Abstract

The panel addresses the circumstance that there is very little public or academic knowledge about Islamic social contract theory, neither in academia nor in the European general publics. A hypothesis is that this depends on the discourses associated with current liberal democratic contracts, which still perceive ‘the social contract’ in terms of ethnic national identities. Such national contract discourses fail to perceive as contract theories religious and universalistic ones such as the Islamic, and therefore easily promote a conflicted relationship with Islam. Yet, as explored in this panel, the religion Islam includes a social contract theory which has been implemented both in the historical Islamic lands and in Europe, and in contexts where Muslims have been rulers or subjects, majority or minority. The panel invites papers which analyze how knowledge of implemented Islamic social contract theory might develop current European social contract theories and the understanding of politics in Muslim majority countries.

Outline

Addressing the circumstance that there is very little public or academic knowledge about Islamic social contract theory, the panel gathers new knowledge on the theoretical and practical dimensions of Islamic social contracts. The main argument is that while current European social contract theory is grounded in liberal democracy and such universalist principles as civil and human rights, the fact that national identities are still mostly constructed in ethnic terms dilutes the universality of the social contract. From this vantage point, religion tends to be perceived as a marker of ethnic identity; see Roy 2004 regarding the ‘ethnicization’ of European Muslims and the corresponding non-attention to European Muslims’ strategies to de-ethnicize Islam. Yet ‘scriptural’ Islam affirms universalism in several ways, all of which can be traced to a social contract theory. This universalistic social contract and its practical implementations can be studied in the religious scriptures, in medieval chronicles and other sources, in contemporary politics and societies, and in contexts where Muslims are the majority or the minority. A question which the panel seeks to discuss is whether an important dimension of the religion Islam is a social contract theory? If this is the case, it might explain why Islam is used by Muslim thinkers as a means to deliberate political and social belonging. Equally, non-Muslim politicians and public intellectuals also insist that Islam is the key to integration into European societies and their liberal social contracts. However, they tend to deliberate this as if Islam is alien to the liberal social contract, whereas the universalism of the Islamic contract is precisely what makes social integration into non-Muslim societies a viable project for Muslim thinkers. The panel invites papers treating both historical and contemporary cases, and which include a consideration of how knowledge about Islamic social contract theory can enrich and nuance both academic and public debates about Islam and social integration in the West, and of politics in Muslim majority countries.

Two papers are so far accepted:

Ulrika Mårtensson (convenor), “The Origins of Islam as a Reformed Social Contract”. The paper analyzes the Qur’anic concepts mīthâq and kitâb and their historicization by the historian al-Tabari (d. 923), who
presented the rise of Islam and the subsequent Islamic states as the reformation of a social contract institutionalized in the ancient Persian kingdoms and whose foundational principles are written legal contracts and religious pluralism.

Agata S. Nalborczyk & Egdūnas Račius, “Dar al-Harb as the Motherland? Tatars of the Grand Duchy of Lithuania and the Islamic Social Contract”. The paper argues that through choice of non-Muslim Grand Duchy of Lithuania as their adopted Motherland, Muslim Tatars effectively entered into a (arguably Islamic) social contract with the state and society. The paper follows the development of this social contract since its inception in the 14th century all the way into the nation-states of Lithuania and Poland that emerged in the beginning of the 20th century and continues until the present.

1. Individual abstracts

The Origins of Islam as a Reformed Social Contract.

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The paper analyzes the Qur’anic concepts mîthâq (covenant) and kitâb (writing) as historicized by al-Tabari (d. 923) in Ta’rîkh al-rusul wa’l-mulûk (The History of the Messengers and the Kings). Religion is in al-Tabari’s History presented as the foundation of a social contract institutionalized in the ancient Persian kingdoms and whose foundational principles are written legal contracts and religious pluralism. The reason religion is the foundation of the social contract is because it is intrinsically connected with kitâb (writing), thus guaranteeing the effectiveness of the social contract and thereby all other legal contracts: the law’s ability to protect rights and duties depend on writing. Islam arose because the Persian kings had violated this social contract, especially in relation to their Christian Arab vassals. The restored contract is Islam, which guarantees the rights of those who enter the social contract on the basis of their religion and through written contracts (ahl al-kitâb).


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Arguably, throughout the centuries the prevalent opinion among the ulama regarding residence by Muslims in non-Muslim lands (invariably labeled as Dar al-Harb, or Abode of War) has been reserved, to say the least. Yet, time and again Muslim communities would find themselves living amidst non-believers. Some of them, as in the case of Tatars from the Kipchak steppes, would even prefer to relocate to and permanently settle in a non-Muslim environment. The paper argues that through choice of non-Muslim Grand Duchy of Lithuania as their adopted Motherland, Muslim Tatars effectively entered into a unique (yet, arguably Islamic) social contract with the non-Muslim state and society. The paper follows the development of this social contract since its inception in the 14th century all the way into the nation-states of Lithuania and Poland that emerged in the beginning of the 20th century and continues until the present. The current situation the Tatars find themselves in in both Poland and Lithuania may perhaps be treated as an example of ‘good practice’ from both sides, the Muslim minority and non-Muslim majority state, and as such serve as a blueprint for possible Muslim minority – state relations elsewhere in Europe and beyond.