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## “Comment”

Hamid AHMADI

(Professor of Political Science, Faculty of Law and Political Science, University of Tehran)

The idea of constitution and constitutionalism has been one of the most cherished political ideas the humanity has been looking to achieve during the last two centuries. In fact, it has had an important place in our world's contemporary history, a history which can be written as an ongoing struggle between the proponents and the opponents of constitutionalism, rule of law and democracy. This struggle has influenced other aspects of socio-political life of most societies around the world. Though many developed societies have been successful in achieving this cherished goal, others have been and in fact are, lagging behind in the long march toward constitutionalism.



commentator: Prof. Hamid AHMADI

It might be this importance which encouraged Toyo Bunko to allocate a session of its annual international symposium of Inter-Asia Research Networks on “Integrated Study of Dynamism in the Supra-Regional Spheres of Islamic and Chinese Region,” to constitutionalism and parliamentarism. Concentrating on the four historically and geopolitically important countries in the Islamic and Asian region, i.e., China, Iran, Turkey, and Egypt, the Session 2 of this year symposium tended to shed lights on their experience of the struggle for democratization and civil society.

Mohsen Khalili, associate professor of political science at Ferdowsi University of Mashhad, presented his analysis and explanation of “Two Dimensions of the Iran’s Constitutionalism: Familiar Notions, Lack of Theory.” Khalili argues that while Iranians did not created the theory of constitutionalism and the modern state, they were historically familiar with notions such as suppression, tyranny, corruption, despotism, and constitutional ideas such as justice. They also knew what the despicable situation of their life was, what would be the alternative desired situation and what the instruments for reaching the de-sired situation were. To support his argument, Khalili present two evidences of the Travelogue of Ibrahim Bey and the Treatises of Mirza Malkom Khan Nazem Al-Dole, the important socio-political works by two Iranian intellectuals of the mid and late 19th century. Through a content analysis of these two works and by showing the frequencies of the familiar notions, the indices of despicable and desired situations in both books, Khalili explains the existence of ideas of constitutionalism before the advent of the Constitutional Revolution of 1906 in Iran.

Sasaki Shin, assistant professor of Faculty of Humanities in Seikei University, in “After the ‘Second Empire’:

New Horizons of Ottoman Constitutional History” tries to deconstruct the Euro centrist and Orientalist approach to the study of constitutionalism and democracy in the Ottoman Turkey, by showing how a native version of constitutionalism has been functioned before the advent of the modern concept in the west, during the period which calls it the early modern period of the Ottoman Empire from the early 16th to the late 19th century. By rejecting the idea of decline thesis attributed to this period, he shows how a system of power balance and anti-absolutism has worked as the result of the interactions between the Sultan (King), Ulamas (clergies), and Janissaries (the military elites). The two examples of the *Deed of the Islamic Law* and the *Deed of Agreement* were two traces of native Ottoman constitutionalism of the early 19th century. The end of the second empire in 1826, when Sultan abolished Janissaries was the hallmark of the collapse of the old system of balancing absolutism. The modern elites of the Ottoman Empire, or the Young Ottomans, who started the campaign for modern idea of constitutionalism were, however, aware of the old system. As the works of Namık Kemal, one of the most famous reformist of the late 19th century Ottoman Turkey, shows, the old tradition of Ottoman constitutionalism helped the modern elites to embark a new round of struggle for fighting the absolute rule of Sultan Abdülhamid II.

Suzuki Emi, research fellow at Toyo Bunko and fellow at Tokyo University of Foreign Studies, follows the Egyptian experience of constitution and parliamentarism in her paper “Notable Politics and Parliament in Modern and Contemporary Egypt.” Beginning by the recent political power transformations in post-Arab spring Egypt, in which general Abd al-Fattah al-Sisi ousted the elected prime minister Mohammad Morsi in July 2013, Suzuki goes back to the early 20th century Egypt during which there was a conflict among political parties and their elites over politics and society. Concentrating on the rivalry between Ismail Sidqi, the leader of the People’s Party and Mustafa Nahhas Pasha, the leader of Wafd Party, she explains how these two political elites were engaged in attracting popular support by resorting to their own political strategy. Thus, while the Wafd Party and its leaders resorted to mass mobilization and populism in political arena, the People Party under the leadership of Ismail Sidqi followed the notable and elite politics in the Egyptian experience of parliamentarism. Considering populism a dangerous phenomenon for post-independence Egypt, Sidqi preferred to ally to Royal court in order to abolish the 1923 constitution. Despite his anti-constitutional moves, Sidqi was not against democracy, but had the belief that only selected elite politics, and not the mass mobilization and populism, was the right path to real constitutionalism for Egypt.

The Chinese experience of constitutionalism is reflected in the paper of Ajioka Toru, professor of University of Sacred Heart. In “Constitutional Government and the Local Administration System of Republican China,” he looks for the idea of constitution in the local or provincial government in the first half of the 20th century China. In his historical analytical approach to the issue, Ajioka concentrates on the period between 1912 when the first constitution of China was drafted and the 1946 constitution resulting from a tough process of political negotiation-bargaining among different Chinese political factions. Since the Republic of China was the product of the unity of different provinces scattered throughout the country, the demand for political local system, including provincial parliament and authority was high from the beginning of the provisional constitution of 1912 to the Communist Revolution of 1949. Decentralization and local governance as a manifestation of the constitutional political system was, thus, at the heart of the Chinese political struggle for democracy and development in the time of the provincial autonomy movement of the post WWI, the Tutelage period of late 1920s and the early 1930s, and the Sino-Japanese war of the late 1930s. Although the Chinese were successful in agreeing on considering provincial authority in 1946 draft of the constitution, the idea was neglected in post-revolutionary era.

Despite the fact that there has been no proposed intention to suggest a unified idea or hypothesis for all

these four papers and that the authors have not been aware of their session's co-members ideas, surprisingly all papers reflect unintentionally common outlooks in their explanations and analysis regarding the legacy of constitutionalism and parliamentarism in Iran, Ottoman Turkey, Egypt, and China. The basic and the core common idea of all four papers, if not clearly emphasised, is that though concepts such as decentralization, constitutionalism, rule of law, democracy, parliamentarism, and human rights, are modern academic concepts driven from the Western social science and the recent historical experience of the West, the non-Western world has not been devoid of such notions.

Quite to the contrary, a historical sociology, thus not a modernization theory oriented, approach to the issue reveals that such societies have their own legacy of struggle for containing authoritarianism and absolutism manifested in the native constitutional and parliamentary movements. We can also deduce, through reading the papers, that instead of diving into the abstract theoretical concepts and models elaborated mainly in Western social science, an in-depth reading of the historical experience of non-Western societies can led us to understand that they have not been unfamiliar with such notions. Beside this common core similarity, some papers such as those on the Ottoman and Egyptian present the idea that the military can play an influential role in containing political absolutism and populism. The findings of these papers may indicate that there might be more cases of historical examples of non-Western constitutionalism deserved to be studied in the future.

### Session 3

#### Local and Global Problems around Islamic and Chinese Regional Spheres

##### Coordinator's Report

HAMASHITA Takeshi

(Research Department Head, Toyo Bunko)

Session three had three papers. They were read by Professor Ma Qiang, Professor Koh Ken We and Professor Xiang Biao. Arguing about Sino-Islam relations in different perspectives with different geo-cultural background, these three papers showed very clear contrast each other so that we could discuss Sino-Islam relations very widely under different perspectives.

Professor Ma Qiang discussed as follows: "Since Yining can be looked as the most diversified city ethnically in northwest China, ..... To my surprise, I find in my 3 times of fieldwork that Hui generally are bilingual and can acculturate with their neighbor ethnic groups easily than their counterpart ethnic Muslim minorities, particularly Uyghur. .... I find in Yining, Hui actually plays a role of middleman socially, economically, culturally, and even to some extent politically which merely neglected or diminished in the contemporary political context.

..... Considering the peripheral Hui phenomenon, namely Tibetan Hui, Mongolian Hui, Bai Hui, Dai Hui, Yi Hui, all of whom inherited with 2 or 3 cultures, we can conclude that Hui is a middleman in bridging different



organizer: Prof. HAMASHITA Takeshi