

THE OTTOMANS AND CIVIL SOCIETY: A DISCUSSION OF THE CONCEPT AND THE RELEVANT LITERATURE

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‘CIVIL SOCIETY’ is a concept whose original frame of reference is modern and (in its late twentieth-century re-invention) contemporary societies and states, and one which is closely connected with the discourse on democracy. However, in recent years the use of the concept has been extended and given historical depth, and thus scholars have come to apply the term to earlier societies as well, Western and non-Western alike.¹

The purpose of this paper is to test the applicability of ‘civil society’ to the pre-Tanzimat Ottoman Empire in light of the possibility of connecting this concept to a ‘bottom-up’ vision of the ‘hierarchised’ relationship between state and society, if the holding of formal political authority is taken to be the factor which determines this ‘hierarchy’.² Even though civil society is associated predominantly with the middle and upper classes (as literacy and commerce are considered agents which strengthened it in Western Europe), lower strata also contribute to it.³ In the Ottoman context, if ‘society’ at large is treated as the ‘bottom’, in that it consisted of subjects of the Sultan, and the ‘state’ as the privileged ‘top’ towards which political demands and initiatives were addressed, then civil society, as a product of society at large, can be seen as a generator of ‘political initiatives from the bottom up’. Even if the political character of civil society is not always evident at first sight, it is a type of social action which may articulate political

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- 1 Even though I realise their inadequacy and potential for misleading, I use the terms ‘Western’ and ‘non-Western’ for lack of alternative terminology which would combine accuracy with conciseness. The only reason I do not place these two terms in inverted commas in this paper is aesthetic.
- 2 Here again I realise the sketchiness of the terms ‘state’ and ‘society’ in such a context, but once more it is difficult to come up with concise alternatives.
- 3 J. Kocka, ‘Civil Society from a Historical Perspective’, *European Review*, 12 (2004), 70, 72-74; J. A. Hall, ‘In Search of Civil Society’, in Idem (ed.), *Civil Society: Theory, History, Comparison* (Cambridge 1995), 6-7.

demands and produce relevant initiatives, especially since opposition to despotic rule is one of its major characteristics, as will be expounded below.

To start with a few suggestions: how should we treat the Kadızadeli movement of the seventeenth century and the revolts which led to the dethronement of Sultans? Were they instances or results of civil social movements? Or, can the guilds and the largely informal political institutions of local communities throughout the Ottoman Empire be treated as manifestations of the functioning of a civil society? Or, what about the emerging commercial non-Muslim social strata and groups which questioned and contested the legitimacy of Ottoman rule and of the traditional clerical and lay leadership of their communities in the Balkans and Anatolia in the late eighteenth and the early nineteenth centuries? Did they represent initiatives which can be classified under 'civil society'? Or is it, on the contrary, methodologically more prudent to concede that the existence of a civil society in a non-Western, pre-modern (or early modern) absolutist state without a clearly defined or homogeneous bourgeois middle class is impossible, and that the use of this concept in this context is wrong and anachronistic, since 'civil society' is a firmly Western idea and reality?

I believe that, in order to be able to explore issues such as these, it is crucial that I first try to define 'civil society' as clearly as possible and discuss its main features. Although there is still disagreement about how to define 'civil society', and the term has been subjected to several different interpretations by different intellectual currents and traditions in varying socio-political environments over the last three centuries or so, contemporary social scientists have achieved some degree of consensus on at least some basic elements of 'civil society' – had it not been so, it would have been impossible to talk about it. My approach here relies heavily on Jürgen Kocka's understanding of 'civil society', but also takes into account the views of John A. Hall and others. After I define 'civil society' in the pages which follow, in the remainder of the paper I will treat the Ottoman case in a more straightforward manner.

Before proceeding further, however, it should be made clear that I have no illusions about the feasibility of exhausting the issue of 'civil society', a concept shrouded in vagueness and controversy anyway, in a short essay such as this. What I hope to provide is a systematic and internally consistent argument: I think of 'civil society' as a concept which has been formulated with the modern and contemporary Western world in mind, but which is transferable to other political and cultural contexts. However, in my view, this transfer cannot be made regardless of how 'civil society' is conceived and used in its 'original' context, because otherwise one runs the risk of using the concept either as a mere slogan, without grasping its actual content and ideological and cultural underpinnings, or as a term whose meaning is only seemingly identical with what it is in the Western paradigm but really quite different, thus weakening its potential for comparative analysis and possibly creating misunderstandings between scholars who study different historical periods, states and societies. I do not contend that a concept such as 'civil society' has a fixed, unalterable meaning nor that it is not legitimate to modify and adapt it to the particularities of a different cultural, social and political context, but that this cannot be done before one has familiarised oneself with how this concept is used in its 'original' context.

Finally, limitations of space and purpose of this paper prevent me from dealing with the ‘public sphere’, a concept which is closely related to ‘civil society’ and should ideally not be separated from it.⁴ Inasmuch as the ‘public sphere’ was introduced as an analytical category which, especially in its Habermasian version, is associated with Western modernity and the rise of the bourgeoisie,⁵ its transfer to the Ottoman context raises issues similar to those that one has to address about ‘civil society’.⁶ Thus, if we define the public sphere simply as the sphere where issues of common/public interest are freely discussed in public, which encourages political participation and action, then it existed in the pre-Tanzimat Ottoman state, and found its spatial expression in public places, such as the mosque, the church, the synagogue, the market-place, the port, the coffee-house, the *hamam*, or even the *kadı* court. But, on the basis of the argument briefly articulated in the previous paragraph, this simple definition may be in need of further elaboration before it can be considered adequate.⁷



As Kocka points out, the history of the term ‘civil society’ is very old, going back to the Aristotelian tradition, but in the modern era (that is, from the seventeenth century onwards), which is the one which concerns us, this concept has been ascribed three different meanings.⁸ For the authors of the Enlightenment, it described a utopian future anti-

4 For the relationship between the ‘public sphere’ and ‘civil society’ see S. N. Eisenstadt, ‘Concluding Remarks: Public Sphere, Civil Society, and Political Dynamics in Islamic Societies’, in M. Hoexter, S. N. Eisenstadt, and N. Levtzion (eds), *The Public Sphere in Muslim Societies* (Albany 2002), esp. 139-141.

5 The concept of the ‘public sphere’ was first elaborated in J. Habermas, *Strukturwandel der Öffentlichkeit: Untersuchungen zu einer Kategorie der bürgerlichen Gesellschaft* (Neuwied 1962), and has been much debated, contested, modified and enriched since. See, for instance, C. Calhoun (ed.), *Habermas and the Public Sphere* (Cambridge, Mass. 1992); Hoexter, Eisenstadt, and Levtzion (eds), *The Public Sphere in Muslim Societies*; F. Hasan, ‘Forms of Civility and Publicness in Pre-British India’, in R. Bhargava and H. Reifeld (eds), *Civil Society, Public Sphere and Citizenship: Dialogues and Perceptions* (New Delhi, Thousand Oaks, and London 2005), 84-105.

6 The use of the concept in the Ottoman context has been rather limited; see, for instance, Hoexter, Eisenstadt, and Levtzion (eds), *The Public Sphere in Muslim Societies*. For the ‘public sphere’ in the late Ottoman context see N. Özbek, ‘Philanthropic Activity, Ottoman Patriotism, and the Hamidian Regime, 1876-1909’, *IJMES*, 37 (2005), 59-81; Idem, ‘Defining the Public Sphere during the Late Ottoman Empire: War, Mass Mobilization and the Young Turk Regime (1908-18)’, *Middle Eastern Studies*, 43 (2007), 795-809; F. Ergut, ‘Surveillance and the Transformation of Public Sphere in the Ottoman Empire’, *METU Studies in Development*, 34 (2007), 173-193. Cf. C. Kirlı, ‘Coffeehouses: Public Opinion in the Nineteenth-Century Ottoman Empire’, in A. Salvatore and D. F. Eickelman (eds), *Public Islam and the Common Good* (Leiden and Boston 2004), 75-97, esp. 77 n. 2.

7 See, for instance, the critique of H. Mah, ‘Phantasies of the Public Sphere: Rethinking the Habermas of Historians’, *The Journal of Modern History*, 72 (2000), 153-182.

8 Kocka, ‘Civil Society’, 66.

absolutist society largely based on the notion of self-organisation of its members, who would be mature, tolerant, socially responsible citizens.⁹ On the other hand, nineteenth-century intellectuals, especially in the German-speaking countries, understood civil society more as a (model) society reflecting and expressing the ethos, needs and interests of the bourgeoisie.¹⁰ Finally, in the late twentieth and early twenty-first centuries, the concept of ‘civil society’, which first became popular as a term describing societal forces in opposition to the communist regimes of central and eastern Europe, refers to a responsible, socially and politically involved, pluralistic society, which is characterised by self-organisation, in contrast and opposition to – depending on the cultural and ideological tradition which uses it – either the interventionist state or the forces which promote unchecked capitalism and place corporate business interests above the people and society.¹¹

Kocka himself defines civil society in three ways: “as a type of social action; ... as an area or sphere connected to, but separate from, economy, state, and the private sphere; and ... as the core of a draft or project that still has some utopian features”.¹² According to his analysis, civil society – whose several aspects are, as noted, often utopian – refers to the public sphere,¹³ and is distinguished from the government, and, in the modern world, business.¹⁴ It is based on “social self-organisation” and is “non-violent”, which does not preclude tension or differences; civil society aims at social cohesion, but is not homogeneous, and does not suppress the independence of the individual. It is tolerant, and geared towards the promotion of what is understood as the common good as a result of compromise, since there may be different views about it.¹⁵

Hall, on the other hand, is much more concise and exclusive in his definition of civil society, which he associates with Europe: it “is a particular form of society, appreciating social diversity and able to limit the depredations of political power, that was born in Europe; it may, with luck, skill and imagination, spread to some other regions of the

9 Ibid.

10 Ibid., 66-67, 72-73.

11 Ibid., 67-68. Kocka notes that in the contemporary context, ‘civil society’ “emphasizes social self-organization and individual responsibility” (ibid., 67). For other surveys of the history of the term ‘civil society’ see A. B. Seligman, *The Idea of Civil Society* (Princeton 1992); K. Kumar, ‘Civil Society: An Inquiry into the Usefulness of an Historical Term’, *The British Journal of Sociology*, 44 (1993), 375-395; H. İslamoğlu, ‘A History of the Idea of Civil Society’, in Eadem, *Ottoman History as World History* (Istanbul 2007), 151-169.

12 Kocka, ‘Civil Society’, 68; see ibid., 68-70 for further analysis.

13 For the contribution of the ‘private sphere’, represented by the family, to the civil society as the ‘public sphere’ see ibid., 74-75.

14 According to Kocka, civil society also is “a *social sphere*” and “a *social space*” which, in the modern world, is occupied predominantly by “clubs, associations, social movements, networks and initiatives”. In this respect, “[a]s far as state organs and their officials, businesses and their personnel, and families and kinship relations take advantage of this type of social action, they are active members of civil society” (ibid., 69).

15 Ibid., 68-70.

world".¹⁶ According to his analysis, civil society is civil and tolerant, endorses social differentiation, respects individualism, and abhors despotism. Apart from despotism, civil society has four more 'enemies', as he calls them, which hinder its functioning: the tradition of republican civic virtue because of its concern for unity and its inclination towards coercion; nationalism which seeks to achieve complete social homogeneity by such means as mass population transfers, forced integration, ethnic cleansing, or genocide; late development which gives rise to forced statist development; and cultural and institutional forces which inhibit the desire to balance the state and to respect individualism.¹⁷ In this context, Hall explicitly cites Islam as a cultural tradition which prevents the emergence of civil society.¹⁸

If we take the two views summarised above to represent a 'sociological' (Hall) and a 'historical' (Kocka) approach to civil society, the former seems to be more strict and exclusive, as it refers to contemporary states or their Western ancestors (such as eighteenth-century Britain) and their (actual or idealised) value systems, and thus does not leave much space for applying 'civil society' to a non-Western early modern empire. On the other hand, Kocka's historical approach seems to be more accommodating and inclusive in its definition of the term. More specifically, unless I misread him, Kocka makes it easier for historians to apply 'civil society' to pre-modern or early modern non-Western societies than the definitions of various sociologists do. This is not to say that, even so, there are not problems with the application of the term 'civil society' to the Ottoman case: for instance, as we will discuss below in more detail, there is the issue of respect for individualism, as well as the question of whether Ottoman society was unitary/cohesive or fragmented in groups defined principally through religious affiliation, with limited interaction between them. Moreover, Ottoman economy and society obviously were not dominated by capitalist relations in the pre-Tanzimat era.

The fact is that the term 'civil society' has been used extensively over the last 30 years or so, in academic and non-academic circles, in such diverse and heterogeneous ways that its actual meaning sometimes seems to be too elusive to be of much use for scholarly purposes,¹⁹ while there are also those who have challenged its usefulness altogether.²⁰ For the needs of this paper, let us stress as a major attribute of civil society

16 Hall, 'In Search of Civil Society', 25 (but also see his critical comments on pp. 25-27). See also the definition of P. Nord, 'Introduction', in N. Bermeo and P. Nord (eds), *Civil Society before Democracy: Lessons from Nineteenth-Century Europe* (Lanham, Boulder, New York, and Oxford 2000), xiv.

17 Hall, 'In Search of Civil Society', 7-15. As far as the five 'enemies' are concerned, here I reproduce Hall's formulation of them.

18 *Ibid.*, 14.

19 Cf. *ibid.*, 1-3; 'Introduction: Ideas of Civil Society', in S. Kaviraj and S. Khilnani (eds), *Civil Society: History and Possibilities* (Cambridge 2001), 1-3.

20 See, for instance, Kumar, 'Civil Society', esp. 390-392; *Idem*, 'Civil Society Again: A Reply to Christopher Bryant's "Social Self-Organization, Civility and Sociology"', *The British Journal of Sociology*, 45/1 (1994), 127-131; Seligman, *The Idea of Civil Society*, 203-204; Hall, 'In Search of Civil Society', 2.

the voluntary self-organisation of society (or of social groups) with a view to the non-violent accomplishment of goals which may not be overtly but are essentially political in nature. Furthermore, civil society exists and operates within the context of a given state with which it interacts.²¹ Third, civil society is opposed to despotism, and has to be (at worst somewhat) tolerant and accept (at least a certain degree of) plurality, which entails that it allows space for dissent; in the words of Hall, “civil society is ... a complex balance of consensus and conflict, the valuation of as much difference as is compatible with the bare minimum of consensus necessary for settled existence”.²² Finally, civility is a feature inherent in the concept of civil society. As Philip Nord puts it, “the qualifier ‘civil’ is meaningful, for it implies activity that is ordered, nonclandestine, and collective”.²³

Even though such criteria contribute towards defining ‘civil society’, various aspects of the concept still remain slippery, and, as Kocka admits, it is often difficult to decide whether a specific group, organisation or movement qualifies for consideration as ‘civil society’.²⁴ Besides, Ernest Gellner – who, like Hall, associates ‘civil society’ with modern Western societies and states – has warned against too broad or too selective definitions of the concept, because eventually they are of little use for academic research.²⁵



References to ‘civil society’ in studies of the pre-Tanzimat Ottoman Empire are quite rare, or, at least, haphazard: when the term is cited, usually it is without any analysis of its content or any attempt at theorising. Most studies which are concerned with civil society in a more systematic fashion do not deal with the pre-Tanzimat Empire, but (less) with the late, ‘modernising’ or ‘modernised’, Empire, (and more with) modern Turkey, the modern Middle East, or contemporary Islam, and thus obviously refer to conditions which are very different from those of the pre-Tanzimat Ottoman state and society. How-

21 Hall criticises the description of civil society as “societal self-organization in opposition to the state” as an “essentially negative view of civil society” (ibid., 2).

22 Ibid., 6.

23 Nord, ‘Introduction’, xiv. He goes on to explain that “[t]he crowd, the underground cell, the criminal, all are social actors, but civil society is not the stage they have chosen to walk upon”.

24 Kocka, ‘Civil Society’, 77 n. 4: “According to the definition proposed here, organizations, initiatives and networks of the third sector should be considered part of ‘civil society’ only if and to the extent that they correspond to the aforementioned type of social action. Consequently, violent or fanatic, intolerant organizations, movements and initiatives may belong to the ‘third sector’ but do not qualify as belonging to civil society. The distinction, however, is difficult to make in individual cases.”

25 E. Gellner, ‘The Importance of Being Modular’, in Hall (ed.), *Civil Society*, 32-55. Gellner provides the following as an example of a seemingly decent, but in essence too broad and thus inadequate definition: “civil society is that set of diverse non-governmental institutions, which is strong enough to counterbalance the state, and, whilst not preventing the state from fulfilling its role of keeper of the peace and arbitrator between major interests, can nevertheless prevent the state from dominating and atomizing the rest of society” (ibid., 32).

ever, there are a few scholars who have discussed ‘civil society’ in the context of the Ottoman Empire (usually as an abstraction rather than in reference to a particular historical moment) before the so-called ‘Westernisation’ of the nineteenth century. Among them, Şerif Mardin must have been the first, as he published an article about it as early as 1969.²⁶ The contrast of institutions, state policies, and social structures between the Ottoman Empire and the West runs through his article, and Mardin leaves no room to doubt his stance by entitling the section which focuses on civil society ‘Absence of “Civil Society”’. As he notes, the Ottoman Empire “lacked that basic structural component that Hegel termed ‘civil society’, a part of society that could operate independently of central government and was based on property rights”:²⁷ the state did not authorise civic autonomy or self-government, nor did it acknowledge a legal status to corporations as such. Even though he differentiates Anatolia (as the region to which this grim picture mostly applies) from the Balkan and Arab cities (that he treats as more independent from the grip of the state), and considers the validity of an analogy between the *ayan* and “Western townsmen”, he insists on the absence of civil society, among other reasons because of the lack of a Western-style bourgeoisie.²⁸

In 1995, Mardin revisited the concept of ‘civil society’ in relation to the Ottoman Empire and Turkey in his ‘Civil Society and Islam’, his wider aim being to encourage a meaningful comparative examination of Western and Islamic societies.²⁹ His point of view did not change significantly in comparison to 1969, except for an emphasis on Islam as the background against which he tests ‘civil society’, as indicated by the title of the article, as well as statements such as that he “would like to test the relevance of civil society for Muslim culture”, or that ‘civil society’ “does not translate into Islamic terms”.³⁰ Otherwise, he puts his stress once again on the cultural, intellectual, and legal differences between the West and “the Islamic ‘East’”, which did not allow the cities and urban social groups to flourish into civil societies in the way that they did in the West. In this article too, he explains that Islamic law does not attribute a legal personality to corporations, and that the Islamic cities are not guaranteed any rights or privileges by law nor are rulers contractually bound to respect any such rights. Furthermore, at the level of the individual, the Western concepts of ‘freedom’ and ‘civil liberties’ were non-existent in Islam before the nineteenth century.

Karen Barkey joins Mardin in his refutation of the applicability of the concept of ‘civil society’ in the Ottoman context.³¹ According to her argument, the position of the state was so dominant and its structure so centralised that it did not allow the functioning of

26 Ş. Mardin, ‘Power, Civil Society and Culture in the Ottoman Empire’, *Comparative Studies in Society and History*, 11 (1969), 258-281. Mardin points out that his understanding of civil society relies on its definition by Marx (ibid., 258 n. 1).

27 Ibid., 264.

28 Ibid., 266-268.

29 Idem, ‘Civil Society and Islam’, in Hall (ed.), *Civil Society*, 278-300.

30 Ibid., 279.

31 K. Barkey, *Bandits and Bureaucrats: The Ottoman Route to State Centralization* (Ithaca and London 1994), 40-44.

autonomous associations which would be able to restrain its power. As she notes, “[t]he center was omnipotent”.³²

Another of the few scholars who have dealt with civil society in the Ottoman context is Haim Gerber. His interpretation is radically different from that of Mardin and Barkey. In an article published in 2000, Gerber argues for the existence of civil society in the Ottoman Empire.³³ His contention is that the Ottoman state was not as omnipotent, arbitrary, or despotic as it is often portrayed, and that it should be identified with the Sultan and his immediate entourage, which makes the rest of the state bureaucracy a kind of civil society, “[not] a tool of the sultan, but a group with its own will and ability”.³⁴ Furthermore, the cases of the *ulema*, the guilds, and the *ayan*, as well as the involvement of local groups of people in the administration of the law and waqfs, prove in his view that Ottoman society possessed autonomy from the state, and exhibited the signs of civil society.

In 2002, Gerber returned to the issue of civil society, this time in conjunction with the concept of the public sphere. Gerber adopts again an approach which is in stark contrast to that of Mardin: he unequivocally endorses the existence of both a public sphere and a civil society in the Ottoman Empire, and focuses on law (guild law, land law, etc.), its administrators (the *kadts*), and the waqf institution as evidence that Ottoman society was not controlled by the state, but instead had “autonomous social institutions and groups”.³⁵ In the field of law, for instance, he cites the legalisation of charging interest on loans as an innovation which was imposed by civil society.³⁶ He also reiterates his view that the state in the Ottoman case was the Sultan, while groups such as the *ulema* belonged to the civil society, even though the *ulema* of the *ilmiye* hierarchy were related to the state apparatus.³⁷ Gerber also refers to Mardin whom he criticises for creating an “all-embracing dichotomy” between East and West, and for idealising the latter, while inaccurately portraying the Ottoman Empire as a despotic state without an autonomous civil society.³⁸ Gerber’s argumentation is interesting and thought-provoking, but what is missing is a thorough discussion of how he defines ‘civil society’.

Reşat Kasaba concurs with Gerber that there was indeed a civil society in the Ottoman Empire, but places it in the late Ottoman period. More specifically, he argues that a civil society emerged in the late eighteenth century, and that “the Greek community played a key part in its formation in western Anatolia”.³⁹ A note is in order here about the potential multiplicity of Ottoman paradigms available: since Kasaba refers to Izmir, an

32 Ibid., 44.

33 H. Gerber, ‘Ottoman Civil Society and Modern Turkish Democracy’, in K. H. Karpat (ed.), *Ottoman Past and Today’s Turkey* (Leiden, Boston, and Cologne 2000), 133-149.

34 Ibid., 133-134, 148.

35 Idem, ‘The Public Sphere and Civil Society in the Ottoman Empire’, in Hoexter, Eisenstadt, and Levtzion (eds), *The Public Sphere*, 65-82. The quotation is from p. 65.

36 Ibid., 72-73.

37 Ibid., 74-75.

38 Ibid., 77-80.

39 R. Kasaba, ‘Economic Foundations of a Civil Society: Greeks in the Trade of Western Anatolia, 1840-1876’, in D. Gondicas and C. Issawi (eds), *Ottoman Greeks in the Age of National-*

important commercial port, where a merchant bourgeoisie active in international commerce had come into being, the society that he has in mind seems to be much closer to the Western paradigm than the Ottoman society that Mardin describes.

To return to Mardin and take him as our point of departure here, in general he is factually correct in his remarks, but I think that there is space for a somewhat different approach, as Gerber's criticism has shown. For example, Mardin rightly points out that liberties in the Western sense did not exist in the Ottoman Empire before the nineteenth century; for instance, if we move from the individual to communal life, it is clear that there was no or little "legally protected freedom of associational life".⁴⁰ On the other hand, there was a judicial system and a notion of justice which in principle guaranteed all subjects as individuals their basic rights with respect to the implementation of the law. This is an important feature of the Ottoman political ideology and practice, even if it, obviously, did not equate with the formal acknowledgement of civil or associational liberties by the state.

Besides, the distance between guaranteeing individual and corporate rights is huge, and Mardin is right again about the status of corporations in the Islamic world. Islam does not recognise a legal personality to collective entities, and, when they exist, they cannot claim any rights or privileges as such, because by law they are non-existent. Even such established institutions as the guilds (which, among other things, paraded before the Sultan on formal occasions) lacked, as it seems, a legal personality as associations.⁴¹ This point is important because civil society rests on associations and if the legal status of associations is not guaranteed, this in principle makes them vulnerable and thus weakens civil society *per se*.⁴²

In practice though, even under such legal circumstances, the guilds did exist and thrive in the Ottoman Empire. There does exist ample other evidence which also points to the fact that practice diverged from theory and legal doctrine, and that the state or its local agents accommodated corporate entities, even without formally acknowledging them.⁴³ Here are but a few examples: the principle of collective responsibility for the

ism: Politics, Economy, and Society in the Nineteenth Century (Princeton 1999), 77-87. The quotation is from p. 78.

40 V. Bunce, 'The Historical Origins of the East-West Divide: Civil Society, Political Society, and Democracy in Europe', in Bermeo and Nord (eds), *Civil Society*, 214.

41 E. Yi, *Guild Dynamics in Seventeenth-Century Istanbul: Fluidity and Leverage* (Leiden and Boston 2004), 171 n. 16. On guild processions, see *ibid.*, 175; S. Faroqhi, *Artisans of Empire: Crafts and Craftspeople under the Ottomans* (London and New York 2009), 62-63.

42 Cf. D. L. Blaney and M. K. Pasha, 'Civil Society and Democracy in the Third World: Ambiguities and Historical Possibilities', *Studies in Comparative International Development*, 28 (1993), 6-7.

43 Cf. A. Cohen, 'Communal Legal Entities in a Muslim Setting. Theory and Practice: The Jewish Community in Sixteenth-Century Jerusalem', *Islamic Law and Society*, 3 (1996), 75-90; H. Canbakal, 'Some Questions on the Legal Identity of Neighborhoods in the Ottoman Empire', *Anatolia Moderna/Yeni Anadolu*, 10 (2004), 131-138; Eadem, *Society and Politics in an Ottoman Town: 'Ayntāb in the 17th Century* (Leiden and Boston 2007), 173-178. Gerber, 'The Public Sphere', 70, centres his argument on Ottoman guilds. See also Kolovos's paper in this vol-

payment of taxes as well as for unsolved crimes and the establishment of public order, the existence of communal leaderships whose authority rested on a representational principle and to which the state and its agents formally or informally appealed for various matters of public interest or to whom they issued decrees, as well as specific incidents, such as the arrangement which was reached after the confiscation of monastic properties in 1568, which in effect allowed the monastic communities to continue to function as such.⁴⁴ Thus, from a strictly legal(istic) point of view, indeed the non-existence of collectivities precludes the possibility of a civil society since, as noted above, this is expressed mainly through associations. However, the situation on the ground was different, as in reality such collectivities did exist, even if not recognised by law.

Besides, I do not subscribe to a view which assesses Ottoman society on the basis of static, normative Islamic principles, and portrays the everyday activities of its members, who were not only Muslim but also non-Muslim, as dictated solely by the precepts of their religious dogmas. Despite their respect for and fear of God and religion, the people in the Ottoman era would – consciously or unconsciously, under the burden of traditional practice and necessity – find ways to circumvent religious rules when necessary. I believe that a more empirical approach to this issue has considerable merits,⁴⁵ because it can prove this point. However, it is not for us here to embark upon such a venture.

Despite all that, I think that it is clear that we cannot speak of a mature civil society in the Ottoman realm in the pre-Tanzimat era. There are basic requisites of civil society, as agreed by scholars who study it in the modern Western context, which are lacking in the case of Ottoman society. But before listing them, it should be added that, nevertheless, it is possible to trace some features of civil society, or early forms of it in the Ottoman context.⁴⁶ These features may be an expression of (or similar to) what Hall calls ‘proto civil society’.⁴⁷ If the Ottoman Empire qualifies as an early modern state (as is the current

ume (esp. pp. 63-64): the authorities did not punish all the inhabitants of the village that rioted, but only their six leaders/representatives. E. Liata, ‘Hoi koinotetes: henas thesmos me polles opseis’ [Communities: an institution with many aspects], in V. Panagiotopoulos (ed.), *Historia tou neou hellenismou, 1770-2000*, Vol. 2 (Athens 2003), 311, points out that, although the state did not formally recognise communities as legal entities, the Christian local authorities communicated with each other as ‘communities’ and not as local notables. On this point, cf. M. Pyliia, ‘Leitourgies kai autonomia ton koinoteton tes Peloponnesou kata te deutere Tourkokratia (1715-1821)’ [Functions and autonomy of the Moreot communities during the second era of Turkish rule (1715-1821)], *Mnemon*, 23 (2001), 74.

44 J. C. Alexander (Alexandropoulos), ‘The Lord Giveth and the Lord Taketh Away: Athos and the Confiscation Affair of 1568-1569’, in *Mount Athos in the 14th-16th Centuries* (Athens 1997), 149-200; A. Fotić, ‘The Official Explanation for the Confiscation and Sale of Monasteries (Churches) and their Estates at the Time of Selim II’, *Turcica*, 26 (1994), 33-54; E. Kermeli, ‘The Confiscation and Repossession of Monastic Properties in Mount Athos and Patmos Monasteries, 1568-1570’, *Bulgarian Historical Review*, 2000/3-4, 39-53.

45 But see Mardin, ‘Civil Society and Islam’, 289.

46 Gerber, ‘Ottoman Civil Society’, 133, refers to “substantial traces of civil society” in the pre-Tanzimat Ottoman Empire, but does not elaborate on this remark.

47 Hall, ‘In Search of Civil Society’, 21. Hall explains ‘proto civil society’ as one in which “so-

trend among Ottomanists), i.e., a state possessing some preliminary elements of ‘modernity’, why should it not also be legitimately called a ‘proto civil’ or ‘early civil’ society, even if this concept originates in the Western paradigm?

For instance, even though Ottoman society was formally segregated along religious, and sometimes also along ethnic or social, lines, and certainly each confessional group had strong prejudices and reproduced depreciatory stereotypes about the other(s), the largely non-violent co-existence of various ethnic and religious communities for long periods of time and the absence of a desire to create a religiously (or otherwise) homogeneous society may be interpreted as evidence of openness and tolerance. People were born into a mixed society and were thus used to living with difference, even if civility, or a degree thereof, was achieved not as a conscious cultural value but for fear of the intervention of the state or as the *de facto* result of established practice.

Clearly, it is important to address the issue of whether Ottoman society in a given locality was cohesive or a conglomeration of different communities which co-existed with little actual interaction because of their legal segregation and cultural biases. Although legal discrimination against non-Muslims as well as contemptuous feelings as between different religious (or ethnic) communities did exist,⁴⁸ there was, at least to a certain extent, a shared ‘Ottoman’ cultural background which created a sense of unity, while it is hard to imagine that in everyday life the various communities which inhabited the same settlement would not exhibit at least some common attitudes to life, or have to come to terms with some common problems. But even if we suppose – to play the devil’s advocate – that social fragmentation and estrangement was the case, in principle still this would not automatically hinder the emergence of a civil society, much as it is clear that civil society is stronger in societies which possess some unity of aims and visions.⁴⁹

Another feature is self-organisation of society, which is a key concept of civil society and did exist in pre-Tanzimat Ottoman society. Which forms of associations and social activism in the Ottoman Empire could then be candidates to register as manifestations of ‘civil society’? I think that the most obvious choices appear to be the guilds and the communal institutions of the Muslim and non-Muslim populations of the Empire,⁵⁰ especially if we define ‘civil society’ simply as forms of collective organisation which “provide a buffer between state and citizen”.⁵¹ They were largely self-organised and self-run asso-

cial differentiation is available on the basis of which civil society could be consolidated”. Here again his examples refer principally to Western societies or the twentieth century.

48 See, for instance, P. Odorico *et alii*, *Conseils et mémoires de Synadinos, prêtre de Serrès en Macédoine* ([Paris] 1996), 43, 68, 70-72, 76-78, 82-84, 106, 112.

49 Hall speaks of “the social homogeneity necessary for civil society”; Hall, ‘In Search of Civil Society’, 13.

50 Barkey, *Bandits and Bureaucrats*, 42-44, argues against the autonomy of guilds and local communities from the state.

51 A. R. Norton, ‘Introduction’, in Idem (ed.), *Civil Society in the Middle East*, Vol. 1 (Leiden, New York, and Cologne 1995), 7. Obviously the Ottoman population did not have ‘citizen’ but ‘subject’ status, but this problem will be discussed below. On guilds, see Yi, *Guild Dynamics*; Faroqi, *Artisans of Empire*; O. Yıldırım, ‘Ottoman Guilds in the Early Modern Era’, *Interna-*

ciations of a non-violent character which belonged to the public sphere and allowed room for dissent. Furthermore, they were meant to defend and ameliorate the living standards as well as serve and promote the interests of their members, not individually but in the form of the common good of the group, and it was in this context that they also interacted with the state and its representatives, seeking to reduce oppression and abuse.⁵² Sufi brotherhoods, spiritual unions which at the same time were social organisations with extensive penetration in Ottoman society and usually branches in more than one place, are another type of association which applies for civil social status; dervish orders were voluntary and, although they were not uniform in their practices and outlooks, many, most likely most, among them were civil in their attitudes. There is abundant literature on dervish orders in the Ottoman Empire, but their socio-political involvement in and impact on urban societies in the pre-Tanzimat period is, to my knowledge, a topic which has not been studied in great detail; therefore, I will refrain from discussing them further.⁵³ Finally, the Kadızadeli are a less likely candidate, because much as they undoubtedly were a durable activist social movement of a voluntary nature, they professed an exclusivist ideology which encouraged or even preached militancy in clear contrast with the ideal of the civil nature of civil society.⁵⁴

tional Review of Social History, 53-Supplement (2008) [J. Lucassen, T. De Moor, and J. Luiten van Zanden (eds), *The Return of the Guilds*], 73-93. On communities, see E. Gara, 'In Search of Communities in Seventeenth-Century Ottoman Sources: The Case of the Kara Ferye District', *Turcica*, 30 (1998), 135-162; Pylia, 'Leitourgies', 67-98; Liata, 'Hoi koinotetes', 309-324; S. D. Petmezas, 'Christian Communities in Eighteenth- and Early Nineteenth-Century Ottoman Greece: Their Fiscal Functions', in M. Greene (ed.), *Minorities in the Ottoman Empire* (Princeton 2005), 71-127; Canbakal, *Society and Politics*, 160-178; cf. the papers of E. Gara, esp. 407-414, E. Ginio. S. Laiou, and A. Lyberatos in this volume, and F. Adanır, 'Semi-Autonomous Provincial Forces in the Balkans and Anatolia', in S. Faroqhi (ed.), *The Cambridge History of Turkey*. Vol. 3: *The Later Ottoman Empire, 1603-1839* (Cambridge 2006), 161-163.

52 A. Marcus, *The Middle East on the Eve of Modernity: Aleppo in the Eighteenth Century* (New York 1989), paints a vivid picture of the merits and limitations of communal life and self-organisation in an Ottoman city, with the *mahalle* being the principal organisational unit for the local people and the waqf the main institution through which public services were provided.

53 Recent studies on Ottoman sufiism include D. Le Gall, *A Culture of Sufism: Naqshbandīs in the Ottoman World, 1450-1700* (Albany 2005); A. Y. Ocak (ed.), *Sufism and Sufis in Ottoman Society: Sources-Doctrines-Rituals-Turuq-Architecture-Literature-Iconography-Modernism* (Ankara 2005); R. Chih and C. Mayeur-Jaouen with D. Gril and R. McGregor (eds), *Le soufisme à l'époque ottomane, XVI^e-XVIII^e siècle / Sufism in the Ottoman Era, 16th-18th Century* (Cairo 2010); D. Terzioğlu, 'Sufis in the Age of State-Building and Confessionalization', in C. Woodhead (ed.), *The Ottoman World* (London and New York 2012), 86-99.

54 On the Kadızadeli, see M. C. Zilfi, 'The Kadızadeli: Discordant Revivalism in Seventeenth-Century Istanbul', *Journal of Near Eastern Studies*, 45 (1986), 251-269; Eadem, *The Politics of Piety: The Ottoman Ulema in the Postclassical Age (1600-1800)* (Minneapolis 1988), 129-181; M. D. Baer, 'The Great Fire of 1660 and the Islamization of Christian and Jewish Space in Istanbul', *IJMES*, 36 (2004), 159-181; Idem, *Honored by the Glory of Islam: Conversion and Conquest in Ottoman Europe* (New York 2008). Cf. the paper of M. Sariyannis in this volume.

If we now turn to the problems alluded to above in relation to the application of the concept of civil society to the pre-Tanzimat Ottoman Empire, those have to do with specific characteristics of the associations mentioned above, but also with the context within which they operated. As far as the context is concerned, I have touched upon this issue above and I will get back to it further below: in order to determine if a civil society indeed existed, does it suffice to examine individual movements, associations, and organisations and recognise them as civil social, or are the emergence and consolidation of such a society possible and meaningful only if the appropriate wider socio-economic, political, and intellectual context exists?

As for more specific problems, can the guilds and communities really be treated as voluntary associations, even if in principle they may qualify as such in that they were not based on kinship relations?⁵⁵ In the modern world, civil society finds expression in political or other activism through participation in voluntary clubs, associations, and groups, such as human rights organisations.⁵⁶ But to what extent was membership of Ottoman guilds and communities voluntary in the fullest meaning of the word, which implies freedom to enter and leave them? Within the *Gemeinschaft v. Gesellschaft* dichotomy, as analysed by Suddipta Kaviraj after Ferdinand Tönnies, Ottoman guilds and, especially, communities are, I think, closer to the former rather than the latter sociological category, even though, as Kaviraj rightly points out, the distinction between the two does not always apply.⁵⁷ Guilds were not inclusive trade unions, but rather exclusive clubs, since in most cases membership of a guild was restricted and controlled, as it was a legal prerequisite for being able to practise a profession. Local communities, on the other hand, disliked losing members because this increased the per capita tax quota. As Gellner has remarked, “traditional man can sometimes escape the tyranny of kings, but only at the cost of falling under the tyranny of cousins”.⁵⁸ To adapt this comment to the Ottoman Empire, urban or rural communities or guilds might be protecting their members from the oppression of the state, but they themselves could impose strict rules and obligations on their members.⁵⁹ Wealthy merchants had the legal or extra-legal means of avoiding participation in a guild or in the tax burden of their community,⁶⁰ but this must have been impossible for the vast majority of Ottoman subjects.

Another important issue of a more general nature is that theoretical approaches to the concept of civil society take respect for individuality and the independence of the indi-

55 But descent and family relations, as well as religion, were formally or informally important in deciding the position of someone within the guild or the community.

56 For examples of civil social groupings and movements in historical perspective see Kocka, ‘Civil Society’, 75.

57 S. Kaviraj, ‘In Search of Civil Society’, in Idem and Khilnani (eds), *Civil Society*, 303-306, 311, 319-322.

58 Gellner, ‘The Importance of Being Modular’, 33.

59 Cf. S. Zubaida, ‘Civil Society, Community, and Democracy in the Middle East’, in Kaviraj and Khilnani (eds), *Civil Society*, 233-235.

60 See, for instance, A. Anastasopoulos, ‘Building Alliances: A Christian Merchant in Eighteenth-Century Karaferye’, *Oriente Moderno* n.s., 25/1 (2006) [E. Boyar and K. Fleet (eds), *The Ottomans and Trade*], 65-75.

vidual to be integral elements of civil society.⁶¹ It is questionable, to say the least, if such an attitude applies to the Ottoman period. For instance, it seems reasonable to think of the guilds and local communities as expressions of corporatism, as well as to treat communal responsibility and the efforts of local communities to prevent their members from abandoning them or refusing to contribute to the payment of the communal tax burden as loud declarations against individualism.⁶² Obviously, it was not impossible for a person to escape the control or oppression of his/her urban or rural community, but this does not make communities flexible, liberal or voluntary associations, since, when they had the opportunity to do so, they might harass or persecute the ‘escapee’.⁶³

Not only that but local communities, if treated as political corporations whose goal was to influence the local and imperial balance of power and to manipulate or change in their favour the rules through which they were governed, could fall – in essence, since here again institutional formalisation is missing – under the category of ‘political’ rather than ‘civil’ society.⁶⁴ With reference to the modern world, to which this distinction basically refers, Valerie Bunce defines civil society as “legally protected freedom of associational life” (examples: independent media, church groups, bowling leagues, employee and employer associations, vegetarian societies, parent-teachers’ associations, retirement clubs), and political society as “the organized activity of citizens in common pursuit of selecting who rules and influencing the agenda and the decisions of the rulers” (examples: unions, parties, and interest groups).⁶⁵

Another issue is that Ottoman society was composed of subjects of the ruler, and not of citizens. The Ottoman subjects did not have formal political or civic rights in the modern sense, while the idea of ‘civil society’ is closely linked to such rights, the self-organisation of citizens, and their voluntary participation in associations, which, eventually, aim or lead to democratisation of the existing political order; as noted above, civil society is in principle opposed to despotism.⁶⁶ Could civil society exist under an auto-

61 Kocka, ‘Civil Society’, 69; Hall, ‘In Search of Civil Society’, 15.

62 For examples of pressure exerted on those who refused to pay taxes within their communities see K. D. Mertzios, *Mnemeia makedonikes historias* [Monuments of Macedonian history] (Salonica 1947), 326, 359-360, 362-366; Odorico *et alii*, *Conseils et mémoires*, 110; Anastasopoulos, ‘Building Alliances’. Cf. Marcus, *The Middle East*, 327.

63 Cf. Gellner, ‘The Importance of Being Modular’, 42. But see Marcus, *The Middle East*, 332-333 for his comment against overstressing the suppression of individualism in Ottoman society.

64 Hall, ‘In Search of Civil Society’, 12; Nord, ‘Introduction’, xiv.

65 Bunce, ‘The Historical Origins’, 214, 211. With regard to seventeenth-century Ottoman Ayntab, Canbakal, *Society and Politics*, 152, notes: “the elite who were involved in decision-making in public matters constituted a political society at the local level”.

66 As Kocka notes, civil society “can often only be asserted and safeguarded in criticism of existing or impending conditions; in criticism ... of being spoon-fed and oppressed by the authorities, in criticism of traditional forms of inequality and in resistance to being overwhelmed by the success of capitalism and in reaction to the fragmentation of, and lack of, solidarity in society” (Kocka, ‘Civil Society’, 69). But Nord, ‘Introduction’, xv, points out that “associational militancy may well take forms that are non- or even antidemocratic”.

cratic ruler whose subjects were formally described as his flock? I believe that the answer is 'yes', given that in modern non-democratic regimes, civil society is weak, but not lacking. Thus, if civil society can (or struggle to) exist under authoritarian regimes, then in principle there is no hindrance in arguing the existence of civil society in the Ottoman state, even though the latter abhorred and did not formalise/legitimise the free association of its subjects until the nineteenth century, and even then rather grudgingly.⁶⁷

As a small, but hopefully relevant, digression, I think that it is wrong to treat Ottoman subjects as politically inactive or incapacitated just because they were not citizens.⁶⁸ Besides the ample evidence provided throughout Ottoman history by individual and group petitions of the Sultan's subjects to higher authorities and riots in Istanbul and the provinces,⁶⁹ one should not forget that politically important actors, such as the eighteenth-century *ayan*, great and small, did not have citizen status either nor were they necessarily *askeri*. Furthermore, clearly there was room for political initiatives in the context of the guilds and urban or rural communities. For instance, the pressure that new mercantile, but also other, non-elite, social strata exercised on the traditional leadership of Christian Greek-speaking communities from the late eighteenth century onwards in order to force it to open up its ranks to them suggests both the politicisation of Ottoman society, and a demand for democratisation of its structures within, of course, the limits of those institutions to which these social groups had access.⁷⁰ Leaving aside instances of 'traditionalist', so to speak, contestation of the legitimacy or reliability of the central political establishment or even of sultanic absolutism,⁷¹ a clear opposition to sultanic despotism in the 'modern' spirit of the Enlightenment and the French Revolution may be found in Christian merchants, revolutionaries, and intellectuals of the late eighteenth and early nineteenth centuries who acted under the influence of their ideas,⁷² even if the

67 Cf. Kocka, 'Civil Society', 73.

68 On the other hand, it is clear that universal suffrage and citizenship in a democratic state facilitate disadvantaged groups, such as women or the poor, in becoming active members of civil society (*ibid.*, 73).

69 For specific cases and relevant analysis see the papers in this volume and the sources and literature to which they refer. See also E. Gara, M. E. Kabadayı, and C. K. Neumann (eds), *Popular Protest and Political Participation in the Ottoman Empire. Studies in Honor of Suraiya Faruqi* (Istanbul 2011).

70 See, for instance, P. Iliou, *Koinonikoi agones kai Diaphotismos: he periptose tes Smyrnes (1819)* [Social struggles and the Enlightenment: the case of Smyrna (1819)] (Athens 1986); Liata, 'Hoi koinotetes', 314. Cf. Kasaba, 'Economic Foundations', 83-85, as well as the papers of Laiou and Lyberatos in this volume.

71 See, for instance, B. A. Ergene, 'On Ottoman Justice: Interpretations in Conflict (1600-1800)', *Islamic Law and Society*, 8 (2001), 70-87. Cf. C. Kafadar, 'Janissaries and Other Riffraff of Ottoman Istanbul: Rebels without a Cause?', *IJTS*, 13/1 & 2 (2007), 133, for the proposal for a "cumhur cemiyeti" during the revolt of 1703, as well as B. Tezcan, *The Second Ottoman Empire: Political and Social Transformation in the Early Modern World* (Cambridge 2010). See also A. Yaycıoğlu, 'Provincial Power-Holders and the Empire in the Late Ottoman World: Conflict or Partnership?', in Woodhead (ed.), *The Ottoman World*, 436-452.

72 See, for instance, *Hellenike nomarchia, etoi logos peri eleutherias* [Hellenic rule of law, or

extent to which such voices echoed wider social movements is not clear. As an epilogue to this brief digression, Kocka and others point out that the emergence of civil society is indeed not incompatible with political absolutism, but that civil society can only flourish under a constitutional government.⁷³

However, there is another aspect of Kocka's definition of civil society cited above, that is, its identification with the realisation of the utopian vision of the Enlightenment of a tolerant society of responsible and participating citizens, which poses another serious theoretical problem in tracing elements of civil society in Ottoman society. If this Western-history-specific remark is maintained as an indispensable part of the definition of civil society, and a criterion for classifying a particular movement as an instance of civil social action, then non-Western societies which do not share the intellectual and political legacy of the Enlightenment, or pre-Enlightenment societies, have to be altogether excluded from the concept of civil society. In fact, Kocka allows, as does Hall, for societies to have only partly permitted or achieved the emergence of the civil-society social sphere or action, as he in principle also allows for adaptations of civil society to local conditions outside Western Europe, but, by implication, this must only apply to post-Enlightenment societies.⁷⁴ In this respect, it is only from the late eighteenth century onwards that a civil society could have started to emerge in the Ottoman Empire among circles (such as the Christian merchants mentioned above) who had been exposed to the intellectual and political messages of the Enlightenment and the French Revolution, and thus exerted pressure on the traditional Ottoman political system for the widening of political participation.

On the other hand, there are students of non-Western pre-modern or early modern societies who do not consider it problematic to talk about civil society in such contexts. But this again raises the problem of the fluidity of the concept of civil society, since these scholars usually have to dispense with certain features of the concept as defined above so as to render it suitable for their case studies. Said Amir Arjomand, for instance, uses it for medieval Islamic society, but on the basis of a definition which relies on the Hegelian concept of civil society and the substitution of the patrician household for corporations as "the organizational basis of concerted agency". Furthermore, he does not treat individualism as an indispensable element of civil society, and considers the distinction between "the private and personal" and "the public and the impersonal" irrelevant be-

discourse about liberty] (Athens 1968; originally published in 1806). On the 'Greek Enlightenment', whose product *Hellenike nomarchia* is thought to be, see K. T. Dimaras, *Neohellenikos Diaphotismos* [Modern Greek Enlightenment] (Athens 1983 [3rd ed.]); P. M. Kitromilides, *Neohellenikos Diaphotismos: hoi politikes kai koinonikes idees* [Modern Greek Enlightenment: the political and social ideas], trans. S. G. Nikoloudi (Athens 1996).

73 Kocka, 'Civil Society', 70, 71-72; cf. *ibid.*, 75, for an explicit mention of the Ottoman Empire as being opposed by nineteenth-century "civil social efforts" which "viewed [it] as foreign rule". As noted, Hall, 'In Search of Civil Society', 4-7, 14, clearly associates the historical evolution of civil society with Europe, and even more so with Western societies.

74 Kocka, 'Civil Society', 76, notes that "the idea of civil society was born during the Enlightenment. It is thus a product of the West. But its principles claim universal validity."

cause of the dominance of patrimonialism, which renders the state the extension of the sovereign's household.⁷⁵ Farhat Hasan adopts the line of argumentation of Arjomand, and thus sees fit to use the concept of civil society in his analysis of the public sphere in pre-colonial India.⁷⁶ To cite yet another example, Masoud Kamali denounces the application of a uniform definition of 'civil society' based on the Western paradigm, argues that "neither individualism nor democratic institutions have been or are necessary for a civil society to exist", and treats the *ulema* and the market people (the *bazaris*) as largely autonomous social groups which could counterbalance the state and, thus, as the principal agents of what he calls "the traditional civil society in Muslim countries".⁷⁷ Approaches such as those are important and perfectly valid theoretical and methodological contributions, but it is worth asking, I think, what the point is in first adopting a concept which comes from the Western paradigm, but then stripping it of some of its major attributes so as to make it fit the non-Western paradigm that one is studying. If one rejects some essential, commonly accepted, traits of a concept, why does one still need to use it? Does not that obscure instead of facilitating comparison? Furthermore, does not such a use of Western concepts implicitly promote the symbolic superiority of West-specific analytical categories? And, thus, how can one avoid the risk of suffering what Shmuel N. Eisenstadt, who had a different, more optimistic, view on this subject, argued against, namely, (unwillingly?) turning Western analytical tools and concepts into yardsticks for evaluating non-Western societies, in the context usually of an explicit or implicit quest for signs of 'modernity' perceived in Western terms?⁷⁸

To recapitulate, the most important problems regarding the existence of civil society in the Ottoman Empire are that Ottoman society i) is pre-modern, ii) does not appreciate individualism or political liberalism, iii) does not build its non-governmental institutions

75 S. A. Arjomand, 'The Law, Agency, and Policy in Medieval Islamic Society: Development of the Institutions of Learning from the Tenth to the Fifteenth Century', *Comparative Studies in Society and History*, 41 (1999), 263-293, esp. 264-266.

76 Hasan, 'Forms of Civility and Publicness', esp. 87-88.

77 M. Kamali, 'Civil Society and Islam: A Sociological Perspective', *Archives Européennes de Sociologie*, 42 (2001), 457-482. The quotations are from p. 458. Cf. S. E. Ibrahim, 'Civil Society and Prospects of Democratization in the Arab World', in Norton (ed.), *Civil Society*, 1:30-32.

78 Eisenstadt, 'Concluding Remarks', in Hoexter, Eisenstadt, and Levtzion (eds), *The Public Sphere*, 159-160; see also S. N. Eisenstadt and W. Schluchter, 'Introduction: Paths to Early Modernities – A Comparative View', in Eidem and B. Wittrock (eds), *Public Spheres and Collective Identities* (New Brunswick 2001), 1-18. For a broader perspective against the restrictive association of the features of civil society with Europe see J. R. Goody, 'Civil Society in an Extra-European Perspective', in Kaviraj and Khilnani (eds), *Civil Society*, 149-164. Cemal Kafadar notes: "it is important not to lapse into the apologetic position of 'proving' that the Ottomans were just the same as the west, or just as advanced"; C. Kafadar, 'The Ottomans and Europe', in T. A. Brady, Jr., H. A. Oberman, and J. D. Tracy (eds), *Handbook of European History, 1400-1600: Late Middle Ages, Renaissance and Reformation*. Volume I: *Structures and Assertions* (Leiden, New York, and Cologne 1994), 615. See also D. Chakrabarty, *Provincializing Europe: Postcolonial Thought and Historical Difference* (Princeton 2000).

on a genuine voluntary basis, iv) functions under the authority of a state which does not invest communal collectivities and other forms of corporations with a formal legal status as institutions which mediate between the individual and the state (there is no formally instituted ‘civil society’), v) is plural but not necessarily tolerant or culturally unitary. If we are to define ‘civil society’ strictly along the lines of how it is used for modern Western societies, these problems seem to work against the possibility of applying it to the pre-Tanzimat Ottoman Empire as a category of historical analysis, although i) Ottoman society does present (largely informal) institutions of its own meant to prevent state despotism, ii) cultural differences may not be as pronounced as they seem at first sight, and iii) the Ottoman state was in principle absolutist and centralising, but in practice much less so, while especially the seventeenth and eighteenth centuries are today thought of as an age of ‘decentralisation’.⁷⁹



To conclude, in this paper I have offered only a cursory discussion of the concept of ‘civil society’.⁸⁰ Ideally, the exploration of a concept such as this is meaningful if its use in other socio-political contexts has shown it to be an analytical tool which may enrich our methodological arsenal and thus allow us to see Ottoman society, its constituent elements and its relationship with the state – or specifically ‘political initiatives from the bottom up’ in the context of this volume – in a different light. In the case of ‘civil society’, which, in my view, has shown such a potential as it highlights society’s ability for collective self-organisation and thus social and political involvement independent of the state’s patronising control, this conceptual transfer presupposes the modification of some aspects of the definition of ‘civil society’ as used for modern European societies, so as to address the issues which are raised above.⁸¹ As argued at the beginning of this paper, I believe that, before one imports analytical concepts, one has to systematically examine their current definition and use, and become aware of their underpinnings and implications.

Researching the history and attributes of terms and concepts, acknowledging their commonly accepted content, and defining them as clearly as possible when using them are not matters of intellectual stuffiness. I think that they are all necessary because the use of concepts cannot be uncritical or incidental: among other things, even those of allegedly universal character more often than not are case(s)-specific, in fact West-specific. Otherwise, we are exposed, as noted above, to the risk of simply perpetuating

79 For this line of thinking see the classic article by H. İnalcık, ‘Centralization and Decentralization in Ottoman Administration’, in T. Naff and R. Owen (eds), *Studies in Eighteenth Century Islamic History* (Carbondale and Edwardsville; London and Amsterdam 1977), 27-52. Cf. Barkley, *Bandits and Bureaucrats*, 240-241.

80 To comply with a well-known stereotype about the theoretical backwardness of the field of Ottoman history, my discussion of civil society comes with a fifteen to twenty-year delay in relation to the heyday of the popularity of this concept in the 1990s.

81 For a contemporary African perspective see D. Lewis, ‘Civil Society in African Contexts: Reflections on the Usefulness of a Concept’, *Development and Change*, 33 (2002), 569-586.

the domination of Western categories for no reason and to no real benefit: if we are to use a concept in a superficial manner, as a slogan rather than as a meaningful theoretical tool, then we do not need it anyway; if we are to considerably modify it without substantiating why we should still call it by the same name, then we may well use different, new, terminology which will be free from the ideological baggage of the term that we have borrowed.

What I object to are these two phenomena, not the importing of terms and concepts as such. This means that if the use of imported concepts is critical, well-argued, and clearly articulated, it is of lesser importance if they are used in full compliance or not with the definitions by historians of nineteenth or twentieth-century European modernity. In fact, then terms such as 'civil society', when applied to the Ottoman Empire, can contribute towards curbing the exclusiveness of the 'Western' paradigm and encouraging meaningful comparison beyond stereotypes based on an Occident v. Orient divide – at least for as long as the West remains the dominant conceptual paradigm in the social sciences. Such an approach has aspects which are not only academic, but also political, in the wider sense of this word. With reference to a term which is currently in fashion, I think, for instance, that describing the Ottoman Empire as 'early modern' instead of 'pre-modern' – despite the fact that this term is often reproduced without much consideration of its parameters or implications – is important in one respect, namely, in demonstrating how the researchers' perception of the Empire has changed, since the passage from 'pre-modern' to 'early modern' constitutes promotion in an evolutionary, linear conception of history. In principle, as we became able to discern elements of (even early) modernity in an empire which was called 'pre-modern' until quite recently, so we may eventually become able to see elements of (proto?) civil society in the functioning of Ottoman society. As 'early modern' brings the Ottoman Empire closer to us, closer into the modern world, even if in its early stage, so the concept of 'civil society' could contribute towards making Ottoman subjects look less 'exotic' and 'Oriental' to the students of the Ottoman and other contemporaneous states and societies. Ottoman society may have been different from Western European societies in cultural terms, but certainly it was neither totally alien to them nor politically indifferent, inert, or static.⁸²

82 Cf. Kafadar, 'The Ottomans and Europe', 615-625; Özbek, 2005, 60; V. A. Aksan and D. Goffman, 'Introduction: Situating the Early Modern Ottoman World', in Eidem (eds), *The Early Modern Ottomans: Remapping the Empire* (Cambridge 2007), 1-12. See also D. Goffman, *The Ottoman Empire and Early Modern Europe* (Cambridge 2002).

