consequently changed their purpose, consciously or otherwise. Conception and strategy in the logic of this argument composed two mutually consolidating and fortifying constituents of reality. The absence of one almost invariably undermined the other.

The same underlying principles apply to matters, cultural and religious. Whereas Liddell Hart stressed the organic relationship between conception and strategy in the military realm, Edward Said highlighted the corresponding categories of culture and imperialism in the intellectual-ideological domain. The connection between the two categories rested on the power to narrate, or to block other narratives from forming and emerging. Cultural narratives reflected conceptual constructions which, from opposite vantages, justified or condemned imperial domination. Predators and preys became *narrations* in and of themselves, each in their own way (Said 1993: xiii). The very grand narratives of emancipation and enlightenment produced by the colonial predators served to mobilize colonized people against their former dominators, and herein were unveiled their inherent contradictions. Yet, in adopting the very idioms of their colonial masters, the population actually culminated in perpetuating and reproducing the very power relations of those narratives, and therein revealed the dynamic consistencies of imperial discourse.

Out of these combined and seemingly paradoxical manifestations, loss of conception led to strategic disarray, cultural/religious dissipation and hegemonic resurgence. Commensurately, imperial repression invited the return of the repressed (Sayyid 1997: 3). Counter eruptions categorized under the rubric of “religious nationalism” were the most conspicuous result (Juergensmeyer 1993). In its inflamed exposition, this took the form of both random and/or organized violence. In its more sober reflection, it induced a renaissance like intellectual effort which aimed both at re-instating and re-examining a people’s own identity, thought, history and experience. At the heart of this effort is a concern, under constraints and conditions of globalization and uncertainty, with the nature of the interaction between and among diverse cultures, religions and consciousness.

There is a commonality of concerns and issues among humanity at large, yet the diversity of priorities, agendas, interests and above all consciousness and worldviews, find their expression in different narratives or conceptual schemes. These refer to the manifold “languages” used in expressing, representing and reflecting collectivities’ distinct ways of perceiving or thinking about the world and

of “ordering” the “data” of experience. People with different conceptual schemes are frequently concerned with the same properties of objects or with corresponding data. The “given” though, is “somehow ‘organized’, ‘ordered’, ‘interpreted’, differently” (Walton 1973: 1 & 3). The “givens” of international and global issues are no exception. Both classical Islamic and Western traditions regarding relations among nations were largely cognizant of analogous matters. This could be observed from the early treatise (*siyar*) of the 8<sup>th</sup> century Muslim jurist Muhammad bin al-Hasan al-Shaybani (750-804 AD),<sup>2</sup> through Hugo Grotius, down to contemporary Hans Morgenthau and Kenneth Waltz. Broadly speaking, common themes which animated juristic and intellectual interests in the subject, revolved around three overlapping considerations: 1) the causes and justifications of war and the conditions of peace, security, and order; 2) power and position as an/the essential actor (units of analysis) in the community of nations; 3) conceptions and images of the international system and of the role of the “state” in that system (Holsti 1985: 8). These considerations of power and politics came to be largely articulated in the modern Western theory of (neo)realism. However, embedded in an Islamic theoretical counterpart, an alternative conceptual categorization is rendered essential in order to depict the ensuing substantive differences.

For this purpose, Abdel-Rahman bin Khaldun (1332-1406 AD), a Muslim philosopher of history, sociologist and political theorist, and his concept of *assabiyya* may be of significant help.<sup>3</sup> He identified three broad types of regimes. They reflected different forms of domestic leaderships: 1) a government/leadership based solely on natural social solidarity (*assabiyya* as unmitigated power); 2) a government/leadership based on reason and natural law in conjunction with *assabiyya* and 3) a government/leadership based on Divine Law (Shari’ah), again in conjunction with *assabiyya* (Mahdi 1963: 263). Within those three regime typologies, *assabiyya* figures prominently in all, while the rational and religious dimensions are introduced in the second and third classifications respectively. Should the purpose of *assabiyya* or core leadership mitigated by reason, be solely concerned with the worldly or mundane good of both the rulers and their subjects, then this polity would fall under what Ibn Khaldun termed as *rational regimes*. Should, however, the religious dimension be introduced such that the leadership is concerned as well with the good of the subjects in the hereafter (*akhira*), then a *Regime of Law (Shari’ah)* unfolds as the superior order of existence. The latter regime, according to Ibn Khaldun, is superior since its purpose is to maintain a balance between both life dimensions providing for moderation against excessive mundanity. Above all, it becomes a community (*Umma*) upon which God’s favor and pleasure is bestowed (Sabet 1994: 587).

In light of this Khaldunian classification and in extension into the international domain, realism and neo-realism would fall under the category of rational regimes, and not too infrequently, under that of pure domination. Classical Islamic theory would fall under the regime of Law. Like the rational category, the Islamic law of nations constitutes a way of thinking about the world, a conception of “order”, and a research program with its own set of assumptions and premises from which Islamic derivations and arguments can be developed and analyzed (Mustanduno 1999: 19). In contra-distinction, however, it designates an entirely different

conceptual worldview and moment of history with its own autonomous and independent discursive engagements. *Assabiya*, as a corresponding conceptual device grounded in the regime of Law, constitutes the Islamic theory of nations what the concepts of power and capability are to realism and structural neorealism. Whereas “power” serves the purpose of bridging the gap between international structures and processes, so is the concept of *assabiyya* crucial in linking international-global understanding to Islam. Such linkages help incorporate a religio-political theory about the part that can be “played by conceptions of the world and their associated values” in bringing about a desired change (Brockock 1986: 83). (Neo)realism and Islamic theory together with their concomitant concepts of power/capability and *assabiyya* respectively, do not only comprise analytical devices, but are in fact constituted and constitutive elements of distinct philosophical and religious discourses that influence and structure both conceptions and actions. Rationality/realism and *Shari’ah/assabiyya* in other words, infuse *power* with differentiated substantive bases of *action* and hence, reflect two categories of political behavior. The former constitutes “relational power” which seeks to maximize values, influence behavior and control outcomes from within a given institutional structure or regime. The latter reflects a “meta-power” concept and refers to efforts and behavior, which seek to change existing institutional structures and alter the rules of the game (Krasner 1985: 14).

*Assabiyya* is rooted in three types or categories of belief structures: 1) worldviews; 2) principled beliefs and 3) causal beliefs. These embody cosmological, ontological and ethical notions respectively, rendering them broader than mere normative outlooks (Goldstein & Keohane 1993: 8-10). Worldviews merge with peoples’ conceptions of their identity, beliefs and focus of loyalties. Islamic law or *Shari’ah* falls in this class, and together with secularism for instance, comprise two different and largely opposed worldviews. The second category, or principled beliefs, embraces normative conceptions about values. Frequently, though not always, they take the form of binary opposites such as justice vs. injustice, right vs. wrong, falling within the pale vs. falling without, or abode of Peace vs. abode of War. Principled beliefs interpose between worldviews and policy outcomes by translating key doctrines into guidance for present human conduct. This is equivalent to Islamic jurisprudence or *fiqh*, as the “media of making the *Shari’ah* accessible to common believers” (Ghunaimi 1969: 133).<sup>4</sup> The Islamic law of nations constitutes one manifestation of such an exercise. Thus, it falls short of a totalizing worldview and its full sanctity, but is more than a mere theoretical construct or policy guideline, to be subjected nonchalantly to allegations of irrelevance or variability.

Causal beliefs pertain to “cause-effect” relationships based on the opinions or consensus of members of “recognized elites”, through whom authoritative rulings or decisions are made. They come closest to being the detailed paradigmatic judgments or *ara’/fatawa* (sgl. *ra’y/fatwa*), of an Islamic epistemic community or *Ulama*, the consensus of whom, constitutes *ijma*.<sup>5</sup> Causal beliefs fall at the interface between the normative and the cognitive. They entail *strategies* of attaining goals “themselves valued because of shared principled beliefs, and understandable only within the context of broader worldviews outlooks” (Goldstein



& Keohane 1993:10). Thus, changes in the conceptualization of this latter category tend to be more flexible and frequent than the former two, which reflect constants and continuities. All three categories however, constitute a closure based on symmetric relationships among *Shari'ah*, *fiqh* and *fatawa*, for which *assabiyya* becomes the operationalized or cognitive-praxis. What is meant by closure is that the domain within which the micro is related to the macro, and where political and strategic insights fit into a larger Islamic whole. Whereas “normative closure requires *symmetrical* relations between the components of the system where one element supports the other and vice versa, cognitive openness ... requires *asymmetrical* relations between the system and the environment” (Luhmann 1990: 230). Normativity maintains its symmetry by being non-adaptive (i.e. “closed to information and control”). By linking with a cognitively open framework it could nevertheless, remain “open to energy” and non-entropy (Ashby 1956: 4). Normative closure and cognitive openness constitute the systemic *self-referential* unity of the reconstructed Islamic theory of nations.

### **The Modern State as a System of Durable Inequality**

Beliefs and ideas play an important tangible, though sometimes less visible, role in the differing ordering, organization and interpretation of “data”, beyond the mere justifications of pure interest. By providing order and conception of the world, they contribute to shaping agendas and programs. Particular ideas and beliefs chosen rather than others, act as “blindings” or “invisible switchmen” influencing policies and possibly effecting their transformation. They serve to reduce the number of conceivable alternatives, and to channel action onto certain tracks while obscuring others outlooks (Goldstein & Keohane 1993: 12). They can further assist in unsettling discredited institutional frameworks, old or extant, in favor of alternative formations (Jackson 1993: 119).

Modern state structures and currently emerging blocs are congruent with particular international and global designs and their constitutive and/or constituted interests. They incorporate thus, certain symmetrical ideas, beliefs and concerns while excluding others. The crucial question from the Islamic theoretical perspective is who and what has been excluded by international and global structures, and what role the modern state plays in such exclusion. Ian Clark for instance, observed that “a theory of the global is itself an integral dimension of a more plausible theory of state”. Theorizing about the latter structure thus carries us over the “great divide” between the inside and outside, to how we think about relations between states. According to this vision, the state is “the common but contested ground that brings the national and international together, rather than as the barrier which marks the line of separation between them”(Clark 1999: 17-18). This is in stark contrast to the power and anarchic assumptions of the realists and neo-realists, the latter of which, has yielded to the international system a distinctive and virtually autonomous existence.

Neo-liberals in their turn have come to perceive the state as the instrument through which external demands of capital flows are imposed on domestic target groups. This constituted both, a reversal in its earlier role of projecting national

economic demands into the international system, and an alternative form of structuralism to that of neo-realism. Instead of the latter's "anarchic/power configuration" organization shifts to the "competition/neo-liberalism" of global economy (Clark 1999: 94). State formation in its modern structural sense further was attributed by Charles Tilly to war. Demands imposed by violent conflict promoted the dynamics of state-making processes, which ranged from territorial consolidation and centralization, to administrative differentiation and monopoly over the means of coercion. "War made the state", as he put it, "and the state made war" (Tilly 1975: 42). In contrast, Ibn Khaldun perceived the rise of the state, as an outcome of human co-operation rather than anarchy. People co-operate because they stand to benefit more, and out of such cooperation, which represents the "human condition", emerges the state. This human condition is based on reason, social reproduction and social cohesion or, *assabiyya*. Unlike Thomas Hobbes, Ibn Khaldun rejected the "state of nature", which pit all against all, rendering man willing to accept tyranny rather than live under conditions of sheer self-help (Pasha 1997: 60).

The purpose here is by no means to present a theory of the state or its origins. Rather, it is to stress that the concept of the state is both contingent and variable, simply reflecting the varying empirical realities with which theory and practice concern themselves (Nettl 1994: 11). "Competing theories of the state, in effect, invariably come perilously near to being competing ideologies" (Ferguson & Mansback 1989: 4). To challenge the territoriality of the state thus does not contest the concept's abstract necessity. Rather it simply affirms its contingent structural underpinnings and vested inside/outside interests, and by the same token denies any inherently "natural" existence of the form that the modern state has taken. The "universalization" of the "sovereign" equality of states for instance, was a contingent development based on pressures from newly independent and weak states hoping to protect their new freedoms, analogies made to domestic politics of juridical equality, and great power calculations of interest (Krasner 1985: 74). This suggests that inferences derived in each historical setting about political conduct are unique (Ferguson & Mansback 1989: 3).

Religio-political re-conceptualization of the modern state as contingent rather than necessary is a pre-requisite to the effective representation of an updated Islamic theory of nations, yet one which retains the essential qualities of its classical antecedent. As a first step this entails the deconstruction of the modern state concept and its normative connotations, which served to reflect this relatively novel structure as a competing consciousness and discourse. Contingency of the state allows us to deconstruct it as a structure of domination and to better perceive the underlying sources of tension between Islam on the one hand, and the modern state and the ensuing international-global system, on the other. This helps expose the violent hierarchy of opposites (e.g. territorial/non-territorial, progressive/regressive, equality/inequality), in which the formers control the latter both axiologically and logically (Derrida 1976: lxxvii).

Landscapes, of which the modern nation-states are constitutive structures, have come to be seen as "texts" and discourses combining narratives, as well as conceptual, ideological and signifying, representations (Barnes & Duncan 1992: 8).

In this light the “state” constitutes an *inter-textual* artifact actualized to reflect a particular self-image constructed and reconstructed through historical and political processes. The contemporary meaning it has come to bear had been produced from “text to text” rather than between “text and the real world.” The consequence is that

writing is constitutive, not simply reflective; new worlds are made out of old texts, and old worlds are the basis of new texts. In this world of one text careening off another, we cannot appeal to any epistemological bedrocks in privileging one text over another. For what is true is made inside texts, not outside them (Barnes & Duncan 1992: 3).

Both Western theory and the “nation-state” are examples, of spatio-temporal intertextuality, which has rendered the state, “like virtually all concepts in the field of international relations...drenched with normative connotations” (Ferguson & Mansbach 1989: 3). Being more or less the product of a common Western civilizational matrix, one can refer to an intertextuality that is *intratextual*. R. B. J. Walker was to the point when he indicated that theories of international relations are aspects of contemporary world politics that need to be explained rather than being an explanation. They are to be comprehended as a typical discourse of the modern state and a “design” for constitutive practice that sought to limit and delineate the horizons beyond which political action by “others” would be risky or prohibited (Walker 1993: 6). Imperial and hegemonic constitutive designs required the support of structures of power, which sustained their greatest impression by availing from clearly articulated ideas. The outcome has been a conception of “order”, which inherently benefited some at the expense of others (Paul & Hall 1999: 3). The modern state was the vital instrument of that order. Initial hopes that the principle of state sovereignty would protect the weak through the universalization of legal “equality,” have proven false as many states crumble and collapse under the weight of the global system. This was the logical consequence of a Western international order, which not only reflected leading states’ power and material interests, but also their identities’ constitutive aspects (Ruggie 1988: 14). In this sense Frantz Fanon had perceived notions of “respect of the sovereignty of states” as a colonial “strategy of encirclement” (Fanon 1963: 71).

Whereas before 19<sup>th</sup> century European nationalism Muslims defined their “self” first and foremost in religious terms, as Islam would normally have demanded of them, the subsequently superimposed nation-state structure introduced competing secular-Western instruments of identity formation. Islamic autonomy, conception and self-referentiality were challenged at the normative level, and behaviorally at the state and systemic levels. With the current wave of hegemonic neo-liberalism this portends to reach down to social structures (e.g. family) and individual attitudes. Very few of the Muslim failed pseudo-state structures are likely to be able to meet this challenge, nor does the global system afford them a substantive change of policy in response. The “state” in the abode of Islam remains a constituted object not a constitutive subject, existing as a contingent by-product of outside formations not as a necessary sign of inside principles. It has receded into a self-reinforcing

condition of dependency, penetrated by external actors, and a reflection of extratextuality. As such, it continues to strike at the very identity of this abode, the most conspicuous manifestation of which has been the recognition by those states of the region's antithetical identity—Israel.

What applies to the Western world in a changing global system thus is different from what applies to Muslim nations, in the same system. Unlike the former there is no mutual global and state reconstitution, which would allow for intratextuality or even for a measure of intertextuality. In many ways, the relationship between globalization and the international system resembles that between post-modernity and modernity. As far as the Muslim world is concerned, globalization seeks to deconstruct their "state" structures, along non-territorial pre-colonial "pre-organizational" lines, if possible, so as to re-inscribe them. In this sense, globalization seeks neither to destroy nor to consolidate the state, but basically to re-construct it in a particular image. The question hence is not whether the "modern state" as a sovereign entity is going to be undermined as such, but rather *which* states will be dismantled, deconstructed, consolidated, nominalized, re-inscribed and *how*. Like post-modernity, globalization may be post-international coming after, yet representing a return to and questioning of earlier constructs (backward looking) in order to reconstruct (forward looking). It is an act of restoration and a forward looking dynamic simultaneously, still within the normal progression of Western history. Despite all the uncertainties associated with globalization, it remains simply the autonomous linear sequel of that history, reflected in the form of continuation of an American hegemonic order (Ikenberry 1996: 89-91; Ikenberry 1999: 125).

The world this gives rise to will likely be based on intratextuality vs. extratextuality, or what some observers have termed "a tale of two worlds" (Goldgeier & McFaul 1992; Wildavsky 1993: 3). One world consists of a core or "great power society" of *nonunitary actors*, focusing primarily on maximizing wealth, sharing common liberal norms, and a horizontal relation of cooperative interdependence. The other world, in which Muslim societies fall, consists of periphery states, largely dependent on the core, and conducting their policies among themselves according to the tenets of anarchy and structural realism (Goldgeier & McFaul 1992: 468-470). Essentially that is, there will be two separate worlds with horizontal cooperative and anarchic relations respectively, but which stand in a vertical-hierarchical relationship vis-a-vis each other. One that is, of inequality.

"The state", as Michael Walzer once observed, "is invisible; it must be personified before it can be seen, symbolized before it can be loved, imagined before it can be conceived" (Walzer 1967: 194). Deconstructing the modern state structure in the abode of Islam requires developing a discourse and an ideological thrust, which while undermining its force as it stands constructs a conceptual alternative. This calls for the reconstitution of the state by changing its dimensions, signification and content, and from thereon its meaning (Zartman 1995: 267); an "essentially ... normative" as well as a "scientific question" (Holsti 1985: 7). While it is not uncommon in Western discourses to come across arguments supporting such transformations the significance and implications for the two worlds remain worlds apart. To the great power society it will mean more integration and unity *à*

*la* the European Union or North American Free Trade agreement (NAFTA) between Canada, Mexico and the US, or the consolidation of the power and hegemonic influence of the Jewish state of Israel over its neighbors. Israel, according to this discourse, would become the Trojan horse for a regional, imperial neo-liberal power structure.

To the Muslim world in contra-distinction, the same Western discourse regarding the state translates into “humanitarian intervention”, “minority rights” and “right to secession (self-determination)” among other supposedly lofty yet practically fragmentary principles. For, as Barry Buzan has indicated, “the idea of the state, its institutions, and even its territory can all be threatened as much by the manipulation of ideas as by the wielding of military power” (Buzan 1991: 97). Whereas for the society of great powers the above values are mutually constitutive and therefore inter and intra-textually sovereign, for the Muslim *umma* they represent an authority over their Islamic values and their social and political structures. The practical outcome of this extra-textual discourse is to re-constitute notions of “sovereignty”, “recognized borders” and entitlement to “independence”, allowing for a new and massive wave of colonial expansion to proceed unhindered by formal legalistic encumbrances. The purpose is to serve global neo-liberal interests as the supreme loci of power. This not only further de-legitimizes Arab/Muslim pseudo-state structures but also de-constructs them for the purposes of new inscriptions. Sovereignty of Islamic values are further undermined as a stepping stone toward their total marginalization, depriving it in the process of any possible domains of competing domestic or external functioning space. The consequence as the Islamic landscape readily manifests, is social and political fragmentation, identity crisis, splintering, diminution, conflict, and in the final analysis, colonization.

As a prerequisite to expanding the horizons of an altered meaning of sovereignty under global conditions, transformation in the “epistemic dimension” of social life, or the system of meaning and signification embedded in collective mentalities, is required. In order to allow for relational changes between the inside and the outside, the extra-textual apparatus that ruling regimes in Muslim countries have come to draw upon in imagining and symbolizing forms of political community will have to undergo a fundamental re-orientation (Ruggie 1988: 184). So will their very conception of problem solving. No longer is the state simply a means to power and wealth from the inside shielded by sovereignty from the outside—which some may call corruption—but a structure of “durable inequality” of which the former predicament is but one source (Tilly 1999).

Self-referential standards of “civilization” set by a European model of statehood and state organization, serving what were basically European interests and reflecting their own moment of history, were all congenial to the structuring and perpetuating of a world system of inequality (Kingsbury 1999: 74). Binary oppositions associated with the state corresponded to “invisible” discursive categorical differences locking groups in permanent structural relationships of contrasts. Categories of inequality even when evidently employing cultural labels, justifying for a particular group its own inferior position, relative or absolute, thus rendering it natural, always depend on far-reaching, socio-political organization,

belief and enforcement. In the field of international relations this translates into the structural-global, the ideological-neo liberal, and the power-imperial respectively. Durable inequality among categories develop because great powers which, control access to “value-producing resources” solve defined systemic problems by means of categorical distinctions based on constructed systems of closure, exclusion and control (Tilly 1999: 7-8).

Policies, which sought to maintain colonial rule over “non-sovereign” territories, came to increasingly depend on the structuring of categorical and binary distinctions among ethnic and racial groups (e.g. civilized/uncivilized). Many of those excluded and controlled, on the less privileged sides of the categorical divide, eventually developed and acquired stakes in the formulated solutions, despite their dominant hierarchies. Afro-American civil rights activist Malcolm X had this point in mind when he struck the example of the slave in the field versus the slave in the master’s house. Meeting in their free time, the latter would tell the former about the joys of serving at “home”. In his speech he uses the first person plural—in our house, our mansion or our palace, whatever the case may be, we do so and so. Unlike the slave in the field who recognizes the reality of his status and resents it, the one in the house is doubly enslaved: once because of the fact of being a slave and twice by acquiring a stake in being a slave.

Categorical institutionalization of this kind serves to sustain relations of durable inequality, as the master divides and conquers. Should the slave in the field rebel, his counterpart at “home” can only have the limited option but to be his antagonist. This condition is the inevitable outcome when debilitated Muslim states feel obliged to sign on a human rights convention, a peace treaty or clauses of specific gender “empowerment”, all supposedly bearing connotations of universal equality. Not only do they submit to the bidding of a great power like the US in such instances, but also in so doing they tie down their future options as they face greater prospects of exacting compliance. Lacking significant influence on the principles of international commitments they put their signature to, they become exposed to both outside impositions and inside structural fragility. “Globalisation affects not just their bargaining power at the time of negotiation, but more widely, their relative power to make choices in the future” (Hurrell & Woods 1999: 456). As such, it is inextricably intertwined with the propagation of inequality. Globalization, in other words, negates in practice what universalization of values demands in theory. Thus any “relationship between globalization and human rights”, for instance, becomes “far from straightforward” (Clark 1999: 131). Or perhaps it is if the latter is nothing more than an instrument of the former. As “particular” identities are being developed with reference to the neo-liberal vision of the “universal”, and as globalization is being universalized as a system of durable inequality, then it is clear that human rights is nothing more than the ideological underpinnings of such a global order.

Basically an old/new colonial project aimed at re-inscribing Muslim “state” and society, by justifying intervention and enforcement. After all, as Andre Beteille has insightfully observed, “Western societies were acquiring a new and comprehensive commitment to equality at precisely that juncture in their history when they were also developing in their fullest form the theory and practice of imperialism” (1983:

4). Recently, W. Michael Reisman provided a consistent sample of this pattern. Attempting to build a legal case for foreign intervention he argued that, national sovereignty in its classical sense has become “anachronistic” and that it was legitimate to intervene in countries deemed “undemocratic”. Human rights constituted the basis for such intervention. State sovereignty was no longer to be a protective shield if popular sovereignty is suppressed. Much in the same fashion that the “wealth of a country can be spoliated as thoroughly by a native as by a foreigner” so can popular sovereignty be “liberated as much by an indigenous as by an outside force”. He added however, that its suppression constituted only “a justifying factor” for intervention, “not a justification *per se* but *conduit sine qua non*” (1990: 871-872). American global interests no doubt would be the determining factor.

Like any political system, globalization requires mechanisms of control, which in a global hierarchy function as sources of durable inequality. These include *exploitation*, *opportunity hoarding*, *emulation* and *adaptation*. The first two fall at the systemic level of analysis, and are largely responsible for the installation of the categorical boundaries of inequality. The latter two, at the state and also the individual-leadership levels, reinforce, consolidate and generalize the former arrangements (Tilly 1999: 10).<sup>6</sup> *Exploitation* occurs, when powerful actors in the global system (insiders) command the resources and values from which they draw increased returns. This takes place by coordinating the efforts of weaker actors (outsiders) who are excluded from the full value added by that effort. *Opportunity hoarding* provides stakes to the latter categories. It offers rewards or values, yet monopolized, resources selectively to the segregated structures of the “sovereign” state in order to undermine the force of revisionist tendencies, while keeping the “unequal” divided. *Emulation* generalized the state system by copying or imposing it not only as an established organizational model, but also by attempting to transplant its concomitant yet alien social and political relations from one cultural and historical milieu to another. It further served to lower the costs of maintaining the *status quo* below any of the modern states’ potential or theoretical alternatives. *Adaptation* articulated and elaborated regimes of systemic interaction among states on the basis of presumably recognized, categorical inequality. The purpose was to render the costs of moving to theoretically available alternatives prohibitively high. Adaptation thus, locks categorical inequality by taking it for granted. Emulation multiplies categorical inequality by producing “homologies” of form and function. Together, they create the illusion of “ubiquity” and therefore “inevitability” of the modern state, rather than its variability (Tilly 1999: 10 & 190-191).

Each of the above four mechanisms constituted “a self-reproducing element” and together have all locked neatly into “a self-reproducing complex” (Tilly 1999: 191). Their impact can be clearly followed in the historical process of emulation and adaptation, which had taken place in the Muslim Ottoman Empire during the 19<sup>th</sup> century (abolished in 1924) and subsequently by the fragmented Arab states during the 20<sup>th</sup> century. The purpose of achieving parity and equality with the West basically embodied these goals’ very antithesis. Yet, this process is still underway as a “state” project increasingly being opposed by societal forces. Consequently and in contrast to the European “nation-state”, the outcome has been a “state” contra the

“nation”, to use Burhan Gholyun’s adept depiction (1994: 27-28). In the former historical experience the state affirmed the nation, in the latter, it negated it. Infusing this *same* structure with new ideas, sound or mistaken, while possibly mitigating or exacerbating the effects of those mechanisms, will neither stymie nor necessarily initiate them.

Democracy applied within the modern state—the structure, which has come to embody those elements—will not contribute to rectifying this systemic configuration of inequality. Allowed to function seriously, democracy is likely to bring Islamist forces to power, which both religiously and ideologically, cannot accept such a global order or state structure. This helps explain the absence of any real systemic interest in having a functional democracy in the Muslim world, and the intense American hostility to Islamic values. Nor by the same token, would the mere implementation of the *Shari’ah* provide a ready solution as the “state” will inevitably come to confront a hostile environment. Being constitutive of Islamic identity, the *Shari’ah* means neither emulation nor adaptation. By extension this challenges the control and distribution of resources and values undertaken by exploitation and opportunity hoarding. Yet the holistic dimensions of the *Shar’iah* cannot be fully expressed as the force of those mechanisms come into play. A change in organizational forms—the installation of different categories, or the transformation of relations between categories and rewards therefore, becomes necessary (Tilly 1999: 15).

Defining those alternative organizational structures is part and parcel of any possible autonomous and self-referential conceptual change. The crisis that the Muslim world faces extends thus, beyond the issue of regimes’ legitimacy to that of the legitimacy of the “state” structure itself. The Muslim “states” will have to relent reciprocally on what is by now a fictional sovereignty—a seemingly paradoxical dynamic of surrendering intra-sovereignty to gain in inter-sovereignty. Despite inevitable systemic resistance this will have to proceed in such a fashion so as to impose that “the ‘domestic’ is as much a part of the fabric of the international system as any abstracted ‘structure’ of the relations between states” (Clark 1999: 5). If a theory of state is largely a theory of its external environment, and if the international-global order as it stands, is not what Islamic values and Arab and Muslim people would readily accept, then it follows that to alter or significantly influence that system, they will have to transform their extant state structures as well. Much in the same fashion that a domestic change in the attributes of the family, as the basic unit in society, would lead to transforming society and social relations and vice versa (agent-structure), so would a change in the attributes of the state, as the basic unit of the international-global system, alter the system and its relations, and vice versa. With form and content in the Muslim world no longer coinciding, either the state structure must be altered to fit the *umma*’s principled beliefs, or the Islamic worldview must be diluted to suit the requirements of this structure. Between an Islamic choice opting for the former, and global forces opting for the latter, the modern Muslim “state” and its contradictions have reached an historical impasse.



### Toward a Neo-Classical Islamic Framework

Much like globalization, Islamic theory merely induces a particular conceptualization of the meaning of state. It does not necessarily negate statehood as such even as it challenges its territoriality, but rather contests the association of identity formation with bounded territory. The state in this new/old conception is a means toward securing an Islamic or “good” life and not an end in itself. Islam, as Ayatollah Muhammad Hussain Fadhlallah has put it, was not revealed in order to establish a state as an end, but to spread a message based on which a state would come into existence, only as a subsequent means toward achieving this goal (1996: 28). Whereas globalization is currently increasingly setting the state in service of transnational flow of capital, goods and information, Islam sets it in the service of religious values. The equality of Islamic *universalism* is about to confront the inequality of primarily American *globalization*. A new binary dichotomy is taking shape, not just between historically fixed categories, but more so among dynamic flows of forces and values. The trajectory of the previously marginalized Islamic law of nations seems to be catching up with the flow of current history.

Within the abode of Islam, the nature of external relationships between states will have to be transformed. This means that Muslim states cannot continue to maintain the structure of their relationships on the basis of supposedly unitary actors engaged in an anarchic self-help power setting. They must move to an “*abodic*”/macro level based on meta-power or *assabiyya*, as an endogenous/co-operative—exogenous /conflictive concept. Unlike mere Third Worldism which, sought to guard security and independence by jealously defending the pseudo “nation-state” structure, notwithstanding calls for transnational unity of one kind or the other, *assabiyya* seeks to promote those very objectives among others, by challenging the very imagery and conception of the modern state. Substantive issues of this kind pose both theoretical and practical revisionist challenges to the status quo, particularly so as issues of identity come to the forefront. The crucial and most central issue hence is to determine where the *assabiyya* of Islam lies and to coalesce around it, transcending territorial and vested or modern state interests. It is the rational and reasoned tackling of primarily political and strategic questions of this kind that will determine answers in the light of which categorical provisions of the *Shari’ah* and determination of Islamic interests could be made.

Theorizing about the state, under such conditions, must itself begin by subverting the framework of the great divide, whether between the inside and the outside or between the abode of Islam and the abode of War. This does not mean eliminating categorical distinctions, but rather recognizing that the stability of fixed categories under conditions of fluidity and transformation is likely to experience, powerful pressures (Clark 1999: 16 & 31). Fixed categories are inherently disposed toward maintaining closures. *Closure* generally leads to entropy as loss of energy and *openness* to entropy as loss of identity. The seeming opposition between both forces frequently contributes to distress and uncertainty, particularly so as elements of conservatism creep in, opting in response for the security of static norms to the insecurity of dynamic interaction. This is problematic because systems of thought, as well as geo-political structures, which seek to seal themselves off from outside

forces, will tend to exhaust their ideas as well as their human and natural resources respectively, and hence undergo high levels of entropy (Demko & Wood 1994: 28). A branch-less tree may continue to grow for sometime until it reaches certain limits, which it cannot go beyond. Only the branches however, can allow it to “pro-create” and in a sense reproduce itself. Manifesting closure, recurrence and repetition, the Islamic law of nations collapsed theory into law, the branch into the stem and the part into the whole. Its potential evolutionary and contributive energy was thus exhausted.

Shifts in the systemic order and capabilities are strongly intertwined with qualitative and quantitative factors ranging from conceptual change, political, economic or social structural organization, to an increase in space, resources or external more favorable conditions. Non-territoriality, as one such organizing principle, is linked to relative and absolute power changes in the international/global system, not simply as a matter of stretch or expanse, but also in terms of the concomitant changes necessary for the effective management of space. To talk about non-territoriality thus is to incorporate qualitative as well as quantitative transformations both at the state and “abodic”/macro levels. If successfully constitutive of a new geopolitical and strategic reality, the impact could eventually translate into a broader measure of global influence or better internal control over the external environment, hence a relative reduction in conditions of inequality.

Two “postulates” may help in justifying the principle of non-territoriality, and perhaps in developing the argument further in harmony with rational Islamic theoretical underpinnings and religious principles. First, that “*a state’s relative capability in a system will increase when its rate of absolute growth is greater than the absolute growth rate for that system as a whole (the systemic norm)*”. Second, that “*a state’s relative capability growth will accelerate for a time and then (at a point of inflection) begin a process of deceleration*” (Doran 1991: 4; italics in original text). Both assumptions transcend the divide between the inside and outside in that intra-Muslim state borders and sovereignty lose much of their significance while at the same time new reorganizing principles of state are introduced. Reforms which may cause positive increase in a state’s capabilities are likely to be constrained and limited by territoriality and thus will reach their limits long before being able to attain an essential actor role.

Conversely, in the hypothetical situation where two or more Muslim states happen to unite without internally reorganizing, the same sources of failure will simply be transposed from what was previously a smaller structural failure to a larger one. Should both reform and unification occur simultaneously, then a situation might emerge in which the absolute growth of the “Islamic State” could be greater than that of the system. This is one important reason why the US is hostile to Islamic geopolitical conceptions and values, which seek to change the connotations of the state. These considerations have much less to do with Islamic “radicalism” or “moderation” as such and more with systemic idiosyncrasies. This is illustrated by American policy toward the experiences of the two countries of Iraq and Egypt. When the US mobilized to reverse the Iraqi invasion of Kuwait in 1991, it was, among other reasons, to protect the ultimate structure of “sovereign”

states, and the mechanisms serving that purpose—the Arab bordered “state”.

Breaking the borders “taboo”, irrespective of intentions, would have allowed for a change in conception regarding the ubiquity and inevitability of the state structure, and an increase in the relative autonomy and power of an emerging regional power. This was not only in the case of Iraq. When Egypt attacked Libya in 1977, with the prospect of taking over the oil fields of that country the US made its disapproval amply clear. Despite American hostility to Muammar Qadhaffi’s regime and its friendly relations with the Egyptian counterpart, a warning was conveyed to Egyptian President Anwar Sadat indicating opposition to such a takeover. The US would not countenance an increase in Egypt’s capabilities at an accelerated rate once it had laid its hands on Libya’s oil (Heikal 1996: 228 & 247). This may have been explained by reason of international law had the US not previously supported Iraq’s invasion of Iran, and had not American international behavior in other cases been similarly aggressive. In addition, it remains highly unlikely, that the US would at any point of time look favorably, say, to a possible union between Egypt, Libya and Sudan, even if it was consummated peacefully. The reasons have much to do with the idea of global order and the bordered state system “switching-off” that of a unified Arab and/or Muslim nation as well as with considerations of absolute and relative power.

Robert Gilpin has observed that, “a more wealthy and more powerful state (up to the point of diminishing utility) [can] select a larger bundle of security and welfare goals than a less wealthy and powerful state” (Gilpin 1981: 22 & 23). Whereas the consolidation and mobilization of a collective Islamic-Arab identity in response to globalization would have been required, systemic interests have sought instead to impose the state secular identity as the highest value. As a result primary and/or secondary identities are imposed not chosen. Supporting a tribal emir in Kuwait, perpetually in a state of fear of an “inside” neighbor and in need of permanent “outside” protection to stay in power, constitutes a self-reproducing mechanism of regional control and durable inequality. Even by the standards of primacy of state values, the Muslim “state” has been a failure. Yet, Muslim states continue to pursue contradictory and conflicting state policies ultimately leading to a progressive dynamic of fragmentation, bringing them under total systemic colonization and domination. The tragedy of the Muslim community/*umma* if one may paraphrase Jean Jacques Rousseau, is that it is in all Muslims’ religious and values interests to unite under a commonly agreed upon sovereign/Imam in order to have a better chance at attaining a larger security bundle. Yet it is in the interest of each single regime or state to obviate that authority when it is to its own expediency (Williams et. al 1993: 100).

Calls for Muslim states to develop policies of cooperation and mutual assistance in different forums and at different levels (Sulayman 1993: xiv) while continuing to maintain their structures of durable inequality, are unrealistic and naïve to say the least. First, global imperatives may render such cooperation untenable, and may compel its norms in such a fashion that each Muslim, state considerations, may find it more rewarding and in its interest, not to cooperate—most such states being highly penetrated and dependent, if not outright colonized. Secondly, as Geoffrey Garret and Barry Weingast have put it, “to assert that institutions help assure

adherence to the rules of the game is to overlook a prior and critical issue. If the members of a community cannot agree to one set of rules, the fact that institutions might facilitate adherence to them would be irrelevant” (quoted in Goldstein & Keohane 1993: 18).

Mere cooperation therefore, is no substitute for unity, both functional and political. As a matter of fact, in a world of realism the former is highly unlikely without the latter. Only the ability of a centralized (federal or otherwise) authority to extract the collective resources of the *umma* would allow the state to exert more control over its external environment. The resources at the disposal of the Muslim world cannot be mobilized or extracted through goodwill, moral exhortations, or sympathy. Notwithstanding the necessity of the former *bona fide* factors, they must be translated into centralized and structured imperatives. Fareed Zakaria made an insightful point when he distinguished, in his politico-historical study of the US, between state and national power. Only when the “state” could establish centralized control over the extraordinary resources of the American “nation” by 1890, was it possible for the US to pursue a coherent foreign policy that would serve that country’s purpose of exerting control over its external environment well into the 20<sup>th</sup> century and beyond.

Until such a hold could be established and despite its tremendous resources, the US remained a “weak divided and decentralized” state, providing policymakers with “little usable power” (Zakaria 1998: 55). The same could be said about the European Union (EU). Despite the abundance of resources at that Union’s disposal, which match if not exceed that of the US, the EU remains limited in the amount of control it can exert on the external environment, whether in terms of foreign or military policy. No effective sovereign and/or centralized extractive institutions as of yet exist which could translate wealth into power. Both the US and EU federative experiences thus, provide for comparative empirical evidence in the light of which Islamic unifying religio-political concepts such as the Imamite and the Caliphate could be reformulated and operationalized geo-politically. The modified restoration of the Caliphate as an institution, contrary to claims projecting this as a return to the past and unrealistic, constitutes the Islamic, though perhaps yet unarticulated equivalent, to the secular European Union project and even to that of the US “federation”. Yet, it is dubbed regressive even as it transcends the modern “state”, and is hence visionary and futuristic.

Other relevant historical cases must also be examined and analyzed, such as those of the Austro-Hungarian Empire, the Soviet Empire, and most significantly, the Ottoman empire. Their rise and decline, in the framework of *assabiyya*, among potentially other concepts, could provide for a fresh historical and Islamic outlook—*assabiyya* in this context referring to the right and eligibility of a particular group to rule or otherwise, thus strongly intertwined with legitimacy. A comparative analysis between rational regimes and regimes of Law (*Shari’ah*) as related to those empires could lead to insightful conclusions. So would examining the possible links between *assabiyya* as theory of state, and corresponding increased control over the external environment as a systemic reflection—both being two aspects of a single dynamic breaking the inside/outside divide.

Severing this divide requires the cognitive opening of the closed categories of

the Islamic classical theory. This means being able to discriminate between closed normative aspects (Law—*stem*) and the theoretical and practical underpinnings (theory and praxis—*branch*). Khadduri made an important point in this respect when he distinguished between *jihad* as a doctrine of permanent state of war and the condition of actual and continuous *fighting* (Khadduri 1955: 64). A distinction of the kind is useful in elaborating and transcending the boundaries of fixed categories. The fact that the latter were considered stemic normative wholes or universals, led to the diffused incorporation of the partial (branch) and contingent condition of actual fighting, into the abode of War category. This implied that no distinction was made between the abode of War as a closed and necessary category on the one hand, and the open and contingent issues of peace and war on the other. One basically was inherently implied in the other. Thus, under circumstances in which fighting was neither feasible nor perhaps required doubts as a consequence, were cast on the normative category. A case in which the theoretical “system” turned against itself rather than opting to evolve while maintaining its own integrity.

A neo-classical Islamic framework is needed therefore to provide for new conceptions of relationships between norms and values on the one hand, and interests and interaction on the other. A relational distinction must be introduced between the macro-abstract worldviews and principled beliefs, and those of micro causalities. This is in contrast to the classical framework, which diffused both. In an Islamic frame of reference, normative principles as well as cognitive interests bear an originative influence in determining action. As such, a neo-classical framework’s starting point is to reformulate the cognitive problem in terms of how to bring forth the distinctiveness of the evolutionary branch in a dynamic unity such that closure and openness reflect “reciprocal conditions” rather than “contradictions”, thus recharging energy and consolidating identity.

In this unity openness of the Islamic value system bases itself upon self-referential closure, and closed reproduction refers to the environment (Luhmann 1990: 230). This is a different way of referring to subversion of categorical inside/outside distinctions in favor of mutual adaptation of a specific kind. Synthesizing Ibn Khaldun’s cyclical theory of state (*assabiyya*) and historical dynamics, with the Islamic law of nations caters to a promising ontological-epistemological Islamic framework, combining theory of state with international theory, forming what may be called a *power cycle theory*. One that “*encompasses both the state and the system in a single dynamic*” and which reflects structural change, at the two levels concurrently. It unites the structural and behavioral aspects of state international political development in a single dynamic and can be analyzed on each level by means of a variety of approaches. These may include religious interpretations, history, understanding of international and global political behavior, or empirical testing (Doran 1996: 19-20; italics in original text).

However, that the concept of “statehood” is also being concomitantly transformed elevates such a power cycle theory to the *meta*-level. In this context, introducing the leadership principle of *Wilayat al-Faqih* as a potential model and an empirical expression of *assabiyya* could help in building a commensurate theory of state.<sup>7</sup> The dynamism of this Islamic grounded causal belief and its institutionalized

practical and empirical manifestations, justify it as an operational Islamic conceptual construct.<sup>8</sup> Thus at this point, we could perhaps imagine three concentric circles including *Wilayat al-Faqih* (innermost), *assabiyya* (middle) and abode of Islam (outermost) (Fig. 2, below). The first indicates *who* is to rule (causal beliefs—*fatawa*), the second explains *why* (principled beliefs—*fiqh*), and the third delineates the non-territorial *domain* or “state”—*where* (worldview—*Shari’ah*). A neo-classical Islamic theory which introduces these elements of complexity into its structure, could help explain potential influence on global and international relations caused by the cyclical dynamic of state ascendancy and/or decline.

Fig. 2

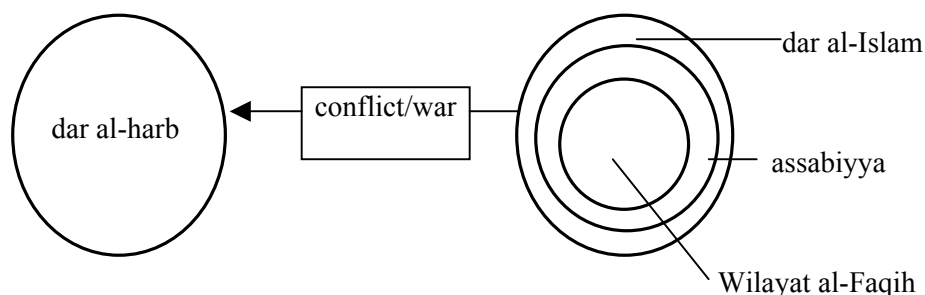


Fig. 2 introduces an element of complexity and depicts the suggested neo-Classical “state” approach.

At the same time, the closed normative categories of abode of Islam vs. abode of War would carry the different yet symmetrical connotations of identity and self rather than of permanent conflict and hostility. Branching out of them are the cognitive asymmetrical aspects of a) peace (*dar al-Ahd*), b) tension (*dar al-Sulh*) or c) actual war or aggression (*dar al-Baghy*) (Fig 3).<sup>9</sup>

Fig. 3

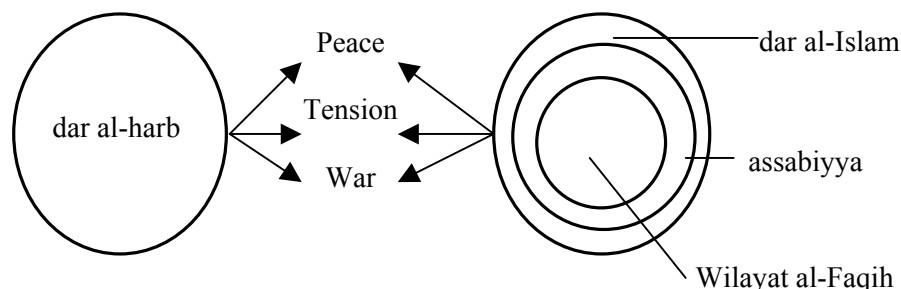


Fig. 3 represents the “branching-out” or the cognitive opening of the normatively closed categories reflecting the different states of peace, tension, or war. Peace = *dar al-silm*, Tension = *dar al-sulh*, War = *dar al-baghy*.

This allows for a measure of flexibility, fluidity and inferences, hence dynamism, as opposed to the static framework of fixed and immutable categories. The “West”, rather than being perceived solely in terms of the classical category (abode of war and conflict) may instead, remain as the abode of War (the other or separate identity), with mutual relations varying based on political contingencies. The latter reading reflects the “security of social relationship, a sense of being safely in cognitive control of the interaction context. It is relational at the most basic level of interaction: that of the mutual knowledge which is a condition of action, and which derives from a sense of *shared* community”. Essentially it becomes a source of “ontological security”, which “relates to the self, its social competence, [and] its confidence in the actor’s capacity to manage relations with others” (McSweeney 1999: 157), a condition of closure that is, being the prerequisite for openness.

Corresponding to the above cognitive aspects of peace, tension, or conflict/fighting, the “West” may be perceived along the fluid policies of a) non-imperial powers, b) semi-imperial powers and c) imperial powers respectively (Fig. 4).

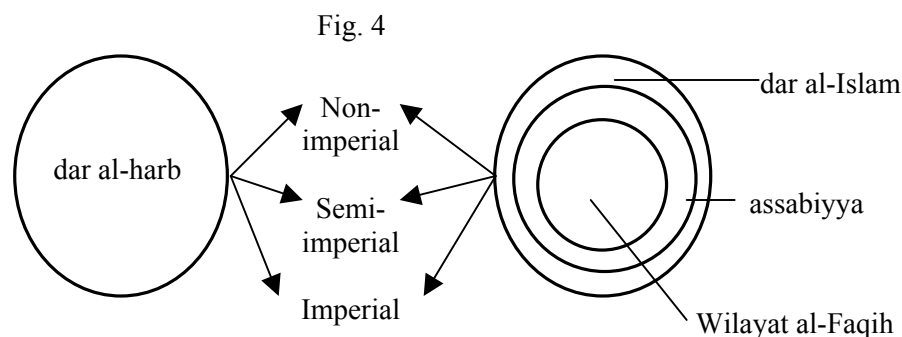


Fig. 4 suggests a policy framework which, while normatively closed is cognitively open. It is based on policies rather than generalized closed categories but which, also protects identity structure. The non-imperial, semi-imperial, imperial identifications correspond to the respective conditions of peace, tension and war in Fig. 3.

Conflict would hence shift from a fixed “Western” category toward a fluid *imperial* counterpart, as actors’ roles may change or alter over time. Reformulated accordingly, the “abode of War” against which, *jihad* or just war may in principle be conducted, becomes imperialism and not the West as such, policies not categories. In this sense *jihad* re-appropriates its just and defensive connotations. Fluidity by the same token requires the expansion of cognitive skills (*fatawa*) into fields of strategic planning, prioritization and political analysis as categories, change, mix or transform. It demands further the sharpening of dynamic theoretical inferences, while remaining at the same time cognizant of normative closures and red lines related to religious values and interests. It is perhaps this framework,

which has allowed the Iranian Islamic experience to evolve successfully, despite great systemic opposition, from revolution to a revolutionary state, to an institutionalized state, while remaining loyal to Islamic principles both domestically and externally. Its normative closure was the very condition of its evolution and cognitive opening. This is in contradistinction to the Arab, normatively open and cognitively closed, “state”. No wonder the former is dynamic and evolving, the latter static, fragmenting and decaying.

These considerations argue for the continued yet modified relevance of the Islamic classical approach to relations among nations. The respect with which it has been held, by Muslims through the centuries is therefore not necessarily misplaced. Where it is perhaps out of place, is in veneration, which does not allow for intellectual expansion, elaboration and complexity, combined with a state of paralysis and immobility emanating from a feeling of insecurity about being unable to preserve religious identity in a perceived “hostile” global environment. Fear, that is, fuelled by the implications of being an *adaptive* object rather than a *constitutive* subject. Islamic beliefs and ideas, for a myriad of historical reasons, have been largely detached from national and global structures and processes. As such they were unable to play an active role in shaping national and government policies or reach out beyond to influence systemic configurations. To the extent that beliefs determine and sway policy and thus, are potentially constitutive of the domestic and possibly the external environment could such fears be mitigated. This requires moving beyond the simplicity of normative closures toward a dynamic relationship with the complexities of cognitive openness. A neo-classical framework heralds the end of simplicity in much the same fashion that the end of the bipolar structured Cold War World has ushered in.

### Notes

1. It is true that the Hanafi school of thought recognized the territorial implications affecting religious rulings, as opposed to a pure non-territorial personal obligation to follow them. However, this hinged on a non-Islamic territorial law not contradicting any Islamic injunction (e.g. eating pork or drinking wine). The latter always had precedence even though a Muslim in non-Muslim territory was expected to obey local rules and laws.

2. Al-Shyabani was termed by Joseph Hammer von Purgstall as the Hugo Grotious of the Muslims (Khadduri 1966: 56). His works were described by Weeramantary as “the world’s earliest treatise on international law as a separate topic” (Weeramantary 1988: 130). As a matter of fact, Weeramantary argues persuasively that it was the influence of Islamic international law that served as the triggering factor in the development of the Western counterpart. Western scholars in the fifteenth and sixteenth centuries were well aware of Arab/Islamic literature and sciences through Spain and Italy. Weeramantary also provides a host of circumstantial evidence indicating that Grotious was influenced by Islamic scholarship even though he never acknowledged it (Weeramantary 1988: 149-158). Appreciative references to the Qur’an and to the Islamic law, pertinent to international relations, could also be found in the writings of Montesquieu (Weeramantary 1988: pp. 108-109).



3. There is a rather a negative religious connotation associated with the concept of *assabiyya* as a reflection of chauvinism and/or nepotism; characteristics which the Prophet Muhammad is reported to have condemned. Ibn Khaldun's usage of the term however, refers not to this negative aspect but to the more general sentiments of solidarity, which bring people together in order to create society, the foundation of any eventual good. *Assabiyya* in this sense refers not only to those primordial feelings, which are embedded in the natural ties of kinship and blood relations, but also to the broader context of group cohesion, affiliation and common concerns—an esprit de corps of sorts. It embodies both the natural and functional purposes of human social and political existence organized around those who lead and those who are led. This paper however will attempt to expand and reconstruct this concept beyond its conventional and narrow Khaldunian meaning in order to apply it to contemporary structures and contingencies.

4. Ghunaimi has indicated that "...it is not accurate to include the doctrines of the various Islamic schools of thoughts [paradigms] in the *Shari'ah stricto sensu*. These schools, in fact represent different processes of speculation on what the divine law, the *Shari'ah* might be" (1969:133).

5. An epistemic community, consists of knowledge-based experts who share both cause-effect conceptions and sets of normative and principled beliefs (Goldstein & Keohane 1993: 11). This does not mean that members of such a community have to agree on every detail. *Ijma'* by the same token does not necessarily mean the absence of differences, but rather their existence yet within a common Islamic normative structure. In this sense, differences between for instance, Hanafis and Shafi'is, regarding details of conducting relations with non-Muslim nations need not be understood or translated into discontinuity or an absence of *ijma'* at least as far as the Islamic theory in concerned. Michel Foucault for instance indicated that despite all the apparent challenge's that Marx's ideas presented to the power and domination of ruling classes and their ideologies, "at the deepest level of Western knowledge, Marxism introduced no real discontinuity". And while the erupting conflict and opposition to his ideas "may have stirred up a few waves and caused a few surface ripples...they [were] no more than storms in a children's paddling pool" (Foucault 1970: 261-262). In the Islamic religious field, it may be possible to make an analogy with the *sunni-shi'ite* divide.

6. In what follows in this section I draw on the work by Tilly. However, unlike his organizational and intra-state focus I expand his work to the international and global context.

7. The real significance of the Islamic revolution and its structures of authority as an empirical model, have been frequently overlooked by Sunnis. By ignoring that experience as well as Shi'ite jurisprudence, a wealth of knowledge of immense potential benefit to the debilitated state of Sunni *fiqh* and political theoretical development is simply excluded. Yet having been a historical minority, Shi'ite

jurisprudence provides for *fiqh al-aqalliyya* (minority). Having been persecuted and weak, it provides for *fiqh al-istidh'af* (the weak/down-trodden). Having never closed the gate of *ijtihad*, it provides for *fiqh al-ijtihad* (innovation)—a talent which, Sunnis have apparently lost in favor of *taqlid* (emulation), whether of their predecessors or of the West. Having represented *opposition* to the Sunni ruling establishment, it provides for *fiqh al-thawra/al-khuru'j* (revolution), particularly in light of the Iranian Islamic revolutionary experience. Having been able, not only to establish an Islamic state, but also to institutionalize it under the aegis of *Wilayat al-Faqih* principle, it provides for *fiqh al-dawla* (state). Finally, having been able to deal dynamically with, and to exert increased influence on the external environment while credibly holding fast to Islamic principles, it provides for *fiqh al'ilaqat al-kharajiyya* (external relations). All these six aspects of jurisprudence provide for a comprehensive theoretical and empirical corpus of knowledge, which rationally justifies the principle of al-Wilayat. In a re-constructive effort of this kind, Sunni-Shi'i relations must be seen through a *strategic* rather than *historical* perspective.

8. The Islamic theory of nations and Ibn Khaldun together with the empirical experience of the Iranian Islamic revolution provide ample opportunity for broadening Muslims' intellectual/ijtihad horizons of research. The "Islamic" justification for the choice of *Wilayat al-Faqih* here as the most relevant leadership principle is based on the Prophetic Tradition narrated by Abu-Huraira, the companion of the Prophet. When the Qur'anic verse "...if ye turn back (from the path), He will substitute in your stead another people [non-Arab?]; then they would not be like you", was revealed (ch. 47:39) the Prophet was asked, who those substituting people may be. He put his hand on Salman's (the only Persian Muslim at the time) shoulder and said "this man and his people. By him in whose hands my soul is, if the faith were to be as far as '*al-Thurayya*' [secular epoch?] it shall be brought back by men from among the Persians [The Islamic Revolution?]"'. *Al-Thurayya* is a name of a star (Al-Tabari 1980: v. 26, 42); (al- Qurtobi, 1967: v. 16, 258). This does not preclude further rational justifications based on the theory and practice of the Iranian leadership. The concept will be used in this article in a more or less reified unproblematic form. On Iran, government and theory of state detailing Wilayat al-Faqih as an Islamic leadership principle, and as a praxis of Islamic assabiyya see (Sabet 1994, 583-605).

9. *Dar al-Ahd* or the abode of the covenant is used here to refer to peaceful relations of a more or less enduring kind (non-imperialists). *Dar al-Sulh* or the abode of peaceful arrangements, connotes temporality and contingency determined by less enduring more tense relations (semi-imperialists). *Dar al-Baghy* or the abode of aggression, refers to imperialist and hostile actors.

## References

- Ashby, William R. 1956. *An Introduction to Cybernetics*. London: Methuen.
- Barnes, Trevor and James Duncan. 1992. "Introduction: Writing Worlds", in Barnes, Trevor and James Duncan, eds. *Writing Worlds*. London: Routledge, pp. 1-17.
- Beteille, Andre. 1983. *The Idea of Natural Inequality*. Delhi: Oxford University Press.
- Bockock, Robert. 1986. *Hegemony*. London: Tavistock Publications.
- Booth, Ken. 1997. "Security and Self: Reflections of a Fallen Realist", in Krause, Keith and Michael C. Williams, eds. *Critical Security Studies: Concepts and Cases*. London: UCL Press.
- Burchill, Scott & Linklater, Andrew. 1996. *Theories of International Relations*. New York: St. Martin's Press.
- Buzan, Barry. 1991. *People, States and Fear*, 2<sup>nd</sup> edition. Boulder: Lynne Rienner Publishers.
- Clark, Ian. 1999. *Globalization and International Relations Theory*. Oxford University Press.
- Der Derian, James, ed. 1995. *International Theory*. New York: New York University Press.
- Der Derian, James. 1989. "The Boundaries of Knowledge and Power in International Relations", in Der Derian, James and Michael J. Shapiro, eds. *International/Intertextual Relations*. Toronto: Lexington Books.
- Derrida, Jacques. 1976. *Of Grammatology* (Translated by Gayatri C. Spivak). Baltimore: The John Hopkins University Press.
- Doran, Charles F. 1991. *Systems in Crisis*. Cambridge: Cambridge University Press.
- Fadhllallah, Grand Ayatollah Sayyid Muhammad Hussain. 1996. *Kitab al-Jihad* (The Book of Jihad). Beirut: Dar al-Malak.
- Fanon, Frantz. 1963. *The Wretched of the Earth*. New York: Grove Press.
- Ferguson, Yale H. and Richard W. Mansback. 1989. *The State, Conceptual Chaos, and the Future of International Relations Theory*. Boulder: The University of Denver.
- Foucault, Michel. 1970. *The Order of Things*. Translated by A. Sheridan. New York: Random House.
- Gholyun, Burhan. 1994. *Al-Mihna al-Arabiyya: al-Dawla didh al-Umma (The Arab Malaise: The State against the Nation)*, (translated from French; translator na), 2<sup>nd</sup> edition. Beirut: Markaz Dirasat al-Wihda al-Arabiyya.
- Ghunaimi, Muhammad Talaat Al-. 1969. *The Muslim Conception of International Law and the Western Approach*. The Hague: Martinus Nijhoff.
- Gilpin, Robert. 1981. *War and Change in World Politics*. Cambridge: Cambridge University Press.
- Goldgeier, James M. and Michael McFaul. 1992. "A Tale of Two Worlds: Core and Periphery in the Post-Cold War Era", *International Organization* 46/2, (Spring), pp. 467-491.
- Goldstein, Judith & Robert O. Keohane. 1993. "Ideas and Foreign Policy: An Analytical Framework", in Goldstein, Judith & Robert O. Keohane, eds.

- Ideas & Foreign Policy*. Ithaca: Cornell University Press, pp. 3-30.
- Heikal, Mohamed. 1996. *Secret Channels*. London: Harper Collins Publishers.
- Heisenberg, Werner. 1971. *Physics and Beyond*. Translated by Arnold J. Pomerans. New York: Harper and Row.
- Holsti, K. J. 1985. *The Dividing Discipline*. Boston: Allen & Unwin.
- Hurrell, Andrew and Ngaire Woods. 1995. "Globalisation and Inequality", *Millennium*, 24/3, (Winter), pp. 447-470.
- Ibn Khaldun, Abd al-Rahman. 1958. *The Muqaddimah: An Introduction to History* (Translated by Franz Rosenthal). Princeton: Princeton University Press.
- Ikenberry, G. John. 1999. "Liberal Hegemony and the Future of American Postwar Order", in Paul, T. V. and John A. Hall, eds. *International Order and the Future of World Politics*, pp. 123-145.
- Ikenberry, G. John. 1996. "The Myth of Post-Cold War Chaos". *Foreign Affairs*, May/June, 75/3, pp. 79-91.
- Jackson, Robert H. 1993. "The Weight of Ideas in Decolonization: Normative Change in International Relations", in Goldstein, Judith & Keohane, Robert O, eds. *Ideas & Foreign Policy*. Ithaca: Cornell University Press, pp. 111-138.
- Juergensmeyer, Mark. 1993. *The New Cold War?* Berkley: University of California Press.
- Khadduri, Majid. 1966. *The Islamic Law of Nations*. Baltimore: The John Hopkins Press.
- Khadduri, Majid. 1955. *War and Peace in the Law of Islam*. Baltimore: The John Hopkins Press.
- Kingsbury, Benedict. 1999. "Sovereignty and Inequality", in Hurrell, Andrew and Ngaire Woods, eds. *Inequality, Globalization, and World Politics*. Oxford: Oxford University Press, pp. 66-94.
- Krasner, Stephen D. 1985. *Structural Conflict*. Berkley: University of California Press.
- Liddell Hart, B.H. 1967. *Strategy*. London: Faber & Faber.
- Luhmann, Niklas. 1990. *Essays on Self-Reference*. New York: Columbia University Press.
- Luhmann, Niklas. 1988. "The Unity of the Legal System", in Gunther Teubner, ed., *Autopoietic Law*. Berlin: Walter de Gruyter, pp. 12-35.
- Mahdi, Muhsin. 1963. *Ibn Khaldun's Philosophy of History*. Chicago: University of Chicago Press.
- Mastanduno, Michael. 1999. "A Realist View: Three Images of the Coming International Order", in Paul, T. V. and John A. Hall, eds. *International Order and the Future of World Politics*, pp. 19-40.
- McSweeney, Bill. 1999. *Security, Identity and Interests*. Cambridge: Cambridge University Press.
- Nettl, J. P. 1994. "The State as a Conceptual Variable", in Hall, John A., ed. *The State: Critical Concepts*. London: Routledge, vol. I, pp. 9-36.
- Pasha, Mustapha Kamal. 1997. "Ibn Khaldun and World Order", in Stephen Gill and James H. Mittelman, eds. *Innovation and Transformation in International Studies*. Cambridge: Cambridge University Press, pp. 56-70.

- Paul, T. V. and John A. Hall, eds. 1999. "Introduction", in *International Order and the Future of World Politics*, pp. 1-15.
- Qurtobi, Muhammad bin Ahmed al-Ansari al-. 1967. *Al-Jami' li-Ahkam al-Qur'an (The Collection to the Ordinances of the Qur'an)*, Beirut: Dar Ihya' al-Turath al-Arabi.
- Reisman, W. Michael. 1990. "International Law after the Cold War". *The American Journal of International Law*. 84/4, pp. 859-876.
- Ruggie, John. 1998. *Constructing the World Polity*. London: Routledge.
- Sabet, Amr. 1994. "Welayat al-Faqih: An Islamic Theory of Elite Hegemony Or Assabiyyat L-Khawass". *Orient*, 35/4, pp. 583-605.
- Said, Edward. 1993. *Culture and Imperialism*. London: Chatto & Windus Ltd.
- Sartori, Giovanni. 1984. "Guidelines for Concept Analysis", in Sartori, Giovanni, ed., *Social Science Concepts*. London: Sage Publications, pp. 15-85.
- Sayyid, Bobby S. 1997. *A Fundamental Fear*. New York: Zed Books Ltd.
- Singer, Max and Aaron Wildavsky. 1993. *The Real World Order: Zones of Peace, Zones of Turmoil*. Chatham, NJ: Chatham House Publishers.
- Suganami, Hidemi. 1989. *The Domestic Analogy and World Order Proposals*. Cambridge: Cambridge University Press.
- Sulayman, Abdul Hamid A. Abu-. 1993. *Towards an Islamic Theory of International Relations*. Herndon: The International Institute of Islamic Thought.
- Tabari, Muhammad bin Jarir Al-. 1980. *Jami' al-Bayan fi Tafsir al-Qur'an (The Collection of Explication in Interpreting the Qur'an)*, 4<sup>th</sup> ed., Beirut: Dar al-Ma'rifa.
- Tilly, Charles. 1999. *Durable Inequality*. Berkley: University of California Press.
- Tilly, Charles. 1975. "Reflections on the History of European State-Making", in Charles Tilly, ed. *The Formation of National States in Europe*. Princeton: Princeton University Press, pp. 3-83.
- Walker, R.B.J. 1993. *Inside/Outside: International Relations as Political Theory*. Cambridge: Cambridge University Press.
- Walton, Kendall L. 1973. "Linguistic Relativity", in Pearce, Glenn & Maynard, Patrick, eds. *Conceptual Change*. Boston: D. Reidel Publishing Company, pp. 1-30.
- Waltz, Kenneth N. 1979. *Theory of International Politics*. Massachusetts: Addison-Wesley Publishing Company.
- Walzer, Michael. 1967. "On the Role of Symbolism in Political Thought". *Political Science Quarterly* 82/2, pp. 191-204.
- Weeramantary, C. G. 1988. *Islamic Jurisprudence*. London: Macmillan Press.
- Wendt Alexander. 1992. "Anarchy Is What States Make of It: The Social Construction of Power Politics". *International Organization* 46/2 (Spring), pp 391-425.
- Wight, Martin. 1995. "Why is There No International Theory?" in James Der Derian, ed., *International Theory*. New York: New York University Press, pp. 15-35.
- Williams, H., M. Wright & T. Evans. 1993. *International Relations and Political Theory*. Buckingham: Open University Press.

- Zakaria, Fareed. 1998. *From Wealth to Power*. Princeton: Princeton University Press.
- Zartman, I William. 1995. "Putting Things Back Together", in I William Zartman, ed., *Collapsed States: the Disintegration and Restoration of Legitimate Authority*. Boulder: Lynne Rienner, pp. 267-273.