CRITICAL RESEARCH
IN THE SOCIAL SCIENCES
A TRANSDISCIPLINARY EAST-WEST HANDBOOK

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Critical Research in the Social Sciences:
A Transdisciplinary East-West Handbook

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CRITICAL RESEARCH

IN THE SOCIAL SCIENCES

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CHAPTER ONE

DISCIPLINARY BUILDING BLOCKS, SPACE-TIME RECONFIGURATIONS

By Édouard Conte and Roger Heacock

The present handbook can only serve its purpose to the extent that it is critical, that is to say, that it proposes alternative avenues of approach, by raising red flags and green ones, as the case may be, or at the very least flashes the orange light of caution in the face of those researchers who are starting out, or who experience epistemological doubts about their relationship to the subject of their scientific curiosity. This collective effort is thus to be seen as the attempt to incarnate or at least to suggest critical avenues of approach to the many fascinating questions posed by the world in which we live and work. We ask the reader's indulgence, because we the criticizers also need to be criticized, as we undoubtedly will be. If this happens, and if we do benefit from the critical dialogue with our readers, will we consider that we have contributed to the development of a contemporary reading of the requirements of social science methodology.

I. Building Blocks

1. Is the Expression "Social Science" a Contradiction in Terms?

The processes that constitute and transform human societies are co-determined in infinitely complex fashions by overarching contingencies as well as multiple manifestations of individual agency. Can they be apprehended and cogently compared in terms of rationally definable causality, in other words "scientifically"? Or is the student of society, disposing of necessarily limited and selective data or sources, reduced to developing intuitive approaches biased by his or her own intellectual heritage, social position, political constraints and convictions, or career and material interests? Putting this query provisionally on one side, let us first ask how one could hope to apply a valid, if not "scientific" method in studying collective phenomena. These are by definition fluid, unique in their configurations, causes, and outcomes, and non reproducible. Hence they cannot be subjected to experimentation. Even controlled comparison is difficult to frame. Is it then at all "reasonable" – a term so cherished in modern "Western" thought – to expect that regularities be brought to light and "laws" formulated? Might ensuing "models", beyond enabling abstract comprehension, guide present or future conduct or policy?

Issues as daunting as these have been at the core of methodological and philosophical debate ever since Auguste Comte (1798-1852) coined the term "sociology" in the mid-nineteenth century. He predicted the emergence of a "positive" social science set in analogy to natural science, and thus ignited a seemingly endless discussion: can the study of social processes be subsumed under the heading of science? Whatever the view held, it became clear that deeply embedded normative visions of fields no lesser than history or law could no longer be taken at face value. Yet, social constellations and processes remained elusive, as did the position of the social actor and analyst:

"As soon as we attempt to reflect, observed the great German sociologist Max Weber (1864-1920), about the way in which life confronts us in immediate concrete situations, it presents an infinite multiplicity of successively and coexistently emerging and disappearing events, both "within" and "outside" ourselves. The absolute infinitude of this multiplicity is seen to remain undiminished even when our attention is focused on a single object, for instance a concrete act of exchange, as soon as we seriously attempt an exhaustive description of all the individual components of this individual phenomenon, to say nothing of explaining it causally" (Weber 1949: 72, quoted in Scharpf 2007: 3).

The intangible character of social phenomena implies that basic units of reference are hard to define: "Social wholes, even if they exist, can never be

directly experienced either by anthropologist or informant. The scope and scale of social systems and cultural forms beyond the level of direct experience must be imagined" (Moore and Sanders 2006: 17).

One could easily substitute the dyad "anthropologist or informant" with "sociologist or respondent", "historian or sources", etc. The relationship between analyst and object is a highly delicate issue for all social scientists. The sociologist for one is also a member of society, which makes the establishment of minimal critical distance an arduous exercise. Yet, can the anthropologist pretend to understand a society of which he or she is not a member? Historians who probe a corpus of written sources may find it exceedingly thorny to extract themselves from the cultural or normative "empire" of those who composed them.

Is then the construction of a valid general methodology of the social sciences a task impossible? If one fails to consider that "social facts" are constructed rather than pre-given, yes (cf. Durkheim 1982). But not if one accepts that science, social or otherwise, should not be misconstrued with the simple formalization of pre-existing bodies of data just waiting "out there" to be "discovered" and classified. What, asks Weber, are the questions that sources suggest? How are they enunciated? "It is not the actual interconnection of 'things' but the *conceptual* interconnections of *problems* which defines the scope of the various sciences. A new 'science' emerges where new problems are pursued by new methods, and truths are thereby discovered which open up new significant points of view" (Weber 1949: 68 quoted in Bourdieu et al. 1991: 33).

In this voluntarist perspective, the validity of results does not necessarily depend on the reproducibility of the configurations studied. It can only be achieved by recognising and understanding the ultimately creative discontinuities that characterize scientific reasoning. Rather than mimic the natural scientist, the social scientist must strive to "inculcate an attitude of vigilance that can use adequate knowledge of error and the mechanisms that can induce it as one means of overcoming it" (Bourdieu et al. 1991: 3).

Before developing this iterative approach, it could be useful to recall the obvious: science too is a product of history. The modes in which questions are developed and error analyzed can remain overshadowed by uncomfortable intellectual legacies, not least that of scientism. Such legacies are best made explicit.

2. Overcoming the Legacy of Scientism

Social science and history still bear the watermark of the evolutionist and positivist traditions borne by A. Comte (1970). Notwithstanding Comte's belated recognition in France and the condescendence of contemporary

historians such as H. Taine or E. Renan toward his ideas, the "father of positivism" decisively influenced Durkheimian sociology. His positive philosophy was also taken up by J. S. Mill (Heilbron 1995: 258-266). Comte posited that human history was subjected to an immanent order. He also believed that "human nature" is universal. The task of "science", he maintained, was to identify "laws" determining the sequential development of natural and social phenomena following patterns analogous to those of biological evolution. Comte epitomised his views in a "law of the three stages" of human development, designated in sequence as theological, metaphysical, and positive. These qualifications were derived from the Enlightenment tripartition of "savagery", "barbary", and "civilization". It must be stressed that Comte's vision excludes the notion of contingency, as understood by his contemporary Darwin (1809-1882), whereby the unforeseen event may modify the course of a process of change. Indeed, Darwin clearly stated: "I believe in no fixed law of development" (Darwin quoted in Kuper and Kuper 1985: 283). In contrast, Comte's scientistic cosmology, the "religion of humanity", combined a belief in an ultimate finality of history (historical teleologism) with an unwavering faith in Progress deified, predicated on a strong civilizational autocentrism. He proclaimed "sociology" to be the body of knowledge necessary to transform methodological positivism into the yeast of future social transformation. The danger of teleological positivism lingers on in social science. It can generate a reassuring illusion of transparency and foster in the mind of the researcher the "temptation to prophesy"[1] (Bourdieu et al., eds., 1991: 24-25).

Émile Durkheim (1858-1917), a co-founder of holistic modern sociology with Marx and Weber, denies, in contrast to Comte, the explanatory value of historical narrative insofar as it derives from a superficial reading of actors' representations. Critical of Marx's materialism, Durkheim agreed nonetheless that:

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[1] "A sociologist [anthropologist, political scientist, etc.] who communes with his object is never far from succumbing to indulgent complacency with the eschatological expectations that the wider intellectual audience is now tending to transfer to the 'human sciences'… As soon as he agrees to define his object and the functions of his discourse in accordance with the demands of his audience and presents [his discipline] as a system of total answers to the ultimate questions about man and his destiny, the [social scientist] makes himself a prophet, even if the style and themes of his message vary depending on whether, as a 'minor State-accredited prophet', he speaks as a master of wisdom to a student audience's anxieties about intellectual, cultural, or political salvation; or whether he pursues the theoretical politics that Wright Mills ascribes to the 'statesman' of science and strives to unify the little kingdom of concepts over which he reigns, or whether, as a marginal minor prophet, he offers a larger audience the illusion of gaining access to the last secrets of the sciences of man" (Bourdieu et al 1991: 24-25).

> social life should be explained not through the understanding
> that participants have of it, but by profound causes that escape
> consciousness: … these causes must principally be sought in the
> manner in which associated individuals are grouped. Indeed …
> it is under this condition and this condition only that history
> can become a science and that sociology, consequently, can exist
> (Durkheim 1897: 6).

To readings of history construed either through the prism of economic determinism or of individual agency, Durkheim opposes a hybrid scheme to explain the concatenation of events. He conjoins the synchronic, structural elucidation of social organization and the diachronically construed conviction that "religion is the most primitive of social phenomena." This would imply that "in its principle, all is religious" (ibid.: 8, cf. Durkheim 1995). One might thus conclude that historical analysis ultimately departs from the analysis of primitive religion as observable in contemporary contexts. The Comtian heritage is here perceptible insofar as Durkheim accredits the evolutionist dichotomy between "primitive" and "civilized", i.e. between societies that have evolved beyond the theological stage and those that have not. (Only in the former may Progress take place.) He does so in a non-racist spirit that stresses logical priority, indeed the proto-scientific quality of primitive systems of classification, rather than postulating any inherent "backwardness" or inferiority (Durkheim and Mauss 1967). Thus, there arose a singular mixture of sociological synchrony and the pseudo-diachrony of the theory of stages. In this vision, early social formations were regarded as primitive prototypes or as the simplest of social categories. Durkheim developed this view through his reading of British "religious anthropologists" (e.g. J. Frazer or W. R. Smith) and, subsequently, of ethnographers such as F. Boas. In the process, he came to give synchronic ethnographic descriptions precedence over historical documents (ibid.), thus abandoning history as the matrix of social science.

In formulating rules of method rather than teleological axioms, Durkheim nonetheless enabled sociology to overcome linear evolutionism. Foremost, he posited that social facts may only be explained through social explanations (1982). Yet, in arguing that "primitive" and "civilized" societies constitute two radically different types, he acquiesced to a mode of analysis based on often implicit foundational dichotomies, which came to dominate and sometimes cloud social science. Durkheim equated the primitive/civilized distinction with that he made between mechanical and organic solidarity, in turn evoking oppositions such as simple/complex or traditional/modern (cf. Viveiros de Castro 2002). These pairs

refer us back to master divisions such as man/woman and nature/culture, which are clearly offshoots of post-Enlightenment thought rather than universals (cf. Ortner 1996). Just as the "self-evident" we/they or self/other oppositions, they may be conceptualised either in hierarchical terms within a given society (e.g. class or caste ranking) or in relation to equally asymmetrical intercultural dichotomies (e.g. the East and the West). Such perceived discontinuities may be posed as variations along a continuum of relative difference. Alternatively, they may be reified: when culturally interpreted as 'essential' or 'genetic', they may be declared unbridgeable. The proclamation of absolute difference may have devastating social and political consequence (cf. Ingold 1994). The Rwandan genocide offers but one example of the performative power of classification essentialised. In taking such classificatory phenomena for granted, social science would fail to live up to one of its primary responsibilities, namely to understand and communicate how analysts as well as actors define and implement ever-changing perceptions of the interrelations between difference and sameness. This implies in turn that social science cannot avoid reflexive consideration on how it constructs its categories of analysis and modes of perception. Any refusal to do so would be tantamount to approaching the social field, whether contemporary or historical, with a blindfold.

The social scientist is thus engaged in a permanent struggle with his or her own pre-notions. For reflexivity to prevail demands what philosopher of science Gaston Bachelard (1884-1962) defines as "the incessant polemical action of Reason". "This epistemology rejects the formalism and fixism of a single, indivisible Reason in favour of a pluralism of rationalisms linked to the scientific domains that they rationalise. Positing its first axiom as the 'theoretical primacy of error', it defines the progress of knowledge as an unceasing rectification" (Bourdieu et al 1991: 83). It is in this sense that Bachelard declared: "Rationalist? That is what I am trying to become" (Bachelard 1927: 10). His approach is based on three axioms (quoted by Canguilhem in Bourdieu et al 1991: 82-83):

1. Truth takes its full meaning only after a polemic. There cannot be a primary truth. There are only primary errors.
2. Intuitions are very useful; they serve to be destroyed.
3. Our thought goes toward the real, it does not start out from it.

In sum, while Comte insisted on the universality of "positive" social science, he "petrified" many of the concepts it was to apply. By contrast, Durkheim, in unison with both Marx and Weber in this regard, questioned the self-evidence of the terms of analysis. Bachelard developed this awareness into a theory of reflexivity, stressing the heuristic value of error.

3. From Words to "Buzzwords"

Durkheim for one was struck by the ambiguity of common terms that blur and overlie the frontier between political and analytical vocabulary:

> "In our present state of knowledge we do not know exactly what the state is, nor sovereignty, political freedom, democracy, socialism, communism, etc. Thus one should make us forswear any use of these concepts so long as they have not been scientifically worked out. Yet the words that express them recur continuously in the discussions of sociologists. They are commonly used with assurance, as if they corresponded to things well known and well defined, while in fact they evoke in us only confused notions, an amalgam of vague impressions, prejudices and passions" (Durkheim 1982, pp. 65-66).

In view of this never-ending predicament, science's task, writes Passeron, lies in "semantically disciplining its words" (Passeron 2006: 89), in transforming common-sense (pre)notions into discrete concepts. "The difficulty, he adds, lies in non-stabilized and … non-stabilizable relations between the conceptual language of theory and the demands of observation when dealing with an historical reality" (ibid.: 90).

To illustrate this key point, let us examine a term that today commonly occurs in both social science discourse and everyday language. "Globalization" notably designates the historically situated extension of economic, social and other processes beyond cultural, geographic and political barriers and boundaries. Historically, of course, this is nothing new. Without tracing globalization back to the intensification of trade links between Sumer and the Indus Valley Civilization in the third millennium B.C. as does A. G. Frank (1998), it is clear that pre-modern forms of "intensified interconnectivity" (to indulge in a buzzword) between cultures and economies of different continents are not rare, as illustrate ties of old between Europe and Africa, the Roman and Chinese empires, Arabia and India, or the Hadramawt and certain kingdoms of present-day Indonesia. Only the so-called New World would constitute an exception if purported contacts with Oceania could not be demonstrated and those, yet older, with Siberia and Middle Asia were forgotten. In the modern era, one finds a number of impressive if ephemeral "empires on which the sun never sets".

The genealogy leading to the term globalization may be traced back to the work of Braudel, Wallerstein and other world-systems and dependency theorists of the 1960s and 1970s. As of the 1980s, the term globalization

begins to occur more frequently. It came to cover an array of processes of foremost economic transfer spreading across the "world economic space" thanks to which capitalism transcended yet further state borders. "Globalization" connoted the transition from liberalism to neoliberalism, from socialism to planetary capitalism. The term was shared by advocates and critics of neoliberalism. It went beyond Anderson's notion of "imagined communities" (1983) and encompassed transfers of "imagination" from the particular to the universal (Appadurai 1996), diasporic networks, or "world cultural space".

Viewed in a constructive light, globalization (as its avatar transnationalism) is a concept that can free analysis from the ubiquitous yet restrictive prism of "the state". Indeed, a notable post-1945 geopolitical specificity lies in the fact that states claim every square kilometre of the planet's surface, even where de facto control is beyond their reach. With the universal consecration of the Westfalian order, the nation-state became accepted as the ultimate entity of reference not only in international law but also in defining the habitual field of application of academic disciplines as varied as demography, economics, history, jurisprudence, or sociology. This led to a host of anachronisms, oversimplifications, and misinterpretations to which the "ethnic localism" of post- or neocolonial anthropology could not offer a viable alternative. The spontaneous intermeshing of the terms "state" (posited as a legitimate universal) and "globalization" (viewed as an almost transcendent impetus of teleological nature) facilitated glossing over the universal consolidation of major forms of inequality and injustice. Neocolonialism and its correlates only come to light when apprehended through the interrelations of specific *processes*, some transnational but many very local. Such complexity cannot be subsumed under a blanket notion of as dubious an epistemological status as globalization. Spinoffs of this notion such as "glocalization" only reinforce its inherent ambiguity (cf. Robertson 1995). Indeed, viewed in a less constructive light, globalization is but a "buzzword" that may appear to offer an ersatz theory of social change, both "positive" and "negative". It can be uttered without its use being justified analytically, without its referents being specified. This transpires on the implicit (mis)understanding that all parties share a single semantic field, leading to what Bourdieu would call a "surrender of epistemological vigilance".

These caveats do not imply that globalization should not be conceptualised. But simply that the social facts this notion purports to account for must be studied by defining the processes that preside over their construction. This can only be achieved, firstly, by establishing required critical distance

from the liberal ideology the term initially denoted. Thence, it may best be "operationalised" through confrontation with converse notions of non-reflexive discourse such as the "clash of civilizations" or the "war on terror". These pet expressions of neoconservatism in effect deny the universality of globalization by positing essentialized identities immune by definition to intercultural communication and diffusion. By studying the tension between these three terms, for example, one may come much closer to understanding the processes for which they constitute a shorthand than by subscribing to any single one as a comfortable alternative to critical thought.

The key danger incurred in using a buzzword uncritically lies in including at least part of the answer in the question. In asking "What effect does globalization have on Brazilian foreign trade?", one assumes that such an effect obtains. In asking, more carefully, "Does globalization have an effect on Brazilian foreign trade?", one avoids the former risk but implies that the meaning of "globalization" is known to all and unequivocal. In contrast, the critique of "buzzwords" can prove heuristic if one, heeding Bachelard's recommendations, historically and analytically envisages their genesis and applications as a process to be understood in a wider semantic and political field.

4. Synthetic or Universalist vs. Specific Social Sciences

In this section, we will consider how the foregoing considerations apply to selected disciplines in the social sciences. The aim of this review is to show that in spite of their disciplinary and historical specificity, all social sciences present fundamental methodological commonalities. We will distinguish two types of disciplines:

d. Synthetic or universalist disciplines such as anthropology, history, or sociology that view societies in holistic perspective.

e. Specific disciplines such as demography, economics, human geography, linguistics or political science that isolate sub-systems of social facts which are analyzed by studying concomitant variations of a limited number of factors. They thus hope to achieve a certain degree of experimentality.

Law or legal studies constitute a special case in that conceptions of the discipline vary from the application of a holistic normative approach to, of late, that of a branch of anthropology or sociology.

Universalist Social Sciences

Sociology

If one defines sociology as "the study of the development, structure, and functioning of human societies" (Concise Oxford 1995: 1320), what then distinguishes it from anthropology or history? Passeron (2006: 125 et passim) argues that these disciplines are epistemologically indiscernible. Their relative differentiation relates, rather, to the historical conditions of their institutionalization as academic disciplines, and not to fundamentals. Sociology, argues Carrier:

> "is a child of industrial capitalism and its predominant field of study is modern Western societies. … striking are its social meliorism and its tendency to scientific generalization … sociology much more than anthropology seeks to identify modernity and the problems associated with it by producing valid empirical generalizations… " (1996: 524-525).

In other words, "while sociology was concerned with the world that the West had gained, anthropology was concerned with the world it had lost" (Ibid: 526). Whether this is true of present-day anthropology remains a moot point. Still, one must distinguish two major trends in sociology, one more prevalent in the USA focusing on the formulation and testing of hypotheses based on statistical analysis, and one more interpretative *(verstehende Soziologie)*, derived from the Weberian and Marxian traditions. Weber and Marx would concur in considering that there can no more be a non-historical sociology than a non-historical anthropology. For society, argued Durkheim, whether viewed synchronically or diachronically, is always more than the static sum of persons or social institutions.

The historicity of social science at large does not exclude, however, discipline-specific methodological difficulties. An anthropologist might ask a sociologist how it is possible to establish "sociological distance" *(recul sociologique)* between an observer and the processes being observed if one is a member of the society being studied, and an engaged one at that? A historian might ask a sociologist as well as an anthropologist if institutions can be studied without reference to their diachronic dimension and genesis. A critical political scientist might ask a sociologist if the framework imposed by the today omnipresent nation-state can be considered neutral in relation to the way in which questions posed are formulated and processes studied.

One must also consider difficulties of a more practical nature. How should

sociologists oppose demands for "social recipes" or ready-made "answers" to social problems while undertaking analyses that are nonetheless socially relevant? This is in theory possible for a privileged few confined to the university campus, seeking recognition more than remuneration; but not for "professionals" practicing applied sociology, who cannot claim a guaranteed salary at the end of the month. The difficulty of "who pays for sociological research?" (and why?) is particularly acute in societies such as Palestine that cannot afford the luxury of maintaining ivory towers and where academic activity is largely dependent on the desiderata and means of NGOs, all pursuing specific agendas. In short, the difficulty for sociologists of maintaining a tenable balance between academic freedom, social engagement, and material survival is everywhere largely determined by political contingency. It is, further, largely subject to the primacy of socio-economic criteria as defined by funders, whether private or public, local or external. There is no unequivocal answer to these concerns, but constant vigilance with regard to the constraints they entail is a fundamental precondition of both methodological awareness and ethical practice.

By way of transition, let us consider the interface between two sister disciplines. Is sociology complementary or opposed to anthropology? Interaction between the two disciplines was long less intense than their common object, human societies, might have led one to expect. Broadly speaking, sociology has shown itself to be more oriented towards quantitative generalization, whereas anthropology favoured qualitative description and comparison. Anthropologists tended to overstress the differences between societies they studied and their own, whereas sociologists would tend to stereotype non-Western societies.

Following the dismantling of the colonial empires, however, many anthropologists have "withdrawn" to their home territories and addressed issues clearly associated with "modernity", whereas sociologists were confronted with "others" in the wake of international migrations. At once, sociology has developed in formerly colonised lands, indeed considerably more than less politically correct anthropology. One could here speak of an asymmetrical inversion. The growth of specialized areas of study such as migration, nationalism, or gender has also weakened the barriers between disciplines.

Anthropology

In common usage, anthropology is understood as "the study of humankind, especially of its societies and customs" (Concise Oxford 1995: 52). This recent dictionary definition contains the double postulate of the unity of mankind and the cultural difference of societies. In principle, it implies no hierarchy of cultures.

Yet, if we refer back to the origins of the discipline, rooted in the colonial era, we must ask whether anthropology is based on a hierarchical "postulate of difference" as opposed to a "postulate of sameness" in the case of sociology? Does sociology analyze social differentiation and stratification in hierarchical perspective, whereas anthropology concentrates on the comparison of internally less hierarchized, smaller societies? Is anthropology's unit of reference "the (other) society", rather than socio-historical processes and systems of representation that transcend the local context? Is it irreversibly bound to operate as a postcolonial discipline, and thus an integral component of the North-South power asymmetry?

Put bluntly, can there be an anthropology that avoids reifying "cultures" deemed "other" by the analyst in view of the socialization received in his or her society of origin? Can the conjoint dangers of exoticism and essentialization generated by this discrepancy be addressed in value-neutral terms? We would argue that major strides in this direction are achievable if a relational and doubly reflexive approach is adopted: firstly, in explicating adequately the relationship between analyst and object and, secondly, in ensuring to the utmost that the insights generated be the result of a co-construction of knowledge. One practical implication of these considerations for research methodology is the necessity of transcending the individualistic and "initiatory" or "heroic" approach of classical anthropological fieldwork through the fostering of team work, so as to include women and men of different backgrounds in the formulation of problems and the process of observation.

Attempting to understanding cultures on their own terms (cf. Boas 1940) inevitably poses the question of intercultural comparison and its validity. The issue here is not whether such is scientifically required and legitimate, rather how it may be conducted ethically in an asymmetrical field of intercultural power. The analyst's minimal aspiration should be to transform the distance and differences (and commonalities) between observer and observed into heuristic assets rather than parameters of symbolic domination. Further, it is only through the analytically founded refusal of "othering" that the social construction of difference (and sameness or identity), a central problematic of all social sciences, may be addressed interculturally in relational terms. Failing such reflexive praxis, the anthropologist risks essentializing not only the perceived other but indeed, by repercussion and default, him- or herself. At that point social science becomes inconceivable. If, in contrast, a symmetrical if differentiated context of analysis can be constructed, anthropology can prove of great importance to other social

sciences by articulating the understanding of emic and etic[2] distinctions as well as diverse systems of classification in a fashion not conceivable from a monocultural perspective. How, for example, can phenomena as complex as "globalization" (see above and below Section II) be envisaged only from the perspective of the hegemonic world view of the moment? Is this not indeed why the definition of globalization has remained so elusive?

One outcome of the dissolution of colonial empires has been what Latour aptly describes as the moment "when anthropology comes home from the tropics" (1993). "Anthropology at home", originally fostered more by political necessity than methodological reflection, is certainly a step toward symmetry. Inversely, however, it must deal with the loss of exoticism, understood as a heuristic tool. So too the anthropologists has begun to suffer from the sociologist's dilemma of confusion with one's own object. The accent is no longer placed on the a priori assertion of cultural or other difference, rather on the intrasocietal comparison of systems of representation and the conditions of cultural production. Yet, while the threshold of difference tends to diminish, finer cognitive distinctions may be envisaged. Cultural artefacts thus dissolve. So too does any absolute distinction between oral and written sources. This evolution may in turn serve as a solid basis to envisage forms of intercultural contact and communication resulting from migration, diasporic processes… and globalization. The opposition between cultural determinism and cultural relativism thus becomes ever more tenuous.

This (forced) conversion leads Latour to suggest that anthropology should

> retool itself by occupying a triply symmetrical position. It [could use] the same terms to explain truths and errors (this is the first principle of symmetry); it studies the production of humans and nonhumans simultaneously (this is the principle of generalized symmetry); finally, it refrains from making any a priori declarations as to what might distinguish Westerners from Others. To be sure it loses exoticism, but it gains new fields of study that allow it to analyze the central mechanisms of all collectives, including the ones to which Westerners belong (1993).

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2   "An emic model is one which explains the ideology of behavior of members of a culture according to indigenous definitions. An etic model is one which is based on criteria from outside a particular culture. Etic models are held to be universal; emic models are culture-specific. … A commonplace assumption about emic models is that they are 'discovered' rather than 'invented' by the analyst. However, emic models, like phonemic ones, are ultimately exogenous constructions, formalized by the analyst on the basis of distinctive features present in indigenous usage. They are not in themselves 'the native model'" (Barnard 1996: 181-182). This highly useful distinction raises a host of questions addressed in particular in Pike 1967 and Headland, Pike and Harris, eds., 1990.

One dimension this innovative vision of symmetry omits to integrate is the interface between anthropology and history. No fundamental contradiction here obtains, however. As the epistemological border (if not the academic divisions) between anthropology and sociology becomes ever less defensible, Passeron's (2006) well-argued assertion that history and sociology are epistemologically indiscernible applies even more to the relationship between anthropology and history. The *Annales* school as well as the Subaltern Studies Group (see Section II) put this proposition into practice well before it came to be problematized by sociologists and anthropologists, still largely held up in their respective disciplinary citadels.

History:

If one succinctly defines history as "the study of past events, especially human affairs" (Concise Oxford 1995: 643), one must immediately specify the term 'event'. Underlying this approach, we detect a conception of history as a linear concatenation of static situations successively modified by the occurrence of equilibrium-destroying "events". If, following Ranke, one nourishes the positivist illusion of reconstituting "what really was", a critical reader would ask straightaway "when" and "where", "at which precise moment", and "from whose point of view" and not least "why"?

No explanation of change can proceed without a theory of causality, whether implicit or explicit. The school of history "that triumphed after 1870 professed that one can only establish causal links between individual wills and specific acts" (ibid.). This approach implies the primacy of individual agency and a belief in contingency. It results in "a history of events" *(histoire événementielle)*, generally expressed in chronicles of which the powerful are the key actors and agents. This approach stands in stark contrast to contemporary social sciences, as conceived of by Durkheim, which postulate that social processes cannot be explained solely in terms of individual agency. Unfortunately, positivist sociology gave credence to the evolutionist belief that the study of primitive forms of sociality enables one to reveal universal laws applicable to the government of civilized society, thus bending toward the opposite extreme that consisted in negating change through individual action. This approach was paralleled by a positivist ethnography that subjugates time to function. Such bias is perfectly illustrated by the most singular Pitt-Rivers Museum in Oxford, in which artefacts (spoons, mummies, or spears) of all periods and provenance are classified in "evolutionary" perspective solely

by their presumed functionality and "nature". At the end of the day, the study of history was long restricted to the "civilized world", leaving "the rest" to the curiosity of ethnographers and travellers. History as a discipline was implicitly founded on a dichotomization of humanity into societies with and without writing. For advocates of this paradigm, non-written history is no history. Thus, in insisting on describing "what really was" on the basis of exclusively written, European sources, it could not account for global change.

New history, as illustrated by the *Annales* school, questions the three main tenets of positivist history, namely chronology, individual agency, and the primacy of politics seen as the very stuff of history. At once, anthropology "impinges" ever more upon the study of societies "with history". Just as history has come to analyze the transformation of "collective life" over time, anthropology has opened the door to individual action and temporality. In this interesting situation of "paradigmatic evolution", minimal epistemological vigilance implies asking why and how the past is questioned, and in which terms. Can the analysis of social systems and processes be applied retroactively? Inversely, can one interpret the present without a sociology of the past? If no social science is conceivable without historical perspective, is history conceivable without anthropological and sociological perspective?

These queries pose the question of the "range" of a science of history emerging from the positivist and Eurocentric straightjacket. Does history remain a science founded on the analysis of specific cases, with no pretence to compare or generalize on a universal scale (in contrast to anthropology)? Does writing "global history" (another still mainly Western product…) imply that historians consider non-European societies on a singular basis or, rather, that history envisages overarching problematics in view of developing comparisons and formulating generalizations concerning social process at large? And when will non-European historians, as Malian anthropologists working in the Auvergne, come to reconsider the good old West? If global history achieves intercultural symmetry, the three disciplines just considered, while remaining academically distinct yet increasingly intermeshed, could come to be recognized as epistemologically indiscernible. The bases of such a great transformation are being laid, but have yet to gain widespread, explicit recognition. The post-1989 resurgence of nationalisms, which view history as a convenient "science" of identity advocacy, unfortunately hinders the process to no small degree.

Law: a "borderline" discipline?

In this incipient process of differential *rapprochement* of disciplines, law remains somewhat of a special case. Law as a code is a unified, internally coherent corpus of rules that serves as a foundation for the exercise of jurisprudence. Law as a discipline is to a large extent normative rather than analytical. It is thus not always easy for jurists to engage in critical or reflexive legal science without questioning the very institutions that ensure the law's and their legitimacy. In many political systems this is simply impossible.

"Law," observes legal anthropologist Sally Falk Moore, "is sometimes interpreted as an expression of cultural values, sometimes as a rationalized framework of power. In ethnographic fact it is usually both" (1985: 445). In both the practice and study of law, however, the risk prevails of confusing norm and practice as well as consensus and domination. This blurring of fields can nourish the illusion that legal codes and institutions are all-encompassing, and thus foster the temptation of judging social process only in terms of conformity with a pre-established, codified set of norms. Exit "the spirit of the law" seen as a culturally and historically transient construction. The prevailing normative framework can appear to contain an answer to any actual case that may emerge. This perspective assumes that the norm of law pre-exists social interaction. How then to perceive law as a result of ongoing social processes? Is law, thus, of necessity a social practice rather than a social science? Is its object, when seen in the light of social science, to bring collectively validated norms into unison with social practice?

From the perspective of social science, law must be read as an ongoing process of accommodation of norms and practices mediated by institutional structures whose legitimacy reflects the balance and modes of exercise of power in a given context. The study of law falls into the domain of the social sciences as soon as "legal arguments and rationales are not taken at face value, but are studied as texts, both as they reveal and as they obscure values and interests" (Moore 1985: 448). And in effect legal anthropology and the sociology of law, among other sub-disciplines, have asserted themselves strongly in recent decades.

One result of the development of critical legal studies has been the increasing attention granted to plural legal systems that variably combine several instances or modalities of norm enforcement and accommodation. The notion of legal pluralism has high heuristic potential in that it questions normative frameworks within and beyond systems and polities of all types and scope, enabling the development of cogent comparisons informed by sociological and historical hypotheses. This approach brings into question "all the theories founded on a notion that consensus and common values underlie all effective legal systems"

(Moore 1985: 448). Ultimately, it sheds doubt on the existence of universal principles of justice and equity as postulated by Enlightenment conceptions of "natural law". Can there thence be any presumption of universal applicability even in fields such as international law or human rights? This is by definition a question that can have no normative answer and thus falls under the purview of a social science of law based on the same principles of epistemological vigilance discussed above.

In practice, law notoriously resists globalization, notwithstanding the emergence of universal jurisdictions: it is still fundamentally developed in and operates for the state, and within the state. This significant discrepancy between jurisprudence and critical law studies could have the positive effect of generating sociological distance in a field in which the confusion of analyst, historian, and practitioner had long proven indissoluble.

Specific Social Sciences

Political Science

Political science, an offspring of law, was long foremost concerned with the nature, organization, and transformation of the state. It studied the goals and *telos* of "civil society", and the institutional arrangements developed to achieve these in a manner conducive to the reinforcement and legitimation of prevailing power relations. This institutionally dependent approach presupposed the universal role of the state and endorsed by implication the nation-state's entitlement to subordinate and incorporate polities that had not developed or maintained state systems. This intentionalist approach betrays a teleological belief in progress and human nature, which in turn validates the voluntarist improvement of public life. Thereby, the focus of the discipline came to extend beyond the matrix of the state to political activities at large. There thus arose a concern with the systematic analysis of socio-historic patterns and transformations that, while focused on power, rendered very fragile the distinction between political science, on the one hand, and sociology and history, on the other.

The extension of the discipline's field of application saw the emergence of the behavioral approach, initially developed in the United States at the time of the Cold War. Behaviorism sought to undertake a systematic examination of "facts" in comparative and diachronic perspective, based on the testing of

quantifiable hypotheses. But how could historical singularity, in Weber's sense, thus be accounted for, just as "cultural" factors or contingency not amenable to quantification? After attempts to develop "scientifically" based overall explanatory frameworks such as systems analysis that soon proved "untestable", a more modest approach to the realities and transformations of power was adopted in the form of a multiplicity of "middle-range theories", focusing on singular dimensions of political systems. The converse risk here is to elaborate "tighter" comparisons by an ultimately arbitrary reduction of the criteria of relevance considered, which leads one to postulate that "all other things are equal"… and thus deny patent complexity.

Whatever theoretical scope is adopted, "norms and prescriptions, as Blondel observes, are part of the study of politics, whether this is consciously recognized or not" (1985: 618). This places political science in a field analogous to jurisprudence and legal anthropology, neither of which is conceivable as a social science without recourse to sociological reasoning and the integration of historical perspective. Indeed, one might enquire whether political science is not today engaged in a surreptitious process of fusion with contemporary history or *histoire immédiate*.

The distinction between the two is unlikely to be ascertained by contrasting self-definitions. Rather, one must consider the differential expectations the two disciplines awake beyond academia. These emanate from the political arena itself, where actors seek and require external reassurance in the face of what they perceive as increasing complexity and unpredictability linked to "globalization" as well as a semblance of "scientific" legitimation vis-à-vis their constituencies and funders. Political science is often perceived as an applied discipline both in the eyes of analysts and political actors. It is seen (and sometimes presented) as holding a certain predictive potential, and this aura must constantly be confirmed in order to maintain the discipline's credibility… and the required flow of resources. It correspondingly has a high funding potential in comparison to other social sciences, but practitioners must deal with ensuing risks of subordination to extra-scientific agendas.

The prophetic illusion diagnosed by Bourdieu (1991: 25) is easier to succumb to in political science than even in sociology, where Bourdieu himself offers a case in point. Demands made on political scientists by the media or government to "explain" crises (if more rarely long-term processes) in immediate and widely intelligible terms are strong, recurrent, and predictable. This is particularly evident with regard to the events in the contemporary Middle East, concerning which the number of political science publications and media appearances distinctly outweigh those of, for example, sociologists or anthropologists. The exercise of

political science possibly requires more vigilance than that of any other social science discipline. Even those analysts who are not members of the society studied are hard put to distance themselves fully from the processes studied. Value-judgements, more or less explicit, are often requested if not required of political scientists. And is it not ego-soothing to find oneself in the "superior" yet dependent position of the brahman (priest), restyled pundit, vis-à-vis the ksatriya (king), or, put differently, so near to holiness while so close to (the illusion of) power?

Beyond the delicate mastery such concerns, one notes, however, that while the academic status and "visibility" of political scientists distinguishes them from many others, the requirements of epistemological vigilance as regards terminological vigilance, sociological awareness, intercultural sensitivity, historical perspective, and legal culture in no way fundamentally distance political studies from other social sciences.

Demography

Demography, more than political science, studies a circumscribed aspect of social life, namely population structure (stock) and dynamics (flow). It views the process of biological reproduction through the statistically-based analysis of population variables including rates of birth, marriage, death, and migration. Demographic studies thus seek to establish why people have the number of children they do, which factors affect death rates or determine geographic mobility. It is thus a fundamental component of population studies, which interpret demographic data by incorporating economic, historical, political, and social factors. Demography's sources include census material, vital registration, migration records, and sample surveys, in other words essentially quantitative material. This restricts the discipline's compass to contexts and periods for which such records or censuses are available and sufficiently dependable. Only then may valid, standardized comparisons be constructed and correlated with other types of data.

Demography was initially developed to serve highly practical goals such as the conduct of insurance and pension affairs or public health planning. Yet, it can support any of the social sciences both in synchronic and diachronic perspective, notably when framed as "historical demography". The specific focus of demography does not, however, make it a "sub-discipline". Rather, in raising fascinating questions it cannot answer alone, it should stimulate other disciplines to reflect on the fundamental unity of the social sciences and on how to develop methodological integration while respecting each field's historical specificity (Szreter et al., eds., 2004).

Demography's appeal and inherent quandary lies in forecasting, a dilemma its shares with economics: "[p]rofessional demographers describe their statements on future population as projections, the working out of the consequences of a set of assumptions. Users believe that the assumptions are chosen by the demographers because they are realistic, and they accept the results as forecasts" (Keyfitz 1985: 190).

Many demographers would agree is that the only thing such forecasts have in common is that they ultimately prove wrong. Still, projections are indispensable tools for any kind of economic planning and, often, political debate. So too, almost any issue addressed in the social sciences has a demographic component. Epistemological vigilance is required less in the definition of the basic statistical categories of demography than in evaluating the causal implications of the questions posed to the data through correlation and projection. It is refreshing to know, for example, that the Center for Demographic and Social Analysis of the University of Albany has developed a program in "critical demography":

> Critical Demography makes explicit the manner in which the social structure differentiates dominant and subordinate populations. Thus, critical demography necessitates discussions of population control and population power. For instance, in this context, one cannot speak of race and sex without likewise articulating the impact of racism and sexism. In sum, critical demography reintroduces and articulates the nature of the social structure and how it impacts upon population phenomena (University of Albany 2009).

The laudable intent of this project is better to understand and denounce major forms of social injustice through socio-demographic analysis. The aim of this approach is to interrelate criteria defining "identities" with socio-economic factors. None of the concepts chosen to interpret such correlations are, however, self-evident. Many questions thus arise: Is social structure defined in static terms or as a process? Is the "nature" of social structure simply the combined reflection of a set of socio-economic indicators? How is the dominance-subordination dyad defined? Is "population power" a political metaphor or a sociological notion? How do "racism" and "sexism" relate to the dominance-subordination opposition?

This demographic approach is "critical" in the sense that it takes "power" into account as a determinant variable. And indeed all "categories and classifications are linked to differential power relations" (Moore and Sanders 2006: 18) notwithstanding certain positivist visions of "scientific neutrality". The chains of causalities these relations presuppose can only be rendered explicit, however, by

subjecting all conceptual operators chosen to prior semantic examination. This is the procedure advocated by Bourdieu, Chamboredon and Passeron (1991), who stress the importance of differentiating social and sociological questions. Answering the latter may, hopefully, contribute to solving the former, but the two orders of consideration must be clearly distinguished throughout the process of analysis in order to arrive at any other conclusion than a circular "confirmation" of the pre-notions subsumed in spontaneous questions unwittingly predicated on these very pre-notions.

One here clearly sees the importance of distinguishing and articulating method, methodology, and epistemology: How to define and apprehend statistical variables without implicitly assuming certain causal ties before questions and hypotheses have been formulated? How to apply formal methods to the analysis of the factors these variables reflect in approaching issues of causality? How constructively to criticize the terms of analysis chosen so as to overcome the weight of pre-notions that may occult the understanding of very the social problems addressed?

The road to achieving the synthesis of these requirements is very demanding for it implies putting one's *démarche* into question at each stage of the research process and taming through epistemological rigor the desire to arrive at "operational" results. At another level, the case of demography illustrates well that no discipline that restricts it focus to a specific aspect of social process may proceed without paying heed to the epistemological requirements of social science in general. Inversely, synthetic social sciences would be ill-advised to underestimate the value of specific disciplines in formulating middle-range hypotheses essential to the process of comparison without which there can be no social science.

5. Limitations and Potential of Social Science

No socio-historic context or process is reproducible. Consequently, there can be no controlled experimentation in social science. One is thus faced with a potentially infinite set of "singular configurations", to borrow Weber's expression again, none of which can be reduced to a finite list of relevant variables which could then be experimentally studied one by one. To make matters worse, there is no common language that allows researchers to encompass all socio-historic phenomena and thus to undertake broad albeit not general comparisons. There is not even a univocal terminology to support such a language. Hence, comparison can only be framed on the basis of overarching conceptual coherence, rather than of formal identity between objects spontaneously perceived as analogous. Restricting comparison to chosen facts or features entails reasoning as if all other

things (and their concatenations) were equal, which by definition cannot apply when comparing singular configurations. Under the circumstances, no paradigm can be valid per se: each is the result of a high degree of consensus established within a group of specialists concerning a language or idiom used and considered adequate to describe the world. This idiom is a heuristic convention and not the expression or translation of "the world" or empirical reality. Thus, no such idiom can claim to be universal nor is any "empirical" description of social facts free of theoretical assumptions and presuppositions.

How then to identify, observe and record "social facts"? Anthropologists, applying the method optimistically designated as "participant observation", observe directly, but are they really equipped to participate? Can they capture the course and meaning of exogenous social processes? Sociologists participate in society as citizens, but can they as native individuals observe their object in any other than highly biased and selective terms? Historians record and analyze the observations of participants to whom they are only attached through ideal affinities or animosities. Yet, whatever the approach, "any judgment relating to behavior and behavior patterns must be made relative to the standards of the cultures producing them" in a given socio-historical context (Moore and Sanders 2006: 2) This principle applies both synchronically and diachronically, interrelating epistemologically anthropology, history, and sociology. Further, although "the subjects of debate in the natural sciences can normally be resolved without resorting to the opinion of the object of study", this is certainly not the case in the social sciences (I. Wallerstein quoted in Wieviorka 2008: 86). This given in turn strengthens the necessity for each discipline to establish and constantly renew critical distance to its object. Thus, neither method nor methodology can be isolated from scientific practice; nor can the latter take the former for granted. One here senses the epistemological and practical impossibility of separating the social sciences strictly in terms of disciplines. Historically formed academic divisions developed since the end of the nineteenth century still, however, favor the ongoing fragmentation of the science of mankind. Corresponding corporateness jeopardizes methodological rigor. This unintended effect of academic traditions facilitates the increasingly overt policy of many governments to dismantle the social sciences and humanities in state research organizations and universities, thus devolving them to the private sector or dissolving them altogether.

In the face of this existential challenge, the social sciences should, as a first step, seek to achieve a greater awareness of the fact that the tenets of epistemological vigilance are common to all disciplines. In methodological terms, this is a prerequisite for defining regularities and tendencies that can be validated for a given period or context and enabling the empirical demonstration of theoretical propositions.

In terms of the politics of science, such a realization could counterbalance the weight of disciplinary habitus and institutional frameworks that so ease the task of those who seek to undermine the exercise of critical social thought. Yet, it should not be forgotten that there is an ever more intense public demand for the sensitive social analysis required to confront complex constellations of societal problems. Further, we are experiencing an increasing interest in the social sciences on the part of the natural sciences. Is the positivist analogy between the two classes about to be transcended? Are the social sciences now on the threshold of a change of paradigm that will affect them not singly but as a whole? There is no better place to initiate debate on these issues than the classroom, and to recall that the social sciences and the humanities at large constitute a unique asset for the critical analysis of human relations both within and between societies or social categories. Its self-reflexive exercise ideally leads one to overcome what economist and philosopher Amartya Sen (2006) aptly designates as 'cultural confinement', a universally observed exclusionary attitude founded on the unwitting and self-centered application of the potentially dangerous notions of culture and identity. This is certainly reason enough to promote the future of the social sciences and the humanities by overcoming long-standing autocentric axioms while at once

avoiding the sirens of nationalism in Europe and beyond. Western academia has now by and large taken cognizance of the ineluctability of this foundational reassessment of social science. The next challenge resides in fostering the symmetrical construction of knowledge on the basis of critical reciprocity.

II. Space-Time Reconfigurations: Global-Contemporary Social Science

We wish here to anchor social science research in a reality, which we are not naïve enough to consider permanent. Our goal, therefore, is to examine what are the social sciences, and what is the current impermanent reality in which they are studied. Social research, in other words, has to deal with "shifting baselines," a notion taken from the thalassological thinking of Daniel Pauly, in what was thought to be a different context, dealing as it did with fisheries, and the progressive exhaustion of ocean stocks (Pauly 1995). What to a given generation (and here one speaks of a chronological acceleration, sometimes as little as five years, perhaps with the speed of technological transformations, even less) is unthinkable becomes acceptable to the next. What in 1933 would have been unacceptable to the Germans, the systematic elimination of a minority, had become part of their

daily reality by 1938; what would have been fought tooth and nail in the Soviet Union in 1927, the systematic prosecution and execution of the communist elites (and others) was a familiar to the citizenry reality ten years later. The torture and killing of civilians (albeit here, foreign ones) that in the United States would have seemed unthinkable in 2000 became a part of an unpleasant but accepted reality in 2003, since the scandals of Abu-Ghraib and Guantanamo did not prevent the sitting president from being reelected in 2004. Shifting baselines apply to fisheries; they apply to social practices; they apply to politics; and they also apply to research. Usually the shift is towards what a moral philosopher would call "the worse." But it may be the other way round. The important thing is to be aware of the existence and mobility of baselines, in both space and time. It is not a matter of accepting the unacceptable, or of giving up the struggle against hateful individual and collective behaviors. It is rather, essential to understand the shifting sands of ideology and values in order, on the one hand, to fight for what one deems right, and, on the other, to seize the reality in which one is living when striving to describe, analyze and prescribe for it. The sociologist Harald Welzer deals with shifting baselines, and dangers associated with the failure to recognize them in time. He predicts that the earth's changing climate – in essence, global warming – is likely to produce cataclysmic wars based on scarce resources and massive south-north population displacement precisely because their cause, the shifting ecological baseline, remains unrecognized. (Welzer 2008). It is essential to recognize shifting baselines, so as to take them into account in research, and/ or to modify them as necessary (Meyer-Hamme 2009).

1. Reassessing Modernity

Foucault, in his musings on heterotopias, maintained that the nineteenth century had been the century of time, while the twentieth had become that of space. It is apparent that the twenty-first is that of space-time. This realization is bound up with the issue of modernity, although there can be no question here of proposing a (re-)definition. Nonetheless, modernity lies at the core of social research, whether or not the posited or implicit quest is for the proper approach to modernization, which is no longer such an obsession in some parts of the world, although it is still very much alive in the Middle East. What we can confidently state though, is that modernity implies a particular articulation of space and time, which we call space-time. Timothy Mitchell (2000), following Ann Laura Stoler, criticizes Foucault and other Europe-centered theorists, re-stages geography and history (in other words, our space-time) to encompass the colonized and the colonizer in the coming of bourgeois modernity. A critical approach to research methodology requires a clear attempt to address that dyad and the way it is conceived or at least

articulated. Space-time becomes the essential ingredient of critical research, the moving structure within which it is formulated and framed.

In the era of space-time, it becomes apparent that modernization, at the base of so much social research, pertains to hegemony (Mitchell 2002): the hegemon is here the modern itself, all the rest being distributed around it or him. The modern, the hegemon, is a particular articulation of reality and its representation. Any critical research must address among other things that elephant in the room. Of course Heidegger and in his wake the Frankfurt school began that process, preceded by Nietzche and followed by Foucault, but the critique has not entered the world of active social research. It has not, at least, bridged the artificial gap between the humanities and the social sciences. These will sooner rather than later, have to integrate the critique of modernity into their parameter, having of course most probably purged it of its philosophical pessimism, and stripped it of its retrograde, Heideggerian qualities.

2. Reassessments

No truer words were spoken a quarter of a century ago, than that

> [t]he present is a time of reassessment of dominant ideas across the human sciences (a designation broader than and inclusive of the conventional social sciences), extending to law, art, architecture, philosophy, literature, and even the natural sciences….It is not just the ideas themselves that are coming under attack but the paradigmatic style in which they have been presented. Particularly in the social sciences, the goal of organizing disciplines by abstract, generalizing frameworks that encompass and guide all efforts at empirical research is being fundamentally challenged" (Marcus and Fischer 1986: 7).

The problem at that time, and the currently receding mode, was that of the totalizing "grand narrative," rendered through apparently contradictory paradigms, positivist, right- or left-Hegelian, liberal or Nietzschean-pessimistic, but all of them bearing the traces of an ultimately religious-inspired teleology. The era of the "posts" was upon academia: post-structuralism, post-Marxism, post-modernism, post-colonialism. In this revolution, with the micro devouring the macro, Edward Said's *Orientalism* played a key role. But in so doing it first scandalized the right-thinking intelligentsia. The authors of the foregoing quote were themselves among the scandalized, faulting him for wielding a brush which "is broad and indiscriminate" and for condemning "all Westerners writing about

others…" (Marcus and Fischer 1986: 1). But serious scholars nonetheless put their sense of indecorum to good use so that, as Said so aptly put it himself in the *Afterword* to the 1994 edition of the book, things had changed very quickly and decisively in the interim, coinciding with the collapse of the Cold War order. In this way, "although the animosities and inequities still exist from which my interest in Orientalism as a cultural and political phenomenon began, there is now at least a general acceptance that these represent not an eternal order but a historical experience whose end, or at least partial abatement, may be at hand" (Said 1994: 352).

In the meantime, then, we have come quite a long way in updating certain conceptual dilemmas facing human, social (and even natural) scientists, and we intend in this volume to illustrate some of the ways in which they are conceived and dealt with, by persons who are concerned with methodological issues and cover social science disciplines, as they may be applied to issues including those of interest to the Middle East. Certainly, it is now understood that one cannot claim simply to be dealing with the past, on the one side or the present, without any connection to it, on the other. Leopold von Ranke, a major historian of the early nineteenth century, succeeded in reifying history, by separating it forcefully from all studies of the contemporary period or even the future. *"Man hat der Historie das Amt, die Vergangenheit zu richten, die Mitwelt zum Nutzen zukünftiger Jahre zu belehren, beigemessen: so hoher Ämter unterwindet sich gegenwärtiger Versuch nicht: er will bloss zeigen, wie es eigentlich gewesen."* History, he stated "has been assigned the role of orienting the past, so as to give the current world useful lessons regarding the future: the present attempt does not aspire to such a high calling: it simply wants to show how it actually was." That it, that thing in other words, is the Past cast in stone, the stuff of history itself. The essence of history was to be found in a variety of archives, the only objective measures for Ranke. Whereas this reification carried through the nineteenth and most of the twentieth centuries, it has become more difficult. No longer a discipline in the old sense of the term, where the treatment of archives enacts a kind of universe to none other comparable, there is now an ever fuller admission that oral, poetic, biographical, pictorial and musical sources, even rumors, are legitimate. Just as a flower cannot be conceived as a mere pistil without petals, history, while not a totality, is kind of hybrid panopticum which envisions and encompasses a wide variety of elements. In being reconstructed layer by layer, petal by petal, away from its center, history has been deconstructed. It is no longer a separate discipline perhaps, but it lies at the heart of all the others.

Ranke saw himself as what today would be called an empiricist, basing his work on archives only, standing against the rationalism, abstraction and teleology of Hegel's

point of view (as revealed most of all in the latter's lectures on the philosophy of history) whereas Hegel faulted Ranke for telling history as a story or perhaps an expanded chronicle (in German and in French, "history" and "story" are one and the same word, to describe events and narratives) without trying to derive a greater Plan from them, the philosopher's only interest. This does not mean that one was more transcendental in inspiration. Both were equally religious; but whereas Ranke might be deemed Kantian in his separation of practical from pure reason, which he deemed a utopia (in Kant, "the conflict between pure and empirical reason in the conscious solidarity of the whole…represents the idea of true universality: utopia" (Horkheimer and Adorno 1982), Hegel stitched them together in an overarching account of the progressive unveiling of the absolute spirit (freedom, but only as manifested in the modern state), a vision which quickly became and continues to be hegemonic. In fact, it may be seen that both Hegelian 'philosophy of history' and Rankean history 'as it actually was' have reified the study and constrained it, while influencing generations of scholars, positivists on the one hand, theoreticians on the other, and in many cases both rolled into one.

This must be qualified as some of the nationalist and statist paradigms intrinsic to the studies of the past decades and centuries are weakening, in the West and in the East, being replaced by more fluid ones based on non-state units and groups such as populations, areas, oceans and even the world as a whole (the immensely popular 'global history'). At the same time, families, villages, cities on the one hand, and interstate entities and international organizations on the other, become the focus of individual and group research in the widest variety of disciplines. And in this process a set of concepts is emerging as the key to the methodological changes underway.

3. The Centrality of Cultural Transformations

Culture is expressed and develops at multiple levels. Most relevant in this context is the structural distinction between elite and mass culture. It is no longer feasible to describe culture as a unified overlay enveloping entire social formations. The latter must be seen as divided, if not by class, then by their components' respective proximity to the ruling elites in discrete economic, political and cultural 'fields' (to use Pierre Bourdieu's apt term). In the words of Ranajit Guha writing the manifesto ("Statement," as he called it) of the Subaltern Studies collective in the very first issue of their *Review*, and explaining that the historiography of Indian nationalism is dominated by two types of elitism – the original colonialist form,

and the imitative bourgeois-nationalist one –

> [b]oth these varieties of elitism share the prejudice that the making of the Indian nation and the development of the consciousness – nationalism – which informed this process were exclusively or predominantly elite achievements….What clearly is left out of this un-historical historiography is the *politics of the people*. For parallel to the domain of elite politics there existed throughout the colonial period another domain of Indian politics in which the principal actors were not the dominant groups of the indigenous society or the colonial authorities but the subaltern classes and groups constituting the mass of the labouring population and the intermediate strata in town and country – that is, the people. This was an *autonomous* domain (Guha 1988: 37-40; emphasis in the text).

While he repeatedly speaks of politics, Guha is actually referring to political culture, and to culture more generally which, he shows was divided into three in the late the colonial period – the third being the subaltern realm dominated by the peasantry, and continues, increasingly fractured, in the post-independence period. This point is likewise driven home by Partha Chatterjee (1986). More recently, efforts have been made to subordinate the undeniable cultural split to the imperatives of current technologies, which cut through geographical and social space. Michael Fischer (2007: 42) explains this as follows:

> Methodological relativism, and recognition of crosscutting complicities in social relations, raise the bar on descriptive precision. They indeed can disrupt conventional moral claims, making inconvenient demands on understanding. But without such understanding, one cannot build the social legitimacy to propose or sustain change. It does not follow that understanding means agreement.

The cultural split remains intact, although it would appear that realities and intercommunication are on the increase among each of the several parties. In the Western case, elite culture developed in parallel, in support of or opposition to European colonial expansion in the nineteenth and early twentieth centuries, its purposes multiple and simultaneous: cosmopolitanism and control over colonized persons. The purpose in this context was to consolidate direct rule over and more importantly, access to, the bodies of their own citizens and those of the colonized. Hence the great difference between the first great colonial wave, the Luso-Hispanic, so-called mercantilist one initiated in the sixteenth century

(joined by other European states of course: France, England, the Netherlands), and the modern, British-dominated, free-for-all industrial one of the nineteenth. In the first case, control exercised was directly biopolitical: killing, enslaving, removing. The industrial model was characterized by exploitation and social engineering. Religious conversion was a characteristic of both waves. In the latter case, cultural tools and interactions were the key to success as measured in the smoothness and durability of the relationship.

Meantime, mass culture developed in the colonies and in the metropolis, in the form indigenous rebellions from Algeria to India, from Palestine to the Philippines; and the consolidation of class conflict in the metropolis, which connects to the colonial system, through the "new" "philosophical" and "social" "sciences" to which they had direct or indirect access (not many proletarians read *The Communist Manifesto* during the period of the First International, but many anarchist watchmakers did, and the message was shared); and through the very industrial revolution fueled by colonial imperialism.

4. Power vs. Agency

Contemporary social science needs to be understood in the light of its historical construction, whereas both North and South tend to stress distance, control and struggle (clash) or instead a mysterious "harmony" among "civilizations." All of this discourse is ontologically truncated without reference to interconnectedness, symbiosis, heterogeneity or, more controversially, hybridity, none of which exclude mutual contempt, envy and hatred. Lacking is a comprehensive epistemology based on generalized agency which has been reduced to *power* and thus largely limited to the northern, colonial or neo-colonial "powers." The Subaltern Studies Group opened the way to a better understanding of the whys and wherefores of this global blind spot. History is a podium on which the social sciences have been built. The "historical methodology" so often touted in Middle Eastern scholarship does not exist. Instead, history permeates the social sciences as a whole. In this sense, the social sciences are unified around their historical core, which permits comparison and illustrates change (see Section I).

What results from this argument is the need in research to be aware of the inherent dichotomy of cultural forms, and to take account of them, rather than following a more traditional pattern of applying elite-generated, mass-based data and arguments to a society or societies, as a whole. It is not a matter of looking at history (or society) "from below," as has been argued, but rather, through a general awareness of the dichotomous nature of social data, of adapting research

accordingly. This is the approach, specifically and by way of example, of the Subaltern Studies collective. They call for a re-reading of documents in the quest for a re-reading of history and a new understanding of social, comparative, or international movements.

In so doing, they are surely inspired, consciously or not, as was a full century of political thinkers, by the writings of Carl Schmitt, and most particularly by his *The Concept of the Political*, first published as an article in 1927. This was a time when the Weimar Republic seemed to have many healthy years before it. It was in its concept more of an appeal to the leaders of the Republic to deal harshly with its enemies on both ends of the political spectrum. Meantime, based on its appearance in monograph form in 1932, it has been reread as the swansong of Weimar: such is the strange destiny of analytical research. Leo Strauss (1996 [1932]: 92-93) now understood its significance, and was deeply influenced by it, noting in his exegesis published the same year, that Schmitt managed at one stroke to reverse the Hobbesian equation: "Whereas Hobbes in an unliberal world accomplishes the founding of liberalism, Schmitt in a liberal world undertakes the critique of liberalism."

For Schmitt the realm of the political exists as an autonomous one. Where, he says (Schmitt 1996: 27), economics gravitates within the field defined by profitable and unprofitable, morality hinges around notions of good and evil, aesthetics between the beautiful and the ugly. In the same way then, as the humanities and social sciences have their polarities, politics has its particular one, the dichotomy of friend and enemy. The political enemy need not be morally evil or aesthetically ugly; he need not appear as an economic competitor, and it may even be advantageous to engage with him in business transactions. But he is, nevertheless, the other, the stranger; and it is sufficient for his nature that he is, in a specially intense way, existentially something different and alien, so that in the extreme case conflicts with him are possible. These can neither be decided by a previously determined general norm nor by the judgment of a disinterested and therefore neutral third party.

 The dichotomy is indeed a stark one, and it has been contested. But it still characterizes the political, at a time when, as noted, state-centeredness has finally receded. So that, while Schmitt gave the monopoly of politics in the sense of the friend-enemy dichotomy to the state, it has now reverted, and here is the importance for research, speaking of its authors as well as its subjects, to the social realm, whether down- or upstream from the state: the family, the tribe, the region, the globe. This is very different from a political leader declaring war on an entire class of people based on religion; on the contrary, it is a matter of

perception and thus, a phenomenological question.

5. Inter- or Transdisciplinarity

Martin Bernal (1987: 3), in his flawed attempt at establishing a revisionist canon in the field of classical studies, noted rightly that "[f]undamental challenges to disciplines tend to come from outside." He is also correct when he says that students have been wedded to a sclerotic, idealized and ideological disciplinary catechism which they find almost impossible to shake. This does not apply to people who step into the discipline in question laterally, since they will not have this vision inculcated into them yet. Their position as outsiders gives them, in this instance, a decided advantage as potential innovators. And in many cases such an exogenous gaze casts a surprising, original, constructive and path-breaking light upon what are rather hermetic disciplines, in fact subjected to the kind of discipline revealed and reviled by Michel Foucault.

The alleged differences between social and natural sciences are at least in part imaginary. Officially, the latter are based on a deductive method, which first posits a concept, from which hypotheses are derived and finally tested through fieldwork or experiments (King et al 1994). This appears to be a humanistic, as it were platonically idealized version of the process as described by philosophers of science and not the scientists themselves, whereby the reality is a different one, in which much productive work in fact depends on the careful analysis of the ways in which previous breakthroughs were accomplished, adopting the methodology, while adapting it on the basis of trial and error on the ground (Kuhn 1970). Certainly in the case of the social sciences, including qualitative studies, there needs to be a balance between the rational and the empirical, between the deductive and the inductive, between the concept and the study. The procedure involves constant recourse to conceptualizations, but in a permanent back-and-forth between them and the results of the actual work performed. The fact of the matter is that in carrying out original research, one by definition has no idea what is to come out of it, else it could not merit the designation of original. That which actually does is likely to vary widely from one's initial 'suspicions', another word for common sense pre-notions. Some thoughtful methodological investigation (e.g. Latour and Woolgar 1986) has reached analogous conclusions, but it is not sufficiently accepted or at least acted upon to make enough of a difference. It is true that theories are not to be confused with laws, and that whereas laws may be induced from a sufficient number of examples on the ground or in the laboratory, theories are dreamed up. But we know that dreams themselves are based on transmogrified experiences, lived or anticipated.

Because of social scientists' reluctance to recognize this, and given a degree of diffidence on the part of the 'soft' towards the 'hard', one has found in many instances a degree of conceptual sclerosis which, in the field of political science for example, has tended to slow down the rate of cognitive progression. Behaviorism died an undeservedly slow death, as did (in international relations theory this time), neo-realism, based explicitly as it was on an axiomatic bipolar system. "The barriers to entering the superpower club have never been higher and more numerous. The club will long remain the world's most exclusive one," predicted Kenneth Waltz in 1979, in his foundational neo-realist treatise on international politics (Waltz 1979: 183). In actual fact, the so-called and as yet unexamined state of bipolarity prevailed for a very short period of forty-five years (1945-1990), yet the neo-realist paradigm is living a strange and lengthy afterlife which appears to block needed conceptual breakthroughs. Very important is the realization that successful theorizing is not usually derived from common sense notions, but rather from convictions of the researcher, mixed with new insights during the early portions of the research process.

6. The role of Global Unipolarity

The structural weight of post-1990 global unipolarity has likewise affected social science today. Students and a number of their professors, in the Middle East more than Europe, tend to adopt a fatalistic attitude towards the role played by the United States in their affairs, which is seen as ubiquitous, and as dictating not just the course of international politics, but also the movement of society in their part of the world and in all other places, for that matter. It is important to understand that unipolarity has to do only with the presence and distribution of power, and not its use; it is not a synonym for hegemony, empire, or other action-directed concepts, but rather simply a statement of cumulative data regarding national wealth, population, military strength, technological advancement and research investment. The perception (and it is based on a reality) enters into their investigations of areas as distant from one another as anthropology, law, aesthetics and religion. There is in fact no doubt that unipolarity dictates the direction taken by social science research today. Some researchers, as opposed to educators, tend not to take it sufficiently into consideration, as many researchers assume that with the "liberation" from the "communist" "threat", discursive freedom has become unbounded and thus no longer dependent on or even related to the power of the hegemon. Those, or those whose intellectual mothers and fathers, previously clouded their work in pre- or postmodern jargon up until the Soviet Union's collapse, freely employ "Marxist" reasoning in discussing everything, including the Soviet "empire," thus resurrecting the off limits category of imperialism itself,

and describing (or advocating) US imperial postures. But unipolarity dictates to social science in a variety of direct ways as well: US resources, money, academia, language. And the presumed all-importance of the US on the world stage thrusts it into so many historical, political, ideational issues.

Whether the recurrent theme is Israeli occupation, political Islam, family law, the sociology of the military or village life, to take just a few examples from the Middle East, they are, whether explicitly or implicitly, placed within the 'new' paradigm. And even as the advent of new world powers and social formations is heralded, we learn that unipolarity has never weighed as heavily, even in the direct aftermath of World War II. The January, 2009 issue of the flagship political science research journal (*World Politics* 2009) is entirely devoted to the question. Whether or not a new-old polity as represented by China, or the reliance on high tech by India represent regional or even global challenges to the world, no short-term likelihood is offered for an end to unipolarity (Ikenberry *et al* 2009). Now we are not here interested in whether this is true or not. No serious social scientists predicted the rapid end of the bipolar system in the late 1980s, although had Paul Kennedy with his rise and fall formula listened to himself, he might have, given that the dire state of the USSR in terms of excessive military expenditures and limited economic capabilities as he described them, he would have suggested imminent systemic change (Kennedy 1987, especially 488-513). The missing ingredient, as usual, was *parrhesia*, or the ability to speak truth to power. In this case, it was not the ruling Prince, but the ruling ideational structures of academia. Foucault (2008) is right in making parrhesia an integral part of truth, truth in action, and not just a type of attitude which encourages the expression of a destabilizing discourse. "Eppur si muove" takes on so many shapes as to be uncapturable. But the observation of the movement is for the social sciences an integral part thereof. Even the period of global unipolarity may in the end turn out not to last much longer than had bipolarity, which need not surprise one, given the fact that both are constructs. Nonetheless, it continues to impregnate the world of social thought and action, as though it were here to stay.

7. Concept and Research

The dialectical movement between concept and research presents a variety of advantages and few disadvantages; it is both a *Théorie de la pratique* and praxis of theory. Basing research too heavily on research practice raises the danger of delaying the framing of hypotheses for too long, and the widespread spectacle of researchers feeling themselves lost in the welter of possibilities. But these are disguised advantages because of the greater promise of discovery, originality and

thus potential for the research. As for the advantages, taking an example from the historical discipline, it makes the question of the definition of globalization, ever-recurrent for the past twenty years, an explicitly unnecessary one, whereas it has heretofore seemed to be a persistently essential albeit infinitely boring one (see Section I). The category of globalization implied by a given topic will almost automatically present itself, and make it unnecessary to cover the infinitely extensible list of meanings of a term that is fleeting in its essence (which it turns out not to possess) and yet essential in its use value (Crossley 2008). Another, much more important consequence, lies in the discovery, when adopting such a vision, that microhistory (*microstoria)* and global history are no longer even apparently incompatible, and that Carlo Ginzburg's groundbreaking work (1982) is more similar than dissimilar to works of global history, in view of the fact that both have eliminated the ever-present, ever-contested question of boundaries. Finally and most importantly, global history as a general framework, rather than a pinpointed concept, offers the means for escaping the manacles of Eurocentrism, by liquefying borders and undoing regions, cultures and most of all countries, and placing them in a complex set of networks of research rather than discrete problematics (Douki and Minard 2007). It is true that in so doing, historians must avoid jumping from the frying pan of nation- or Eurocentrism (see Section III), into the fire of mere Americanization which may be lurking behind the façade of globalization, and against which Bourdieu never ceased to warn.

But clearly the answer is not the rejection of globalizing approaches, either conceptually or empirically. Carl Schmitt, in 1944, and obviously under the influence of the big bang of World War II, the latest unexpected global transformation, proposed the notion of spatial revolution (*Raumrevolution*) in *Land and Sea*, a book dedicated to his daughter and thus to future generations, and subtitled *A World-Historical Perspective* (*Eine weltgeschichtliche Betrachtung*). His sequence of spatial revolutions is a rather banal, traditional and Eurocentric one, beginning with Alexander the Great, continuing with the Caesars, then the crusades, and finally the discovery of the Americas. But in setting it forth in that way, he delivers the key, the knockout blow rather, to disputes over globalization, by pointing out that in ancient ('Hellenistic') Alexandria, the director of the great library, Erastosthenes (275-195 BC) had demonstrated the rotundity of the earth, thus anticipating all of the other spatial revolutions, and leading to the conclusion that there are any number of spatial projections, depending on perspective. Schmitt emphasizes the difference between space as seen by the psychologist, the physicist, the geometrician and the biologist, by way of examples (Schmitt 1954: 56). And finally, he shows that the great armies, navies and adventurers who opened the successive spatial revolutions never waited for the scientists before making their revolutionary spatial moves. One may thus

posit any number of conceptions of space, but they are globally networked, and the issue of globalization is thus in many ways a non-issue.

8. The choice of Narrative, or Form vs. Content

In the social sciences, the choice of narrative follows the choice of the subject and presides over the avenues taken by research. As shown in the case of history by Gyanandra Pandey (1988), the account of a particular event or series of events taking place in a short or a long period of time depends very much on which developments are chosen to be seminal, whether those selected are in the social, the religious, the political or the economic field. This is of course what permits widely differing interpretations of the 1929 Great Depression by way of example; it is also what underlies the competing ideologies of political parties. But it is, in a general sense, what characterizes research and explains contrasts between works on a given subject, no matter how "thoroughly" they may all be. Of course not all works are equally convincing or popular, in the short run, and in later years. And their comparative success rates are based on a variety of criteria, of which the apparent accuracy in the choice and weighting of data and events is only one.

Linked to these various considerations are (false) issues of form vs. substance, sometimes known as content. Just as the proto-Marxian split between infrastructure and superstructure was discarded by the time of Gramsci, the age-old battle between the two is found now to be an artificial, if not a false one. The suggestion might be to go beyond that battle, by positing their fundamental unity. Form-content may not exist, but it is a distant goal. Let us recognize that it is the ruling ideology, which has historically insisted on their separation, making form the slave and content the master, the slave here (not in Hegel!) being seen as inconsequential. Critical research needs to adopt Hayden White's approach, which is to stress the content of the form, each partaking of the essence of the other. This was true of behaviorism in the social sciences, which expressed America triumphant after World War two, or on the other hand, structuralism, which in roughly the same period of time, gave vent to the pessimism of those who had dreamed of change and discovered a cage. In the words of Hayden White (2009, 67):

> In came structuralism, in the period just before and during the Second World War, at a point in which capitalist society had reached a period of hyper-structuralization for purposes of war. A society shuts down any kind of individualism in times of war. It becomes a state of exception, as Giorgio Agamben calls it.

> …I think structuralism is really about the nature of advanced capitalist society, a society that becomes more and more structured and more and more determinative of the nature of the choices of the individual, while at the same time providing them with the sense that their choices are free!…Structuralism explains how this terrible machine of advanced capitalist society, which is responsible for the destruction of the whole ecosphere, is possible. And post-structuralism explains how it is possible to oppose this machine…And by the way, I think that the French versions of structuralism and post-structuralism owe everything to Sartre and his attempt to combine existentialism and Marxist conceptions of society.

This is meant here by the content of the form, and the notion can also be extended to research narrative. Returning to the Hegel-Ranke "rivalry", it can be seen that Ranke's content was Hegel's mere form, and vice versa. Both of these figures, and the examples abound, end up practicing a form of reification that, when examined more closely, relates back to the medieval and casuistic split between realism and nominalism.

9. The Prism and the Prison of the Present, as Repository of the Colonial Past

The late 1920s were canonic, in various domains. The Great Depression first struck; the Muslim Brotherhood was created; the *Annales* journal and methodological "school" were founded. All of these events were reflective of the dizzying heights that the colonial-imperial venture had attained, through which Europe had gained control over nearly all of the world's surface, including now also the Arab provinces of the former Ottoman Empire. The prism of the present thus becomes its prison. This does not mean that the *Annales*, which so deeply influenced history, geography and the other social sciences, was directly related to the colonial project (Paligot 2009). Lucien Febvre and Marc Bloch, its founders, were specialists of the very much pre-colonial European Renaissance and Middle Ages, respectively. But their vision was most certainly "enhanced" by the reach which colonialism had offered, with its globalization of geopolitical and social space. In addition to seeking to penetrate more deeply into the social fabric and thus move away from the world of kings and generals, they sought to extend their academic quest to the furthest corners of the world. The *Annales* desired to attain a truly global reach in a forcibly globalized world. Interestingly enough, the highly enlightened and rather post-Marxist, post-modern team of the *Annales*, and most

notably Febvre, were in the main ardent colonialists, seeking the collaboration of scholars renowned for their erudition but also their racialism. Marc Bloch was executed by the Nazis during the Second World War, but Febvre continued as an active member of the *Annales* team, even after his student Fernand Braudel had taken over. The latter was just as enthusiastic in his colonial persuasions, and it took a long time for the team to recognize that given their progressive predispositions, it had been surprisingly naïve not to have become proponents of the end of empire much earlier.

The point is that the structure of research, no matter how original, advanced and path-breaking the chosen methodology may be or seem to be, is bound, on the one hand, by the structure of the world system and, on the other, by the background, social and intellectual of its practitioners. Why in the face of a growing Nazi threat, in the face of Mussolini's colonial thrust into Ethiopia and Japan's violent occupation of parts of China, the *Annales* group had not thought it necessary to revise their basic research strategies and call into question their country's own foreign adventures, and why even after the calamities which had hit them personally so hard, there was no movement either, is not here the question to answer. But it serves as an indicator of the rigidity of the temporal and spatial structures within which the researcher operates.

Related to the above problem is the continuation of empire-in-the-writing, long after the end of empire. Work in the social sciences is impregnated with the colonial legacy, on both sides of the divide. Whether one is speaking of the elites of the former colonial powers or those of the former colonies, the decolonization of the mind is a laborious affair which still has a long way to go. And in recent years, in the face of the rising concern with the social science construction of the "failed state," said to extend to entire regions (for example the Arab world) or continents (Africa) the academy is awash with proponents of a revision in the sense of an upgrading of the judgments to be made on the colonial period. It is not simply limited to leaders, such as those of Britain and France, but extends to specialists of the period in question (such as Neill Ferguson). While it is easy enough to understand why nostalgia should be the order of the day in the old metropolis, it becomes clearer why this is the case in the ex-colonies when adopting Foucault's paradigm of "incitement to discourse" (Foucault 1998, Chapter 2), whereby citizens are caught up in the web of disciplinary discourse projected over them, and make it their own. Edward Said showed in *Orientalism* how discourse was projected over the seas and affixed to the colonized areas, making a virtue of relations of power, and Joseph Massad (2007, especially in the "Introduction") explains in detail how, through the fusion of cultural, sexual and

political discourse, the idea of Arab retardation is absorbed by colonial citizens and made their own .

10. The marketization of Space-Time

The eruption of the market into society dates back to the Enlightenment and revolutionary era of the eighteenth century. Jürgen Habermas expands on this phenomenon, and remakes it as a theoretical lynchpin. The ideational agora becomes and simple agora (the marketplace of ideas becomes a marketplace). This reasoning runs parallel to Foucault's. Both of them speak of the replacement of an earlier feudal order in which estates provided the structures and physical punishment or death set the limits to the subjects' capacity to maneuver. But whereas the latter looked **through** the discourse of revolutionary progress to find the systematic stitching of social disciplines intended to inhibit the citizen, Habermas looked **at** the society and found that the key transformation was the coming together of private people as a public. Indeed, they then "soon claimed the public sphere regulated from above against the public authorities themselves, to engage them in a debate over the general rules governing relations in the basically privatized but publicly relevant sphere of commodity exchange and social labor" (Habermas, 1991: 27).

Michael Sandel (2009) recently carried the debate over the public sphere one step further, arguing that what he calls "market triumphalism," the social environment dating back to the Reagan-Thatcher era, inhibited discussion of issues other than market efficiency, those dealing with "moral and political questions" (a logical way of expressing himself, given his standpoint as a political philosopher) having been transposed into merely economic ones. He points to issues pertaining to the natural and social sciences as well as the humanities, and concludes that, "as a result, without quite realizing it, without ever deciding to do so, we drifted from having a market economy to being a market society." For him it is a moral and civic question that is raised by this development. He spells this view out:

> My general point is this. Some of the good things in life are corrupted or degraded if turned into commodities, so to decide *when* to use markets, it's not enough to think about efficiency; we have also to decide how to value the goods in question. Health, education, national defence, criminal justice, environmental protection and so on - these are moral and political questions, not merely economic ones. To decide them democratically, we

> have to debate case by case the moral meaning of these goods
> in the proper way of valuing. This is the debate we didn't have
> during the age of market triumphalism.

For us in the present context, it becomes a methodological question, because marketization is a lot more pervasive than suggested even by Sandel. It encompasses every aspect of daily existence in many if not most parts of the world, in macro- as well as micro-social life. It is thus not a mere question of morals and spiritual values, and it is not accurate, nor of course, of any great use, to consider how "the good things in life are corrupted or degraded." His argument is most certainly well meaning, but it is doubtful and pointless to think that people are going to reconsider the development, since it is so tied up with their wellbeing. We are dealing therefore with another essential issue of present reality, and therefore something needing to be integrated into the framework of perception and thus of research design.

Public space has transmogrified into the market. The latter originally designated the replacement of pre-industrial, common economies by free market ones, a process touted as intimately linked to the democratic transition (Ravich 2005), although by no means by all. We have now observed the actual transformation of public space itself into a portion of the global market. The transition has been: from a place in which models of political economy were debated among other issues, to the public hegemony of the market option (neo-liberal theory), to the transformation of public space, or rather, space-time, into an actual portion of the global market. Communications media (soft- and hardware) are at the forefront (Murdock and Wasco 2007), with the full apparel of social science research following in their wake. This is a far cry from Arjun Appadurai's (1996) enthusiastic take on globalization and commodification, or his more recent (2006) long gasp of alarm at the violence fomented by globalization. As an anthropologist who is simultaneously a professor of international studies, political science and sociology, he must tout imagination (following Benedict Anderson) as the essential social fact in a globalized technoscape. Instead, more simply but more accurately, we consider imagination here as an appendage of marketization.

It is not simply that all sectors, profit and non-profit (civil society) as well as governmental have adopted the "values and methods of the market" (Eikenberry and Kluver 2004: 138). Things have now gone well beyond that, although it might have been predicted: the values and methods adopted had as a powerful side-effect the absorption of the citizenry into the market, making them a de facto part of it. The market, in the meantime, is no longer meant simply to designate

places where buying and selling take place. Rather, it is a set which includes but is not limited to such places, more of which are virtual ones nowadays. It is the introduction into daily life of unceasing global communication in direct communication with the market: the de facto marketization of the citizen in her space. The ubiquity of instant communication, of being within constant eye-or earshot of ongoing global communications, cellphone and Blackberry style; the permanent ADSL-wireless opening to global communications are not the whole story. What occurs, beyond a global imagination, is the inevitable sharing by individuals, groups and networks in market transactions by virtue of their global communications activities, which entail permanent costs (hence the time-space aspect) and constantly call for further investment and expenditure. These are not the only uses to which such marketization is put (it also can stoke the flames of righteous anger and revolution, or conversely bring on the targeted wrath of the oppressor). Digitized archives and instant messaging have marketized research as well as the researcher.

As an example of the marketization of academic work and varying degrees thereof, one can compare selection procedures for teaching and research positions as well as grant awards in the US, France and Britain. The US research world is thoroughly marketized and has been for some time. For this reason, academics can "afford" to put proposals to a largely double-blinded application procedure, in which the "hidden hand" of the intellectual market works rather well in many cases. Supply and demand dominate the academic market, although of course a professorship in the best research universities guarantees further positive responses to subsequent applications. Taking France as an antipode, the long delay in marketization has severely harmed the professorial and, especially, the research environment (Lamont 2009). The new elites are fighting against an extant procedure dominated by unions, parties and other corporations. But they are not moving directly into the marketization mode. They are adopting, rather, a managerial approach, placing decisions into the hands of those who have the ear of the government and the market at the same time. Hence the heavy resistance on the part of the academic community, one which is, however, according to most accounts, doomed. Marketization is on the horizon, a third step, because "quality" is, in the twenty-first century, tightly linked to resources, and these, as we have seen, imply marketization. In Britain there is a kind of bridging model, in which a single, purely academic but nationwide evaluating body, made up of professional evaluators with long years of training, play the key role in the selection of social science research (Molas-Gallard and Tand 2007). Because it is a professional body, the Economic and Social Research Council (ESRC) is not only materially beneficial to those who work for it as evaluators, but it is considered an important plus on a CV for those seeking further advancement in

social science-related disciplines. A centralized form of marketization is in place. The link between marketization of public space and research remains apparent and it has now become inherent.

11. New Notions of Citizenship

While the EU has a long way to go to convince a majority that its various organs act in their interests, one structural change has occurred among the populations of the 27 member States but also the half-dozen who aspire to membership: there are the elements of a new conception of citizenship, the first major remodeling in the contemporary era. It is a revised notion, or even study, of citizenship, a concept now endowed by researchers with pre-independence applications in the colonial field (Thompson 2000). Interestingly, while citizenship expands in some areas, it contracts in others, with its subordination to the broader category of the "human" – the Palestinian Independent Commission for Citizens' Rights has been renamed the Palestinian Independent Commission for Human Rights, by a decision of its commissioners, based on the idea that not only citizens should be covered but all humans living in Palestine, a somewhat bizarre and perhaps donor-driven logic which presumes that some remain infra-citizens.

The breakthrough is in *European* citizenship, which has progressively come to complement the various nationalities or national citizenships which compose it, notwithstanding the rejection of the European constitution. This has had a momentous impact on the academy and on learning. Nothing was more difficult fifteen years ago than to obtain equivalencies for degrees from one European University to another, the transfer of credits or students, as well as degree equivalencies as between European universities. Nothing is easier nowadays. Tens of thousands of students partake of the Erasmus mobility programs, and build their degrees as between multiple participating institutions. The same goes for research networks and thus for the pedagogical and research products which are beginning to ensue. This leaves a blanket European identity, to which non-members like the Norwegians, the Swiss, and soon enough perhaps Byelorussians also adhere. It needs to be left up to historians to decide whether this development follows a secular model (such as that of the Habsburgs or the Ottomans) or whether, as seems likely, its partial bottom-up constitution makes it unprecedented. It is certainly in this way that it is viewed by many Arab socials scientists, and the juridical bases for the new citizenship are slowly emerging (Carabot 2007), to provide new material and, more importantly, new perspectives on issues of political identity and otherness, as shown by the gradual disappearance of the south Tyrolean issue by way of example and, potentially, that of Northern Ireland

and Cyprus. If there is at least a concrete prospect for the extinction of these conflicts, it is most certainly in the light of a new, broader European identity, meriting the denotation of citizenship. The European space is no longer simply or even mainly an economic concept and project; it has mutated into a space for freedom of movement divorced from economics, since it is guaranteed for all citizens. It is thus strengthening the cultural basis of the EU, something which Arab and Palestinian intellectuals have not failed to note and to herald. And just as loyalty to a dynasty and later to the nation-state deeply marked previous approaches to the social sciences, so too will this emerging novel citizenship, first in Europe and then, perhaps, elsewhere, do the same in the twenty-first century. It has not taken very long, finally, for the 1992 Maastricht Declaration (of intent) to transform itself into an elastic, undefined, but nonetheless emerging reality, whose influence on the academy has not yet been measured (Weil and Hansen 1999). Nation-based and –centered research is on the run, heavily criticized in terms of examples given (the main reproach addressed to Foucault), and as a method. The fact that the new and spatially broadened citizenship is exclusive of all the others is undeniable, but its multi-historical, multi-linguistic, multi-ethnic quality holds promise for further opening, perhaps in a matter of decades, in directions suggested by the Euro-Mediterranean process, first of all with the admission of Turkey to what will have become a pluri-continental citizenship.

The new citizenship, based on the contemporary European model, is also based on an essential requirement of the space-time problematic. This is the need, and the tendency in some rare cases, to get rid of the fetishization of the state, which has been with us since Hegel. The enormous road traveled between Louis XIV's "L'État c'est moi" and Hegel's lodging of the absolute Idea in the state shows how significant the intervening Enlightenment was, whether or not one admires it (Horkheimer and Adorno1982). This de-fetishization is identified with some of the post-structuralist and post-Marxist movements, as well for example as the new thalassology, but its inroads are limited to say the least.

It is Giorgio Agamben (1995: 11-12) who, with his habitual vigilance, reminds us of the fact, as important in free and adventurous research as in other forms of active citizenship, that

> Carl Schmitt's definition of sovereignty ("Sovereign is he who decides on the state of exception") became a commonplace even before there was any understanding that what was at issue in it was nothing less than the limit concept of the doctrine of law and the State, in which sovereignty borders…on the sphere of life and becomes indistinguishable from it. As long as the form of the State

constituted the fundamental horizon of all communal life and the political, religious, juridical, and economic doctrines that sustained this form were still strong, this "most extreme sphere" could not truly come to light. The problem of sovereignty was reduced to the question of who within the political order was invested with certain powers, and the very threshold of the political order itself was never called into question. Today, now that the great State structures have entered into a process of dissolution and the emergency has, as Walter Benjamin foresaw, become the rule, the time is ripe to place the problem of the originary structure and limits of the form of the State in a new perspective. ...[I]t became clear that one cannot, in such an era, accept as a guarantee any of the notions that the social sciences (from jurisprudence to anthropology) thought they had defined or presupposed as evident, and that many of these notions demanded—in the urgency of catastrophe—to be revised without reserve.

Without a doubt, then, the last word has not been spoken in the area of citizenship, and citizenship is speaking and will continue to speak in a more pronounced fashion, through academic studies, for better or worse. It speaks already in the research of the EU-endowed Consortium for Applied Research on International Migrations (CARIM), at the European University Institute (IUE) in Florence, by harnessing the work of sociologists, political scientists, anthropologists and most of all demographers, who are working in the applied fields to reinforce European citizenship by strengthening borders for and against migration, for investment policies in the Eastern and Southern Mediterranean, for ("moderate") and against ("radical") politics, for (selected) and against (most) migratory flows. The new citizenship on the European model is both inclusive and exclusive, it promises to preoccupy researchers for a long time to come, on both sides of the Mediterranean and beyond.

12. Challenging the State of Exception

Things changed for people, things changed for science, in the US and therefore, all over the world, when the millennium was inaugurated on September 11th, 2001. Thousands of students were expelled from the universities in which they were studying, prohibitions were placed on hundred of academics wishing to circulate freely in pursuit of intellectual exchange. People's chance names could be fatal to their research or study plans, and fear and loathing came to characterize the international academy.

The state of exception has existed through time, independently of such traumatic events in the global North and South. Agamben, following Carl Schmitt (most notably *Legality and Legitimacy*), documents the extent to which, in the form of executive rule, it has existed in the world's great democracies, including Switzerland, France, Britain, the US, Italy and Germany, since the nineteenth century (Agamben 2005: 12-22). Most remarkable here was the discovery (or re-discovery) that the long periods of this state of exception did not simply correspond to years of war or revolution. This daily regime involves granting exceptional powers to the executive, including intrusive surveillance of citizens, arrests, torture, propaganda, and the unilateral pursuit of undeclared war, or the simple declaration of war – and not always against states. It also provides for the executive's seizure of power from the legislative and judicial branches. It is part of the daily existence of the great democracies then, which are also the sources of most of the funding for research in the world.

In the Middle East, the state of exception is enshrined in the law and the object of close study since the end of the colonial period, requiring no reminder. But researchers in all fields come up against it unceasingly. And due to their fear of the sometimes veiled state of exception in their home base, find themselves inhibited from both directions in carrying out their work. They know they might get in trouble in the field and be deprived of it. They know they might get in trouble when they return for having delved into areas considered subversive or inciting. And they might get in trouble with a third country for being too close to an enemy regime. This thorny state of affairs prevails throughout the region, and complicates the process. Most important is a full understanding of the state of exception, as a blanket, although graded phenomenon permanently characterizing the broad space in which research is commissioned, designed and carried out. They have various options for dealing with this reality, none of them totally satisfactory: becoming public intellectuals, which reduces their credibility and their interest in original research; ignoring the situation, which has unanticipated consequences; or accepting its parameters completely, which endangers the quality of work.

13. Research for Liberation

If social sciences have a social purpose, it is to explain and to improve the lives of peoples. Latin America, in this respect, provides an example for the rest of the world, particularly the Middle East, across all of the disciplines. Indigenous peoples, anti-liberal economics, egalitarian social models, the election of subaltern and revolutionary leaders, and unconventional, counter-hegemonic regional and international relations all indicate the rich possibilities offered in a partially

integrated third world setting, along the lines of the Tricontinental of the past century (Heacock 2006). A great deal is being produced regarding developments in Central and South America, but little thus far of a comparative nature. The field is open, and it calls for analysis (Sader 2009).

III. The End of the Beginning: Countering Eurocentrism

For historian Immanuel Wallerstein, "Eurocentrism is constitutive of the geoculture of the modern world." Social science, he recalls, was hardly practiced beyond Western Europe and North America until the end of the Second World War. It thus "reflects the constraints of the crucible within which it was born." Since 1945, however, "the 'Eurocentrism' of social science has come under attack, severe attack," as a new political distribution of roles came to characterize the world-system in the wake of decolonization. If social science, and with it a self-reflexive understanding of "development models" emanating from European quarters, is to progress methodologically and achieve any global relevance, the asymmetry denoted in the very word Eurocentrism must be transcended, rather than adopted as an axiom, as does Landes (1998). Of course, one could argue that even Wallerstein's magnum opus, *The Modern World-System* (1974-1989), itself adopts a Eurocentric approach. Yet, it should be recalled that this research on European capitalism was stimulated by Wallerstein's direct experience in (post-)colonial Africa, where the author found it impossible to account for observed socio-political systems with sole reference to processes observable in the local context (1961, 1974: 3-4). But does "decentering" suffice to transcend autocentrism? Wallerstein later stressed that "if we are not careful, in the guise of trying to fight it, we may in fact criticize Eurocentrism using Eurocentric premises and thereby reinforce its hold on the community of scholars" (1997. Cf. Wallerstein 1992, 1995, 2006). "Anti-Eurocentric Eurocentrism" departs from a stance of cultural relativism, stressing that other civilizations "too" were on the road to "full-fledged modern capitalism". Yet, one easily lands in a quandary when it comes to explaining just why non-Europeans were "interrupted on the path" and thus risks unwittingly endorsing Landes' vision of "incomplete modernization" (Landes 1998; cf. Bradford de Jong 1998).

The heart of most of these arguments, notes Wallerstein, is a stage theory of development (frequently in its Marxist variant), from which it logically followed that different parts of the world were all on parallel roads to modernity or capitalism. This form of argument presumed both the distinctiveness and social autonomy of the various civilizational regions of the world on the one hand and their common

subordination to an overarching pattern on the other. … given half a chance, Chinese, or Indians, or Arabs not only could have but would have, done the same – that is, launch modernity/capitalism, conquer the world, exploit resources and people, and play themselves the role of the evil hero (Wallerstein 1997, II).

One here falls back on a *Kulturkreis* approach curiously articulated with an inverted reading of the Comtian vision of Progress. This decomposes the world into a set of conflicting, essentialized singularities. The road to a "clash of civilizations" (Huntington 1996) is clearly traced.

Wallerstein, by contrast, develops his criticism of Eurocentrism, posed as a threat for the very existence of value-neutral social science, by examining five partially overlapping practices or visions associated with European methodological autocentrism, namely historiography, universalism, civilization, Orientalism, and Progress. One may attempt synthetically and aphoristically to explore the interrelations between these historically related notions of distinct logical orders, as set out in the following table:

Table: Eurocentrism: a Conceptual Sudoku

Eurocentrism: a conceptual sudoku

Wallenstein's Categories	Historiography	Universalism	Civilisation	Orientalism	Progress
Historiography	Extolls a "European miracle"	Universalises an autocentred perspective	Posits cultural antecedents	"The Orient" cannot implement progress	Progress is unilinear
Universalism	Time is linear, non-reversible, non-cyclical	Believes in value-neutral „scientific truth"	Only one "civilisation" is universal	"The Orient" is not universal	Progress rests on timeless, universal laws
Civilisation	Only civilisations have historiography	Europe is the universal titular civilisation	Presupposes the existence of its opposite	Civilisational processes are asymmetrical	Civilisation can foster or hinder progress
Orientalism	Distinguishes static from dynamic cultures	Confirms that "The Orient" did not achieve universalism	Analyses static civilisations retrospectively	Establishes essential differences	Endogenous in the West, exogenous in the East
Progress	Present is inevitable outcome of past	Progress is natural motor of universal history	Progress is a metaphor of civilisation	Progress in the "East" is "Western"	Progress can be imposed where lacking

Horizontal 1: Historiography

After 1500, the "European miracle", to borrow the title of Eric L. Jones' influential 1981 work, was purportedly based on a set of culturally unique and geographically restricted "achievements". But why did these come to occur in Europe alone? And why were they articulated in a historically unique fashion? One of these "achievements" was the development of a form of historiography in breach with the prior work of dynastic or other chroniclers. It considers "that whatever is the novelty for which Europe is held responsible in the sixteenth to nineteenth centuries, this novelty is a good thing, one of which Europe should be proud, one of which the rest of the world should be envious, or at least appreciative" (Wallerstein 1997).

Undesirable side effects (the slave trade, colonial exploitation, mass killing, etc.) may be subsumed under "collateral damage". Scholarly fascination with "the rise of Western Civilization to economic and technological domination" (Mokyr 1999), which endured well after the publication of Said's *Orientalism* (1978), tends to universalize an auto-centered perspective while "explaining" or glossing over global power differentials. Yet can historiography, even critical historiography, be anything but auto-centered and, at once, an expression of elite opinion? Is its overall function, further, not to crystallize purported cultural "essences" that, from the standpoint of the powerful, render the unequal course of development "foreseeable" and "self-evident" *ex post facto*?

This dual dilemma has notably been addressed through the emergence and endogenous critique of the Subaltern Studies current as analyzed by, among others, Chakrabarty (1995), Sivaramakrishnan (1995), or Amselle (2008). This work may be situated in a broader "paradigmatic shift … in the basic historiography of modernity" (Wallerstein 1997). "The plausibility of the presumed cultural antecedents of what happened in this period" (ibid.) was equally challenged, if indirectly so, through the "longue durée" approach of Fernand Braudel, which Wallerstein expanded in a neo-Marxist perspective. Amartya Sen, in turn, stresses that European achievements appear more as cyclical variants of processes of change and innovation perceived in an auto-centered perspective claiming universality and thereby pre-eminence (2005). Novelties and European achievements, adds Wallerstein, can also be interpreted as negative.

By contrast, European historiography of the metaphoric Orient long dampened its admiration of one-time "Arabo-Islamic" splendor by its insinuations regarding an inherent (Muslim?) cultural-moral incapacity to achieve *durable* progress and dominion (e.g. Wellhausen 1902). In "Western" contexts, by contrast, historiography often analyzes teleologically conceived "progress" in retrospect,

thus "naturally" confirming its linearity as well as the purported inevitability of observed outcomes.

Horizontal 2: Universalism

Universalism, as a European doctrine born of the Enlightenment, posits a linear notion of time. "Our" homogenous "sand-clock", non-reversible, "objective" time is opposed either to "their" circular or cyclical conceptions of time, or to the purported "non-historicity" of so-called "cold societies" (Lévi-Strauss 1973: 40). This may lead the historiographer to oversee alternative synthetic representations (e.g. cyclical cum linear) mentioned above (cf. Izard 1991a). This bias is a foundational element of European historiography. At a "practical" level, "irrational" notions of time are seen to entail "developmental constraints", notably in Asia, which differentially restrict the realization of otherwise universally valid, linear teleologies, apparent only, one must conclude, to Western eyes.

Universalism maintains that scientific truths are valid through time and space. Eurocentrism, in turn, is a form of universalism that predicts an ultimate triumph of value-neutral rationality. Universalism can only be propounded, however, where civilization prevails. Does this imply that the anti-West cannot aspire to universality? Does the civilizational prerequisite justify an academic (or other) *mission civilisatrice*, while making such interference, indeed military intervention, appear progressive, benevolent and consonant with the "natural" directionality of history, *le sens de l'histoire*? "Universalism" and "Orientalism" might at first view seem to reflect a contradiction in terms. Yet, if one refers back to the dichotomy from which the two terms are implicitly derived, i.e. the global "Occident" vs. the regional "Orient", or, expressed more crudely and by extension, "the West and the Rest", a different reading surfaces: the semantic asymmetry between "universal" and "oriental", as well as the historically alterable asymmetries of crude power this presupposes, is necessary to establish as self-evident the universality of only one civilization.

Finally, Universalism relates to Progress in that the world is seen as governed by laws which determine linear processes of equilibrium stronger than the sum of disrupting historical contingencies. This pattern generates belief in retrospective as well as provisional predictability, of course foremost perceptible to universalist thinkers and their enlightened readers.

Horizontal 3: Civilization

Civilization is a prerequisite of historiography; it too is situated on a linear, homogenous time axis. Does it follow that what happens in Europe unveils the face of the future everywhere? Is European civilization by nature and definition more equal than others, indeed *the* titular civilization? These questions were contested during the Multiculturalism vs. *Leitkultur* ("leading culture") debate that broke out in Germany before the turn of the millennium. This widely mediatized dispute illustrated the unease that arises in Europe when the Rest, through immigration and failed "integration", presumes, inverting the established order of preference, to impinge upon the West on its home turf. The fundamental issue posed by the adversaries of cultural relativism was: Is diversity acceptable in any other than a hierarchically regulated normative framework imposed by the titular nation in any given polity? When universalism is propounded just as cultural relativism is rejected, reference is made to a set of "civilizational" characteristics more or less implicitly (political correctness *oblige*) contrasted with attributes of primitiveness or barbarism; these may be reflected, for example, in an "atavistic" refusal of integration or development, as the case may be. The idea of civilization contains its own converse.

European avatars of autocentrism are clad under the mantel of universalism. They rest, as ever, on a belief in the ultimate victory of progress through development, or at least the desirability thereof. But it is recognized that differences in levels of achieved civilizational competence make it impossible for this process to proceed harmoniously. Still, the axiom of the perennial superiority of essentially good civilization, the one that blossomed in the European miracle, lives on. This axiom justifies reducing the dark clouds of history to *Betriebsunfälle* or *incidents de parcours*, in short aberrations of modernity, rather than systemically constitutive European "achievements" inherent to "civilization" itself. Seen from this refreshingly cleansed moral high ground, specific combinations of technological *and* moral qualities "make all the difference": is it not Europe's major achievement to have made this version seem so plausible?

Civilizational legitimation is a field in which Landes (1969), Huntington (1996), and Lewis (2002), among others, meet and excel. Orientalism, defined as a sub-case of civilizational confinement in Sen's (2006, chap. 3) sense, may be used effectively to legitimate a right of interference by the West in the affairs of the non-West; this occurs in the name of value-neutral universalism (Corm 2009). The ensuing reinforcement of the overall power asymmetry can override the ethical legitimacy of defending basic human rights in specific instances, while at once using the latter as an irreproachable pretext.

The universalist doxa would have it that Progress presupposes and reflects civilization. If cultures are then ranked on a hierarchical scale, notably as regards their openness to technological change, it follows that the global civilizational process proceeds asymmetrically and at different rhythms. Less innovative or "recalcitrant" elements can, to some extent, hamper the universal march of Progress of which the titular civilization represents the vanguard.

But what of former high cultures that "failed" at a certain stage? Can "dormant" civilization be revived to fire up a renewed drive toward progress? This question underlies, for example, present fears of Chinese resurgence (cf. Landes 2006), i.e. of cases in which the Rest undertakes to outdo the West, not from the inside, as through immigration, but, lo and behold, on a global scale and in the name of endogenous value systems consciously formulated as responses to European universalism. One may here compare with interest the discourses of former Malaysian prime minister Tun Mahathir bin Mohamad ("Dr. M") and his nemesis Anwar Ibrahim.

Horizontal 4: Orientalism

Orientalism posits the existence of *Kulturkreise* ("culture circles") and classifies them as either dynamic or static. It postulates that values propounded in the former are inapposite in the latter and thus negates, in a sense, the universality of universalism. Are there then two intertwined but antonymic forms of civilization, one evolutionary and diachronic, one static or a-chronic? Or, rather, two radically opposed forms of culture that co-exist at all periods of history? It would seem, on balance, that all civilizations initially have the potential to follow the path of history, but that cultural values and attitudes expressing essential differences (between races?) can indefinitely block change and progress.

Orientalism, argues Wallerstein (1997), is the obverse concept of civilization. The asymmetry contained in the Orientalism/civilization pair is derived from an underlying distinction between absolute and relative, irreducible and reducible difference (cf. Conte and Essner 1995, chap. 8). The conjunction of Orientalism and civilization is an efficient logical operator in the construction and naturalization of essentialized identities, which cannot exist in conceptual self-sufficiency Yet, Orientalism, here taken in the broadest possible acceptation, seems to contradict the purported universality of progress. It can, as a partial counter-expression of progress, help to confer by default an appearance of legitimacy on binary, dichotomic formulations of identity. When civilizational or systemic dichotomies cease to obtain, however, as in 1989, so too may history

(appear to) stop in its tracks. If we follow Fukuyama (1992), a believer, by the way, in the future of the European model, history reveals itself as chronologically finite. Fukuyama's approach illustrates well the absurdity of considering that a teleologically defined process may effectively reach its predicted point of arrival. For teleology is, so to speak, asymptotic. Orientalism here offers a comfortable alternative in sustaining the view that development is endogenous in "the (dynamic) West" and exogenous in "the (static) East". It can thus be prescribed in virtue of the above-mentioned conceptual asymmetry, which is but a reflection of still prevailing power differentials. Orientalism is not fully in harmony with the Fukuyama thesis: history is deemed to have stopped long ago in the Orient while pursuing its triumphant course in the Occident. This made Orientalism, a theory of selective stagnation applied to the Other, much more marketable after 1989 than *Kulturpessimismus* and other self-deriding "decline theories" of the pre-Fascist era (Grant 1916, Spengler 1918-1922). Both, however, are largely dependent on *Kulturkreislehre*.

Horizontal 5: Progress

The key notion of Progress is predicated on the stage theory of development that underlies positivistic historiography. The past here leads inevitably to the present. Inversely, the present may be read as an inevitable outcome of past. As the "natural" motor of history, progress bolsters universalism. Progress, as noted, presupposes civilization, which in turn entails Progress. The dog here bites its tail.

Can development, thus, be endogenous outside of West? Can there be non-Western progress? Do Southerners, Orientals have a right to develop their own view of progress, as undertaken with verve by Islamic modernists such as Jamal al-Din al-Afghani (1838-1897) and Muhammad 'Abduh (1849-1905), or subsequently attempted by partisans of "Occidentalism" (cf. Alam 2002). When civilization and progress are amalgamated as principles, a retrospective teleology emerges, coupled with the belief that a "good" civilization births progress and modernity. Hence, progress in the East is Western; European novelties are fundamentally good. In this view, as Sen notes (2005), Newtonian-Cartesian science displaces philosophy. Rationality dictates that progress may, indeed must be imposed where it is lacking.

Final Reflections

The question of continued Orientalist representations, to be sought among scholars on the various shores of the various seas, West, East, South, North, and despite Said's relative optimism as expressed in the second edition of his work (explained above), needs to be addressed. Is it still a nagging presence, and ongoing issue in social research dealing with the Middle East? At any rate, it can do no harm for methodological ground to be gone over again and again. There is no evident answer, although one is struck from time to time by a sense of *déjà vu* in reading this or that publication. Like all open questions, this one is worth considering before, during and after the process of production. It will make the result all the more fund to read and important to retain.

Perhaps the most important point is that we cannot imaginatively create or creatively imagine a research environment. That environment exists, it crosses space-time, and is transformative. The researcher needs to grasp that reality, as it were phenomenologically, and coexist with it, although she may not be "happy" about it. For Sartre, it was a matter of defining the moving framework (but not structure) within which freedom could be exercised, and for the modern researcher, it means delving into the ever moving parameters of today's space-time configuration, forcing it to stop long only enough in her creative imagination so as to be able to produce valuable social research. This space-time means that there are constraints, but not ones that determine research or writing, they are simply there, and their apprehension makes it possible for such research and writing to hit the mark.

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CHAPTER TWO

THE ETHICS OF SOCIAL SCIENCE RESEARCH

By Laleh Khalili

"There are armies, and armies of scholars at work politically, militarily, ideologically." Edward Said, "Representing the Colonized: Anthropology's Interlocutors"

"For the master's tools will never dismantle the master's house. They may allow us temporarily to beat him at his own game, but they will never enable us to bring about genuine change." Audre Lorde, "The Master's Tools Will Never Dismantle the Master's House"

"The constantly affirmed concern with 'respecting the culture of the native populations' … does not signify taking into consideration the values borne by the culture, incarnated by men. Rather, [it] betrays a determination to objectify, to confine, to imprison, to harden. Phrases such as 'I know them,' 'that's the way they are,' show this maximum objectification successfully achieved." Frantz Fanon, "Racism and Culture"

If we define ethics as the set of standards shaping our choices, and social science ethics as the universe of

considerations which guide our conduct with the people, processes, and events we research, and if we acknowledge that we —as persons and researchers— are always situated in a complex web of relations whose unevenness, density, and depth are shaped by and reproduce asymmetries in access to intellectual, social, political, and economic resources, then we have to acknowledge the centrality of the calculus of power to our ethical considerations in the field and in the archives, and in the process of writing our work, in which we represent others.

A continual vigilance about the way power operates, and the ways in which we as researchers are implicated in its workings, becomes even more urgent in places where politics relentlessly invades the quotidian, the ordinary, and the "private" domains. The Middle East broadly —and Israel/Palestine more specifically— are such places. A researcher, then, has not only to take into account such ordinary ethnographic considerations as their insider/outsider status and their obligations to their interlocutors, or such apparent historical concerns as sensitivity to silences, but also has to think of the specific ways "the political" structures and underwrites the representation of their research material. As such ethical considerations are inseparable from a kind of critical epistemological positioning, which can be addressed by being constantly reflexive —throughout our project leaving open questions of what we are doing and how it affects the world— and constantly attentive to who is powerful and who is powerless amongst those we study.

In this essay, I shall argue that ethical concerns should not only be afterthoughts —paragraphs written to please review boards— but that they should inform the analytic infrastructure of all research projects, and influence every step of the research and writing process. Questions of whether what we are doing can endanger our interlocutors, whether our representation of them should take priority over their self-representation, and the extent of skepticism we should apply to any given item of "data" should be left open to constant revision. Furthermore, our ethical considerations require being sharply attuned to power asymmetries, whether amongst our interlocutors, between them and some external actor, or perhaps most importantly between them and us as researchers.

To make this argument, I will first reflect on the nature of knowledge production and its bonds with power. I will then examine the ethics of ethnographic fieldwork and historical research respectively. Finally, the essay will interrogate the ethical considerations that inform representation, their inseparability from one's epistemological stances, and the obligations and dangers of speaking for

others. Throughout, to the extent possible, I shall focus on research in the tri-continents,[1] and more specifically in the Middle East.

1. Power, Knowledge, and the Scholarly Enterprise

It is today a truism that all forms of knowledge are always already infused by power. Edward Said's seminal *Orientalism* –like Anouar Abdelmalek's "Orientalism in Crisis" before it– analyzed the manner in which the production of even ostensibly "apolitical" scholarly knowledge about the Middle East in the high colonial era, and again in the era of United States' hegemony, has been infected with "scholarly" presuppositions that reproduce racially-inflected hierarchies, where "the status of colonized people has been fixed in zones of dependency and peripherality, stigmatized in the designation of underdeveloped, less-developed, developing states, ruled by a superior, developed, or metropolitan colonizer who was theoretically posited as a categorically antithetical overlord" (Said 1989, 207).

The relationship of anthropology with European imperialism in its high period is well-documented (Asad 1973; Lewis 1973; Wolfe 1999). A 1921 article in *Nature* solemnly reported that "the Royal Anthropological Institute, which has just completed the fiftieth year of its existence, while steadily pursuing its main object of promoting the study of man, has constantly insisted upon the importance of this science as a fundamental element in certain departments of legislation and administration, particularly in relation to the native peoples of our Colonies and Dependencies" (Anonymous 1921).

Much less frequently examined is the role United States social science has played in that country's hegemony in the 20th and 21st centuries. Scholars of political science and International Relations there have been reticent in critiquing the saturation –indeed the very origins– of their disciplines in ignominious histories of race and empire (Long and Schmidt 2005; Oren 2003 and Vitalis 2000; 2005 are among the handful of notable exceptions). The complicity of the academy in military adventures of the United States is well-known, if mostly interrogated by people outside or on the fringes of the academy (cf. Laffey 2003; see also Feldman 1989). More prosaically, many social scientists seem to move with aplomb and a remarkable lack of self-consciousness between their university posts and the seats of power. A striking example is Walt Rostow, political economist at MIT and the author of *Stages of Development: An Anti-Communist Manifesto*, who became

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[1] My reference to tri-continents is in homage to the revolutionary "Third-Worldist" movements of the 1960s, and in order to avoid having to use developmental designations, or to "postcolonial" nations whose geographic reach is only partial.

John F. Kennedy's national security advisor and who was central to implementing the United States' counterinsurgency plans in Vietnam (Milne 2008). Indeed "liberal" administrations in the US are most accommodating and hospitable to academics whose work goes on to serve US national interests.

But the relationship of power and knowledge is not always so embodied or institutionalized, and therefore so apparent to the critical gaze. As Foucault has brilliantly shown, our very conceptual categories, the way in which we conceive of and perceive the world, are shaped by relations of power. It is perhaps worth quoting the whole long passage which beautifully lays out just such a process of category-creation. Foucault, in the opening paragraph of *The Order of Things*, writes:

> This book first arose out of a passage in [Jorge Luis] Borges, out of the laughter that shattered, as I read the passage, all the familiar landmarks of my thought—*our* thought that bears the stamp of our age and our geography—breaking up all the ordered surfaces and all the planes with which we are accustomed to tame the wild profusion of existing things, and continuing long afterwards to disturb and threaten with collapse our age-old distinction between the Same and the Other. This passage quotes a 'certain Chinese encyclopaedia' in which it is written that 'animals are divided into: (a) belonging to the Emperor, (b) embalmed, (c) tame, (d) suckling pigs, (e) sirens, (f) fabulous, (g) stray dogs, (h) included in the present classification, (i) frenzied, (j) innumerable, (k) drawn with a very fine camelhair brush, (l) *et cetera,* (m) having just broken the water pitcher, (n) that from a long way off look like flies' (Foucault 1970, xv).

The power relations which authorize the creation of categories inhere not only in the state and empire (see Benedict Anderson's brilliant discussion of the way colonial governments' census-taking in the colonies *created* the very racial categories they were supposed to be enumerating; Anderson 1991, 163-170), but also in the ostensibly objective "science" of those social scientists who make categorical evaluations such as "developed," "underdeveloped," or "democratic," or forge and operationalize new concepts –"development," "modernity" and indeed "the state" come to mind– that are always already laden with sedimented and secreted power relations (Escobar 1995; Mitchell 1991; 2002). Here, an ethical attentiveness would also require us to eschew an "epistemology of absence" (Somers 1996) where we require a group to act or behave according to a script (often drawn up from European history) and when they don't, trying to determine why they "deviate" from "expected" behavior.

While the ethically corrosive relationship between power and knowledge-production in the metropole is most garishly illuminated in the context of empire, we have to recognize that the "native" social scientist can also come to serve power asymmetries. After all, "organic intellectuals" emerge not only in metropolitan polities, and indeed organic intellectuals beholden to power effectively reproduce "social hegemony and state domination" (Gramsci 1999, 13) even –perhaps especially– in the tri-continents. This occurs not only via the educated classes proffering their technocratic skills and expertise to the various apparatuses of their states, but also because these organic intellectuals –with their extensive trans-national connections and their implicit function as the "native informants" for Euro-American audiences and institutions (Shatz 2003)– also adopt a kind of mimetic ethos and practice which reproduces imperial racial, gender, sexual and class categories in their home polities.

In a sense, then, we as scholars are faced with ethical choices in a series of spaces: aside from the kinds of decisions we make about whether or not to be involved in institutional arrangements that lend knowledge directly to the state's national security apparatus (or which purchase such knowledge with currency provided by the state), we can also take positions in the apparatuses of the state in the hopes that what we do "from inside" can somehow modify these institutions of power. But the state, as we know (Mitchell 1991) is not limited to the bureaucracies and militarized social goods that the states are so good at reproducing. Power inheres in other institutions as well whose work ultimately produces "useful" knowledge: the think tanks, "civil society" institutions, international agencies, and research institutions that are connected through webs of funding, personnel, and values to one another across national boundaries. Celebrated as transnational epistemic communities, these networks and institutions best fit Gramsci's description of civil society (1999, 243) as the fortifications and trenches which protect the state and in which hegemony is produced.

Finally, ethical considerations should inform research design in a fundamental way through acknowledging the ways in which our epistemologies –our ways of knowing, conceptual architecture, and universe of categories– can be repositories for relations of power that mask themselves in narrativity, performativity, and pretenses to objectivity (see White 1973 and 1987 on narrative strategies; Butler 1993 on the power effects of performativity; and Novick 1988 on objectivity).

Beyond considering the ways in which institutionally, in our career choices and decisions, and in the research design we choose, we have to make ethical decisions both in the actual gathering of our research materials, and in the ways in which we represent these materials, and the people who have spoken through them and to us.

2. The Ethics of Ethnographic Fieldwork

After a meeting of ethnographers who worked with indigenous peoples of the Americas, the World Council of Churches, and other activists, the participants issued a statement now known as the Barbados Declaration of 1971. The document starkly conveys not only an awareness of the complicity of churches and missionaries with imperial power and state terror, but also expresses the horror of the people who are studied by ethnographers at the manner in which they are being studied. The Declaration accused anthropology of scientism, hypocrisy, and opportunism (Symposium 1971).

Avoiding scientism, hypocrisy and opportunism requires both an awareness of how –particularly in conditions of extreme violence, inequality, or subjugation– her research *cannot* be meaningfully separated from one's commitment to confronting oppression, and a constant reflexiveness, in field and at home, about what the consequences of one's research may be in that particular historical context. The vigilance towards power asymmetries in an ethnographic field setting translates into a series of specific spaces of reflection and considerations. These are the status of the researcher, especially if the researcher is an insider or an insider/outsider; the duties of ethnographer towards their interlocutors including self-disclosure, protection from the powerful, and collaborating with the interlocutor to the extent possible; and the care of ethnographic materials. I shall discuss these in turn.

The status of the researcher has been the object of much reflection, consideration, and critique (e.g. Altorki and El-Solh 1988; Clifford and Marcus 1986; Narayan 1993; Smith 1999). The most obvious opening point is the intimate relations of the researcher vis-à-vis the people with whom she is to do fieldwork. Here, Lila Abu-Lughod has productively written about her experience as a younger woman in a community which assigns young women to "daughterly roles" (Abu-Lughod 1988). A great degree of respect and sensitivity for the bonds that develop here is necessary. But again, even here, a calculation of power asymmetries should guide the work.

A metropolitan researcher with the resources of wealthy universities at one's fingertips, for example, will inevitably be more powerful than –for example– Bedouin women in Egypt, or former detainees in Palestine, or villagers in Iran. However, if one is studying "up" (Nader 1972), conducting ethnography for example in international trade institutions, militaries, or finance or development ministries, the ethnographer's power position is not so clear-cut. When writing about or working with or observing the ordinary bureaucrat or clerk one is obligated to maintain their anonymity and protect their safety, but the institution or the bureaucracy itself is not necessarily the object of bonds of intimacy and

loyalty. As David Mosse writes (2006, 937-8), "Relying on informant self-representation and allowing subjects to speak in their own words are not self-evident solutions for anthropologists of public policy whose informants are officials at the World Bank, the International Monetary Fund, DFID, or any group with a strong organizational need to produce and protect authorized views." A persistent awareness of where power lies gives the ethnographer the duty to protect the "underdog" in any given relationship. A third situation, in which the ethnographer has to negotiate the contentious relations between two equally-powered social or political groups, requires that the ethnographer be completely frank in disclosing her allegiances and sympathies and to the extent possible refrain from allowing her partisanship to influence her representations of any one of her interlocutors (Mills 2003: 44).

Further, although the ethnographer's "insider" status, her authenticity, special access, and intimate knowledge is much written about, as Kirin Narayan points out, no given field-site is homogenous, and to assume that all boundaries of class, education, gender, sexuality, religious belonging, and race are easily overcome by a "native" anthropologist is to precisely ignore and elide the role these vectors of inequality play in *any* given society or field (Narayan 1993). This said, the "insider" ethnographer also has to be even more vigilant about the ease with which she can be "placed" by her interlocutors, and the deference or defiance she may face as a result of her interlocutors locating her in various social hierarchies. Narayan (1993, 673) also usefully points out that "a person may have many strands of identification available, strands that may be tugged into the open or stuffed out of sight," and that negotiating and performing an appropriate identity in a given field setting is a particular human skills very useful in establishing the kind of sympathetic relations necessary in ethnography. In this sense, then it helps to re-imagine ethics as "negotiation rather than adjudication" (Meskell and Pels 2005, 3), and to consider that the ethnographer's job is not a solitary venture, but a dialogic relationship with one's interlocutors *and* audience.

When researching relatively less powerful peoples, attentiveness to one's interlocutors –their safety, dignity, and self-representation– is another crucial ethical consideration. This, of course, is not only about maintaining their anonymity, encrypting our recordings or fieldnotes if these could potentially harm our interlocutors if viewed by a more powerful actor (the state, international authorities, local militia leaders or security services), and ensuring that our very presence in our interlocutors' houses somehow doesn't mark them as suspect and make them vulnerable to potential harassment, ostracism, or even worse, violence. These are basic principles. As important is our duty not to ask leading questions, to probe too deeply or too obstinately if faced with their reluctance to

speak, to maintain their confidentiality, and, most important, their dignity.

It is important, when working with people who have been silenced by power, to consider our research work as dialogues or collaborative efforts (Lassiter 2005; Marcus 1998). To allow our interlocutors –if they can– to read what we have written about them and to object (Mosse 2006: 939). We should seriously consider incorporating these objections and transforming what we write within reasonable limits, and again with attentiveness towards power. However, in situations where our interlocutors are two *equal* sides in conflict, such collaboration may not be possible. As an anthropologist who worked in Rwanda after the mass murder of the Tutsis in the 1990s writes,

> in a conflict situation (one marked by persistent discursive forms), the incorporation of these different discourses would automatically make my work suspect to either side. Neither side wants to share the stage. I have consequently found myself in a position where the results of my research could not be usefully assessed and critiqued by those involved (Eltringham 2006: 107).

Finally, material environments and objects can become important ethnographic materials. It is the ethnographer's duty of care to the places where they stay and visit to not violate landscapes and places, to not "take" objects that cannot or should not be given, to not photograph if doing so violates the dignity of their interlocutors.

Of course what is also striking is that even with the best of ethical considerations, the ethnographer must always keep in mind what Said has called "the paradox and aporia" of doing anthropology: that by simply writing about the oppressed, the anthropologist "in a sense [reveals] the secrets of its strength" (Said 1989, 220). This is perhaps most starkly illustrated by the following anecdote:

> A French anthropologist and ethnomusicologist, Georges Condominus, was invited to give the plenary address to the meeting [of Canadian anthropologists in the early 1970s]. He stood at the podium, tears rolling down his face, saying that the doctoral dissertation he wrote in France, on the music of the Vietnamese Montagnards, had been acquired by the U.S. CIA, translated, and used in Operation Phoenix to identify and kill the village leaders of the villages he had studied. The point he was making is still brutally direct: at this moment in history there is no such thing as an innocent anthropology (Sider 2009, 43).

3. The Ethics of Historical Research

In one of his most frequently cited theses on history, Walter Benjamin writes about the inevitable duty of partisanship that a historian must undertake not only vis-à-vis the victors in history, but also the very material of history, those documents, archives, and "cultural treasures" which are at once a residue of those victories and "a document of the barbarism" of those victorious rulers:

> Hence, empathy with the victor invariably benefits the rulers…
> Whoever has emerged victorious participates to this day in the
> triumphal procession in which the present rulers step over those
> who are lying prostrate. According to traditional practice, the
> spoils are carried along in the procession. They are called cultural
> treasures, and a historical materialist views them with cautious
> detachment. For without exception the cultural treasures he
> surveys have an origin which he cannot contemplate without
> horror... There is no document of civilization which is not at the
> same time a document of barbarism… (Benjamin 1968: 256).

That archival documents are not authentic, objective, and wholly trust-worthy representations of historical facts is attested to by the very power asymmetry that Benjamin so poignantly elaborates. Historians recounting their stories of working in the archives tell us about the very variability of the sources (newspapers, cyber-document, private papers, and even spatial and architectural structures), the location of the historian researcher (their relative power as a Metropolitan researcher, the transgressions of their topics, their location in incendiary local and transnational conflicts), and the importance of sensitivity and care, and of taking a position vis-à-vis powers, imperial and otherwise (Burton 2005).

Archival documents should always be viewed with judicious skepticism. Even where archival documents are not outright self-serving fabrications –a distinct possibility in intense conflicts and even when the person interpreting these archival documents does not forge specious stories unsupported by evidence (see for example Finkelstein 1995 on Joan Peters's fabrication of data in her *From Time Immemorial*)– writing historical accounts can nevertheless be disrupted by a series of ruptures and silences. "Silences enter the process of historical production at four crucial moments: the moment of fact creation (the making of *sources*); the moment of fact assembly (the making of *archives*); the moment of fact retrieval (the making of *narratives*); and the moment of retrospective significance (the making of *history* in the final instance)" (Trouillot 1995, 26). These silences, especially in the moment of fact creation and fact assembly very often concern the

powerless, the poor, the oppressed. As Shahid Amin writes (1995, 1), "Peasants do not write, they are written about. The speech of humble folk is not normally recorded for posterity, it is wrenched from them in courtrooms and inquisitorial trials. Historians have therefore learned to comb 'confessions' and 'testimonies' for their evidence, for this is where peasants cry out, dissimulate or indeed narrate." Awareness of these silences is the first ethical principle a historian must obey.

A second ethical injunction is to avoid a kind of dogged historicism which avoids acknowledging power asymmetries and which pleads "objectivity" and a recourse to "only facts" as the shelter from the possibility of commitment. It is this patina of objectivity that allows Benny Morris, for example, to claim that the mass expulsion of Palestinian, all evidence in *his own book* to the contrary, was "born of war, not of design" or indeed for journalists who are writing the "first draft of history" to give equal –indeed, often more– weight, time, and page-space to the victors than to the vanquished in search of some elusive and illusory "balance."

Just as important an ethical consideration –being translated into a methodological choice– is to recognize the centrality and utility of oral histories and their ability to convey what textual archives are often unable to do. Oral accounts are often dismissed because of a positivist fear of "unreliability" or "invalidity." As the collective of radical historians writing under the name of Popular Memory Group argues (1982, 226), "a concern with 'scientistic' criteria of validity sits well with the monopolization of certain forms of knowledge. None the less, the problem is a serious and general one. It is necessarily posed whenever knowledge is seen as a strategic political resource. In such situations the truth content of any account, and its competitive advantage over rival accounts, matter very much." Oral histories have to be used with supreme knowledge of the structures and cultural practices which shape these narratives, and they have to be interpreted –for they are no more "neutral" texts than are archival documents– with attention to the genres they invoke, the rhetorical devices they deploy, the moods they convey, and the present-time considerations that they take into account as they shape the past (Portelli 1997; 1998; Tonkin 1992; Zerubavel 1995). The collection of oral histories has to be as sensitively and sympathetically performed as ethnographies. And the overt and occulted power-calculations sedimented in all documents –whether written or oral– have to be kept in view all the time. Multiplicity and richness of sources here only allows for a fealty to the powerless.

4. The Ethics of Representation

In the end, with research material in hand, we write. Recent considerations of the ethics of ethnography have pointed to the artificial barriers erected between the "field" and the "home" which in strange ways isolate the writing at home –the representation of our interlocutors and documents– from the reflexiveness and ethical calculations that we had kept omnipresent while in the fields or archives (Meskell and Pels 2005; Mosse 2006). In collapsing this distinction, the researcher is forced to contemplate to what extent she can *represent* her interlocutors, particularly if those interlocutors are perceived as powerless, abject, embattled, violated, and oppressed. Here, feminist scholars have been at the forefront of analyzing the considerations and costs of representation (Alcoff 1991; Butler and Scott 1992; Mohanty 2003; Ortner 1996).

In a 1970s' conversation, Gilles Deleuze and Michel Foucault concurred that the intellectual cannot and should not represent "those who act and struggle" (Foucault 1977, 206) and who have shown that they are capable of speaking for themselves: "The intellectual's role is no longer to place himself 'somewhat ahead and to the side' in order to express the stifled truth of the collectivity; rather, it is to struggle against the forms of power that transform him into its object and instrument in the sphere of 'knowledge,' 'truth,' 'consciousness,' and 'discourse'" (Foucault 1977, 207-208). Critiquing Deleuze/Foucault as "first-world intellectual[s] masquerading as the absent nonrepresenter who lets the oppressed speak for themselves," Spivak argues that "the subaltern cannot speak... Representation has not withered away. The … intellectual has a circumscribed task which she must not disown with a flourish" (1988, 292; 308). Her argument is based on the conception of the intellectual as theorizing, all the while refusing the responsibility of representation on the basis that somehow "experience" is transparent, legible and self-conscious. Given that all experiences are already situated in the particular matrix of power our interlocutors are located (Scott 1992), how do we represent them and their/our stories?

If the scholar is to represent a given group or persons or situations or processes, a series of ethical concerns, and some practical ones that bear on the ethics of representation, have to be contemplated. Linda Alcoff's thoughtful consideration of the "problem of speaking for others" eventually leads her to four guidelines which any scholar should consider as their ethical touchstones before they speak for or represent others (1991, 24-26):

1) The impetus to speak must be carefully analyzed and, in many cases (certainly for academics!), fought against… 2) We must also interrogate the bearing of our location and context on what it is we are saying, and this should be an explicit part of every serious discursive practice we engage in. Constructing hypotheses about the possible connections between our location and our words is one way to begin. This procedure would be most successful if engaged in collectively with others, by which aspects of our location less highlighted in our own minds might be revealed to us… 3) Speaking should always carry with it an accountability and responsibility for what one says. What this entails in practice is a serious and sincere commitment to remain open to criticism and to attempt actively, attentively, and sensitively to "hear" (understand) the criticism…. 4) Here is my central point. In order to evaluate attempts to speak for others in particular instances, we need to analyze the probable or actual effects of the words on the discursive and material context. One cannot simply look at the location of the speaker or her credentials to speak, nor can one look merely at the propositional content of the speech; one must also look at where the speech goes and what it does there.

Once we have determined the modes of our writing, and the costs of our representation to those we represent, another area of ethical reflexivity is the very rhetorical and discursive devices we choose to write our stories. I have already recounted the Borgesian parable (via Foucault) on the socially and politically determined creation of categories and concepts which underlie our imagining of life-worlds. Not only the conceptual apparatus of our work is already shot through by residual histories, by stories, partisanship, commitment, and present concerns, but the very form this story takes, the language in which it is articulated, can affect the task of representation. Hayden White has in his magisterial intellectual history of historiography (1973) shown that a series of rhetorical devices (metaphors, metonymy, synecdoche, irony, satire, and tropes), certain structural choices having to do with periodization and emplotment, and adherence to certain genres –he recounts tragedy, epic, comedy and romance– all work to give a peculiar form of internal coherence and argumentative confidence that the events which they emplot may not have had. Narrativity, even when it conceals itself behind seeming linguistic lucidity and the secret meta-architecture of genre in a given piece of writing, nevertheless can serve to underwrite particular forms of power relations and reinforce particular forms of authority. As White himself has written (1987, 167), "the crucial problem from the perspective of

political struggle is not whose story is the best or truest but who has the power to make his story stick as the one that others will choose to live by or in" and that the powerful realize their domination through "a combination of master narratives and instruments of control backed by weapons."

Conclusions

Writing in his characteristically beautiful and coldly furious prose, Fanon has written about the evacuation, stultification, fixing-in-time that is forced upon the culture of the colonized by the colonizer (Fanon 1964, 35). To Fanon, in the arrogance of the colonizer claiming to "know," and to objectify and exoticize, the colonized was an indivisible part of the infrastructural processes of colonization in which plunder and expropriation "are matched by the sacking of cultural patterns, or at least condition such sacking" (Fanon 1964, 33). We *know* that scholars –historians and ethnographers, sociologists, psychologists, and political scientists– have been complicit in this spoliation, and that in transitioning from a form of unbridled coercion to hegemonic rule, even –no, especially– today, the United States employs social scientists. We also know that no corner of globe is today insulated from the other; that ethnographies of peoples in ostensibly remote hill-tops by local anthropologists can become primary and secondary source for other research, and perhaps inevitably, "an open source" for military intelligence and a fodder for power.

This, our witting and unwitting complicity in domination, can only be tempered –however conditionally– by both a meta-awareness of the marriage between power and knowledge-production and by more common-sense and commonplace ethical circumspection in our everyday dealings with our interlocutors. In this, what is needed then is vigilance about and a persistent calculation of the asymmetries of power –between us and the subjects of our ethnographies and histories, between them and their state, between them and the global power structures, between them and their social peers– and an open-ended reflexiveness that overcomes field/home and archive/writing-desk boundaries.

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CHAPTER THREE

THE SILENCE OF PHENOMENA: APPROXIMATING THE QUESTION OF METHOD

By Esmail al-Nashif

Introduction:

The purpose of scientific research is to say something of added value about reality and its processes; in doing so, it follows specific rules regarding the necessity to apply adequate guidelines. There are four basic units which together compose a specific field of interpretation and understanding of the phenomenon under consideration. These are: the theoretical introduction, methodology, information and analysis, and discussion. Research is composed of these four units, in addition to the technical sections that accompany them: the title page, the table of contents, and the references. We shall endeavor in this chapter to examine the second unit, the methodology, and its internal structure and manifold relationships with the other units.

This chapter endeavors to make a contribution to approximating the question of methodology in scientific research, a fundamental principle in the process of producing modern knowledge. Our approach is a reading that will open the knowledge that has been accumulated, aiming to allow its silent dimensions to say something about the prevailing scientific method. We can start describing it as follows: the method is an instrumental language that has its own internal logic that is applied to all the social-historical phenomena without necessarily questioning the logic of the phenomena being researched (Horkheimer 1986: pp.188-243). In this, methodology is similar to a knife that cuts through its internal logic and the silence of phenomena, without concluding. It is the process of doing research in a scientific and methodological manner. In other words, we shall engage in a reading of method that will allow us to say something about the encounter between the logic of scientific research and the logic that regulates the social phenomena under research. This approach is based on a preliminary assumption that to open the gates of method is to enable phenomena to enter into the logic of how it operates and will necessitate fundamental transformations in its structure and uses. This requires that method be placed on the same plane as the phenomena based on which their relationship is to be structured. In other words, the reading of methodology is at the same time, at least according to our norm, a reading of the reality of socio-historical processes that categorize the phenomena that scientific methodology examines (cf. Chakrabarty, 2000: pp. 47-71). The movement between methodology and phenomena is sometimes a parallel, and at other times an intersecting one. Establishing the relationship is in and of itself a productive enterprise, inasmuch as it adds to the qualitative accumulation of what has already been established regarding scientific methodology. This being the aim of this present chapter, the question would then be on the course that we should follow to achieve such an aim.

The study of methodology raises an important problematic that characterizes the instrumental relationships of utilization and performance that revolve around the method of implementation, and most probably these relationships do not attend to the material content which is of real concern to us. The main problematic which characterizes social relations concerns the relationship between the method of utilization and implementation, and the regulating logic and its history which constitute the formative basis of the instrument utilized in its present moment (Baudrillard, 1996). Every instrument that has a social function is the product of an accumulation of work produced in a socio-historical context. It could be sequential and/or synchronic, and the important thing in this accumulation process is that it takes a specific form that will perform a social function in a material functional context. What is interesting here is that the instrument becomes susceptible to circulation at the moment of the transformation of accumulation

to a molded form capable of being transmitted without having to go through the various stages that led to its production and appearance as a form (Laroui, 1999: pp.77-100). It is possible to differentiate between the instruments that are formed as a medium between the productive social individual and his direct material environment, and the mental instruments that also play the role of the medium between the individual/the community and the social/material environment that they live through and that it lives through them (Bergson, 1991). This method of differentiation is not sufficient to examine the various dimensions of these different types of relations. There is for each manual instrument an important mental axis that works on its construction. For each mental instrument, there is also a fundamental material axis that works on the construction of its mental space. Scientific method, in so far as it is formed of a group of instruments, demonstrates this interconnection between the mental and material/manual levels of the instrument and refers to the necessity of examining the instrument through readings and interventions that do not rely on classification, but on an attempt to observe the motion of this instrument through the forms of its different social and historical existence.

Scientific method is therefore made up by a group of codified instruments that are utilized in accordance with specific procedural rules agreed upon by the professional scientific community. It forms a language specific to this community and its various relationships with communities, professional and/or other, proximate and faraway. The language of methodology is a system that defines attainable and unattainable relationships in the process of the scientific production of knowledge. We shall discuss this system, first through the examination of its components and the relationships that they regulate. Second, we shall observe the logic of its work through examining its complex relationships with theory, on the one hand, and empirical phenomena on the other, which together form the totality of elements of the course of production of scientific knowledge.

In our analysis of the components of the relationships that form the scientific method, we shall use a central example to clarify the main interventions that we shall construct. Most of the scientific interventions on method come with questions from the archive that the researcher has built during the period of his productive work (Derrida, 1998). These examples will be cited as part of the implicit conception of the researcher and the body of knowledge that he adopts. The examples that the researcher cites are the product of a process which is not innocent. It aims at strengthening the main assumption that stands behind the researcher's ideas. It is possible, most probably, to present different examples of the same idea of which one part will support the idea and another will rebut or refute it. In many cases, the archive puts restrictions in a direct fashion, but

without deliberate awareness, on the researcher and the method he uses to deal with scientific and empirical reality. As such, the examples are part of the factors that construct the analysis and are not elements foreign to it. In our present context we shall explore the subject of martyrdom (istishhad) in Palestine during the last two decades as an example of the way scientific method functions and as a horizon to examine the possibility of a critical approach to this method in the production of knowledge. It is important to note that what shall be presented are attainable/unattainable exercises that will be used to deal with this phenomenon. We shall not offer an interpretation of martyrdom as a phenomenon. It needs therefore to be framed a priori as being that. In addition to this, the approach to the method through the example of martyrdom could look as if it is part of the socio-historical process. It is of a peripheral or marginal nature. The method is the law of the means by which the process of researching the totality of phenomena would be undertaken, while martyrdom is a situation of exception, which consequently means that its law-producing faculty is peripheral. Based on this, our approach is limited to the cases of peripheral appearance, and we cannot illustrate the way the method is in its encounter with most socio-historical phenomena. We need here to make the following clarification: the categorization of a phenomenon according to a foreign perception, for example, quantitative/ qualitative or focused/ marginal, should be considered as part of its reformulation and as such the peripheral nature of martyrdom is a value of categorization. Based on this process of categorization we see that the totality of what appears in a certain social landscape, regardless of the form of its appearance and method, is, on the one hand, liable to be researched, opening a window to the interpolation of the mechanisms of the formation of the social landscape, and on the other hand, reveals its construction as a whole. This position, which is neither normative nor evaluative, does not prejudge which is the better side or that more suitable for the research towards the movement of reality in its totality. It is, however, the necessary step in the emergence of the approximation of the method and its critique in the context of this chapter.

1-The Instruments of Scientific Method:

The instruments of scientific method are discursive formations, meaning that they are formed from a group of semantic relationships that have a specific mental foundation. This determines the series of events that produce scientific knowledge, including, of course, the forms of circulation of this knowledge (Popper, 2002).

It is also possible to differentiate between instruments of an indirect and undeclared nature, and those of a direct and declared nature. The relationship between these two types of instruments is conditional, for the utilization of the declared instruments necessitates the assumption and acceptance of one or more undeclared instruments. As such, the declared instruments are of a procedural and executive nature, while the undeclared instruments are a type of assumptions that the research project is built upon as being true. We shall try to identify these instruments and their relationships, and then examine the limits of their work, thus paving the way for the main approximation in this chapter.

1.1 Unannounced Assumptions

The first methodological assumption is that there is a certain relationship or group of relationships, between the various elements that form the phenomenon being researched. This assumption includes the idea that, in case the researcher follows a specific research methodology, he will be capable of discovering these relationships and of interpreting their functioning. Various critiques have been addressed towards this assumption, which have led to the basic understanding that it is at least possible that there exists no a priori relationship, but that the relationship will be constructed by the interaction of the researcher with the socio-historical context in which he works. The critique, one should note, has not suggested the simple non-existence of a relationship, for this necessarily leads to the abortion of the discourse of scientific research, but simply suggested a different epistemological basis for the origins and evolution of this relationship. It is possible to describe the first undeclared instrument as being a discursive formation that connects a group of elements in a certain way. The relationship, and accordingly the research, becomes in practice an endeavor to establish and explain this relationship (Lincoin & Guba, 2000: pp.163-188).

The second methodological assumption, which is simply an instrument, is the placement of the relationship in a spatial temporality and a temporal space. Any relationship can only exist in a specific time and a specific space. The researcher defines these co-ordinations so as to reach the temporal-spatial container, and from there undertaking their examination. In the prevailing type of studies, we find that the relationship is separated from this temporal-spatial container and rarely addresses the question of the relations between the relationship being researched and its container. This separation is extremely problematic, due to the fact that any reflection on the relationship indicates the presence of several levels of interaction between the relationship and the container, so that it becomes possible to assume that its specific socio-historical existence is contingent upon

the forms and types of this interaction and their assimilation between one another (Lefebvre, 1991: pp.1-67; Fabian, 1983: pp.38-69).

The third assumption regards the relationship of the researcher with the phenomena as a system of relationships in a specific time and space. It places the researcher as a mediator, and accordingly he becomes an instrument that adapts empirical material to the space of scientific knowledge (which is a new public space whose cornerstone is the text). The mediator here is not neutral, transferring information as it is, but to a certain extent he rewrites and re-formulates the information in accordance with the stereotyped space of interaction between the researcher and the phenomenon (which are understood as two types of existence that are a priori separated from one another). The mediator is an instrument with an operational nature. The research can only be carried out via his very existence. In the case of the identification of the researcher with the phenomenon, and/or the establishment of an independent abstract system of thinking, the necessary condition for scientific research will fall away, and the researcher will produce literature and an independent system of thought (Ellis & Bochner, 2000: pp.733-768; Pratt, 1994: pp.24-46).

The fourth undeclared assumption is the evaluation scale through which specific ratios of value will be given to the completed research. It is an institutional instrument, as it is a product of the scientific institution. In actuality it functions as a filter which gives access though the scientific gateway to specific forms of knowledge while denying such access to others.

Our discussion here is not about the procedurally recognized process of refereeing, but about the institution in its deep sociological meaning which presents the material-symbolic action that produces knowledge in such a way as to make it appear that the institution and knowledge are linked as a pair. This means that it would only be possible to produce knowledge through the institution, and that the institution could only be institutionalized through knowledge in its scientific form (Foucault 1978; 1980).

 The fifth assumption is based on a general modern statement in two parts: first, the human being is the center of the socio-historical process; second, given that this human being is the center, he can thus take a certain position towards a process of which he constitutes a fundamental part. Based on this assumption, the scientific method is an instrument to understanding the specific place of the human being vis-à-vis this socio-historical process whereby his action and effectiveness in it are a question. The human being as center will then dominate the socio-political process which produces him for the sake of containing him, aiming at the reproduction and reshaping of the human being, society and nature

in accordance with the ideal type of modernity (Horkheimer & Adorno, 1998; Habermas, 199: pp.106-130).

These undeclared assumptions are the foundation for the scientific research method, forming the necessary infrastructure to design and execute the actual projects (provided of course that the method in question will assume a priori the existence of a system of relations placed on temporal and spatial axes and that they are capable of functioning as a mediator between the different levels of reality). The method needs likewise to shape the knowledge of the phenomenon under study in accordance with the institutional evaluative scale. The last, essential assumption asserts that the scientific method is the mode of replacement of the reality of the research and the socio-historical phenomenon. Here we shall examine these assumptions in the context of our example on martyrdom in Palestine.[1] The researcher must then assume a priori the existence of a system of relations that together form this phenomenon, and that he/she is able to uncover this system of relations by utilizing the scientific method. Martyrdom is not an isolated event, but an extended course of events which can be molded in a certain fashion; what floats to the empirical surface is the moment the martyr's body, glued to the bodies of the colonizers, explodes. In regard to the second assumption, the identification of the spatial-temporal container of the system of "martyrdom" relationships is an assumption which is specific to the time and space entering the phenomenon. Researchers might differ on the period, the rhythm or the space; however they will not differ in believing that the phenomenon exists and that it is active. What is the martyrdom space? Is it the body that exploded or the sum of bodies as they are a moving space? What is the period of the phenomenon? Is it the moment of explosion? Is it the period needed to prepare for the explosion? Is it the two together and what comes after? The third assumption is that the researcher as a mediator stands between the phenomenon of martyrdom in Palestine and the totality of the scientific community, so that he/she can transfer to the latter information about martyrdom, and that he/she will formulate a text that is constructed in accordance with the laws of scientific writing. What characterizes this process of transfer is the transformation of the information on martyrdom to knowledge. For example, those who participate in these actions are of a working class background. This will be reflected in the scientific text.

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[1] In Arabic literature there are many classifications for this part of scientific research, for example, the review of literature, previous studies, and so on and so forth. Our decision to select a "theoretical introduction" is based on a specific position on how the researcher should go about dealing with the existing body of knowledge. The researcher should not do an inventory of the available literature as if dealing with a list in a store, he/she should instead present and critically discuss this body of literature and make interventions on issues that are related to the subjects of the books reviewed.

Class will identify the inclination of some men for martyrdom. In such a step, we can see that the mediator is merely a channel that translates, in the more comprehensive meaning of the term, what had been observed about martyrdom, into a text capable of being circulated. In comparison, there is empirical material that is unsuitable for circulation, for example, God has ordered me to execute this operation, and/or somebody has paid me a certain amount of money to do this. Regarding the fourth assumption, our discussion concerned the evaluative scale of the institutional process in the production of knowledge. Any attempt to conduct a study on the phenomenon of martyrdom will be launched relying on the material-symbolic obligations of the researcher (such as his/her affiliation to an academic or research institution that will support and place him/her in relation to the group of researchers and those who are being researched and with whom the work will be done). In the Palestinian context, we can realize that most of those who have tried to examine such a phenomenon, which is connected to the resistance in a direct way, work for academic or research institutions that are foreign or have foreign financial support. This is what determines the measures of the scientific text, and the researcher, in his interactions with these institutions, forms their institutionalization. The fifth assumption, which is the most generalizing of all, looks at the researcher as being at the center of the research and the socio-historical process. He thus places himself/herself in relation to martyrdom, and not the other way around, so as to interpret it as a phenomenon. The phenomenon of martyrdom occupies a position in the socio-historical process, including scientific practice; however, this position will not be circulated as scientific knowledge that would be possible for the researcher to rely on in his/her endeavor to understand himself/herself and locations inside the course of social history. It has not occurred to this very day that an academic researcher has proposed means to develop martyrdom as a system of resistance in a scientific statement on the liberation from colonialism.

These assumptions together and in their interaction form the basis on which all scientific research projects stand, regardless of the content and form of the phenomenon under study. The central issue of this chapter therefore regards the universalism[2] of these assumptions which result in the silencing of the socio-historical phenomenon. We personally do not entertain such assumptions, but we observe that they dictate the alphabet of method: each phenomenon is a relationship in a specific time and space; the researcher establishes the connection to the different levels of reality, specifically the scientific level, and the texts will be evaluated according to their compliance with institutional standards; they will then be formulated in relation to the socio-historical process that has categorized this phenomenon. To complete our presentation of the method, and before approximating it, we shall touch upon the declared instruments which are, to a considerable extent, a derivation of the assumptions which range between the hidden and the surface.

1.2 The Procedural Instruments of the Method

In scientific research, we find that in the chapter designated for the discussion of the method, the researcher presents technical and procedural definitions of the instruments that formed the procedural structure of the study. These definitions are supposed to be derived directly from the process of identifying the phenomenon and the critical discussion of the body of scientific knowledge connected to this phenomenon. These two elements, the process of identification and the discussion, help formulate the central question around which the research will be conducted. These procedures identify the community of the study, and the means through which the collection of information will be carried out. The researcher will usually also describe the process of research, and the difficulties that have been encountered in its implementation. In an attempt to clarify these relations of derivation, we shall look into the process of technical definition.

The identification of the research phenomenon is an expression of a specific effort of the first two of the five assumptions that we have touched on: the

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[2] There are many different ways to arrange these four definitional and technical sections. The internal form of arranging the text will be determined according to laws known amongst those who work in a certain scientific field. For example, there are special rules in the field of psychology that were developed by the American Psychological Association; this is in addition to the special conditions of publishing houses or scientific journals. In spite of this every published study, regardless of its arrangement, has to contain the following: the title, contents, a general introduction, a theoretical introduction, the method, presentation of information, analysis and discussion, summary, footnotes, references and appendices (American Psychological Association, 2009).

relationship and the temporal-spatial container.[3] The phenomenon is therefore a specific form of relations between different concepts, which are themselves a system of relations characterized as being primary on the scale of abstraction, in a real fashion in specific time and space. As an example, we can cite the modes of interaction between martyrdom and the place of habitation in West Bank Palestinian society from the 1990s to the present. Thus the issues of concept, place and time are addressed. Or we can examine the impact of the political stance on the martyr's behavior (concept) among adolescents (concept) in the refugee camps in the Gaza Strip (place) in the second intifada (time). Or we can look at the types of psychological factors (concept) that formulate the relationship of the martyr's personality (concept) in the present stage (time) of the colonial struggle (concept) in Palestine (place). These examples clarify the centrality of the first two assumptions, while asserting that the textualization of identification comes as a result of the two assumptions. The encounter of identification with the critical discussion of the body of knowledge is carried out through the critical examination of the scientific knowledge of every concept of the phenomenon, and thereafter the critical interpretations will be combined to form the theoretical framework of the research. The researcher thus concludes the central question, which is simply a reformulation of the phenomenon after having made its concepts accessible to interpretation. The questions regarding the present example are as follows: how do the place or residence and martyrdom in Palestinian society in the West Bank interact from the 1990s until today? What are the impacts of the political stance of activists on behavior with regard to martyrdom among adolescents in the refugee camps in the Gaza Strip during the second uprising? What are the types of psychological factors which formulate martyr's personality during this stage of the colonial struggle in Palestine? These questions may look repetitive except for their formulation. Nonetheless this places the research as whole, from the beginning, in a context that was not permitted before, so that the discursive dimension is tantamount to a distortion of the subject-matter, and in this allows the excavation and construction of new meanings of the same subject matter.

The above discussion brings out the interrelations between the theoretical axis and method in determining the ways in which research can be conducted; henceforth the chapter on the method, which is introduced with a brief preface, starts with a subsidiary title which is the central question (as it was formulated in the theoretical

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[3] There are many scientific papers and press reports on martyrdom in general, and in Palestine in particular. As was noted above, we are utilizing this subject matter as an example and not as research topic, and as such these research studies will not be presented here. Talal Asad's book (2007) might be a good starting point for the researcher interested in scientific knowledge on this topic.

introduction, thereafter come the subsidiary questions).[4] These subsidiary questions take the concepts and present them, aiming to determine their nature, and/or their real temporal-spatial context, and/or the history of their emergence and other related issues in accordance with the substance of the phenomenon and its central question. We can derive the following subsidiary questions from the above central questions: what are the characteristics of martyrdom in Palestine? What are the attributes of the place of residence in the West Bank? What are the main social processes which characterized Palestinian society from the 1990s to the present? Regarding the second example, it is possible to derive the following subsidiary questions: what are the determinants of the political position? How can we define martyrdom's behavior? What are the characteristics of the group of adolescents in the Gaza Strip in the second uprising? Further questions might be: what are the psychological factors that contribute to the determination of the personality? What are the personal characteristics and features of the martyrs? How can we analyze this stage of the colonial struggle in Palestine?

This way of deriving subsidiary questions from the central question follows the logic of the relationship between the part and the whole, for the subsidiary questions cover the field of meanings which the central question tackles. We can, to a considerable extent, say that these subsidiary questions are tantamount to the skeleton of the research. They are axes of formation that come across the researched scientific text, despite the fact that they come across in different formulations.

The second subsidiary title in the chapter on method is about the community of the research study, which is the specific group of persons, or products, or things, or materials, with which work will be done to construct information relevant to the core of the research and its different questions.[5] In reality, the community of the study is a specific expression of the second assumption about the spatial-temporal container. The first dimension has to do with the time/period and space/place of the phenomenon. The period and space are located in the spatial relationships between the totality that forms the community of the study. The other dimension, which we have already touched upon, concerns the general temporal-spatial co-ordinations of the society as a totality of its many contexts, where the community of the study will be placed in a specific intersection of these co-ordinations. The possible relations between these two dimensions are complex and we do not have space here to explore; however, we shall give an

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[4] We chose "kawniyyah" in Arabic as a translation for we thought that it was a more adequate term for the English term "universal".

[5] For specific examples on the research phenomenon, see Kamel and al-Shouni, 2000 (Arabic-language references).

example that will indicate the nature of these relations. Adolescence, as a stage in the socio-psychological development of the individual, is constructed from a time and place that are internal to it; however, they are different and they thus present many distortions (depending on their interactions in a specific stage for the society that the adolescent is in, as well as a specific geo-historical location of the same society). Experiencing adolescence in the Palestinian society of Jaffa today will be different from experiencing adolescence in Jaffa in 1966. The community of study, therefore, is the instrument through which the researcher determines the spatial-temporal container. This container has special attributes whereby definitional limits emerge. The communities of study for the three examples that were proposed above will be as follows: with regard to the first phenomenon, the community of study is made of the total number of persons from the West Bank who died as martyrs from 1990 onwards. Their numbers will be noted, as well as their characteristics in relation to the place of residence, village, refugee camp and city, as follows: X persons live in this or that village; Y comes from this refugee camp, Z are inhabitants of this city. As with the second phenomenon, the community of study is that category of adolescents who were living in the refugee camps in the Gaza Strip during the second uprising. The period of adolescence from x to z years will be determined according to the theoretical discussion. The years of the second uprising will be determined as well. Addressing the third list of questions, we have a least two types of community of study, and they are determined according to what was already discussed in the first chapter. The theoretical introduction, and the nature of martyrdom, can be explained as follows: the personality of every person who died as a martyr. The community of study will be formed by those individuals who have died as martyrs, and those who have tried to die as martyrs, in this stage of the colonial struggle in Palestine. Since the signing of the Oslo Accords another explanation for the nature of martyrdom is given according to the Weberian term. An ideal type, its elements, and their relationships between one another, can be listed in the theoretical introduction. The community of study is composed of the persons to whom these elements and their relationships can be applied in the period that was designated for the research (the current stage of the colonial struggle in Palestine).

In the course of our discussion of the community of study, until now we have said nothing regarding the sample and how it is selected. To begin with, the sample is a specific part of the community of study, and accordingly it is not possible to identify the sample before first determining the community of study. Second, the sample will be selected in accordance with statistical procedures which are a translation of the characteristics of the community of study through a qualitative logic. The important part in the selection of the sample is the identification of those distinct elements that are connected to the community of study, and not

the technical, statistical procedure itself. Third, what was suggested above is applicable to research in general, regardless of their qualitative or quantitative nature or an admixture of both. What happens sometimes, especially in research of a qualitative nature, is that there is a semi-complete conformity between the community of study and the sample. What was suggested above regarding the community of study focused on the logic of work and the mechanisms through which the phenomenon will be placed in its spatial-temporal container, and that of society in general. From this came our preference to utilize the methodological instrument -- the community of study-- rather than to engage in a discussion of the technical details involved in selecting the sample. After this identification of the community of study and the sample, we can   examine the ways in which the collection of information will be carried out.

The third subsidiary title of the chapter on method concerns the means of collecting information, which have to do with dividing the instruments into sections and which the researcher uses in his endeavor to collect information from the community of study, and the direct reasons behind the use of these specific instruments.[6] These directly relate to the third assumption, given that the researcher is a mediator who transfers the empirical material from its condition in real life to the sphere of scientific knowledge (with the text as its main pillar). The means of collecting information is the technical procedure of the researcher as a mediator who transfers the empirical data from the condition of the phenomenon in reality, to the sphere of scientific knowledge. The process of transfer is basically of a formative nature. In principle, it is possible to differentiate between means that consider the researcher as an instrument of collecting information, such as conducting interviews, or observing through participation, and other means that rely on instruments of collecting information that were constructed as an extension of the researcher, such as the questionnaire or the technological instruments of recording. However, the identification of the phenomenon and its central question remains the main criterion that regulates the process of selecting the means of collecting information. This is due to the fact that from this identification, the means that are more effective and authentic for the collection of information (which are directly connected to the phenomenon and its central question) are derived. With regard to the three examples above, it is possible to suggest the following: the first phenomenon, and its central question, requires specific means for designing the questionnaire (which can be filled, based on the archive that documents specific aspects of the research phenomenon, and on the information provided by individuals who were directly connected to those who participated in martyrdom operations). The second phenomenon and its central

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[6] To look at a specific example concerning the identification of the central question as well as secondary questions see: Al-'Utaybi, 2003 (Arabic-language references).

question may require two kinds of means (each on its own, or a combination of the two, and in accordance with the theoretical discussion of the concepts that form the phenomenon). The researcher can distribute questionnaires that are filled by adolescents, and/or by those who are directly connected to them and who know them well. The researcher can also conduct interviews with adolescents themselves and with those directly connected to them. It is of course possible to make a combination of the questionnaires and interviews, in accordance with the critical discussion of the phenomenon. The third phenomenon, and its central question, can require various means for the collection of information, given that the community of study was the martyrs and those who tried to commit such acts. It is possible to interview those who were closely related to them, and to collect information through questionnaires filled out by them.[7] It is possible to utilize other means by relying on the personal biographies of those related to martyrs. If writings are available, one can analyze the content of the written texts. One might also conduct in-depth interviews with the community. As mentioned above, the selection of the community of study is in a direct relationship to the nature of the theoretical discussion that was carried out in the theoretical introduction.

As was clear from the discussion above, the method of collecting information is directly connected to the analytical steps that the researcher performs during the process of identifying the phenomenon and its central question. There is another side to the method used to collect information, and which will not necessarily bear any direct relationship to the analytical steps that the researcher has used. Every method of data collection can reveal a specific empirical expression of the relationships that exist in the basis of the phenomenon (without any other expressions of different character that this method cannot specifically see). This semi-objective condition requires the researcher to be aware of the limitations, and select the means to be utilized, and what restrictions that would put on the analysis, interpretation, and understanding of the phenomenon being researched. What results is the scientific knowledge of a generalizing character. This situation is similar to the color of a pair of glasses: if the lenses are black, then what the person would view would be black, and if they are blue, and then what the viewer would see would be tinted blue. One of the methods that that can help to preserve one from such a dilemma is the development of an acute reflective consciousness about the steps of analysis and the process of selecting the method of information collection. One of the well-known methodological techniques, in this context, is to give a description of the research process and to show areas of difficulty that the researcher has encountered during the preparation, implementation and formulation of the research (Clifford and Marcus, 1986).

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[7] For a specific example of methods of data collection see Ramzi, 2002 (Arabic-language references).

The fourth subsidiary title is a description of the process of research from its birth as an idea, through the stages of its preparation, implementation, and formulation as a text. It is an attempt to construct a location outside its realm, from where we would be able to see it in its totality. This subsidiary title is a procedural application of the fifth assumption mentioned above (see Nashif, 2008, 3-10, for a specific example of the research process). The researcher is here at the center of the research process. For that very reason, he can stand outside the process and take a certain position towards it, one that will enable him to subject it to aims he sees are better for from the point of view of socio-historical life. Through this descriptive process, the researcher places himself/herself at the center of the research process given that he/she constitutes its driving agent. In describing it as such, the researcher can place it outside him/her and thus can determine his/her position in relation to it as a historical factor separated from it. Most researchers do not undertake such a description as an internal part of the scientific text that is published in journals and books of a "competent" character. This case doesn't, however, deny that the description occurred and that a position on these forms of retracting awareness was constructed at different levels of self-awareness and the oral or textual direct expression (Visweswaran, 1994). The main consideration behind placing the description in the framework of the method, and deciding not to present an analysis for instance, emanates from the comprehension of the scientific rule that the awareness of the scientific method is a fundamental part of the mechanisms of the work as a method. Direct, technical utilization, which has not reflected against itself, is unscientific. If we look at the method from this angle, not according to the practical guidelines that we need to follow to complete the research project, but according to the idea that the method of the production of knowledge is aware of itself, then that would be science.

Possibilities may be suggested for the description of the research process of our three examples as follows: with regard to the first phenomenon: "from my previous experience of the modes of Palestinian resistance, and from my observation of current events, notably the centrality of the action of martyrdom in Palestinian society, it has become evident to me that most of the martyrs come from similar social backgrounds, and here the inititial idea of the research was born…" For the second phenomenon: "during my preparation for the research (and my design of its methodological steps), it became evident to me that there was a huge number of primary sources which were tantamount to organizational texts that could be titled as guidelines to education for martyrdom; these were distributed to adolescents in the refugee camps in the Gaza Strip. This compelled me to rethink the structure of all the interviews that I was to conduct with those researched individuals." Regarding the third phenomenon: "after I initially collected and classified the information, I began to compare it with the model of the martyr-prone

personality (al-shakhsiyya al-istishhaddiyya) which I constructed in accordance with my critical reflection and reading of theories. It became evident that the pattern of such a personality has no connection to the concept of alienation, but on the contrary to its contradiction, which is high social cohesion. This led to a fundamental transformation in the process of writing the research."

The fifth subsidiary title in the chapter on method concerns the difficulties that the researcher has encountered during the research process, whether during the phases of preparation, implementation, or in-textualization.[8] Taking note of these difficulties in the chapter on method relates to the fifth assumption mentioned above. The declared aim of this subsidiary title is in two parts: the first endeavors to draw the attention of researchers to this kind of phenomena (so that they won't face the same difficulties which the researcher has faced in designing a priori mechanisms to overcome or avert such difficulties); the second part makes reference to the way the scientific knowledge of the phenomenon was built, by challenging its internal structure and its general context. These procedures reflect the structure of the phenomenon through the forms of conjunction with it, and this is methodological knowledge of the first degree. These two parts are tantamount to the application of the fifth assumption; they express their position towards the process of method, aiming to improve the ability of the researcher to control and employ the process of research. As with the other three examples mentioned above, it is possible to describe the difficulties as such: with regard to the first phenomenon: "one of the main difficulties that I encountered in this research was to determine the place of residence, for I was unable to find which village, refugee camp, city; so if the martyr was brought up as a refugee, we find that the roots of his family come from the city, and thus when asked they would define themselves as urban. In other cases they mentioned various places as their places of residence…" With regard to the second phenomenon: "the difficulty that I encountered here was to build a relationship of trust between me, as a researcher, and those adolescents with whom I conducted interviews. In most cases would repeat the same answer, to the extent that it appeared to me that there was one person who must have taught them, especially those who were living in the same refugee camp…" With regard to the third phenomenon: "it is difficult with reference to place, to determine the characteristics of the martyr-prone personality if you were a believer in the principles of psychoanalysis, according to which there are two instincts which form the psychological structure of the individual: the libido and the death wish. In general, Palestinians, in their behavior, reflect these two instincts in a rather healthy manner. Sometimes they

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[8] For specific examples of difficulties encountered see al-Malki, Majdi et al, 2004, 49-50 (Arabic-language references).

surprise you with their ability to express the relationship between life and death innovatively. It has sometimes appeared to me that all Palestinians are martyr-prone (istishhadiyyeen), and that all of them adore life, all at once…"

After this presentation, descriptive as it appeared in character, of the components of the declared instruments of the method, and their relationship with the five undeclared assumptions, it has become evident that the scientific method is tantamount to a group of mechanisms imposing a discursive system of the series of socio-historical events which the researcher defines as his/her research phenomenon (Foucault 1982). The value of this discursive system does not stem from inside it, that is with respect to the type of relations that are formed through it, but inasmuch as it is articulated in social and economic systems which have an institutional logic of work that is intertwined in many forms with the market system and with other prevailing systems of power in modern societies (Bourdieu 1991). In what follows we shall present the mechanisms of this imposition and its results for the silence of phenomena as a necessary condition to construct scientific knowledge.

3.1 The Boundaries of Reductionism and Monopoly

It is possible to look at the five assumptions, their components and declared technical instruments, from different critical angles. It is, for instance, possible to build a critical and reformed view according to which this system of knowledge, despite its assumptions, instruments and components, is best for the production of knowledge. However, we have to improve some of its parts, and to master its utilization as a method. On another level, it is possible to take a critical attitude which sees the scientific method as an instrument that will be employed, alongside other methods, for the production of knowledge, according to broader beliefs and inclinations, for instance religious beliefs. What will be suggested is basically built on the critical viewpoint that says that science, as well as its method, is tantamount to a socio-historical phenomenon that is based on its being an interposition to the formulation of reality in a certain form. The main problematic of this interposition is its claim that it is determinant, and that it is alone capable of producing real knowledge of socio-political reality. The critique developed here is that the fashion through which the scientific method works, as shown above, necessarily leads to the reduction of social human experiments to one logic -- the logic of modern science. We shall attempt to present this reductionism, and to address the possibilities of avoiding it.

The first assumption, regarding the existence of a relationship between different elements, raises a fundamental question of the possibility to do social-historical experiments that have no relationship between one another. From our current observation of historical societies, it is evident that there is such a possibility. From the various types of criticisms that were constructed on this subject, many analytical concepts were formulated, the most prominent of which is perhaps the concept of context (Angrosino & de Perez, 2000: pp.673-702), symmetry (Williams, 1977: pp.101-107) and the concept of the implicit (Garfinkel, 1984: pp.1-34). These interventions refer to the tension that exists in the first assumption (where they search for the forms of interaction between the different experiments that have no connection to one another by assuming the existence or non-existence of a relationship). We might, of course, evaluate the extent of the success of such concepts by critiquing the assumption; however, what is important for us in our context, is the reference to the tension resulting from the imposition of a system that reduces the probabilities of reality to one possibility.

Critical scientific and philosophical writings on time and space, as dealt with during classical modernity, have lately increased. These have laid the foundations for the second assumption regarding the necessity for a relationship to take place in a specific temporal-spatial container, or too the extent that such a relationship is susceptible to identification. If we are not in the course of mapping these important interventions, we shall at least take an example of one of them which, we think, might have deep transformative dimensions for the second assumption. The concept of time has already been criticized as an empty universal container which can carry everything that might take place inside it, and the same criticism was already made with regard to space, whereby we cannot today touch on them as instrumental, universal containers for any event, regardless of the nature of such an event (Harvey, 1990: pp.201-323; Elden, 2001: pp.93-119).

Talking about the researcher as a mediator between abstract scientific reality and the empirical reality of the phenomenon cannot be considered as one of the axioms that have accompanied the hegemony of objectivity in the sphere of science. The different critical trends of the ideology of objectivity suggested many alternative possibilities for the processes of the placement of the researcher in the course of the production of knowledge. The organic intellectual, as was expressed by Antonio Gramsci, could be the one who has mostly discussed these trends that have clearly shown the limitations of the researcher and, sometimes, his inability to be a mediator. Not to mention, of course, what has been termed the "post-trends," characterized by a type of narcissism which celebrates the absolute significance of the researcher, almost disregarding the lived reality (Pratt, 1986b: pp.27-50).

The institutional side of the scientific method, in particular, and of scientific knowledge in general, has perhaps been most subjected to criticism by the various intellectual trends, and also trends that have contradictory tendencies regarding the location of the production of knowledge in the socio-historical processes. The interventions of Michel Foucault on this subject could be the most discussed in this stage of the history of the social and human sciences; however, it is not the first in this track. For instance, since the emergence of the scientific institution, Marxist trends have undertaken a comprehensive critique on the scale of exchange values and their symbolic and material dimensions (Eagleton, 2003).

With regard to the fifth assumption on the centrality of the socio-historical process, and its ability to take a position, it is obvious that the critique here has not penetrated the main systems of thought in the social and human sciences. This might be due to many reasons, the most important of which is the prevailing general system of morals in modern societies, and which, despite its apparent double standards, its exploitation of the human being through the ugliest possible methods (as well as its semi-absolutist moral belief in human centrality in the universe) continues to be dominant. This means that any intellectual project that does not emanate from and, in the last analysis, return to the human being, will not find any chance of survival in the theater of modern scientific knowledge (Bataille, 1985).

From this preliminary presentation of the limitations of reductionism imposed by the functioning mechanisms of scientific method, and from our presentation of the types of critique of these reductionisms, we have demonstrated the main tendencies through which we can deconstruct the discursive system of the scientific method. This will enable us to appreciate the horizons through which this method develops its assumptions, instruments and components. One of the most important of these tendencies is that undermining the foundations of the methodological discourse has not led to its abandonment, but to the accumulation of a specific type of methodological knowledge through the mechanisms of containing and subjugating its transformative critique. This could be due to the broader relationships which place the method between the theory and the phenomenon, through an institutional logic that is intertwined with the late capitalist system (Mandel, 1998). In the second part of this chapter, we shall clarify these relationships, although in a preliminary from, so as to complete and subdue our approximation on the silence of the phenomenon.

2. Approximation Steps

Scientific discourse is based on a structural framework, whose aim is to unravel the infrastructure of the production of knowledge forms this declared aim. Three main levels form the basis for this framework: the theory, the method, and the social and historical phenomena that are accessible to research. The researcher is the one who carries such a framework; however, he/she is carried within it (the framework) due to the fact that he/she can only become a researcher through his/her role as a carrier for such a framework. The separation between these positions is, according to the discourse, qualitative. In other words, each one possesses a principle that regulates its work, which is not only different from the others, but to a certain degree independent from them. However, this separation necessitates specific forms of relationships which enable this framework to be productive. These relationships, in their traditional form which is still prevailing, are based on a vertical framework where the location of theory is in the highest position, and then comes the method, and at the lower position the social phenomena that are subject to research. The value of the researcher is, in principle, determined according to his/her specialization. We find that those who work in theory enjoy a high value, while those who specialize in method enjoy a lesser value, and the least in the scale of value are those who collect empirical data. It goes without saying that most researchers try to work on the different positions of the scale of value, aiming to attain the best value possible, which might in turn equip them to secure a better position inside the field of the production of scientific knowledge. This position of the method which comes, in other words, between theory and the social reality of the phenomena of research (insofar as it is a bridge that connects between them and on which basic information moves to be transformed to the level of concepts and theoretical statements, and which in turn guide future research on other aspects of the same empirical position, and then its positional value in the exchange market of knowledge[9]) leads to fundamental problematics in the structure of the method and in the ways of utilizing the procedural process. What is common among these problematics is that they emanate from the relations of the dependent method on theory, whereby there is to every theoretical trend a certain distortion of the method derived from the main assumptions which we have touched upon in the first part and which stands as an infrastructure for its

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[9] Most academic institutions follow specific tables to evaluate refereed scientific journals in accordance with their level of scientific value. For example, in the field of Anthropology, *American Anthropologist* is considered to be one of the important journals and is classified as level one. These tables are part of the mechanisms that contribute to the trading of the value of knowledge with its institutional level.

general construction.[10] Given that the characteristic of the main theoretical level is the general, it has become essential for the derived methods to be formulated according to this level so that the method will not be formed for a specific case but goes beyond it to different categories of specific cases, in other words, the general. As we have shown in the first part, the conceptualization of this formulation was carried out through the positioning and codification of the discourse of scientific method, so that it would become an independent discourse, whereby those who work in the production of scientific knowledge have to master it and then to fluently reproduce it.

One the fundamentals of scientific methodological discourse, despite its different trends and spectrums, is that the method has to have specific rules by which anyone who uses this discourse abides. In this context, it is important to note that two researchers may differ to the point where they would stop communicating with each other, but they would nevertheless agree on the principle of codifying the rules regarding the method of conducting scientific research, and the necessity to abide by them. Given this, the most prominent scientific differences had to do with the nature of distorting the method that the researcher has to follow in his/her endeavor to investigate, examine, and interpret the phenomena being researched. In fact, the most prominent of the ongoing differences in this area is that which has to do with the camp that upholds the quantitative style, in comparison with that which prefers the qualitative style. There is indeed a specific history to this struggle between the two tendencies, which continue to form arenas that produce fierce tension. This is in addition to the knowledge and the system of power that embraces them, which can start with the level of theoretical and intellectual discussion and can extend all the way to the level of personal relationships between the researchers, through the academic institution, and the allocation of jobs and budgets. Despite this, both camps are convinced that the method is the main pillar, after theory of course, in the process of constructing scientific knowledge. In this chapter, we do not endeavor bring an end to the ongoing discussion on method between these trends, but we shall try to develop a critical category on the rule that is semi-axiomatic which states that the method, in its dependence on a theoretical trend, has to form a group of laws and rules that oblige the researcher to follow, so as to be able to produce recognizable knowledge, regardless of the nature of the method utilized and the nature of the phenomenon researched (This is if he/she wants to be a member in the local and international scientific community). The path that we shall follow in the process of constructing such a category seems at first glance, naïve and innocent. If the aim of scientific research is to produce the knowledge that will enable one to know how to interpret the

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[10] For a specific example of this, see the various tables that connect between the theoretical approach and the types of methods that are derived from it (Lincoln and Guba, 2000).

mechanisms of the research phenomenon, and its different behaviors through the times and places in which they manifest themselves, it seems more useful to ask which would be the best method to research it, rather than indulging in theoretical complexities which do not necessarily have any connection with the nature of the phenomenon, but in fact are closer to what can be termed a record of gray academic diaries, theoretical and/or other. However, is it possible for the phenomenon to speak, and if so, in which language and how?

In light of the criticism that was expressed above, shifting the weight from the theoretical level to the empirical level seems ambiguous. As a matter of principle, it looks like this transfer will maintain relations of structural dependency between the method and one of the poles of the production of scientific knowledge as they are, even if their content has been altered. This is in addition to a dimension that appears to be camouflaged in this transformation and connected to that heritage in the social and human sciences, and which can be described as "the hatred of theory /philosophy,"[11] that accompanies the indulgence in the details and standpoints of the private and refuses in a semi-definitive manner to take any step towards the public in general. To begin with, it is important to note that our endeavor is made up of two parts; first, it is both a containment and a negation of the two tendencies, whereby it is an endeavor in a constituent movement through which the phenomenon or the lived reality opens the method so that it can construct a question about the general public, or the theoretical, in a way that might lead to dismantling the framework of the course of the production of scientific knowledge in a horizontal direction. As with the other part, it suggests a question about the scientific possibility of a relationship that is not methodologically bridged between the social historical reality and its part which we describe as the theoretical level/ location; which is the direct reconnection between the private and the public where their interaction creates another movement in reality that works according to a principle of life rather than death. This is not through the announcement of the death of the method, but just an attempt to contain it by negation, which means the repeated creation of its characteristics that emanates from the principle of the moving reality, rather than the copying of its generalization which results from the stagnant theoretical level.

It is not superfluous to state that the system of relations between the method adopted and the phenomenon of research is of a determining nature, in other words, the moment they meet constitutes that moment of their determination, even if this determination works differently in each of the two. However, such a

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[11] We believe that this position of theorizing and philosophy is due to a specific and distorted explanation of positivism, and to other trends that were influenced by phenomenology through procuring the mechanisms of the market, which call for practical concepts that are direct in the way they operate under classifications that eventually lead to the reduction of the levels of reality to quantitative dimensions only.

statement would seem, for some of those who are immersed in the boundaries of the method as a field in a traditional way, as not relying on the existing scientific research reality. For they see the method as a codified way capable of being identified and determined, and that it is possible to point to the foreseen social-historical reality. Most probably such an observation is correct; however, the above mentioned statement does not refer to their existence and nature, but to that moment and location where they meet and where each will be transformed in accordance with a regulating principle that cannot be identified on the basis to what in time and space is equal to, or precedes, their encounter. In most research, we find many mechanisms through which the method will be brought back to its first situation, which is the codified and the recognized, while the phenomenon will be framed as an actual part of reality. In other words, it is in existence before its formation as a possible research phenomenon. Hence, the method rapes reality twice, first by reformulating it for research purposes, and second in claiming that what was raped is what originally was. These dynamics emanate from accepting the assumption that the researcher and his/her theoretical and methodological equipment are in a certain location that supervises the socio-historical process, but is not a part of and/or active in it. We learn that the researcher, and his/her theoretical and methodological equipment, are part of these processes he/she constructs and adopts as they are the condition of his/her existence as a producer of knowledge. The question for us in this context is: how does this take place? In what fashion does the method operate specifically, in its reformulation of that part of the socio-historical process whereby it becomes susceptible to research? It is also possible to ask this question in a different form, how does the social process identify the types of methods that are suitable? This takes us back to this rather infantile question, how can we deduce from the phenomenon its method of research? At this questionable, ambiguous intersection which takes back the method, and the theoretical trend which can be molded as a fashion of research, to the particulars and details of its intertwining with the different levels which together form the motion of reality and what appears from it and what is hidden, we endeavor to contain and negate the method. It appears here as if there is an exceptional significance for this part of the historical reality, which we shall position as an example of what we will endeavor to examine. The core of the main claim of this chapter is that the unclosing of the method suggested above, is connected to the type of reality and to the way it is read/written as a phenomenon that is susceptible or accessible to research and theoreticization.

1.2 The deconstruction of determining the method from theory

Since the institutionalization of the academic market in the West as well as the Arab world, there have emerged many fields and subject matters that have prevailed, and many others that have been marginalized. These were, however, molded as research topics and have thus enlisted ready-made phenomena for research purposes. In this case the researcher has only to choose from these topics what he/she finds suitable for research. Of course such a list of topics will be channeled into the researcher's mind through the various phases of his/her preparation in such a way that he/she will not anymore be able to see the boundaries of its horizon, and in consequence what topics by necessity lie behind it that might be assessed as viable for research. In our examination of this question it is possible to approximate this list in many ways. The most manageable of these ways could perhaps be to simply look into this horizon and try to discover what topics it contains. We shall, however, follow a different route and try to utilize another method, through which we will try to examine this horizon vertically (if it is at all possible to use this term, given that our aim is not to apply the method to what has been excluded or eliminated, but to approximate the method in itself). We shall endeavor to examine our cited example in this chapter, martyrdom, which is a part of a repeated topic from within the list, that of Palestinian society, to see how it was formulated and thus be able to reflect on the mechanisms of its exclusion in the very moment of its formulation. And by this we can perhaps approximate the issue of listening in the context of what Palestinian martyrdom epistemologically says. What have been cited above as questions on the different possibilities through which one can derive and identify various research phenomena, and their central questions on the issue of martyrdom in Palestine, are only viable after a deep formulation of Palestinian society and its different, explicit mechanisms inside the archive of the academic institution which contains and forms the topics that are viable for research. This junction in the fabric of scientific research is horizontally connected with theory and with the research phenomenon, but it also exists vertically through many categories that form it as a distinguished method when compared with its neighboring likes on the horizontal level.

It is possible to say that the theoretical location is a form of awareness of the third degree, and it is a certain advisory and formative position towards awareness of reality and its different events. Hence, theory is a public law, which observes a specific type of socio-historical event so as to make it say something in a certain direction, in other words, it is an explanatory description of all the possible real or existing relationships of this category of events. In this it refers to the possible trends of this category and its other neighboring categories and then in society

as a whole. It is usually made of a group of abstract concepts which are verified within a system of relationships that determine the concepts themselves as well as the horizons of their movement (Nashif 2007, Arabic reference). The units of measurements may differ, starting with the focus on the individual as a whole or one side of him/her, or a specific sector of society, or human society as a whole in its general movement. However theory remains at this level of abstraction without moving towards any empirical reality or other systems of knowledge such as religion and witchcraft (magic), thus maintaining a balance in its structural dimension that characterizes it in relation to other locations in the course of the production of knowledge, and adds to it significant value in the general structure of scientific discourse. We do not find such an ideal type of theory at this state of typology, but it is the result of a historical construction which interacts with the total components of the moment and location of its formation. In other words, for theory to become theory as such is contingent upon the condition of its social and historical production, even if this contingency is not directly represented in a written form but is closer to being adjacent to it, it being possible to say today, with reservations, that theory possesses its own history. In other words, and as we have shown above, there is a regulating principle that determines the theoretical sphere. And the question here: is how does theory determine the method that the researcher should follow or utilize?

To begin with, the researcher does not start his research without a theoretical system which governs his/her different positions towards the reality of the phenomenon that he/she intends to examine and towards social reality. The degree and type of his/her awareness of this theoretical system and the work he/she has invested in its development may vary, however this variance does not transform the structural location of the theoretical system towards reality which is a part of it and its position towards it (to look at different examples on this subject, see: Canguilhem, 2007, Arabic reference). And one possesses a certain perception as to how this awareness and this reality should be and accordingly how they should have been in the past and how they are at present and what would be their future trajectories. In other words, the researcher works according to a specific mental plan that he/she has acquired, and most probably it is a form of the interaction between the two which evolved through the stages of his/her personal and social history. If the researcher has worked according to this plan, this existing perception, in its embodiment of the fashion by which the regulating principle of the general social category functions and which includes the existing phenomenon under research, also carries within itself as a necessary derivation, the fashion by which the phenomenon should be approached and researched and the reason for this is that the actual process of researching the phenomenon is part of the researcher's consciousness of reality and both are in fact part of the

general movement of reality which carries them as well. This is similar to the relationship between going on a picnic to a certain place and the concept which takes the traveler on the way to that place. The traveler's concept determines the directions that will enable him to reach the place where he intends to go and thus the actual journey which results from the fashion by which he reaches the place. It goes without saying that all the routes are full of surprises which might oblige the traveler to changes direction. Let us for a moment examine this relationship, which we claim is compulsory, between the fashion by which the principle that regulates the phenomenon works as a distinct representation of a general social category, and which forms the core of the theoretical level, and the fashion through which this category of phenomena is examined in its distinct probable empirical representation. What is important in this relationship is not its possible existence, but our description of it (the relationship) as compulsory or necessary. That is to say that the existence of a certain regulating principle for a specific social category determines the fashion by which an existing phenomenon is examined or researched, despite the fact that the regulating principle and the way the research is implemented are two different levels of abstraction, where the first refers to relationships between concepts while the second makes a link between the behavior of the researcher and the empirical distinctive representations of the research phenomenon. Their being two types of abstraction does not negate the compulsory derivative relationship between them but indicates the existence of a connecting link between the two, which is, in scientific research, the process of interpreting or converting the regulating principle, in so far as it is directed to a general category, to an existing state as a specific research phenomenon that takes place in a specific time and space. This interpretation of the phenomenon as part of the empirical level of reality leads us to derive the way in which the phenomenon will be researched, a specific existing method that functions in accordance with the type of interpretation employed for the regulating principle of this category of the phenomenon. This can perhaps explain some of the forms of disagreements between and within groups of researchers who work in accordance with the same regulating principle of a certain category, where different interpretations of the same regulating principle generate what might appear to be different phenomena of the same category and thus also different methods in researching each of them. This successive derivation is in contradiction with the feature of compulsion mentioned above, considering that compulsion comes with one type of interpretations, and in consequence specific methods or fashions of research, while we see here a multiplicity of interpretations and methods. The issue here is that the decline in the level of abstraction for the same regulating principle will bring about a great number of events that will have the same regulating logic. Also the opposite process which is the ascent in the level of abstraction will look

like a reduction of the level that preceded it, which is not the case at all. What is important in the process of interpretation is that the phenomenon is not a priori given to interpretation, in other words, the naked eye of the regulating principle sees the transformation of reality at different levels as a general unspecified entity, closer to a trend full of successive events and in case the regulating principle was made to work in a certain area or domain in this trend it will, as the brush of the painter, form this entity as an empirical phenomenon reflecting its very image. In other words, relationships will be excavated in time and space within the entity taken from the overflowing trend and this excavation will thus be read as if it is the empirical reality itself. Of course, the question to be raised is whether this entity is absolutely susceptible to the processes of its formation? Of course not. However, however, the discussion here is not about this entity in itself but about the forms of its representation in the prevailing discourse of the social sciences. The interpretation of the regulating principle to an existing research phenomenon does not transfer the researcher from the mental world to the material world, if this separation is at all possible, and it actually exists in the social sciences, but it specifically transfers the focal point from a certain mental stage to another. The tragedy here is that the social sciences rather than letting reality talk, take it over and talk about it. After this presentation of the relationship between theory and method, it will be of significance to cite an example.

About Exception and Martyrdom:

We have formulated three possible examples on the issue of martyrdom in Palestine and for purposes of reminding the reader they are as follows: the first is about the modes of interaction between martyrdom and the place of inhabitance in Palestinian society in the West Bank from the 1990s until now. The second encompasses the effects of the political position on the behavior of the martyr (istishhadi) among adolescents in the refugee camps in the Gaza Strip during the second intifada. The third concerns the types of psychological factors that play a role in formulating the martyr's personality in the current stage of the colonial conflict in Palestine. These three examples, formulated as research phenomena, as well as their central questions and the methodological procedures that were derived from them, a creation of a specific theoretical system that has an epistemological heritage in the social and human sciences ever since they were founded in the 19th century in modern Europe. It is necessary to emphasize the analytical steps that have emanated from this theoretical system, and then the mechanisms of identifying the specific methods for the three models so as

to show the processes of reduction, endeavoring from that to propose a critical approximation to introduce the method to the voices of historical reality.

This theoretical system has many forms of interventions and we shall in what follows present one possible version, which the researcher usually carries in his/her consciousness, but to varying degrees, and before he/she has embarked on studying the phenomenon of martyrdom in Palestinian society. Individuals and groupings who experience difficult social crises exhibit exceptional behavior. If the event reflected a specifically acute social crisis, and was conceptualized by individuals and the various groups of a certain society as such, and this is considered a consciousness of the first degree, and which might, based on this conceptualization, possibly lead to exceptional behavior, consciousness of the second degree among these individuals and groupings will then be a form of a mental mode which determines the possible forms of behavior in every case defined or identified as an acute crisis. And the theoretical location is in reality a form of consciousness of the second degree, given that the researcher, by being a part of a specific professional society, embraces a certain abstract way of thinking that qualifies him/her to establish relationships between the youths and the two levels of consciousness and hence he/she will be able to distinguish between different forms of consciousness of the second degree. In this example, the researcher differentiates between the normal social cases and the behaviors that accompany them and the abnormal cases, that is the crises and behaviors that accompany them. Hence, it is evident that the researcher who endorses this theoretical category starts first by classifying his/her research phenomenon to determine whether it is normal or abnormal, and this is, in fact, the advisory side of the theory. After that and in case the category was identified or determined, the researcher will do what appears to be a derivation of it, that is to determine the type of behavior practiced by individuals or groupings, which is, in the final analysis, the formulation of reality. Behavior does not a priori carry its meaning and form but it is in fact a result of a process that determines its type through linking it to a certain context, while excluding its links to other historically possible contexts. The statement which proposes that in social crises, individuals and groups are inclined to have exceptional behaviors is congruent with the totality of the type of events called "social crises" as distinct from normal events, leading to the idea that exceptional behavior accompanies abnormal events. In determining this type through its connection with the normal event as a neighboring one, the form of the general movement or behavior of society between the normal and the crisis, will also be determined. In other words, society develops or moves between the moments/locations of its foundation and others and among them are classified as normal until which time the moment and location of another event arise. We have here three main abstract concepts; these are the social crises, the individuals

and groups, and the behavior. The system of relationships between them takes the following feature: the relationship between the crisis and the individual and groupings are relationships of containment, that is they are a part of the crisis since they live it and this containment leads to the emergence or emanation of behavior in so far as it is the practice of containment in a specific style. It is possible here to switch the concepts and the units of measurement that emanate from them, the state or the family for instance instead of the individuals, or the feeling instead of the behavior and so on and so forth. However, this switching will not change the system of structural relationships of theory for we cannot, for instance, add a year or two to the age of individuals or add two eyes to their faces particularly if we want to remain in this theoretical level and location. If we want to produce scientific knowledge through its laws and the rules of its discourse we cannot make a switch in the rationalist formulation of the relations of containment and emanation, and then embrace a formulation that will transfer us to other epistemological areas such as, God punishes us by creating these crises and then assert that the type of consequent human behavior that occurs has to do with the will of God. There is a specific history in the social sciences to this theoretical statement on social crises and the behavior of individuals and groups that accompanies them. The writings of Emile Durkheim, specifically Suicide (Durkheim 2002) was one of the turning points in the emergence of this history in the form that we know today. Ever since the publication of Suicide in 1897 generation after generation of researchers has built on Durkheim's work regarding the relationship between social crises and the behaviors that accompany them, in addition of course to the critiques, arguments and modifications it has occasioned (Giddens 1972, 1-50). Despite the fact that this theoretical field and its history is not our main subject of interest and discussion, it is important to note that Durkheim's body of thought on suicide constitutes one of the more evident theoretical foundations that stand behind the totality of the research activity in the social sciences today and it is due to this very fact that it is of paramount significance to examine its history and to deconstruct this body of theoretical knowledge. This body of knowledge dealt in a direct and indirect form with the issue of social crisis and the behavior that accompanies it. In consequence, the theoretical body of knowledge composed by Durkheim is a production of the material combination of the interactions between the various bodies of knowledge that were at work during his life-time, notably Marxism and psychoanalysis, still relevant today. With this specific theoretical baggage the researcher embarks on examining martyrdom in Palestinian society. How does what's inside the baggage (Durkheim's theoretical discourse on suicide) interact with consciousness in reality so as to determine a specific method for implementing and conducting research?

The researcher in Palestinian society stands before a distinctive socio-historical case in so far as this society has been living a continuous crisis since at least the end of the First World War Accordingly, he/she can realize that the crisis is the normal type that makes up the daily events and details of this society. He then can notice that the normal crisis passes through frequent crises some of which can be classified where it becomes possible to observe, while other crises will look like they do not follow a specifically clear law. These crises temporarily rearrange the different social structures until the coming or subsequent crisis. It is of relevance in this context to mention, for instance, the 1967 war and the political transformations it caused in the different structures of Palestinian society which temporarily formed the normalities of society until 1987 and the eruption of the first intifada. It is also noticeable that every crisis generates exceptional behaviors which prevail, and which are usually marginalized and/or even not existing in normal times. One of the most profound examples on this issue is what is known as the phenomenon of clandestine political activity, and hiding in a secret place was part of this activity. This activity was widespread during the first uprising but its impact tended to decline radically during the Oslo process. However, with the second uprising this phenomenon began again to dominate the daily political and other related activities of Palestinian parties. In this context, the researcher who carries the theoretical statement that asserts that in acute social crises individuals and groups are inclined to display exceptional behaviors, will find that Palestinian society does not represent an exception for such a theoretical statement but a mere modification especially given that there is no normal in the normal sense but what is normal in Palestinian society is this state of continual crisis that Palestinians experience daily, which gets interrupted by other crises and which in turn will be accompanied by different exceptional behaviors. And modification, also, at the level and seriousness of exception, when it is in what is normal in Palestine, which is a continual crisis, there are behaviors that accompany it and in case there is a crisis in this normality, the exceptional behavior becomes dual and it escalates. This theoretical carrier becomes apparent for the researcher as a mental plan, where every empirical material in society and Palestinian history will be restructured according to its inner logic. For instance we cannot find a normal Palestinian time and space and the normal is by necessity a continual crisis and its continuity led to it being framed as normal. The same holds regarding the exceptional behavior which accompanies the crises. In the examination of martyrdom as a historically empirical material, in so far as it is not yet defined by the researcher and determined at the same time, in time and space, the researcher who carries such a theoretical carrier, embarks on conceptualizing this empirical material as a theoretical interpretive introduction. In accordance with the modification on the theoretical system we suggested above, one of the

possible formulations can be as follows: Palestinian society in the West Bank and Gaza, in the beginning of the 1990s, passed through fundamental transformations that have been framed as a comprehensive acute crisis. This crisis was accompanied by exceptional behaviors the most profound of which was martyrdom. Using a different formulation: it can be said that the crisis that shook up Palestinian society in the 1990s has interacted with the different classified social structures and has produced martyrdom as an exceptional behavior to counter the context that emanated from the crisis. It is important to indicate here that the theoretical carrier mentioned above and these theoretical interventions, as a translation of the carrier in a material context, are mentally representative materials, since they are on reality, and they are not the reality that is being researched. At the heart of this formulation there is a concurrent time-space-spatial relationship between the events of the crisis and martyrdom. This concurrence carries features which constitute different expressions on a deep structure that makes a link between the two events, which the exceptional or abnormal behaviors and the method, in being an instrumental method, should be able to identify and collect and then formulate as empirical material or data that would be susceptible or accessible to theoretical analysis and discussion, which will thus enable us to have a deep understanding of the deep structure that links the two events. In the three modified examples on the subject of martyrdom in Palestine, we find that in the first phenomenon there is a hidden assumption that the crisis takes a dimension that is deeper and more comprehensive amongst some types of inhabitants, for instance, those who live in a refugee camp when compared to those who live in the city and, in consequence, the exceptional behavior connected to the crisis, martyrdom, will have a greater special quantitative and qualitative impact there. With regard to the second phenomenon, there is an intersection of three types of crises: the second uprising, the camp and the generation of adolescents; whereas the general crisis that shakes up society as a whole intensifies and becomes duplicated in its intersection with the camp as a crisis that has become normal at the level of the refugees and in its intersection with adolescents, who are in a phase usually classified as a crisis at the familial and individual levels. And the expectation here, is that this intensification will be reflected not only in martyrdom, in its traditional form, but also as a specific behavior that is possible to sense through the political position of the individual who lives through such intersecting crises. With regard to the third phenomenon, we have here an analytical step that is more abstract than the two previous phenomena, whereas the concept of martyrdom's personality refers to the crystallization of a new type of psychological structures that emerge immediately after the continual crises in Palestinian society, due to the fact that a distinct personality has been formed and we have just to show the exceptional psychological factors that contribute to its reproduction at this stage

in the development of colonial conflict in Palestine.

It is important to stress here that, at this theoretical level, such analytical steps are essential for the derivation of the method as presented in the first section. They function as an infrastructure that determines the technical steps regarding the central question, the secondary questions, the community of study, the methods of data collection, as well as the description of the research process and the difficulties encountered. As became apparent from our presentation, the reformulation of the empirical material of the social-historical reality, with martyrdom as an example, will end up encapsulating this material to enable the researcher to prepare, implement and textualize his/her scientific research. So in the context of our example, martyrdom cannot but be framed as an exceptional expression of the crisis which Palestinian society is going through. We shall, in what follows, discuss some of the steps which we think could play a role in limiting this reductionism by opening the relationship between theory, the method and the phenomenon.

3. An Alternate Horizon, the Horizon as an Alternative

The necessary fundamental transformation that will deconstruct reductionism lies in transforming the structural framework between the three poles of the process of the production of knowledge in a horizontal direction, in other words, deconstructing the institutional scale of values which idolizes theory, subordinates the phenomenon and creates the method as a channel between them (regarding the concept of horizontal critique, see Botting &Wilson 1998; 1997; Hollier 1989; Bataille 1985). This step relies on the method through which the human being lives his/her social life where the process of cognition of the living reality is a totality that will be classified retroactively, so that the understanding of a specific material reality will encompass synchronically the theoretical, methodological and empirical dimensions without, in principle, the need to separate between them in order to comprehend them and understand them. It is therefore possible to see this totality, and in accordance with the forms of critique, that were presented above, for the five assumptions and what emanates from them, as a series of events, where the event is a focal point which accentuates the process of comprehending the living reality on its different levels including the scientific method which is not only a part of it but active in it as well and this accentuation or concentration formulates reality in the form we define it (Badiou 2005). By this, we do not a priori assume that there is a certain relationship, but a form of types of occurrence which enables us to open the horizon of examination in

different directions. And in this case we would not be facing the issue of defining the tempo-spatial coordination of occurrence, for this assumption refers to a certain tranquility, but will be in the attempt to infer the movement and its different rhythms which characterize a certain occurrence. With regard to the third assumption, the researcher being a mediator, to assume the occurrence as a moving series with multiple rhythms necessitates their intertwining association with these overflowing processes, which are, originally, a part of it given that is a part of the social-historical occurrence. With regard to the forth assumption, the occurrence as a continuous movement cannot be easily modeled, as a form of exchange product with all the values that are related to it. We do not here wish to engage in a discussion on which form of the system of possible alternative values to choose. We will be content to make reference to the fact that the movement that characterizes the occurrence as it is does not accept the imposition of a priori systems as its fundamental approach. Some might not accept this as a specific value system, and this is possible, this movement nonetheless constitutes the fundamental category that characterizes social and political reality. This will take us to the fifth assumption on the centrality of the researcher in the social-historical process, and his/her ability because of this to take a position towards such a process. The totality of an occurrence is not considered by the researcher to be more significant than any other level of occurrences. Accordingly, what governs the socio-historical process is not an individual or an institution, regardless of their types, but the transformations in the movement of occurrence are a coalescence of all levels gathered in one totality.

The method should be built in accordance with the movement of an occurrence and its rhythms and not the other way around as is the case today. Accordingly, the first step, which is a necessity, will be to identify the form of this movement so as to build the method which will enable the researcher to indulge in its rhythms in a way that will negate by necessity the existence of the method except at the moment when the researcher encounters the movement that he/she will undertake. The determination of the form of the movement is done through a comprehensive reflection on the social historical living existence which is objectively connected. The practice of comprehensive reflection is a continuous series of events that have a reflective movement. In other words they are events that interact with the events that accompany them to conclude their overflowing movement.

What has been proposed to deconstruct the reductionism of the scientific method to the socio-historical reality is one of many other possibilities which we could have concluded from the way we have presented the scientific method and from the types of criticism towards the method. It is important in this context to make

reference to the fact that the researcher should be aware of the limitations of the scientific method he/she is utilizing. This form of consciousness will start by deconstructing this semi-holy glory of science and its method. There is no socio-historical method or way that has a trans-historical essence. It is trans-historical in a socio-historical formative logic. So it is here where the demarcation of the boundary of scientific method lies and the question of where and how we decide what can and cannot be examined is posed, as well as what lies outside its ability to examine and why. In this moment of consciousness we will be able to see other routes that the living reality enables to produce knowledge on its behalf. The remaining issue is, therefore, to seek an archeological uncovering of what has been hidden by reality and what science has displaced from the comprehensive reflective landscape.

Summary:

The main idea of this chapter could be that we must neither approximate nor open the space of the method on horizons of transformative critique without, on the one hand, observing its various interrelationships with theory, as well as with empirical reality. This has required us also to indulge in the method itself and to examine its complex relations with both levels so as to explain its working mechanism in as far as it is a procedure and an implementation of scientific research. This consolidates our fundamental thesis that scientific research is a certain statement on the reality being researched and it therefore becomes a unit with a meaning in the case where theory, method and reality were connected in a specific way and which I call the scientific method.

This scientific method points to discursive formations about living historical material reality, and they are thus part of this reality and interact with it. With regard to method, these discursive formations formulate material reality through undeclared assumptions, which we have, in this article, already identified and which we think form its fundamental nucleus. The first assumption regards the necessary existence of a relationship between the elements of empirical reality. The second assumption regards the fact that such a relationship is of a spatial-temporal level that works as a container for it. The third assumption is that the researcher functions as a mediator between the empirical reality and the other levels of scientific research. The fourth assumption concerns the evaluative interactive scale through which the scientific institution regulates the movement of the production of knowledge, and lastly, the fact that the researcher is, according to the general principle of modernity (albeit modified), the center of

the socio-historical process. This automatically entitles the researcher to adopt a position in regard to this general process. A reflection of these assumptions can be clearly seen in the way the phenomenon and its central question are identified or determined, and also in the components of the method, the secondary questions, the community of study, the methods of data collection, the description of the research process, and the difficulties that the researcher has encountered. In other words the assumptions get reflected in a sense where these components become material manifestations for them. So the instruments that the researcher utilizes in preparing for the implementation and textualization of the research are specific and direct derivations from one of the five assumptions. These mechanisms form, to a considerable extent, the principle of the inner working of the method, and in our overall aim in opening the possibility for their deeper understanding, we have, in the section that followed our examination of these assumptions, dealt with the abstract theoretical structure that stands behind their foundations.

It is possible to compare the production of scientific knowledge with a production line. However, this comparison is not accurate given that there are complex relations that are characterized more with symmetry rather than resemblance. And although the points of contact between the various social fields, in our context between the scientific and the socio-economic, have not been adequately researched, there is no doubt however that abstract theory, in its direct association with the scientific institution, is characterized by the attributes of those of exchange rather than use values. Hence, the structural positioning of theory at the tip of the pyramid, the method in the middle and the empirical material at the bottom, has been subject to many different forms and types of critique. We tried in this article to illustrate this dependency; in other words, to clarify the mechanisms through which the method is derived from a specific theoretical heritage, where it will be applied to the phenomenon without reflecting on what the phenomenon really says, as the phenomenon continues to reiterate its silence at every moment it meets the method and theory which stand at its foundation.

There is no such thing as an innocent descriptive presentation or discussion, for what was presented on the method in this article, is a specific form in the opening and approximation of the method which endeavors to establish a horizontal relationship between the poles of scientific knowledge: theory, method and the phenomenon. This, of course, stands in contrast with the prevailing vertical framework or structure. One potential alternative that could emanate from what was presented and from the criticism that was established in this article is the assumption of a series of events focusing on the concept of occurrence rather than starting or departing from the concept of relationship. And the occurrence, as being a specific form of the movement and its different rhythms requires a

holistic reflection as a methodological approach for examination followed by action. Raising this possibility was not intended to make the claim that all other possibilities were exhausted but the intention was to point to the fact that its existence has remained camouflaged in the prevailing scientific system.

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CHAPTER FOUR

HISTORICAL SOCIOLOGY AND THE RENEWAL OF THE SOCIAL SCIENCES

By Elizabeth Picard

When the social sciences resort to compound words, there is good reason to worry that the object or concept thus designated is imprecise in the mind of the speaker or will give rise to misunderstandings. We have a rather clear idea of what social history consists in: in contrast to the event-centered approach of traditional political history, which tends to concentrate on governing elites, social history is a sub-discipline that opens up the study of the past to processes and events concerning a population in all its diversity. Similarly, we know that social history is the privileged historical domain of historical sociology, that is, the field from which the latter draws its documentation and its questions. But what is historical sociology?

It is in these terms that we refer to an ambitious and prolific renewal of the social and human sciences that focuses on the historical origins and diachronic trajectories of processes and phenomena and examines the present in the light of the past. Moreover, historical sociology becomes comparative – and is thus referred to as 'comparative historical sociology', or CHS – when it situates its object

of investigation relative to other objects, identifying points of similarity and difference in order to understand its particular characteristics better.[1]

Although historical sociology represented a far-reaching revolution within the social sciences, the character of this "revolution" must immediately be qualified. As we will see when we turn to consider the historical turn taken by the social sciences in the 1970s, the origins of this movement are in fact to be found in the great works of 19th-century social science. Indeed, a critical reading of these works – and of Tocqueville, Marx and Weber, in particular – reveals the extent to which they already attributed a critical role to history. We will also see that, rather than offering a (new) theory of the social sciences, historical sociology brought about a major methodological change: it drew the attention of the social sciences to the link between long-term considerations and particular events (including accidents and crises) as well as to the interaction between inductive and deductive approaches. These two dimensions today occupy a central place in social scientific practice. Next, we will look at how, twenty years after the historical turn, a series of challenges to historical sociology, grouped together under the generic term the 'cultural turn', opened up new perspectives on the use of history in the social sciences. This critical opening nevertheless posed new problems – in particular, that of the distinction between history and memory in the comprehensive analysis of contemporary social facts.

1. Diverging Perspectives: History and Social Theory

For students and young scholars in the social sciences, taking history into consideration may today seem like it goes without saying. Yet it was not always so: while the social sciences made a tremendous leap forward in the 1940s, 1950s and 1960s on the strength of foundational works published in the first half of the twentieth century, they showed themselves to be particularly skeptical towards historical inquiry. Indeed, they were swayed by a passion for theory and a desire to conceptualize, which led them to posit rigorous but a-historical general explanatory laws. While asserting their disciplinary specificity, the various branches of the social sciences latched on to similar modes (a reflection of their mutual influence) for identifying and classifying reproducible models of the operation of human societies. Whether set against one another, as was often the case, or conjoined, as sometimes happened, structuralism and functionalism established themselves as legitimate conceptual "toolkits" for the social sciences. "Grand theory" thus

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[1]   I leave aside the comparativist dimension of CHS, which is discussed in the previous chapter.

seized upon the linguistics inherited from Ferdinand de Saussure. In sociology, the functionalist mode of inquiry and functional synchronic analysis imposed themselves, reducing the operation of social groups to that of closed systems inspired by cybernetics.[2] Structural anthropology sketched geometric models of social organization and did not shy away from transposing its postulates onto contemporary societies or generalizing its methods at the risk of dissolving man in a universal determinism.

In studying the societies of the High Atlas in central Morocco, for example, Ernest Gellner (1969) sought to theorize an anthropology that was simultaneously inspired by the segmentarity identified by E. Evans-Pritchard among the Nuer of Sudan (1940) and the Bedouins of Cyrenaica (1949) and by the renewal cycles described by Ibn Khaldûn (2005) among the *'asabiyyât* Bedouins. The success of his structuralist approach came at a price: systematically applied to Arab societies and even to distant Muslim societies such as that of Afghanistan, it was and still is used as a universal interpretive framework for explaining a collection of codified relations between groups and individuals which are said to share the same meaning (within a family as between governments and governed). Given its attachment to the reproduction and identity of a nearly perfect model, structuralism ignored the specificities of field work and resisted taking change into account. What's more, this approach only looked for (and thus only found) an explanation for the operation it described in immediate – and therefore unchanging – causes and data.

An example of this penchant for "grand theory" can be found in contemporaneous analyses of the critical situation in Lebanon beginning at the end of the 1960s and the first years of the civil war (1975-1979). Lebanese Marxist intellectuals produced explanations of the war in terms of a crisis of capitalism and proletarian revolution: driven by poverty to quit the rural region of the Jabal Amil and Hermel and supplying a labor force that was exploited in the rapidly growing, deregulated economy of Beirut, Shiite populations were portrayed as the actors of a class struggle pitting them against large rural landowners and the entrepreneurs of a rapidly growing Lebanese industrial sector. The uprising of Shiite agricultural workers and semi-proletarians was exclusively understood as an expression of relative frustrations due to their underdevelopment (the standard of living in south Lebanon was five times lower than in Beirut) and the community's under-representation in positions of power relative to its demographic weight (Nasr 1997). By the same token, the mobilization of Shiites by sectarian parties that granted a central place to religion and morality (Amal beginning in 1974 and Hezbollah after 1982) was interpreted as evidence of their "traditional" attachment to a sectarian culture (Ajami 1986). Here, culturalist analyses met up with Marxist analyses in their timeless perspective.

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[2] The emblematic work of systemism in sociology is Talcott Parsons (1960).

They even gave rise to a semantic invention that captured the ahistorical amalgam of Marxist and culturalist analyses: the Shiites were described as a "class-community", thereby postulating a structural equivalence between sectarian membership and social class (Ibrahim 1984; Nasr 1978).

Yet even in the triumphal period of "grand theory", history was not totally absent from the horizon of the social sciences. Yet it was a linear and teleological history marked by the evolutionary ideology of the theory of modernization. Far from attending to the actual and factual causes of change, it interpreted social change by using general causes and trends to explain concrete instances of change (Hamilton 1984: 90). Each society, it was believed, passed mechanically and in a linear fashion through successive steps resembling the stages of life (from childhood to maturity): from the first hunter-gatherers to the agricultural economy and industrialization; from the rural world to that of cities; and, above all, from under-development to development. The European (or "Atlantic") world thus became the teleological goal towards which all human groups tended. Moreover, the social sciences contributed to identifying the indicators of passage from tradition to modernity: urbanization, formal education, industrialization and mass communication. Indeed, a seminal book from the 1950s sought to prove the "passing of tradition" (Lerner 1958) by means of a large survey of these indicators across several Middle Eastern countries.

Simplifying somewhat, the vision of history that the social sciences offered can be described as dichotomous: it set tradition against modernity, the internal against the external, the passive against the active and showed a tendency to draw a line between the past (the object of history) and the present (the object of social science), thereby ignoring continuity. A particularly striking illustration of this dichotomy was the ideologically overburdened representation of the Ottoman Empire in the five hundred years up to its collapse in 1918 as chronically decadent, incapable of reforming itself, economically backwards and comprised of conservative populations that, confronted with "European modernity", succumbed both militarily and politically. Indeed, on this view of history, only an external break in the form of Western occupation and colonization could bring modernization to the Middle East by breaking the continuity between past and present. Needless to say, such a vision owes more to caricature than to critical historical examination.

In the case of Palestine, a developmentalist approach to history saw the collapse of Ottoman power in Palestine in 1918 as a radical turning point that opened a passive and submissive local society up to technological, intellectual and institutional modernity. Even historical works claiming to objectively analyze

the Israeli-Palestinian conflict – Kimmerling and Migdal's book, for example (2003) – focused on external events such as the advent of Zionism and the British occupation. In reaction against such dichotomization, historical sociologists work to tease out continuities by studying the historically silent majority and seek to rediscover the underlying connections between Palestine's present and its Ottoman past (Doumani 1992 / 1991). For example, while reminding us that the emergence of a market in land and the rise of a large landowning class were rooted in long-term transformations that preceded the Tabu promulgation, Bishara Doumani has emphasized the role played by regional differences in the implementation of the Ottoman land code of 1858 in determining the pattern of Zionist settlements and the borders of the 1947 partition plan (Doumani 1992: 12). The need to "write Palestine into history" is all the more pressing given the intifadas of the twentieth century. Understanding key issues in the history of 21st-century Palestine such as nationalism and class relations requires detailed investigation of social, economic and cultural change in Palestinian society during the Ottoman era (Doumani 1992: 6).

2. When the Social Sciences Rediscovered History

It was historians themselves who first reacted against this drift in their discipline. They sought to overcome the nearly exclusive interest accorded to the center of power and elites together with such narrowly political events as changes of regime, military battles and institutional acts (treaties, constitutions, laws and so on). They criticized the construction of an historical account that was restricted to the events that gave it meaning. Historical periods are not made by dynasties or the rise and fall of empires but rather by "civilization" (that is, the conjunction of a variety of factors specific to each type of society and period) and the work of generations. History cannot be limited to a simple recital of human actions; it must be understood in a context of forces and conditions. Studying the structures of human action entails looking into more than the chronological succession of recorded events.

Beginning in the late 1940s, a new approach emerged that consisted in studying events from a longer term perspective, that is to say, over several decades and even several centuries. By turning historians' attention towards the economy and the "thickness" of a given society – its practices, beliefs and dynamics – this approach sought to go beyond the surface examination supplied by political history in order to arrive at a deeper understanding. Together with the *Annales*, a French history review founded in 1929, Ferdinand Braudel's vast dissertation, *The Mediterranean*

and the Mediterranean world in the age of Philip II (1972), gave an impetus to this renewal and won followers for it across the world. These latter included the Egyptian-American historian Charles Issawi, author of a remarkable economic history of the Middle East in the 19th and 20th centuries (1982). Having redefined its objects of investigation and relationship to time, history emphasized change and called into question the social sciences. The latter did not fail to respond.

For all that, it must not be forgotten that the founding fathers of the social sciences had already shown that the facts and processes they observed and analyzed were formed at the confluence of heritage and encounters. Alexis de Tocqueville (1805-1859) developed a theory of continuity by using history to understand how the French Revolution emerged from the *ancien régime* (Tocqueville 1998). He left the study of events behind in order to examine everyday life, written correspondence, documentary archives and the questions that cut across the emerging modern society of the 19th century: individualism and the place of the state in a nascent democracy. Karl Marx (1818-1883), a prodigious historian, wrote in the first pages of the *18th Brumaire of Louis Bonaparte*, "Men make their own history, but they do not make it as they please; they do not make it under self-selected circumstances, but under circumstances existing already, given and transmitted from the past (Marx 2005: 6)." Max Weber (1864-1920) began his career by participating in the debate over the origin of capitalism and intermingled universal history with economics and sociology in his work. In *Economy and Society* (1978), for example, he examined the history of Roman feudalism and the Middle Ages in order to analyze various forms of domination. What's more, he reflected extensively on the respective roles of history and the human sciences and posited that the work of the historian was not qualitatively distinct from "scientific" work because, like the sciences, history dealt with concepts and rules. In this respect, Weber prefigured the conclusion formulated by Anthony Giddens (1979: 230): "sociology and history have a 'common project'."

The historical turn in the human sciences affected a large range of disciplines, from new historicism in literary theory to historical linguistics (lexical change by borrowing and naturalization: mixing and cross-breeding of lexemes), ethno-history (the interest shown by Marshall Sahlins (2000) in the way different cultures understand and make history and in their conception of time) and, above all, historical geography (change in the landscapes of social activities) and historical sociology (phenomena of urbanization, urban development, migration from rural areas). What they all had in common was a desire to anchor their respective subjects in the history of specific contexts in recognition of the restricted range of historical possibilities defined by a given historical legacy. Thus the notion of *path dependency* (today's events are *muta'alliqa bil-mâdhî*), which delimits the choices available to actors.

One of the foremost figures of CHS described this paradigmatic shift as follows:

> Broadly conceived historical analyses promise possibilities for understanding how past patterns and alternative trajectories might be relevant, or irrelevant, for present choices. Thus excellent historical sociology can actually speak more meaningfully to real-life concerns than narrowly focused empiricist studies. (Skocpol 1984: 5).

Historical sociology prefers to work on themes in political economy and the connections between political dominance and economic power. In order to do this, it seizes upon objects studied at the macro-level, such as the correspondence between the distribution of land ownership and existing forms of political regime (Anderson 1973)[3], the relationship between war, taxation and the growth of the state (Tilly 1990)[4] and that between the existence of a large peasantry and the advent of revolution (Skocpol 1979; Skocpol 1982).[5] It examines their trajectory in order to identify major trends. It gives itself three principal objectives: (1) to identify macro ("big") processes of change that apply to more than a single series of events in order to demonstrate that particular cases are variations of a general process; (2) to distinguish recurrent or constant aspects of the social order across time and space from those that are subject to cumulative change; and (3) to draw a distinction between structurally constraining factors and deliberative-purposive actions.

Turning once again to consider the manner in which the Lebanese civil war was treated by the social sciences, we see what historical sociology contributes to deepening understanding, going beyond and often refuting what are ideologically rather than theoretically driven analyses. In order to understand the mode of identification and mobilization among Lebanese Shiites during the civil war, the sociologist Waddah Sharara (1996) carried out a genealogical study of the Shiite *umma* (not exactly synonymous with the *milla*) from 1908, the year that the Committee of Union and Progress in Istanbul carried out its coup, through the inter-war period. He argues that the marginalization of the Shiites in Bilâd al-Shâm under Ottoman rule was to determine their fate for the remainder of the 20th century – from the period of Faysal's government in Damascus to the French Mandate, Lebanese "independence" and the creation of the Israeli state. While the *a'yân* lost the formal coherence they had enjoyed in previous

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[3] Anderson uses a narrative historical method to explain differences in economic development among European countries since the Middle Ages.

[4] Tilly argues that different combinations of coercion and capital created diverse types of states. As the demands of war increased, the power blocks which rulers depended on gained more and more advantage over them.

[5] Skocpol approaches revolutions from a structural perspective. In her view, the form of the prior regime determines whether the state will be able to resist pressing social demands.

centuries and the Shiite *'ulamâ* struggled to formulate ideas and aspirations on behalf of the community, capitalist penetration and the commercialization of land shattered the weak social fabric of the populations in the Hermel and Jabal Amil, opening up the field for new forms of mobilization (Sharara 1997). This analysis is strengthened by the fact that it is inscribed in the genealogy of the Lebanese state – a state based on the sharing of political power and land wealth between the *zu'amâ'* of various regions and various communities at the expense of the *'amma*, who were simultaneously submitted to and in solidarity with their community leaders. Understanding the alliances and lines of conflict that emerged during the civil war – alliances and conflicts that perfectly corresponded neither to political cleavages nor to community divisions – requires knowledge of the status of the property tax, the creation of large landholdings (those of the beyks of Akkar, the Maronite monasteries, the Druze leaders and Shiite notables) and the financial dependence of landless farmers towards them. A colloquium held at the American University of Beirut in 1983 (Khalidi 1984) shed light on the dynamics of the 1858 peasant revolt in Mount Lebanon (which involved land scarcity, demographic pressure and disputes between landlords) and the rejection in the 1970s of the dominant position that the *zu'amâ'* had acquired under the Ottomans and consolidated under the French thanks to capitalist relations arising from the production of cereals for the market.

3. A Precious Methodological Contribution

It is this shift in emphasis and change of method that has made CHS precious for students and scholars. Although it has contributed to critiques of the tyranny of grand theory – and structuralism and functionalism, in particular – CHS is not a theoretical subject matter but rather a sub-discipline defined by a cluster of techniques and approaches. It introduced new methodological principles to the social sciences that have since become indispensable. The first of these involves the recognition that, since history consists in reconstructing and imposing an order on the past, it is crucial to choose relevant timeframes and divide them in ways that clarify the present. The second has been to ensure that scholars become aware of the connection between historical perspectives and theoretical frameworks.

The Uses of Time

CHS is characterized by putting facts into context – in particular, historical context – by taking the past of these facts into account. As we saw above, this is not a matter of constructing a linear history that inevitably concludes with today as its result. On the contrary, it is a matter of shedding light on the complex processes from which the present resulted – in a word, its genesis – by restoring event series, exploring alternative hypotheses and giving attention to the processes of its transformation.

The principal innovation of CHS has been to introduce a complex vision of time as something that moves at different speeds, inviting us to take account of historical temporalities that vary either objectively or subjectively: the time of human generations is different from that of agricultural production or of civilizations; each type of human and social activity has its own temporal rhythm, with violent episodes sometimes succeeding decades or centuries of slow and subtle change. To put it somewhat schematically, one can say that the CHS has taught us to consider history as the dynamic interaction of three temporalities: (1) long stretches of time corresponding to the slow, almost imperceptible rhythm of demographic and economic processes, their repetition and cycles (Braudel 1984); (2) social and cultural time, that is, the time of social groups, empires and civilizations. Change at this level allows a particular pattern of structures and functions to be identified (Touma 1972; Manna 1986; Pamuk 1987); and (3) the short-lived time (events, politics and people) of battles, revolutions and the actions of great men. This is the ideal temporality for observing social actions and transformations.

Jean-François Legrain (1999) thus based his study of a political event – the Palestinian legislative elections of January 1996 – on a minute examination of the legal framework established after the Oslo Accords, the preparations for elections (electoral lists, voting procedure, the division of districts), candidacies and candidates and, finally, the vote and its interpretation by means of a factorial correspondence analysis. In order to make sense of the result of this vote, Legrain turned to the "middle" time – that of the political history of occupied Palestine since 1967, competing political forces and the constraints of the occupation, above all since Oslo and the arrival to power of the PLO. But in many cases, this history does not supply the explanatory key for the defeat or success of a political faction or candidate. Indeed, at first glance, certain results even seem illogical.[6] Yet a deeper examination showed beyond any doubt that "the candidate's geographical origin… accounts for the vote" and led Legrain to sketch "a map of the spaces of solidarity that constitute Palestine today" on the basis of election results. The example of Nablus, which revolted in 1834 and

[6] "The voters of 1996 nearly 'disregarded' the policy line, both their own and that of the candidate" (Legrain 1999: 105).

then again, a century later (1936-9), against the British mandate, thus illustrates the permanence and trajectory of a local heritage.

In order to find the key to the system of solidarities that governs electoral preferences, the scholar thus had to travel back over five centuries of history. He concludes:

> In spite of the very profound political, demographic and economic upheaval that has taken place since the beginning of the century, the January 1996 vote found its coherence, and this to a very high degree, in the aggregation of candidates according to their family's place of origin and in poll stations according to geography, all of which reflected the Ottoman map of the *nâhiyya*-s of the 18th- and 19th-centuries. […] Far from having fastened an administrative system onto a stubborn human reality, the Ottomans in Palestine took the contour of profound solidarities shaped since the Mamluk period into account. By means of centralization, the Porte and the powers that succeeded it had since the 19th-century sought to break these primary solidarities. None of them succeeded in doing so. (Legrain 1999: 103-4).

The epilogue to Legrain's book on the 1996 elections is very brief (Legrain 1999: 409-414) but it discusses the fact that a social scientific question (in this case, that of electoral behavior and the creation of spaces of solidarity) can only be answered by combining observation of the present with that of the short term (the Israeli occupation) and above all the long-term (the formation of localisms). Researching the genealogy of contemporary social facts implies no claim concerning the "permanence of traditional society". On the contrary, it reveals the processes by means of which networks of allegiance adapt to statist modernity and clarifies the relationship of neo-notables (politicians) to the present center of power (the Palestinian Authority) in the light of the relationship of Ottoman era notables with the Porte (Hourani 1993). In short, this approach inscribes today's social facts in a thick layer of historical meaning.

In its attention to complexity, CHS privileges moments of uncertainty, conflict and disorder as well as contradictory currents and outcomes, the study of which is of great heuristic value. In particular, it encourages a reevaluation of ruptures and continuities by giving attention to their interaction and overlap. The combination of a long-term perspective with attention to critical junctures (e.g., the conquest of Bilâd al-Shâm by Ibrahim Basha in 1830) thus offers historical sociology the possibility of bringing out independent variables and tracing the patterns of processes while fully recognizing the importance of the events and accidents that constitute the specificity of each historical trajectory. It is up to the scholar to strike the right heuristic balance between taking account of the past and theoretical ambition.

Between Deduction and Induction

This balance requires combining the method of deductive analysis traditionally advocated by the social sciences with the inductive method characteristic of the historical approach. Conducting social scientific research initially entails identifying the problem under investigation in the light of concepts (e.g., freedom, interest, values), analytical categories (e.g., gender, age, professional activity) and theories (e.g., realism, Marxism, diffusionism) in order to select and organize the empirical data under investigation. The social scientist thus undertakes deductive analysis: she sets about conceiving a model from the outset of her research, an *ideal-type* with which she will compare and evaluate the empirical data. On this basis, she will deduce similarities and differences between the observed cases, measure discrepancies with the model and seek to identify the independent variables (e.g., external intervention) that are at the origin of these discrepancies as well as the dependent variables (e.g., electoral choices) that allow these discrepancies to be observed, described and analyzed. Yet, as the pioneer of this method, Max Weber, points out (1997: 88), the ideal-type is never a real observable case but rather a theoretical construct the aim of which is to help understand the operation of the social.

This is where the inductive approach proposed by historical sociology comes in. The use of history serves: (1) to investigate a theory in a variety of historical contexts in order to demonstrate that various particular cases are different modalities of a general process; (2) to interpret contrasting events that occur in the same or similar contexts; and (3) to analyze causalities at the macro level by comparing the various effects produced by a given cause across different cases (Deflem 2007). In order to avoid naturalizing the social objects under investigation – that is, in order to avoid seeing them as somehow "timeless" or "given" – one must examine how they have been historically constructed. CHS entails setting up a system of inquiry that allows one diachronically to observe an object under various historical contingencies as well as synchronically to observe it in its context dependency. Each situation (historical and contextual) in which the sociological object is observed constitutes a specific *framework of action* requiring that the initial analytical categories be adjusted and the relevant variables be identified in various contexts (Goffman 1974). As the research progresses, adjusting the analytical categories becomes particularly important since newly acquired empirical knowledge may challenge the hypotheses of the problematic adopted at the outset.

Thus, a major difference between the inductive and deductive methods is that the former does not appeal to a rigorous theory or methodology but is rather devoted to producing a coherent descriptive narrative, using a loose conceptualization to formulate analytical propositions based on empirical evidence. Its primary

aim is to make sense of historical patters, along the way drawing upon whatever theoretical resources seem useful and valid, which means being critical of overly abstract and single-factor determinist theories.

For the social scientist, it is thus not a question of opposing induction and deduction but rather of going back and forth between historical contextualization and experimental reasoning and of adopting an approach that is at once theoretically well-informed and eclectic: "Concepts function as bright threads that, when woven into the fabric of historical narrative, allow […] general patterns [to be identified] while at the same time preserving a sense of historical particularity (Bonnell 1980: 169)."

An example drawn from both the sub-discipline of international relations and that of the shared (or connected) history used in post-colonial studies in order to compare two sociological objects and their interactions (Stoler and Cooper 1997) illustrates the approach of historical sociology as well as the understanding that it offers thanks to this combination of deductive and inductive analysis. The subject of relations between Lebanon and Syria became a matter of urgency in the period following the Lebanese Civil War (after 1990), with tensions between the two states culminating in the crisis provoked by the February 2005 assassination of former Lebanese Prime Minister Rafiq Hariri. From 1990 to 2005, the Syrian military presence in Lebanon, which had had the tacit consent of the Great Powers and Israel since it began in 1976, became the object of international condemnation, with a growing number of Lebanese political actors also speaking out against it. The "legitimate problematic"[7] that would henceforth shape the understanding of Syrian-Lebanese relations was twofold, involving, on the one hand, the principle of state sovereignty over a particular territory and population and equality among states on the international scene (in keeping with what internationalists call the Westphalian system[8]), and, on the other, criticism of authoritarian regimes (in this case, Syria's Baathist regime) and the promotion of democracy, which has since the fall of the Soviet Union been seen as a universal aspiration (with Lebanon serving as a model for the Arab Middle East). Seen from the perspective of a rigid (and, indeed, normative) theoretical framework, Syrian-Lebanese relations could thus be understood in terms of the military, economic and political balance of power between two statist actors in this sub-region of the Near East, with both of them enjoying support from other states in the region and on the international scene.

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[7] According to Pierre Bourdieu, the "legitimate problematic" is the "space of possibilities bequeathed by previous struggles, a space which tends to give direction to the search for solutions and, consequently, influences the present and future of production" (Bourdieu 1996, 206).
[8] For a discussion of the end of the world order established by the Treaty of Westphalia (1648), see Richard Falk (2002).

In taking account of middle-term history – that is, the period extending from Lebanese and Syrian independence (1943-46) and the First Palestinian War (1948-49) to the first decade of this century – the observer is led to change perspective and describe in a different manner the configuration of the environment in which these two state actors were involved. The ideal typical model in which one state is dominated by another is thus no longer relevant to the analysis. Indeed, since the creation of the state of Israel and the First Palestinian War in 1948-49, relations between Lebanon and Syria were just those of two small, recently independent states, neither of which had undergone significant development or possessed a strong military due to their common colonial heritage. Neither was in itself particularly important or crucial for the other. By introducing the historical long-term, the analysis of relations between Lebanon and Syria must thus be placed in a much larger context and explained by variables that exceed bilateral considerations. In order to understand the state of these relations today, one must turn to consider the macro-regional balance that emerged from 1940 to 1960 between "radical republics" allied with the Soviet Union around the Egyptian pole and "conservative monarchies" allied with the United States around Saudi Arabia. Since radical nationalists believed that unification among the Arab states was a necessary condition to moving beyond under-development and liberating Palestine from Israeli occupation, ideology – and in particular the opposition between socialism and liberalism – played a key role in popular mobilizations and in the strategy of ruling elites. For those who study Syrian-Lebanese relations since 1990, the interests of identity politics at first glance seem to have delegitimized the ideologies of the period between 1940 and 1960. Despite the fact that violence was often substituted for law and the fact that Lebanese society remained under the domination of political bosses, who had set themselves up as indispensable mediators between the state and the population and imposed their authority along sectarian lines, the majority of Lebanese people in the first decade of this century felt like they were still living in a liberal framework. By contrast, Syrian society had yet to feel the effects of the economic liberalization that picked up steam from 2000 onwards and continued to suffer from the overbearing power of the state (Wedeen 1999).

Yet one must not neglect the representations inherited from the nationalist period, the memory of which has been preserved – if at times only unconsciously – by local societies. Liberal, socialist, Lebanese-nationalist and Arabist ideologies have contributed to shaping the social habits and practices that have survived and been transmitted from one generation to the next, either through the affective channel of family relations or via the intellectual channel of activism. These habits and practices, for example, drove the anti- and pro-Syrian mobilizations of 2005 in Lebanon. The Baathist government in Damascus, for its part, fomented nationalist indignation in

the Syrian population and provoked a patriotic backlash against Lebanese leaders who had appealed to Western powers. In short, the posture adopted by Lebanon and Syria in the confrontation that has pitted them against one another in the first decade of this century depends on the institutional path that history has taken over the preceding decades. The trajectory of each state is particular and stretches back to its origins and forward to the present. Initial differences beget later differences. Awareness of this path dependency consequently leads the observer to revise the conceptual framework and theoretical tools of his analysis.

4. When Historical Sociology Embraces Culture

As we have seen, historical sociology was promoted and developed by social scientists who were sensitive to underlying dynamics, fundamental change, economically-based explanations and the logic of the rational actor. Moreover, many of them were Marxists or Marxist-influenced in the 1970s. Two or three decades later, the cultural turn of social scientific studies gave a new impetus to historical sociology. Above all, it opened up new horizons for it, giving rise to a third generation (following that of the founding fathers and that of socio-economic macro-comparisons) – a generation more interested in the manner in which present actors saw their past than in an improbable historical *reality*. The new attention devoted to the interpretation of processes and the subjectivity of social actors (including the subjectivity of research scholars in the social sciences) meant, not just that contemporary societies should be examined in the light of macroscopic transformations in the economy and political institutions (land ownership, the tax system), but also that the social representations and cultural universe of the past –the origin of the web of meaning in which today's social actors are suspended – must also be studied.[9] This because historical actors (rational actors included) react to objective situations, or rather to the subjective perceptions that have been formed by their worldviews. In order to understand the phenomena and the processes of today, research scholars in the social sciences must thus interpret them in the light of the cultural and social foundations of the situations being studied.

Consider once again the example of relations and interactions between Lebanon and Syria. On the one hand, let's examine them from a long-term historical perspective – that is, by taking into account the sedimentation and structuring of processes that began in the Ottoman period and continued up through the 19th- and 20th-centuries. On the other hand, let's take account of the experiences

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[9] "Believing, with Max Weber, that man is an animal suspended in webs of significance he himself has spun, I take culture to be those webs, and the analysis of it to be […] an interpretive [science] in search of meaning." (Geertz 1973, 5).

accumulated over the long-term by the various categories of society – not just the elites but subaltern categories as well (young people, women, economically dominated categories). These accumulated experiences determine the present for these categories and even, to follow Reinhard Koselleck (2002), construct their expectations of the future (Halbwachs 1992).

For many decades, Middle Eastern societies (and thus contemporary Lebanon and Syria) lived in an open space dominated by the Sublime Porte in Istanbul. International borders were lacking while the administrative borders of provinces (*wilâya*), districts (*sanjaq*) and sub-districts (*qadhâ*) fluctuated.[10] Collective groups organized themselves on the basis of family membership (in an extended sense that included tribal membership) and locality. In public space, they identified themselves as members of a religious (e.g., Islam) or sectarian (e.g., Maronite, Druze) community. Communities were organized as networks rather than on a territorial basis and were centered around a spiritual leader who was himself contractually subordinate to the Ottoman administration in Istanbul. In this respect, one notices solidarity and intense interactions among community members (particularly expressed by a high rate of endogamy) as well as similar socio-economic dynamics (professional activities and social hierarchies). For example, the Orthodox Patriarch of Antioch had spiritual as well as cultural and legal authority over all members of the largest Christian community of the Bilâd al-Shâm present from southern Anatolia to the banks of the Red Sea.

Yet other characteristics of Middle Eastern societies in the Ottoman period included the mobility of persons and goods as well as the circulation of cultural and symbolic goods and social models between the towns of the region. Among the urban elites, in particular, professional careers, educational trajectories and matrimonial exchanges wove dense networks that served to create ties between certain geographically distant cities. Thus, the rapprochement between Homs (located in present-day Syria) and Tripoli (in Lebanon), a hundred kilometers distant from one another, is explained by their similar community composition (a Sunni majority, a large Orthodox minority) and their complementarity (the first is situated in the heart of the Orontes, a rich agricultural region, the second is a large Eastern Mediterranean port). More surprising at first glance but just as important are the ties that unite Beirut to the great metropolis of Aleppo, situated 300 km to the north on the Taurus piedmont. Aleppo is not just an artisanal center and leading regional commercial crossroads. It is also a center of Christian monastic life and Muslim Sufism, whose believers are spread from Aleppo to the mountains and the coast of Lebanon. These dense exchanges and the ties of solidarity to which they give rise between members of the same communities – and Maronites, in particular – attest to the depth and

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[10]   The cantons (*nâhiyya*) that corresponded to an ecological space were more stable.

tenacity of the transversal historical constructions that have upset and recomposed bilateral relations between Lebanon and Syria to this day.

Let us now return to our initial examination of the effect that the end of the Syrian military presence in 2005 and the opening of bilateral diplomatic relations in 2008 had on relations between the two countries (that is to say, between the states *and* between the societies). It is now clear why the themes of international sovereignty and democratization are not relevant – or at least not sufficient – analyses for understanding the persistence of cross-border exchanges, circulations and collaborations or the overlap of spaces and identities. Often denied at the level of state power and by the political elites of both countries, their extensive overlap and interpenetration has been internalized by this complex society and constitutes a habitus.[11] Family and religious institutions and the memory of a shared past thus all contribute to our understanding of the apparent paradox of rivalry and shared inheritance in Syrian-Lebanese relations.

5. Memory, History and the Analysis of the Present

Although it shed light on a number of areas and contributed new analyses, the critical opening of CHS gave rise to many questions. Indeed, drawing the observer's attention to questions rather than supplying him with answers is a distinctive feature of the social sciences. One of these new questions, provoked by the resurgence of the past into contemporary political culture in the MENA region, is that of the relationship between memory and history, and the role to be given them in the framework for analyzing contemporary events.

Memory refers at once to the psychological ability of individuals and groups to remember and the cultural production of an organized representation of memories. It is at once absolute, non-negotiable and constantly changing since it is adapted to the interests of the social group. Memory is a source of self-identification and a means for legitimating one's self in the present. As a consequence, it is susceptible to being exploited for political ends (Halbwachs 1992).

Anja Peleikis' study of the conflicting memories of Joun confessional communities (2006) sheds light on the importance of the origin and construction of collective memory in the formation of Lebanese political processes today. Before the civil

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[11]   *Habitus* can be defined as a system of durable and transposable "dispositions" (lasting, acquired schemes of perception, thought and action). The individual agent develops these dispositions in response to the determining structures (class, family, education) and external conditions ("field") he encounters (Bourdieu 1977, 17-18).

war, this little town located between the Druze mountain of Shuf and the Sunni port of Sidon had a population that was nearly equally divided between Christians (Maronites and Greek Catholics) and Shiites. Subtle customs of conviviality such as reciprocal participation in ceremonies, celebrations and rituals had for centuries organized the "shared life" ('*aysh mushtarak*) of the communities and made for mutual respect. The Israeli invasion of 1982 exploded this delicate balance since the control of Joun was then confided to the Christian militia of the Lebanese Forces, who expelled a large number of Shiites from the town. But when the Israeli army retreated from the region in spring 1985, the Druze militia of Shuf routed the Lebanese Forces. Since then, April 25th, 1985 has been commemorated by the Christians of Joun as *yawm al-tajhîr* (the day of flight) because many of them had to leave the village together with the expelled militia under dramatic circumstances and threat of reprisal. The same day is celebrated as *yawm al-tahrîr* (liberation day) by the Shiites despite the fact that, until 1991, Joun lived under Druze control, with its inhabitants paying taxes to Druze leader Walid Jumblat's 'Administration of the Mountain'.

The rift that opened between the two communities in this period has not been repaired. Neither the November 1989 accord signed in Taef between parliamentary elites nor the reconciliation ceremonies (*sulha*) organized by the Ministry of Displaced and financial compensation have sufficed. Very few Christians returned to Joun, a village that is today 90% Shiite. They preferred to move to the majority Christian regions north of Beirut and only visit to Joun to vote (because they are registered on local electoral lists) or on the occasion of religious ceremonies (burials in native soil, in particular) – ceremonies in which their fellow Shiite fellow citizens no longer participate. What's more, the division between the two main religious communities is fed by a conflictual transmission of the memory of the *harakât*, the inter-community quarrels that bathed the Mountain in blood between 1842 and 1860, thereby imposing a redefinition of inter-sectarian relations through violence (Makdisi 2000). A particular memory of the "events" (*hawâdith*) is entertained "intra-communally", reciprocally exacerbating the perceived otherness of both groups.

In contrast to these socially constitutive memorial productions, the Lebanese state has attempted to impose a narrative of consent and national cohesion since the adoption of the Taef Accord that brought the civil war to an end in 1989.[12] It implemented a strategy of oblivion, a general amnesia, on the grounds that speaking the truth represented a threat to coexistence. A very generous amnesty was granted to former warlords, who had since turned into ministers and law-

[12] A comparable case is that of Algeria, where President Abdelaziz Bouteflika imposed the Charter for Peace and National Reconciliation in 2006 in an attempt to bring closure to the civil war by offering an amnesty for most violence committed since 1992 (Arnould 2007).

makers and would have been the first to be prosecuted in the event of trial (Picard 1999). Since 1994, a commission of academics assembled by the Ministry of Education has sought in vain to write an official history of the country in which there are neither victors nor vanquished (*"lâ ghâlib wa lâ maghlûb"*). But because it is impossible to incorporate the civil war into an optimistic, forward looking master narrative, the official history tends to replace "history" with "culture" (landscapes, food, folklore) and nostalgia for idealized ancient times, imposing a selective vision of the past purged of socio-political guilt (Haugbolle 2005; Volk 2008).

CHS teaches us to give a central place to origins and processes in the study of social facts and thus to take history into account. In this approach, however, history is neither the controversial *transmission* of a past intended to keep faith with the memory of long dead ancestors nor the *persistence* of an atavistic memory of immutable laws and determinant cultural structures. Rather, it consists of the *appropriation* of a past that has been assigned meaning thanks to the historical imagination of authoritative social actors who thereby frame a dominant definition of social reality by suppressing alternatives (Prakash 1990: 406). By means of distance and objectification, history creates a place for itself distinct from myth, prejudice, the misrepresentation of collective memory and false consciousness. This is why, even as he takes account of the conflicting heritages of contemporary society as sources of social narrative and an integral part of the formation of society's *Weltanschauung* and ethos, the social scientist must nevertheless carefully study written and oral documentary sources and take the modalities and contexts of their transmission into account in order to approach historical truth. In addition to the methodological precepts of CHS noted above, three rules in particular are to be observed by the social scientist: (1) the search for objectivity is to be accompanied by reflexivity because the facts studied by the social sciences always involve prior selection and the meaning that is assigned them depends on the subjectively constructed relations between the various components of the object under investigation. (2) If one is to avoid postulating a fixed identity for social groups, attention must be given to fundamental or apparent interpretive contradictions and the transformations of memory over time. (3) The way in which representations of an object have changed over time and the actors involved in this process must be taken into consideration.

It is impossible to draw conclusions concerning a scientific approach that is still very much alive and continues to enlarge its purview, with different and sometimes rival "schools" laying claim to it. It is not, however, too early to suggest that the contribution of CHS has constituted a profound revolution in the social sciences and humanities. Past facts and their development over time are now

solidly part of the way we construct knowledge about the present and narrative has been rehabilitated as a central feature of the analytical approach.

Some object to this revolution as a regression from the universal explanations once supplied by "grand theory". Does this mean that we will never be as scientifically rigorous as the disciplines of the "hard" sciences? Perhaps. CHS invites us to take a humble, humanist approach to our studies. It helps us understand phenomena and processes through the elaboration of fragile and ephemeral paradigms rather than the construction of explanations, fixed theories and reproducible schemas. It recognizes that the object of our research – the human subject in society – is singular and exceptional, a conscious being who remembers the past and imagines the future.

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CHAPTER FIVE

QUANTITATIVE VERSUS QUALITATIVE APPROACHES IN DEMOGRAPHY

By Youssef Courbage

Introduction: Demographic Transition and Political Fertility

Demographic transition, the passage from a demographic regime where birth-rate and death-rate are both high to a regime where they are low and almost identical, appears as a universal phenomenon (Chesnais, 1992). Under the impact of human progress: economic, social and especially educational, the death-rate starts to decrease, generating an increasing and unbearable pressure of men on land and other resources. The birth rate (or Total Fertility Rate) has therefore to adjust to a historically unprecedented situation. Men and women, benefiting from literacy and increased level of education, become more secularly minded, thus dissociating the phenomenon of reproduction from the power of the Almighty. They begin to limit their

reproduction, considered therefore as legitimate, thanks to increased age at marriage but mostly through contraception and sometimes when contraception is not available or fails, to induced abortion.

This universal process might spread over centuries or decades. However all societies are likely to evolve this way, sometimes with ups and down. Most Arab countries, from Morocco to Oman, have gone through the same routes. After a certain hesitation until the 1970s and 1980s, Arab fertility decline became ineluctable.

Exceptions do occur, mainly when politics and minorities/majorities interfere with demography, worldwide or in the Arab countries. This has given rise to the concept of "political fertility," when the normal factors which induce a drop in fertility, notably urbanization, industrialization, and the level of instruction, cease to operate. The well-being of family and of children becomes a secondary issue as compared to the higher interests of the Nation. This is particularly true in the context of Palestine and Israel, where demographic and fertility transitions did not follow the classical route (Anson, 1996; Courbage, 2005, 1999; Fargues, 2000; Khawaja, 2006, 2000).

The view that high fertility and rapid demographic growth might become a weapon in the hand of conflicting states and nations applies equally to sub-groups struggling for hegemony inside a country. Israel/Palestine is a case in point: Jews/Palestinians, religious/secular, Oriental/Western; but one can also point to several Arab countries: Syria and Lebanon for instance. The works of the Palestinian Rhoda Kanaaneh (Kanaaneh, 2002) or those of Canadian Jacqueline Portuguese (Portuguese, 1998) demonstrate the realities of political fertility.

Some researchers, however, contest this concept of political fertility. Yet how could we believe that what is considered to be in the supreme interests of the nation or of the state, is a definite trigger for entire populations of conscripted young men to rage wars and die for the homeland, and refuse to accept that the same young men (and women) are able to accept breeding children over and above what they would have otherwise considered as the ideal size for their family, for the supreme interests of this same homeland?

The issue of Numbers:

Palestine is an excellent case study for these issues. The Nakba, an emigration which started before the 1948 exodus, led to a unique situation whereby 50%

of the Palestinians live in historical Palestine and 50% outside Palestine in the close or remote diaspora (Lindholm, 2003). Comparable situations are found in Lebanon where roughly 50% of the Lebanese are living abroad and Egypt, with a much lower proportion of 5-10%. Figures on the Palestinians living in Palestine and abroad are fraught with uncertainty, and are the subject of contest, mainly from some Israeli politicians. In the occupied Palestinian territory (West Bank + East Jerusalem, Gaza Strip), is the total population closer to 3 or to 4 millions (Zimmerman et al, 2006). The issue is still much debated and has a lot of ideological implications, notably on the issue of the battle of numbers. In the diaspora, numbers are also discussed for political reasons especially in the case of Jordan and Lebanon (430 000 Palestinian refugees or 190 000?). In a study on the "Right of return," I was compelled to entitle my article: "The demography of Palestinians: The unbearable lightness of the figures." For the year 2000, the number of Palestinians living abroad was estimated at between 3 million (by the US Census Bureau) and 5.2 (Palestinian Red Crescent). The Official estimate by the Palestinian Central Bureau of Statistics (PCBS) put it at 4.5 million (Courbage, 2000).

A demographic analysis of these figures, with due comparison of the number of Palestinians before 1948, and considering both those living in and outside Palestine, suggested that this figure might be overestimated by some 1 million. The "battle of numbers" or "the cradle of revenge" is deeply embedded in the Palestinian-Israeli conflict. But it should not be an obstacle to coming up with realistic numbers. In this connection, the early disclosure of the results of the last Palestinian population census of December 2007 is the most welcome: 3 767 000 (2 351 000 in the West Bank and 1 416 000 in the Gaza Strip). However, all demographers were deceived since detailed results for the Gaza strip were delayed because of the de facto separation of Gaza from the West Bank.

Refugee Demography:

The concept of the refugee is not very clear. It is a complex category which denotes forcible uprooting, persons who lack protection, are stateless. Migrants are better defined. They are characterized by the movement which might not be due to a forcible uprooting. Economic, educational, marital reasons are predominant. The migration concept implies a stay abroad or an intention to stay abroad for one year at or more.

Refugee studies are now becoming a defined field of studies in their own right,

although a very recent one. In 1983, the Refugee Studies Program at Oxford University was created. Then the Journal of Refugees Studies came into existence two decades ago (Al-Qudsi, 2000; Abu Helwa and Birch, 1993; Chatty, 2007; Voutira and Giorgia, 2007; Weighill, 1997).

Refugee studies are generally multidisciplinary and based on interdisciplinary and bottom-up approaches. They imply a mixture of scholarship, research and advocacy. Distinction between science and advocacy is difficult since it is most unlikely to maintain distance between the observer and the observed. Refugee studies analyze issues impregnated with need, with fear, irrationality and emotion. The big dilemma is to resolve the conflict between scholarship on the one hand and advocacy on the other.

Refugee matters raise increased security concerns. There are potential threats for the native population, since very often, refugees are perceived as the "enemy within" (Sfeir- Khayat, 2008). Numbers vary under the impact of continuous mobility, such as the flows to the Gulf area or to Europe, hardly depicted. Multi-residence becomes common. This is the greatest difficulty, for refugee studies but also for demographic studies dealing with refugees, or with the demography of Palestine, of Israel and of the Palestinian refugee or diaspora. For refugees, countries of transit are becoming more and more countries of destination: this is the case of Eastern Europe or the Maghreb for sub-Saharan refugees.

Some few words on the refugee population stricto sensu, i.e. those Palestinians considered as such by UNRWA. These statistics have many drawbacks, but still they have the merit of existing:

- they cover only assisted refugees from Palestine, non-assisted refugees are therefore omitted;

- they concern the occupied Palestinian territory, Jordan, Lebanon and Syria, only. Those refugees who were driven out in 1947-1949 and their descendants living in Egypt, Iraq, and other Arab countries, not to mention Europe and America are omitted, also omitted are internal refugees in Israel and Jerusalem.

Refugee and non-refugee population according to UNRWA statistics, (2005)

	Refugees	Non-Refugees	TOTAL	% Refugees
West Bank	772	1573	2345	33%
Gaza	1050	366	1416	74%
Israel	285	915	1200	24%
Jordan	1900			
Lebanon	420			
Syria	455			

The study of the refugee demography should be a priority, for those living in camps or outside of camps, in spite of these limitations. Refugees are likely to be the most vulnerable groups for economic and political reasons. Demography is a powerful tool for the study of their precarious living conditions through the analysis of mortality, early marriage, divorce, fertility, migrations. Other Palestinians groups, not considered as refugees had also been or are being submitted to harsh treatment: Palestinians in Kuwait in 1991, or presently the Palestinians in Israel (especially after the war on Gaza in 2008-2009 and the appointment of a new Minister of Foreign Affairs).

The 2007 Palestinian census is a wealth of information. Question 54 asked about refugee status: refugee registered, non-registered, non-refugee. This enables the sophisticated study of differential characteristics for refugees and non-refugees. Demographic indicators are important tools to assess vulnerability, deprivation, etc. or, on the contrary, good standards of living or convergence and integration into the population at large. Marwan Khawaja, (Khawaja, 2002), undertook pioneering research on this issue. More and more surveys target the refugee population, such as the FAFO survey in 1999, the Palestinian Demographic surveys of 1995, the Health Survey of 1996, the Jordan camp survey of 1999 and the Lebanon camps survey of 1999.

Quantitative Demography: What does It Study?

In this section we give a glimpse on some of the basic tools of demography.

Age-sex structure of the population

This data is easy to obtain, available in censuses and surveys, a very important demographic tool: it allows one to measure rapidly and robustly the fertility level, which is the most important component of population growth; it helps also to assess gender differences through the sex-ratio by age: discrimination of young girls at 0-4 years (higher infant and child mortality, differential migration at adult ages 20-44 years etc.); the distribution by large age-groups: 36% of Palestinian refugees are below 15 years of age with huge variations between Gaza (46%) and Lebanon (30%), denoting the fertility differences between those two settings; dependency ratios: the preferred indices for non-demographers. It gives the burden of the non-active (0-14 years+65 years+) vs. the active (15-64 years); it reflects the potential of growth of the population in the future (this is more subtle and quite difficult to explain), the age structure expresses the momentum of the population, its ability to continue growing even if fertility rates decrease sharply. In Palestine, it is of utmost importance, especially for the Gaza strip, where 44% are below 15 years of age; potential of violence due to the "youth bulge", popularized by Samuel Huntington in his famous essay on "The Clash of Civilizations." The index is simply the ratio of young males aged 15-24 years to the total population, or to those "wiser" adults aged 25-64 years.

Infant and childhood mortality rate

One of the best achievements in Palestine is the reduction of infant and childhood mortality. It is partly due to efficiency of Palestinian health services, either provided by the Ministry of Health, UNRWA or private services, accessible to the population at large. This rate is a good anthropological indicator of stability in the family and of social cohesion (i.e. infant mortality, of roughly 25/1000 is half that in a perhaps richer and certainly more peaceful context like Morocco or Egypt). In the Gaza strip, in spite of the extremely poor living conditions, IMR is not that different from the West Bank: 30.7 against 25.5 per thousand, in the middle of this decade. Mortality indices are good indicators of gender discrimination against girls, presumed to be particularly high in patrilinear families (transmission by male lineage) and in a context of rapidly declining fertility. The index of female discrimination is based on the abnormal rate of female childhood mortality as compared to that of boys. Note that if the mortality rate is the same for boys and girls this still means a discrimination of roughly 15-20%. In Palestine the rate of 1.06 is comparable to that in Lebanon, 1.05 and much lower than in Egypt and Syria, 1.12-1.13.

Fertility

Fertility, the aptitude of a society to "produce" children, is measured by several indices among which the most common are: the crude birth rate or number of births related to the population (and multiplied by 1000). It varies from 50-60 p.1000 at the first phases of the demographic transition to less than 10 p. 1000 at the end of this transition.

Total Fertility Rate

This is a synthetic measure: it does not concern real cohorts but a fictitious one which goes through fertility conditions age after age, during one single year. It gives the number of children a woman will breed between puberty and menopauses, between 15 and 50 years of age. It varies from about 8 children or more at the first phases of demographic transition (Mali, Niger, but also ultra-orthodox Jews in Jerusalem) to less than one child in some post-transitional societies (Northern Italy, East Germany).

Parity is the number of children borne by a woman at the end of reproductive age: this is contrary to the TFR, a concrete measure (not a synthetic index like the previous ones). However, it does not reflect present conditions, but rather a distant past. For instance it is equal to 7.7 children per ever-married woman in Palestine, of which 7.3 children in the West Bank and 8.3 in the Gaza strip, while the replacement rate is 2.1 children.

 The impact on the future size of the population is mostly determined by fertility, more than by any other parameter: mortality, migration etc. But fertility is also an important marker of socio-economic conditions in general in the peculiar case of the Palestinian population and refugees. Fertility level is an indicator of the psyche, the collective unconscious of a society. This is particularly true for the Palestinians, both refugees and non-refugees. Hence fertility indices such as the birth rate or the Total Fertility Rate are a sort of Rorschach's test to unravel national consciousness.

Recent curves of Palestinian fertility should be carefully observed, having in mind the paradigm of "political fertility", which still impregnates the Palestine/Israel context and to a certain extent neighboring countries such as Syria, Lebanon and Jordan. In this highly troubled political setting, fertility levels and characteristics do not obey only factors of modernization such as urbanization, tertiarization of the active population and level of instruction, but are politically motivated. Hence the "battle of numbers" or the "revenge of the cradles."

However just before the second intifada (2000) fertility started to decrease everywhere in Palestine but interestingly not for the Jews in Israel. Yet in spite of a general trend of fertility decrease, it is worthy to note the persistence of fertility differentials between the West Bank and the Gaza strip, excess fertility in Gaza was 23% in 1999, 42% in 2004. Contrary to received wisdom, the refugee population is not more fertile than non refugees and there is no clear incidence among refugees for those living in camps and those living outside camps. Khawaja in his studies on Palestinian fertility in Lebanon and Jordan has underscored the decisive effect of the context of the host country on fertility, proving that Palestinians, even those living in camps, are not a microcosm as they are highly affected by the attitudes and behavior of their environment. In Lebanon, between 1995 and 1998, Palestinian refugees living in camps had a TFR of 3.03 children per woman, half that of the refugees in Gaza: 7.50, and one third less than those living in the West Bank. Similarly, Palestinian refugees in Jordan had a lower fertility than West Bank refugees.

Another major area of studies in quantitative demography concerns the determinants of fertility: proximate determinants, socio-economic determinants and the so-called remote-remote determinants: ideology, religion etc. We will refer mostly to the Palestinian case.

Proximate determinants:

---The desire to have children. Desire to have children was and is still high among Palestinians, but not as high as one could expect according to the paradigm of political fertility. The ideal number is around 4 children: 4 is also the preferred size for 40% in the West Bank, 32% in Gaza, where preference is for larger families than in the West Bank. This also has to do with family structures. Endogamous or "Arab" marriages are no longer the rule but are still numerous. With first cousins or inside the Hamula, is stands at 32% in Gaza than in the West Bank: 25%.

---Marriage patterns. In an Arab and Moslem society with very high fertility preferences, one would suppose marriage to be premature and widespread. This is not exactly the case and one can find many examples of celibacy at advanced ages or even at the end of the reproductive span (Maghreb countries, Balkans etc.). In the case of the Palestinians, there are large variations, be they refugees or non-refugees. Hence, the mean age at marriage varies from a low value in Gaza: 20.7 years of age, to a high one of 25.3 years for the Palestinian refugees in Lebanon, thus very close to age at marriage among the "modern" Lebanese.

There are social and psychological risks engendered by high celibacy rates. At

30 years of age, an age where in the Palestinian or Arab tradition all women are supposed to be married, around 35% of Palestinian refugee women and men in Lebanon are not married (versus 14% in Gaza).

---Contraception. It was a taboo in Palestinian demography. Recall that the first Palestinian Demographic and Health Survey after the Oslo agreement, which took place in 2005, had no module at all on contraception, whereas pro-natalistic and conservative countries such as Saudi Arabia and the Gulf Emirates had a very developed module on this topic. Things have changed since then. In 2004, Palestine became a very banal country in mid-transition with more women using contraception than non-users, with a higher proportion in the West Bank, 55% than in Gaza, 43% and more West Bankers relying on modern methods such as pills and IUD, 41% vs. 32%. Religion is not an obstacle since it is quoted by only 1% of respondents as a reason for non-use. Note also that contraceptive use approached world records in 1999 among Palestinian refugees in Lebanon: 66% (among whom 53% using modern methods).

---Abortion. It is becoming an important issue in Palestine. Figures were made available on the website of the Ministry of Health in 2003 with an unexpectedly high abortion rate of 11.1% per delivery. Since then, this figure is no longer published on the website. This might indicate that the issue of abortion, like contraception in the 90's, is once again becoming a taboo.

Separation of spouses. The high migration rate, notably to the Gulf, has affected matrimonial links. This factor, although relatively minor, constitute an inhibiting factor to fertility (the same can be said about married males detained in Israeli jails).

Socio-economic determinants:

---Level of education. Education, especially for women, is considered as the single most important component of demographic transition, mortality and fertility. However in Palestine, it was not as true as in other Third World countries, because, for particular historical reasons (UNRWA, emigration abroad), generalization of education has been more widespread than elsewhere, where it remained more elitist. Besides, educated women are likely to be politically the most aware, the more conscious of the strategic role of demography in the Palestinian cause. Hence, the atypical pattern of a fertility decline among illiterates or less educated woman, whereas it is stable or even slightly increasing for secondary or university educated women. During the first intifada, fertility increased for the more educated women, whereas it remained constant or has slightly decreased for the less educated.

Participation to the labor force, type of activity

All things being equal, active women have lower fertility rates. In Palestine activity of females is quite low, lower than in many Arab countries for a complex of reasons: a conservative and familialist society, the scarcity of paid jobs, reserved to men, the security matters related to the Israeli occupation etc. Old figures probably outdated suggest that females' employment must be as low as in Saudi Arabia. Around 8% only in the 90's, it reached 13.2% in 2003 and 14.4% in 2006, half what the females of Morocco and Tunisia have attained. Less than one out of 7 workers is a woman. This low female employment rate has a definite impact on high fertility.

Rurality, active population working in agriculture

Living in rural areas and working in agriculture are normally factors of high fertility. This is not to be the case in Palestine where TFR is very close for rural population: 4.6, urban: 4.7 and camps: 5.1.

Level of income

Generally, the relation of fertility with level of income takes the shape of a U curve. When income increases, fertility tends to decrease, although it should enable the parents to breed more children ensuring them an adequate standard of living: larger housing, possibility to hire maids…

Yet, because the request for consumer goods and leisure: culture, travels… increases also, it competes with familial and pro-natalistic attitudes in life, leading ultimately to fertility decline.

Population projections:

This is the culmination of demographic quantitative analysis. No sound economic and social planning is feasible without sound demographic analysis and thereafter, projections. The techniques of population projections, even by the more sophisticated cohort-component method are not that difficult. Today, thanks to software programs and computers, it is possible to elaborate population projections, quite sophisticated in a couple of hours, whereas, whole weeks or months, were required some twenty years ago..

The most efficient cohort – component method consists in:

-projecting - not the total population- but subgroups by age and sex with the help of life-tables, if available or model life tables if not;

-projecting the births by sex, there are almost everywhere in the world 105 births of boys for 100 births of girls. This is called the sex-ratio at birth. In some countries, where female foeticide becomes common, the sex ratio at birth can increase to 115-120 (China, Northern India, Far East…).

- incorporating the flows of new births into the population,

-following the cohorts of newborns who become survivors by age and sex, thanks to the same life-tables and their mortality rates,

-adding the net international migration, i.e. the balance between immigrants and emigrants, when working at the national level and internal migrations at the regional level.

-computing the survivors of these migrants

- computing then the new births among these migrants.

The main difficulty of population projections does not lie in the technique but in the assumptions. Since population projections are less prepared for the use of demographers, but for planners, policy makers, politicians and the general public, they have to be, at the same time, very convincing and very clear, which seems contradictory. This is particularly true for Palestine, where figures are for objective and subjective reasons, very much questioned.

Here are, for instance, the results of four population projections for Palestine in year 2025:

United Nations   6 553

US Census Bureau   5 679 (West Bank+ Gaza, without East Jerusalem)

Population

Reference Bureau   6 200

Y. Courbage   6 110

How to be convincing?

By multiplying the sources of data, avoiding to rely on one single source for

fertility, emigration, mortality… by cross-checking the data, whether they are provided by the censuses, surveys, civil registration, ministry of health …

There must be an internal coherence between data, for instance:

- Births in a certain year cannot be too different from number of pupils registered at school, 6 years later

- There must be adequacy between the numbers of persons registered in electoral lists and adult population

- if marriages are decreasing, so fertility will also decrease

- if the number of unmarried women is high, if contraceptive rates increases and abortion rates are also increasing, the end-result is that fertility must also decrease

- there might be convergence in trends with neighboring countries, because of globalization and spill over effects.

Therefore several tests of coherence should be used, and In Palestine maybe more than elsewhere, because demography is more politicized than elsewhere.

Normally one should take into account all the determinants of demographic parameters proximate and socio-economic determinants. But this is an impossible task one or two at most can be dealt with, for instance the urbanization process, and the level of education of women. In this case, there is more likelihood to make robust projections, with the additional advantage, that the model is easy to explain to non demographers:

- Above a certain age educational attributes are kept for ever (with very slight exceptions);

- The educational level of women will increase during the time horizon of the projection, with young and more educated cohorts replacing the older and less educated cohorts in the fertile age-group: 15-49 years.

- Fertility rates are always lower for less educated women, thus the synergetic effect due to the interaction that educated women will become more and more numerous and the structural effect that they should have a lower fertility -the behavioral effect-.

Qualitative Methods:

Available literature on qualitative methods is poor. As an example in my Institute of demography, INED there are 500 entries (at least) on quantitative methods, 5 only on qualitative methods (only in French). I could, with some difficulties find few readings in English (Casterline, 1997;Fricke, 1997; Kertzer and Fricke, 1997;Knodel, 1992, Obermayer, 1997).

Most demographers consider qualitative methods as a complement to traditional (quantitative) methods rather than a substitute. However, there is in this field growing popularity for open-ended interviews, focus group, rapid assessment.

The most common qualitative method is the **focus group**. The technique consists into assembling a small group of individuals from the population to be studied and generate a discussion on preselected topics specified by the researcher. Hence the group discussion has to be focused on a narrow set of topics. The moderator follows prepared guidelines to introduce the issues to discuss, asks open-ended questions, encourage the participants to talk, and interact with one another and keep the discussion on track. The discussion is tape recorded and transcribed, then analyzed.

The advantages of the focus group, is that participants engage in discussion and answer important questions. Its inconvenient is that it concentrates on attitudes, opinions and generalized description of behavior but does not give a detailed behavior data of a personal nature.

However, focus groups help sometimes revise received wisdom and common sense ideas about some important factors of demographic transition such as the passage from high to low fertility. One famous example is the relation between numbers and support by children of their parents in old age. Usually, it is considered that the decrease of the number of children affects negatively the amount of support, material and emotional.

Yet, John Knodel a qualitative demographer, has proved through focus groups in Thailand, that old-page parents perceived very favorably the reduction of family size and did not fear the likely outcome of decrease in the number of children. Even if they still expect much from their children, their predominant preoccupation, the desire to consume services and goods, was more in line with smaller families. Besides, participants to the focus groups saw no contradiction between small family size and adequate old-age support, since they believed that even with few children such support would be insured. Small families might even be more advantageous in this respect, because fewer children mean better

possibilities to educate them adequately. Moreover, educated children will be better off economically and meet obligations of the parents (Knodel, 1992).

However several researchers consider the focus group as a questionable technique. It is very often difficult to record the words spoken and this technique is time-consuming. It creates a very complex type of interaction between participants. The researcher is, at the same time, the group host, participant and observer. The data produced are hardly considered as scientific and cannot be transposed and used beyond this context. The effects of "spokesman" might bias the result. "Public opinion" and political correctness might affect the results. Elements of individual bibliography are not collected, making it impossible to check if participants are sincere or that just want to please the observer.

Focused in depth interviews constitute a technique of qualitative data collection technique conducted on a one on one basis. Like focus group respondents are purposively selected and interview proceeds on prepared guidelines consisting of questions intended to generate open-ended responses.

Interviewer provides respondent considerable leeway to express his or her own definition of the situation. Conducted in private, interviews are suitable for inquiries into respondent's experience on a more detailed exploration of opinions and attitudes. They can include questions on sensitive matters: sexual behavior, etc.

The advantage of this technique is that it limits the contacts with the population to the strict necessary, thus avoiding wasting time. There is no need for extended residence. It is based on a structured set of guidelines which is an advantage for demographers, making qualitative data collection more practical and facilitating comparative analysis among communities.

The increasing popularity of qualitative methods reflects the growing awareness for multidisciplinary collaboration, mainly anthropologists/demographers but sociologists, historian and economist are also more and more involved. Yet, an uncritical use of these techniques may lead to superficial analyses and simplistic views.

Qualitative methods in demography use, by definition, non-quantitative data: words rather than numbers. Yet the difference is sometimes not obvious with quantitative methods, where implicit judgments might play a role enter in operationalizing variables for quantitative analysis. The case of grouping in one category (religion in Israel…), ranking responses, and selection of cut off points are well-known. Qualitative methods can include quantification and rely on statistics.

Indeed now the domain of statistical analysis of qualitative data is expanding. In fact quantitative and qualitative are the two poles of a continuum, the 100% quantitative (such as reports analyzing census data) to 100% qualitative such as a study of infant mortality in Brazil where not a single rate was mentioned.

Qualitative methods favor the micro rather than the macro level. They seek to understand processes at the individual level rather than aggregate. They are holistic rather than reductionist. Quantitative methods are positivist, naturalist, factist, qualitative ones are interpretive, constructionist, post modern and critical. Besides, one of the strongest arrack on quantitative demography is political. Quantitative demography is considered to be linked to the Family Planning establishment, whereas qualitative demography or anthropology, is more "leftist", critical of the status quo and defending the rights of the under privileged groups of the population.

Quantification has been a major strength of demography and established it as a powerful and prestigious science close to the mathematical field. But this has contributed also to its theoretical weakness imposing constraints in demographic imagination. Quantification has been restricted to a limited number of variables available in censuses, surveys, civil registration: age, sex, literacy, employment pace of residence… Qualitative methods have no such restraints and can investigate other contextual variables, namely for fertility, for infant mortality. Therefore they would be better fitted for the study of political fertility issue in Palestine and Israel namely, rather than the purely quantitative methods, which have clearly shown their limits. This is due to the fact that qualitative methods have proven their ability to formulate the right research questions rather than investing more and more in the sophistication of methods, like the quantitative methods. The problem is that qualitative methods are mostly based on asking individuals about their behavior. They don't always resolve frequent dissonance between statements, perceptions and reality.

However, more and more research projects are based on team research rather than on a single lonely researcher. This attitude should prevail now for in-depth studies of the demography in Palestine. Namely since the role of "culture" is so important for explaining demographic transitions. Culture is sometimes subsumed in more easily quantifiable variables such as language, ethnicity and religion. But this is not enough. Culture is less likely to be quantified than socio-economic factors, thus qualitative investigations are badly needed in this connection. Culture-based motivations require analysis. That analysis is unlikely to proceed from the answers to direct questions posed by data collectors in surveys.

Exchanges between quantitative and qualitative researchers are more and more

difficult because the anthropologists are undergoing a crisis of identity: having doubts about the possibility to scientifically analyzing the "other". What would be the optimum mode for cross-disciplinary work on population? Most open minded scientists are very cautious; calling for a peaceful coexistence, or just selective borrowings. There are indeed a lot of obstacles: the disciplines cultures, the lack of incentives for disciplinary work and the issues of professional advancement, allocation of research grants, peer-review process in publications etc. This unfortunately points to parallel rather than cross-fertilization between the two approaches.

Although extremely useful, qualitative methods did not fully prove their definite input in demographic studies. They will remain, for years to come relatively marginal in a discipline, which since the time of its founding fathers, John Graunt and William Petty, has been based on large numbers, mathematics and probabilistic theory.

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CHAPTER SIX

ANTHROPOLOGICAL COMPARISON AS A RESEARCH METHOD IN ARABIA: CONCEPTS, INVENTORY, AND A CASE STUDY

By Andre Gingrich

This article discusses anthropological insights and practices of comparison as a research method[1]. Some main points on the role of comparison in the human mind are presented in the first section, while the second section discusses general aspects of comparison in academic research, with specific

emphasis on qualitative comparison in the humanities and the social sciences. The third section then presents a case study for one comparative method in socio-cultural anthropology, and for the ways in which it may be useful in Arabia.

1. Comparison as an Elementary Cognitive Process

Comparing is a normal, everyday dimension of how we experience life, and how we think. All humans compare most of the time, either in explicit or implicit ways. In this most elementary and most general sense, comparison therefore is a basic *modus operandi* of our mind and, ultimately, of our brain. Comparison takes place whenever something reminds us today of an earlier information or experience. Whenever we relate an insight or an impression from the present to something from our past, we implicitly compare one with the other. Whenever our senses register that something in that direction is similar to, or different from, something in this direction, then our senses implicitly compare. Comparison therefore lies at the heart of processes of learning, of memory, and of cognition.

A baby that is crying out for food gradually recognizes the smell, the shape and taste of the mother's breast, and the sound of her voice. By mentally and sensually relating and comparing previous impressions and experiences with the present, the baby gradually learns to identify, and to distinguish her presence. Through comparison, the baby then will also begin to recognize and differentiate among different persons –the mother, a sister, the father, a brother. We thus learn to compare long before we are able to speak. Language certainly facilitates comparison, but comparison may well operate without language, and independently from any specific language skills (Bloch 1994).

Long before a child learns to stand and to walk, he or she is able to expand these comparative skills even further. Between seven and nine months of age, a child will develop by way of comparison certain skills of abstraction which go beyond individual persons or objects. For instance, if the child's family has a brown cat at home, the child will have learnt to recognize this particular brown cat in its familiar environment. When the parents take the child along for a visit to the house of an uncle, however, and if that uncle's family keeps a black cat at their home, then the child also will understand, through a comparative learning experience: this again is a "cat". Long before the child actually is able to speak the word "cat," and in spite of a different color, the child's mind has elaborated an abstraction, and a concept about that generic class of beings that are designated

as "cats" in English. This child's mind has mentally grasped the concept of "cat" prior to, and independently from, language. Concepts therefore do not depend on language, but on generic abstraction –and generic abstractions always have to rely on comparing the experience of particular phenomena, which are at the basis of that generic abstraction (Strauss and Quinn 1997). By contrast, any language competence relies on some degree of abstraction, and thus is built upon conceptual skills that have one of their roots in comparative mental practices.

The cat example demonstrates two other dimensions of comparison that are not always self-understood. Comparison, first, is not only, and not primarily, a highly specialized intellectual procedure that informs the activities of professionals. Beyond that, in a much more profound way, it is inherent to being human, across all age groups, including the very young and the very old. Secondly, comparison always includes two elements. The child who understands that the brown cat also is a cat, although its shape and color are different from what was known to this child, has employed two procedures at the same time. The child has recognized contrasts and differences, and he or she has identified similarities and analogies. These two procedures are the basic ingredients of comparison, i.e. the identification of similarities (or parallels), and the identification of differences (contrasts).

It is evident that comparison also is an elementary part of adult cognition. Comparison informs the ways in which we understand economic life. Whenever we enter a bakery for example, where we are told that today's bread costs the same price but is much smaller than yesterday's bread, we compare: Size and price of yesterday's bread are compared with today's offer –and the comparison might make us angry about how the economy goes. Comparison also informs our social and professional relations. If as a university professor, for instance, I would give my students different grades although they presented the same kind of good results in their exams, then my students would become angry at me, and quite rightly so. They have compared how I have dealt with their exams, and how I graded them, and from this comparison they have drawn their justified conclusions about my inappropriate professional behavior.

Comparison also informs our political assessments and judgments. The world saw how one Arab people and its country were occupied by a neighbor, how the United Nations then voted for a resolution against that, and when the occupying force did not comply with this UN resolution, Iraq was driven out of Kuwait by military force. We compare this with the continuing occupation of Gaza and the Palestinian West Bank in spite of all UN resolutions, and we draw our political conclusions from this comparison (Botiveau and Conte 2005).

Comparison therefore informs our concepts, assessments, judgments and opinions in all fields of life –family, economy, society, or politics. The example of comparing two situations of military occupation reminds us once more of something that already became visible through the case of the brown and the black cat. Comparison always includes both – the identification of similarities, analogies and parallels, and simultaneously, the specification of contrast, varieties and differences. There is no comparison with only one element of these two – both are the essential ingredients of comparison.

This was not always as clear as it appears to be today. For a long time the British education system, for instance, included a specific type of written exams at certain schools. When students opened the envelope at the beginning of each exam to find their assigned task inside, they often read the line: "Compare and contrast Y with Z," whereby Y and Z could be the work of two poets, or the economic potentials of two cities, or whatever the exam was about. As we now understand, however, that line basically included a frequent logical mistake in much of European thinking.

That illogical, standard European premise about comparison claims that "contrasting" is something outside of, and different from, comparison. If that line read "compare AND contrast," then it obviously implied that these are two different things. The illogical, standard European premise therefore said that "contrasting" was something different from "comparing," and by implication, it claimed that "comparison" exclusively dealt with similarities. The illogical, standard European premise therefore often denied that the comparison of different things was possible at all. A popular Anglo-American proverb makes the same claim: "You cannot compare apples with oranges". Already as a small boy, I was utterly puzzled by this proverb, and why people used it. Perhaps this proverb indeed led me to think more profoundly through comparison in my professional life. At any rate, I never understood why we cannot or should not compare apples and oranges: This apple is red but that orange is yellow; this orange carries a higher amount of water per mass than that apple; this apple contains less sugar than that orange. There is nothing wrong in comparing different phenomena, as long as you define under which common angle you position your comparison. In the case of oranges and apples, that common angle may well be "the aesthetic and nutritional qualities of different fruits". Obviously, that old line from British school exams and this Anglo-American proverb both are incorrect and illogical, while the small child comparing the black and the brown cat did the logical and correct thing.

In spite of those claims by some old-fashioned European wisdom, let us therefore confirm and proceed: by definition, comparison always requires a common and

coherent perspective by the person who compares, and any comparison includes the simultaneous identification of similarities *and* differences. Sometimes, these similarities are more important than the differences, sometimes it is the other way around. Comparison may relate to one and the same generic phenomenon in different contexts of time and space, such as the brown and the black cat. Comparison, however, can also be something wider than merely dealing with *generically identical phenomena*. On a more abstract level, we also may compare *similar phenomena of the same general class* or type under a common angle –as was shown by reference to comparing different instances of the general phenomenon "occupation of Arab regions in the late 20th century."

If comparison therefore informs all phases and all spheres of our lives and experiences, what is its main purpose? In our daily lives as much as in our academic projects, a primary purpose of comparison is our orientation. Without our constant comparative learning activities, we often would be quite helpless, whenever we have to cope with challenging situations. Today we know that the human mind does not primarily operate on the basis of simple, cumulative linearity but rather, it functions like a flexible network of modules (Bloch 1998). This has the advantage that once we have explicitly understood and learnt, through repetition and experience, through trial and error, how certain rules operate and how certain standard situations unfold themselves, we then are able to internalize them to a degree where they become converted into self-understood reactions. When a traffic light turns green, for instance, we therefore need not explicitly memorize what we did last time when that happened. Instead, we can simply activate our standard reaction for "comparable" situations, without even thinking about it (Bloch 1994).

Beyond such instances of standard orientation, comparison also is indispensable for coping with other challenges in our daily routine. Among these challenges are previously unknown, unexpected and new situations. The unprecedented, the unfamiliar, and the unexpected often do not allow us to deal through simple one-to-one analogies or contrasts. Instead, we often deal with new and unexpected situations through improvisation. When we improvise, we basically pool together bits and pieces from very different previous experiences, and we then try mentally to re-assemble them in new ways on the spot for coping with the unexpected present. Still, identifying those very bits and pieces from earlier phases which might in fact deserve an effort of re-assemblage for a new present does require an effort in searching our past for contrasts against, and analogies to the present (Strauss and Quinn 1994).

Beyond orientation and improvisation, an ultimate purpose and function

of comparison is its utility as one among several tools for understanding, and for explanation. Whenever we repeatedly and densely observe and compare a phenomenon in its different contexts, and in its different manifestations, the results of that comparison might lead us to identify the underlying causes of these differences and similarities. If we know that every morning in springtime the birds in that special group of bushes or trees usually are singing, while on this particular morning they make very different excited noises: then we are curious to know the reason for this difference, which we have identified through comparative experience. Perhaps a snake is coming too close to those trees and birds?

Comparison as a pathway to understanding and explaining represents one of the most important fields of intersection between everyday life and specialized academic activities. As a tool for understanding and explaining, comparison is essential in both fields. This should not surprise us. After all, academic and scientific research basically is nothing more than one specialized professional pursuit of the normal human interest in understanding and explaining the unknown. For understanding and explaining the unknown, comparison is essential in everyday life as much as it is in research.

2. Comparison as a Research Method

Improvised and substantiated ways of explaining and understanding are in fact the primary purpose of using comparative methods in those specialized modes of investigation, which we call academic research. If comparison does not at least promise us some additional, better and clearer ways of understanding and explaining a problem, then there is *no need to pursue comparison*. This is no activity for its own sake, no "l'art pour l'art." If something is already understood well enough, or if a research problem is not really important enough to investigate it further, then we are well advised to abstain from comparison. Comparison may become useful only if it holds the *potential of providing more insights than what we already know* about a particular case, i.e. by studying that case on its own terms. For those instances, however, for which comparison might provide additional insights, we always need to think about the wider class of phenomena with which we will compare the particular case and with what kind of comparative research question we want to address that wider class of phenomena. This concerns *the modalities, the scope or scale, and the types of comparison*. My discussion of these three major dimensions of comparison will put a special focus on the social sciences and humanities, i.e., without any further consideration of these three dimensions of comparison in the natural sciences.

Qualitative and quantitative procedures are the two main modalities of comparison, as discussed chapter 2 above. What we today know to be true for the general relation between quantitative and qualitative methods in the social sciences and the humanities applies to the specific methodological practice of comparison as well. Today, the premise is generally accepted that quantitative and qualitative methods of comparison in principle are not mutually exclusive but rather, may be complementing each other (Flick 2006). During the 20th century's final quarter, however, the mainstream in international social sciences saw this quite differently. During that period quantitative methods in general, and quantitative comparison in particular, were seen as the only serious and objective approach, while qualitative procedures were downplayed as irrelevant, not rigid enough, or at best, marginal. Meanwhile, that previous asymmetry between hegemonic quantitative procedures and marginalized qualitative methods has drastically changed into almost the opposite. To a large extent, this is due to the international economic and financial crisis since 2007, as a result of which econometrics, sociological prognosis, political opinion polls and similar quantitative methods with strong comparative elements lost much of their previous high-ranking credibility and status. Today, even influential conservative business journals publicly ridicule an earlier, self-proclaimed "exactness" and "certainty" of quantitative procedures whose results were flatly contradicted by the global capitalist crisis, and they applaud qualitative methods instead.

Through these more recent developments, the social sciences and humanities have managed to establish much clearer, more realistic, and more balanced relations between qualitative and qualitative procedures. Nobody would want to marginalize the quantitative methods today in the same way in which qualitative methods once were marginalized. Yet the quantitative methods of comparison not only have lost much of their former status, but also their former reputation of uncontested precision – and this is what actually counts most: today we recognize how much the opposite of what once was claimed about quantitative precision in fact is true. It is actually the finely grained details of qualitative analysis and of qualitative comparison, which provide the wealth of detailed precision, whereas quantitative analysis and comparison at their best deliver good, but rough overviews of main relations and of general tendencies or relations. This is valid for today's social sciences in general, while the relation usually turns out to be more differentiated if we assess particular disciplines. In demography, for instance, quantitative comparison by definition continues to play a role that is bound to be more important than average. By contrast, in social and cultural anthropology with its strong emphasis on micro-analysis and long-term fieldwork, qualitative comparison which will be the focus of the remainder of this text, continues to be much more important.

The *scope or scale* of comparison in socio-cultural anthropology can be either minimal, or maximum, or intermediate. Thinking through these three options of scale along qualitative lines is more important for socio-cultural anthropology, as I have just argued. A maximum scope of comparison would require the assessment of all known cases of a particular subject such as, say, FGM (Female Genital Mutilation), or of violent male puberty rites, or whatever. These general or "universal" forms of comparison have become quite unpopular in socio-cultural anthropology in recent decades. The main reasons for anthropologists' reluctance to engage with maximum scopes of comparison are related to the very high level of abstraction that comes along with them, and to the lack of data from similar contexts that would be required to do a decent job. An earlier, US-sponsored archive for quantitative anthropological comparison along maximum range was the so-called "Human Relation Area Files" (HRAF). It is not only because the HRAF were installed in close cooperation with US military and government agencies during World War II (Price 2008) that they meet a lot of scholarly skepticism today. There are also profound methodological doubts about the HRAF's quality of data. If maximum or universal comparison will ever gain some new importance in anthropology, allowing perhaps for some new contributions about the human condition at large, then this certainly will happen on the very different basis of qualitative comparison.

By contrast, minimal and medium-sized methods of qualitative comparison have regained serious recognition in socio-cultural anthropology during recent years. They work with lower levels of abstraction, and they allow researchers carefully to choose, and to control, the quality as well as the quantity of cases that are subjected to comparison. Whereas in a maximum scope, the number and quality of case examples often escape the researcher's control (because as many cases as possible have to be included), we therefore speak of "controlled comparison" as soon as minimum or medium sized scopes come into play. In this section, the final paragraphs will further explore different tools and strategies of qualitative, controlled comparison in anthropology (Gingrich and Fox 2002).

Because socio-cultural anthropology always deals with humans in their immediate living contexts, anthropological comparison always entails a dialogical element. It is a research method for the anthropologist, but at the same time, it is also part and parcel of what the anthropologist studies – because comparison also is part of those people's lives among whom anthropologists live, with whom they work, and about whom they write. Controlled comparison therefore always includes dialogical elements, and in addition, an important self-reflexive loop. The questions and the criteria which the anthropologist brings into his or her comparative project are never completely independent from his or her professional

and wider background. This is why from the beginning of a comparative project to its end, when the anthropologist examines and interprets its results, he or she will be well advised critically to assess and re-assess the original assumptions, premises, and perspectives upon which the comparative project was built in the first place.

On these premises we may basically distinguish three major types in anthropology's tool-kit of controlled comparison.

Small scale comparison (which also may be called 'close' comparison) often comes along with some unity of time and/or space –which is useful because it facilitates the nearby identification of similarities and difference. Whenever we compare, say, biographies (e.g., two old merchants from the same neighborhood in Ramallah), or social networks (e.g., two different groups of pious families in Jericho), or institutions (e.g., the farmer's markets in two villages of northern Palestine), we operate with small scale comparison. What was said at the beginning of this section becomes especially important here: if we do not know *why* we want to compare these two cases, we should not do it. Otherwise, we would end up with loads and loads of information without any idea about what to do exactly with these data. "Data overflow" is a frequent form of deviation in small scale comparison. Especially for this particular comparative tool we therefore first and foremost need a good research question, and second, we need main criteria along which we strive to pursue it. For instance, our comparison of two old Ramallah merchants could be informed by the question "Since both of them had a lot of economic success in their lives, do they share any parallels of success in their biographies?" If this is indeed what we want to explore, we could then – after a first set of pilot interviews with both gentlemen – decide about our main criteria of comparison, and elaborate our research and interview strategies accordingly. The criteria could be, for instance, "family background and early professional training," "first errors and failures," "pathways to success," "intifada and occupation," "greatest economic achievements," and so forth.

Distant comparison operates, as is indicated by this term, with some distances of time and/or space between the cases that we compare. In this category of comparative tools there are two comparative strategies, which I find especially useful, namely comparing diffusion, and distant macro-comparison.

Comparing diffusion sets out to study how a phenomenon develops out of a center of origin into different directions, and while it is spreading in time and space, how it changes in these different new contexts but also, what kind of return impact this has upon the original center. A well-known example for this kind of comparison features the emergence of capitalist mercantilism in Western Europe

since the 15th century, as analyzed in Eric Wolf's study "Europe and the People without History," and the subsequent expansion of capitalism in different modes and formats throughout the world (Wolf 1982). Another example which also could be studied in this manner relates to the rise of Islam in southern Hijaz in the 7th century CE, and its subsequent spread throughout the world, combining with various modes of local practices ranging from Indonesia to the Caribbean.

At a much smaller scale and within shorter time periods, the same basic methodological strategy of "comparing diffusion" could be employed for the study of new trends in expensive male fashion since the 1960's and 1970's, for instance by studying the spread of trend setting brand names like Armani and Gucci out of northern Italy throughout the global, westernized upper classes (Hannerz 1992). Or, to name a totally different example, the concept of suicide bomb attacks could be studied out of their early use by the "Liberation Tigers of Tamil Elam" several decades ago in Sri Lanka's civil war (Asad 2007).

Distant macro-comparison, on the other hand, studies phenomena that are not directly related to each other by any common origin or center. (The emphasis here is on "not directly," because in times of globalization, everything is related to everything else through various ways at least indirectly). Distant macro-comparison is especially useful whenever we want to learn more about a particular phenomenon through radical contrast. Note that unlike the requirements of small scale comparison, in most forms of distant comparison it is therefore less urgent to formulate a very precise research question as early as possible. This is so because a "soft version" of your research question will already emerge together with your choice of "radically distant" comparative cases. When you decide that you want to compare, for instance, peaceful strategies of resistance and non-compliance in India before 1948 to those by Afro-American Civil Rights movement in the early 1960s (Fox 1997), it is obvious that your research questions concern the failures and success of peaceful resistance. When you compare the rise of the racist Ku Klux Klan after the end of the American Civil War in the 1860s with the persecution of Muslims by the Milosevic Regime in Belgrade after the collapse of ex-Yugoslavia in the 1990s, then it is obvious that your research question concerns the aggressive, racist violence of elites who are about to lose their grip on power (Gingrich 2002). And when you choose to compare women's rights through the example of young mothers in Nablus in 2008 and in Cape Town in 1978, then you are obviously setting out to research the violation of human rights under semi-colonial conditions. In distant comparison, the choice of comparative cases therefore explicitly pre-defines the research question, and vice versa.

Regional and historical comparison is the third version of anthropology's controlled

comparison that is discussed in this paper. Because the entire third section will provide an example for how to pursue this kind of comparison, I can keep this a short introductory note.

All of the tools of controlled comparison discussed so far have their advantages and disadvantages. Small scale or 'close' comparison, for instance, often encounters the problem of "data overflow" and of an ensuing "lack of sufficiently specific criteria." Comparing diffusion, on the other hand, often has to struggle with a "lack of appropriate data" for studying the pre-defined, very precise interest in a phenomenon's spreading and expanding movements. Finally, distant comparison frequently encounters the criticism that by the choice of comparative examples, the research question already determined the answer to a degree that can be problematic. Employing any of these comparative tools therefore requires the same kind of critical, rigid, and self-reflexive quality control that is expected of any other methodological procedure. This also is true for regional and historical comparison.

While small scale comparison often operates with a relative unity of time and/or space, and while distant comparison intentionally imposes discontinuity of one or both, regional and historical comparison occupies an intermediate position in this regard. Along the spatial dimension, the examples we compare are neither in each other's immediate neighborhood, nor are they from opposite parts of the globe. They are, however, from the same wider region. Along the temporal dimension, the same is valid. The examples we chose for comparison in this case neither have to originate from exactly the same, small-scale time unit (a year, a decade, the life span), nor do they have to come from totally different eras (before 1400 and after 2008 in Palestine, before the rise of Islam and after the end of Ottoman rule). In regional and historical comparison, the temporal dimensions of comparison therefore need not be exactly the same, nor do they have to be totally different. Instead, they should be loosely related to each other. These are the coordinates of the comparative example we may now proceed to examine.

3. A Case Study of Regional and Historical Comparison From South-Western Arabia

My case study of regional and historical comparison examines the structural transformations of two tribes in south-western Arabia whom I had the opportunity to come to know fairly well since the early 1980s. One of these tribes has its main homeland in south-western Saudi Arabia, their name is Rijal Alma and they belong to what often is called the Asir federation. The other tribe has its main

homeland in north-western Yemen, they are called Munebbih and they are part of the Khawlan al-Sham federation.

I visited Rijal Alma twice in 1982/83 as part of a joint Saudi-Austrian ethnographic cooperation project team. Shortly thereafter, Johann Heiss and I made our second journey through northern Yemen, which also included a first visit to the Munebbih area in 1983. During the subsequent two decades, I had the occasion to combine the ethnographic analysis of these two regions with studying some aspects of their history, with re-visiting these areas, and with collecting additional information about recent developments through other sources. During these years, I pursued a number of different projects about these two regions without, however, exclusively singling them out per se. Visiting them one after the other within a very short time period during the early 1980s nevertheless had left me with a comparative puzzle which accompanied me ever since.

In the early 1980s, I registered a number of striking similarities, but also of marked differences between both regions in most fields – ecological, economic, socio-cultural, and political. My subsequent interest in their local and regional histories convinced me that those similarities in all likelihood had been even more important than their differences at the beginning of the 20th century. Today, however, during the 21st century's early decades, these two regions hardly share any similarities with each other any more. A visit with Johann Heiss to Asir in 2002, and interviews with Munebbih (and with visitors to that tribal area) since 2005 both have provided the relevant insights. In turn, this has specified my original comparative puzzle into a research question to which I shall try to provide some answers here. The research question can be formulated in the following manner: *Which were the main factors responsible for the local development of these two tribal regions –from their fairly similar conditions at the beginning of the 20th century into the two different directions prevailing today?*

I shall try to answer these questions by assessing those three historical contexts that I have already mentioned comparatively. Before that, I will present a brief overview of the region. As in most mountain and plateau regions of south-western Arabia, tribal organization and mixed agricultural economy on the basis of small-scale landholding also are typical for the Munebbih and the Rijal Alma areas. These two steeply elevated areas belong to the loose chain of isolated mountains which extends along a line that runs more or less parallel to the Red Sea coast to the west of the actual mountain ridges of southern Hijaz, Asir, and northern Yemen. Often as high as, or higher than the main ridges to the east, these mountains overlook the dry costal plains of the Tihamah to the west. This is why the Palestinian geographer Kamal Abdulfallah has aptly described these

formations as "isolated Tihamah mountains" (Abdulfattah 1981; Figures 1, 2, below). The Tihama mountains situated between the latitudes of al-Taif in the north and Sana'a in the south share a number of general features, if they rise higher than 1600 m. above sea level. Their lower slopes are extremely steep, while their uppermost peak and ridge areas are relatively soft. Because all major rain winds arrive through the Red Sea basin in the west, the upper and western slopes receive much more direct precipitation, and milder forms of slope run-off than any other section on these isolated Tihamah mountains.

The conditions of a small-scale tribal agricultural economy on terraced fields prevailed in the mountain regions of south-western Arabia at least since the centuries preceding the rise of Islam. Under these socio-economic conditions, the ecological factors favored a certain, more specific pattern on the isolated Tihamah mountains. Their upper western and their peak areas were more densely populated, while the barren, steep lower parts were empty. These were fertile green mountain fortresses and strong islands of rural wealth amidst dry oceans of rocks, steppe, and desert. They could be easily defended from above, and they were almost inaccessible for unfriendly intruders from below.

States and state influence along these south-eastern shores of the Red Sea therefore never gained any easy access to the main population on the peaks. Long-distant routes passed by these isolated mountains. They were used by pilgrims, merchants, travelers and soldiers in directions that ran parallel to the coast, but also connecting the coast and the highlands. For the tribal peasants and farmers on the peaks of the isolated Tihamah mountains, those long-distance routes in their vicinity offered access to additional resources – and their own resources included water and food that were scarce in the barren lowlands of the Tihamah. Peaceful exchange with whoever came along the long distance routes therefore was relatively easy for the people of Rijal Alma and of Munnebbih, and quite often, it was even more advantageous to acquire those goods not by exchange, but by force, or by a combination of both (Dostal 2006). This is why in their respective social environment Rijal Alma as well as Munebbih gained the lasting reputation of dangerous mountain warriors, and of unreliable partners in peaceful alliances.

Tribal semi- autonomies at the end of Ottoman rule: in addition to their Islamic and Arabic heritage, and to their similar basic ecological, socio-economic and strategic features of tribal territories, Rijal Alma and Munebbih also shared certain aspects of regional political and religious history before 1918. For centuries, both had lived at the margins of the Zaydi variant of Islam which had (and still continues to have) its main spiritual center in the northern Yemeni city of Sa'da (Serjeant 1969). In addition, both of these two large tribes also had nominally

lived within the realm of the Ottoman administration, re-established in south-western Arabia since the middle of the 19th century (Quataert 1994).

The tribal population in both regions bore arms. In addition to supplying themselves, they also sold their products through local markets (leather, wood, honey, and fruits), and both tribes had leaderships with good connections in the region and the status of legal experts at home. Zaydi influence seems to have been somewhat stronger among the Rijal Alma where a well-known family of the Prophet's descendants was established as the tribal leadership, i.e. the Ni'mi family. Ottoman administration and military presence, by contrast, merely managed to secure an important route between Abha and al-Qunfidha that passes by Rijal Alma territory (Gingrich 2005). Munebbih territory, on the other hand, had been far less exposed to the spiritual and military effects of these two wider regional influences. Under those historical conditions of regional infrastructure, their territory was at a larger distance from the next major trading route between Sa'da and the coast, and more secluded from it. In all likelihood, this is why not only the Ottomans, but also the Prophet's descendants never had managed to establish themselves inside Munebbih territory (Gingrich 1993). Instead, an otherwise little known family of Fuqaha represented this tribe's supreme leaders, the B. 'Awfan, who sometimes granted asylum to people who were not wanted elsewhere.

In spite of maintaining and defending their tribal autonomy against the Ottomans with considerable success, Munebbih as well as Rijal Alma also depended to some extent on the existence of well-functioning long-distance routes in their vicinity. Through these routes, they could procure arms and cash from outside, and they could sell their domestic surplus as well as their booty (products, slaves) from their raids and feuds. In a way, both tribes not only were living lives outside and "against" the Ottoman state, but simultaneously, theirs also was a quasi-parasitic existence at the margins of a state from whose failures and achievements they also profited (Gingrich 2005; Gingrich and Heiss 1986). When the Ottoman system collapsed as a regional and world power in 1918, therefore, this also caused a certain amount of re-orientation among these two tribes.

Since the 1960s, Saudi Arabia had become a serious US and NATO ally in the Middle East, whereas northern Yemen pursued a non-aligned orientation. On the local level, however, these new international contexts of the Cold War combined with less dramatic changes than one might expect. In the early 1980s, the structural situation of the Munebbih and Rijal Alma whom I came to know displayed a number of continuities to what the sources told about the period around 1918. Although the Saudi kingdom and the Yemen Republic (following the collapse of the post-Ottoman Imamate and northern Yemen's civil war of the

1960s) had succeeded the former Ottoman administration, the presence of the state continued to be limited in both cases. No police or army units were stationed inside these tribal regions, where people continued to rely on their own arms if necessary. Except for a few home-run generators among the wealthiest families, there was no electricity available locally, and only a few dozen families could afford those trucks with which it was possible to climb up the one dust road to the peak hills. Both tribes maintained a certain amount of demographic, agricultural, and highly armed dominance over their more immediate neighborhood in the poorer and more sparsely populated Tihamah lowlands. With their more difficult access to peaceful trading, the Munebbih sought to play a stronger military role in a peripheral region where the state's presence was even weaker than that of the Saudi state was in the Rijal Alma area.

Yet while state-supplied infrastructure and administration still were absent inside both of these two tribal territories, two other regional factors had penetrated tribal life already to some extent. These were market economy and state ideologies. One way of gaining local access to regional markets was the out-migration of labor. Many young men from both tribes left for major Saudi cities and for the Gulf region, representing the first tribal generations ever facing the challenges of wage labor. Remittances and savings for marriage payments were key motives for these movements, which would peak, and then lose momentum, with the first and second Gulf wars. The additional cash-flow through remittances was spent at local markets in the vicinity of both these tribes, or was saved for bride payments. Due to the vicinity of an ill-guarded international border, smuggling and other black market activities played a role for the Munebbih but much less so for the Rijal Alma.

The international border that had not existed before 1918 now also had another important effect upon the Munebbih situation. Out of their old opposition to the Zaydi elite, they had become the allies of the distant republican government in Sana'a. This allowed them to make use of the border situation not only for illegal purposes, but also as its legal guardians: the new state ideology of Yemeni nationalism thus penetrated Munebbih tribalism (Gingrich 2009). Meanwhile, Rijal Alma had also dissociated themselves from Zaydism, but in different ways. Their spiritual and legal integration into the Saudi state had begun with a peace contract between the two wars, but it gained serious local momentum only when the first leading members of the Ni'mi family chose to embrace the teachings of Muhammad Abd al-Wahhab (Gingrich 2000).

In sum, amidst an expanding market economy the Munebbih and the Rijal Alma during the early 1980s still continued a semi-autonomous existence at the margins of the state. Yet by contrast to the situation before 1918 and to a pan-national

Ottoman empire that had vanished, these now were two different states with unequal economic potentials and contrasting ideological agendas. The Yemeni state was fairly secular and pursued a non-aligned orientation with a national agenda; the Saudi state was an Islamic theocracy and a US and NATO ally. The Cold War rather blocked than helped to implement these different agendas.

Rural suburb versus armed mountain periphery in the current era of globalization: profound contrasts and differences characterize the main features of Rijal Alma and Munebbih areas during the first decade of the 21st century. The Rijal Alma area has become a quiet and peaceful mountain resort and holiday area primarily for the urban citizens of Abha and Jizan, i.e., the two main provincial capitals in Saudi Arabia's south-west. By contrast, the Munebbih area has become an important stronghold of the Yemen government's efforts to contain the Zaydi "al-Huthi" rebellion in what virtually turned into a civil war in the northern Yemeni highlands (Gingrich 2009). These efforts of a recent civil war drama in the Yemen and of increased nation-building efforts in the aftermath of the "war against terror" in Saudi Arabia are not just short-lived discrepancies. Instead, they indicate advanced phases in what are two different regional trajectories of development.

In the course of the Gulf Wars, and of the "war against terror," Saudi Arabia had responded to increasing pressures at home and from its US allies to transform itself in several ways. One effect is represented by increased efforts towards integration and nation-building. In the south-west, this has resulted in undeniable changes such as improvements in infrastructure, civil participation, and social services. Together with diversified re-investments from oil resources in the south-west, urbanization has become a central feature of overall developmental trends in the Asir regions. The Rijal Alma region has now become a fully integrated part in this impressive transformation. In its early phases, those transformations were not free from severe difficulties, as is indicated by some extremist supporters from that region (Gingrich 2010). Today, however, the relative success of Asir's transformation has to be acknowledged. If they remained in their home area, Rijal Alma became market farmers and resort keepers. Many of them, however, have permanently moved to the major cities in the region and the country. The former tribal federation has practically and legally dissolved in most of its former dimensions: today, it represents not much more than a web of regional and local alliances with some lobbying power, but without any significant political or legal status.

If urbanization and detribalization thus characterize the main current tendencies among Rijal Alma, marginalization and re-tribalization are typical for the Munebbih situation. The unification process between northern and southern Yemen was a result of the Cold War's termination, but it cost the Sana'a government

some considerable substance, which also can be said about the country's alliance with Saddam Hussein's Iraq or its formerly mild dealings with local supporters of terrorism. Since 2001, the Sana'a government began to cooperate very closely with the US administration of G.W. Bush. In turn, this has fueled into the Zaydi al-Huthi rebellion, motivated by Zaydi dissatisfaction about their new minority status, but also by regrets about having lost their former hegemony. In these contexts, many Munebbih have resorted to their earlier role as the republican government's only ally in the north-west, which in turn has also strengthened the leadership position of the B. 'Awfan family among them. The effects of this civil war have left deep human and physical wounds in the region, which will need a long time to recover. The losses are smaller on the Munebbih side, who also receive some benefits for their loyalty from the government. Still marginal, this tribal group therefore emerges from the past 25 years as a consolidated and reactivated social organism (Gingrich 2009).

Conclusion

Two different tribal areas in similar environments of south-western Arabia have been compared across three different historical settings. The tribal regions were Rijal Alma and Munebbbih, and the three temporal settings are the years preceding 1918, those of the early 1980s, and the early 21st century. This examination was carried out as a case example for regional and historical comparison, in which the coordinates of time and space should feature some loose form of interrelation. Before we turn to answering our main research question, we may summarize the main pathways of development that become even more apparent by the following comparison:

Regional/Historical	Before 1918	Early 1980s	Early 21st century
Comparison Rijal Ama/ Munebbih	Primarily similarities	Similarities and differences	Primarily differences

Table 1: Similarities and differences across three periods among two regions

Table 1 actually summarizes again a premise, which already was part of our research question, and only makes it somewhat more explicit. This regional comparison emphasizes two pathways of development which started from a common situation of close resemblance, and then branched out into directions that became increasingly different from each other – to the extent that in the present, each of the two cases in this comparison can be portrayed almost as

the other's opposite: civil war vs. regional participation, rural periphery vs. urbanization, re-tribalization vs. de-tribalization, modest living standards vs. common wealth, and so forth.

We immediately see that if read in a superficial, one-sided and simplified way, some aspects of our comparison could be instrumentalized and abused for the purpose of serious misinterpretations, perhaps for the sake of supporting, and for allegedly substantiating some theoretical reasoning which is quite alien to our current methodological enterprise. A first important disclaimer thus has to emphasize that our comparison has not been carried out for the purpose of assessing models of statehood in southern Arabia. As interesting as it may be, such an enterprise would require completely different methodological tools. There can be little doubt that in terms of wealth and peace, the Rijal Alma today are better off than the Munebbih. Acknowledging this fact, however, provides no basis and no room for political propaganda, or for any generalization about state models, which we never set out to examine as such. Firstly, just one example from each side of the border certainly does not provide any sufficient basis whatsoever for making any such wider generalizations about models of statehood and development. That would have to include a substantially larger number of cases on both sides of the border. Secondly, an inquiry into models of statehood also would have to include additional criteria (e.g. political or religious pluralism), which were not at all inherent to our comparison. It cannot be used for any generalization about state models in the present.

Another important disclaimer, in addition to "state models in the present," concerns "tribal models of the past." Somebody might, for instance, be tempted to speculate about the results of reading Table 1 backward: Does that backward line from dissimilarity in the present through similarity in the past perhaps point at any invisible, earlier period of a joint "common origin of identity"? In short, can we interpret Table 1 as an indication that in some earlier past, most south Arabian tribes looked the same? Or to phrase the same question in terms of comparative methodology: have we in fact carried out a "comparison of diffusion" without knowing, let alone, understanding it? To my knowledge, the answer to both questions is "no". We have the great scholarly privilege of detailed medieval sources about south-western Arabia, which have been carefully edited and interpreted by eminent Middle Eastern and European scholars (al-Hamdani [Müller] 1884-91; al-Hamdani [Löfgren] 1954-65; Dresch 1989; Heiss 1998). These sources provide substantial indication that heterogeneity already was an essential feature of tribal organization in south-western Arabia's highlands during the earliest documented periods. There is no hidden point of "common origin" that could be read out from our Table 1.

Quite clearly therefore, our comparison has its intentional and transparent limits. These limits in fact are the necessary result of the "controlled" type of this comparison. By definition, the controlled nature of our comparison also required us to employ a number of criteria for its implementation. It is only if we leave aside those more specific criteria, and merely generalize on the basis of the more abstract representation as provided by Table 1, that we may be seduced to speculate about unsubstantiated generalizations such as those discussed in our two disclaimers.

The case-by-case and phase-by-phase discussion of our Rijal Alma and Munebbih comparison in fact was carried out by examining a number of primary and secondary criteria, while it left out a number of other criteria, which would have been important for seeking answers about different research questions, but not for the present one. For instance, we have neither applied the criterion of "gender relations and women's status," nor have we, as another example, applied the criterion of "local water rights": as interesting and as important both fields are in general, they were not directly relevant for answering our research question. Table 2 gives an overview of those specific criteria that we did apply in an implicit, narrative manner.

Local criteria:	Wider regional criteria:	Global criteria of impact by:
Tribal leadership	Religious: Zaydi and Wahhabi influence	Late imperial/colonial era
Local military potential	Political: Ottoman and Saudi/ Yemeni state presence	Late cold war period
Local commercial interest	Economy: long distance trade and market expansion	Accelerated capitalist globalization

Table 2: Main criteria for regional/ historical comparison among Munebbih and Rijal Alma'

For our regional and historical comparison of diverging trajectories of Munebbih and Rijal Alma we thus have applied a small set of criteria on the three levels of local, regional, and relevant global developments.

Applying these criteria demonstrated that the structural changes and transformations occurring in both regions had taken place with different speed, and with unequal impact. This is the *first part of our answer* to the initial research question: during the more than six decades between 1918 and the early 1980s, local transformations were rather gradual and less substantial than they were

during the twenty five years after the 1980s. During the first of these two phases, the main regional-global factors for change were the collapse of the Ottoman Empire and the ensuing establishment of new states in the region. This led to the gradual dissolution of Zaydism in Saudi-Arabia's south-west and, after the foundation of the Sana'a republic, to the weakening of Zaydism there. While the market economy expanded more rapidly in Asir than in north-western Yemen, both Rijal Alma and Munebbih maintained some degree of political and military autonomy up to the 1980s. The context which enabled and facilitated these forms of maintaining local autonomies was the late Cold War era.

But while Munebbih's autonomy even was strengthened on behalf of a weak and distant state and its national claims, Rijal Alma' s autonomy was somewhat weakened through the religious integration of their leading family, and by a closer impact of the market.

The much more dramatic changes during the shorter time period following the early 1980s again demonstrate the close, causal interaction of local and regional-cum-global factors. The relevant contexts and settings are provided by Saudi Arabia's belated, post-9/11 efforts in regional nation-building, and by the Yemen's "anti-Shiite" civil war efforts that are not independent of a wider Middle Eastern context that also includes Iraq and Iran. In Saudi Arabia Rijal Alma seem to have fully made use, out of their prosperous local conditions, of these new opportunities towards more civil participation and more regional and especially, upward social mobility. This has taken place to an extent that has virtually dissolved the tribe into a network of clientele relations and semi-tribal affiliations. In northwestern Yemen, Munebbih have emerged as exhausted winners from a civil war that has taken its toll on all sides, and they continue their guardian role along the border on a consolidated basis.

This series of transformations in both regions during the two periods in question thus provides a second answer to our initial research question: a complex interplay of global, regional and local factors was responsible for the local developments of these two regions. By and large, the global and regional factors ultimately were decisive in setting the stage, and in providing the main influences of transformations that respectively became relevant on the ground.

The first part of our answer clarified the different speed of transformations, which we had related to the Cold War era when regional peripheries of these parts of south-western Arabia often where kept in stagnation, and to the chaotic and violent developments of the neoliberal global decades that followed. The second part of our answer has specified, however, that the different regional trajectories of Rijal Alma and Munebbih were the result of complex interplays between

regional and local factors in which regional factions such as state installation, religious transformations, the unequal expansion of market economies, and in one case, civil war played a crucial role. The first and second elements of our answer thus confirm and elaborate for our present contexts those forms of anthropological theories and hypotheses that were provided by authors such as Eric Wolf (1982), Ulf Hannerz (1996), or Arjun Appadurai (1996): in the current era global, transnational and regional factors predetermine the course of local developments.

A third part of our answer, however, still remains open. If regional factors alone were decisive, then they would have similar overall effects in the same sub-regions. Not all other border tribes in the Munebbih's vicinity, however, play a 'guardian' role along the border that is similar to theirs; not all western Asir tribes have transformed themselves into a suburban mountain resort area similar to Rijal Alma. What, then, were the 'key local' factors? Our initial research question had also addressed them, and they certainly relate to the core realm of anthropology's competence.

I identify two key local factors, which decisively contributed to the different trajectories of Munebbih and Rijal Alma throughout the 20th century. One of them is material and has to do with local environmental constraints and possibilities. The other local factor is agency-related, and has to do with different strategic choices by tribal leaderships.

Subtle differences in their respective ecological environments provide a more secluded and even less accessible environment for the Munebbih, and by contrast, a somewhat closer access to trading routes and to urban areas at their ends in the Rijal Alma case. With the changes brought about by an expanding market economy, but also by military technology throughout the past decade, these local differences became increasingly important in both regions. The extreme difficulty of local terrain in the Munebbih border area made modern transportation for commerce and warfare largely ineffective until quite recently. Simultaneously, while this kept them at some distance from the market, it also helped them to remain virtually the only (legal and illegal) border experts. For the Rijal Alma, on the other hand, the time came during the 1970s and 1980s when looking down from their mountain peaks, they realized that a whole new life was going on down there, in which they could no longer play the role of dangerous gate keepers. They could only remain in splendid isolation from it, or begin actively participate in it actively.

By their interaction with these wider regional factors that already have been identified, this set of local environmental conditions certainly enhanced and

shaped from the outset all choices that were available for local tribal leaderships. That should not be taken lightly. I nevertheless regard the local leadership's main strategic decisions as decisive. In that respect, two processes can be singled out. Among the Munebbih, the B. Awfan family managed to unite the majority of their tribe in support of the fairly distant Sana'a republic during two civil wars, namely that of the 1960s against the Zaydi royalists, and during the 21st century's first decade against the Zaydi "al-Huthi" movement. These strategic processes and decisions consolidated their own political and legal position as tribal leaders and the tribe's coherence as well. By contrast, the Ni'mi family gave up some of its political authority already when it accepted the original terms of integration into the expanding Saudi kingdom, and it accepted the further weakening of its local hegemony when many among their members embraced the *tawhid* denomination of Islam inspired by Muhammad Abd al-Wahhab. Such an orientation would further limit the realm of customary tribal law, and emphasize alliances with a state administration that already had a strong position in the region. In retrospect, both these decisions almost seem inevitable. Yet in their time, they cannot possibly have been easy. This third part of our answer therefore confirms and elaborates a theoretical approach which emphasizes that local networks of actors are not only the "recipients" of wider and global influences, but also active participants and contributors in their local and regional settings (Collier and Ong 2005).

Our regional and historical comparison has examined a research question, and it has identified a tripartite answer to that question which now can be assessed by further research. Had we studied each of these tribal histories only on its own terms, we could have discussed many more details and specificities of each case by itself. The cost of comparison always is abstraction. Yet by this comparison, we were able to see, and to explain, developments which otherwise might have easily escaped our attention. This is what comparison is all about.

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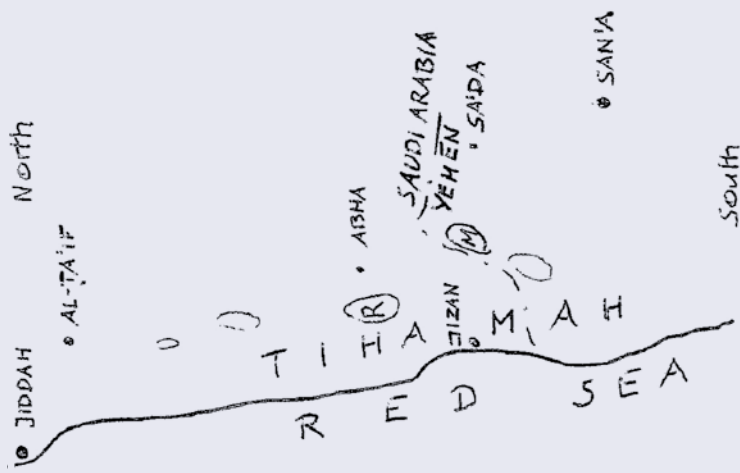
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East

West

High-
lands
of
south-
western
Arabia

Isolated
Tihama
mountains

Red Tihama
Sea

Fig. 2: Isolated Tihama mountains in an
east-west perspective

North

JIDDAH

AL-TAIF

AIBHA

SAUDI ARABIA
YEMEN
SAIDA

GIZAN (M)

(R)

SANA

T I H A M A H

R E D   S E A

South

R: Rijal Alma
M: Hunebbih

Fig. 1: Sketch of Rijal Alma and
Hunebbih areas' location

CHAPTER SEVEN

RESEARCHING IN AN UNSUITABLE ENVIRONMENT: THE PALESTINIAN CASE

By Majdi Al-Malki

Introduction:

There is a growing interest in methodologies and techniques of social science research in the Arab world generally and Palestine in particular. This interest is palpable in institutions charged with teaching young researchers scientific methods and training them in their application. In most cases these institutions simply borrow methodologies developed by research centers across the world without taking into consideration the historical, social and cultural specificities of the societies which produced them. Given that knowledge is a social production, research activity must be adapted across cultures or risk affecting the researcher, the research process and its results. In borrowing foreign research methods, one should always factor in the local context in which one is functioning, since it may impact the overall results of the research activity.

Let us advance a simple definition of scientific research: it is activity directed at finding answers to a baffling question. Such activity begins with a research problem, that is to say a baffling question that has attracted the attention and concern of the researcher. This will lead him/her to suggest hypothetical answers, the verification of which is to be based on appropriate research techniques. The success of research activity relies in principle on the nature of methods chosen by the researcher to test hypotheses, which will in turn lead to valid answers. However, any researcher is restricted by a number of factors that will have an impact on his/her methodological choices, and the research means or methods that he/she utilizes. Among these are subjective factors connected to the researcher's culture, beliefs, gender, education as well as the actual circumstances in which the research is being conducted. The latter interact with the subjective factors in a complex web of relations that influence the research process.

In Palestine, a number of political, cultural, and social factors have an impact on the researcher, and on methods and techniques utilized in the research process. Such factors are usually neglected in teaching research methods at universities and research centers, with a negative impact on the validity of research. Social science methodologies are not tested in laboratories; they simply interact with many intertwining factors, which lend or reduce the credibility of the research process.

It is possible to classify the group of factors that negatively affects the Palestinian case, making it an unsuitable environment for research. A number of studies have treated these factors. In a book entitled I do Research in My Country: Arab Women in the Field of Social Research, a basic methodological issue in sociology related to the construction and production of knowledge is discussed, namely the impact of the researcher on field work. Researchers are themselves cultural beings, whose backgrounds impact the collection of data. The female researchers who contributed to this book asserted that gender prejudices, as reflected in the process of obtaining information, have a great impact on the activity of field research, especially in societies known for gender separation. There are three dimensions to the prejudice: opinions prevalent within the research community; limitations imposed by society and its institutions on data collection by researchers (whether males or females); and denying researchers the benefit of knowing each other's views. In this book light is likewise shed on restrictions imposed on the ability of female researchers to acquire data during their research in gender-based societies, gender being a barrier to information gathering, with their research activities being limited to women only (al-Solh et al, 1993).

Contributions in this book note that gender is a variable that does not have an absolute impact on the research process, but interacts with various factors that may have even greater influence, including in those societies where there is a high

degree of separation between the sexes. In addition to gender, these variables include the foreign or local identity of the researcher, the level of his/her education, age, the institution that supports the research, the nature of the subject matter and its degree of sensitivity. Some contributors think that female foreigner researchers have wider opportunities to obtain information and data, sparing them the obstacles that the local female researchers usually encounter. Female foreign researchers in Arab countries tend to have relatively more flexible access to information and data, due to prevailing traditions and norms (al-Solh et al, 1993:28).

Other studies define the anti-research environment as that environment where conducting a research project is rejected for various reasons, and not just the refusal of those who are being researched to cooperate with the research activity. Here, the environment tries to dominate the direction taken by research, including the attempt to determine its general findings. Differences are made between an anti-research environment and research activity in a sensitive environment, affecting studies that touch on issues such as sexual relations, crime, and drugs. Discussion also concerns animosity towards research, ranging from a total rejection of the idea of research and its processes, to a refusal to cooperate with some of its phases.

Such refusal may be clear and direct, as in the case of research done on issues that have to do with security, where people in general decline to give clear and direct information. In other types of research, refusal to give information is done in a hidden and indirect manner, as in the case of studies on political parties where the attempt is made to influence outcome by slanting the information given the researcher, in line with political objectives. The anti-research environment varies in its level of its animosity during various phases of the research in accordance with the social, cultural, economic, and political conditions that the community is going through (Fielding, 2004: p.24).

Other studies used the term "closed access" to refer to the difficulties that the researcher encounters in obtaining data. There are many reasons behind the decision of those being researched not to supply information needed to complete a study. Some are due to distrust on the part of those being researched towards the researchers and the institutions conducting the research. Others have to do with the nature of the subject matter under study, or the institutions that are being researched and which possess sensitive information not easily revealed to researchers. In order to overcome such difficulties, researchers need to utilize flexible techniques capable of dealing with these difficulties, often requiring them, during the preparatory process, to enter into complex discussions and attempts to persuade the parties involved. Such discussions may be a prerequisite to starting the research (Hornsby-Smith, 1993: p.5 and Sobo and De Munck, 1998: p.20).

It is of course the case that any environment is potentially defiant towards a given research project, and may become aggressive in the absence of proper preparation on the part of the researcher, or if he/she is not fully aware in advance of the obstacles awaiting him/her, such as: political and class divisions, contradictions in interests, customs and norms, the predominant culture. The importance of studying the anti-research environment is not simply a technical or moral one. One needs to be aware from early on of the impact of the environment on the research and its results. The environment thus becomes itself an important source of information which has to be included in the analysis by studying its interaction with other variables. Opposing the research project, preventing its implementation, refraining from answering questions, and refusing to cooperate with the research in open and hidden forms, are all practices that tell us a lot about the nature of the institutional makeup of state and society. All of this uncovers conflicts of interest, the balance of power, the laws and the dominant culture prevailing in society, and how they work together in a specific historical moment. Refraining from cooperating with the research itself constitutes data that have social, cultural, and political indications.

The term "unsuitable environment" is used here to account for the factors that have a negative impact on the researcher and the research methods he/she utilizes, given that it is connected, in the Palestinian context, to the objective conditions which affect the research process, particularly those political conditions which also have an impact on all aspects of life including the production of knowledge. Such factors are not only restricted to researchers and their ideological and intellectual biases, nor do they have to do with behavior of rejection on the part of those being studied, and the failure to cooperate for their own specific reasons. There is a network of objective factors such as the political circumstances, and the institutional, social and cultural structures which interact with the subjective factors of the researcher and those who are being researched, and which influence the researcher, his/her research process, and the findings of the research. We cannot separate the impacts these factors have on each other, although we do it here for purely procedural reasons.

The discussion will cover the various factors which together form "the unsuitable environment" which characterizes the Palestinian situation. It shall also clarify the ways in which these factors have affected not only the researcher in Palestinian society, but also the methods and techniques he/she uses.

We shall rely in our examination of this problematic on some of the research-based studies that were conducted in Palestine, and which faced many challenges at the methodological level, in addition to our many field research experiences and the research we conducted in cooperation with various research institutions.

Factors that make up the anti- research environment:

Palestinian society constitutes an exceptional analytical and research challenge, whereby a combination of six major factors greatly affect any research carried out:

> ---The rapid transformation of the field due to political change and instability, the subjection of Palestinian society to successive wars, and to varying modes of frequent encounters which range from fierce military confrontations with the Israeli occupation, in some instances stretching to the level of war, to mere day to day civilian and minor military confrontations. These confrontations vary in their level from one area to another, and from one period to another. In addition, there are the internal Palestinian political divisions and conflicts;

>- discontinuity of its traditional social structures, to a variation in the make-up of its population, and to a great differentiation between its various areas;

> ---A weak commitment by researchers to scientific neutrality, especially in light of the political and ideological divisions that prevail today in the Palestinian territories;

> ---Differences regarding the content of raw data resulting from the lack of centralization and unified national research policies and the weakness of the Palestinian National Authority (PNA) given, in particular, its very recent experience in the area of research and archiving. This is in addition, of course, to the inability of the PNA to establish sovereignty over all Palestinian territories and crossing points;

> ---A lack of data due to the absence of a Palestinian state, and to reasons that have to do with the nature of Palestinian research institutions;

Lack of national funding for research projects, and the resulting tendency on the part of researchers to rely entirely on foreign support. The foreign sources often impose specific issues to study and specific research methods to follow, despite the fact that these funders are usually ignorant in the details of the issues under study.

While one can find one or two of the above mentioned factors that negatively affect research in other parts of the world, all are present in the Palestinian case, making it rather unique and idiosyncratic, and creating a real challenge to researchers. We will now deal in further detail with the various points mentioned.

The rapid transformation of the field due to political change:

In comparison with neighboring Arab countries, the Palestinian experience in social research is characterized by the political circumstances the country has endured for the last six decades. The particularity of the Palestinian experience emanates from this permanent political instability. This has greatly affected Palestinian society, including its various research activities.

The successive wars that Palestine witnessed caused a rapid change in social conditions. The 1948 War and the establishment of the State of Israel deprived the Palestinians of their own independent state, and of control over their natural and human resources, and resulted in social and geographic dispersion.

The 1967 War resulted in the occupation of the remaining territories of Palestine. This was accompanied by: the annexation of Jerusalem, the confiscation of land, the building of settlements, and the marginalization of the Palestinian economy by making it dependent on the Israeli economy. Over the years the West Bank and Gaza Strip were transformed into a source of cheap labor and into markets for Israeli products. The Israeli occupation imposed new conditions on Palestinian social life in all of its dimensions.

The second 1991 Gulf War led, directly and indirectly, to a decrease in the living standards of Palestinians in the West Bank and Gaza Strip. There was a radical decrease in the earnings of Palestinian families living in the occupied territories due to a decline in remittances being sent by those working in The Gulf to their families in the West Bank and the Gaza Strip. The decline was a direct result of the war. Most Palestinians living there lost their jobs, pensions and savings and had to go back to the West Bank and the Gaza Strip, or emigrate to other parts of the world. At the same time, remittances by the PLO to the West Bank and Gaza Strip fell precipitously because the Gulf States suspended their support to the PLO in response to its stance on the Gulf War (Ministry of Planning and International Cooperation, Poverty Report, 1998).

The belligerent policies of the Israeli occupation, which coincided with the first Palestinian uprising, helped in accelerating the transformation in the social, political, and economic conditions of Palestinians living in the West Bank and Gaza Strip. The uprising led to the establishment of the PNA and resulted in changes in Palestinian social and economic structures, and in a transformation of many aspects of life in the West Bank and the Gaza Strip.

In less than 7 years, the second Palestinian uprising erupted, as a result of a deadlock in the negotiation process, and Israel's continued repressive measures. This led to

radical transformations in Palestinian political, social and economic realities. A siege was imposed on Palestinian villages and cities, isolating them from each other. The West Bank was isolated from the Gaza Strip; the intensification of land confiscation and settlement construction increased. The separation wall/fence was built which consequently led to a further increase in land confiscation and the further uprooting of Palestinians. Palestinian workers were denied work in Israel and extremely violent military and mass punitive measures were taken against civilians in various sectors of Palestinian society. All of these procedures led to a comprehensive change in political, social and economic realities as it drove Palestinian society to an endless series of substantive adjustments. Most important among these was the split between the Gaza Strip and the West Bank as a result of political, social and economic developments after Hamas took control in 2007.

Rapid change in political conditions and the wide transformations in all aspects of Palestinian life, led to the invalidation data that was collected from the field. This subsequently made it lose its importance as far as policy makers and analysts were concerned. Changes in Palestinian political circumstances during the research process, especially in the phase of data and information collection, tend to confuse not only the researcher, but those being researched. This is due to the fact rapid changes would necessarily mean that many other questions would have to be addressed, and many other variables would emerge which would subsequently lead to a highly sensitive situation, or to an issue out of context, or even a case greatly influenced by the new conditions. This will affect the validity of the data. In general, changes in the field mean changes in the variables and in the relations between them. Researching a social phenomenon means, in the final analysis, studying a group of variables which constitute the problematic and hypotheses of the study. Rapid change means a change in the hypotheses of the study. This subsequently leads to a change in the methods of research utilized.

To make this clearer, we shall address the following examples. In 1990, the Institute of Applied Social Sciences in Oslo, FAFO, carried out the first broad survey on living conditions of Palestinians in the West Bank and Gaza. This study constituted a unique contribution, not only due to its comprehensive statistical nature, but because it was the first one conducted on living conditions of Palestinians under occupation[1]. The project was carried out in three phases over a period of two years

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[1] During the period of Israeli occupation of the West Bank and the Gaza Strip from1967 to1994, with the exception of research centers at Palestinian universities and other non-governmental developmental institutions, Palestinian research centers and centers for statistical research were virtually non-existent and consequently data for researchers to do research was unavailable. Despite the large volume of documents and academic literature published on the Palestinian people, most of what was written tended to deal with one phenomenon only, that of the Palestinian-Israeli conflict. The data was thus insufficient, except that published by the Israeli Central Bureau of Statistics which cannot be trusted.

from 1990 to 1992. Data was collected from a sample of 1,000 households and analyzed after 1992 (Heiburg et al, 1994: p.24).

Shortly after researchers completed their analysis of the data, radical changes took place in the occupied territories. The Palestinian National Authority (PNA) was established in 1994 as a result of the Oslo Accords. Since then the West Bank and the Gaza Strip witnessed a series of transformations, which created a new reality affecting the political, social and economic life of Palestinians. For the first time in recent Palestinian history, a national authority was established on part of historic Palestine. This was accompanied by the creation of state-like institutions that greatly affected the conditions of life of Palestinians in the territories.

The data collected by the FAFO team thus became somewhat dated, and lost its value in formulating policies for the support of the Palestinian people. In less than three years, the value of the data was confined to mere comparative purposes. Additionally, the data were used as supporting evidence in statistical analysis, especially after the Palestinian Central Bureau of Statistics began to provide more comprehensive data on the Palestinian reality. This was specifically demonstrated in the first Palestinian census that was conducted in 1997.

From 1995 to 2000, governmental and non-governmental institutions conducted many surveys and much field research, aimed at guiding the economic and social policies in the PNA territories and establish a database to help policy makers.2 Palestinian social and political reality was, however, changing rapidly, to the extent that by the time these studies had been completed, new developments in Palestinian social, political or economic fields would emerge. As a result, they would lose their relevance and no longer be used for the formulation of policies. One of the most important of these studies was the project accomplished by the Palestine Economic Policy Research Institute, MAS. It conducted a survey on the living conditions of the Palestinian population, focusing on institutionalized and non-institutionalized solidarity relations, intended to form the basis for a proposal for a social security system (Hilal and Al-Malki, 1997). In addition, a national team, led by the Ministry of Planning and in cooperation with the Palestinian Central Bureau of Statistics, and other governmental and non-governmental institutions, embarked on the preparation of a national report on poverty for the year 1998. During the period when MAS was conducting its studies, many military confrontations between the Palestinians and the Israeli Authority erupted. These confrontations resulted in

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2 Studies in the field of developmental policies occupy a unique and very important status within the category of economic and social research in the Palestinian territories, due to the essential need for such studies in the process of building PNA institutions. It is worth mentioning here that this kind of research is particularly sensitive to rapid change in the political or economic situation, thus rendering them fleeting in their relevance.

rapid changes in various aspects of Palestinian reality. Among these was the Israeli government's decision to close the labor market to Palestinian workers in Israel, albeit gradually. With the emergence of new realities such as this, and such as the second uprising (Al-Aqsa Intifada), the national poverty report became outdated one year after its publication. A similar thing happened to the national poverty report for the year 2004, completed shortly before the Palestinian parliamentary elections from which the Islamic Resistance Party – Hamas – emerged victorious. A strict financial siege was imposed as a result, and the international community (including Arab countries) boycotted the Hamas-led government, depriving more than 150,000 government employees of their salaries for more than a year. Most of the donors stopped their financial aid to the municipalities and to projects that provided Palestinians with new job opportunities. The unemployment rate increased to 40%, leading, in turn, to an increase in the poverty rate. Such developments rendered the national report on poverty outdated.

The political situation is still unstable, and keeps on changing in a rather rapid and unexpected fashion, affecting the social, economic and cultural life of the Palestinian population. This reality constitutes a great challenge to researchers and research institutions. It is however possible to factor imponderables in the planning phase, so as to lessen their negative impact. It is important to take this into consideration when the researcher selects the problem, questions and method of research to be utilized. It is also important to avoid embarking on long term projects, and to choose a relatively flexible project so as to introduce new variables if the situation necessitates. In such a case one can, for example, add qualitative research to quantitative surveys. However, it is important to bear in mind that when analyzing statistical data, the researcher needs to compare such data in different historical periods.

---The social and geographical dispersion of Palestinian society:

Palestinian society is distributed over various social formations and numerous small communities due to the successive wars that began with the 1948 war, and in the ultimate separation of the West Bank from Gaza. The 1948 War caused the dispersion of more than 50% of the Palestinians, making it impossible to maintain communication between its social sectors scattered over different, divided geographical areas. The Palestinians living in the eastern hilly areas were separated from those in the more advanced coastal cities. These hilly areas of Palestine, which later came to be known as the West Bank, were annexed to Jordan. The remaining

part of the Palestinian coastal area, the Gaza Strip, came under Egyptian control. With these developments Palestinian society lost the possibility of maintaining continuity, and lost the coastal areas of Palestine which were economically, socially and culturally more developed. These historic events caused the transformation of Palestine into a society made up of different social, economic, and legal formations. This reality still impacts the Palestinian social landscape.

> Research, whether quantitative or qualitative, needs to take into account the geographical variations and differences in populated areas (city, village, and refugee camp), in addition to the differences in the political formation and the standard of living of people living in the West Bank, the Gaza Strip, or Jerusalem, not to mention differences in the situation of those Palestinians living in the diaspora and in Israel proper. The researcher must take into account a great number of political, social, economic, cultural and historical variables. This creates all kinds of challenges for the researcher in the attempt to select a sample or to generalize. This dispersion in Palestinian social reality means that it is essential to take into account the idiosyncrasy of each area in regard to its historical development, the nature of political control each has become subject to, and the set of rules, laws and policies specific to each of them. The legislative and administrative framework that the Palestinian populations in the West Bank are subject to is completely different from that which Palestinians in Jerusalem (under Israel's rule) are subject to. Similarly, in light of the developments that followed Hamas' victory in the parliamentary elections of 2006 and the political division that took place between Hamas and Fateh, the Palestinian populations in the Gaza Strip have become subject to rules and laws that are different from those applied on Palestinians living in the West Bank.

> The geographic variation in the area where people live, and the social dispersion, have created new challenges   for the researcher in the selection of samples, the nature and size of the variables that need to be included in the measurement techniques, and in the analysis – especially in quantitative and survey statistical research studies. If the aim of the study is to come out with generalizing results, then researchers have to take into consideration variations in the social landscape. In qualitative research studies, which do not endeavor to generalize their findings, it is nonetheless essential in the sampling process to establish comprehensive standards that will include variations, and then begin the process of categorizing and comparing so as to reach conclusions that are convincing and possessing epistemological value.

Added to these difficulties is the inability of researchers in many cases to reach the areas where they intend to do their work. In many cases, the Israeli authorities

prevent the implementation of studies in East Jerusalem, especially those carried out by PNA institutions. Perhaps the most important of these studies were ones relating to the census conducted in 1997 and 2007. Researchers from the West Bank cannot reach Jerusalem or the Gaza Strip, except with permits from the Israeli Authorities. Accordingly, researchers had no choice but to engage in distance research making good use of the help provided by field researchers living in the area. While this may be acceptable in quantitative studies (despite the difficulties involved in monitoring the process), in qualitative research studies it is almost impossible to do. In quantitative research studies it is possible to train researchers on administering questionnaires and on clarifying questions and indicators. This method is often used in the Gaza Strip with the aid of video conferencing, or by training individuals who can reach these areas.

In qualitative studies, the mission is even more difficult, since these, due to the research techniques utilized in collecting data, such as interviews and participant observation, require the researcher to be in the area where the study is being conducted and in direct contact with those individuals who are being researched. Contrary to questionnaires, which are in most cases closed, questions that are prepared for qualitative research studies are open and may thus require other related follow-up questions to be addressed. Hence, no matter how competent the researcher in the field, and how capable he/she is in understanding the components of the research and its indicators, he/she cannot distinguish between important and less important information and ways to acquire more relevant information during the interview and how he/she can invite those who are being researched to give more information on issues not expected or initially taken into account by the researcher.

Moreover, interviews in qualitative research studies are linked to observation, as means for collecting data. During the interview the house, the surrounding environment, and the individual being researched are observed. The interviewee is also under observation regarding the degree of his/her reaction to specific sensitive issues and the way he/she expresses his/her opinion. These observations constitute an important source of information. Finally, when the person who conducts the interviews on behalf of the researcher sends a report that includes information on the main substance of these interviews together with his/her observations, it will be unreasonable to assume that he has fully attended to the requirements of the interviews and has thus provided the researcher with the accurate information he/she needs. Consequently, no matter how competent the field researcher is, and how articulate he/she is in relaying what went on in the interviews, there will always be something missing in the information provided. This will affect the credibility of the data that becomes available to the researcher at the end of the field research.

---A weak commitment by researchers to scientific neutrality:

The Israeli occupation of Palestinian territories, together with political and factional divisions, creates a large group of factors that affect researchers. Although it is known that researchers are not neutral and pertain to specific schools of thought and ideologies, the degree to which they are influenced by the exceptional political circumstances currently prevailing in the Palestinian territories deserves our attention.

Israeli occupation and its control of the daily life of Palestinians, and the subsequent ongoing confrontation between the Palestinians and Israel, have played a direct role in the emergence of a plethora of political factions and conflicting ideologies which on occasion reached turned into military confrontations. This has directly affected the work of researchers specializing in Palestinian affairs. It is not easy for the Palestinian or foreign researcher, who conducts field research on issues that have to do with Palestinian society, to be politically, intellectually and ideologically neutral, or to detach himself/herself from the wide network of contradictions that he/she encounters doing field work and his/her interaction with the community. The high degree of politicization and party affiliation which characterize Palestinian society in general and the academic community in particular constitute a fundamental challenge to the neutrality of the researcher and his/her view of the issue being studied. In addition to this is the dependence of researchers on Palestinian governmental and non-governmental organizations and their monopoly of the sources of funding that support research projects. All of this fosters a tendency towards self-censorship likely to deprive them of the critical spirit researchers must have in the face of intensifying internal political conflicts and the confrontation with the Israeli occupation.

The exceptional political environment renders issues to be studied highly sensitive, as they become a direct or indirect part of the very contradictions that dominate Palestinian society, be they with the Israeli occupation, among political factions, or between social movements and the Palestinian Authority. By way of example, the Palestinian refugees' right of return is politically fraught, connected as it is with the conviction of researchers divided between those who believe that it is virtually impossible to realize such a right, and those who insist that it should not in any way be violated. When, a few years ago, a research center conducted field research on a wide sample of Palestinian refugees living in diaspora refugee camps, the unexpected outcomes of the research were considered unsatisfactory, as most of those interviewed expressed their refusal to return to the 1948 territories from where they had been expelled, now a part of Israel. Protests erupted demanding that the center not publish the results. Another example is that of opinion polls conducted on the eve of Palestinian parliamentary elections of 2006 and which failed to predict the outcome.

In another vein, numerous studies interpret the phenomenon of poverty in Palestine as a simple outcome of occupation and historical circumstances, while avoiding sensitive issues such as governmental and non-governmental corruption, the absence of national development policies and weak implementation of anti-poverty and social security programs. This too results from self-censorship by researchers fearing frictions with any political or social group.

In the same context, it can be noticed, for instance, that in the comprehensive surveys conducted on civil society organizations in Palestine, researchers were divided in their positions on how to define these organizations, as some considered. Then there is the issue of lejan al-zakat (Islamic alms or charitable committees) and disagreements as to their categorization. Some would include them as civil society organizations, and other refuse to do so, considered them as sectarian and religious committees and thus cannot be considered as part of civil organizations. The exclusion of the alms committees from these organizations is politically and ideologically motivated and greatly affects the outcomes of surveys in this area, given their effectiveness and their strong social presence.

These political contradictions have also generated a high degree of mistrust among those surveyed towards the individuals, groups and institutions carrying them out. They doubt their ability to keep the information secret, especially in the light of Israel's continued control of the territories and its repeated raids on Palestinian institutions including research centers, banks and PNA institutions.[3] Weakness in the rule of law, together with the fragility of Palestinian governmental and non-governmental institutions, do indeed render it highly probable that data will be leaked to undesirable parties such as Israel. In general, Palestinian citizens are not educated in field research due to the fact that it is a very recent tradition. People are therefore reluctant to cooperate with the researchers, or tend to deceive them by delivering false information. This is mostly done through exaggeration or by supplying incomplete data. There is of course a variety of techniques for testing the validity of data in both quantitative and qualitative studies; but this requires on a high degree of awareness, knowledge and competence.

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[3] During its invasion of the West Bank in 2002, the Israeli military assaulted a number of governmental and nongovernmental research institutions, including the offices of the Palestinian Central Bureau of Statistics, and confiscated their files and documents. In 2005, the same forces assaulted a number of banks and took many of their financial records. These assaults contributed to convincing the public that their own private and public institutions are incapable of protecting information, no matter how classified.

---Differences regarding the content of raw data:

Among the great challenges encountered in studying Palestinian affairs is the multiplicity of data sources, and differences found in their contents. Due to the absence of centralization and research-directed national policies, and to the incompetence and weakness of the PNA and its inability to exercise its full sovereignty over its territories and border crossings, researchers in Palestinian affairs are provided with a plethora of data, which in some cases contradict one another. In addition to the Palestinian Central Bureau of Statistics, which provides comprehensive and official data, other data can only be found in other institutions. Data on refugees can only be found at UNRWA (United Nations Relief and Works Agency for Palestinian Refugees), other data is found in some of the concerned Palestinian ministries, or in international organizations such the International Bank, The International Monetary Fund and the European Union. Data regarding those who leave the Palestinian territories can only be provided by the Israeli authorities, other elements can only be provided by non-governmental organizations. Not only are there multiple sources, but these sources are mutually contradictory, especially those that have political dimensions. For example, less than a year after the outbreak of the second Palestinian uprising, many studies were undertaken. Their aim was to provide estimates on Palestinians losses resulting from repressive Israeli measures in the occupied Palestinian territories. There were major differences in the outcomes of these studies, resulting not from the utilization different techniques to estimate losses, but as a consequence of political considerations. There is also the impossibility on certain occasions to obtain data, especially from the Israelis and from international institutions. Moreover, the non-utilization of unified standards and compatible means of measurement makes it problematic to compare data4. All this must be added to rapid changes in the field, to give an idea of the dimensions of the challenge facing researchers.

Let us take another example, the survey conducted by MAS in 2000 regarding civil society organizations in Palestine, updated in 2007. The prime difficulty resided in the simple preparation of a list of names and addresses of civil society organizations operating in the Palestinian territories at that period. The unavailability of a complete list in a given governmental institution constituted a real challenge, given the fact that these organizations were not required to register officially with any governmental institution, like the Ministry of Interior for instance. The primary challenge for researchers was locating the primary data, or even the names and addresses to develop the initial framework for the survey. Researchers had to rely

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[4] Many international and Palestinian institutions provide data in the form of short outline studies, from which no benefit can be derived by someone seeking primary or 'raw' data, which may be of the utmost necessity in carrying out an adequate analysis of a given topic.

on many different resources: the concerned ministries (Youth and Sports, Social Affairs, Civil Society Organizations – this ministry was later cancelled), the Palestinian Bureau of Statistics, and local publications that had previously dealt with non-governmental organizations. During the process of collecting data from the various institutions, it became evident that the various governmental sectors responsible for such organizations, including the concerned ministries, had done nothing to update their data, which was relatively old and inaccurate. A number of the registered organizations no longer existed, and many of those in operation were unregistered. It was therefore impossible to rely entirely on the data provided (Shalabi et al, 2001: p.10).

When this survey was conducted again in 2007 for comparative purposes, it was possible to put together a more consistent list of the NGOs; however, the concerned ministries and the Ministry of Interior still lacked an adequate operative definition of NGOs. After preparing the primary framework for the survey, it was meticulously revised to avoid repetition of initial lists provided by the different institutions. Field workers were requested to inquire about the existence of organizations or institutions which not listed in the primary framework. These were then added to the list (Al-Malki et al, 2007: p.12). The process of defining a research framework was long, complicated and costly and at the end it wasn't even fully completed.

Again, regarding data on poverty and unemployment, there is a wide gap between figures provided by the Palestinian Bureau of Statistics (the official source) and those of international institutions like the World Bank and UNDP. Private organizations and NGOs frequently conduct research on issues directly related to policy making in the PNA territories. Nobody makes an effort to corroborate the credibility of the data.

---A lack of data due to the absence of a Palestinian state:

Credible, chronologically ordered and adequate data has sometimes been virtually unavailable, especially before the establishment of the PNA. Such data would be vital for any comparative study or if one is interested in changes that have occurred over time. The Israeli occupation is here the main reason for the scarcity of data, because Palestinians were prevented from establishing state-like institutions. On the contrary, the absence of an independent Palestinian state after 1967 was accompanied with a complicated system of political and legal control. The Israeli Military governors were able, throughout the period of occupation, to impose their control over all

aspects of the Palestinians' life. Israeli military rule exclusively channeled relevant data through their Central Bureau of Statistics, and made information available which represented only what they deemed to be a positive image of Palestinian daily life, and thus of the occupation itself. Many publications on economic and social matters were produced, through which the authorities tried to show that occupation had led to greater prosperity for Palestinians. Israeli research centers, basing themselves on official figures, joined the chorus of praise for the policies of the occupation authorities, which ignoring such uncomfortable matters as the effect of control and subjugation of administrative and legal affairs, and deepening dependence on Israel. In this context, it was not possible for the few Palestinian academic institutions and research centers then in existence to produce their own more realistic data on the reality of Palestinian economic and social life. Despite serious doubts about its authenticity, they too had to rely on Israeli statistical data.

Some important data regarding Palestinians has remained in Israeli hands, or it has been generated by such countries as Jordan and Egypt, especially regarding Palestinian emigration. This continues to be true, since Palestinians have no control over their own border crossings. Nor does the PNA does have data regarding Palestinians having emigrated to Europe, the USA and the rest of the world through Israel's international airport. Studies on emigration utilize alternative methods to obtain some of the data they need. There are, for instance, estimates on the volume of emigration published by the World Bank which are in general mere approximations. Some studies use sample surveys as was done by Near East Consulting, which in 2008 conducted a survey of the West Bank and the Gaza Strip covering 933 Palestinian households. These households were requested to provide information on any migrant from their families, or to state whether any were planning to emigrate. Another survey was conducted on a sample of 1093 youths (males and females), who were asked if they were planning to emigrate, and the reasons behind it, in addition to their view on migration in general (Rabah, 2008). These two surveys focused in particular on the intentions of Palestinian youth to emigrate, but not on actual migrants.

There are other studies, like the one prepared by Ismail Labad (2008). This study relied on the census conducted by the Palestinian Central Bureau of Statistics in 1997 and the survey conducted in 2006 on the impact of Israeli repressive measures on emigration and compared their results. It also utilized the outcomes of the poll by the Center for Development Studies at Birzeit University. This poll contained questions such as: "if the opportunity to emigrate were to arise, would you leave?" (Labad, 2008).

With regard to studies of brain-drain migration from Palestinian society, in a study prepared by MAS, the researchers had to use many sources of information and data where a sample of highly qualified Palestinian professionals working in Palestine in the health and education sectors was studied. Also MAS conducted a study on those professionals working abroad using a complex group of methods. Another study was done on Palestinian professionals working outside Palestine, using also a group of complicated methods such as questions addressed to private and public hospitals, Ministry of Health, Palestinian universities, Ministry of Higher Education, Ministry of Foreign Affairs, and Ministry of Planning, on whether they had information on some of their highly qualified employees who used to work for their institutions, and who left their jobs and went abroad to look for better positions. It was evident from the study that that these institutions did not have a follow-up system enabling them to keep track of those who emigrate; accordingly, these institutions could offer no information. As a result, researchers had to consult foreign and Arab embassies and diplomatic missions to get such information and data, but nothing was available. The researchers had as a result to add further questions to a questionnaire designed for another study and which specifically addressed a sample made up of families who live in the Ramallah area only. The question asked was whether any member of these families had emigrated to the West or anywhere else (Mataria et al, 2008: pp.58-60). The methods utilized in these studies on out migration illustrate the difficulties encountered in overcoming the lack of direct information in Palestine. This absence of data results directly from lack of control over border crossings, and the unavailability of such information to the Palestinian central Bureau of Statistics, and thus illustrates one aspect of the dilemma posed by occupation.

Some governmental Palestinian and international institutions are reluctant about providing information that has, for instance, to do with the allocation of international aid and also with Palestinian security matters. Similarly, some Palestinian NGOs are reluctant about divulging data at their disposal in specific fields, or regarding financial matters.

The non-existence of a central archive or a national library that compiles and collects official documents and studies published by governmental and non-governmental organizations likewise poses problems. Available data is dispersed in the archives of many institutions and libraries due to the lack of coordination among research institutions. Parts of the data are published, others are not (Al-Malki and Ladadwa, 2009).

---Lack of national funding for research projects:

One of the main challenges facing researchers in Palestinian affairs is the lack of national support for their studies. This obliges them to rely on foreign support that is channeled through Palestinian academic institutions, and research departments in governmental and non-governmental organizations. These research projects are almost always confined to studies on developmental, social, economic and legal policies. In other fields studies are determined by the needs, recommendations and interests of the funding organization. In comparison with Arab countries which are partly dependent on foreign aid, in the Palestinian case foreign aid is the exclusive determinant. Governmental and non-governmental organizations rely entirely on such aid to fund their research activities in the areas of planning and policy-making, which are designed to help in building a state. The problem here lies in the fact that, in many cases, specific research topics are recommended to researchers and research institutions, and these are compelled to accept these studies in accordance with the conditions and guidelines of the funding agencies. Some funding agencies interfere in the details of the research activities that they fund, and impose specific methods of research that researchers have to apply in their study. These agencies determine the deadline of research projects in addition to imposing the participation of foreign experts who, in most cases, are ignorant of the details of the phenomenon under study within the Palestinian context. The researcher is thus subjected to methodological and theoretical restrictions and finds himself/herself in a situation similar to that of a machine which simply produces according to a priori controlled guidelines without having the liberty to influence the research process.5

The reliance of Palestinian research on foreign funding has led to another problem, the inconsistency in the availability of data on a specific subject, due to the fact that continuity in research projects is dependent on the funding and the interest of donors. It has happened often that projects dealing with important matters had to be aborted due to a major decrease in funding. This affects the quality of research because it is interspersed with interruptions in the collection of data corresponding to cuts in funding, with a resulting loss of the ability to monitor changes over time. The outstanding example is that of surveys undertaken by the Palestinian Central Bureau of Statistics, which can only be repeated on a yearly basis, as they should be, if and when funding is available. Surveys dealing with cultural and gender issues were thus interrupted for years at a time and existing information rapidly became outdated.

Many other research institutions which began to establish resource centers and data banks on social and economic issues, encountered the same problem when funding

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5 Changes to the structure, hypotheses and methods of research initially dictated by the funding agency require its official approval.

was decreased or stopped. One example is the MAS publication The Social Observer. Numerous projects were stopped suddenly following the cutting off of funding after the legislative elections of 2006, which resulted in the victory of Hamas. Foreign foundations boycotted all governmental organizations. The most important project that stopped was the second National Report on Poverty for the year 2004. Other data collected and important research outcomes were also stopped and thus were not published due to the closure of organizations in light of the lack of funding. Shamal, an NGO devoted to the study of refugee affairs, closed its doors due to lack of funding.

An another level, the absence of a central entity to monitor researchers and research has prevented any kind of constructive coordination through which researchers share their findings and discuss matters of common interest. Although there are many Palestinian institutions considered to be research centers, including those in universities and in governmental and public institutions and departments, researchers continue to face difficulties in obtaining data in some fields, due either to their scarcity, or to their insufficient availability. The competition among research institutions, including institutes and university research centers, tends to limit the possibility of exchanging information and expertise, particularly on issues that have to do with methodology. This obliges every researcher to start a given study from knowing nothing about the existence of similar projects and relevant data somewhere in a local research institution. Many institutions work on research projects that are outside their specialization and expertise. Some of them by way of example, which usually specialize in studies on citizenship, democracy or agricultural development conduct research projects in issues that have to do with social policies and social security. In this, they are following the funding. Meantime, institutions specializing in social policies might switch tend to democracy and citizenship. Researchers are thus obliged to shift their specializations and interests, and the quality of the resulting work can only suffer, because they don't accumulate methodological and theoretical expertise in a specific field. Institutions, rather than building the qualifications of their researchers, contribute to diluting their skills. This institutional situation contributed to the creation of technical rather than academically and intellectually oriented researchers.

Conclusion:

The various factors outlined above point to the difficulties that the researcher encounters during his/her work in the field within an environment unsuitable for scientific research. This environment basically stems from the political situation

that has great impact on the researcher and on the research methods that he/she utilizes. These factors, which include ideological biases, the a priori positions of the researcher, his/her gender, the class affiliation of the researcher, his/her cultural background and the extent of his/her adherence to the main ethical norms of the research, are all obstacles to be added to the many factors common to research experiences in the social sciences frequently examined by classical and modern sociological studies.

Factors specific to the Palestinian situation interact with one another and with other variables which together constitute the determinants of the production of knowledge in the social sciences in Palestine. Researchers cannot of course avoid such factors and variables. They must, however, take them into account during the various phases of their work, so as to lessen their negative effects. Finally, these determinants and the ways in which the researcher handles them, make of every new research experience a new adventure, given that scientific hypotheses and their corroboration in the social sciences depend on complex factors which can of necessity not all be counted a part of science.

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CHAPTER EIGHT

THE STAKES AND USES OF LAW IN THE SOCIAL SCIENCES: A FOCUS ON THE PALESTINIAN EXPERIENCE

By Bernard Botiveau

The contribution of legal sciences to the field of social sciences has been following very diverse paths for more than a century. Modern law schools have often favored a learning of legal techniques aimed at producing specializts at ease in legal rhetoric. Legal specializts are also expected to be able to face the subtlety and complexity of long lasting confrontations that often remain unsolved out of courts of justice. Yet the legal norm is only a variety within the greater corpus of social regulations and one cannot decode the use of law in social sciences nowadays without reflecting more widely on the philosophical and ideological foundations of law, or on the cognitive implications of law and the techniques it uses.

Such a task is certainly a huge enterprise. But recent experiments of codification or of the transfer of administrative technologies, operated during the launch of

legislative and judicial policies, frequently show that such issues are about to be renewed within the wider frame of globalization in which international law plays an important part. Moreover, this renewal owes a lot to original local productions that are performed in tense contexts as it has been the case in Palestine since the signing of the Oslo Agreements.

The present chapter is designed to complement other perspectives introduced in this volume and relying on teaching experiences. This contribution is largely built on findings based on a shared experience with Palestinian students, as well as on academic exchanges with colleagues from universities and research centers in Europe and in the Arab world.[1] The issues problematized here are based on concrete situations and historical examples from the contemporary history of societies in the Arab Mashreq. Closer examples are taken from the case study of Palestinian society at the time when the Palestinian Authority (PA) was created. In the aftermath of the Oslo Agreements, many questions were addressed to the politicians and law makers in charge of the PA, as well as to other major actors of Palestinian civil society. To what extent should the legal order identify with the national order, how to include rights-related matters within the law, who should be in charge of stating the law. Such were some of the main fundamental questions raised at the time.

To make this presentation more accessible to the reader, I chose to base my analysis on questions that were addressed by students in their written work. This allowed me to isolate some of the main topics considered while focusing on the work of those institutions specialized in the production and the application of law. The first institutions concerned were Legislative Council (PLC) and the Courts of Justice. Other examples found in the various initiatives of civil society related to the status of associations and NGOs or to family law. Departing from such illustrations and other instances taken from the Egyptian case, I have tried to introduce the various methodological angles essential for an understanding of the legal phenomenon.

A first part uses the Palestinian context in order to insist on what legal sciences sometimes fail to cover, consideration of the great disparities at work

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[1] In addition to my own participation in teaching in the course on methodology of the social sciences at the Ibrahim Abu-Lughod Institute, Birzeit University (from 2005 to 2009), the hypotheses and questions raised in this chapter would have not been possible without another teaching experience at the Institute of Law (Birzeit University). Another methodology course taught in 2005 and 2006 at the University of Cairo, in the Department of Economics and Political Studies also helped me to formulate some of the observations contained in this chapter.

between various institutions, in both a diachronic and synchronic dimension. Comparative analysis can help one to point to failures in historicization, which do not necessarily originate in a narrow focus on legal sciences, but also in the fact that these disciplines are rooted in academic traditions marked by specific perceptions. Sources in French, English or Arabic are a first indication of the existing variety of codifications and of the borrowings at play. The debate over legal pluralism allows one better to capture the impact of political science and cultural anthropology. The analysis of processes of codification is thus a useful basis to raise issues on the identity of national law and the processes through which it is invented. Historical sociology and more specifically the sociology of professions renders obsolete descriptions that depict a supposedly eternal image of judges and lawyers.

This contribution points towards issues that are starting to be raised, especially in the case of the enforcement of law in international relations, as well as regarding the new perspectives of legal anthropology on the judicialization of politics in the Arab world in particular.

1. The Dynamic Analysis of Law and Justice

a. Raising Issues in a Given Historical Context: Autonomous Palestine

Shortly after the installation of the head of the PLO in Palestine in the summer of 1994, many issues arose regarding the administration of the occupied Palestinian territories. Notwithstanding the fact that the Oslo Agreements (1993) were only "Interim Self-Government Arrangements," the proclamation of a Palestinian state was also part of the dynamics induced. In conformity with the interim agreement signed in 1995 in Washington, the Palestinians on January 20, 1996, elected a Chairman of the Palestinian Authority and a transitional Legislative Council with specific powers including for instance health and education. In practice, however, most of these prerogatives remained under the authority of the newly elected Chairman (in Arabic *ra'is* or President) Yasser Arafat. But the dynamics of autonomy rapidly turned the interim Council into a "Legislative Council" with the President representing the executive branch. Such a shift operated in practice is far from surprising as there was then a strong need for organizing the political and judicial division of labor within the PA, the embryo of the projected state. For jurists this implied organizing the balance of power in order to reach a compromise between a practice of political centralism inherited from

the PLO and a constitutionalist version of political organization that would fit in the standards of international law and the demands of Western states and international donors.

The goal was ultimately to set a *legislative policy* involving stakes that we shall address later on. Suffice it to say at present that such a policy is as much a derivative of public policy as it is the expression of the expectations of a society considered at a given period of its history. In the case of the Palestinian society of autonomy, legislative policy had to state and guarantee political values inherited from the recent political history of Palestinians, as well as taking into account elements from their own culture. At the time, this meant that constitutional legality was supposed to combine the gains of the PLO and the principles of Arab nationalism with a mixture of custom and community-based rules peculiar to Palestinian society. This synthesis was also very much about subscribing to the model of a democratic rule of law.

The paradigm of the "democratic rule of law" is somehow a specialized and actualized version of what Max Weber called legal-rational domination exercised by a bureaucracy that incarnates the legitimacy of decision and coercion. Yet this rule of law does not translate into a single type of political organization, much to the contrary. The rule of law indeed carries both a technical acceptation (the law must be implemented no matter what it states) and a philosophical and moral acceptation: the law must be just (Ben Achour 1992). In other words, when trying to define what is *just*, one is faced with several possible answers. Throughout the Arab World, constitutional systems express the authoritarian character of the actual ruling regimes on the one hand (Camau and Geisser 2003), and they legitimize the "rule of law" (*siyâdat al-qânûn*, or *dawlat al-qânun*) on the other hand via principles and political standards that sometimes illustrate what is described in Weberian terms as the "charismatic" or "traditional" character of political domination. They can also be pictured as systems that grant a more or less important part to client-patron relationships, to socialism, as well as to moral principles derived from a religion, Islam in this case.

The nation-state in any of its forms has for long represented this rather limited model. But the globalization of world standards as witnessed nowadays and as acknowledged by modern international law has come to redefine precise orientations that the UN is looking to enforce worldwide. Hence the conditions imposed by the Bush administration on the PA in 2002, for instance, which compelled the latter to promulgate a constitution based on "democratic" principles including a certain number of measures such as the distinction between the function of President of the PA and that of Prime Minister.

b. Teaching Law. The National Identity of Palestinian Law

It is not enough that law complies with international requirements or with the aspirations of a population that has been experiencing nothing for decades but a law imposed by colonization. In the context of Palestinian autonomy, the very source of law is also an important factor that raises the issue of the lack of a national law in Palestine due to the absence of territorialized national political institutions. With the establishment of the PA it was indeed almost the first time in modern Palestinian history that an autonomous power had the capacity to state the law.[2]

One of the recurrent questions asked Palestinian jurists from 1994 onward has been the following: what law shall we study as this country has never been independent and as there has never been a genuine parliament established in Palestine? Rather unrealiztically, one would sometimes hear that Palestinian jurists were faced with a "legal vacuum." Yet if such a gap existed it resulted mainly from a particular and narrow conception based on the assumption that a general public standard can only be sanctioned by a central authority. However, societies are also ruled by legal standards that are not necessarily rules of law as far as state law is concerned. Building on such a finding, sociologists and anthropologists of law have produced theories on legal pluralism (Dupret 1998). One function of such theories is to describe the normative organization of an existing society in a given geography and at a given period of time, as an aggregate of several coexisting systems of norms. It is important to note at this stage that a large number of rules, though not always homogeneous, have been governing the social life of Palestinians for a long time. They even sometimes substituted themselves to national law whilst the latter was only used as a tool to define the society better and impose unity.

From a methodological point of view, the understanding of stratification processes in legal standards and in the organization of judicial institutions has a lot to learn from classification corpuses that are at the basis of codification operations. In the aftermath of the Oslo Agreements, the Institute of Law at Birzeit University undertook to collect and classify the laws that have ruled over the destiny of Palestinians since the end of the Ottoman Empire in 1918. This resulted in an inventory (the Palestinian Legal and Judicial Data Bank, Al-Muqtafi) that highlights the diversity of the collected norms and hence underlines their great value. Every single listed piece of legislation

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[2] With the exception of the "All Palestine Government" in 1948 and the relative autonomy of the "Jordanian" period 1949-1967. It is also important to remember that the texts passed by the Palestinian Legislative Council in the framework of the Oslo Agreements had to be submitted to the approval of the Israeli authority -the partner of the PA in the agreements- prior to their final adoption. Moreover, decree n°1 promulgated by Yasser Arafat in 1994 required the enforcement of all legal instruments that existed in the autonomous territories to date.

contains precise indications on the process of its adoption (decree, law, order etc.) at the time considered, and on the further modifications it underwent under later political regimes. It seems obvious that such a tool cannot be limited to the sole use of jurists, lawyers, law professors, or to members of the Legislative Council when working on a draft bill. It is also designed more widely for researchers such as historians, sociologists, anthropologists when they inquire on specific processes of individual socialization and on the "normalization" of people by law. The knowledge of fields as diverse as the systems of kinship, land tenure, urbanization, or the political regime of associations are dependent upon such data.

The existence of such a normative diversity involves a complexity that prevents the isolation of categories and can thus make attempts to define them difficult. It is the case for notions that usually are easily accepted by social scientists such as customary law (*'orf*) and Islamic law. Yet one cannot measure the existing ambivalence in the use of these contemporary notions without paying attention to the historical stratification of law. Islamic jurisprudence (*fiqh*) has for instance adopted written forms that differed when recorded by a *qâdi*, an Islamic university, an Ottoman council, or by a codification committee in 20th century Egypt. In the modern history of Palestine, one could thus build on many categories depending on the periods of time under consideration. But one can also note that the contemporary law maker (the Legislative Council) had to rely on several great corpuses of legislations that varied in terms of object and political origin. Some law corpuses resulted from a political power that ruled over parts or all of society. In the case of Palestine, the main sources of law come from Ottoman law, common law applied during the British Mandate, Jordanian law in the West Bank after 1948, Egyptian law in Gaza during the same period, and Israeli law since 1967.[3]

Palestinian national law was also constituted during the years of exile as in the case of the PLO's Penal Code, which was elaborated in the refugee camps of Lebanon before coming into force on the territory administered by the PA prior to the elaboration of a new Penal Code by the Legislative Council in 2001. One can attach to the latter national production a whole set of legislation applied to the personal status of the members of more than fifteen confessional communities, both Muslim and Christian. In this grouping of normative systems produced locally, the norms known as "customary" often constituted another way of producing a law with which Palestinian society could identify.

Finally, more than elsewhere, the international dimension of law played a significant part within Palestinian society as it is the case in those societies that for multiple reasons have experienced forced migrations and were partly turned

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[3] Military Orders issued by occupation forces cover all fields of social activity. For the West Bank alone there were no fewer than 1 400.

into diasporas. Conflicts over law and jurisdiction are common in such situations due to the coexistence of many nationalities. However, such contexts can also be perceived, through the way in which they address law, as another expression of what jurists consider legal pluralism. In today's Palestine law schools it is frequent to meet postgraduate students who have been trained at some point or another in foreign institutions. The latter are not necessarily Western universities but include law colleges in neighboring Arab countries: Jordan, Egypt, Morocco, Yemen, etc.[4] Many of the law students I met in Palestine were for instance surprised when realizing that some among them would refer to the category of public law when other would not. One observes important variations among these students over the use of legal notions and concepts. The opposition between public and private law, which is a basic principle of French legal culture, is for instance likely to bear a precise meaning for Palestinian students who studied in a Moroccan or an Egyptian law school. Conversely, they can cover other categories for their counterparts trained in Jordan, Sudan, or in Iraq, the latter countries having been confronted to British common law at various stages of their history.

2. Between Judicial Technology and Sociology: Introducing Distance

a. Lessons From a Pedagogic Experience

In formulating some of the issues raised in this contribution I shall base myself on my own pedagogical experience within a Master's degree in legal studies in a Palestinian university.[5] Most of the students attending this Master had several years of professional experience either as magistrates or as lawyers. Having had the occasion to supervise all the fieldwork they conducted I was able to re-examine such a corpus with a view to identifying topics and recurring issues addressed in their works.

What questions do actually arise when one starts reflecting on the function of producing law or on the purposes of a judicial activity based on one's own practice? The teaching of law is often organized around a whole set of techniques aimed at allowing future professionals to find their way within a large body of legal texts, which they are then asked to understand and interpret in various social contexts. Nowadays many

[4] A feature that I was given a chance to observe during my teaching experience in Palestine from 1996 onward.

5   At the Institute of Law, Birzeit University, from 1996 to 2000. It is during this period that I supervised the fieldwork of around sixty students in a Master's degree in "applied legal methodology."

law schools expect their students to acquire additional skills beyond usual judicial techniques, including a solid knowledge of legal history and political philosophy. Yet students are not necessarily asked to show interest in the social conditions of the production of law even when they will ultimately be led to enforce this very same law. Despite the writings of famous forerunners such as Emile Durkheim, Max Weber or Marcel Mauss who can be credited for the intrusion of social sciences into the field of law more than a century ago, law schools in Europe have often ignored their contributions to the sociology of law. In France, it was not until 1959 that a reform officially introduced sociology to the curriculum of law departments at universities. Previously, in 1949, the International Sociology Association (ISA) had created internally the Research Committee on Sociology of Law. Jurists in the Anglo-Saxon world had nonetheless shown more interest in linking sociology and law with academic traditions. Notable examples of this move can be found in sociological jurisprudence or in the stream of Law and Society (Dupret 2006).

The Master's course to which I am referring was officially entitled "applied legal methodology." It aimed at introducing –based on an interactive approach- questionings likely to help students interpret legal facts in a rapidly changing political and social environment (the first years of the PA). This constituted a rather peculiar situation law students are not necessarily familiar with as they are primarily trained to have a good experience of the rules and their technical use, as well as of legal reasoning. Neither are they necessarily questioning the social relevance of those rules or even furthering their political legitimacy. Such opportunities to question the rationality of the legal system that has to be applied are more easily found in periods of historical rupture. From the time of the Ottoman *Tanzîmat* and more critically in the aftermath of World War I, law students in countries emerging out of Turkish domination, in Syria, Lebanon or in Palestine, had to reflect on similar issues when creating a national system (Cannon 1988; Starr 1992; Botiveau 1994; Lendrevie-Tournan 2008). One could extend this comment to situations of regime change or as in Palestine to situations of occupation. Not only have local jurists been forced to learn a foreign law but they were also led to reflect on political topics. This has been the case for instance when the law came to be perceived as the expression of an ideology rather than as a neutral tool. In other terms, law is also approached in some cases as the agent on which the violation of rights (by this very same law) can rely. The search for legal unity in an inherited context where variety prevails proves a major source of questioning. It is the reason why the law departments in Palestinian universities after the Oslo Agreements decided to gather and share their views on teaching law in Palestine. A certain number of remarks arose out of the inventory and the reflection they conducted. The comments on the corpus of references introduced in the following section are inspired from these remarks.

b. Constructing the Object: Methodological Choices

The topics addressed in the fieldwork to which I refer shed light on the problematics commonly at work when one resorts to the use of social sciences in the judicial field. They also provide an indication on the priorities and preferences expressed with regards to the future of law in Arab societies of the Middle East and in this case on the future of Palestinian society in particular. It is likely that one could have drawn a different picture with other students from the same university at another period of the development of Palestinian political institutions. Last but not least, it is logical that a sociological orientation tends to predominate in the results introduced below as it was that initially proposed to students. However, I also believe that in any event one would have found many references to the basic notions in which those questions are anchored.

Out of around 60 Masters theses supervised, forty focused on the field of justice and its institutions. A dozen regarded the status of the judge in Palestine and reflected on the mode of designation of this magistrate and the organization of his independence (rules of mobility and immunity), as well as on the issue of deontology. An issue often raised questioned the expected independence of judges that are paid by the state or what stands in for the state. This problematic was often addressed from a political philosophy point of view and sometimes based on considerations on the improvisation and emergency that result from situations of transition. In every case, the authors described the law as it actually exists in Palestine, that is the available sources of law (Jordanian, Egyptian for instance) while insisting on the practical functioning of those rules that are supposed to protect the independence of judges. Such rules concern the definition and attribution of wages, available material resources, financing rules, corruption, or the uncertain organization of a Ministry of Justice that is more active in the West Bank than it is in the Gaza Strip.[6] Nine additional studies consisted of monographs (on the Supreme Court, the Public Prosecutor's office, the State Security Courts, the Court of Cassation). Their relevance from our point of view was that they considered such judicial institutions from a provisional standpoint at a time of construction that made their fragility obvious especially since they were not inscribed as institutions in a lasting system of references. A Supreme Court in such a context is a court that is able to settle conflicts on law, be it a Supreme Court of Appeals, a High Constitutional Court or a Council of State, a definition that is far from stable in the Palestinian context.

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[6]   Before the second intifada (September 2000), an administrative distinction was applied between the Justice Minister (West Bank) and the Qâdi al-Qudât, or Chief Justice in Gaza.

Eight studies were dedicated to the profession of lawyer, expressing a well rooted idea according to which the good enforcement of law depends not only on the social, intellectual and political independence of judges, but also on the independence of lawyers. Despite the fact that the latter represent private interests in most of cases, they are also brought to represent citizens, two functions that must not be confused. It is quite a common thing for judges to be perceived as easy to corrupt when they are not rooted in a stable legal environment and even more importantly when they are not well paid. More ambivalent is the image of lawyers: one must bear in mind the memory of the *wakils* who could not really be trusted, and more crucially that of Israeli occupation that created divisions between legal actors based on moral and political deontology. Let it be recalled that at the time when the Master's students mentioned started their reflection the reunification of legal actors was already on the agenda though not achieved. One shall also remember (Botiveau 1996) that when Jerusalem was occupied by Israel in 1967, a majority of West Bank lawyers went on strike, with only a minority choosing to carry on defending Palestinian prisoners in Palestine. Another division among lawyers emerged between Gaza and the West Bank with the profession ultimately splitting up into three groups: the "Jordanian," the West Bank lawyers and their counterparts in Gaza. The reunification is thus also perceived as crucial because it implies the national rehabilitation of a whole corporation. Based on this practical case, one is brought to address the methodological question of the status of jurists of various systems in the contemporary Arab World (Reid, 1981). Only two studies dealt with international law as their main topic but most of them envisioned this dimension as a major component of the daily experience of Palestinian jurists. Two studies covered the field of informal justice (honor-related cases and mediation) showing that this aspect of social normalization cannot be considered exclusively from the point of view of a centralized system.

Finally the remaining third of the sixty studies analyzed was centered on the way in which law deals with multiple issues as diverse as bioethics, citizenship or environmental matters. Somehow, choosing such objects was probably the expression of a great willingness, in a transitional period, to create original ways for legal interpretation or to improve existing ones.

3. Tools for the Analysis of Legal Change

a. Legal Pluralism, from Cultural Anthropology to the Political Theory of Law

We have previously reflected on the historical sources of Palestinian law: Ottoman law, British law, Egyptian law, Jordanian law, Israeli law etc. These sources constitute a *legal corpus* that is likely to lay the foundations for a national legal system. There is little doubt however that asserting the plurality of a legal system is a truism. As many sociologists and anthropologists have indeed shown since Emile Durkheim, law is above all characterized by its pluralism, a feature that one also encounters in any expression of social life. Marcel Mauss insisted on such a given in the much centralized French context just as Malinowski had done before him when emphasizing the function of law as an instrument of social control. Yet the emergence of theories of legal pluralism in recent years owes a lot to the involvement of researchers within the legal field –in particular in the context of present Arab societies- against the idea that law is homogeneous and exclusively controlled by the state (Dupret 1998). This renewed approach took into account various contributions that won't be quoted exhaustively here. We can nonetheless mention some of the authors who have deeply influenced this field of research like Leopold Pospisil (Pospisil 1971), Sally Falk Moore (Moore 1978), Jacques Vanderlinden (Vanderlinden 1989) and above all John Griffiths (Griffiths 1986). They insisted on the existence of the multiple places where law is produced within a given society, which Pospisil considers "legal levels" while Sally Falk Moore terms them "semi-autonomous social fields." For his part, Griffiths points to the "ideological" dimension of the assumption that only the state would be able to produce a judicial system, which though not fully exclusive, would nevertheless be central and hegemonic.

European jurists indeed often posit in a rather peremptory manner that societies where the state is poorly structured are fundamentally plural, as opposed to those societies where the state is highly centralized as in the case of France since the revolution of 1789 and the rule of Napoleon; or in Egypt where the Nile valley has been shaping a centralized political system for thousands of years. The drafting of Napoleon's Civil Code in 1804 was inspired by this approach, which was even reinforced when the code spread out in the world. Its circulation worldwide happened under the hegemony of the nation-state established in European history by the Treaty of Westphalia (1648). The logical consequence of Max Weber's observation that the power holder in a given society exercises a monopoly over "legitimate" violence is then that the nation-state also has a monopoly over "stating the law" (Weber 1986).

Such a conception has for long been dominant among jurists. It corresponded to the *monist* perception of law to which the inventors of legal pluralism opposed. It must however be noted that legal pluralism cannot be equated with the legal or normative *diversity* that is a component of every society. In addition, all nation-states are not as centralised as France or Egypt. In Europe for instance, states such as Italy or Germany that achieved their unity later in history have kept a high level of autonomy with strong regional or federal subdivisions. In the Arab world, contemporary nation-states despite their authoritarian character have allowed the emergence of laws that facilitate the organization of a relative autonomy for confessional minorities –including many Christian confessions- or ethno-linguistic groups such as the Kurds in Iraq. Yet law schools in such countries generally follow the path of European jurists: if they acknowledge the plurality of normative systems in which individual believe, they explicitly build a hierarchy that ranks them and ultimately grant state institutions the ultimate "right to state the law."

It is in fact based on colonial situations that European jurists have begun to recognize the need for a certain degree of pluralism that would call into question legal centralism. In Algeria, French professors from the Algiers law school have for instance developed a theory of "Muslim law" (*Droit musulman*) that consisted of a selection of norms from the *fiqh* they considered as likely to be incorporated into the French administrative and legal system (Milliot, 1954). In a similar state of mind the British developed the *"Anglo-Muhammadan Law"* (Schacht, 1964). In such constructions local "customs" were incorporated along "Islamic law" and they became more important in courts of justice. It is especially the Dutch in Indonesia who gave the greatest part to local customs formalized in an *"Adat Recht"* or law of *"adat."* Colonial culture allows one better to understand how theories insisting more on diversity in the sources of law than on legal pluralism were formed. Colonial jurists often followed the teachings of the founding fathers of sociology while being unaware of the fact. They were indeed primarily concerned with the then dominant perceptions that opposed societies guided by a mechanical solidarity to others that had supposedly developed an organic solidarity where everyone should find a place in an environment tending towards individualization. Such oppositions between societies perceived as more or less "developed" were built on a perception of evolution conceived in the progressive model of the Social Darwinist paradigm. It is to a large extent against such evolutionist views that more recent approaches in terms of legal pluralism were formulated. While historicizing the previous constructs of ethnologists and jurists they have refocused on the political construction of legal systems. We shall now address codification as one expression of the political construction of law.

b. The Processes of Codification: When Political Sociology Takes Over Law

In the aftermath of the Oslo Agreements Palestinian jurists were concerned with creating a new national legal system. The following text, which introduces a larger contribution by two Palestinian jurists (Melhem & Fares, 1998) shows very clearly what was at stake in terms of legislative policy at that time. It lists the ingredients of the forthcoming codification process:

> For the first time the Palestinian people enjoys the opportunity to adopt legislations (*sann al-tashrî'ât*) in conformity with its ambitions, as well as its cultural past and the history of its civilization. This opportunity arises from democratically-elected institutions. The latter institutions are committed to building a rule of law that respects civil liberties and protects democracy. In practice the legislative process (*al-'amaliyya al-tashrî'iyya*) was inaugurated with the election of the first Palestinian Legislative Council (*majlis tashrî'i*) that has been in charge of the evolution (*tatwîr*) of Palestinian legislations and of the unification (*tawhîd*) of laws (*qawânîn*) between the West Bank and the Gaza Strip.
>
> The first issue that is raised is to know what institutional bodies (*'hay'ât*) shall contribute to the legislative process, which is entitled with the proposition and preparation of laws. (…)
>
> The second issue regards the tools (*'aliyât*) available to unify law between the West Bank and the Gaza Strip. Also important is to know what the priorities of Palestinian society will be in terms of legislations (*tashrî'ât*)."

The "first Palestinian Legislative Council" mentioned in the above text is in fact the Council established by the Declaration of Principles on Interim Self-Government Arrangements, signed on September 13, 1993 in Washington. Its prerogatives, both executive and legislative, are listed in article VII-2 of the DOP. It is therefore not a parliament per se but a hybrid and provisional institution whose purpose is to exercise the powers of Israeli civilian and military authorities and to manage them for a five year transition period. The Council was elected by universal suffrage on January 20, 1996 and this situation was clarified after its first meeting took place in March 1996: the newly elected MPs solemnly declared that this transitional council was in fact the Legislative Council, in other words the Palestinian Parliament.

This shows that a codification process is far from neutral politically speaking:

it is an act of sovereignty. Law indeed takes an active part in the formation of national identities in what Joseph Massad called –referring to Jordan- *"the juridical production of national identity and national culture"* (Massad 2001: 15). In the making of law just like in other intellectual activities –artistic, journalistic, literary, or in historiography- one finds elements of the construction of a national imaginary. "Imagined communities" (Anderson 1991) are founded on representations of the past presented as "shared" by all members of the group considered. Moreover they lay the foundations for the planned future of societies. Arab systems of modern codified law were first imported before being synthesized around the idea of the nation. In Egypt for instance, this was the task of a group of jurists who worked between 1937 and 1946 around the figure of Abderrazaq Sanhoury. Such enterprises of national codification were all the more powerful as they were in tune with a national imaginary. The latter was built on the conscience of a common destiny as was the case in Jordan where legal construction has been at the centre of a nation-state building process that was not an obvious project at all under British Mandate (Massad 2001, Chs. 2 and 3). In Palestine during the Oslo Agreements one is faced with the same type of ambition even though one nowadays tends to forget it once existed.

Thereafter the Legislative Council was in charge of establishing a "democratic rule of law" heavily encouraged by international players. This aspect of the initial project has certainly been a failure though such was the understanding of actors at the beginning of the Oslo process. In the conception of a Palestinian rule of law a central question was to know who had "the right to state the law." Concretely this right is indeed potentially inclusive of the authorities entrusted with proposing and discussing (the ministers, the president, the MPs). From a methodological point of view it involves considerations based on sociology, political philosophy and constitutional law.

Secondly one is faced with the previously mentioned issue on the multiplicity of the available legal standards. According to what we have said, a judge does not necessarily need to rely on a "national" law to be operative. The problematic here is more for him to know which rules he will be able to refer to within the stock of available norms. Palestinian legal history is indeed far from a situation of "legal vacuum" since it inherited a large corpus of laws. The problem is more about refining and renewing such a stock in order to reach a "national" law. In 1994 two operations quoted in the above text were considered a priority. On the one hand there was a need for updating actual laws. In other words this means that the law maker shall select laws in the existing corpuses (Ottoman law, Jordanian law etc.) in order to update them in conformity with the evolution of society. One easily understands here the need for an inventory of the available stock, a

function that was dedicated to Birzeit University's above-mentioned Palestinian Legal and Judicial Data Bank (Al-Muqtafi). On the other hand there was a need for unification since the West Bank and Gaza Strip had developed separated legislations. Unifying means achieving national unity but also synthesizing the law in order to turn it into a unique and up to date projection. In Gaza for instance family law was inherited from Egypt and it is so old and outdated that judges no longer enforce it. Instead they have created their own jurisprudence, which they have empirically adapted to the variety of cases submitted to their arbitration (Shehada, 2006). In the West Bank, family law is close to Jordanian law. Palestinian society thus demands national solutions and a new family code is now expected in order to solve the precarious legal situation described.

c. Reforming Law: Between Technique and Politics

According to usual dictionaries the term codification has a double meaning: 1) a better lawmaking process (the manufacturing of legal codes); and 2) a legislation (the corpus of written law that results from the process of lawmaking). The first level refers to a technical operation consisting of the collection and compilation of rules and texts that are scattered in corpuses inherited from various eras and used in various places. This aims at gathering them into a single body of texts that shall be easier to use for judges and the professionals of justice in general. Historical occurrences of such a process are found in the case of Napoleon's Civil Code (1804) or in that of the Ottoman *mejelle* (1867-1876)[7], still in use in Palestine. One can also quote the example of Egyptian family laws adopted in 1920 and in 1929. The codification of law is here understood as a process of rationalization or in other terms as the presentation of legal texts in a logical order that allows rulers to define and impose the most suitable rule among several. As explained by Max Weber in *Economy and Society*, the first field on which codification usually focuses is that of criminal law because it secures "legitimate" public order (Rheinstein 1954). Codification then turns to civil and commercial transactions as they are essential to secure the bureaucratic and trade transactions of elites, as well as the actual and projected operations of shareholders on financial markets. Codification therefore has a practical dimension.

Yet it is also a political object that facilitates social control and hence the normalization of society. Bourdieu (1986) showed how it represents a formatting, a redistribution of the functions and status of legal actors. In so far as codification brings a "clarification" of the symbolic order, it is an instrument of "legislative policy" (*siyâsa tashrî'iyya*). When codifying law the legislator is driven by the

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[7] *Majallat al-ahkâm al-adliyya*. Cf. Starr 1992.

ambition to reform and even sometimes overthrow an old and obsolete order. Codification can thus sanction the advent of a new social order as was the case with the Code Napoleon issued in the aftermath of the French Revolution.

In Egypt one can trace the modern codification process in the drafting of the Egyptian Civil Code that lasted for eleven years between 1937 and 1948 under the supervision of Sanhoury (Shalakany 2001). This code was based on the Code Napoleon imported in 1875. However, in its 1948 version it had become Egyptian: it was shaped along a French technique but its content was Egyptianized. The rules it contained were indeed extracted from all the rulings issued by Egyptian courts over a time period of more than seventy years. It is to describe this operation that the Egyptian national movement at the time used the term *tamsîr* ("Egyptianization"). This also partly explains why Syria adopted the Egyptian code almost without any modification in 1949 while Iraq borrowed a lot from it. Even Jordan inspired itself from its modes of reasoning and many of its norms despite the great kinship between modern Jordanian law and British common law. However, one is frequently faced in the writings of jurists dating back to that period with the assertion that the civil law of Arab countries in the Middle East is nothing but an accommodated version of French law. In reality it was written in Arabic and completely transformed in the process, far beyond its visual aspect, in order to integrate norms and values from Arab culture, Islamic history and many other constructs built over centuries. In other words the analysis of codification processes cannot fail to address their full genesis, that is to say, take into account the history of political change unveiled behind such a process.

d. Analyzing Legislative Policy as a Public Policy

For more than four decades political science has developed public policies as a fruitful field of research. Public policies are long term operations that include a whole set of decisions with the power to change social reality while organizing the distribution of available resources. They are exercised in various fields such as education, health or the environment. They implement general or specific laws and define those objectives for whose execution the approval of citizens shall be sought. They set up prerogatives, procedures and means of action (Jobert and Muller 1987). Public policies are also built on a frame of reference that operates the syntheses of representations and give meaning to a given projected collective action.

This dimension helps to explain the construction of law and its interventions in contemporary societies. Recent Arab codifications have shown, particularly in Egypt (Botiveau 1997), that the process of legal codification is dependent on parliaments though the process as a whole is mainly an initiative of the executive. This has to do with the authoritarian nature of the regimes in question (Dabène 2008) but it can also be explained by the complexity of the operations launched. Public policies are indeed an occasion in which antagonistic social projects face one another while social, economic, cultural and religious legitimacies are at stake. One important aspect is obviously today the combined management of the gains of socialism and their contestation by political Islam. Such clashes also mark the opposition between the neo-liberal economic and social agenda and more people-orientated political views. In the precise context of the Palestinian Authority, which is here used as a case study, the process is less about legislative policy in the sense of a legislature (Baaklini and al 1999) than about legislative policy in the meaning of a process of codification that gathers various actors around contradictory frames of reference (Abdelfattah and Botiveau 1994).

From the Oslo Agreements onwards the codification of law happened under various forms in which the Legislative Council took an active part, though in a framework set by the executive and its head Yasser Arafat. Civil society with its associations and NGOs, parties and trade unions also played a great role in the elaboration of legislative policy. It was able to influence governmental action in some cases and civil society was even led to instrumentalise the Legislative Council. Two relevant examples can be put forward to explain the interaction between all these actors that takes place in such a context: the law on the status of NGOs and the debate over family law.

From 1996 to 1998 the discussion on the law on NGOs within the Legislative Council figured a crucial debate for the future of Palestinian society. It involved antagonistic approaches to public action. Two major conceptions clashed on the issue of the legal preconditions of the creation of NGOs. One was either entitled to carry on following the Ottoman rule of the "preliminary declaration," which was kept by all Arab regimes after independence: in such a case, no association or NGO can function if it does not please rulers; or to choose a more liberal version that imposes complete freedom in the creation of associations with the respect of public order as an obvious limitation. In such a version, the ruler cannot deny the existence of any organization based on its views and orientations. The debate at the Legislative Council finally retained the later more liberal version but Yasser Arafat refused to sign the bill. Yet what is important here is to understand that the "frame of reference"

of this second version circulated throughout Palestinian civil society. It is built on values and norms that no longer correspond to the Ottoman time or even to the era of Arab socialism. It rather relies on the values and norms of a society that has built stable modes of functioning during the years of exile and struggle, taking into account the plurality of the political system. Even though such a conception will face hurdles on the way to its final adoption due mainly to the context of occupation, the legislative policy frame of reference induced here expresses a state of the values and norms currently at work within Palestinian society.

A second example is that of the family code where one can witness that if Palestinian legislative policy has its own specificity, its own timing, it also functions within a continuum of legal codification that results from the wider history of Arab societies in the Mashreq since the beginning of the 20th century. Occupation has delayed any discussion over family law and the Legislative Council postponed the session on an issue it did not consider a priority.[8] However, it seemed urgent enough for a grouping of associations to take care of public debate. This forum of women organizations, jurists and politicians made itself known as the "Model Parliament" because it wanted to substitute itself symbolically to the Legislative Council, indicating what reforms had to be addressed as a priority on the agenda. Without going into details that may be found elsewhere (Hammami 2001), one may recall that the contents of the public debate initiated gave an indication of the frame of reference on which family law was based in Palestine. In spite of sharp oppositions between the organizations participating in the forum, some key ideas were shared by participants. Their demands included a new codification able to guarantee personal rights acknowledged in other Arab codes and even in the most recent ones such as the Moroccan *mudawana*. There was obviously no consensus over issues such as the enforcement of some rules of the Islamic *fiqh*, but an agreement was found on the principles of equal rights, of a judicial divorce, of a marriage age, etc. The latter principles are indeed those that are currently acknowledged by Arab conventions in this field.

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[8]   In 1979 in Egypt, the High Constitutional Court had estimated that there was no urgent need for reforming family law as Egyptian society had already been looking forward to this reform since 1929 or for more than half a century!

4. The contribution of the Historical Sociology of the Professions of Law and Justice

a. The History and Sociology of Legal Professions

In law schools, the study of law and of the courts in charge of its enforcement is above all a normative enterprise. It is frequently limited to the study of rules, of their genealogy, of the institutions that create and modify them, as well as of the institutions that declare them out of date or null and void. When one tries to make students aware of the way in which these rules are actually applied in courts, one often stands by the legal solutions that are found in order to settle specific conflicts. Little time and space are normally dedicated to the people who actually resort to the judiciary –often victims, or to the people whose function is to enforce the law. Courses in legal anthropology or sociology are not that frequent in law schools in Europe. They play a more significant part in the United States probably due to the growing judicialization of social and political conflicts. Recent evolutions in the Middle East should be noted in this regards such as the opening of new chairs or institutes devoted to the problematic of the anthropology of law and justice.

The sociology of professions (physicians, engineers, journalists, lawyers etc.) has supplied analysis that can help us understand the development of judicial and legal institutions in various contemporary contexts and in this case within present Arab societies (Longuenesse and Khelfaoui 2008). Among jurists the lawyers were the first to draw the attention of historians and sociologists when they were looking to point at the transformations of political systems. As early as the end of the 19th century the profession of lawyer indeed replaced that of *wakîl* (attorney) when legislative and judicial models were imported from Europe. It was especially prominent in Arab societies during the first half of the 20th century. The economic and social ascension of lawyers was indeed linked to the penetration of European trade and to the extension of land tenure (Reid 1981). The prestige of this profession was then reinforced by the fact that some lawyers were also the most prominent leaders of independence movements and later became statesmen (for instance Mustafa Kamel and Saad Zaghloul in Egypt, Habib Bourguiba in Tunisia, Fares al-Khoury in Syria, or Muhammad Zaki in Iraq). Later on, when they were not marginalized by the military men who came to power in the 1950s and 1960s in Egypt, Syria, or in Iraq, lawyers turned themselves into a wide corporation that would hire new law graduates from state universities. Out of these new academic environments only co-opted leaders could emerge

in nationalist regimes or victorious reformist governments such as the Baas, Nasserism or former pro-independence parties as a rule. Judges for their part have given rise to research by scholars when they were involved in conflicts with power. But the great heterogeneity of the group they form and the perpetual questioning over their autonomy by authoritarian regimes made it difficult to identify them as a coherent profession comparable to that of lawyer. In Egypt, however, at least three major clashes with political power in 1969, 1986 and in 2005 drove judges to mobilize politically even though such movements are theoretically forbidden by constitutional rules that are supposed to guarantee their neutrality.

b. The Virtues of a Genealogy of the Actors of Law and Justice

The sociology of legal professions should go with a genuine historical sociology as far as the comparison between the status and functions of institutions is concerned. This comment also applies to the comparison between the actors of law and justice located in various places and active at the very same time. The analysis of their function can be reinforced by a genealogy of their respective roles in such contexts. The combination of these two approaches tends to minimise the risk of an essentialist perception that would privilege the "nature of things" and cultural continuity in the understanding of their roles, instead of focusing on the work of time. Hence the function of defense as it is held nowadays by lawyers in the judicial system is not rooted in a continuum. The values of the protection of the weaker against the stronger are not a constant feature in the history of the judiciary. The generic term that is today in use in Arabic to designate the function of lawyers is *muhâmi*, a terminology that was only imposed during the 19th century. The *wakîl* in activity prior to lawyers generally had a bad reputation. Similarly, the political involvement of lawyers against authoritarian regimes, which is a well rooted function in some bar associations of the Arab world, should not lead one to idealize this profession as a whole. As to the judiciary it can be approached in the same state of mind. In contemporary Egypt it can seem surprising that judges in Cairo and even more in Alexandria mobilise against the authoritarian practice of power as embodied by President Hosni Mubarak (Bernard-Maugiron 2008). Nevertheless if there is little in common between a provincial judge in Egypt under the monarchy (El-Hakim 1942) and his counterpart of today, the culture and practice on which they both rely is useful to understanding the change in their status over time. Max Weber produced very fine analyses of justice in the Muslim world yet he can hardly be followed when isolating the specific features of the profession of *qâdi*. His comments are not valid in all the societies that use Islamic law as a legal reference. His transnational and trans-historical conception of the *qâdi* is attached to a particular approach of Islam and "Oriental" civilizations

that is deeply rooted in his time (Turner 1974). However, his views continue to influence some researchers. One can hence criticize such a tendency to use theories which are out of context and express a normativity that supposedly dates back to the founding written sources of Islam, be it the *Droit musulman* in France or *Islamic law* in Britain, or even the *fiqh* and *sharî'a*. Such categories cannot easily be substituted to the objective categories of national legal systems. Likewise the jurisdictions of personal status or the representation of the *qâdi* can seem standardized and detached from a given legal environment (Rosen 1989). This only underlines the need for new fieldwork in the judicial environment and the relevance of those that are already being conducted in the Palestinian Territories (Conte and Shehada 2008).

c. Identifying Professional Itineraries and Individual Trajectories

Diversity is a characteristic of the world of jurists. A methodological caution in the study of this field lies in the address of professional itineraries and the consideration of the trajectories followed by individuals. On the scale of a country one measures the diversity of experiences when comparing various types of players such as lawyers and judges. During a conference held in 1997 at the Institute of Law (Birzeit University), Wasfi al-Masri, a former attorney at the Nablus Bar, recounted his experience (Bourlond 1997). Like his colleagues who belong to the same generation he had started working at the time of the British Mandate, from 1922 to 1948, after having been trained along common law lines. An Arabic speaker, he had also been educated in an Ottoman curriculum, had addressed courts in English, but also in Hebrew when facing Jewish lawyers in courts of Jaffa, Jerusalem or Haifa. After 1948 he started pleading in Arabic when Jordan took over the West Bank. Accounts of that time also show that the relationship between Palestinian lawyers in the West Bank and their Jordanian counterparts on the East Bank was often complex due to the difference in their legal cultures. The former also had to some extent a sense of superiority over the latter. Palestinian lawyers were sometimes convinced when faced with their Jordanian colleagues that the latter evolved in "a very primitive system of law" (Bisharat 1989: 28). The awareness of such experiences is useful to measure the difficulties that arose after the Oslo Agreements when the PA tried to unify laws in Gaza and the West Bank. They concerned specifically the issue of the unification of the three existing bar associations, as well as the need to overcome conflicts of power that resulted from the two "heads" of the judicial system: the *Qâdi al-Qudât* (Chief Justice) in Gaza and the Minister of Justice in Ramallah. Another example lies in the account of Ibrahim Bakr, a Jordanian lawyer of Palestinian origin who a few years ago recounted his experiences at the bar in a voluminous book on human rights

in Jordan (Bakr 1995). Throughout the forty years of his experience in regional courts he provides an interesting overview of the judiciary within a territory that is nowadays divided between Israel, Palestine and Jordan. Graduated from the Jerusalem Institute of Law in 1951 he essentially worked in the West Bank prior to 1967 and pleaded at all levels of the jurisdictions existing at the time. His involvement in political affairs via human rights led him to Jordanian jails several times. He was also ostracized by the PLO despite his election at the Palestinian National Council. His experience allows him to analyze the practice of lawyers and judges in authoritarian contexts subject to strong variations. He thus introduces features through which one can isolate judicial roles and locate them in a context that exposes their true meaning: the underground action of the PLO, the division of Palestinian lawyers after 1967, emergency laws in Jordan before the democratic transition of the 1970s, to quote only some milestones of his involvement. Taking into account such individual trajectories is essential when approaching legal and judicial processes in a dynamical and historical perspective. It is also necessary to understand the sociology of actors in the field surveyed.

d. Justice, Law and Politics: Contemporary Developments

The example of the political career of Ibrahim Bakr can serve to bring in as a conclusion what I think nowadays constitutes a particularly fruitful angle of research in the legal field. I shall only suggest at this stage potential tracks of research through two questions especially relevant to the dynamic analysis of law and justice as it has been introduced in the first part: 1) transnational approaches of law and of the judiciary; 2) the judicialization of politics as a phenomenon that brings together the evolution of the relationship between judges and politics on the one hand and the constitution of the judiciary into a space of political arbitration on the other hand.

The Transnational Factors of Law and Justice

Palestinian society is probably the Arab society that has most used the international legal order. The administration of Palestine by the British Mandate, the Jordanian and Egyptian administrations, the Israeli occupation, the multiple decisions of the UN, the direct interventions of successive US administrations, and most recently of the "quartet"[9] are as many expressions –legitimate or not- of the international system (Heacock 2001). Excepting the examples already quoted in this chapter, the research currently conducted in Palestine that deals directly or indirectly with

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[9]   An informal gathering that brings together the USA, Russia, the UN and the EU in the monitoring of the "roadmap" imposed on the Palestinian Authority in 2002.

law and the judiciary is very dependent upon this international dimension. The context of the Israeli-Palestinian conflict indeed over determines the sociology of Palestinian society (Romani 2007). The legal and judicial systems react to this context and especially to that of Israeli military occupation.

The constitutional system has evolved in an autonomous way via the debate over the basic law while following at the same time the agenda imposed from outside. Such an agenda insisted globally on the creation of a democratic rule of law. This proves true for the judicial system whose evolution depended on often contradictory international proposals and support. The training of magistrates was funded by the World Bank and some Palaces of Justice were either renovated or built by countries such as Australia. The European Union funded programs for the training of jurists and the Paris Bar contributed to the reunification of the Union of Palestinian Lawyers in 1997. Besides this multilateral cooperation a less visible but just as crucial dynamic intervened through bilateral relations. The latter historically involve the creation of judicial institutions in cooperation with Arab institutions[10]. They also concern the daily management of the neighborhood with Israel at the multiple levels of interaction between judiciary and security institutions on both sides of the "green line" and nowadays of the "separation wall." On the sole issue of the management of personal status, the reduced mobility of people means that many family-related conflicts cannot be solved without taking into account such an overlapping. The administration of social law provides another example of this complex situation from the point of view of the users of the judiciary because of the mobility of workers between the occupied Palestinian territories and Israel (Kelly 2006). The transnationality of exchanges, be they forced or not, contributes to the modification of the system through the culture and practice of jurists. Yet such a view cannot ignore the "domestic" dimension of such interactions that shall not be considered as secondary. Hence the jurisdictions that deal with family law have been largely managed, especially during the first Intifada, on an autonomous mode that gave a great part to the "customary" while contributing to sustain existing norms within Palestinian society (Welchman 2000).

The Judiciary and the Judicialization of Politics

Compared with that of lawyers the role of judges in the transformations of the legal system appears as a sideshow. The understanding of this process in Arab societies of the Middle East leads one to refer to the professional history of Egyptian judges and to its contemporary evolution (Bernard-Maugiron 2008; Botiveau

[10] After 1967 the majority of Palestinian lawyers in the West Bank worked in the framework of Jordanian unions of lawyers to which they have remained affiliated, in particular for pension-related concerns.

2008). Modern crises involving Egyptian judges have indeed greatly contributed to problematise what nowadays proves a crucial issue: the status of the judiciary in the hierarchy of state powers. Far from normative points of view that consider the independence of the judiciary *a priori*, its submission to executive power is what most frequently prevails in Arab legal systems and in many others. Nonetheless, the contemporary history of Egypt also unquestionably shows an autonomy of judges whose expression was marked by frequent humiliations. Assimilated to the bureaucratic elite under the monarchy, Egyptian judges pursued strategies of individual careerism and they remained aloof from political struggle with the exception of some judges' opposition to British colonialism. Later on Nasser's regime tried to impose its control on them during the famous clash of 1969 known as the *madhbahat al-qada*, or massacre of the judiciary, but they managed to protect themselves. It is not before 1986 that they were able to hold their first professional conference and publicly state their identity as an autonomous body. During the legislative and presidential elections of 2005, Egyptian judges claimed through professional clubs their right to monitor the vote as the Constitution allows them to do. They even organized street demonstrations and forced the state to search for a compromise.

Such facts illustrate the ambiguous relationship between the judiciary and political powers. Despite the risk that President Mubarak might see his control over judges fade away, he tolerated and even encouraged the convocation of the 1986 conference. He indeed had to assume the consequences of his predecessor's decision to come closer to the Muslim Brothers. In order to pass liberal economic measures that were part of the *Infitah* (open door policy), Anwar al-Sadat in 1980 agreed to amend the constitution and affirm the pre-eminence of the Islamic *sharî'a* over other sources of law. During the following decade judges from the High Constitutional Court adopted new interpretations derived from Islamic law. In the 1990s their influence expanded when they opposed the regime on the crucial issue of the state of emergency. Mubarak's regime then accepted the following compromise: in exchange for Supreme Court decisions in favor of liberal deregulation dismantling the social gains of Nasser's era, Mubarak accepted to close his eyes on decisions that nullified the condemnations of opponents to the regime by security and military courts acting laws of exception (Mostafa 2005).

The latter example underscores several factors that are essential to the understanding of roles, statuses and practices within the institutions of law and justice. Firstly the independence of judges is not an intangible condition. It certainly appears as an ethical reference and a philosophical element of political legitimacy. However, the evolution of the magistrates as a profession is a particular historical construct.

In this case, the position of judges proves highly ambivalent. It sometimes appears as a weapon in the hands of power, while also being used otherwise as a tool in the hands of civil society (Al-Sayyid 2008). Judges are hence able to arbitrate political conflicts. The understanding of such ambivalence can rely on the findings of historical sociology, legal anthropology and political science. The conjunction of these academic fields therefore allows one to approach the construction of law and justice in a dynamic view.

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CHAPTER NINE

THE PORTRAYAL OF ISLAMIC FAMILY LAW IN EUROPE

By Nahda Shehada

The 'women and gender question' in Islam is a subject of heated debate in many circles. Although all religions are gender-biased in one way or another, Islam is singled out by modernists, whether they reside in Muslim-majority countries or in Europe, as being especially hostile to women. Given the contemporary ideological battles over Islam, powerful national and transnational actors often take the opportunity to link their political projects (be they neo-colonial or otherwise) with the stated goal of 'saving' Muslim women (Abu-Lughod 2002). It is therefore imperative to distinguish systematically and critically between ideological claims about the place of women in Islam and concrete gender relations. One way to do so is to juxtapose through stringent comparison the public portrayal of women and gender in Islam with the everyday practice of people from various settings and societies. At the core of public debate about gender and Islam in many countries is Islamic family law, a contentious issue that arouses contestation among activists, civil actors, states, and social movements over its legitimacy and authority.

Like any other belief system, Islam is not monolithic; it is subject to modifications in meaning and practices as a result of its interface with changes in socio-political conditions. Islam, or any religion for that matter, is a human experience and thus depends on how groups and communities come to agree on its understanding and practice (An-Na'im 2007). Since human agency is integral to the interpretation of any text, including the Quran, it is important to understand when and how, and under what conditions, specific interpretations gain currency whereas others are ignored. This understanding of Islam's plurality, historicity, and contextualization should inform any serious analysis of its contemporary manifestations.

Modernity, a framework claimed to be incompatible with Islam, is also plural. Tradition and modernity are not mutually exclusive states of culture or society, rather different aspects of historicity (Asad 2003). Islamic family law, if understood on its own terms, is simultaneously modern and traditional, authentic and invented. Instead of studying it from an ideological perspective, researchers would do better to investigate the interplay of structure and agency.

This paper discusses some issues related to the portrayal of Islam, Islamic law, and the gender question in Europe. I argue that under the current circumstances of neo-liberalism and the 'war on terror', the focus on the discriminatory aspects of Islamic law — in the abstract — is, in fact, reinforcing stereotypes about Muslims' backwardness, Islamic misogyny, and gender disparity, instead of adding to what we already know. I suggest focusing on processual analysis of situations in which many norms and references are invoked when implementing Islamic family law. To exemplify certain current attitude to Muslims, I shall start with referring to a workshop attended in Spring 2009 at a highly reputed research centre in Europe. Then I shall discuss the implication of politics of representation. Before making some concluding remarks, I shall present some observations from my fieldwork in an Islamic family law court.

At the workshop, a number of feminist scholars, many of them legal specialists of repute, were invited to discuss the likelihood and prospects of applying a 'legal pluralism' framework in Europe and North America.[1] Legal pluralism in this context is defined by the possible compatibility of various religious legal arrangements with international human rights norms, claimed to be the actual framework applied in Europe. Many contributors asserted that the human rights doctrine is the yardstick against which other frameworks, cultural and legal, are to be measured.

Legal pluralism was discussed at the conference with reference to one single category of persons, Muslims, and not to any other religious or ethnic group.

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[1]   The workshop papers were not made available to participants, so it would be ethically improper to name the authors. This account is based on my own notes.

Apparently, the presence of Muslims and their 'Islamic law' in the 'West' arouses considerable anxiety. A need is felt to prevent Muslim men — presumably the only ones to practice domestic violence — from violating the human rights of 'our Muslim sisters'; such practices are perceived as constituting a real threat to Western democracy. Finally, the conviction seems to obtain, albeit by default, that non-Muslim women are enjoying full equality, freedom, and legal protection. Hence the need to liberate Muslim women too. The picture of oppressed Muslim women was rounded off with a number of carefully selected shocking cases, all focusing on the harmful practices of Muslim men. Legal pluralism, it became apparent, was a mantle to promote Eurocentrism under the banner of human rights universalism. The individual European citizen is abstracted, homogenized, 'degendered', and universalized. In contrast, Muslims are portrayed as non-universal, particular, and different. This form of (dichotomic) pluralism entails 'an immunization against contestation, that … is maintained through a dogmatic grounding, … [introducing us] to a kind of dogmatism that belongs to a particular secular formation' (Butler 2008: 5). Obviously, this approach goes against the core idea of human rights — that all human beings should have the *right* to relate their legal actions to their religious belief (see An-Na'im 2007: 22). Freedom and progress were appropriated to emphasize particular political views. As Butler argues, '[In Europe, a] certain conception of freedom is invoked precisely as a rationale and instrument for certain practices of coercion' (2008: 3).[2]

The degree of selectivity, filtration, and partiality, which raised doubts about the methodological validity and supposed political neutrality of the cases presented, was manifest. Claims to academic rigour were undermined by methodological obscurity. In other words, the skewing generated by lumping together interviews with women presenting vast disparities in class background, age, language, and country of origin reinforced stereotypes of Muslim backwardness instead of producing new knowledge about them. One may follow the ethical code of field research by protecting individual informants, but it is equally important to be aware of the political implications of research for the group as a whole; the exclusive focus on Muslims provided comforting evidence of the politically charged claim of incompatibility of Islamic law with human rights. It served to confirm the disparity between the morally superior West and Islamic law to which Muslim women are forced to submit. Such an approach creates the impression that the situation of 'Muslim women in Europe', presented as a homogeneous group, is exclusively repulsive. By continually pointing to Islam as being discriminative

[2]   In the same article, Butler cites an example of how Muslims are 'tested' for their ability to live in a 'democratic society'. 'In the Netherlands, for instance, new applicants for immigration are asked to look at photos of two men kissing, and asked to report whether those photos are offensive, whether they are understood to express personal liberties, and whether the viewers are willing to live in a democracy that values the rights of gay people to open and free expression' (Butler 2008: 3).

against women, without offering a comparative perspective, modernist feminists may unwittingly reinforce the idea that gender equity actually exists in other religions or ethnic groups.

When I asked the presenters whether harmful practices in other communities, religious groups, or ethnic minorities had been investigated, the answer was no. This leads inevitably to another question: are non-Muslims free of the problems facing those who were researched? Can one say that sex-trafficking or HIV/AIDS, let alone domestic violence, have disappeared from the scene?[3] Even more to the point was a declaration that no funds would have been secured to finance the research if a comparative approach had been designed at an early stage of research. Thus, the research industry benefited from a focus on Muslims, which proved once again the political connection between donor agencies and research centres. This forces us to think of a possible junction between feminist concerns, the neo-liberal agenda, and broader political and ideological discourse on Muslims. Academia was implicated yet again in the politics of labelling, exclusion, and marginalization.

When one participant asked whether violence against women is a practice unique to Muslim men, the presenter offered an apology, saying that whenever she 'lectures' on Muslim women, she starts with an apology to her audience in order to avoid personally offending anyone. It is surprising that the ethics of research are replaced by personal politeness, as if an apology to an audience were equivalent to research ethics. We should not liberate ourselves of the responsibility of examining the implications of the 'politics of representation', which has long informed the history of 'Western' interest in Muslim women (Abu-Lughod 2009: 86). The perspective and politics embedded in the project of fostering a new 'legal pluralism' — a notion derived from nineteenth-century colonial experience — described as a way to salvage Muslim women from their violent men alerts us to the inescapable overlapping of Orientalist discourse on Muslim women's rights in Europe and modern feminist representation. The contentious reference to domestic violence, honour killings, not to forget the favourite genital mutilation fervour, sustains the notion that Islamic culture (if it exists at all) is distinctively

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[3]   The percentage of women who are forced into sex in the United States (40%) is four times greater than in Brazil (10%). See **http://www2.gmu.edu/dpt/unilife/sexual//brochures/WorldStats2005.pdf>.** In Canada, endogenous women are five times more likely than other women of the same age to die as a result of violence. In Europe, North America, and Australia, over half of women with disabilities have experienced physical abuse, compared with one-third of non-disabled women. In the European Union, between 40% and 50% of women report some form of sexual harassment in the workplace. See <http://www.unglobalcompact.org/docs/issues_doc/human_rights/Meetings_x_events/05Mar2009_PPT_Snapshot_Facts_and_Figures.pdf>.

backward (Abu-Lughod 2009).

Islamic law is often presented as being in fundamental conflict with 'Western values', especially human rights conventions (See below). This is done not only through the literal reading of Islamic texts, but by providing the often-quoted conservative interpretations, particularly those produced by mediaeval Muslim scholars. Ironically, such literalism is analogous to that of 'Islamists' whose discourse is contested by the same modernist scholars. The literalistic reading of Islamic law fails to account for variations across space and time, and is unable to conceptualize connections between Islam, history, politics, and economy (Kandiyoti 1991). The fact that no single central authority exists in Islam and that Islamic family law has been nationalized, codified, and reinterpreted, and continues to be negotiated in Muslim-majority countries (Shehada 2005, Welchman 2007, An-Na'im 2007) from which many Muslims residing in Europe originate, makes any reference to the abstract umbrella of 'Islamic' family law rather simplistic.

The work of Professor Marie-Claire Foblets, who writes extensively about Muslim women in Europe, will serve to illustrate my point.[4] Many of her articles are dedicated to the liberation of Muslim, mainly immigrant Moroccan, women from the oppressive legal framework to which they are subject both at home and abroad.[5] Their lives are depicted as full of discrimination, assumed to be absent from the lives of non-Muslim women. By focusing solely on the culturally determined oppression of Muslim women, Foblets' approach, even if implicitly, implies that western culture is inherently equitable. If unfairness does occur, it has no cultural reference; it is occasional, resulting from individual deviance rather than the tenets of a gender-biased doctrine that even its female victims sublimate, 'feeling the need to retain roots in the family law of the home country' (Foblets 2007: 1386). Thus, the culture of Islam is presented as primarily archaic,

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[4] See: http://soc.kuleuven.be/immrc/staff/foblets/publications.htm
[5] See, for example the titles of the following articles:

Foblets, M.-C. 2000: 'Migrant Women Caught Between Islamic Family Law and Women's Rights. The Search for the Appropriate 'Connecting Factor' in International Family Law.' *Maastricht Journal of European and Comparative Law* 7(1):11-34.

Foblets, M.-C. 2001: 'Family Disputes Involving Muslim Women Caught between Islamic Family Law and Women's Rights.' in Courtney W. Howland *(ed.) Religious Fundamentalisms and the Human Rights of Women*, New York: Palgrave, pp. 167-178

Foblets, M.-C. 2002: 'South-African women Caught between Tradition and the New Constitution: Some elements for reflection based on the work of the South African Law Commission', Recht in Afrika/Law in Africa.

Foblets, M.-C. 1999: 'Conflits conjugaux et immigration: libérer la femme marocaine musulmane malgré elle?', *Annales de Droit de Louvain*, 1999, Nr. 1-2, 45-68.

stagnant, and essentially adverse to human-rights norms posited as universal. Here emerge two logical flaws: The first is that European women are eliminated as a term of comparison, giving the impression that everything is fine at their end. The second is that the explanatory variant is culture: Muslim culture, exemplified by Islamic family law, is the Pandora's box that contains or statutorily condones multiple forms of violence against women.

Portraying Islamic law as incompatible with, indeed contrary to women's rights has certain consequences: it confuses rather than clarifies the influences that shape people's practices. It conceals other, perhaps more influential, forces besides culture that affect women's lives and omits the way women exercise agency within their presumed submission to 'patriarchy'. By repercussion, it masks all other forms of discrimination, including racist violence within the European host countries.

To show the strength of the image of oppressive culture, the term 'caught between' often appears either in the content or in the titles of Professor Foblets' essays. I found three articles by her about non-European women being 'Caught between', either their tradition and constitution or Islamic law and women's rights (see footnote 5). The suggested implication is that non-European women are quite literally vulnerable to 'patriarchy' (Foblets 2002: 65) or traditional harmful practices exemplified by Islamic law, notably as regards the effects of polygyny and repudiation (Foblets 2002). This discourse suggests a dilemma, a sort of a trap that a woman cannot escape from without benevolent outside assistance. The two frameworks are assumed to be distinct and mutually excusive, i.e. Islamic family law and women's rights are presented as fixed, unchangeable, and parallel to each other. Moreover, the titles suggest a clash between rights and law. One side of the binary (women's rights) is portrayed as 'good' and the other side (tradition or Islamic law) as 'bad'.

This frequently presented structure based on binaries does not allow for a non-value-laden understanding of both poles: Islamic law and women's rights. It only permits a normative choice: Muslim women should opt for their rights instead of their Islamic law. If not, they will permanently be imprisoned in their iron-cage. It is also not clear how the basic terms of debate are defined. Take for example, the motto of women's rights: what does it mean, who defines it, where and when, and in what context? Answering these basic questions may provide us with a more accurate analysis.

The introduction of a Foblets essay of 2002,[6] based on research done on behalf of the Belgian Ministry of Justice, defines the core issue facing Europe as the clash between the '"basic values" of the majority society (expressed, for example by the 1950 European Convention on Human Rights) and the "cultural values of immigrants"' (2002: 49). Then the author goes on to illustrate the challenge facing European lawyers by stating that '[t]he second feature is the very *resistance* shown by a growing number to various attempts at assimilation. So far, Muslim groups have proven most resistant' (*italics in the original*).

The statement that there is a clash between European basic values and the cultural values of Muslims suggests that Muslims' cultural values require the subordination of women (as a singular group) and that gender subordination is integral to Muslim culture. As examples of the clash between Islamic cultural values and western basic values, Professor Foblets provides much evidence: patriarchal oppression in Islamic law, polygynous marriages, domestic violence, child marriage, and, more generally, 'institutions manifestly contrary to public order' (Foblets and Loukili 2006: 549).

In presenting her field research, Professor Foblets divides the 'sociological generations of Moroccan women' into three groups. All three groups are 'experiencing the dilemma of religious law versus women's rights' (2002: 61). The first generation, aged sixty to seventy, is struggling 'with the legacy of polygamy'. The second generation 'comprises of women aged twenty to forty'. They are experiencing 'arranged marriages organized by their families'; thus they are in 'a cultural chasm…created between the expectations of the two spouses, in particular as the husband expected his wife to submit to his authority' (ibid). The third generation 'is made up of women of all ages', who 'hold high expectations of the protection offered under Belgian law' (ibid).

The author lumped together 100 women and established a correlation between their oppression and Islamic law. In her depiction, it is not only Islamic law that discriminates against them, but also a definite set of values defined by Muslim men. The way the research findings are presented provides an image of research subjects as being homogenous, passive, having no other concern in life but their oppression by their patriarchs. The diverse experiences of women of different generations, backgrounds, and socio-

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[6] Foblets, M. C. 2002: 'Family Disputes involving Muslim women in contemporary Belgium: Moroccan women between Islamic family law and women's rights, in B. Saunders and M.-C. Foblets (eds.) *Changing Genders in Intercultural Perspectives,* Leuven: Leuven University Press, pp 49-71.

economic status are reduced to a single denominator dictated by the causal nature of 'their' Islamic law. Here too, as Clifford (2001) argues, 'the diverse experiences and facts are selected, gathered, detached from their original temporal occasions, and given enduring value in a new arrangement'. Methodologically, one would agree with Abu-Lughod (2009) who contends that in their attempt to arrive at a coherent presentation, researchers often develop distorted images of people by emphasizing the value of wholeness. According to Abu Lughod, many anthropologists contribute to the perception of other communities as bounded and discrete. By highlighting the cultural explanation, however, Western women appear to have no culture. Terms such as polygamy and arranged marriage are constantly invoked in Foblets' essays as if similar practices (although labeled differently) did not exist in the Western context. But, for example, to what extent is polygamy essentially different from having multiple partners? The way the data are presented gives the reader a sense of European superiority over Muslim women. When the author asserts that 'Muslim communities demonstrate most resistance to voluntary assimilation to the majority society and identification with its values and legal heritage' (Foblets 2002: 60), the implicit suggestion is that, to be liberated, Muslim women have to assimilate, i.e. to abandon their oppressive culture. If one were to accept the call for assimilation, it would be logical to ask, given the heterogeneity of European cultures, to which set of European values and heritages are Muslims required to assimilate? Even if one were to set aside widespread Islamophobia, structural discrimination, and other barriers, this question would be crucial to ask.[7]

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[7] The August 2009 debate on Tariq Ramadan in the Netherlands is a case in point. He was sacked from an advisory position at Rotterdam municipality and a visiting professorship at Erasmus university not because he rejects so-called modern European values, but because he naively embraces them. Believing the rhetoric about freedom of expression being a core value of Western society, he saw no reason not to broadcast his views on a TV station that receives funding from the Iranian government. The reliance on the crisis of Muslim identity does not provide a sufficient explanation for the situation in Europe regarding Muslims. It is, in my view, due to the paradox of modern Europe: to keep its modernity 'pure', it has to act in a non-modern fashion. Europe has to oppress Others' voices in order to preserve its 'liberty'. According to a recent poll, 40% of the Dutch population unites around the idea that Islam is backward and Muslims are inferior; does any other theme have the power to unite such a large proportion of the population? Islam, apparently, is not only the religion of Muslims, it is the 'slogan' around which Dutch national unity is currently built. The fact that the 'undemocratic' Islamic government in Tehran respected Tariq Ramadan's connection with the Dutch institutions, while the Rotterdam municipality and Erasmus University sacked him, sparks the question of who is genuinely democratic. Is it the Shiite government that employed a Sunni Muslim labeled as Wahhabi by many, or the Dutch university that claims to defend the values of freedom and liberty? Sacking Ramadan in this context undermines the entire discourse of democracy, free speech, and liberty many European institutions claim to embrace.

After giving us the list of sociological generations, Professor Foblets (2002: 65) concludes that legal practitioners should:

> make sure that the woman's choice of application of the *Mudawwana* [Morroccan family code] is based upon free consent and that she is sufficiently informed about the consequences of her choice. However, whether Muslim women who made use of the opportunity will also be able to resist the weight of 'patriarchy' (assuming they have opted for continuation of their 'submission' to Islamic family law) is still unclear.

The hint is thus that Moroccan women under Belgian law are given freedom of choice; an option that is not available to them under Islamic law. It is only the protective Belgian law that ensures that if they consent to Islamic law, their consent is based on sufficient information. The interesting point here is the uncertainty of the author regarding Muslim women's ability to take the opportunity provided to them by Belgian system to resist the weight of patriarchy. Examining with a Moroccan colleague the revised *Mudawwana* of 2004, she concludes that Moroccan couples should conclude a dual marriage, one according to Belgian law, the other according to Moroccan law. In the latter case, the authors advise, clauses should be introduced into the marriage contract excluding polygamy and allowing the wife to initiate the dissolution of the marriage (Foblets and Loukli 2006). Interestingly, however, they completely overlook the eventuality that Muslims might marry non-Muslims, as if 'integration' should proceed solely by submission to the law yet not through intermarriage. So too do they blend out completely the interplay between personal status laws and citizenship legislation, in particular in cases of dual citizenship so common among Moroccan emigrants of both sexes (Belbah and Chattou 2000).

A point on theory is required here: gender difference, in the case of Muslim women, instead of being a subject for investigation, is in fact presented as a natural category. Hence, possibly, the neglect of citizenship, by definition a social and societal category, and the propensity to take gender subordination for granted. Methodologically, the research starts with, rather than investigates, gender subordination. The postulate is thus confused with a given, the question with a result. All other identifications and positionalities of women become irrelevant when gender is postulated as stable, *naturally* asymmetrical, and fixed by a 'boxed-in' culture. Given male-dominated 'Islamic culture's' inherent incapacity to 'evolve', the only solution left to the otherwise benevolent Belgian legislator in the face of persistent, inevitable immigration of 'persons with another skin colour, religion, language and culture', although 'not problematic per se', is to balance

any slackening of naturalization laws by countering abuses in the fields of person trafficking, asylum granting, and not least mock marriage. This 'stringent' stand is, strangely, only expressed in a Flemish-language publication formulating practical legal recommendations to Belgian civil servants (Foblets and Rutter 2005: 38). This text refrains from developing the altruistic 'saving-our-Muslim-sisters' stance, rather is predicated on an implicit, yet still crude We/They distinction.

In sum, the essentialising focus placed on the patriarchal feature of Islamic law or Muslim women's subordination, as expressed in Foblets' English- and French-language publications, raises questions instead of providing answers regarding the nature, and hierarchy of objects: Why do serious types of discrimination not subsumed under the human-rights violations, such as ever-rising levels of Islamophobia, structural discrimination, overcrowded neighborhoods, economic crises, school dropouts, etc., not receive the same amount and kind of attention as Islamic law and women's subordination, both construed as cultural artefacts?

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Let us now switch scenes. Islamic family law in its codified modern version has different histories and content, and, for our present discussion, subsumes different modes of administration of gender relations, depending on: i) the identity, class position, and network of relations of the elites who carried out the project of codification and ii) their continuous search for a legitimating ideology, on the one hand, and, on the other, a new power base in alliance with ascending (or declining) groups in their societies, amongst whom the religious elites are prominent (Botiveau 1997). All these actors are conditioned by the level of socio-economic development in their respective countries (see Kandiyoti 1991, Shehada 2005).

Anyone looking back at the history of nation-building in the Middle East and elsewhere can easily see the intense and continuous movement towards codification and reform. An expert on Islamic family law, Lynn Welchman (2007) has even divided the reform and codification processes of Islamic family law into three phases: the first by the Ottomans during the first decades of the twentieth century, the second immediately after decolonization in the late 1940s, and the third in the late twentieth century and early years of the twenty-first century. No other regulation in Muslim-majority countries has been the object of such intense debate, and nowhere has family law attracted such legal scrutiny. It is therefore rather naïve to abstract Islamic family law without reference to place, time and context.

To discuss why some Muslims resort to Islamic family law in Europe, one perhaps needs to investigate the many barriers Muslims encounter when attempting to access a European family court. For example, Qudsia Mirza (2005: 386) argues

that poorer Muslim women have less access to state law given their financial incompetence. Proficiency in the language of the European host country is another obstacle for many Muslims. Most importantly, the judges of state courts, Mirza argues, treat Muslim women in a stereotypical manner, often regarding them as passive and victimized. Under such circumstances, people resort to so-called community courts which provide interpretations of sharia on the basis of the knowledge of 'experts', usually imams, who have little training in legal matters. The paradox is that when judges in the host state court seek further information about the operation of Islamic law, they rely on those same 'experts' (Mirza 2005). The very fact that European judges seek 'expert advice', despite their stereotypical depiction of Islam and Muslim women, is interesting because it directs our attention to their practical approach towards law. Seeking expert help by judges can also be used by ideologists to argue that multiculturalism and legal pluralism in Europe is in fact working.

Instead of framing the argument about Muslims in Europe in cultural terms, structural barriers should be inspected. Another example of the recent Dutch policy of 'testing' Muslims (see footnote no. 2) for their ability to act in conformity with 'modern' values is telling, not only with regard to the identity of those submitted to tests, but more importantly in relation to the class and national background of those to be exempted: these include EU nationals, asylum-seekers, and skilled workers earning more than €45,000 per year in addition to all citizens of the USA, Australia, New Zealand, Canada, Japan, and Switzerland (Butler 2008: 4).

Methodologically, one also needs to ascertain the proportion and representativeness of those who claim to resort to Islamic family law. If these constitute a minority within the minority (and there are good reasons to think so)[8], their legal practices should not be seen as representative of the 'culture' of Muslim immigrants (Scott 2007). The notion of fixed culture, which disregards the huge diversity of those concerned in terms of country of origin, ethnicity, sect, 'race', and class, hides the mixed reality of Muslim long-term adaptation as well as structural discrimination (Turner 2007).

Muslims in Europe, as elsewhere, form neither a homogenous nor a unified category, which suggests the need for adopting innovative approaches in studying them. In this regard, we need to pay attention to empirical facts: Muslims in different European countries represent enormous heterogeneity. With the

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[8]   We need to remember how intense the debate in France was on the 'Muslim headscarf' worn by a small number of women, not to mention the present uproar concerning the proposed prohibition of the 'burqa', which, according to official sources, concerns no less than 367 (sic) women in all of France. (See M. Lemonnier, 'Looking for burqa…', *Le Nouvel Observateur*, no. 2335, 6 to 12 August 2009, pp. 52-55.

exception of Albanians and Bosnians, who are European Muslims and not immigrants, the majority of Muslims in the UK are from Bangladesh and Pakistan, while the majority of Muslims in Germany are Turkish. In France, North African Muslims override any other minority (Scott 2007). They all come from different Muslim-majority countries which have had different historical interactions with their previous European colonizers. Many perhaps still carry the passport of their country of origin. One must also take into account the variation between the first generation, born in the country of origin, and the second and perhaps third generation which are now being introduced to Islamic family law through so-called community courts and 'expert' imams.

Focus on the religious identity of immigrants may blind us from seeing other analytically relevant issues that provide a balanced picture of the lives of Muslims in Europe. For example, Abu-Lughod (1998) suggests a complex frame in which the project of the state, the discourse of colonialism, class politics, and ideology could prove helpful in achieving a deeper understanding of social reality. The language of 'liberating' Muslim women in Europe uncannily resembles that used in Afghanistan and to lesser extent in Iraq (Abu-Lughod 2002, Kandiyoti 2007, Hirschkind and Mahmood 2002). It echoes the discourse of nineteenth-century colonialism in which white men pretended to save black women from their black men (Ahmed 1992). Moreover, the vocabulary of human rights, given its wide currency when deliberately borrowed and appropriated to grant legitimacy to the language of hostility against Muslims, is equally hypocritical. Human rights, which once were used to celebrate diversity of human experience and oneness, are now exploited for political objectives. Human rights should secure the right to be different as An-Na'im (2007: 17) argues,

> 'since all human societies adhere to their own normative systems, which are necessarily shaped by their particular context and experiences, any universal concept is by definition a *construct or hypothesis* that cannot be simply proclaimed or taken as given …The underlying principle of equality and non-discrimination includes the right to be different, as people do not abandon their distinctive identity and religious or philosophical belief in order to qualify for human rights, but claim these rights as the persons they are and though their own experiences.' (*italics in the original*)

In focusing so heavily on Muslim women while failing to be comparative and critical, those who advance such portrayals produce the reality that modernists wish to display: Islamic law does not qualify as wanted or acceptable in the enlightened and allegedly non-religious modern West. The absurdity here is

that gatherings or conferences of the sort described earlier in this paper create the desired representation of the Muslim women, even as they effusively praise those who volunteered to be researched, labelling their cooperation 'agentic actions'. It is unavoidable, given this context, that whatever the motivations of the contributors, such conferences will be appropriated, like many others, to assert prevailing stereotypes of Muslim women as exceptionally oppressed and Muslim men as exceptionally violent. As Butler (2008) rightly argues, Muslim men, according to the modernist narrative, require 'testing' and disciplining of a kind only secular modernity can offer.

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Having closely studied the way Islamic family law is applied (Shehada 2005), I find it hard to accept such an abstract representation of it. The emphasis placed on structural determination in the legal arena (or outside it) is neither impartial nor politically neutral, let alone blind. The essentialization of Islamic law (presented as exclusively patriarchal) corresponds neither to its historical transformation nor to people's daily contestation. This portrayal creates a barrier to recognizing the mutual constitution of the legal and social fields. By the same token, presenting modernist discourse as exclusively liberating is far from being a demonstration of modesty.

Therefore, at the conference mentioned, instead of presenting the paper I had prepared on the social debate concerning Islamic family law in Palestine, I considered it crucial to describe my fieldwork observations and analysis. I hence focused on the issue of flexibility of Islamic family law. I argued that reading of Islamic law as simply text – i.e. as a body of legal stipulations — without observing how it operates in concrete situations, shuts out an enormous arena of social processes that, when analyzed, help to provide a closer and more nuanced picture of the multiple meanings of the text, of the multiple references of those who implement it, and the multiple realities affecting those to whom it is applied. During my fieldwork, notably in Gaza, I found that women and people in general, are less responsive to 'fixed' texts than to their concrete needs, no matter how they perceive or articulate them, if and when they decide to seek a legal solution. The 'fixed' law itself, as Moore (1978) argues, contains areas of indeterminacy, ambiguity, and uncertainty. People often search for such gaps in the interplay of law, social customs and the multi-referential frameworks often applied by the judges (see Shehada 2005) and thus find space to express and materialize their needs and interests. In the course of their attempts to obtain justice, people often manoeuvre and manipulate these elements and sometimes succeed in turning them to their benefit. Their interaction with the legal framework is both

manipulative and instrumental. They exploit the law's fixity when it suits them and utilize its indeterminacy when it serves their interest to do so.

I situated my argument in the perspective of structure and agency and highlighted the agentic actions of the people, which, in the context of Islamic law, have often been overlooked. The concept of 'agency' is a powerful analytical tool (Mahmood 2005) for understanding and theorizing on how Islamic law is applied in concrete situations and how women subvert or resist the constraints they bear. It entails taking into account the specific historical and cultural context that creates the conditions within which people operate and make their choices. In any community, the power distribution along the lines of gender, class, social status, lineage, locality, and the like is hardly fixed; it is under daily contestation by individuals and groups. The process of redistribution is often achieved through mechanisms of negotiation, bargaining, manipulation, and sometimes threats and intimidation. However, the same mechanisms that are meant to stabilize and reinforce structures can constitute the means for destabilization and subversion. These complex processes could provide a window through which one might examine not only how Islamic family law works, but also how communities and individuals deal with it.

Instead of addressing the substance, or for that matter the theoretical approach or methodological underpinnings of my presentation, the major concern voiced at the workshop was that: 'the reference to the flexibility of Islamic law in its application endangers the predictability and rationality of process and thus women's rights advocates cannot ensure the protection of equality before the law.' Indeed, the emphasis of speakers was on Weber's well-known 'qadi justice' thesis. My response was that to understand the operation of Islamic law, one should not rely on the assessment of the apparent predictability of the judge's decision in contrast with pre-established, exclusively written rules. It is more insightful to gain a closer understanding of the processes of pre-trial negotiation and mediation before a familial conflict becomes public. In contexts such the one those I studied in Gaza, the adjudication of familial conflicts is constrained not only by legal code and precedent, but equally, by the social norms of equity generally accepted in society. These processes are at work both in and beyond the courtroom; hence, the legal and the social should be drawn into the scope of analysis (Conte and Shehada 2008). The emphasis on studying Islamic law in practice stands in conformity with the emphasis of many anthropologists on the importance of seeing the law through the eyes of people (see Rosen 1989, Dwyer 1990, Shehada 2009).

The quality of the processual analysis of situations in which many norms and references are at issue should not be reduced to questions related to the dilemma

of modern feminists when they confront a ruling made by a conservative judge. The relegation of discussion to absolutist dichotomies such as 'modernity vs. traditionality' and 'progress vs. backwardness' has sadly become the norm in many of today's interdisciplinary deliberations. Cross-fertilization between different disciplines is, of course, bound by the politics of the time. Therefore, the encounter between the anthropology of Islamic law (an enquiry that seeks to understand the social processes underlying legal procedures) and the modernist feminist approach prescribing a singular path for positive social change proves difficult. Not only is Islamic law deemed to be outdated, but the object of discussion seems to be to cast it out altogether.

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The homogenization of Islamic law conflates the heterogeneous experiences and engagements of people as if they have were products of a single socio-religious process. Some mainstream feminist discourses assume the political and moral superiority of the 'West' and too often adopt an ideological reading of Islamic law in seeking to identify the roots of abuses against women. Researchers concerned with gender inequality should not be oblivious to the political hypocrisy of international powers, the consequences of the dispossession of groups and individuals, and the effects of long-term war and occupation on patterns of gender inequality in many parts of the planet. By not focusing solely on Muslim women and Islamic law, they might discover that Islamic family law has less to do with harmful practices than structural elements. Hence, I would suggest adopting not only a comparative perspective, in which the violations of human rights of many groups of different backgrounds are investigated, but also an intersectional approach in which gender is not the singular referent. One could thus seek to combine as appropriate theoretical threads and methodologies. We need to sustain the notion of human rights by opposing violence from whichever direction comes, particularly those violent acts perpetrated in the name of cultural or religious superiority.[9]

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9   A much shorter, partial version of this paper appeared in PoLAR website as part of a commentary on the challenges of addressing interdisciplinary audiences in studying courts and trials. Please see <http://www.aaanet.org/sections/apla/spillover_shehada_fischer.html>

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CHAPTER TEN

THE CRISIS OF METHODOLOGY IN ARABIC PUBLICATIONS: THE LEBANESE CASE

Ghassan Al-Ezzi

Introduction

With a few exceptions, works in the social sciences published in Arabic, whether intended for students, professionals or the public, lack a minimum of methodologically sound criteria. There is no need to cite examples to demonstrate how, in most cases, they are simply a work of plagiarism whose authors merely translate and copy texts written by Western academics. They rarely exhibit any sign of originality. They are in most cases ideologically oriented, rely on a priori ideas which are neither objective nor scientifically neutral. Rather than concentrating on quality

of content, most writers give priority to the beauty of style. This can be clearly seen in the daily life of the Lebanese university and in its prevailing cultural atmosphere. In general, the methodologies applied in most of the specialized Arabic publications, as well as those that cater to the public, rarely adhere to scientific objectivity. Since Sa'ed Al- Andulisi and Ibn Khaldun, the Arab world has never had sociologists of the calibre of Marx, Weber, Spencer, or Bourdieu. The studies that are published in Arabic and are considered to be of real academic and intellectual weight and influence are almost invariably those that have relied heavily on the works of the most profound Western researchers and sociologists.

This chapter initially intended to do a survey of the published literature of sociological works in Arabic to show the degree to which these publications abide or fail to abide by the guidelines of scientific methodology. Given that a number of these publications, as well as papers presented at conferences all agreed on the persistent weakness in methodology and scientific research and the shallowness of Arab sociology, I decided instead to diagnose the underlying reality and the reasons behind the weaknesses of work published in Arabic. This study thus endeavors to shed light on the methodology courses that are taught at Arab universities in the humanities and the social sciences. This approach is based on the conviction that today's students, as the graduates and teachers of the future, constitute the sample most representative of the weight their teachers, and those who have designed the curriculum, place on methodology courses.

In the second section, emphasis will be placed on the problems of higher education in the Arab world, and on Arab research in the social sciences, in the quest for the causes of these weaknesses in methodology. In conclusion, there will be no summary of arguments, but rather an attempt to understand the profound barriers lying behind the possibility of fully attending to the crisis in methodology and eliminating its causes.

Emphasis will be placed on the Lebanese University because the author of these words studied and has been teaching there for decades. It is also the largest public university in Lebanon and has a student body of more than seventy thousand, with three thousand instructors in various specializations. The students, teachers and administrators of the Lebanese University represent Lebanese society in its various geographic, political, social and sectarian components. This is not the case in most of the forty-four other universities, which in one way or another represent a sect, a class, a region or a political affiliation. We shall examine a few other Arab universities, knowing full well that there can be no survey of the Arab academy, which stretches over twenty-two countries. Lebanon is one of these countries and, along with a few other cases, it can be considered provisionally a

representative sample which sheds light on the reality of methodology in Arab universities in general.

The Teaching of Methodology in Lebanese and Arab Universities

Courses in methodology occupy a special place in Arab universities in general and Lebanese ones in particular, speaking of both the social science and the humanities. The question here is whether there are observable differences methodology courses as offered in various institutions.

In the Faculty of Arts and Humanities, the largest at the Lebanese University in terms of number of students, teachers and specializations, before the year 2000 not a single course in methodology was given to undergraduate students. There was, however, one required methodology course entitled "The Methodology of Literary and Linguistic Research" for postgraduate Diploma students (Prospectus, 1998: p.127). The aim of the course was to teach "methodology, scientific thinking, technical tools, and guidelines writing research papers and select a subject matter, quantitative as well as applied texts." The same course is taught in both the departments of French and English. In the Department of History, a course in methodology entitled "the Methodology of Historical Research" is taught to graduate students. In this course students study: historical schools; the Khaldunian world view, the Annales school, historical methodology, the history of historical writing, history, the social sciences and the humanities, applied studies on historians (Prospectus, 1998: p.152). In the Department of Geography there is a graduate course entitled "the Methodology of Geographical Research." Its aim is to "explain the concept of geography, its field, and its various methodologies in addition to applications focusing on how to write a research paper, methods to be used, the study of geographical texts with emphasis on understanding their contents so that the student will eventually reach the level that will enable him/her to understand and benefit from foreign sources" (Prospectus, 1998: p.163). In the Department of Archeology, graduate students take the "Methodology of Archeological Research." Here the student "will have to repeat the courses he took in his fourth year: in addition the student will have to focus on a book and compare it with the contents of the subject-matter of the course he/she is taking. The student will be introduced to research in general, the functioning of the library, research methodology, the tools used in research, and the components and steps of scientific methodology. Students are required

to apply methodology in their research papers and present them to both the teacher of the course and another teacher" (Prospectus, 1998: p.171). Even in the Department of Philosophy, the student had to wait until his/her graduate studies to take a course in the "Methodology of Philosophy." Here the student will learn "the principles of writing a research paper, the rules of investigation, the methods of scientific research and the definition of methodologies" (Prospectus, 1998: p.179). Only in the Department of Political Science, Faculty of Law, Political and Administrative Sciences, was a course on methodology offered to second-year undergraduate students. The course, entitled "The Methodology and Techniques of Political Research," endeavors to teach the student how to write political research as well as "methodology, scientific design, steps of scientific research, and the methodologies of scientific research (Prospectus, 1998: p.216). The decision to teach this course for second year political science students was the result of the insistence of some professors; however, as a requirement it failed to materialize even for those students studying for the postgraduate diploma.

This situation continued to prevail from the establishment of the Lebanese University to the end of the twentieth century. With the beginning of the academic year 2000-2001, and due to the development of programs, significant weight came to be given to the subject of methodology. In the History Department, a course entitled "Methodologies in Historical Research, theoretical and applied" was required of all second year undergraduate students. It introduces students to Greek and Roman as well as Islamic historical writing and to modern and contemporary European schools of history. As for the applied section, it discusses methodologies and the techniques of historical research on specific historical periods in addition to examining historical manuscripts by asking specific questions (Prospectus, 2005: p.186). In the Geography Department, the student takes a third year course on the "Methodology of Geographic Research." It teaches the aims, contents and tools of research, in addition to how to "collect and handle information, and how to develop a problematic in geographical research. In addition the student learns the methodologies of geographic research and the writing of reports, articles and theses" (Prospectus, 2005: p.192). In the Department of Fine Arts and Archeology, students start, from the very first year of their studies, to learn the "Methodology of Archeological Research in addition to an Introduction to the Science of Archeology". In this course, the student "learns how to define a research topic as well as the steps that have to be followed. In addition, the student learns how to prepare and write a report or a research paper" (Prospectus, 2005: p.195). In the Philosophy Department, the student has to wait until the third year to take a course on the "Methodology of Philosophical Research" which introduces him/her to the substantive elements of scientific and philosophical research, its types, aims and analytical as well as and applied. The

student also learns how to prepare and complete a research paper in philosophy" (Prospectus, 2005: p.202). In the Faculty of Law, Political and Administrative Sciences, the student is now required to take a course in methodology during the first year of his/her university studies. According to the prospectus of 2005, "methodology is a mode of work and thinking that justifies a specific result. It endeavors to help the student in defining and acquiring legal knowledge and in learning how to organize such knowledge, use, analyze and produce it in a logical, sound and convincing form in all the cases studied, while at the same time concentrating on the idiosyncrasy of practical patterns and the purpose behind them" (Prospectus, 2005: p.249). In the second year, political science students learn the theoretical and practical tools of "the steps and methodologies of scientific research, methodologies and how to write a research paper in the field of political science" (Prospectus, 2005: p.256).

Graduate students don't need to take methodology courses, since they have in principle learned what is needed both theoretically and practically for research purposes at the undergraduate level. The student is expected to write and discuss briefly before of his/her fellow students, a research paper under the supervision of the professor. Of the twenty-nine required courses that the student takes as an undergraduate, only one methodology is offered in methodology. This means that of a total of 1800 hours of classes study during the four years, only fifty hours are devoted to methodology. No changes were made to this situation in 2000 when the university introduced curriculum developments. The only thing that changed was, rather than waiting for the graduate level, the university thought that it would of real benefit for the student to take a required course in methodology during his undergraduate studies.

There is no substantial difference in the content of these courses as between departments. All methodology courses devote themselves to teaching the student how to write a research paper: historically in the History Department, politically in the Political Science Department, geographically in the Geography Department. The specific subject matter of research may differ, based on some differences in concepts, theories, and texts of great international authors, based on each department's   specializations. The methodology course is therefore a simple exercise in how to write a research paper, which for the purpose of scientific research is not enough. In the absence of serious encouragement, and a more systematic policy of scientific research, giving the student a real incentive to engage in sound scientific research and not treat the course just as a requirement like the other university requirements that he has simply to pass, the student is left to his or her own devices in seeking to develop skills in scientific research.

If we take, as an example, the course "The Methodology and Techniques of Political Research" given to second-year students in the Department of Political Science at the Lebanese university (one required course taught over fifty hours), we find that is divided into three sections. The first touches on the scientific approach and the stages of research, in addition to the problematics, concepts and types of sciences. The second deals with a brief definition of some methods, for example induction, deduction, analysis, synthesis, qualitative, quantitative, historical, institutional, symmetric, functional, and communication-based (Karl Deutsch). The third deals with writing research papers in political science (what is meant here is a university-level paper regardless of the field, and the expression "political science" is simply used because of the department in which it is offered and it touches specifically on political issues and not because political research is different from other courses in the human sciences).

In addition to the fifty hours allocated for this required course there are twenty-five hours of practical training during which the student prepares a short individual or group paper, counting for 20% of the final grade. This course is simply one of approximately thirty other courses that the student takes during the four years of undergraduate studies. Thus, the student who passes this course does not need to go back to it or review it, unless he decides to study for a graduate degree. Those students who choose to do so are few. This means that the student will leave the university and enter the job market, or for some reason remain unemployed, while carrying a bachelor's degree in political science without being competent in scientific, objective and methodological thinking.

We needn't undertake a close comparison regarding the kind of importance placed on the subject of methodology in the different departments of the human sciences between the Lebanese University and Lebanon's private universities, to conclude that the situation is very similar in terms of the content of the course and its importance in the eyes of the students and those who have developed the educational programs.

Outside Lebanon, if we take, as an example, the most important Egyptian university, Cairo University, Faculty of Economics and Political Science, we find that the course "Research Methods in Political Science" (Al-Qasabi, 2004) is based on two books. The title of the first is Political Analysis, the second is The Building of Measures and How to Write a Research or a Thesis. The first is made up of two sections: "Research Methods and Political Analysis" (the principles of scientific research, their conditions and problems; scientific method and its functions - concepts and theories - research plan – its components - subject of research and its problematic - theoretical framework – quotations, data and

sources); the other deals with "Research Methods and Approaches" (systems analysis - Deutsch's communication method – the political culture approach - the structural functional approach – group analysis method – decision making method – historical method – comparative method – descriptive method – case study method – empirical method). The second book, in its first section, deals with "The Development of Research Methods in Political Science" (the behavioral school – empirical analysis – classical methods and classical political science – political behavior and the difficulty of subjecting it to the conditions of scientific research). In the second section, the book deals with research tools and data collection (observation and interviews – questionnaire – content analysis – analogy – levels of analysis – construction of models).

In the Faculty of Commerce and Economics at Alexandria University, students for a long time took a required course entitled "The Method of Scientific Research" (Badawi, 1979). The course was made up of two sections; the first dealt with the general issues of research methods, especially those relevant to the social sciences in general and economics in particular, in addition to the philosophical framework of research methodologies. The second section dealt with the procedures and levels of scientific research in the social sciences with special emphasis on those characteristics relevant to economic research in particular.

At Al-Fateh University in Tripoli, Libya, economics and political science students read for their course in methodology a book entitled The Methods and Techniques of Political Research (Khasheem, 1996: p.402) addressing first-year students specializing in political science and, in general, "those studying in other departments of the social sciences". The book, which aims "at introducing students to qualitative and quantitative research techniques," is made up of a series of chapters (the nature of political research – theoretical frameworks in political science – the principles of scientific research – research design – field research – library research – transcribing and analyzing data – the writing up research).

As for the course in research methods in the human and social sciences in the program of international relations and strategic studies at Jordan University, it aims, according to the professor who teaches it, at "introducing students to how they can scientifically and methodologically study and analyze issues in international relations and strategic studies. The course includes a discussion of the stages of scientific research, practical applications of the principles of scientific research and the manner by which students can benefit from the research centers available in the network of international information" (Hayajneh, 2008). In addition, information is given on how to write a research paper, and the various

stages that the student will have to go through to complete and prepare his work for discussion.

From this quick presentation of some of the books, courses and required material on methodology with which Arab students of the human sciences are widely familiar, the observer can conclude that all deal with the same topics as can be seen in methodology courses in history, political science, philosophy and other subjects. There seems to be a general consensus that methodology endeavors to teach the student the methods of scientific research, its means and stages, in addition of course to how should one write a research paper. It is therefore possible, for instance, for a history student to study the methodology course offered to political science students, as it is possible for a student specializing in geography to take the methodology course of the history students without seeing any real differences in the make-up of the course except perhaps in the nature of texts, problematics and special topics studied in each of the specializations. And even here the differences are not great, as the topics and problems studied in the various branches of the human sciences are, in the final analysis, similar in content, aims and theoretical perspectives. The question that needs to be addressed here is: when it comes to methodology, are the social sciences distinctly different from other branches in the human sciences?

Social Sciences in Particular

Beirut Arab University is a representative model for Arab universities. It was established in cooperation with Egyptian universities. Many of its students, professors (mostly Egyptian) and administrators come from Arab countries. In the Faculty of the Social Sciences, methodology is taught under various titles during the four-year undergraduate period. The student has to rely on a required book first published in 1982 and comprised of two volumes dating back to 1974 – 1975, entitled "Social Research." It was written by a sociology professor from the Faculty of Arts at Alexandria University. The books contains[1] seventeen chapters: the importance and development of social research – the categorization of social research (investigative, descriptive, diagnostic) – procedures of social research – how to select a problematic – historical method – empirical method – projective method – content analysis (the contents of newspapers, books, literary works, speeches, personal documents) – case study (person or group) – social survey – observation – interview – research affidavit – field and library data – the transcription and presentation of data (manually, electronically, diagram and data

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presentation) – the analysis and explanation of data (qualitative and quantitative statistical analysis) – the writing of a research report (Sayed, 2009: p.357).

The references relied on were 27 books in Arabic (either written or translated into Arabic) and 57 in English. The first Arabic-language book cited (Shalabi, 1981: p.199) dates back to 1952 and more than forty editions were issued since. According to the author, a professor at Cairo University, the book was written to "attend to the academic and research needs of masters and doctoral students." It is replete with linguistic, printing and methodological mistakes, and consists of six chapters: the thesis and the elements for its successful completion – problems encountered before the writing stage – the writing up of the thesis – the shape of the thesis – the printing and binding of the thesis – examination of the thesis.

In Saudi Arabia a book, written by the Dean of Arts and Humanities of King Abdul- Aziz University, was widely used for teaching "social research" (Omar, nd: p.536) for social science students. The book is made up of nine chapters: Islamic thought and its role in developing science – research methods – how to choose a research problematic – scientific hypotheses – empirical methodology – survey and case study methodology – historical research – books and libraries in Islam – the organization of library – scientific research (samples – interviews – referendum - classification – table of contents – references – research techniques – statistics- the computer – the writing up of the research and the research report, footnoting, the writing of scientific theses and the preparation of the final version for publication). This particular book includes two special chapters on Islamic thought and references to books and libraries shedding light on the role of Islam in scientific research. The reason for these two additional chapters (non-existent in similar books) is perhaps the fact that the university where this course is taught is located in Saudi Arabia. The book relies primarily on Arabic references. As with all the others books, it blends the tools and methods of scientific research in the human sciences.

Before 2000 a course entitled "social research" was taught at the Institute for Social Sciences at the Lebanese University. It was offered during the first year of the student's university studies and included "eleven subjects which touched on methodology, research techniques, definition of methodologies in sociology, the training of students in statistical techniques for research purposes and in particular the method of monographic and explorative research" (Prospectus, 1998: p.73). In the second year, the subject of "field research and monographic studies" is considered fundamental; the course takes up 100 hours of study of the 12 courses taught that year. It is another one in the series of methodological courses which constitute the science of the society. These include the following

topics: "the definition and the historicity of monographic studies, stages of field work, descriptive methodology, and social surveys. There is an applied section which includes the problematic, the hypothesis, and the selection of the field" (Prospectus, 1998: p.75). During the same year the student takes the course: "The Stages of Social Research." In the fifty study hours allocated for this course, the student learns "the techniques of social research which include training sessions on the most sophisticated technical statistical systems used in sociological research, in addition to tips on how to read results, analyze and interpret them scientifically" (Prospectus, 1998: p.76). In the third year the student is exposed to theoretical and methodological material in "seminars in sociology and the sociology of the Middle East" and acquires the knowledge, through practical training, of how to develop the topic of research in sociology, how to study methodology and to understand duality theory, modernity and modernization." The student takes theoretical topics in sociology, "topics in anthropology and applied social psychology" and also participates in "research seminars in social psychology and anthropology." He or she also "participates in a training session on explorative research." This yearlong program offers the most in terms of methodology, theories and applied research. In general, the methodologies course introduces the student to the research approaches available in sociology. The student is introduced to all the details of research techniques. This is done through "collecting the given information and applying research techniques, to analyze the information and come up with suitable results" (Prospectus, 1998: p.78).

The development in the curriculum of the Lebanese University in 2000 clearly failed to effect any positive transformation in methodology and social research at the Institute of Social Research. Things remained as they were, despite the addition of a new course on information technology that sought to encourage students to benefit from technological developments in that area (Prospectus, 2005:109-134)

If we take a sample of methodology books available among social science students, we will discover that they are similar in content. For instance, as the author of a book entitled The Principles of Research Writing and the Rules of Verification mentions in his introduction, the book "was written to fill a gap in Arab libraries" which, he believes, lack a comprehensive book on methodology and on the principles of writing research. The book is made up of chapters on the substance of research, selecting a research topic, the research plan, the writing up of research, the form of the dissertation, the printing of the dissertation and its discussion and examination, the rules of verifying manuscripts and the principles of research and scientific writing (Fadlallah, 1993: p.167).

The author of another book on methodology asserts that it "targets professors and students of social scientific research and it is the first of its kind to make a scientific and dialectical connection between the methods and forms of theoretical research and those of field and applied research. This enables the researcher to rely on theoretical and field methods in conducting scientific and research studies that Arab society is in need of today" (Al-Hasah, 1994: p.160). The books chapters deal with the nature of scientific knowledge – the steps of scientific research – theories and scientific laws – the selection of the research problematic – the identification of concepts and scientific assignments – sample design – questionnaire design – interviews as a means for the collection of information – observation as a means for the collection of information – categorization of field data – statistical analysis – social measures. Most of the references cited in this book were in English. In general, other books by the same author and his colleagues written in Arabic, were of a similar nature as all touched on issues related to social research and scientific methodology.

Social science students of the Lebanese University study a book written by one of their professors who stresses that his aim is to teach students "how to utilize inference techniques and the methods of their critique through establishing their inquisitive boundaries by bringing them back to the critical criteria that were produced by a critical reading of the methodological means in the social sciences. The purpose of the book is to present a perception regarding the course of social scientific research and the manner by which the researcher can manage the stages of research so that he /she can at the end complete the work in an effective and coherent way" (Murad, 2007: p.206). The book is made up of eight chapters: science/anthropology – interviews – observation – questionnaire – samples – documentary analysis - examination of the results of the questionnaire – the stages of scienfic research (selection of topic, problematic, hypotheses, research plan, the writing of the report, the writing of the research paper, bibliography). Most of the references cited in the book, were either in French or translated to Arabic from French (works of sociologists like Durkheim, Bourdieu and others.)

One of the most circulated book among social science students was written by Thurayya Milhas, who stressed that the rationale behind her decision to write the book in 1960 was a question that was addressed to her by one of her female university students: "Isn't there a book in Arabic on scientific research methodology that can give us guidelines on how to do research?" (Milhas, 1973: p.153). Another widely circulated book was translated from French but not to be found in France (Vranier, 1994: p.127). The two books contain topics that are very similar such as: scientific method, its definition, research plan, writing up of research and its final preparation for discussion.

From this quick presentation of most of the texts available to social science students at Lebanese and Arab universities, it is evident that for decades all teach approximately the same topics and rarely differentiate between methodological terms and methodology, techniques and methods. Despite the fact that these terms are necessary for beginners in the world of social science research, they are insufficient in helping university students to develop scientifically and methodologically. It is therefore up to other university requirements to attend to the methodological gaps prevailing in the various social science departments by introducing means that can combine the theoretical discourse of methodology with practical and applied exercises. Trained and experienced professors can play a key role here in encouraging students to think in an objective and methodological manner. The Lebanese University, as well as Arab universities, is full of competent professors in the area of methodology; however, the results of their efforts remain limited in the absence of other necessary elements. Many professors teach methodology courses, although they were not by profession properly trained in methodology. It is common among these universities that all those who have written doctoral dissertations and hold PhD degrees in the social sciences, are by definition capable of teaching methodology courses. This is why we should not be surprised to discover that most of the university theses and dissertations found in the shelves of the library unfortunately lack the basic methodological elements. In most cases, discussion of the type of methodology applied in the thesis or dissertation is confined to just a few pages in the introduction (no serious attempt is made to differentiate between methodological terms, and methodology, theory and methods), and no further mention of methodology is later seen in the thesis which merely concentrates on narration and shallow analysis, not to mention the structural weakness of the problematic itself.

These dissertations, as well as published research, demonstrate the difficulty that the researcher encounters in the Arab world "in comprehending and applying analytical techniques that were written and developed outside his world or his specific social context such as: the techniques known under the name of "content analysis" widespread in the social, political, psychological and literary sciences" (Nasr, 1997: p.10). There are minor mistakes here and there in drawing a diagram and in calculating ratios and other similar items. In addition there are mistakes in the fundamental stages of content analysis such as: the selection of a sample, its impact on the process of qualification, in setting up analytical sections and in selecting units of analysis or the suitable classification for research purposes. Finally there are problems in conducting qualitative analysis (Nasr, 1997: p.11).

University dissertations suffer in general from weaknesses in their research performance, especially in establishing an adequate balance between the

theoretical and applied parts. They rarely refer to previous studies or are even open to contemporary studies and references, which make their contribution to knowledge weak (Hatit, 1997: p.26). These are some research deficiencies that can be discovered the moment one looks at the available dissertations at Arab universities.

Neither students nor university professors are responsible for the weaknesses in studies carried out at the Master's and Doctoral levels. Responsibility lies in the type of programs developed by universities, which simply endeavor to graduate and certify students in specific qualifications and professions that society needs in order to function. Nothing is seriously done to develop policies that will have the effect needed in terms of the aims of higher education in scientific research. The present situation in the educational system is simply a continuation of the educational stages of the past decades (Badran, 1985: p.271). Incompetence in academic positions is due to the unhealthy social atmosphere (Ammar, 1982: p.40), the dominant phenomenon of political dependency, and the backwardness prevailing in all public domains.

Methodology at the Heart of the Crisis of the Triangle

The problem of methodology is only a small part of more general problems that have to do with higher education and with the crisis of social sciences in the Arab world. This crisis is also a part of a political, social and civilizational problem that Arab societies are encountering.

---The crisis in Arab higher education

In October 2001, at the invitation of the Parliamentary Committee for Higher Education, a symposium on higher education and the economics of knowledge was held in the Lebanese parliament, in cooperation with the UNDP. It gave rise to the publication of a significant document is helpful in the attempt to understand the condition of higher education and its problems in Lebanon (Parliament and the UNDP, 2001).

In 1995 the number of academic institutions (universities, colleges, and institutes) was 17; by 2001 it had risen to 44. These new universities, colleges and institutes included all specializations in their curricula. All of them, with the exception of the

Lebanese University, had been established by foreign missionaries, local religious societies and in the case of the more recent ones, foreign, private universities. Lebanese University counts 60% of the total number of registered students at all universities in Lebanon; those of the five other largest universities (the American University of Beirut, St. Joseph University, Beirut Arab University, Belmond and the Holy Spirit of Kaslik) 25%. The last 15% are distributed among the remaining universities. The smallest of these have a student-body that does not exceed a few hundred, and in some cases even less. The percentage of Arab, non-Lebanese students who registered in Lebanese universities is 12%. 98.3% of the total number of social science students is registered at the Lebanese University – 90.4 % media students, 74% arts students and 70.5% law and political science students (The Parliament and UNDP, 2001). According to international indicators that measure the development in the standards of higher education, Lebanon is considered to be one of the advanced countries given that of every one hundred thousand of its population there are 3900 students (in comparison with Syria for instance, with 1448 students, or Saudi Arabia with 654, or Iran with 896, or Japan with 3109 or Egypt with 3109) (UNESCO Statistical Yearbook, 2000).

Nonetheless, the Lebanese University suffers from many problems in its infrastructure, with scandalous scarcity in its equipment and low budget; this is in addition to the continuous decline in the quality of its education and its inability to attend to the needs of the labor market. It has also become vulnerable to the intervention of politicians in its internal affairs. The number of its graduates increases every year (in the academic year 1999/2000 the number of graduates was 14 700. It rose to 21 000 in 2009) making it very difficult for students to find jobs. The Lebanese unemployment rate increased from 7% in 1977 to 17% in 2000, and among university graduates from 11.9% to 25.4 (and to more than 35% in 2009). What has further exacerbated the situation is the decline in immigration opportunities resulting from the world economic crisis (The Parliament and UNDP, 2001: p.82).

Despite the academic and financial independence of the Lebanese University, Lebanon's legislative and executive councils preserve two rights: to appoint university officials (the president and deans), to open or close a faculty, certain university branches, or departments. They can also decide on and approve the university's budget since it comes from the state. This procedure of direct administration by the government has not only meant intervention in the appointment of university officials, but also the transformation of the university into a field of political competition between political groups. The policy prevented the university council from exercising its authority and forced it to function and

make decisions in accordance with the rules of the quota system. The Lebanese civil car greatly influenced the university's decision to adopt such an approach in administering its internal as well as its external affairs. The university thus lost its independence and this led many of its most prominent figures simply to follow the policies of the political class. The interest of certain individuals became more important than that of the university and its students. The quality of education and the reputation of the university began to deteriorate. In 1977 a survey was conducted to determine the opinions of students regarding the quality of their education and the image of the Lebanese University. Only 39% of the student body considered that the university provided them with a good education (this percentage was as low as 19.30% in the case of certain faculties and departments). Overall, less than 25% of students in nine institutions regard their university or specialization favorably (The Parliament and the UNDP, 2001: p.96).

This problem goes beyond the university's boundaries as the educational system relies on an "education of absorption" rather than "exploration." The person being educated is considered a negative consumer of knowledge. He/she is not considered an active party in the development of knowledge. Education is based on the accumulation of the greatest degree of knowledge one can possibly acquire with the aim of reciting and repeating it. In very rare cases, one can make good use of knowledge acquired in such manner, especially given the fact that students forget almost everything they have learned soon after they have finished reciting it (Mugheizel, 1997: p.378).

As far as scientific research is concerned, the institutional structure of the university is weak. Research centers are limited and poor, as they are not accounted for in the organizational makeup of the university, meaning that permanent research positions are not created. There are no known records that publish, on a quarterly basis for example, information about the research papers of students and professors, or even a data bank that keeps a record of completed research and dissertations. Prevailing practices fly in the face of important university traditions that help in the creation of incentives for the development of research. Also the mechanism for evaluating dissertations and research projects allows for a great deal of either negative or positive discretion. There is no authority that would offer research grants. Finally, the research infrastructure is very weak, speaking of well stocked libraries, computers, laboratories, and information resources. The university does not provide its professors with the facilities needed to participate in conferences abroad. Nonetheless, the number of professors from the Lebanese University who participate in conferences and symposiums are much greater than those who teach from other universities. Most of those who write articles in quarterly journals and who produce books also come from the Lebanese University. But these activities

are based on the personal initiatives and direct contacts with foreign universities, institutes and financing bodies. Such a reality demonstrates the academic weight of these very active professors and does not at all reflect or represent the academic status of the university (Al-Ameen, 1999: pp.67-70).

In the absence of targeted research policies, daily newspapers have become the preferred place where active professors send their "research papers" for publication. In practice, these professors grew to know only the daily language of journalism, endeavoring from this to agitate and attract particular political and social forces, and also to express their political positions without adhering to scientific and objective criteria. Eventually the boundaries between the politician, the researcher and the intellectual diminished (Al-Da'eef, 1997: pp.218-222). The university professor became not only the academic, but also the intellectual, the literary man, the expert, and the political commentator aiming at a good reputation, livelihood and rank. The spread of satellite channels contributed to the development of this phenomenon, as most approached university professors, especially those who have distanced themselves from scientific analysis and academic rigor, and turned to political comment on current issues. Politicians played a role in this as they attracted professors by offering them prominent government and public positions.

With regard to existing diplomas or certificates that are granted (such the postgraduate diploma and the doctorate), they are in general weak for the reasons outlined above and weakness in the preparatory process of the practice of scientific research. There is also an asymmetry between those who do research in the natural sciences, and those who work in the human sciences, regarding research conditions. At the Lebanese Unviersity, those who work in the natural sciences need to publish articles in refereed journals in order to be promoted, whereas those in the human sciences don't. The Lebanese University has not passed any policies regarding scientific research that might contribute to the development of research, and might in turn help in the development of society. There are research agreements between the Lebanese University and foreign and local organizations and associations; however, they need to be developed and consolidated. The university's links with employment and productive sectors based on research are also weak. University publications are limited in number and irregular and not considered as references in their fields of specialization (Al-Da'eef, 1997: pp.71-72).

These are, in short, the problems of the Lebanese University having prevented it from making real advances in the social sciences comparable to those of advanced countries. It is the situation of most universities in Lebanon, despite

variations, and the academic advance taken by universities supported by foreign missionaries.

The crisis of higher education in Lebanon is only a part of a regional crisis in Arab higher education in general. Statistical findings demonstrate how concerned Arab states are with educational and cultural institutions. This can be clearly seen in the number of institutions built (which rose from 102 in 1960 to 1285 in 1996). As for institutions of higher education, the number rose from 19 in 1960 to 175 in 1996. The number of graduates also rose from 219 500 in 1980 to 460 000 in 1995. The university graduates are distributed as follows: 40% completed their studies in applied and natural scientific fields, and 60% in the human sciences. 69% completed an undergraduate degree, 30% completed an MA degree and 1.7% obtained a PhD (Al-Husseini, 2007: pp.55-56). Arab governments are still the main financiers of higher education and scientific research. In 2005, 89% of what was spent on higher education came from governments, in comparison with 3% from the civil sector. Some financial contributions were made by foreign countries for higher education. To place these figures in context, it is estimated that Arab wealth, in relation to worldwide wealth, amounts to 2.2%, including earnings from oil, while the Arab population is 4.3% of the world's total. The spending of Arab countries on education amounts to 2.1% of gross worldwide spending. But looking at scientific research and development projects, one finds that only 0.013% of worldwide expenditures originated in the Arab world (Al-Husseini, 2007: pp.57-58).

According to the standards of international organizations like the UNESCO, although there are a good number of fine universities in all the Arab capitals, including, in particular, those which were established by foreign missionaries in the 19th century which have many prominent professors, higher education in the Arab world is still suffering from problems of "quality" and "suitability or harmony" and "flexibility and variation." In addition, institutions of higher education have distanced themselves from the job market. The UNESCO organized a conference in Havana in 1997 about higher education and published recommendations for the 21st century. Emphasis was placed on the need to move from "the imitation of knowledge to the creation or production of knowledge." Higher education should also take preemptive positions towards the world of labor by analyzing fields of work and their new forms so as to make predictions regarding the needs of the market and accordingly take the necessary preparatory measures. Instead, higher education institutions in Arab countries base their educational programs on those of international institutions of higher education, and some partially copy the educational programs found on the websites of academic institutions or those that are available in the prospectuses of well-known universities. Due to the fact

that the programs copied were foreign in content and context, many difficulties arose especially in finding competent professors to teach students these imported programs and in securing the equipment, laboratories, libraries and explanatory tools and methods of assessment.

Arab governments did not take pass laws to support scientific research, or to increase the budget allocated for it. Instead they reduced spending on research, which had been very low to begin with, and failed to provide the necessary means for universities and professors to participate in the development of national programs. Most of the scientific research done by professors at Arab universities, in the social sciences and the humanities is theoretical in nature. Professors at Arab universities produce less than 1% of the scientific articles published worldwide. The median average of scientific research papers published yearly in political science, education, medicine or sociology, ranges between 0.2 and 0.5 (UNESCO).

In general, teaching prevails in the work of Arab university professors. The decrease in financial support for scientific research reflected negatively on the training of new professors, despite the fact that than 89% of those trained find jobs in Arab countries. The poor relationship between the industrial and labor sectors and research centers continues. Professors in the social sciences tend to concentrate on theoretical issues rather than those linked to the outside world (the labor market for instance) because this is what helps them to secure academic promotion within their universities in the present state of affairs.

The crisis of social science research in the Arab world

Spending on research and development averages between 0.1% and 0.6% of GDP. In some Arab countries, Yemen for example, it stands at 0%. This is far less than the average of international spending on research and development which stands at 1.6% for most countries (Al-Husseini, 2007: p.171). Israel and the United States, by contrast, spend 3% of their domestic product on research and technology.

University researchers in the Arab world receive very little of the very low percentage of spending on research and development. In Egypt, for instance, university researchers comprise more than 71% of the total number of researchers. They receive no more than 0.3% of spending on research and development (Al-Husseini, 2007: p.178). One can thus imagine the qualitative and quantitative shallowness of

research results. In the international report on science published by the UNESCO, (World Science Report, 2004) the reasons behind the Arab countries' inability to compete in the realm of scientific research are explained as follows:

--- Professors always carry an overload in their teaching duties. They thus spend most of their productive time in teaching and in conducting research that has no relation with the forces of production, but one that merely seeks their promotion academically.

--- Many professors simply leave Arab public universities and seek positions at private universities where their earning and future security are much higher.

--- Companies and private organizations attract many competent and highly qualified professors, and provide them with secure administrative positions.

--- Arab governments fail to encourage the participation of faculty members in doing advisory work for projects that financed by the state.

--- Researchers cannot take part in practical training and retraining sessions.

--- Institutions of higher education cannot afford expensive, advanced scientific equipment.

--- Professors and researchers who work at institutions of higher education have low earnings.

--- Institutions of higher education, and other interested bodies fail to allocate budgets for professors and researchers to travel abroad and participate in scientific symposiums and conferences.

In this regard, one finds that Arab countries indulge in feverish cultural activities in conferences, symposiums and festivals, spending most of the limited budgets allocated for cultural activities. In fact due to the overwhelming number of conferences and symposiums that are organized in Arab countries, an independent commission was set for the purpose of coordinating between these conferences so that no overlap of programs or conflict in timing between them would occur. However, these activities are neither organized within the context of a general cultural program, nor are they set up to attend to social needs, or to respond to a particular scientific problematic. They are also not there to search for solutions to specific issues. The question immediately arises as to the benefit behind the organization of such activities, and how serious and sound they may be deemed to be. Furthermore, the titles proposed for such conferences, and the problems raised, are in most cases loose or flowery, and similar to one another. The names

of those who participate in these activities are almost always the same and their speeches are repeated, even when expressed in different words. Those who organize conferences in a particular Arab country deal with their counterparts in other Arab countries according to the method of "support me and I will support you" which has led to the creation of a "lobby" of Arab conferences whose authority and influence can reach anywhere in the world and can accordingly decide on who can and cannot, among researchers, activists and professors, participate in activities regardless of their standards or scientific value (Baker, 1997: pp.251-260).

The structures of scientific research in the Arab world, especially in the field of the human sciences remain dispersed. In this context, and in the absence of real support coming from private and public organizations, the individual becomes the main source of action. The existence and continuity of research practices are based in time and space on temporary and limited structures, and are subject to circumstances and limitations that go beyond the desires of researchers themselves. Arab countries have not yet legally and socially recognized the significance of the researcher, which confirms the marginality of research and its plagiaristic nature and, in consequence, the absence of strategy. This explains, albeit partially, why the Arab researcher continues to be close to society, even integrated in it, practicing his existence more as an intellectual rather than a researcher. This also explains why the structures of research have not developed the way they should, whereby they would be able to liberate research from the ideological and the political, or at the least secure for the researcher the distance needed for him to function properly (Al-Zahi).

It is therefore not a coincidence that the forefront of Arab scientific research is occupied by the intellectuals of the contemporary Arab world. If by definition research assumes the necessity on the part of the researcher to engage in sound and meticulous studies of most sensitive social and political issues and subject them to critical analysis, regardless of their current implications, the intellectual is defined by his or her belonging to society and its transformations, and thus prone be influenced by membership in a political party or other similar engagements. The principle of action and conflict governs the effectiveness of the intellectual the moment he practices his role in society. As far as the researcher is concerned, his relationship with society is not normative as long as he does not try to transform his existence as a researcher to that of the engaged intellectual (Al-Zahi).

This explains why Arab researchers emigrate to the economically and scientifically more advanced countries searching for promising positions. This also explains why those researchers who have excelled abroad but failed to achieve anything

when they went back to their country of origin, find themselves confused and bewildered. They work very hard, but never succeed in completing a successful experiment, or in publishing a new scientific article. They enter a phase of absolute dismay and in consequence decide to retire. Some Arab researchers in the West have tried to scrutinize this phenomenon and have come up with the concept of the "critical mass" which, they believe, is indispensable for scientific research in the Arab world to make a real revolutionary start. For an atomic explosion to take place, it needs a specific amount of radioactive materials. The same goes for scientific research in the Arab world. To be able to make a start, equivalent in standard and significance to international criteria, research needs a minimum number of researchers working in a specific place where suitable conditions of research are made available (Al-Khalidi, 1995: p.17. We can compare the concept of the "critical mass" or the scientific or researcher metropolis, with the phase when a number of talented musicians are gathered to form a musical group. However, the important question that remains is, how can we go about forming a musical group? And which kind of music shall this group play? And for whom shall it perform? Scientific research is not restricted anymore to the gathering of a group of people, who have a specific field of specialization or various but convergent fields of specializations, in a university laboratory for instance, for science to be established. Scientific endeavors have become expensive. Scientists cannot be expected to be like those who live in solitude and dedicate themselves to the world of science and expect no financial reward. It is not possible anymore to innovate according to the models of such people as Pasteur and Thomas Edison. Last but not least, people today are less excited by and supportive of science as they are of music and song.

Interest in scientific research cannot become a current issue for serious consideration if it fails to be looked at as part of a general political, social and national project and one of the methods for its realization. There can be no scientific policy in the absence of a public policy. It is not possible to identify clear aims for the sector of scientific research without the existence of clear and conscious national policy aims. Scientific objectives in the Arab world are neither consistent nor effective, and they are in fact one of the many reasons for the deep crisis facing the process of Arab development in its economic, social, political and cultural dimensions. The reasons that led to the failure in the modernization of productive sectors are, in fact, the same reasons that hindered development of scientific research and are, indeed, organically linked. These reasons should be seen in the context of a prevailing social system that produces a state relying heavily on the accumulation of repressive means, and deepening the resources of political bribery, as well as the mobilization of tribalism (Ghalioun, 1997: p.334).

The crisis of Arab sociology

Social science research began in Lebanon in 1918 at a time when sociology was in its formative stages. Research continued in different fashions until gradually, research in sociology gave rise to a kind of anthropological turn based on Arab heritage discourse to explain social phenomena, and relying on the study of customs, habits and institutions to study the traditions and the socio-cultural aspects of Lebanese life. This approach has more to do with social ethnography more than sociology, emphasizing the understanding of sects, families and dynasties. Social ethnography also tackles issues that have to do with rural and urban phenomena (Shaoul, 1997: p.23).

The Lebanese turmoil of 1958 caused many regional changes impacting the understanding of the state and its security, economic, social and political roles. This led to many internal discussions, publications and sociological studies, and Lebanese social research began gradually to move away from its socio-ethnographic course to the sociological sphere. It also strove to reevaluate its aims both quantitatively and qualitatively (Shaoul, 1997: p.24). During the same period, institutions were established, such as: the Central Statistical Bureau, the Ministry of Planning, the National Council for Scientific Research, the Institute of Social Sciences, the Lebanese Colloquium, the Development Studies Colloquium and The University Cultural Center. These institutions created a lively atmosphere for research, inquiry and scientific thinking. However, a few of these institutions disappeared with time and others remained, but their effectiveness gradually decreased to the point where they too virtually disappeared. This was due to increasing political and military instability from 1973 until the eruption of the Lebanese civil war in 1975. The latter helped to revive discussions on identity, sectarianism and tribalism, the political parties, the existence of Palestinian organizations on Lebanese soil and the conflict with Israel. Research done during this period was in general ideologically oriented; a few studies remained methodologically and scientifically sound. After the end of the civil war, the signing of the Tayef agreement and the beginning of the reconstruction of Lebanon in the early 1990s, the spirit of sociological research returned. However, due to the lack of information and statistical data, and to the competitive challenge mounted by foreign institutions in light of the general weakening of Lebanese research centers and universities, studies for the reconstruction of Lebanon relied heavily on the work of foreign, in particular European, institutions.

During this whole period it used to be said that the Egyptians would write, the Lebanese would publish and the Iraqis would read. Today the circumstances have changed radically. Beirut is no longer the publishing center of the Arabs as it was

a century ago. Egyptians do not produce books of value as they used to in the mid-19th century. Iraqis do not have the time to read due to the difficult daily circumstances they have lived through since the early 1980s from the beginning of the Iraq-Iran War to the international siege, which caused the death of more than a million people, and the American occupation of their country.

Due to all the above, the standards of all the sciences in the Arab world, not only the social sciences, have been in continuous decline. The sciences are not only in a state of stagnation, but are going backward. In most Arab countries (let's take Lebanon, Egypt and Iraq as examples), there is a decline scientific standards. Arab social sciences did not benefit from the advances made by their counterparts in the Western world. This also applies to methodology is concerned, which did not benefit from developments in Western sociological theories, despite the fact that the Arab world closely followed advances made there.

If we take as a model, a book in Arabic entitled The Methodology of the Social Sciences in the Arab World and the West (Ma'tuk,1985), one might glean from the title, the existence of an Arab and a Western methodology in the field of sociology. However, when we do an in depth reading of the book, we will come to the conclusion that, for centuries, Arabs have no longer produced any specific methodology in sociology. In the chapter specifically devoted to Arab methodology, we can only find a brief discussion of Sa'ed Al- Andalousi (who died in 1070) and also an examination of the historical methodology of Ibn Khaldun. Meanwhile in the chapter on western sociological methodology, very few pages were devoted to the examination of great western sociologists and methodologies from the 16th century to the present. In other chapters on the development of scientific thought and the gradual evolution and crystallization of the social sciences, we find no word mentioned about Arabs, despite the efforts made by the author to clarify their great contributions during the golden centuries of Arab – Islamic civilization. In the chapter on current Arab social sciences, there isn't any serious discussion thereof. There is instead an examination of the French, German and American sociological schools, from which we may deduce that Arab schools in the social sciences are virtually non-existent. In other books on Arab sociology, there is much criticism regarding severe poverty of Arab social sciences.

It is not as though the issue had not been raised on numerous occasions at conferences in the Arab world over the decades. The problem has been that during most of these academic encounters, a consensus was reached describing Western sociological theories as distorted and belligerent towards Arab societies. There was always much emphasis on the need to reject Arab sociological dependency on the West and the need to establish an Arab sociology (Conference in Tunis, 1985)

relying on other methodologies, more capable of understanding Arab societies. There are in this respect two sets of Arab sociologists: one group asserts the need to have an Arab sociology specific to indigenous social conditions and historical development, and another which looks at science and sociology as being universal and indivisible. It cannot and should not, in the latter view, have regional and local specificities, other than perhaps very relative ones which in no way justify its separation from a unified sociological methodology. This discussion has existed ever since Western sociology made its way into the Arab world, by Arab students who studied in Western universities. The differences in the academic and sociological background of these students (from French, American and German universities) led them to translate scientific terms into Arabic in an inharmonious fashion, contributing to the ambiguity in translated concepts and terms.

Arab sociologists have tried to use the Durkheiman, Weberian, Marxian, Eastonian, Deutschian and other methodologies to understand the Arab sociological self. Some have had individual successes, while others have failed due to their inability to understand these methodologies themselves. Others have concluded that these methodologies are unsuitable for the analysis of their traditional societies, where metaphysical beliefs and rigid or inflexible ideologies prevail.

The question that needs to be raised here is: what is the meaning of "Arab sociology"? Is it what is studied about Arab society, or what is written in Arabic, or is it what is done by Arab researchers? It is, most probably, that Arab sociology applies methodologies that emerged and were nurtured in Arab societies for the sake of studying them. As such, Arab sociology cannot but be established by the majority of those researchers who were raised in Arab societies. In most cases, in their utilization of sociological terms and concepts, Marx, Durkheim, and Weber wrote about problems that linked to their own societies, each using the language of his society long before their scientific conceptualizations were transferred to different parts of the universe.

In the present state of things, one can differentiate between three sociological trends in the Arab world:

--- An Ibn Khaldunian trend, which believes in the current applicability of the thought of Ibn Khaldun and its ability to examine, interpret and analyze Arab society through the angle of doctrinal and racial tribalism and other related concepts;

--- An Islamic trend, which relies on the Islamic understanding of society, the role of Shari'a law, the teachings of Muslim predecessors and the principles of Islamic

behavior. This trend is in turn divided among various schools corresponding to prevailing legal divisions;

--- A third trend, which believes in the universality of scientific thought and the ability of Western sociology to interpret Arab social phenomena, not excluding the impact and role of Ibn Khaldun sociological and other Arab sociologists' approaches whose roots go back to the Arab and Islamic East.

The fact is however, that the three trends above suffer from the difficulty of emancipating themselves from the ideological and political orientations embedded in their texts and analysis, and from their inability to effect an essential sociological rupture enabling them to be objective and scientifically neutral. "The social sciences in the Arab world were not founded on a specific hypothesis that has a coherent meaning. They are experiencing a foundational crisis, rather than a crisis of growth and development. The crisis of development (which is similar to the crisis in adolescence in psychology) goes through a dynamic formation. The foundational crisis (like the crisis in birth) is much more difficult because it has to do with a failure in attaining the first stage of authenticity. Here lies our theoretical problem" (Ma'tuk, 1985: p.132).

Conclusion

The barriers mentioned above play an important role in obstructing scientific research; this doesn't mean, however, that overcoming these and others will of necessity lead to a radical change in the existing state of affairs. Nor do the lack of investment in scientific research, weaknesses in higher education, the qualification of teachers, and the research infrastructure explain the real reasons behind the crisis. The flow of funds, the organization of workshops to qualify teachers and students (which regularly take place in all Arab universities with the help of Western institutions), the invitation of Western scholars to Arab universities, the building of libraries and the purchasing of modern equipment would not, most probably, be of any real benefit to scientific research. Nor would raising the salaries of teachers and securing scholarships for students be of any real help in promoting scientific research. All of these elements are essential; they are not, however, sufficient to bring an end to the crisis whose roots can be found in prevailing political, social and methodological barriers.

At the political level, and after long centuries of imperial rule, most Arab countries became subject to the French and British mandates before Israel was established.

The formation of the state of Israel initiated a conflict that did not end and has been the cause of the continuous instability in the region. It was only during the mid 20th century that Arab countries began to have their independence. During the post-colonial period, many of these countries became subject either to military regimes or to hereditary monarchies. Most experienced periods of instability due to consecutive military coups, which only ended at the end of the 1970s, leaving behind them police states and repressive regimes.

The decision-making process in Arab countries is in the hands of minorities that are not concerned with human rights. They are mostly concerned with staying in power and passing it on to their sons. To this end, they rely on a combination of foreign protection, authoritarianism and repression. Governing elites do not rely for their decisions on studies and think tanks as is the case in advanced countries. Neither do they believe in the social sciences and their methodologies. Their power rests on the tribal, religious and security forces that show loyalty to them. The "inspired" leader has knowledge in almost everything: agriculture, foreign policy, and education. He also relies on obedient advisors who provide him with opinions and thoughts that please him. In this atmosphere, where the intellectual, the university professor or the researcher would be imprisoned if he put his signature on a petition, or if he published an article or a book (in most cases in foreign journals or newspapers) that did not meet the approval of the authorities, it cannot be possible for the social sciences to make any advances. The social sciences in the Arab world have lagged behind in the methods that are essential for the production of scientific knowledge for centuries--- perhaps ever since Ibn Khaldun wrote his Muqaddima, which remained the main source of reference which most Arab researchers cited in their social studies.

Arab regimes are themselves responsible for the prevailing backwardness in the social sciences. These regimes have used the conflict with Israel as a pretext to repress those who politically oppose them, and those who want to express their opinions freely about various social and political issues. They have also failed to administer their conflict with Israel and build a modern state. Foreign countries are also responsible for imposing policies which some classify as post-colonial, or neo-colonial, aimed at exploiting the natural resources of the Third World and supporting the repressive regimes that secure their interests. When it comes to issues in human rights, democracy, and other matters, these foreign powers clearly exhibit double standards.

The researcher is a social being and it would virtually be impossible for him not to be influenced by the surrounding social environment in which he lives, studies and conducts research. It becomes difficult for the Arab researcher to make the

necessary sociological rupture while conducting research, due to the conditions of his daily life. Neither the social atmosphere where family and tribal structures prevail, nor the religious atmosphere where the beliefs of clergymen prevail, nor the university atmosphere where the conservative mentality based on heritage and old values prevails, encourage the researcher to make that essential break. The problematic of research, as well as its methodology, are influenced by such an atmosphere. There are sensitive issues which are social minefields. Those who want to cross certain borders have to have a degree of courage, for they will become subject to social ostracism and even to imprisonment. There are many cases where Arab researchers, directors and literary men were cut off by society, or were forced to emigrate, went to prison, or showed total repentance. The social sciences remain subjects that are taught at universities as requirements. They were never transformed into a tool for critical social inquiry enabling the researcher to uncover problems and propose solutions for making advances in the structure of Arab societies.

There is also a total negligence of specializations capable of attending to social problems in the Arab world, such as: political economy, social psychology, or anthropology for instance. Arab societies are in dire need of comprehensive studies on family and tribal structures. The problem lies in the unavailability of scholars willing to research such topics. What they do is confined to what is socially accepted and politically permissible. As for the sociology of religion, it only attracts a small number of graduate students due to the sensitivity of issues studied in this field. As a result, many aspects of Arab social life remain outside the realm of serious research. The unavailability of specialized Arab scientific journals is also a continuing problem. Even when some of these journals are published at Arab universities or research institutes, permitted research topics are those which are sensitive to society's social, religious and political expectations. In many cases we find other related problems that have to do with translations from English or French. There is a serious issue of finding or developing a unified vocabulary representing Western counterparts. Authors utilize whatever terms appeal to them. This creates a degree of confusion and ambiguity among readers.

The social sciences, structurally weak, have remained within the confines of academic institutions. No effective relationship was developed between the social sciences and state institutions, or even the private sector. Nor have the social sciences in the Arab world been able to influence state institutions with their scientific production. In fact the gap between the social sciences and the state institutions in the Arab world has widened. In the absence of freedom, and due to the prevailing policy of censorship, Arab researchers haven't experienced the liberty needed to choose their research topics according to academic rather than

political standards. Many important and sensitive topics, such as the governing elites, Arab bureaucracy, corruption, the transfer of power, status of women, and different aspects on religion, have remained outside the realm of serious research and study.

Another barrier relates to backwardness. This is reflected in institutional degradation, administrative incompetence, the decline in economic, scientific and cultural standards, the total absence of planning and the nonexistence of a vision of development, as well as the general feeling of unfulfillment among the people. The degree of illiteracy in the Arab world is relatively high. There are about seventy million illiterate people in the Arab world out of a total population of 300 million, one-third of whom are women and children (UNICEF report, 2004). Arab citizens belong to those nations who read the least (Human Development Report, UN, 2005).

In an article published in Al-Nahar Lebanese newspaper, the publisher, Riad El-Rayyes, critically discusses the publishing situation in Arab countries. He maintains that the reason for the crisis in publishing lies in "the systems of political and social liberties in Arab countries and the absence of any interest in the various branches of cultural affairs and of knowledge. There are two main difficulties and barriers facing Arab publications: 1-the slenderness in Arab book markets due to the impediments imposed by political systems which consider books as drugs and publishers as smugglers; 2- the weak financial and economic capabilities of most publishers due mainly to the policy of censorship which hinders development investment in the industry" (Al-Rayyes, 2007). After a detailed explanation of the publishing crisis in Arab countries, he ends his article with the following statement: "Would you dare now ask about the illness of the book? Its well-being is a wonder!"

Methodology in the social sciences, and in other sciences, is a victim of this Arab reality and it will be virtually impossible to bring about any change in such a reality in the near future by a mere political decision, even if one imagines the presence of such a desire among decision makers, which is unlikely since it does not suit their interests.

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CHAPTER ELEVEN

CONCLUSION REVISITING THE *THESES ON FEUERBACH*

By Roger Heacock and Édouard Conte

All social scientists are de facto materialists, in that they doggedly pursue those graven traces in the sands of social space which are the only ones that can lead credence to their claims. This is true regardless of their individual approach (one might say, preference) whether qualitative or quantitative, whether deductive or inductive. They may or may not concede this point, because materialism seems to contradict their lofty and learned third-millennial ideals, the fruits of many years of training in the best institutions in the quest for the skills required to dispense impeccable epistemological and ontological principles. It is nonetheless this axiom that lies at the root of the following brief considerations, by way of a reflection on the shifting perspectives of the age, exciting for Western social sciences,

vital from a Palestinian, Arab and Middle Eastern perspective, struggling to find a tonality in keeping with the needs of the time.

Karl Marx jotted down his eleven "Theses on Feuerbach" in 1846, it would seem, as he was exploring and expanding his own methodological boundaries, early on. He never published them (Engels did this, after his death), as though they had been intended as reminders for himself as it were, clipped onto the writer's mirror as possible tracks. In them, he depicts the two rival schools of idealism and realism, jostling for hegemony at the time among Hegel's multiple descendants. He examined the attractions as well as the dangers of each approach and interestingly, his epistemological preference seems to have inclined towards the idealists even though he readily recognizes the materialist ontology which has he has espoused.

These *Theses* can well serve as the framework for the conclusion to this collective effort, because as will be seen, all of the coauthors adhere to their prescriptive parameters in most respects, probably without giving them or perhaps even their author much of a thought in the process.

This is not surprising because the political and ideational worlds today in many ways resemble those of the mid-nineteenth century. We stand, as then, one generation removed from the fall, following the long rise, of a revolutionary phase in which people had overthrown their physical and discursive rulers and the existing order on which these rested, then embarking on a course that changed the world before in turn being subjugated by that world in the form of external and internal tensions and contradictions, in the course of a long struggle.

In both the French and Russian cases, the momentum of the processes and ideas generated provided the temptation to use them in the subjection of their own and other peoples, accompanied by the reversal or at best, institutionalization of the liberating ideas, which combined with the counter (-revolutionary) pressures of an international coalition, brought the long experiments to an end.

In both our cases too, the post-revolutionary period was at first (in 1815 and 1990) characterized by victors' certainties propounded by the old-new elites, who envisaged an international system based on a Holy Alliance of order or the hegemonically sealed End of History. The future as grasped by their present was intended gradually to bestow needed improvements on an increasingly peaceful community of nations (an Ottoman, a Habsburg construction bequeathed to the modern world). This community, never a purely European one, never a truly global one (and one dragging subjected peoples, colonies and Empire in its wake), was destined to navigate easily between rather restricted and strictly symmetrical

paths defined on the one side by conservatism and on the other, by liberalism. This parallelism holds true despite the absence of an overweening clerical legitimism in the contemporary case, and of an overweening free marketeering in the previous one: those two kindred enemies are in some ways interchangeable.

In both cases the end of this post-revolutionary generation, after a short, frustrating period of time, announced new and not yet apparent changes yet to come. These are most certainly apprehended (although vaguely) by Marx in 1846, when he could not possibly "know" what two years later would mark the opening of a gaping chasm between socialism and liberal nationalism, with their respective attendant epistemologies, methodologies and methods. In the same way, it is possible in the present-day '1846' to sense and sometimes apprehend, but never to know, impending far-reaching change, for example with the emergence of a new Tricontinental, the rise of new economic powers and models, the appeal of rejuvenated religiously-based ideologies, in the midst of collapsing market-driven certainties.

In this new post-restoration, social science methodology seeks to adjust its moorings in view of a likely explosive new era, and the renewed *Theses* can be suggested as providing a framework.

First thesis on Feuerbach: From the outset, Marx criticizes "hitherto existing materialism," for its merely contemplative rather than active quality. It is a type of idealist materialism, as it were. Instead, the theologians (as exemplified by Feuerbach) have managed the breakthrough of becoming materialist idealists, because of their emphasis on "the active side." Nonetheless, their reasoning is still of an abstract nature. This is social science before the Communist Manifesto, and before Auguste Comte. What is required, Marx explains, is a type of "practical-critical activity." Bourdieu says as much when he explains his vision of the theory of practice. In other words, the first thesis is calling for methodological practice, not contemplation. Conte and Heacock say nothing different, nor does 'Ezzi, in his critique of pedagogical principles in use in the Lebanese higher education system. We find a similar dynamic in Gingrich's back and forth between reflections and the field. The researcher is a part of the research object, but also, in the light of the first thesis, of the research process.

Second thesis: truth is found in practice, not in theory. Truth, Marx explains, is a construct. Hence the need to deconstruct. It is the sum of its parts, a dynamic combination of each one of its ingredients. It is not found in the raw message but in the decomposition of discourse, as illustrated here by Nashif in the symbolic fields, and by Picard, with her focus not on an abstraction such as the state, but on the concrete interactions which constitute it. Khalili demonstrates the

intimate relationship between the theoretical analysis and the practical exercise of power.

Third thesis: Change is integral to the social reality, which cannot be examined as a still life. Here Marx redoubles his critique of "hitherto existing" materialism. The materialists, in their emphasis on "upbringing," that is to say on social condition(ing), think that one class of people, the philosophers (what for the last hundred years we have called the intellectuals) are to be placed above society, in order to understand it. Instead, we need to "educate the educators." In fact, they are part of the society, not detached from it, as demonstrated by the Subaltern Studies collective, and as found throughout this volume, from the chapter by Conte and Heacock through the dynamic view of law adopted by Botiveau.

Fourth thesis: Here, Marx notes that secularism is poorly understood by those who would elucidate it (most directly, Feuerbach himself), and seen as an independent realm. Instead, secularism is part of the total social reality, "which must be understood in its contradictions and revolutionized in its practice." The notion of the secular must therefore also be revolutionized. He adds that the earthly family, as the basis for the holy family, needs to be understood (and he thinks, destroyed) in theory and in practice. While this is far from the direct argument here, we think again of Nashif's chapter. Social research is first and foremost an act of de(con)struction.

Fifth thesis: the role of social thought is to uncover humanity's "sensuousness" (Sinnlichkeit), that is to say, the multi-faceted, multidimensional quality of human lives. In other words the devil's in the details (not to speak of God), and in exhorting researchers to examine the underside as well as the polished surface of their research, Khalili is asking that we consider human society in its sensuousness through our own sensuousness, as a means in itself rather than a means to an end. Botiveau, Picard and 'Ezzi all adopt this approach in their research practice, as shown herein.

Sixth thesis: Marx insists on dealing with the object of research as a part of a greater whole, and not as though it itself represented the whole. Human society, he states, "is the ensemble of social relations." And so does Gingrich treat the societies he has lived, interacted with and studied, subject as they are to a combination of local, regional and global influences.

Seventh thesis: at the same time, each "individual is a form of society." The human subject is a part of a broader external whole, and at the same time it incorporates that whole. This statement forms the intellectual basis for the epistemology of all of the contemporary social sciences, whereby the rule is (proven by) the exception,

and the exception by definition constitutes the rule. This is what justifies social research in general, and it is found in the heart of our studies of cases taken from Egypt, Palestine, Lebanon, and elsewhere. It is true of close studies ('Ezzi, Gingrich, Botiveau) but also for considerations of a trans-disciplinary, trans-regional, trans-linguistic nature (Khalili, Conte and Heacock, Nashif) and those which combine the two approaches (Picard).

Eighth thesis: theory is therefore precisely that: the study of "the ensemble of social relations." Marx exhorts us to totalize nonetheless, and at this stage, we can only go along with that call, even though in this volume we are more attentive to obstacles, dead-ends and traps of totalizing. Still, without such an idea at the back of one's head, one should never undertake the perilous, mind-breaking and ungrateful task of social research. The time for totalizing is, following the argument at the beginning of this Conclusion, most probably at hand once again, if one is to carry forward the diachronic analysis.

Ninth thesis: the old materialist standpoint, Marx explains, bases itself on the stagnant and incomplete notion of "civil society." To an extent, one might add, this has become a characteristic of modern and post-modern materialists steeped in the reasoning of the late Frankfurt Schoolers, such as Habermas, but also that of (Benedict) Anderson and Gellner. Here, civil society designates the various elites and among them, individual leaders. Our particular and joint approach is very much in line with the critical imperative: all research is critical research. Every one of the chapters shows how hard the authors have striven to mirror it in their work.

Tenth thesis: Marx calls for discarding the civil society approach and replacing it with one focusing on "human society" and thus on "social humanity." This too is a difficult call to answer, but it lies at the basis of our work in common, from the preparation to the teaching and to the writing stage. It is a call that we have partially tried to answer here, and which points towards the need to retool and restate the research agenda permanently. Human society, and thus social humanity, is the ultimate goal of a critical and activist project.

Eleventh thesis: this is Marx's call to research, which is echoed in myriad ways by our separate and conjoined efforts here exposed. Philosophers, he points out in his famous (for some, infamous) conclusion, have thus far spent their efforts in interpreting the world, the time now having come to change it. We and our readers need to take this call to heart in the research they continue and that which they undertake. But we should not take ourselves nor our work too seriously, for fear of becoming examples of Sartre's bourgeois "salauds," who speak and write in one direction, and for the longest time live in another. Change is the goal, this

book shows, but it should be change which takes previous authors into account fully, and change in which those who bear it advance with a smile on their faces.

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