

COMPARATIVE PERSPECTIVES BETWEEN WESTERN AND ISLAMIC SCHOLARS TOWARDS THE CONCEPT OF CIVIL SOCIETY

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Abstract: *There has long been a tradition of volunteer organisations in civil society serving the general welfare. They function as a bridge between the populace and the government, relaying the needs and wants of the populace via pressure and protests to the government in order to secure justice, enhance democracy, and promote free speech. In this respect, there are differences in viewpoints between Western and Islamic philosophers due to the historical context of the activities of civil society organisations (CSOs). Due to its acceptance and rejection of CSOs; operations in the manner in which they are promoted, it has grown significantly in prominence and sparked debate among Islamic scholars. The diverse perspectives held by Western and Islamic philosophers are analysed in this study using historical analysis and descriptive methodologies. Although the notion of civil society is developed in Western thought, some Islamic scholars think it is tied to Islam and vital to the general welfare. Others, on the other hand, think that civil society and Islam cannot coexist.*

Keywords: *Civil Society, History, Western Scholar, Islamic Scholar, Acceptance And Rejections.*

Introduction

The word "al-mujtama' al Madani," which is Arabic for "a civil society," was first used by the Prophet Muhammad (PBUH) and may be used to identify the origins of civil society Khatami 1997. According to Islamic scholars, civil society is based on a set of values, including justice, equality, freedom, consultation, the right to difference, tolerance, cooperation, and solidarity. In contrast to the Western perspective, scholars have different opinions about the concept of civil society. In this regard, Larry Diamond (1994) pointed out that civil society is the sphere that battles the state and keeps it in check. According to Shils (1991, p. 4), civil society is a part of society that is beyond the boundaries of the family and state and has an existence on its own. Civil society: covers various autonomous organisations that connect themselves to the state with a legal framework and encapsulate civil conduct within the particular society in which they operate. All these areas are tied to democratic maturity.

Due to the differences in religion, and cultural, political, and economic systems. There are various kinds of civil societies around the world, and they have some common functions, but they vary according to national political systems and characteristics. Civil societies in the West perform their functions in a peculiar state-society structure that may not be the same in non-Western contexts, such as the community of the Muslim world. Civil society acts as a bridge between the population and the government, channelling the government through pressure and protest in order to secure justice, enhance democracy, and promote freedom of speech. In this regard, if we compare the views of Western and Islamic philosophers, we see that there are differences of opinion and similarities. Also, there is acceptance and not supporting operations of CSOs as the Western model, which generated controversy among Islamic scholars. Western and Islamic philosophers hold diverse views about the history and ideas of civil society. Although is more developed than Western thought, some scholars believe it is tied to Islam and vital to overall well-being. However, there is something in common between Islamic and Western views. Both believe that CSOs are voluntary, non-profit organisations working for the public interest. The phrase "civil society" occupied the forefront of political discussion during the twentieth century and generated a great deal of debate among Western thinkers about this concept. According to some Islamic thinkers, such as Kamali (2001), Talal (1997), and Khatami (1997), civil society exists in Islamic society, but it is not based on the Western model. On the other hand, there are differences among Islamic thinkers about following the Western model of civil society. There are several studies on the influence of Western and Islamic thought on CSOs, for example (Ghalion, 1992). (Said, 2001); (Gellner, 1994); (Rabeh, 2016): Each referred differently to Western and Islamic thoughts about CSOs but did not compare them. for example, Bishara (2000); Hanafi (2002); and Eisenstadt (2006). However, there are several studies in English and Arabic on the differences between Western and Islamic scholars, but they do not distinguish between the classical and modern periods. This study examines the differences and similarities between Western and Islamic scholars in ancient and modern times. It also highlights the differences between Islamic scholars' views on civil society. The study chose a qualitative method and used secondary sources. books, with articles published in foreign and Arabic journals and newspapers about the comparative perspectives between Western and Islamic scholars towards the concept of civil society.

Literature Review

According to some Islamic thinkers, such as Kamali (2001), Talal (1997), and Khatami (1997), civil society exists in Islamic society, but it is not based on the Western model. On the other hand, there are differences among Islamic thinkers about following the Western model of civil society. There are several studies on the influence of Western and Islamic thought on CSOs, for example (Ghalion, 1992). (Said, 2001); (Gellner, 1994); (Rabeh, 2016): Each referred differently to Western and Islamic thoughts about CSOs but did not compare them. for example, Bishara (2000); Hanafi (2002); and Eisenstadt (2006). However, there are several studies in English and Arabic on the differences between Western and Islamic scholars, but they do not distinguish between the classical and modern periods. This study examines the differences and similarities between Western and Islamic scholars in ancient and modern times. It also highlights the differences between Islamic scholars' views on civil society.

Comparative Between Western and Islamic Scholars About Civil Society

Differences

Koinoniapolitike, which translates as "political community" in Greek or "societies civil" in Latin, simply means "a community, a group of human beings linked under a legal political

system," and is variably expressed as "society" or "community" in Western traditions (Khilnani 2001; Kumar 1993). Whereas in Islamic traditions, the word "al-mujtama' al Madani," which is Arabic for "a civil society," was first used by the Prophet Muhammad (PBUH) and may be used to identify the origins of civil society (Kamali 2001; Talal 1997; Khatami 1997; Aga Khan 2004b). The intended purposes and operational areas of CSOs differ. According to some scholars (such as Martens and Frumkin in 2002), CSOs have their roots in the private social realm and often exclude institutions and representatives of the government. Others (like Kelsay 2002) believe that organisations of civil society "mediate" between "private and public life." These institutions include churches, synagogues, labour unions, political parties, civic organisations, the Rotary Club, the National Organization for Women, and others. Returning to the mandated Qur'anic discourse, we find that the Noble Qur'an, in most of its verses, directs the discourse on public affairs or the public affairs of civil society. "O you who believe, do not waste your money on falsehood except that you will be traded on the basis of you and will not be killed," the Almighty said. Surat Al-Nisa, verse 29 of the Holy Quran you who have believed, be upright before God, bearers of witness with justice, and let not hatred of a people deter you from being just." Be just, which is closer to piety, and fear God. Indeed, God is aware of what you do. The Holy Qur'an, Surah Al-Nisa, verse 8. There are many verses that hold society responsible for ruling with justice, enjoining what is right, performing trust, and preventing injustice. Al-Munkar. Laroussi (2016) And Islam necessitates freedom of expression and imposes it. In an honourable hadith, the Messenger of God (PBUH) said: "You will enjoin good and forbid evil, or God will soon send you a punishment from Him; then you will supplicate, and He will not answer you). In reality, Islamic civil society is based on a set of values, including justice, equality, freedom, consultation, the right to difference, tolerance, cooperation, and solidarity. After the turbulent early years in Mecca, in 622 A.D., the pillars of civil society began to take shape in Islam. A place for the spread and practice of Islam was created in the city-state of Yathrib (or Medinahul-Nabi) by the migration of a minority Muslim population. (Kamali 2001: 466; Talal 1997: 101; Khatami 1997). The Islamic society preceded its state, so when Islam began its call in Mecca, some individuals accepted it to confront an authoritarian institution that was ruling and persecuting them. Within thirteen years, Islam was able to form its first civil society on the basis of faith, and within the framework of a set of values governing social relations. And the constitution establishes the rights and duties between free groups of multiple religions and races under the values of justice, solidarity, tolerance, consultation, and freedom. Louay (1993) The idea of CSOs in Islam emerged in the public arena, namely the mosque. In the early days of Islam, the mosque served as the focal point for all socio-religious activities among Muslims. (Kamali 2001:471) Ernest Gellner stands out among modern civil society thinkers due to his scepticism of the existence of civil society in the Islamic world. In contrast to Islamic or Muslim culture, he believed that civil society was a system built on individuality and democratic institutions. Furthermore, "Islam officially has no clergy." "It does not formally divide the church from society any more than it explicitly divides the church from the state" (Gellner 1994: 16). Endowments, trade unions, groups of scholars, judges, fatwas, mosques, and Sufi orders are the most important civil society institutions in Islamic history (Hassan Ahmed Hussein, 2000, p. 132 and others). In line with many civil society theorists, Kamali holds that there is no single definition of civil society, and that individualism and democratic institutions are a few factors "that are taken for granted as necessary conditions." Accordingly, Kamali believes that relying solely on this definition and denying the elements of civil society in the Islamic world is unfair (Kamali 2001: 457). According to Calhoun (1993), "civil society" is the domain of individuals who organise their daily lives independently of the government. In Islam, the civic sphere, or welfare, is primarily driven by the traditions of philanthropy or generosity. Nevertheless, volunteerism, social welfare, and individual

socioeconomic well-being are shared by the Western and Islamic ideas of civil society. But in Western civilizations, their interpretations of civil society's tasks and functions differ. Enlightenment and contemporary philosophies that see religion as a barrier to societal and personal well-being appear to have had a greater impact on Western ideas of civil society. Abdel Qader (2020).

Similarities

The Western secular heritage has deep origins in the idea of civil society. The idea of civil society was developed by many great thinkers, including Aristotle, Hegel, Marx, Kant, Tocqueville, Gramsci, and Paine. Although similar concepts or structures may be found in Islamic civilizations, they cannot serve as real substitutes for (Western) secular or contemporary views of civil society. "Public spheres that arose in Islamic cultures were defined by some aspects that look quite similar to the present (Western) concept of civil society," writes contemporary scholar Eisenstadt (2006: 10).

The idea could be more clearly understood if the historical experiences or collective memory of various groups were recounted in each group's native language(s), according to Arkoun (2002), who also claims that the concept is still "abstract, cut off from their existential, cultural, historical, and intellectual contexts of emergence, genesis, and metamorphosis" (Ibid.:35).

According to Al-Sabihi (2000), the novelty of the term "civil society" and its Western environment does not necessarily mean that it is exclusive to Western society. Capitalist phenomena are like other human concepts. This phenomenon has been known through the experiences of many societies and countries, but the difference lies in the degree of maturity of civil society and the development of the two cases. If we tried to touch on some of the practices of civil society and its institutions in our Islamic history, we would find that there is a creativity of formations that may not adopt the same buildings and structures as the concept recognised at the present time, but we find in our Islamic history a parallel to the concept of modern civil society. Also, Al-Sabihi (2000), points out the concept of modern civil society in terms of the significance of the independence of society from the state through independent, semi-independent, or medical institutions and organizations, which can be called idiomatically the civil society in social and political history, in contrast to the formula of the people of the state, which is echoed in the introduction of Ibn Khaldun in the form of the people of the league, the people of crafts, the craftsmen, the roads, and the difference. According to Quadri, civil society is now more often seen as a proactive collection of individuals who support development, are always alert to the needs of others, and support the poor's advocacy before policymakers. According to Quadri, the existence of the public sphere in Islam means that it is not in contradiction with the Western (secular) concept of civil society. According to Montesquieu, if the state is the product of civil society, and each civil society produces a distinct state, then the first Islamic society produced its own state that is compatible with it based on a free social contract and a constitution that regulated social and political relations within the framework of the values of freedom, tolerance, cooperation, and equality. And the administration of the Prophet (PBUH), which was based on consultation, justice, the right to difference, and tolerance for all, even the opponents, had an impact on building a model state dominated by security and reassurance, which helped the spread of Islam. Larousi (2016).

Civil Society in Western and Islamic Classical Thought

Civil society in the West has passed through several historical and intellectual stages, and many studies have turned out to have differed in giving a unified concept of civil society and also contributed to the formation of its key features and determinants. For Western thinkers, there are two main ways of thinking about civil society, the classical Western and the Islamic, which we discuss as follows:

Classical Western Thought

The notion of civil society is understood differently in Western and Islamic civilizations. Numerous socio-political facets of a healthy society are included in the idea of civil society. Aristotle claimed that the polis or state, which he referred to as the "ultimate good" of human achievement, was an "association of associations" in which "human beings may attain truly human virtue by participating in governing and being ruled" (Hodgkinson 2003: vii). The state, or Polis, is tasked with meeting a citizen's fundamental requirements and ensuring their safety and well-being. It also aims to go in the direction of some good (Aristotle, 1905: 28; Aquinas, 2007: 7).

Locke (1632–1704) made nature the basis of civil society and distinguished between natural society and civil society, so he considered natural society to be the dominant family and father, just as civil society is the society of political choice to protect individual life and property, as an alternative, he discusses the concept of civil society as the normative accomplishment in his *Second Treatise on Government*. A person's transition from the state of nature to stable citizenship, when authority from above is exercised properly, occurs in civil society. He stated: "Therefore, a political or civil society only exists when all members of a society are sufficiently unified to cede to the public their executive authority over the law of nature" (Locke 1988: 325).

Rousseau believes there must be an idea of civic education, educating individuals to respond to and love the country so that the needs of the nation can be put above selfish interests and then return to civic virtue as the goal of public aims and values, and, on this basis, a contract must be instituted by the people, standing among its leaders or without them, except for public bequests, which are indivisible and cannot be relinquished.

From the above, it follows that the term "civil society" was used by Western thought from the Renaissance to the eighteenth century to refer to societies that transcend a natural state and are founded on a social contract, which is represented in a political existence based on a contractual agreement. (Saeid, 2001:51). Ferguson defined civil society as a "good" society that manages "the affairs of civil society, in which mankind finds the exercise of their best talents" (Ferguson 1995:149) or a sophisticated "state of society" governed by government and political philosophy, in which people should be able to exercise their best talents with affection and friendly interaction via the ties of moral sentiments (Seligman cited by Ehrenberg 1999: 25-36). As opposed to taking away people's rights via coercion or anarchy, civil society "gives everyone what is their right as an individual," according to Kant, making it "a better kind of social existence." He claims that since "self-interest cannot give an appropriate basis for human existence," individuals should refrain from using other people as a means rather than an end (Ehrenberg 1999: 110). He also emphasised the need for creating a "civic state" or a commonwealth in a cosmopolitan society where "the right of a stranger not to be regarded with hostility" is recognised as a fundamental moral and ethical principle.

(Kant 1991: 98–108). According to Kant, charitable acts are necessary but "cannot serve as the wellspring of justice or as the organising principle of civil society" (ibid., p. 113), and people shouldn't rely on gifts or charity. Similarly, Paine emphasised the importance of cultivating a spirit of love and respect for others to foster the development of a civil society in which people feel secure, free, and equal (Keane 1995: 302) instances, he said in support of civil rights (Paine [1791] 1979: 63). the well-being of its people through tax revenue is further emphasised by Paine (1937).

Civil Society in Islamic Classical Thought

There are many angles of study among Islamic scholars about CSOs between not supporting and accepting, and an attempt to reconcile them. By cutting off the concept of civil society, with what is known as Westernization, which in thought and practice, has content replacing values, morals, and rules that Islam brought with European rules and values that were the outcome of the development of these societies, and this leads to a degree of sense of belonging to Western civilization. In this regard, we refer to the opinions of these classical scholars.

Ibn Khaldun noticed that every Islamic state was based on tribal sectarianism for the sake of control. This is because society is not a collection of people, but the participation of those people in one direction to conduct a specific function. Ibn Khaldun also claims that there is neither a state nor urbanization without a state. Al-Sabihi (2000:20). According to his interpretation, the material of human society is human civilization, and its image is the state. If human civilization includes a Bedouin society, then we have associations and organizations, but if it is an urban society, then the partisanship decreases and the fulfilment of desires and needs is difficult, so the society in its movement should not be proud of the crawl towards the city that weakens the fanaticism, which is the reason for demand and protection.

On the other hand, Al-Kawakibi indicates that the chaos that results from the multiplicity of opinions and the different political formations is better than the stability that results from the political restriction of the members of society. freedom and independence of individuals to assemble and express their opinions.

Jamal Aldin Al-Afghani's work on civil society shows how the people participate in running the country through the shura and the election of their representatives. This is done to ensure that legitimate authority exists and that the will of the people is the force to which the authority is subject. Al-Afghani highlighted the consolidating principles of democracy and justice through its participation in political power. (Saeid, 2001:169).

Muhammad Abda tried to combine modernity and Islam. He made a comparison between the Arab-Islamic civilization with its principles and Western civilization, and he saw the establishment of a society that combines the Western mind with sound thinking and the Arab-Islamic faith. Also, he points out that a society is one body for civil society, of societies whose citizens are sectarian and ideologically different but linguistically and legally united. They are equal in the existence of power in society. (Sayed, 2001:67).

Khair al-Din al-Tunisi argued that Personal freedom includes people's personal and family conditions. Political freedom means participation in state politics. furthermore, Al-Tunisi, said that in "civil society" freedom the principles of consultation prevail, and his reform project focuses on a constitutional state. Arab societies have had many activities in many fields that

have been based on democratic ideas since ancient times, but their structure and formation were not based on the European model. (Said, 2001:67).

Modern Western Philosophical and Islamic Thought

Modern Western philosophy has a variety of opinions on the idea of a civic society. In this regard, if the central concern of the classical school was the distinction between civil society and natural society, modern thought was concerned with the distinction between society and state, and we find him among the most important philosophers of modern thought. As with classical scholars, modern Islamic scholars study CSOs from various perspectives, including absolute rejection, absolute acceptance, and attempts to reconcile them, as follows: Some claim it is a custom that dates back to the earliest days of Islam in the city-state of Medina, while others think civil society is affiliated to western thought.

For modern thinkers, there are two main ways of thinking about civil society, the Western modern and the Islamic modern thought, which we discuss as follows:

Modern Western Philosophy

has a variety of opinions on the idea of civil society. In this regard, if the central concern of the classical school was natural society, modern thought was civil society, and we find him among the most important philosophers of modern thought. Regarding that point, according to Mardin (1995: 278), Civil society is described as "a Western ideal, a historical goal" and according to its "huge idea," conception that "perplexed," "corrupted," and "notoriously slippery term." "Civil society" "does certainly represent various things to different people, performs different roles at different periods, and comprises both problem and solution" (as cited in Rosenblum and Post, 2002: 3). In various contexts, seen as a component is the first "mediating, moralising institution".

Hegel believes that "civil society" is a family or a moral and social space and that the construction of the state. According to Hegel, civil society includes the social and economic relations of production, trade unions, civil religious organizations, and the financial and educational unions of the modern state. Marx claimed civil society is the space in which man moves to defend his interests, transforming it into a theatre in which class opposition clearly arises and he sets the state against it, which in his view is nothing but a bureaucratic space. (Marx 1975: 114). on the other hand, Gramsci refers to civil society as founded on a variety of socio-cultural relationships between people, "not only economics," such as those found in trade unions, educational organisations, and religious institutions. He distinguished between separating from the economic sphere (Calabrese). Gramsci distinguished the functions. The state is made up of two parts: political society. task political is control coercion, but control culture and ideology, and not economic competition. They have special ones, in which there is no direct battle between classes, the conflict turns into a battle of attitudes, and the cultural aspect becomes the main field of conflict. According to Habermas (1989), the social system is divided into three parts: the political system, functional structures (such as education, healthcare, services, and the media), and works to link records of interaction between these systems (Habermas, 1989, p. 30). Tocqueville studied civil society through American society, where political freedom is what guarantees the participation of groups, which is the only way individuals can mobilise power to achieve certain goals they define for themselves. Tocqueville argues that society must have a sharp and independent eye, which is nothing, but a permanent and vigilant civil society based on self-organization and is a permanent necessity for strengthening the democratic revolution. We conclude that, despite the existence of a large

number of civil society theories in Western thought, there are common elements among Western theorists within Western thought, the most important of which are: the availability of the will of free voluntary action, so that individuals have the freedom to join associations, as opposed to kinship groups such as families, clans, and tribes, where civil society institutions operate systematically and are subject to agreed-upon logical conditions and standards, acceptance of difference and diversity among parents and others, and commitment to managing conflict between institutions of civil society and between them and the state.

Modern Islamic Scholars Thought.

As with classical scholars, modern Islamic scholars study CSOs from various perspectives, including lack of support, and acceptance, and attempt to reconcile them, as follows: Some claim that civil society is a custom that dates back to the beginning of Medina, and that it is a component of societal life now that it is the interactions of individuals in countries. (Talal 1997: 101; Khatemi 1997). Other extreme fundamentalist scholars assert that civil society is purely Western in nature and contains secular, anti-religious sentiments that aim to Westernize Muslim societies. They also contend that Muslim societies are not included in this Western conspiracy against the Islamic "ummah," or people. Others make the case that elements of ancient Islam might be modified to consider contemporary socioeconomic requirements. They contend that through a creative reinterpretation of Islam's fundamental ethical roots, or *ijtihad*, one may preserve commonalities and reconcile gaps. The reformist or modernist alternative is this one. Others, on the other hand, argue that while the term "civil society" has Western roots, its applications and meanings are universal, making it a universal ideal. They regard it as a template, a standard of conduct, and an ideal way of life for people and Muslim civilizations. The secular, westernised alternative to the other extreme stance is this one (Hanafi 2002: 56). Khatami (2005) said that "the civil society that we want to promote and perfect in our society and that we recommend to other Islamic societies is fundamentally different from the "civil society" that is rooted in Greek philosophical thinking and Roman political tradition and that, having gone through the Middle Ages, has acquired its peculiar orientation and identity in the modern world." Ahmad Moussalli claims that it might seem the concept of civil society is Western and imposed on the non-Westerners to keep local systems in submission to the West, but this is not entirely true, at least in terms of the functions of civil society. Roy, Sara. (2011). Islam has always been a civilised culture. The notion of the separation of Church and state led to the development of the Western concept of civil society. Hashmi (2002) believes that absorbing anything that does not go against Islamic principles and represents the civilised framework of Muslim societies—whether that is Muslim ingenuity or the contributions of other modern societies—is how civilizations advance. Whether it agrees or disagrees on the theoretical level with the liberal perception of civil society that supports liberalism as a philosophy and as a method, and on the applied level with the reality of contemporary Western societies, the Islamic approach to knowledge and the Islamic socio-political philosophy, and it is consistent on the applied level with the reality of Muslim societies, and among the most significant civil society institutions in history Islamic: endow or the ultimate power in politics, but in the economy, the possession of money and the unrestricted right to spend it, and in the area of law, the authority to establish laws, i.e., assets, which is what we mean by this. A: The absolute objective rule over Islamic civil society is monotheism.

The second premise is succession, as long as it is founded on fairness, equality, and dialogue (Husseini, 2020). In the recent period, an active Islamic trend has emerged in the Arab world that seeks to reformulate the relationship between the state and civil society from an Islamic perspective that differs from the Western model. Islamic movements are seeking to challenge

the established order by taking part in elections and are actively reformulating how the state and civil society interact from an Islamic viewpoint in the Arab nations. Given that the power structure in these nations is eager to join the covert forces of legitimacy, there should be acceptable avenues for practice and expression. (Ghassan, 1987, p. 215). The idea of civil society originated in the West and is applied to the Arab world. (Ghalion 1992, p. 733).

Conclusion

Civil society was raised in the West, and both ancient and modern scholars, have paid great attention to it and have advanced it to the present day; also, philosophers have defined it in various ways. In a sense, civil society has become an effective force to express and convey the demands of society to the government through memoranda, pressure, and protests. At the same time, civil society has become an umbrella for the protection of democracy, freedom of expression, human rights, and social justice. Although Western scholars have interpreted and promoted the concept, this does not mean that civil society did not exist in the Islamic world. In this regard, the ancient and modern scholars of Islam have had their say, although their opinions differ. In terms of societal and individual well-being, the Islamic conception of civil society is comparable to that of the West. It varies, however, in how it places emphasis. Islamic traditions place greater emphasis on duties and a feeling of accomplishment. While the Western concept of civil society supports or promotes the social "good" on a humanitarian (or non-religious) basis, Islamic traditions connect the motive for doing the social "good" to spiritual bliss and salvation after death. The weaker and more vulnerable sections of society are empowered by the philanthropic traditions of charity in the West and Zakat in Islam.

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