

## **BOOK REVIEW**

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# **The Long Divergence: How Islamic Law Held Back the Middle East**

TIMUR KURAN

Timur Kuran, in his book “The Long Divergence”, published by Princeton University Press, ISBN: 9781400836017 ties together the threads of a well-understood historical reality: the Arab Middle East, after the start of a new millennium, in the 10<sup>th</sup> century, slipped into a long period of quiescence, or what the author refers to as that “Long Divergence”.

He cites ample, documentary proof of crucial changes in the pace of economic, political and social development that separated the Middle East from the more rapid course of events taking hold in the West after the 10<sup>th</sup> century. He ascribes this divergence less to a slowing in the Middle East than to a prolonged and gradual acceleration in economic, social and political developments in the West. Kuran would have us believe that the stagnation in the Middle East was due, in whole or in part, to the restraints of Islamic (Sharia) law that prevailed throughout the Arab-Islamic world and the lack of comparable restraints in the emerging West. His book fails, however, to convincingly show that the restraints of Islamic law were a sufficient force to account for the growing disparity between East and West. One is left with the impression that there may have been other, unspecified forces, perhaps more directly resource, market or population based, that were at work in the West and that these *other*, unspecified forces more fully accounted for the widening gap between East and West.

It is clear, from the evidence the author presents, that the West, had indeed, enjoyed an acceleration in its capacity to innovate new forms of essential institutional infrastructures in finance (banking and insurance), politics, governance and a binding regulatory framework of laws (formulating lines of elected/delegated authority, propagating rules of governance and the settling of disputes by judicial processes and, most importantly, the depersonalizing of economic and social developments through broad public ownership and consent). What is not so clear and what the author leaves unexplained is why comparable, liberating social, economic and political forces in the East failed to take hold there; failing to ignite a similar response. The reasons cited for the long divergence; in the first place were the acceptance of plural marriages, rigid rules of inheritance and their restraining effects on the accumulation and dispersal of

financial and social capital; the strictures against interest paid or received and the dominant preference for “impermanent partnerships” over the broader, “legal personhood” of more corporate forms of business organization. All of these taken together seem to lack a sufficient, causative effect to account for the vast disparity in productivity that opened up between East and West from the 10<sup>th</sup> century onward. The one exception to this, however, is the emergence of the Islamic “Waqf Trust”. Is it possible that this could have materially and substantially defused alternative impulses for social services and development in the Middle East? Lacking, similar institutional “Waqf like” structures, the West would have been compelled to find other, more prospective means to achieve similar ends. The author did not explore these possibilities.

The Middle East and the West, according to Kuran, enjoyed parity in their economic, social and political development until the 10<sup>th</sup> century. The historical record is clear on this. Gaps in the pace of development, he asserts, opened up from the 10<sup>th</sup> century through the mid-20<sup>th</sup> century (post World War II to be precise). The end of World War II spawned an aggressive and, to this day, an unrelenting process of institutional transplantation from West to East; a time when banks and multinational companies found attractive, compelling and unimpeded opportunities to exploit the Middle East’s rich human, energy and geo-political resources. The evidence cited by the author amply demonstrated the pervasiveness of the ongoing industrial revolution. The West’s unquenchable thirst for oil and gas inevitably drew its attention to that little known backwater, “The “Middle East”. While it is possible that Islamic law may have exerted some restraint on the pace of development in the East; the author did not identify any comparable restrictions on developments in the West. It is entirely possible, however, that Islamic legal restrictions have, as an unintended consequence, facilitated this sudden, unimpeded interest (since 1947) of the West in the oil rich, Middle East. Thus The Long Divergence... has left the Middle East, Islam and Muslims vulnerable to cultural and ideological incursions by a technologically stronger but spiritually weaker West. The disparities between these two divergent paradigms are now in a state of tension and incipient resolution. Thus the long period of stasis has set in motion a contest, between East and West, based on values not laws. By implication, one could even imagine that it may have been the specific intention of 10<sup>th</sup> century Arab/Islamic policy makers to preserve a sharp focus on Islamic, spiritual values at the explicit expense of broad based social, economic and political developments. The West, having taken an opposite and what now appears to have been an unsustainable course, has to face the consequences of having done so. Accordingly, The Long Divergence might better be referred to as The Long Digression: How the West lost its moral compass in the 10<sup>th</sup> century, only to belatedly, find its way in the 21<sup>st</sup>.

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