

BOOK REVIEWS

The long divergence, by Timur Kuran, Princeton, Princeton University Press, 2011, 405 pp., ISBN 978-0-691-14756-7

There are many books and studies dealing with the reasons why the Islamic world has been stagnating for the last two centuries when it was, for a much longer time, the model of civilization and advancement. Although severely flawed, the book reviewed is an interesting attempt at providing ‘off the beaten track’ answers that are different to traditional orientalist scholarship. The author has resorted to a comparative institutional approach in developing his argument, yet he has displayed a serious lack of understanding of Islamic institutions and norms. He examines what he believes to be the various factors that have led to Western development, and tries to identify similar patterns, if any, in the Islamic world.

Well written and extremely well documented, the book has an extensive 42-page bibliography and 695 different sources! This impressive reference list is, however, somewhat flawed, as the vast majority of sources are Western scholarship (mostly Anglo-Saxon). There is, however, a significant Turkish scholarship, but a conspicuous absence of original Arab sources. Indeed, it references some Arab authors, but their work is in English. The absence of original Arab sources may be attributed to the fact that the author is probably not fluent in Arabic; this is often a major drawback among scholars who try to write about Islam and Islamic institutions. For instance, this reviewer deplores the fact that the *waqf*, an Islamic institution criticized by the author, has not been given due justice, despite the fact that the Center for Arab Unity Studies (CAUS) has published the proceedings of a major conference on that institution in Arabic (CAUS 2003). The impression one gets from reading the book is that the author is concerned mostly with the Ottoman Empire and not the rest of the Islamic world. While the Ottoman Empire was indeed a major polity, it was by no means the only one. Furthermore, the author fails to identify the Arab origin of Islamic norms that govern the jurisprudence and also economic behaviour. Finally, his lack of knowledge of Arabic leads him to misunderstand significantly concepts and ideas developed by Islamic jurisprudence over the centuries. These points will be elaborated below.

The book was well received and lavishly praised by the main Western press, including *The New York Times*, *The Economist*, *The Independent*, etc. Yet, few solid analytical reviews were actually made. We note the review by Arshad Zaman (Zaman 2010), where he correctly deconstructs the major flaws in the methodology, the historical accuracy of the book’s narrative, the ideologically loaded norms of the ‘logic’ followed by the author.¹

The author develops his argument in four parts, in addition to a preface. They span over 302 pages in even-length chapters (about 20 pages each). Part I is the Introduction with two chapters; Part II is entitled ‘Organizational Stagnation’ and includes six

chapters (3–6); Part III is entitled ‘The Makings of Underdevelopment’ in five chapters (9–13); and Part IV is entitled ‘Conclusions’. We noted the plural! The author beefs up his argument with extensive notes, unfortunately located at the end of the book, which makes reading them difficult, although they are sometimes as interesting as the main text itself. We do not understand why publishers insist on that presentation which is not reader-friendly!

The author starts from the beginning (in the Preface) by expressing his scepticism about the common interpretation that ‘the Islamic world failed to free itself from the fetters of religious custom. Islam opposes innovation, it is often claimed, so Muslim social structures resisted adaptation and advancement’ (ix). His reservation about such interpretation is that although it ‘carries grains of truth, it leaves unexplained the reason why the degree of adaptability may have differed’ (ix). In fact, he argues that ‘conventional wisdom is also imprecise about the mechanisms through which Islam supposedly blocked economic development’ (ix).

The author poses what he believes to be pertinent questions, namely, why there has been no single work to which readers, in broad analytical treatment, could turn. He anticipates the criticisms of historians whose work is very well appreciated by the author would find generalizations unsettling. He calls on them to ‘recognize that this book’s purpose is different from most history books’ (x). Yet, his generalizations are justifiably unsettling if not outright misleading or clearly incorrect.

The main thesis of his argument is that Islamic institutions were a hindrance to the economic development of Muslim societies. In particular, he singles out inheritance laws, the *waqf*, and corporate law (or lack of it). He adds that minorities in the Islamic world (by that he means Christians and Jews) were quicker to adapt to Western modes of organization thanks to the dual effect of ‘Western protection’ under the aegis of capitulations signed with the Ottoman Empire since the mid-16th century, and also due to the fact that Islamic rule allowed Christians and Jews to have their own laws and they were not, therefore, hindered by the rigidities of Islamic law.

As to inheritance laws in Islam, they favoured the partition of estates instead of consolidating them. In the West, the rule of primogeniture, though unfair to the legal heirs except for the eldest, tended to preserve and consolidate the estate, thus favouring accumulation, an essential condition for growth. Inheritance laws in Islam are a reflection of egalitarian practices (83). How refreshing! Usually, the criticism levelled against Islamic inheritance law is about discrimination against women and here the author argues that the system is basically egalitarian! In fact, egalitarianism is perceived to be detrimental to development, whereas in Islam the view is to be more egalitarian. This is a basic misperception. The Koran acknowledges differences in abilities and wealth, but what is required is fairness. Justice is the central value in Islam; a fact the author seems to overlook.

As to corporate law, or lack of it, the author’s argument is that it is basically centred around single partnerships that were of limited duration and based on personal relationships. Though they were simple and useful at the height of Muslim rule, they were too primitive to adapt to a changing and complex world and complex transactions, especially in the area of international finance. Commercial transactions, especially trade, were based upon personal connections and, therefore, did not need elaborate accounting systems or legal frameworks. To a large extent, the author seems to buy into the argument of Niall Ferguson’s celebrated *Ascent of Money* (Ferguson 2008) in which he theorizes about the development of the West through the development

of financial instruments and markets. The fact that the Muslim world has not been interested in such an approach is one explanation for its stagnation. By contrast, religious minorities who adapted to Western paradigms were able to pull ahead of the rest of their fellow Arabs and Muslims.

The author goes to great pains to state that Islamic institutions were quite advanced for their time, but were not flexible enough to adapt to change. This point is illustrated in what Zaman calls ‘dialectical selection’: ‘In institutions, failure breeds ultimate success and success ultimate failure – because institutions that fail must adapt to survive, while those that succeed, fail to survive because they need not evolve’ (Zaman 2010, 279). If this is held to be true, then one can predict the withering away of the West because of its ultimate success and, therefore, there is no need for evolution!

The author’s thesis is interesting but flawed in my opinion, as historical accuracy is lacking and because of generalizations stated as self-evident truths about Islam are, in fact, incorrect. An example of what is meant by the lack of historical accuracy in the stated logic is not proved by facts. If one is to believe in the logic, then commercial agreements in the West were self-undermining, profits should have been falling, prior to the emergence of innovations. The author circumvents the lack of evidence by stating that innovations in organizational forms led to or accelerated profits in economic activities. In other words, innovations in law led to organizational changes where, in reality, legal historians hold that the law was (and still is) catching up with innovating business arrangements. One has only to look at the gaps in regulating the complex and complicated financial transactions in the financial markets and the persistent crisis. Thus, innovations in organizational forms are not the result of adaptive legislations, but their cause. The same would apply to Islamic law!

An example of the inaccuracy about inheritance laws in Islam is the author’s assertion that ‘restricting the individual’s testament privileges to one-third of his estate, the *Koran* reserves the unbequeathed portion to children, spouses, parents, and siblings of both sexes, according to rules dependent on the exact composition of the legally recognized heirs’ (78). He then cites in the footnote what he thinks are the relevant Koranic verses, i.e. Koran 4:11–12 and 4:176. Here the author makes a major mistake. There is nothing in the verses quoted or anywhere else in the Koran that limits the amount to be bequeathed to one-third! In fact, such stipulation is the product of jurisprudence and not the Koran. Many contemporary Islamic thinkers believe that the priority in inheritance law, according to the Koran, should be the testament (Shahrour 2000, ch. 3).

Another shortcoming in the analysis provided by the author is his partisan view of history. He espouses that development in the West was the result of innovative organizational forms and legislation. It is quite surprising how he ignores the ‘colonial experience’ in the West and their access to riches at horrendous costs to the native populations. He ignores the appalling conditions in which the workforce in the emerging European industrial countries were held. He also fails to mention that development in America came at the cost of the extermination of the native populations and enslavement of Africans brought, against their will, to work the land in the newly settled colonies. He would be well served to read or reread Howard Zinn’s seminal *A People’s History of the United States* (Zinn 2001)! By the same token, rereading Ibn Khaldoun’s *Stages of the Rise and Fall of Empires* (1377/2005) should provide a better insight into the course of history.

One of the basic premises of the author’s argument is that growth and development are essentially of economic nature. This is a reflection of an ideological tilt dominating Western thought. Why is the generation of wealth a goal in itself? And how much

wealth is needed? Islam does recognize the human inclination to acquire wealth, but it certainly is not the main goal in life. In fact, there are verses in the Koran that stigmatize accumulation and call for the spending on the people anything in excess of one's need (Koran 2:19).

While reading the book, one is struck by the author's unfamiliarity with concepts and categories in Islamic law. He does indeed have a reductionist view of history. Zaman has correctly pointed out that 'the author seems unable to differentiate between the law's unchanging substrate and its dynamic possibilities (Zaman 2010, 282). Illustrating his point is the basic contradiction in the author's recognition of Islam's acceptance of interest-based contracts as one sign of pragmatism and strength (280), while, at the same time, stating that *riba* (usury) was not acceptable, and therefore 'banks could not be established under Islamic law' (282). The author also recognizes that 'the ban on *riba* never had much influence on economic behavior' (292) since it was much evaded. However, earlier in the book, the author states that 'opposition to interest became a proximate cause of the Middle East's failure to modernize its financial institutions' (164). The author believes that interest and usury are identical while clearly they are not. He apparently is not familiar with the amount of jurisprudence among Islamic scholars on the meaning of *riba*. We need not dwell upon the intricacies of *riba*, which is defined as the excess in the principal of a loan. The basic idea is to sell at a higher price, hence the concept of loan repayment includes the higher price instead of a fixed amount defined as interest or usury.

There is a concept in Islamic finance that seems to escape the author. It is the concept of *hiyal* or legal constructs to avoid, and not to evade, the Koranic bans. It is pure and simple casuistry and has proved quite effective in devising financial products that are compatible with both Koranic instructions and requirements of modern complex financial transactions. Islamic banking has proved to be more resilient than traditional or 'advanced banking constructs' in the face of the financial crisis that has rocked the international finance system!

Another issue with the author's argument is that it is based on the West versus the Middle East. These are ideological constructs reflecting 'eurocentrism' or 'Western-centrism' (to coin a new term!). The author should have relied in my opinion on a problem-centred approach rather than on a method-centred one. The latter does not do justice to historical facts, so the argument made by the author is less persuasive than he thinks.

That said, the book is thought-provoking and does contribute to new areas of scholarship on Islamic institutions. It is a pity that the author lacks the necessary tools to provide a comprehensive analysis.

Note

1. The review was published and disseminated on the internet, yet the reference is made to a Pakistani academic journal *Islamic Studies*, where the date of publication predates the date of publishing! Either it is a typographical error or the reviewer had an advance copy of the manuscript.

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Party politics, religion, and women's leadership: Lebanon in comparative perspective, by Fatima Sbaity Kassem. New York, Palgrave, 2013, 296 pp., ISBN 9781137333209

Since the end of 2010 Arab uprisings have helped to shed new light on the situation and condition of Arab women. Numerous serious research essays and scientific articles have been devoted to this particular issue in the wake of the enormous political change and challenges recently experienced in the Arab region. Most of them pay particular attention to the political status and role of women in the political life of different Arab countries. Women's participation in the uprisings, gender equality and the role women play in shaping the new political power are, among other issues, the main resurging foci that attracted the attention of scientific researchers. Approaches dealing with these points of interest usually spring from three main theories: developmentalism, modernization and dependency theory. Although the two former ones constitute the dominant paradigms when studying the conditions of women and their participation in the 'developing world', the latter, however, still attracts researchers who do not identify with the dominant socio-economic and political system. While developmentalism and modernization focus on enhancing women's opportunities to play substantial political and economic roles, through more political integration and effective participation in the labour market and the world of business, critical theory is mainly concerned with obstacles and barriers preventing women from achieving their full political and economic potential, within prevailing socio-political conditions. Modernists and developmentalists mainly concentrate on piecemeal measures to improve the situation of women in the Arab world. Critical thinkers, on the contrary, view the change coming from the bottom up; changes having to start at the heart of the system of governance as well as the dominant socio-economic structures. Hence, full equality, gender equity and recognition of women's rights, at all levels, are the primary condition to change the political, economic, social and cultural landscape.

The Arab world is no exception with regard to the broad and asymmetrical scoop of theoretical and methodological implication of these approaches. A quick look at the literature dealing with the unfavourable situation of women before and after the uprisings should suffice. Nevertheless, the focus on democracy and human and civil rights