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Continuities and Ruptures

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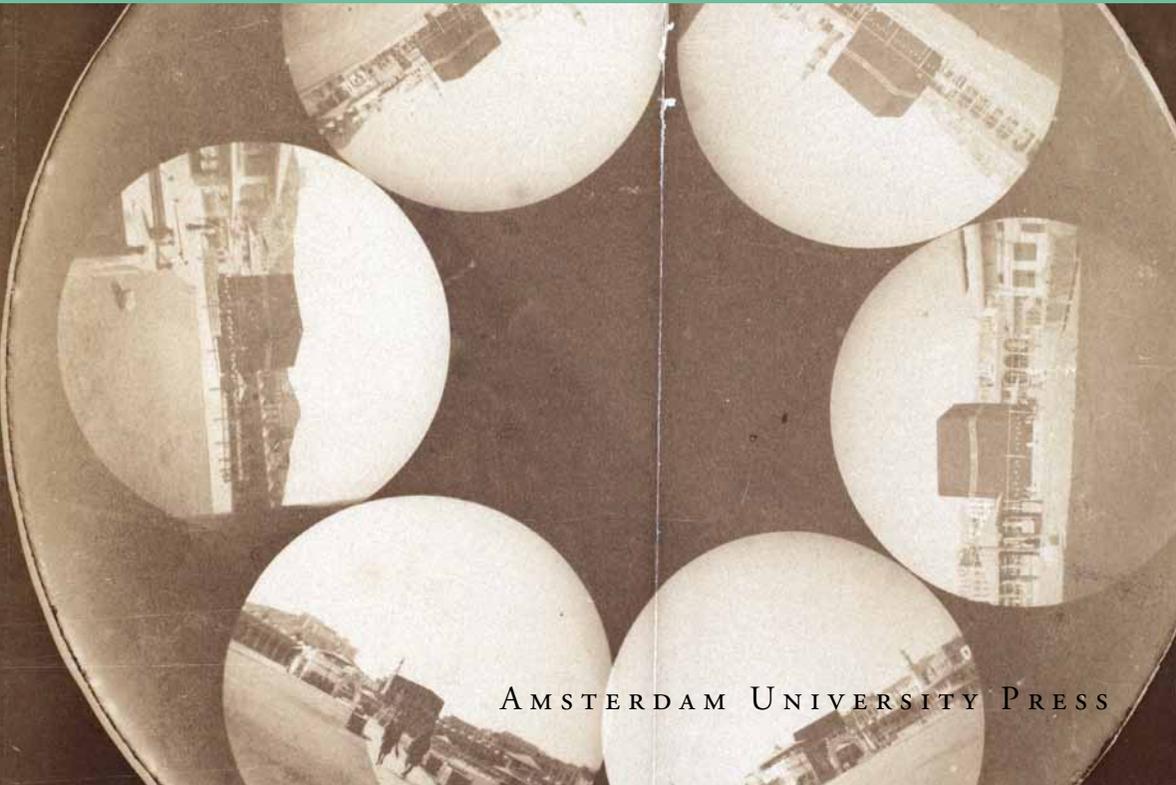
Colonial and Post-Colonial Governance of Islam

Continuities and Ruptures

edited by Marcel Maussen, Veit Bader and Annelies Moors

The cover image of the Kaaba in Mecca was taken in c. 1884 by Dutch Arabist and Islam expert Christiaan Snouck Hurgronje. The picture was taken surreptitiously by a camera hidden in the button-hole of his coat, using a 'revolver method' whereby six images were taken successively (*NRC Handelsblad* 28 April 2011). Such a view of one of Islam's most significant spots – coming from one of the most important advisors on Dutch colonial policy towards Islam in the East Indies – nicely adds to the perspectives on Islam in colonial and post-colonial periods covered in this book.

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Chapter 1
Introduction

Marcel Maussen and Veit Bader

1.1 The particular position of Muslims and the special status of Islam

There is a renewed interest for the ways in which imperial encounters have shaped the development of Islam and for the various legacies of colonial rule. This volume explores configurations of opportunities and constraints for Muslim life in colonial societies and in post-colonial contexts in Africa, Asia, the Middle East and Europe. Western European societies are post-colonial because they have accommodated large numbers of immigrants from countries they once colonised and because imperialism is a part of their cultural and political history.[1]

Over the past decades, a growing interest has developed for all kinds of aspects of regulation or governance of Islam. If we focus on the discussion about colonial and post-colonial situations, we can demarcate three scholarly fields. A first field of study is the history of colonialism. There is a growing interest within colonial history for the cultural dimensions of imperialism and for the law and legal systems of domination.[2] Several studies focus particularly on the ways imperial rule structured cultural, religious and family life in Muslim societies. One line of interest involves the configurations that emerged when positions of religious authority as well as religious education and training were being shaped in political contexts set by imperial goals and local power configurations (McDougall 2010; Jeppie this volume). Other studies focus on the role of colonialism in the emergence and development of modernisation movements in Islam and Islamic reformism in the late nineteenth century. By way of illustration of recent studies on French colonial governance of Islam, we mention the volume edited by Luizard (2006), which explores aspects of French colonial policies in the Muslim world and the monograph on French Muslim policy by Le Pautremat (2003).[3]

A second field concerns research on the legacies of colonial forms of governance in post-colonial societies, especially in Africa and Asia. Such legacies take on a wide variety of forms. They include how particular colonial legacies shaped the relationships between customary law, state law and Islamic law. They touch upon matters of content and competing legal claims, for example in the case of property rights. In colonial contexts,

mixed forms of government and legal arrangements often emerged, partly aiming to create separate (and unequal) legal orders for Europeans and natives, partly because of the parallel application by Western rulers of military and civil law, and partly resulting from attempts not to simply substitute indigenous law and culture with Western, secular models. In the formerly colonised world, the continued relevance of imperial rule for present-day arrangements is evident, for instance, in Malaysia. In a broader process of questioning these models, these mixed legal forms and 'regimes of toleration' witness a renewed interest (Walzer 1997; Barkey 2008). There is also a renewed interest in regimes of government of ethnic and religious pluralism that have emerged in highly diverse post-colonial societies, such as India and Indonesia. Political theorists working on topics of secularism, diversity and pluralism explore what there is to learn from these countries for states that aim to live up to goals of even-handedness and relational neutrality (Bowen 2003; Bhargava 2009a, 2009b; Bader 2009, 2010). In particular, political theorists defending a contextual approach and interested in institutional proposals increasingly share interests with legal scholars who analyse regimes of legal pluralism and parallel judicial and legal regimes (Grillo, Ballard, Ferrari, Hoekema, Maussen & Shah 2009).

Thirdly, there is a growing body of research on the ways Western European countries seek to create opportunities for the development of Islam (for an overview, see Maussen 2007). Recent studies have sought to analyse diverging patterns of institutionalisation and state accommodation of Muslim demands for recognition in view of existing state-church regimes and models of national integration. Increasingly, the exceptional position of Islam in comparison with other religions and of Muslim populations in comparison with other immigrant groups has been thematised, both in public and political debate and in academic research. Some seek to explain this exceptional position in terms of the essence of Islam and its alleged incompatibility with modern, European values (Bawer 2006). Others argue that restrictive policies that target Muslims specifically – such as bans on headscarves in public schools or curbs on the building of mosques or minarets – need to be understood in light of contemporary populist politics of fear and the growing resentment against migrants and multiculturalism, and more specifically worldwide contestation over Islam and Islamic radicalism. Yet another – and for our purposes, more important – explanation seeks to understand the special status of Islam in contemporary Europe historically. More than the general way in which the construction of European identity as Christian developed in opposition to Islam 'since the Crusades', we are interested in the construction of Islam's alterity as a contrast to Western Modernity in the context of modern, European imperialism. Following Said's observation that the Orientalist approach to Islam perceived it as an unchanging,

transcendent, textual, monolithic, immutable and ultimately ahistorical faith, the idea is that colonialism and its underlying ideas continue to shape responses to Islam in Europe (Asad 2003; Van der Veer 2002; Mahmood 2005; Lorcerie 2006; Sellam 2006; Malik 2009). Especially for those European countries with long-lasting experiences in governing over Muslim populations – Great Britain, France, the Netherlands, Portugal – exploring both continuities and discontinuities in their strategies vis-à-vis Islam is interesting. That is all the more so because the 'new Islamic presence' that results primarily from immigration is very often a direct consequence of the aftermaths of colonialism – 'we are here because you have been there' – even though it varies per country whether and to what extent this is the case.

In view of these recent studies, we found it worthwhile to organise a workshop that would bring together scholars working in various fields through merely suggesting that there is a shared interest in what we labelled the 'colonial and post-colonial governance of Islam'. Still, it remained to be seen whether – and, if so, how – some kind of theoretical common ground could be demarcated to bridge the different research areas and disciplines. The geographical and historical range of societies, processes and topics is huge. Given the span of the field, one may wonder whether the contributions credibly reflect the interdisciplinary approach that is required. By introducing a conceptual framing in terms of 'colonial governance' to extremely dissimilar circumstances, contexts and phenomena, we risk suggesting from the outset that there must be (self-evident) substantial similarities across time and space. Nevertheless, there were many different types of colonial regimes (protectorates, settler colonies, mandates), as well as numerous forms of colonial domination. Colonial policies were based on a variety of competing and often contradictory ideas and doctrines that were deeply contested from all sides; in processes of implementation and execution, they would constantly be altered in reaction to local circumstances. In addition, only a part of the forms of regulation and patterns of behaviour that would develop in colonial societies can be plausibly explained in light of intentional strategies of colonial governance. As Clancy-Smith suggests in her contribution to this volume, we should perhaps refer to the unstable succession of inventions, adjustments, contradictions and manoeuvres as 'colonialism continually in the making'. In a similar way, McDougall (2010: 556) has suggested that the study of the colonial state and the nature of its relationships to the people it sought to dominate requires scrutinising 'how this process really developed in the fine details of local power struggles within colonial society', rather than focusing on the overarching story of colonial policymaking and the growth of nationalism. In the next two sections, we elaborate on how speaking of the 'colonial and post-colonial governance of Islam' can serve as an analytical framework that allows us to begin asking relevant

comparative and explanatory questions across the collection of events, processes and contexts (social, political and historical) that figure in the various contributions to this volume.

1.2   Colonialism/post-colonialism

The term 'post-colonialism' has become ever more heterogeneous and diffuse, especially in relation to the growth of the field of 'post-colonial studies' that links history, anthropology, literary criticism, cultural studies and critical perspectives on race, ethnicity, secularism and gender. In addition, the reference to post-colonialism is often seen as implying a particular theoretical standpoint, namely a post-structuralist-inspired analysis of power relations that seeks to deconstruct the ways imperial notions continue to inform discourses and interactions in the contemporary world (Loomba 1998). In view of these significances of the concept 'post-colonialism', we stress that we use it in quite a restricted sense. We speak of post-colonialism in relation to particular societies and states, namely, those that have been subject to colonial rule or have exercised colonial rule, and in relation to the historical period since independence. The main reason to speak of 'post'-colonialism is to underline the expectation that the discourses and practices of colonialism will have left important legacies for the societal and political configurations that emerged after the formal end of colonial rule. By using the twin concept of colonial/post-colonial to analyse configurations of governance of Islam in a wide variety of societies and contexts, we aim to introduce an analytical perspective that focuses on historical processes and grasps the distinctive characteristics of colonial models of governance.

Firstly, then, we argue that configurations and patterns of governance should be analysed historically, as processes that unfold over time, ones that may generate path-dependent and path-breaking patterns and ones in which what happens earlier shapes what comes later. In the case of colonised countries, using the colonial/post-colonial grid to give a temporal ordering to history emphasises the distinction between a period of Western rule and the shift towards independence. It highlights how the transition to modernity in these societies was profoundly shaped by imperialism, which thereby constituted a tremendous legacy for all aspects of governance, society and the state after independence. Importantly, emphasising a shift from colonial regimes to a post-colonial context also suggests a different view on the history of the governance of Islam in Western Europe. In the literature, one usually finds attempts to understand state responses to the institutionalisation of Islam in view of the histories of European nations, for example, by comparing reactions to Islam with the history of religious pluralism or by comparing the integra-

tion of North African immigrants with responses to intra-European migration in the nineteenth and early and mid-twentieth centuries.[4] By contrast, the colonial/post-colonial prism suggests comparing present-day policies of accommodation of Islam and Muslim populations in Europe to colonial policies pursued overseas by imperial powers such as France, Great Britain, Portugal and the Netherlands (Bowen 2006; Maussen 2009).

Secondly, we argue that the underlying institutional logics of colonialism/modern imperialism can be analysed at a more general level, going beyond the differences between French, British, Portuguese or Dutch colonial regimes. We therefore assume that we find a minimum of similarities in models of governance of Islam in the different territories and periods, which illustrate that they are all examples of colonial governance. Analytically speaking, we can make a further distinction between the underlying ideas and logics of colonial models of governance and the specific conditions and contexts for imperial rule in Muslim societies.

Let us begin with the broader characteristics of colonial models of governance. The geopolitical organisation of modern imperialism conceived of the empire as an entity that encompassed a European heartland and its overseas territories. Different societies, cultures and peoples were joined together into a colonial order that was organised around the principle of superiority of European culture and the right of European colonisers to rule over indigenous people and societies. Among the more constant motives and effects of colonial rule was the will of European countries to gain international geopolitical power and prestige, to extract wealth from colonised territories and produce economic dependency and to civilise and modernise non-European populations. Despite the fact that most imperial powers foresaw that in the more or less remote future colonised societies would gain independence, the forms of colonial rule we discuss are all informed by the will to maintain colonial hegemony.[5]

There are also a number of contextual factors in Muslim societies that have greatly contributed to the emergence of distinctive patterns of colonial governance over Islam. One of the major challenges for imperial powers in ruling over vast territories and huge populations was to anchor their authority in local societies and to find ways of managing indigenous sources of independent power and authority, also in relation to the constant fear of collective unrest (Clancy-Smith 1994). Managing Islam-based authority and prestige was an important challenge in ruling over Muslim societies. Besides the use of violence and force, this also resulted in attempts to forge strategic alliances in politics of divide and rule and in attempts to co-opt leaders with sufficient prestige among the native populations. Often, interlocutors were created to serve as anchor points for authority in domains of religion, law, culture and politics. Simultaneously, most imperial authorities, at least formally and on occasion, promised

to abstain from direct interference in matters of Islam and to respect religious freedom.[6]

Another distinctive contextual factor for colonial governance was the role of transnationalism. On the one hand, colonial rule was inherently transnationally organised because of the ways policies and models of governance would travel between different colonies, sometimes within the confines of the British Empire or the French Empire, but sometimes also as a form of policy-learning between empires.[7] On the other hand, transnationalism was also a distinctive feature of Muslim societies and Islam itself; over the course of the nineteenth century, Islam became more and more transnationally organised. Imperialism itself created opportunities for movement of people and ideas by connecting societies and territories and by reducing physical, linguistic and cultural distances. Simultaneously, institutions in the heartlands of Islam, such as the mosque university of Al-Azhar in Egypt, grew in importance. In specific circumstances, these transnational passages became more intense, for example, because of the yearly pilgrimage to Mecca, travelling Islamic scholars and Sufi orders, dissemination of reformist ideologies and Islam-inspired revolts against Western rule. Managing these forms of transnational traffic was a constant concern, as imperial authorities sought to obstruct the growing influence of pan-Islamism and root out movements defending solidarity between all Muslims.

Another contextual factor that shaped colonial patterns of governance was the dispersed nature of government and policy that was characteristic of these forms of rule. Far from having a unified, stable and effective institutional centre, colonial governance resulted from interactions between four poles that were themselves internally divided. There was a European-based administrative pole comprising ministries, political headquarters and institutions to advise and develop colonial policies.[8] There were the various colonial administrations that were located in the overseas territories. Additionally, there was the pole of communities of immigrant origin who constituted relatively autonomous centres of power that were distinct from the colonial administration. These included European settler communities, such as pieds noirs in French Algeria, the Christian missionaries as well as other ethnic groups, such as Chinese communities in the Dutch East Indies or Indians in Mozambique. These groups often pursued their own interests and had their own thoughts about the ways the colonies should be governed, including alternative ideas about economic policy, the value of indigenous cultural life, religion and secularism (Daughton 2006). Finally, there were all the different sources of power and authority in indigenous society itself. Actual patterns of governance resulted from contentious encounters involving all these poles.

As a final contextual factor that greatly impacted patterns of governance in colonised Muslim societies, we mention nationalism and nationalist

ideologies. Over the course of the nineteenth century, nationalism became related in a complex way to religious identity, Islam, modernity and resistance to colonial rule (McDougall 2006; Barkey 2008).

In sum, by speaking of colonial governance we are assuming that imperial rule consisted of distinctive modes and logics of governance, which, in interaction with series of contextual factors in Muslim societies, resulted in typical colonial forms of governance of Islam. By speaking of post-colonial governance, we are assuming that patterns of governance emerging after the end of imperial systems – both in the West and in 'the Rest' – will be marked in various ways by the experience of colonialism. This historical understanding does not condemn us to deterministic explanations, however, nor does it mean that 'history is destiny'. In addition, as Clancy-Smith observes in this volume, there is a risk that by using the colonial/post-colonial distinction to periodise history, a temporal binary of 'before and after' is constructed and clean breaks and ruptures are suggested, both with respect to the beginnings of colonial rule and its ending. This implies that instead of assuming to find clean breaks and sharp ruptures, we should set out to describe processes of transitions that are characterised by continuities and ruptures.

1.3   Government or governance of Islam?

Over the past two decades, a number of academic fields, including political science and political economy, have witnessed attempts to develop conceptual tools to analyse modes of political steering involving public and private actors without only looking at traditional forms of government and the state. State-centred or government approaches tend to focus on action coordination by 'public hierarchy' and rules, particularly law and law-like regulations.

Around the fashionable concept of 'governance', new approaches have been developed to focus on various modes of governance that can be located on a continuum between public authority and societal self-regulation (Treib, Bähr & Falkner 2005: 6). The usefulness of governance approaches is now well established for the study of multilevel institutional systems, the study of changes triggered by the nation-state's re-embedding in transnational institutional environments (for example, in European Union politics and the regulation of financial markets) and in order to analyse the changing role of the state in the 'network society'. Nevertheless, this perspective has not been widely used in studies of regulation of religious diversity. In another context, we have argued that the governance perspective would be helpful to analyse patterns of accommodation of Islam in Europe (see Bader 2007; Maussen 2007: 4-5). We now argue that it may also be helpful to analyse the ways in which opportunities for Islam

and Muslim life are shaped in colonial and post-colonial contexts.

Compared with the study of broad patterns or configurations of economy, society, culture, politics, nations, states and religions (organised and otherwise), the focus of the governance perspective is narrower. In terms of mechanisms of action coordination – markets, networks, associations, communities, private and public hierarchies (Hollingsworth & Boyer 1997) – governance focuses on regulation, steering or guidance by a variety of means, not only rules. It includes only those mechanisms of action coordination that provide intentional capacities to regulate, including co-regulation and self-regulation. Governance, then, includes a variety of actors and modes of coordination in the perspective of regulation by 'policies' in a very broad sense.

Governance is best understood by discussing it along two axes of regulation, distinguishing between internal and external governance and between democratic (bottom-up) and hierarchical (top-down) governance. Both internal and external governance can be top-down or bottom-up. Internal governance by the respective religious communities themselves includes 'self'-regulation by religious laws and customs (e.g. by sharia) of many aspects of life, from the cradle to the grave. The rules and their interpretation and application can either be more autocratic and hierarchical (e.g. formally organised, autocratic church hierarchies and religious elites) or more democratic and bottom-up (e.g. by religious congregations and democratically elected religious organisations and leaders, by more informal networks and associations of believers or by religious counter-elites like dissenting theologians, leaders of religious political parties and communal business elites). The internal governance of religious communities clearly varies widely between religions (e.g. Catholicism approaching the autocratic pole, radical Protestantism approaching the democratic one and Islam approaching a less organised one). There is also variation in the historical development of specific religions. External governance also includes more voluntary and democratic forms of self-regulation by interfaith networks, associations and ecumenical organisations as well as 'corporate governance' by semi-private and private organisations. Most attention has been given to the external governance of religious diversity by governments or public hierarchies – in other words, what polities (on different levels, from local to supra-state), legislations, administrations, jurisdictions and the different departments of government do to religions, particularly by law or law-like rules.

A governance perspective for studying Islam in colonial and post-colonial settings can prove more advantageous than other traditional sociological and political science perspectives that focus primarily on government. A government perspective primarily looks at regulation by the imperial state, in the form of laws and law-like regulations, official

policies, policy declarations and doctrines that are elaborated and theorised by or for European administrations.[9] It tends to privilege the analysis of political and policy conflict, encounters and resistance at the level of the state. It privileges explanations in colonial governance in terms of shifts of official policy paradigms, such as the shift from 'assimilation to association' in French colonial rule (Betts 1961) or from 'liberal to ethical policy' in Dutch rule over the East Indies. In terms of empirical material, the government approach also implies a closure that we find problematic, as it focuses on legal texts, official government documents and reports dressed up by colonial administrations.

We do not intend to caricaturise what we have labelled as 'government' or 'state-centric' approaches to use them as a straw-man. Rather, we aim to underline the advantages of applying a governance perspective for an adequate conceptual mapping of the complexity of our research object: the regulation of Islam. Its complexity must be reduced for purposes of both empirical research and theory-building (in order to answer explanatory why-questions), though this reduction has to take place stepwise and in a considered way. The governance perspective asks for reasons to exclude certain issues instead of promoting the often quite drastic reductions of complexity and premature empirical and theoretical closures that occur in the government approaches discussed above. These closures include:[10]

- Ignoring or neglecting the internal or self-regulation of Muslim traditions in networks, associations and organisations, which means that government approaches are unable to analyse the complex relationship between internal and external regulations, particularly by the colonial or post-colonial 'state'.
- Focusing exclusively on 'management' or hierarchical top-down regulation or neglecting the difference between bottom-up self-regulation and top-down self-regulation and external regulation.
- Neglecting the multiplicity of actors and of strategies by exclusively focusing on 'the state' (i.e. 'state-centric' approaches).
- Neglecting the internal diversity or heterogeneity of actors (both of Islam as well as the imperial, colonial and post-colonial state).
- Ignoring the variety of means and aims of regulation strategies and tactics, their mixes, changes and, particularly, their internal tensions, conflicts and contradictions.
- Neglecting the crucial differences between ideologies of regulation and models of governance, on the one hand, and actual policies and muddy regimes of governance, on the other, particularly the 'effectiveness' of actual regulation.

In sum, we think that the governance perspective provides better oppor-

tunities for a mapping of the research field. Moreover, it helps develop analytical foci that can guide empirical research and theories.

1.4 Aspects of governance and outline of the book

The contributions in this volume focus – in one way or the other – on the regulation of Islam. To map out configurations of opportunities for Muslim life, we can distinguish between different aspects of the governance of Islam. First, there is the regulation of religious education and religious authority, which involves, among other things, training Muslim scholars (ulama, qadis), the functioning of religious colleges (madrassas), recognition by established powers in positions of religious authority, the role Islamic doctrine and teaching plays in public schools and responses to the travelling of religious individuals or organisations (for example, in the case of Sufi orders). Second, there are institutional arrangements and practices that aim to regulate property and facilities, including Islamic pious endowments (e.g. *habous* and wakf) and other forms of financing of religious institutions, as well as public policies vis-à-vis the construction of mosques or regulations in burial. Third, authorities in colonial and post-colonial contexts contribute to arranging the relations between Islam, law and social life. This includes the recognition and/or codification of Islamic law and the balancing of religiously based legal claims with systems of customary law (*adat*). In colonial and post-colonial contexts, this body of 'indigenous' legal practices exists in relation to European law, including military law and civil codes based in Western legal regimes (Meerschaut 2006). Of particular relevance in this respect is the place attributed to Islamic family and criminal law and to sharia courts (Peters 2005; Bowen 2003). Fourth, there are attempts to create, recognise and possibly institutionalise organisational platforms to speak for Islam and Muslim populations, for example, in the form of Muslim councils that existed in several colonial societies and, more recently, were set up in Western European countries (Laurence 2009). Fifth, there are those public policies that directly or indirectly shape opportunities for religion in a narrower sense, including regulation of the yearly hajj pilgrimage, religiously motivated dress and dietary codes, rituals and religious feasts.

Even such a tentative ordering of what we mean when speaking of the governance of Islam has its limitations. For one, as Moors observes in her contribution in this volume, 'aspects of Islam' do not simply exist as starting points for forms of state regulation. Instead, categories and meanings were 'produced in the course of contestations between colonisers and colonised'. Several contributions in this volume focus on how the very idea of a 'Muslim population' or a 'Muslim community' was produced, how processes of categorisation and self-definition developed

and how taxonomies of peoples developed in tandem with legal statuses and entitlements, for example, via the notorious Code d'Indigénat, indigenous codes in the Portuguese and French colonies. One might, therefore, want to add the techniques of government and the definitions of populations and peoples as another aspect of governance of Islam (see also Foucault 1991). Furthermore, opportunities and constraints for Muslim life often result from strategies and related goals that do not have Muslims or Islam as their primary target, but instead aim to produce modern nations, citizens, national communities and orderly cities or simply to uphold colonial hegemony and resist liberation movements. Even if we focus on public policies, we certainly do not claim that the governance of Islam originates exclusively in religious policies, let alone in specific Islam policies.

The volume grew out of a workshop that sought to bring together scholars from a variety of disciplines working on colonial and post-colonial forms of governance of Islam. Given the diversity of the subjects in the various chapters, we have chosen to group the contributions in a loose way, yet present them in an order that allows the reader to grasp typical patterns of colonial governance in a historical perspective. The first part includes chapters that provide historical perspectives on colonial regimes, whereas the second part includes chapters that emphasise continuities and ruptures in post-colonial situations. The following is a brief overview of the contributions in this book.

Part 1: Historical perspectives on colonial governance of Islam

Bonate's chapter analyses the development of Portuguese colonial government in Mozambique from 1900 to 1974. More deliberate strategies to govern Islam were only developed in the late 1960s, but her contribution shows in what ways colonial legal and constitutional regulations and ideological assumptions impacted the lives of Muslims and the Islamic community of Mozambique. Initially, the Portuguese pursued assimilationist strategies and confronted Islam, aiming to uphold the Catholic faith as a crucial marker of Portuguese national and cultural identity and seeing Islam as a threatening alternative form of 'civilisation'. Gradually, ideas arose around the need to shield the local, syncretistic form of 'black Islam' (*Islão negro*) from foreign influences and about the possibility of nationalising this form of Islam in Mozambique. Ultimately, this resulted in a truly Islamic policy introduced in the late 1960s. The chapter's second part analyses the relationships and struggles between African and Indian Muslims and between Sufism and Salafist groups in colonial and post-colonial Mozambique.

Jeppie's contribution discusses the education and training of a new

cohort of ulama and qadis to work under British sovereignty in the Sudan. One of the major official motivations of the British to become thus involved in Islamic education in the colony was to ensure that these scholars would staff the sharia courts and teach an acceptable Islamic message to the population. Because it was very difficult to control and direct unorganised ulama, it seemed better to invest in the training of scholars and give them recognition and government salaries. British authorities established contacts with the Egyptian reformist thinker and Grand Mufti Muhammad Abduh in view of establishing a respectable and recognised institution of Islamic education in Khartoum. British authorities and ulama entered into negotiations on the functioning of the institute. The British were committed to offering Islamic education and judicial training to secure their dominance over the colony, attempting to bring the less 'Islamic' and more 'local' elements into greater prominence. Yet, they could not roll back the Islamic educational process they had started. The Al-Maahad Al-Ilmi continued to be a highly respected place of learning for a vast part of the ordinary northern Sudanese public, well beyond the departure of its colonial sponsors.

Clancy-Smith problematises the idea of a sharp rupture between pre-colonial and colonial governance through an investigation of the Ottoman Regency of Tunisia in the late nineteenth and early twentieth centuries vis-à-vis practices of governance under the French protectorate. She demonstrates how colonial views of Islam and policies and practices aimed at Muslims were shaped through interactions between four principal colonial actors: protectorate authorities, indigenous Tunisians, Catholic missionaries and the resident Italian communities. The chapter's first part discusses the legal and institutional legacies and social formations that the French protectorate inherited from their Husaynid predecessors and explores the continuities and ruptures that characterised the transition to colonial rule. The second part contains a historical-ethnographic analysis of contentious struggles in the early protectorate: one case developed around attempts of a French company to obtain the property rights over a spring that was designated as Islamic *habous*. Other cases involve church properties, Christian and Islamic processions and attempts to impose building and hygienic codes on Italian schools. The contribution concludes that in order to understand colonial governance over Islam, historians should not only look at the state, but also pay attention to an entire range of actors and ways of doing, which included large numbers of 'non-Muslims' as well.

Leezenberg and Kanie situate British mandate rule over Iraq (1920-1932) within the broader context of preceding Ottoman rule and the early monarchy that followed independence. They draw upon a genealogical approach, aiming to trace the conceptual changes relating to notions like religion, the state and society that were introduced in various reforms

and changes in institutions and practices. They show how British mandate policies were shaped both by British experiences earlier and elsewhere and by Iraq's past as part of a rapidly changing Ottoman Empire. British policies institutionalised and rigidified existing cleavages, notably between rural and urban and between tribal and non-tribal social groups. The role of Islam and the position of ethnic and religious factions (Shiites, Kurds) in Iraq are the contingent outcome of different series of interactions and influences, which included Ottoman rule, British colonial rule, nationalist ideologies, local agency and intense power struggles.

Devji discusses how British rule destroyed royal and aristocratic forms of authority in India and thereby created opportunities for the establishment of religious ones. He explores the way in which the Aligarh Movement, consisting of Urdu-speaking laymen in northern India who set out to modernise Muslims, partook in the wider competition to define the Muslim community and its leadership. Simultaneously, the new leaders sought to recast Islam, to define the Muslim community as a non-political entity (a *qawm*, an Arabic word meaning something like 'tribe' or 'people') and to identify their own position in relation to it. Devji explores how new understandings of politics and governance emerged in this process in which the older recognition of governing social relations in terms of ethics and virtues was challenged by appreciating politics as a space of power relations.

Part 2: Continuities and ruptures in the governance of Islam in post-colonial situations

In her contribution to this volume, Moors traces genealogies of the regulation of contemporary concerns over Islamic dress. Whereas present-day discussions in Western Europe focus on women's dress, particularly the headscarf and face covering, she demonstrates how in attempts to produce modern nations, male items of dress, such as the fez, were the first the object of state regulation. Islamic dress codes were – and are – considered a sign and symbol of undesirable forms of Islam and were used as an instrument of state governance: for example, in Kemalist Turkey to homogenise and civilise the nation and its people and represent the nation as such to the world at large; today in Western Europe to oppose Muslim women's gender oppression. A comparison of gendered forms of governance in different contexts shows that authoritarian leaders of emerging nation-states, such as Turkey and Iran, were the most proactive in imposing dress regulations on their subject citizens. Colonial administrators were not so interested in regulating the appearance of their non-citizen subject populations, even less so in restricting Islamic headscarves and veils. When the public presence of religions was considered a threat to

colonial rule, such as in Algeria, however, non-intervention was not an option. Present-day forms of governing head and face coverings are working in a way that is closer to that of rulers of newly emerging nation-states than to colonial forms of governance. Nonetheless, we find traces of colonial discourses, in particular, the frequent references to Muslim women's gender subjugation and the ways in which this is employed to underline Islam's difference from and inferiority to Western culture.

Daechsel's chapter tells the story of Korangi, a town developed in Pakistan in the 1950s that was intended to be a form of urban rehabilitation and a showpiece of new commitment to 'modernisation'. Korangi had been designed and planned as a specifically 'Muslim' township, which included the creation of Muslim teahouses and the correct provision of mosques in neighbourhood clusters. Nonetheless, these architectural norms were quickly violated by local residents, who moulded the new urban environment with relative freedom; they created shops, tea stalls and small restaurants haphazardly and illegally, not in the carefully de-marcated public spheres. They also used the construction of mosques as a way to provide visibility and control over space to social formations that the township design had often tried to erase. Far from seeing Korangi as an illustrative example of the failure of an urban restructuring project or a weak post-colonial state, Daechsel proposes to understand the project as being illustrative of the agency of the Pakistani State and the residents who managed to turn it into a perfectly average lower middle-class neighbourhood.

Meerschaut and Gutwirth discuss development of the relations between the state and Islam within Malaysia, from pre-colonial times onwards. Whereas in a European context the accommodation of religious or customary law and courts is usually seen as a choice in favour of 'culture' rather than 'rights', the Islamic family law reforms in Malaysia conceive of Islamic law as a regime of rights. The systematisation and institution-alisation of Islamic law was achieved during British colonial rule concur-rently with the introduction of English law, whereas customary law (*adat*) was not institutionalised in that way. In the post-colonial period, a further constitutional recognition of legal pluralism developed, resulting in par-allel secular, Islamic and customary systems of family law. More recently, the reforms of Malaysian Islamic family law in the 1980s and early 1990s demonstrate creative contextual institutional ways to compromise be-tween religion and state and between legal pluralism and equality. Never-theless, the authors are critical of the more recent push for Islamic supremacy within the judicial arena.

Malik's chapter compares colonial and contemporary (liberal-demo-cratic) forms of regulation of Muslim subjectivity. It begins by analysing the legal banning of *Angare*, a collection of short stories published in British India in 1932, because of its blasphemous character and how it

was offensive to Muslims. The incident demonstrates how colonial authorities and selected Muslim leaders could join hands in attempts to censor and control Muslim dissent. These strategies are then compared to contemporary efforts in Britain to include Muslim sensitivity in blasphemy legislation and to select 'liberal' gatekeepers to the Muslim community.

Machaqueiro discusses the case of the Islamic Community of Lisbon, an association of Sunni Muslims set up in 1968 and led by Suleiman Valy Mamede, a Mozambican of Indian origin who migrated to Portugal in 1953. The association aimed simultaneously to cater to the needs of Muslims in Lisbon and to establish the position of Islam as a part of the transcontinental Portuguese Empire. One of Mamede's goals was to build a central mosque in Lisbon. Although the Portuguese had long seen Muslims as a menace to their colonial rule, from the end of the 1960s, they began to perceive Muslim leaders as potential allies of the regime and developed a strategy to align Mozambican Muslim leaders to the Portuguese cause. Valy Mamede and the association he presided over came to be a nuisance to these goals pursued by the colonial regime. Portuguese authorities were reluctant to see all Muslims in the colonies being united under a federation of communities with its headquarters in Lisbon. Local Mozambican Islamic dignitaries also opposed this idea and challenged the self-acclaimed position of Valy Mamede as leader of all Muslims in the Portuguese colonies. Machaqueiro argues that these strategic interactions around the organisation and governance of Islam should be situated in the specific context of the semi-peripheral position of Portugal in the hierarchy of the world system.

Notes

1   See, for example, Blanchard, Bancel and Lemaire (2005), Shepard (2006) and Oostindie (2010).
2   See, for example, Gouda and Clancy-Smith (1998), Lorcin (1995), McDougall (2006) and Saada (2007).
3   Of course, we hasten to add that these are recent contributions to the many studies on French encounters with Islam, notably in Algeria (Ageron 1979), Tunisia (Clancy-Smith 1994) and French West Africa (Cruise O'Brien 1967, Harrison 1988, Conklin 1997 and Robinson 2000). It is evident that we cannot provide a state of the art or overview of historical studies on colonial rule and Islam here.
4   See, for example, Lucassen (2005) and Fetzer and Soper (2005).
5   This does not mean that the overall ambition to maintain imperial rule resulted in similar strategies. As several contributions in this volume will demonstrate, there were important shifts in political and military strategy, for example, in the context of the rise of Islamic reformist movements in the late nineteenth century and in the context of nationalist movements and independence wars.

6   The idea of respecting religious freedom often only existed as a 'symbolical dec-
     laration'. For example, in the early nineteenth century, the Dutch promised to
     respect the principle of religious neutrality in the East Indies, meaning there
     should be no preferential treatment of Christianity over Islam. In a similar way,
     the Convention of Bourmont, which marked the beginning of French rule in
     Algeria in 1830, assured that the French would respect the rights of Muslims in
     Algeria (Maussen 2009).
7   A well-known example is the way in which the French used Algeria as an experi-
     mental arena to develop colonial policies (Lorcin 1995). They would later imple-
     ment aspects of these policy models in other colonies and protectorates. By the
     late nineteenth century, however, Algeria often served as a counter-model for the
     governance of Islam, for example in the protectorate in Tunisia (Clancy-Smith
     this volume) and also in French West Africa (Harrison 1988; Robinson 2000).
     Similar processes of travelling of models of governance occurred in the British
     Empire. The transnational flux of policy models also cuts across empires. Between
     1891 and 1904, 25 French study missions visited the Dutch East Indies and showed
     particular interest in Dutch Islam policies and the ideas of Snouck Hugronje
     (Gouda 1995). In their African colonies, the Portuguese pursued policies vis-à-vis
     'black Islam' that were inspired by the ideas of Paul Marty and French colonial
     officers in West Africa (Bonate this volume).
8   An example is the French Commission Interministerielle des Affaires Musul-
     manes (CIAM), which was created in 1911 and took an interest in policies on Islam
     in the colonies, in French foreign policy in the Muslim world, and in the accom-
     modation of Muslims who were living in France because of the efforts during
     World War I (Le Pautremat 2003).
9   Well-known examples of official colonial policies and doctrines with regard to
     religious and cultural pluralism are British 'indirect rule', Dutch Ethical Policy
     (introduced in the early twentieth century in the Dutch East Indies), French
     Politique Musulmane (see Le Pautremat 2003) and *la politique des races* introduced
     in 1908 by governor-general of French West Africa William Ponty as a way of
     preserving ethnic particularism (Harrison 1988). Writing about French imperi-
     alism, McDougall speaks of the history of colonial policy (for example, through
     studying texts produced by the colonial state and its theoreticians) and of a histo-
     ry of the everyday life of colonialism. He argues 'that the question of the colonial
     management of religion by the secular state was no theoretical debate over repub-
     lican principles and the exigencies of imperial rule. Instead, it was a bitterly
     contested, local social struggle over cultural authority, physical public space, and
     the material resources that went with them' (McDougall 2010: 554).
10   For a similar excellent criticism of predominant approaches in the study of em-
     pires, see Barkey (2008: 4-23).

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