

## EDITORIAL FOREWORD

This issue centers on two predominant themes: space, boundaries, and belonging from the end of empire to the early nation-state era; and the relationship between political discourse, political praxis, and values. The first section, “Belonging, Boundaries, and Law,” opens with Asher Kaufman’s article, “Belonging and Continuity: Israeli Druze and Lebanon, 1982–2000,” on the spatial perceptions and practices of communities in the Middle East under the nation-state. Kaufman observes that only over the past few decades have scholars of the post–World War I order in the region begun to question “the ‘nation-state’ as the natural geographical and political unit of analysis.” Using Druze citizens of Israel before, during, and after Israel’s occupation of South Lebanon as his case, he readjusts the lens toward substate, suprastate, and trans-state dynamics. Until the establishment of the State of Israel in 1948, Druze communal and religious networks had spanned the whole of *bilād al-shām*, but these were radically interrupted by Israel’s emergence as a bounded polity whose borders with its neighbors were reputedly sealed. This rupture precipitated the emergence of an Israeli Druze community that, isolated from broader Druze communal life and institutional frames, was expected to be loyal to the new state. Eschewing a national frame, Kaufman reveals how Druze, despite these obstacles, actually maintained “crossborder ties through marriage, licit and illicit trade, and religious practices.” Paradoxically, it was Israel’s invasion of Lebanon in 1982 and its eighteen-year occupation of the South that allowed for a resumption of pre-1948 spatial practices, though these were complicated by Israeli Druze’s multiple and sometimes conflicting allegiances. Such practices, restricted again after the Israeli withdrawal of 2000, continued in limited fashion until the start of the Syrian Civil War, which has propelled Israeli Druze to organize politically in support of Druze in Syria. Observing that the Druze continue to live in state and suprastate spatial scales, Kaufman proposes “using the concept ‘hybrid spatial scale’ as a tool for studying communities such as the Druze that operate on multiple territorial scales.”

Whereas Kaufman’s article analyzes multiple connectivities within and beyond the nation-state in order to decenter the state as an organizing framework for analysis, Faiz Ahmed’s article, “In the Name of a Law: Islamic Legal Modernism and the Making of Afghanistan’s 1923 Constitution,” examines an understudied state-building project by Aman Allah (r. 1919–29) in Afghanistan, with a focus on his legal reforms (Nizamnamihha-yi Amaniyyih, or Aman Allah Codes) and particularly the 1923 Constitution. Aman Allah has often been viewed as a progressive modernizer who encouraged women’s and minority rights as well as secularization writ large. “What these readings often elide,” Ahmed suggests, “is the monarch’s resolve that Afghanistan’s constitutional reforms spring from *within* Islamic legal and ethical traditions, or the shari‘a.” Rather than representing an imitation of Europe or Kemalism, and a sharp break from the Islamic jurisprudential tradition, Ahmed contends, “Afghanistan’s Aman Allah Codes should be considered one of the 20th century’s first episodes of Islamic legal modernism

in power, defined as a statist project by Muslim jurists to promulgate a uniform body of national laws via the codification of Islamic jurisprudence (*fiqh*).” This project, it should be noted, incorporated ideas critical to the nation-state form. In this sense, Aman Allah and the “diverse cast of Muslim scholars and professionals” who aided him, though overlooked by scholars of Islamic reform who have predominantly focused on more well-known Salafi thinkers, made a significant attempt “to avert a rift between ‘Islamic’ and ‘secular’ lawmaking.”

Moving backward chronologically to the late Ottoman period but continuing with the theme of law, we turn to Lâle Can’s article, “The Protection Question: Central Asians and Extraterritoriality in the Late Ottoman Empire.” Can examines the Ottoman state’s battle against “legal imperialism,” whereby European powers expanded their extraterritoriality and threatened Ottoman sovereignty through their subjects, who enjoyed capitulatory privileges, and by sponsoring local subjects, whom they afforded privileges. Her focus is on how “the threat of Muslim colonial subjects attaining European consular protections led to the emergence of a ‘Central Asian protection question’: whether Afghans, Bukharans, and Chinese Muslims had legitimate claims to European legal nationality and, by extension, capitulatory privileges.” The Ottoman state responded to this question by asserting that Central Asians, whose lands of origin had recently been informally colonized by European powers, could not be considered protected persons (*mahmis*), for as Muslims they enjoyed the exclusive protection of the caliph (even as they were often denied Ottoman nationality). Can contends that this strategy “undermined the creation of an Ottoman citizenship boundary and opened up a complex field of inter- and intrainperial contestation about who was a foreigner.” Opposite to nostalgic historiographical depictions of imperial citizenship practices such as forum shopping and affiliation switching, Can shows how Central Asian Muslims saw their choices and mobility become increasingly restricted, especially as nationality became more salient to Ottoman administrators and within the international legal and political system.

The second section of the issue includes two articles on “Politics and Values.” In “Sincerity, Hypocrisy, and Conspiracy Theory in the Occupied Palestinian Territory,” Lori Allen theorizes the ethical utility of opacity claims and conspiracy theory in the occupied Palestinian territory. Whereas political theorists such as Hannah Arendt have viewed these phenomena as universal responses to social disorder, Allen contends that the case of the occupied Palestinian territory, where instability, disorder, and capriciousness are not the exception but the norm, demonstrates their embeddedness in local contexts. Examining the semiotic ideology of sincerity, especially as it has manifested in the recent Fatah– Hamas conflict, Allen suggests that opacity claims and persistent conspiracy theories, rather than products of “Middle Eastern culture” (as some have claimed), “are a result of the insecurities and uncertainties of life under military occupation, in which those Palestinians with the most power within the broad framework of Israeli control are most shielded from scrutiny.” They also have important effects in the realms of political praxis and ethics, acting “as a form of nationalist pedagogy, at once reinforcing the basic principles of sincerity of action and word, and encouraging a wariness of political spin.”

In this issue’s final article, “Arguing about Family Law in Jordan: Disconnected Spheres?” Lamis El Muhtaseb, Nathan J. Brown, and Abdul-Wahab Kayyali explore whether “public policy debates between activists from different ideological camps in a nondemocratic and illiberal system bridge social divisions or deepen them.” To address

this question, they extend liberal theorist John Rawls's notion of overlapping consensus, where different camps are able to come to an agreement while maintaining their core principles, to the authoritarian setting of Jordan. Focused on a set of controversies around women's rights and family law, the authors find that the two principal camps—liberals and Islamists—"rarely talk to each other in public, and when they do, their discourses aim primarily at mobilizing support within their own camps rather than addressing each other's concerns." The authors do find limited, though significant, exceptions, however. They point out that compromise was achievable when the deliberation focused on practical rather than theoretical matters, and when "entrepreneurial state actors" in the Qadi al-Qudat department (the highest shari'a authority in Jordan) got involved and worked quietly behind the scenes. In other words, the authors "found a mechanism for critical, rational deliberation among those with very different comprehensive doctrines in a nondemocratic setting." They suggest that this mechanism could be important to the future shape of politics in Jordan.

Debates between the liberal and Islamist camps in Jordan are indicative of broader questions about religion, minorities, and secularism in the region. In an expansive review article titled "Sectarianism, Minorities, and the Secular State in the Middle East," Michael Gasper evaluates seven historical works that, in different ways, analyze the origins and/or practice of sectarianism and minority status. He finds broad agreement on two premises: "first, that sectarian political identity and the political-judicial idea of minority status have recent origins; second, that their genesis and/or practice are connected to problems of governance in the modern state." But he also finds illuminating divergence that seems to hinge on whether one is committed to the liberatory promise of secularism and, relatedly, to locating agency in historical subjects. Taken together, these books provide readers with "invaluable insight into the nature of imperial power and its ability to transform local conditions and ways of life."

The roundtable, titled "View from the Seas: The Middle East and North Africa Unbounded," returns us to where we began the issue, with the theme of boundaries, though here more in a disciplinary rather than a national sense. Our six participants have each contributed to an oceanic turn within Middle East studies, where attention to bodies of water and the connectivities they sustained are undermining the heuristic value of organizing scholarship around not only the nation-state as a bounded territory, but also the "Middle East" as a geopolitical unit. Focused on the Indian Ocean and the Mediterranean, as well as the infrastructure that connects them, the essays invite us to recalibrate our analytical vision to see a host of different geographic scales.

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