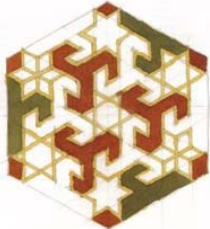




**Max-Planck-Institut für ethnologische Forschung  
Max Planck Institute for Social Anthropology**



*together with*

Danish Institute in Damascus

*and the*



Institute of Anthropology – University of Copenhagen

**OUTLINE**

to the Conference

**Between State, Religion, and Tradition – Re-examining the Concepts of  
Collective and Individual Responsibility in the Islamic World**

**To be held at the Danish Institute in Damascus**

**May 5th - 8th, 2005**

The objective of the conference is to contribute – from the perspective of legal anthropology – to the ongoing discussion of the nature of collective and individual legal responsibility and the notion of collectivity in the Islamic world. We are concerned here with the very wide range of collectivities that take responsibility or allocate it to individuals for organizing economic, social or religious spheres of life in all of the countries of the Islamic world.

Among these collectivities are tribes or tribe-like organizations, families, local forms of organization pertaining to dispute resolution, labor gangs in construction or in agriculture, trader's organizations, organizations for water distribution or for irrigation, professional syndicates, labor organizations, Sufi brotherhoods, village or quarter organizations, saving associations, not to mention NGOs organized in accordance with the Western tradition.

Legal responsibility is understood here in the widest sense, ranging from the allocation of duties and obligations and notions of legal liability to ideals of responsibility in the sense of taking initiative in the legal arena for managing the maintenance of legal order and the generation of rules. Thus, the aim of the conference is to explore which social conditions enable self-organized local collectivities to effectively negotiate a local order and provide an institutional repertoire for producing/generating local juridical practice.

Links between the local and the transnational environment have extended the frame in which legal responsibility is socially constructed and maintained in the Islamic world today. At the same time, new and powerful stereotypes based on theoretical assumptions rooted in dominant neo-liberal discourses have emerged that play a role when addressing the conjunctions between legal concepts of responsibility and long-term local development. The goal of the conference is to contribute to a better understanding of how the notions of collectivity and responsibility operate in this legal arena, based on empirical and historical analysis.

When describing how actors in non-state forms of social organization take responsibility for and organize collective activities in the Middle East and North Africa, much attention has to date been given to the agencies of the different Islamic groups and their involvement in charity work. Some of their activities cover areas where state institutions have reportedly failed, such as in the organization of low cost health facilities, in supporting inhabitants of impoverished neighborhoods, in organizing youth activities etc. Prominent examples of this phenomenon are the activities and social involvement of organizations such as the Hamas in the areas under Palestinian authority, the Islamic groups found in Egypt, the social work organized by some of the Moroccan Salafiyya organizations etc.

Although these are important and often popular organizations and have proved themselves to be efficient when it comes to taking the initiative in community projects and organizing assistance in times of crises, they clearly only constitute a mere fragment of the non-state organizations or collectivities, adopting legal responsibility for organizing community projects, securing the redistribution of work and other scarce resources.

These other organizations often do not attract much attention because their activities are taken for granted to the extent that they are forgotten, because of the difficulty in categorizing them within typical categories of "civil society", or because they exist in the shadow of the assertive rhetoric of organizations representing the new Islamic movements.

It is our intention to approach these collectivities from the point of view of legal anthropology as norm or rule-generating types of collective organization, which may only represent fractions or the totality of social formations. This perspective allows for the possibility of generating more general evaluations of the concept of legal responsibility knowing that most structuring principles pertaining to local legal fields include ideals of collectives as legally responsible units or the delegation of that responsibility into the hands of appropriate implementing agencies. In other words, within the wider frame of social theory on collectivity and institutions, the focus is directed towards the juridical aspects of legal practice in relation to local concepts of responsibility.

However, this raises a wide range of questions concerning the generation of rules, their enforcement and who, if anyone, is responsible for sustaining them. How is responsibility distributed or allocated among the members of collectivities? What are the interconnections between the transfer of responsibility to individuals and local notions of equity and social control? How may power or forms of authority be distributed or allocated within these collectives? Or, to what extent do the activities and forms of organization central to these collectives include, inform and represent the wider public?

In this context it should be considered that conjunctions between the legal creativity of collectives and the tension with other socio-legal actors may limit their flexibility and adaptability. This may be the case when Islamic notions of collective action, morality or solidarity transgress into these fields of local organizations, or when these collectives are influenced by modernization, globalization or the increasing antagonisms between Middle Eastern, Islamic and Western worldviews or moralities.

By approaching the many and varied forms of organized collectives in the Middle East or the wider Islamic world through an empirical and theoretical evaluation of the forms of legal responsibility pertaining to them, we aim to reevaluate the significance of local social organization of collectives and thereby gain new insights, which will have a wide range of theoretical and empirical implications for the understanding of developments in the Islamic world.

The conference is to be held at the **Danish Institute in Damascus from the 5<sup>th</sup> to the 8<sup>th</sup> of May 2005.**

The conference is organized jointly by **the Max Planck Institute for Social Anthropology, Halle (Saale), the Danish Institute in Damascus, and the Institute of Anthropology, University of Copenhagen.**

**Contact:**

Hans Christian Korsholm Nielsen, University of Copenhagen  
Email: [hc.korsholmnielsen@antho.ku.dk](mailto:hc.korsholmnielsen@antho.ku.dk)

Bertram Turner, Max Planck Institute for Social Anthropology  
Email: [turner@eth.mpg.de](mailto:turner@eth.mpg.de)