Human Rights in Traditionalist Islam: Legal, Political, Economic, and Spiritual Perspectives

Robert Dickson Crane

The vaunted clash of civilizations has grown into a Fourth World War of demonization against Islam. The newest strategy is to single out Islam's essential values, deny that they exist, and assert that their absence constitutes the Islamic threat. This article shows the common identity of classical American and classical Islamic thought so that Muslims, Christians, and Jews can unite against religious extremism. Muslim jurisprudents developed the world's most sophisticated code of human responsibilities and rights. This is now being revived as the common heritage of western civilization based on the premise that justice reflects a truth higher than man-made positivist law and on the corollary that the task of religion is to translate transcendent truth into the transcendent law of compassionate justice.

The Challenge of Islamophobic Disinformation

Islamophobia has been rampant for more than a millennium. The newest twist has been the assertion that human rights do not – and cannot – exist in Islam. Such claims have become ever more sophisticated, which is why an equal sophistication is needed to address them. The most extreme and sophisticated example of patronizing intolerance in contemporary America,

---

This essay was prepared as both an input and response to a panel discussion on February 21, 2007, at the International Institute of Islamic Thought, entitled "Conservative Paradigm." Dr. Crane earned a JD at Harvard Law School, is the founding president of the Harvard International Law Society, practiced international communications law, co-founded America's first Washington-based foreign policy think tank (the Center for Strategic and International Studies), and served as ambassador to the UAE. He is now senior adviser to the Center for Economic and Social Justice, which he co-founded in 1984, and director for global strategy at the Abraham Federation: A Global Center for Peace through Compassionate Justice.

because it most starkly illustrates the reversal of truth and falsehood, was Michael Novak's seminal article "The Faith of the Founding" in the April 2003 issue of *First Things*, America's leading journal on religion in public life. Its founder, Bishop Richard John Neuhaus, a convert from Lutheranism to Catholicism, changed the environment in Washington with his enormously influential book, *The Naked Public Square: Religion and Democracy in America* (Eerdmans: 1984). This journal and its elite pundits are today the world's most influential force in shaping policy toward the role of religion, including Islam.

Novak's article represents an entirely new approach to Islam because it is based not on generalizing from the actions of extremist Muslims, but on denying the fundamentals of Islam as a religion. The newest strategy is to single out Islam's essential truths, deny that they exist, and assert that their absence constitutes the Islamic threat. This sophisticated strategy may be more effective over the long run than the simplistic claims of Pat Robertson and Franklin Graham that Muslims are bandits programmed by their vicious cult to kill infidels, meaning anyone opposing their plans of global conquest.

"Only Judaism and Christianity," writes Novak

> have a doctrine of God as Spirit and Truth, Who created the world in order to invite these creatures endowed with intelligence and conscience to enter into friendship with Him. Only the Jewish and Christian God made human beings free, halts the power of Caesar at the boundaries of the human soul, and has commissioned human beings to build civilizations worthy of the liberty He has endowed in them.

Novak contends that even though some Muslims may be good, Islam is inherently bad because it does not recognize a direct relationship of the person with God and therefore can have no conception of human rights or of a government limited by the recognition of God's sovereignty. He rejects as a fraud precisely all that Muslims have always said are the central teachings of their faith. By thus portraying Islam as inimical to America's very foundation, this scion of the Neocon intellectual elite casts Islam as a mortal threat to everything good in the world.

This kind of extremism is dangerous, because it constitutes an ideological aggression that is far worse than the simple invasion and attempted occupation of another people's land with the stated aim of saving the world from chaos. This intellectual and spiritual aggression denies the possibility of pluralism, regards diversity as problematic, and views tolerance only as a tactic in a war-to-the-finish against evil. This is precisely the kind of aggression that stokes the fires of extremism among its targeted victims and nec-

essarily leads the most alienated among them to respond, in desperation, with the tools of terrorism.

The temptation to define another person's religion in defense of one's own is universal and is the substance of classical debate and apologetics. However, usurping the right to define another person's religion is the most egregious form of all human rights violations. Furthermore, it is counter-productive, because to interpret another religion as inherently extremist plays into the hands of extremists in that religion by legitimizing their own perversions. A far better global strategy would be to support those in every religion who are trying to marginalize the hijackers in each religion by preserving the traditionalist understanding mutually shared by all of them.

Traditionalist Islam

Traditionalist Islam can be defined as either backward looking or forward looking. The forward-looking perspective seeks to revive the best of the past in order to shape a better future. The best of the past in Islam consists of its universalist view that all revealed religions contain a universal paradigm of thought. Muslims call this Islam. It is based on the affirmation that there is an ultimate reality of which humanity and the entire universe are merely an expression; that, therefore, every person is created with an innate awareness of absolute truth and love; and that persons in community can – and should – develop a framework of moral law from the various sources of divine revelation to secure peace through justice. Recognition of this paradigm is the essence of wisdom.[1]

Muslim radicals deny that this has ever been the mission of American exceptionalism. The most alienated extremists, some of whom once shared the transcendent vision of the classical mentors of American and Muslim thought, claim that this vision has been bowdlerized or prostituted to pursue the false gods of power, prestige, privilege, and plutocracy. Even if the original American mission was to be a moral model for the world, these radicals say that the hubris of American exceptionalism has come to serve as a mandate for cultural imperialism, as a tool to ensconce American power as the epicenter of the political cosmos. The only options presented to its victims are cultural retreat or military defeat.

This confrontational view of the world, shared by so many on both sides of what they see as a growing civilizational divide, raises two questions. First, for Muslims, is America inherently a fraud? If so, can Muslims continue to live in the same world with Americans? Second, for Americans, is Islam a fraud? If so, can Americans or anyone else continue to live in the same world

with Muslims, or is the world too small for both of them? The challenge to both sides is whether tolerance of each other is possible and whether tolerance alone can make a difference. We may accept the basic thesis that civilizations, as the highest form of human self-identity, will be increasingly important in the "global village" during the century ahead. But can we shift to the opportunity mentality that can transcend the cold-war threat mentality and make possible a century of peaceful engagement designed to promote the interests of all civilizations, nations, and persons?

This raises the question of whether tolerance is compatible with peaceful engagement. Is tolerance even a human right? This, in turn, is a question of terminology. Scholars of interfaith understanding and cooperation are now advancing the view that tolerance is a bankrupt paradigm of thought that must be replaced by a better paradigm if civilization of any kind is to survive the present century. The generic word *respect* is better than tolerance in defining the traditionalist Islamic approach to human rights, especially respect for individual and community responsibilities and for the human rights that derive from them. *Respect* reflects three different levels of a new paradigm of thought, ranging from tolerance at the bottom as the least inclusive level; diversity at an intermediate level; and all the way up to pluralism as the most inclusive level and, in this sense, the opposite of tolerance. Basic tolerance means merely "I hate you, but I won't kill you yet." Diversity means "I can't stand you, but you are here so I can't do much about it." Pluralism means "We welcome you. We have so much to learn from each other, because we each have so much to offer."

Thomas Kuhn's path-breaking 1969 study introduced the concept that paradigm shifts are the motor of history.[2] As established frameworks of thought (e.g., tolerance) prove their own bankruptcy, new paradigms (e.g., pluralism) emerge to explain and shape reality. One of the best explorations of this subject is William R. Hutchison's *Religious Pluralism in America: The Contentious History of a Founding Ideal*.[3] David Hollinger of U.C. Berkeley writes on the back cover of this book:

> This is the most ambitious book yet from the dean of historians of religion in the United States: a wonderfully discerning exploration of how Americans have variously confronted and tried to evade the challenge of religious diversity.

The book's thesis is that pluralism has never been institutionalized in America, much as Americans like to pride themselves on being a model of religious freedom. Calling for "new models for understanding," he distinguishes "between a fact or condition called diversity and an ideal or impulse

for which the best term is pluralism. The modern definition of pluralism as signifying an actual welcoming of diversity is a modern concept, which modern historians like to project back, without evidence, into American history." He observes that the very ideas of religious freedom and pluralism have evolved throughout American history in stages, of which the major ones in this "quietly persistent process of redefinition" are "pluralism as toleration, pluralism as inclusion, and pluralism as participation."

Perhaps his most controversial conclusion, for it results in recommendations, is that the "melting pot" ideal "operated to suppress differences far more than to respect and utilize them." He clearly details the lack of freedom inherent in pressures for "assimilation," which amounts to both individual and community suicide. Although he has no specific recommendations, the thrust of the entire book advocates what should be called *integration*. This term, which he does not use, means that individuals of each group in society proactively bring the wisdom of their tradition to enrich the overall society in which they live. Instead, he uses *participation*. "Pluralism by participation," he writes, "implies a mandate for individuals and groups … to share responsibility for the forming and implementing of the society's agenda."

The question, then, is whether traditionalist Islam by its essential nature is pluralist, even if many Muslims are not. And most specifically, is respect for human rights part of Islamic pluralism?

Human Rights in Islam from the Legal Perspective

Human rights in Islam may be addressed from four different perspectives: legal, political, economic, and spiritual. The Islamic legal perspective on human rights was developed over the centuries via Islamic jurisprudence, which is known as the roots (*usul*) of the Islamic law (the Shari`ah).

Any discussion of human rights in Islam or any other civilization should begin by recognizing that this concept is something new in the history of human thought. Even though it is a product of the secular thought that originated during the Renaissance, which its secularist supporters considered a unique movement to liberate humanity from religion, most people still view human rights in a religious context. What we today call human rights were always conceived of as the result of virtues. The goal was not to pursue freedom from moral values, but to practice the values that produce freedom. Within this context, which is universal in history, human rights have always been explored and developed as part of the higher concept of justice, perhaps the most universal value in all civilizations. This is why there is so much negative reaction to the failure of American policymakers to include

freedom and democracy within the concept of justice as a higher paradigm of thought.

Both Sunnis and Shi`ahs have a common foundation in their classical reliance on justice as central to their Islamic faith and a common need to re-emphasize this in order to apply Islam as a constructive force in the world.[4] They also need to appreciate justice's central role in the founding of America so that they can revive classical American and classical Islamic thought as the common heritage of Western civilization, indeed of all civilizations.[5]

In all traditional thought, justice assumes the existence of a truth higher than man-made positivist law. In fact, it is merely an expression of this truth. Recognizing a source of truth that transcends the material of the here and now raises the question of a linkage between the immanent and the transcendent, the lower and the higher levels of reality, and between "contingent existence" and "Absolute Being." The major purpose of religion and of prophets as intermediaries between God and humanity is to raise our natural awareness of reality's multi-dimensional nature. Jesus, whom Muslims call the "Prophet of Love" and a "Word from God through the Holy Spirit" (*Ruh al-Qudus*), taught that, as a manifestation of the divine, he was an essential link: "I am the way, the truth, and the life" (John 14:6). This statement of ultimate reality and of how to access it is just as true today as it was back then. Perhaps it is even more needed today, now that we have entered the most militantly polytheistic period of history.

The study of justice in Islam is a distinct discipline. Although it never had a distinct name, just as many Islamic disciplines did not have a name until centuries after they existed in fact, the best term for it might be *`ilm al-`adl*.[6] The direct English translation is the "knowledge of justice," which might connote a finished product with all of the challenges in the past. In fact, the classical study of justice is heuristic in the sense that it seeks knowledge about the sources, nature, and praxis of justice, with the challenges lying more in the present as a means to build on the best of the past in search of a better future. The simplest definition is the search for transcendent justice as a source of wisdom to be manifested or embodied in a set of essential principles for a universal code of human responsibilities and rights. Only when people observe their moral responsibilities can any rights become real.

The purpose of all religion is to empower the truth, which exists independently of human beings but requires religion in order to be translated into principles of compassionate justice. The search for truth at the higher esoteric level is known in Ja`fari jurisprudence as *`ilm al-taqwa* (knowledge of the One through love). The search to make it manifest at the exoteric (outward) level, in the sense of balance through the coherence of diversity known as

tawhid, may be identified as the major object of *`ilm al-`adl*. These two pursuits, the esoteric and the exoteric, as both the classical Islamic thinkers and their Christian counterparts, St. John of the Cross and Thomas Aquinas, defined them, have ultimate meaning only as they fulfill each other. This is the essence of Islamic thought and of every world religion.

Justice is a normative phenomenon in that its applications must derive from higher norms or purposes. Rules and regulations applied without guidance from their higher purposes can produce injustice. In Islamic jurisprudence, the guiding norms are known as the *maqasid* (purposes of Islamic law), the *daruriyat* (essentials), or as the *kulliyat* (universal principles). Justice is important because it is the translation of truth into practice and thus is nothing more than God's will, as indicated in Qur'an 6:115: *tammat kalimatu Rabbika sidqan wa `adlan* (Your Lord's word is perfected and completed in truth and justice). Its nature and substance, however, must be sought out through deduction from the three sources of knowledge: *haqq al-yaqin* (revelation), *`ayn al-yaqin* (natural law [*sunnatu Allahi*]); and, as some jurists would also say, *`ilm al-yaqin* (the intellectual processing of the first two).

In a highly simplified explanation, the architectonics of justice in the Shari`ah consist of a hierarchy of levels moving from the general to the specific, the highest (*maqasid*), the intermediate or secondary level (*hajjiyat*), and the tertiary level (*tahsiniyat*), which might be compared to the specific courses of action in program planning.[7] The number and even the meaning of the *maqasid* are flexible, ranging from a generally accepted five a millennium ago to seven or more in later centuries. Differences in interpretation depend, in part, upon whether one is referring to the *maqasid* narrowly as law or, more broadly as functional guidelines for public policy. The strictest definitions are called *maslahah al-mu'tabarah*, the broader as *istislah*, and the broadest as *istihsan*.

We may identify at least seven irreducibly highest principles. In highest priority, these start with *haqq al-din*, which for 600 years until the present third Chrisitan millennium was ossified among the Sunnis to mean the "protection of true belief." Since the Shi`ahs bore the brunt of injustice and denial of religious freedom for so many centuries, the freedom and duty to maintain open-ended scholarship never died in most of the Shi`ah world. In recent decades, this *maqsud* has been expanded and reinterpreted by some of the greatest modern Sunni scholars, following the lead of Shaykh Ibn Ashur in the first half of the twentieth century, to mean "freedom of religion."[8]

Next come three sets of pairs. The first pair consists of *haqq al-hayah* and *haqq al-nasl*, which mean the duties, respectively, to respect the human person and life itself and to respect the nuclear family and communities at every level that derive from the sacredness of the human person. The first one includes the elaborate set of principles that define the limitations of just war. The second one includes the principle of subsidiarity, which recognizes that legitimacy expands upward from the community or nation to the state.

The second set consists of two responsibilities related to institutionalizing economic and political justice: *haqq al-mal* and *haqq al-hurriyah*. Both economic and political justice are based on the principles of freedom through both subsidiarity and self-determination. Throughout much of Islamdom this second pair of responsibilities has been observed, more often than not, in the breach. Even when the principles have been acknowledged, the derivative lower levels of institutionalized implementation have been ignored.

The third pair of *maqasid* consists of *haqq al-karamah*, the duty to respect human dignity especially in regard to the freedom of religion and gender equity, and *haqq al-`ilm*, the duty to respect knowledge, including the secondary level of implementation known as the freedom of thought, publication, and assembly.

Political Rights in Islam from the Theoretical Perspective

In addressing human rights in Islam from the political perspective, one must distinguish between theory and practice. The two human rights most emphasized today from the political perspective are political freedom and religious freedom, with gender equity a close third. Religious freedom has been respected in practice historically better in Islamdom than in Christendom. However, the opposite has been true in recent centuries for political freedom, in the sense of institutionalizing representative government.

The universal principle of political freedom, known as *haqq al-hurriyah* in Islamic jurisprudence, has always been understood as a call for self-determination by individual persons and by the communities in which they find their social identities. The secondary level of *hajjiyat* calls, first of all, for *khilafah*. This provides that the highest responsibility both of those who govern and those who are governed is to God. The idea is that people should be governed by people who are governed by God. This is basic to Thomas Jefferson's teaching that a people can remain free only if they are educated, that education consists primarily in learning virtue, and that a people can remain virtuous only if both their private and their public lives are infused with the awareness of God.

The next of the second-level principles of *haqq al-hurriyah* (political freedom) is *shura*, which calls for responsive governance and for political institutions to ensure that the government is a servant of the people rather than the reverse. The third requirement is *ijma`*, which is the duty of every citizen, and especially of the opinion leaders, to seek consensus on a preferred political agenda and to reach compromises on the means to pursue this agenda in specific policies and courses of action.

Institutionalizing these three second-level requirements of political freedom is important, because self-determination as the framework of *haqq al-hurriyah* is based on the principle known in western moral theology as *subsidiarity*. This provides that all problems should be resolved at the lowest political levels, with resort to higher levels only when resolution is otherwise impossible. The concept of subsidiarity comes from two of the other primary principles in the Islamic code of human rights. The first of these is *haqq al-hayah*, which provides that the highest level of human sovereignty, subject only to God's sovereignty, is the human person. This, in turn, gives rise to the correlative principle of *haqq al-nasl*, which provides for the derivative sovereignty of the human community in ascending levels all the way to entire civilizations and even to the human species.

Imposing the ideology of modernism in the form of a centralizing secular fundamentalism has been the principal barrier to both political and economic development in traditionalist societies. This was the key thesis of my fifty-page position paper on development economics that Richard Nixon asked me to write for the 1968 presidential campaign, later published as "New Directions for American Foreign Policy: Some Thoughts for Macromodeling," in *Orbis: A Quarterly Journal of World Affairs* (summer 1969) and republished online at www.theamericanmuslim.org.[9] This was one of five such position papers that he asked me to write on what we agreed were the major issues, based on the two criteria that they presented both maximum threat and maximum opportunity, and that they could be effectively addressed only through a paradigmatic revolution.

Gerald Ford wrote a foreword for the publication of this set of five position papers as *Inescapable Rendezvous: Premises, Problems, and Prospects for American Foreign Policy*,[10] and used its basic conclusion in his speech celebrating the American bicentennial on July 4, 1976, namely, that the purpose of America is not power but justice. The key paragraph of this position paper on Third World political dynamics, in the section entitled "Developing a New World Vision," reads as follows:

> The imposition of centralized secular power as a method of modernization without the concept of community-based coherence and responsibility behind it, the propagation of atomistic individualism as a means to societal transformation without a moral recognition of the value of the individual person, and the accompanying attempt to impose an omnivorous collectivity without an appreciation of the responsibility and value of free community, all combine to create a crisis in identity and authority that has profoundly unsettled the Afro-Asian peoples. The efforts of the mobilizing state to monopolize personal and group loyalties at a single level of the political spectrum, and to diffuse legitimacy downward from the corporate state rather than to permit loyalty and legitimacy to spread upward from the families and communities of individual persons, have tended to cause a radical contraction of the individual away from nature and from other persons into the material boundaries of the calculating ego. The primordial loyalties of communal nationalism in the first instance have become a fulcrum for a passive longing not to belong to any other group or for the blind aggression of defensive self-assertion. Recently, the primordial instincts of literally billions of people have brought them to awareness of a higher reality and created a willingness to live for this reality, as well as even to die for it.

Such respect for both personal and community-based sovereignty is the root of the Islamic concept of *ittihad*, which refers to the unity that can result from the decentralization of political power through federalism or the looser concept of confederalism. Since political power follows the economic power of ownership, in Iraq, for example, decentralized political legitimacy might be operationalized best by privatizing the ownership of Iraqi oil in equal shares of inalienable voting stock to the ultimate level of sovereignty, namely, to every person resident in an Iraqi federation.[11] This option started to be seriously considered at the end of November 2007 at the highest levels of the American government, despite awareness that such a pulverization of concentrated economic power would undermine the efforts of American occupation authorities to centralize political power. This rationale is competing with a growing awareness that such top-down centralization and modernization have forced tradition-based communities into competition with each other either to control or destroy the American-imposed central government.

The same intractable problem has been created in Afghanistan, according to Selig Harrison, the long-time South Asia bureau chief at the *Washington Post* and current director of the Asia Program at the Center for International Policy. Writing on January 30, 2007, in his *Washington Post* column entitled "Discarding an Afghan Opportunity," he laments that the American-backed Karzai government has been "rushing to create a centralized regime

instead of keying the process [of unification] to the gradual development of a national economic infrastructure" in which every person has a personal stake. The real problem is that the concentration of economic and political power at the behest of foreign interests is considered by both Iraqis and Afghanis, and by most of the rest of the world, as a denial of justice.

Even in the Holy Land we see a strategy to create two centralized governments in what may become two ghetto states, rather than a strategy to promote a decentralized economy of mutual advantage as the means to develop a regional Abraham Federation based on acknowledgment that for more than a millennium Muslims and Jews were each other's most reliable friends – and could be again. This option has been advanced and detailed by the Center for Economic and Social Justice for more than a quarter of a century.[12]

Such initiatives, including an extensive position paper on rebuilding New Orleans after Hurricane Katrina, are fully developed in several books and on the Center for Economic and Social Justice's website. This interfaith think-tank was founded in response to President Reagan's 1984 request that it create and carry through to publication what he inaugurated as the Presidential Task Force on Economic Justice, for which I was chairman of the Financial Markets Committee, in order to introduce into national discussion a new approach to both politics and economics.

What is now known as the Just Third Way paradigm for economic prosperity is not new; rather, it was first developed by Louis Kelso and the philosopher Mortimer Adler half a century ago in their misleadingly titled *The Capitalist Manifesto*.[13] During the 1990s, several books developed this further, including *Curing World Poverty: The New Role of Property*, which was sponsored by the *Social Justice Review* and presented to Pope John Paul II in 1994.[14] A basic text may be found in Robert Ashford and Rodney Shakespeare, *Binary Economics: The New Paradigm*.[15] A more recent text introducing many new ideas was *Capital Homsteading* (Center for Economic and Social Justice: 2004), which sought to spell out what Abraham Lincoln and Ronald Reagan had in mind in their revolutionary new approaches to maximizing economic growth through economic justice.[16]

This new paradigm has been built on the insights of Christians, Muslims, and Jews, who see that a strategy of "more of the same" must have catastrophic consequences for world civilization and that their own traditions provide the framework for peace through justice as the best solution. The regnant strategy today of peace through power has already claimed numerous victims even among its principal supporters. Ironically, one of the principal victims of such a strategy of centralized global management is former British prime

minister Tony Blair, who provided his own epitaph after his talk at the Davos World Economic Forum on January 28, 2007. According to David Ignatius's column, "The Blair He Could Have Been" (*Washington Post*, 31 January 2007), Blair lamented: "The West's fine talk of democracy and freedom has little meaning if it is not anchored in a sense of justice. Without such bedrock values, the grand goals of the Atlantic Alliance are empty."

Political Freedom in Muslim Practice

This sad note introduces the practical aspects of political freedom and, more generally, of human rights in Islamdom. Unfortunately, the praxis or political reality of human rights in the Muslim world is a mirror image of Blair's swan song about the West's practice of human rights.

The major issue in contemporary Muslim thought is the role of the state. Like human rights, the concept of the state is a relatively recent western construct. It arose as a means to end the Thirty Years War at the Treaty of Westphalia in 1648 by accepting human power, rather than God, as the highest authority in human affairs. The state is a secular construct that recognizes its citizens' corporate or collectivist identity as the basis of legitimate power. As I learned in the introductory course on international law at Harvard Law School, the state, by definition, has a monopoly of coercion and its geographical jurisdiction extends as far as it can control more than 50 percent of the population in a given territory. This legitimizes the political principle of "might makes right," which would seem to be inevitable once one rejects justice as a restraining principle.

What happens when radicals in any religion begin to talk about creating a religious state? In effect, they are talking about substituting themselves for God. Whether this is to be a so-called Islamic, Jewish, Christian, or Hindu state makes no difference. The inevitable result must be the denial of human rights. The fountain of such extremism in the Muslim world is the paradigm of thought popularized by Syed Qutb. He was the Muslim Brotherhood's equivalent of Vladimir Lenin, in the sense that he redirected toward absolutism the Sufi-like movement begun by his enlightened mentor, Hassan al-Banna, who functioned perhaps as the equivalent of the Brotherhood's Karl Marx. Qutb's doctrine was embodied in his following declaration:

> There is only one place on earth that can be called the House of Islam (*dar al-islam*), and it is that place where an Islamic state is established and the shari`ah is the authority and God's laws are observed. … The rest of the world is the House of War (*dar al-harb*).

Modern extremists may use other words, like *dar al-zulm* (the land of evil) or *dar al-kufr* (the land of those bound for Hell because they deliberately reject the truth), but the substance of their war is the same, namely, to invent and instigate a clash of civilizations and to declare a holy war with the slogan of "no substitute for victory."

Syed Qutb's openly political paradigm of thought differs little from the openly religious paradigm of the radical puritanical reformers, whether anti-establishment like the Salafis in Saudi Arabia or pro-establishment like the Wahhabis. The ultimate aim of them all is the acquisition of absolute power here on Earth. The basis of right versus wrong becomes the relativistic reduction of justice to one's own narrow self-interest in a clash with everyone else, so that blowing up Jewish babies and oneself can be easily justified – and even sanctified – in the pursuit of a higher cause.

The modernist solution to felt injustice has always been to seek power. Failure in this pursuit can turn moderates into extremists, and failure to secure justice once one has grabbed power can generate still more extremism from the victims of the political quest. Lord Acton declared that power corrupts and that absolute power corrupts absolutely. This generalization is too abbreviated. The quest for power corrupts more than its possession, because madness comes from the arrogance of believing that one can acquire absolute power and keep it. This applies to both economic and political power, especially when the addict pursues each form of power limitlessly in order to augment the other.

Failure in the impossible quest for absolute power redoubles the madness. Since it is in human nature to seek the absolute, the quest for material power can turn into a false god. As the utopias of the twentieth century confirm, false gods of whatever kind in the world are the primary source of evil. Terrorism has arisen as the new threat to civilization because the "terrorists" know that all the dominant paradigms of the twentieth century are bankrupt. In their hopeless rage they will not consider even the possibility of anything else, other than their own blind rampage of destruction. What they do not know is that they are creatures of this bankruptcy. They are part of the problem, not of the solution. Terrorists are products of Western cultural disintegration, even though they will die for the illusion that they are not.

The roots of terrorism predate the so-called "Islamic" phenomenon. This is brilliantly explained in Abdul Hakim Murad's "Bombing without Moonlight: The Origins of Suicidal Terrorism," which appeared in *Islamica* (September 2005), published in Jordan. In a companion article, "The Mechanics of Terror," Jibril Hambel writes: "The actual root cause is the real or imagined failure of a code of beliefs or set of social conditions, which modern-day

prophets feel compelled to redress." This phenomenon can be observed during the last hundred years in a succession of failed ideologies, ranging from communism to Nazism, to exclusivist and apocalyptic Zionism and Wahhabi polytheism to the more extreme forms of tribalistic neoconservatism.

The failure of movements for freedom and democracy without a higher framework of transcendent justice exposes their followers to the hollowness of their own values and the contradictions in their own hopes. They resort to nihilistic violence to show commitment to the values they lack. Further failure only escalates the vicious circle. Ignorance of the true solution taught by all the prophets is why terrorists resort to terror and why their targets resort to terrorist counter-terrorism. They have no alternative but to destroy each other – and themselves – in the process, just like scorpions in a bottle.

Deconstructing *Pax Islamica*

When President George W. Bush first took office, he called for a global *Pax America*, but was cautioned to replace this with *Pax Universalis*. Later he followed Henry Kissinger's advice to avoid such utopian terms altogether until the world correlation of forces had prepared the way for a new international law conducive to such a goal. In his op ed position paper in the *Washington Post* (12 August 2002), Kissinger abandoned his usual *realpolitik* by calling for an immediate invasion of Iraq specifically to introduce such a new international law.

Many Islamists in recent decades have called for an Islamic state. However, they are referring to the so-called Islamization of specific states, not to the Islamization of the entire world. The most radical Muslims, however, have never had any qualms about their call for a global *Pax Islamica*, which they call the *khilafah* (caliphate). Most of them are former socialists who are familiar with the Marxist doctrine that the dialectical forces of history will bring about the victory of the proletariat and the end of history. As converts to their unique sect among those who want to politicize Islam, these utopian extremists, most notably Osama bin Laden, believe that Allah has commissioned them to bring about the end of history through the imposition of a global caliphate. Adopting the modern language of European secular humanism, pan-Islamist extremists now call for a global "Islamic state" to be created through the Muslims' conquest of the world by a single ruler.

This issue of a global caliphate is not new in Islamdom. In fact, as a contentious issue it has never disappeared since it first surfaced more than a millennium ago. The major issue is not whether there should be a universal or global caliphate, but what it should be. Ironically, the extremists' chosen

source for much of their extremism is Ibn Taymiya, a Hanbali jurist who lived at the time of the Mongol invasion 700 years ago. He developed a sophisticated understanding about the Islamic doctrine of the *khilafah* that demolishes the extremists of his day and of ours. As a Sufi who opposed the extremism then spreading among the Sufis of his day, he was a political theorist who died in prison for opposing the extremism of tyrants as well as that of their opponents. He was, in fact, a model of those who both understand the sources of extremism and the means to counter it. His mission was to deconstruct extremist teachings doctrinally in order to marginalize their adherents.

One of his modern students, Naveed Shaykh, in his *The New Politics of Islam*, writes rather poetically that extremism arises when pan-Islamists operationalize a unity of belief in a human community of monist monolithism rather than in a boundless love for all of God's creation in a transcendent Islamic cosmopolis.[17] Extremism arises when people substitute a political institution for themselves as the highest instrument and agent of God in the world, when they call for a return of the caliphate in its imperial form as embodied in the Ottoman dispensation, and when they call for what Shah Wali Allah of India in the eighteenth century called the *khilafah zahirah* (external and exoteric caliphate) in place of the *khilafah batinah* (esoteric caliphate) formed by the spiritual heirs of the prophets: the sages, saints, and righteous scholars.

In the late Abbasid period of classical Islam, according to Sheikh, "The political scientists of the day delegitimized both institutional exclusivism and, critically, centralization of political power by disallowing the theophanic descent of celestial sovereignty into any human institution." In other words, they denied the ultimate sovereignty claimed by modern states since the Treaty of Westphalia, which raised states to the ultimate level of sovereignty, in place of the divine, and thus relegated religion to the periphery of public life or excluded it – and morality – altogether. Late Abbasid scholars, faced with a gradual process of creeping despotism, denied the divine right of kings and of every human institution, and condemned the worship of power and privilege that had brought corruption upon the earth. For insisting on this foundation principle of Islam, as detailed by Khalid Abou el-Fadl in his *Conference of the Books*, the greatest scholars throughout Muslim history were imprisoned, some for years and even decades.[18] This is precisely why Muslims traditionally have considered them to be great.

Ibn Taymiya completed the process of deconstructing the ontological fatalism of caliphatic thought by restricting the caliphate's role to what Abu Hamid al-Ghazzali, probably the greatest Islamic thinker of all time, called an *ummatic* umbrella functioning only to protect the functional integrity of

Islamic thought rather than to govern politically. Ibn Taymiya asserted that the unity of the Muslim community depended not on any symbolism represented by the caliph, much less on any caliphal political authority, but on the "confessional solidarity of each autonomous entity within an Islamic whole." In other words, the Muslim *ummah* (global community) is a body of purpose based on the worship of God. By contending that the monopoly of coercion that resides in political governance is not philosophically constituted, Ibn Taymiya rendered political unification and the caliphate redundant.

Human Rights in Islam from the Economic Perspective

Very briefly, the Islamic concept of economic justice is based on two principles. The first is God's ultimate sovereignty over all of creation. This means that private property ownership of the means of production is sacred, but only because it implies the responsibility of stewardship by the individual owner. Whoever earns something from the use of capital, including land and infrastructure, has a right to enjoy the profits. One must earn them honestly, however, and spend, to support the needs not only of one's own family but also of the marginalized in society who, through no fault of their own, either are poor wage-slaves or incapacitated.

This social element in private ownership is based on the fundamental Islamic virtue known as *infaq* (the inclination to give rather than take in life). This is universal in every person but must be cultivated culturally, because otherwise every person's selfish nature (*nafs al-ammarah* or "the commanding and demanding self") will claim absolute sovereignty over what belongs to Allah. This is why one of the "five pillars" or actions to maintain one's submission to God is charity.

Charity consists both of *sadaqah* (voluntary giving to others based only on their need) and zakat, which is mandatory and based on the capital intensivity of the means of production, with rates decreasing in proportion to the increase in human input either through labor or capital. Earnings from labor are taxed at 2 percent of one's wealth (not on income); earnings from cultivated land are taxed at 10 percent, because the land (but not the water) is produced by God. Profits from uncultivated land as well as from mining ores, which come primarily from God's bounties, are taxed at 20 percent. This provides incentives to invent and apply technology and pursue science in order to improve it.[19]

The second basic principle of Islamic economics is that economic power and political power are dependent on each other. Economic justice is not merely one aspect of political justice, but rather provides its foundation.

Neither is possible without the other. This is part of the Islamic concept of *tawhid*, which teaches the interdependence of everything in the universe.

The most important derivative of this second principle for Islamic economic thought, and the most important aspect of *haqq al-mal* (respect for private property ownership in the means of production), is the recognition that such ownership is a universal human right. It may not be usurped by government, as in socialism, whereby the proletariat's "ownership" is pure fiction. Furthermore, Islamic principles of universal ownership are incompatible with the welfare economics of capitalist economies, which have raised barriers to universal access to ownership and justified this politically by redistributing profits from the rich to the poor. The result is the concentration of ownership and a constantly growing wealth gap both within and among countries.[20]

Economic justice in traditionalist Islamic thought may be compared to the design of modern input-output theory, whereby every person has a right to participate through either labor or capital in the production of wealth, and an equal right to the distribution of that wealth based on one's own input. The sole role of government is to maintain what I once coined as the principle of harmonic justice, which is to ensure that contributive and distributive justice remain in balance. Both economic socialism and either monopoly or oligarchical capitalism violate all three principles.

Shaykh al-Islam Muhammad al-Tahir ibn Ashur, the father of modern Islamic economics, taught at Zaytuna University (Tunis), which traditionally ranked right after al-Azhar (Cairo) as the world's leading Muslim university, and rose to become the Grand Mufti of Tunisia. His major contribution to Islamic thought was to revive the normative study of Islamic jurisprudence in the first half of the twentieth century, which had been largely moribund among Sunnis since the death of the last great Islamic jurisprudent, al-Shatibi (d. 1388). Ibn Ashur was inspired by the publication (in printed form) of al-Shatibi's manuscript, *Al-Muwafaqat*, when he was a boy and by his association as a 24-year-old student in 1903 with Shaykh Muhammad Abdu.

Ibn Ashur, who died at the age of 94 in 1973, led the way toward a renaissance of higher purposes in Islamic thought by developing an open-ended framework of respect for those new responsibilities that became the foundation for an Islamic science of human rights. He published his *magnum opus*, *Maqasid al-Shari`ah al-Islamiyah*, in 1946, when Marxism had captured the minds of almost the entire world-wide Muslim intelligentsia, both liberals and conservatives. His position was that Marxism is un-Islamic in theory and would be catastrophic in practice.

His most radical proposal was that wealth in a capital-intensive economy is created primarily by capital rather than labor. He thereby stood Karl Marx,

who had asserted, contrary to all evidence, that labor is the only factor in wealth creation and that capital is merely a "congealed form" of it, on his head. This so-called labor theory of value justified the state's expropriation of all private ownership of capital on behalf of the workers, who otherwise would be doomed forever to the status of wage-slaves. This Marxist theory is still dominant in much of the Muslim world, but only because it is still almost universally accepted in the best American universities.

Ibn Ashur developed the principle of equality of opportunity and associated it with access to and preservation of private wealth. He considered that respect for private property in the means of production, along with its preservation and safe-guarding (*hifz*), form the core principle of *haqq al-mal*. He posed as a basic principle of subsidiarity that "the preservation of private wealth leads eventually to the preservation of the community's wealth, because the preservation of the whole is achieved by preserving its constituent parts" (p. 121). This principle applies to self-determination in both economics and politics.

Ibn Ashur was almost a century ahead of his time by inventing both binary economics and trinary or three-factor economics, which is critical to such tools of expanded capital ownership as community investment corporations.[21] He wrote, "Earning (*takassub*) depends on three primary factors (*usul*): 1) land (*ard*), 2) labor (*`amal*), and financial capital (*ra's al-mal*). … Owning capital (*tamalluk*) … is the basis of wealth formation by humans" (280-81).

He was not equipped to devise specific institutional means to create money and credit based on future rather than on past savings, which is the key to modern binary and trinary economics. His framework, however, leads inevitably to the concept that it is a universal human right for every person to participate in owning productive wealth. This leads to the concept that it is a universal responsibility of individuals, in moral community through government, to facilitate this by perfecting those financial institutions that broaden, rather than concentrate, capital ownership and reduce, rather than increase, the wealth gap, which otherwise would be inevitable in a modern capital intensive society.[22]

This right to what is now known as contributive justice (i.e., the right to contribute to one's own and the community's wealth through one's own ownership and management of capital) also presumes the right to distributive justice (i.e., the right to the proceeds of one's contribution, whether in labor or capital). Ibn Ashur insisted that justice calls for free markets and transparency in all transactions, which is essential for both contributive and distributive justice. He also called for the equivalent of harmonic justice as a governmental responsibility by ensuring the integrity and equity of these

first two elements of a just economic system. As he put it: "One of the Shari`ah's objectives is to regulate the management of wealth" in order to ensure the equality of opportunity (p. 278).

Once Ibn Ashur had punctured the balloon of socialist reliance on governmental power as the source, rather than merely as the facilitator, of justice, the task of building the necessary institutional superstructure for both economic and political justice became clear. The specific mechanisms for doing so, however, still lay in the future. Unfortunately, the system of money and credit developed in Western Europe neither democratizes economic opportunity nor permits real representative government. This system, combined with the political elitism and corruption in the Arab world, has produced there both the world's least productive economies and the least legitimate governments, and therefore societies that are the least Islamic.

The Islamic Spiritual Perspective on Human Rights

Contrary to Novak's assertion, the spiritual perspective on human rights is shared equally and entirely by the greatest traditionalist thinkers in both Christianity and Islam, as well as in Judaism. They recognize a direct relationship of the person with God and therefore conceive of human rights as sacred, including the right of persons and communities to have a government that is limited by God's sovereignty. Above all, they recognize that the practice of morality, traditionally known as the virtues, is the purpose of spiritual wisdom. In the language of Christianity, this means that moral theology is united with dogmatic theology in a single discipline of knowledge.

Perhaps the best discussion of religion by Christian theologians relevant to Islamic jurisprudence may be found in the treatise by Father Reginald Garrigou-Lagrange, O.P., in his 479-page *magnum opus* entitled *Christian Perfection and Contemplation according to St. Thomas Aquinas and St. John of the Cross*.[23] Of all the most eminent Christian scholars of the past two millennia, these two, writing, respectively, 700 and 400 years ago, were probably the most familiar with Islam. St. Thomas wrote that the master of masters in philosophy and moral theology was Avicenna (Ibn Sina), through whom he absorbed Aristotelian methodology. According to Miguel Asin Palacios, in his *Saint John of the Cross and Islam*,[24] the Carmelite St. John of the Cross borrowed his entire methodology and terminology from Shaykh Abu al Hassan al-Shadhili, a contemporary of St. Thomas. Shaykh al-Shadhili of North Africa founded what came to be known as the Shadhiliyyah Sufi Order, the only great *tariqah* to originate outside of Central and Southwest Asia and is ancestral to many of the modern Sufi paths in Europe and America.

St. Thomas and St. John of the Cross are usually considered to be opposites in that the former emphasized the rational basis of faith, whereas the latter emphasized the higher level of infused wisdom. Together with all of the Muslim theologians, theosophists, and jurisprudents, both of them agreed that there could not possibly be any contradiction between faith and reason, and that if one saw an appearance of such a thing then one's understanding of at least one of the two must be wrong. All of these wise thinkers, however, went far beyond the negative belief that there could be no contradiction between the truth that God reveals though nature and the truth that He reveals through human intermediaries, known as prophets. They also believed that each of these two sources of truth is designed to reveal and enrich the other and that they both have a common purpose.

Father Garrigou-Lagrange compellingly demonstrates that both men agreed on everything and that only the materialist mind could fail to understand St. Thomas' insistence that the purpose of every person and of moral theology is a closer "union with God." Muslims call this union *wahdat al-wujud*. One may debate the extent to which this concept of union with God is more epistemological than ontological, that is, whether the experience is more subjective than objective. My extensive discussion on the subject on www.theamericanmuslim.org suggests that merely discussing this issue intellectually obscures the value of the experience both for the individual person and as a source for a higher perspective on human rights.[25]

This background would cast doubt on the supposition that three months before he died, St. Thomas became a Muslim when a gift of contemplation from the Holy Spirit (*Ruh al-Qudus*) caused him to end his multi-volume *Summa Theologica* in mid-sentence and refer to all he had ever written as "only straw" in comparison with what he now beheld. He was ordered to appear before the Pope at the Vatican and supposedly was murdered along the way. This is sheer speculation designed to undermine any appreciation of the common essences of the Christian and Islamic religions.

Like classical Islamic jurisprudents, St. Thomas taught that "dogmatic theology," which deals with what one can know only by revelation from the Ultimate Being (God), such as life after death, must be considered together with moral theology as a single science. Moral theology deals with ethics and the virtues in human action and interactions in the world of Existence, as distinct from the higher level of Being. The virtues can be known by human reason based on observation in the material order of reality, but revelation has enlightened and ordained them to a supernatural end.

These two methods, the deductive (analytical) from the higher world of Being and the inductive (synthetical) from the lower world of Existence

must be combined, because they have the same end. This end is based on the mystery of God, known best through infused contemplative prayer in the realization that God is closer to the soul than it is to itself. This is expressed in the Qur'an by the statement: *Wa nahnu aqrabu `alayhi min habl al-warid* (We are closer to him [the human person] than is his own jugular vein).[26] This union of Existence and Being provides the context also for a favorite prayer of the Prophet, who used *hubb* for "love of God": *Allahumma, as'aluka hubbaka wa hubba man yuhibbuka wa hubba kulli `amali yuqarribuni ila hubbika* (Oh Allah, I ask you for your love, and for the love of those who love You, and for the love of everything and every action that will bring me closer to Your Love).

The word *islam*, which means submission to God, Who is the only One deserving of human submission, implies both love and peace, as does the word *taqwa*, which means loving awareness of God. The common word for love, *hubb*, as the basis of the reciprocal relationship of love intended between God and the human person, first appears near the beginning of the Qur'an in S´rah al-Baqarah 2:165: "Those who have attained to faith love Allah more than all else." The combination of God's love and mercy first appears in the next chapter, S´rah Āl `Imrn 3:31, which introduces the Virgin Mary and the "Word from God," Jesus, whose message is renewed by Muhammad. Prophet Muhammad is instructed to say: "If you love God (*in tuhibbuna Allaha*) follow me, and God will love you (*yuhbibkum Allahu*) and forgive your sins, for He is much-forgiving, a dispenser of grace." The term *hubb* is first used in conjunction with *taqwa* in 3:76, *fa inna Allaha yuhibbu al-muttaqin* (for Allah loves those who live in awe of God's love). S´rah Fir 35:45 concludes with the statement that if it were not for His mercy, no living creature would enter heaven.[27]

The theme and purpose of Father LaGrange's major life work was to revive St. Thomas' teaching that ascetical and mystical theology is nothing but the application of broad moral theology to the direction of souls toward an ever-closer union with God's love. This, in fact, might be considered to be the Christian definition of religion.

If one's personal relation of loving submission to God, which Muslims call *taqwa*, is the essence of higher religion, then the human right known as the freedom of religion is axiomatic. The ultimate freedom is when one's only desire, as Thomas Merton once put it, is to become the person that one is, in other words, to become the person that God created one to be. This includes the freedom not to do so. This spiritual perspective, which raises human rights to the sacred level as ultimate ends of existence, necessarily implies the opposite as well. Any perspective that raises an ideology of power to the prac-

tical level of an ultimate end and rejects justice even as a concept in foreign policy inevitably will lead from cosmos to chaos.

The challenge posed by Islamophobic disinformation is how to educate the detractors of Islam about the sophisticated tradition of Islamic thought so that they can distinguish the religion, Islam, from those Muslims who are equally ignorant. This process of education must be done primarily by Muslim scholars in academia who can help shape the paradigms of thought that govern public life. The paradigm shapers control the agendas developed by think tanks. And, it is a truism that whoever controls the policy agenda controls policy.

Effective education about Islam should focus on the paradigm of justice as expressed in human responsibilities and rights, because this is basic to the American tradition. Especially in the American policy process, education should focus on what is good for America, not on what is good for Muslims. In enlightened American policy, they are the same.

Endnotes

1. Robert Dickson Crane, *Shaping the Future: Challenge and Response* (Acton, MA: Tapestry Press, 1997). This paragraph is quoted from the dustjacket.
2. Thomas S. Kuhn, *The Structure of Scientific Revolutions*, 2d ed. (University of Chicago Press: 1970).
3. William R. Hutchison, *Religious Pluralism in America: The Contentious History of a Founding Ideal* (Yale University Press: 2003).
4. Robert D. Crane, "Justice in Classical Islamic Thought: The Ontology of *`Ilm al `Adl*." Discussed in "Part Three: Links to the Dimension of Being," (7 February 2007), 12-18. Online at www.theamericanmuslim.org.
5. This comparison is developed in Robert D. Crane, *The Natural Law of Compassionate Justice* (The International Institute of Islamic Thought: 2008) and in a companion book under preparation. The first one deals with Islamic thought and the second one with the major thinkers, especially in America, who independently developed the same thought during the past century.
6. Alternatively, the best term might be the generic *`ilm al-shar`*, using the term used twice in the Qur'an in reference to the Abrahamic law common to Judaism, Christianity, and Islam. In this case, and in accordance with the concept of *tawhid*, *`ilm al-`adl* might be one part of a coherent whole and *`ilm al-taqwa* might be the other. See Crane, *Shaping the Future*, which contains an appendix developing this discipline as a form of "*tawhid* cybernetics" suitable as a universal search engine and as a framework for an encyclopedia of all human thought.
7. Robert D. Crane, *The Sun Is Rising in the West*, compiled by Muzaffar Haleem and Betty (Batul) Bowman (Beltsville, MD: amana publications: 1999). See

Part III: "The Search for Justice and the Quest for Virtue: The Two Basics of Islamic Law," 141-66.

8. Muhammad al-Tahir ibn Ashur, *Ibn Ashur: Treatise on Maqasid al Shari`ah*, tr. Mohamed el-Tahir el-Mesawi (London and Washington: The International Institute of Islamic Thought, 2006). See also the IIIT's *Imam al-Shatibi's Theory of the Higher Objectives and Intents of Islamic Law*, tr. Ahmad al-Raysuni (2005) and Jasser Auda's magisterial *Maqasid al-Shari`ah as Philosophy of Islamic Law: A Systems Approach* (London: 2007). Auda is the director of Al Maqasid Research Center in the Philosophy of Islamic Law, London, UK. Both of these are part of a IIIT program to make available in English the Islamic heritage on jurisprudence and human rights.
9. Robert D. Crane, "The Vision of Communitarian Pluralism: The Conflict between State and Nation," 4 March 2006. Online at www.theamericanmuslim.org. See also "Federalism: The Missing Arrow in the American Quiver," 13 February 2006.
10. Withdrawn from publication in January 1969 when Nixon appointed Crane as deputy director of the National Security Council for Planning under Kissinger.
11. See www.cesj.org/thirdway/paradigmpapers/iraq-nationbuilding.htm and "A Grand Strategy for Peace through Justice in Iraq," by Drs. Robert D. Crane and Norman Kurland, 20 October 2007. Online at www.theamericanmuslim.org.
12. Norman G. Kurland, "The Abraham Federation: A New Framework for Peace in the Middle East," originally published in December 1978, updated and republished in *Arab-American Affairs* (now *Middle East Policy*), a publication of the Middle East Policy Council. Again updated and republished in Spring 1991. Online at www.cesj.org/homestead/strategies/regional-global/abrahamfederation-nk.html.
13. Louis O. Kelso and Mortimer J. Adler, *The Capitalist Manifesto* (New York: Random House, 1958). See also Louis O. Kelso, "Karl Marx: The Almost Capitalist," *American Bar Association Journal* 43, no. 3 (March 1957).
14. John H. Miller, ed., *Curing World Poverty: The New Role of Property* (St. Louis: Social Justice Review, 1994), a compendium of articles from The Center for Economic and Social Justice. Online at www.cesj.org.
15. Robert Ashford and Rodney Shakespeare, *Binary Economics: The New Paradigm* (Lanham, MD: University Press of America, 1999).
16. Norman G. Kurland, Dawn K. Brohawn, and Michael D. Greaney, *Capital Homesteading for Every Citizen* (Center for Economic and Social Justice). Online at www.cesj.org. See also Norman A. Bailey, "A Nation of Owners: A Plan for Closing the Growing U.S. Knowledge and Capital Asset Gaps," *The International Economy* (September-October 2000).
17. Naveed S. Sheikh, *The New Politics of Islam: Pan-Islamic Foreign Policy in a World of States* (London: Routledge Curzon, 2002). Reviewed by Crane in a review article of six related books, "Taproot to Terrorism: The Loss of Transcendent Law in America and the Muslim World," *The Muslim World Book Review* 25, no. 4 (summer 2005): 6-21.

18. Khalid Abou El-Fadl, *The Conference of the Books: The Search for Beauty in Islam* (Lanham, MD: University Press of America, 2001): Chapter 59, "The Scholar's Road."
19. Robert D. Crane, *Islamic Commercial Law* (U.S. Department of State: 1982).
20. Statistics and analysis in Robert D. Crane, "Economic Justice: A Cure for Terrorism?" (29 September 2002). Online at www.theamericanmuslim.org.
21. For modern applications, see Norman K. Kurland's *The Community Investment Corporation: Linking People to Land and Technology through Ownership* (2000) and *The Community Investment Corporation: A Vehicle for Economic and Political Empowerment of Individual Citizens at the Community Level* (1992), published as occasional papers by the Center for Economic and Social Justice.
22. On the moral duty of individuals to act in community in order to promote justice by perfecting societal institutions, rather than merely by acting morally and charitably as individuals, see the foundation documents of modern post-capitalist or Just Third Way economics by Father William Ferree, *The Act of Social Justice* (Catholic University of America Press: 1942) and *Introduction to Social Justice* (Paulist Press: 1948), both of which available online at www.cesj.org.
23. Reginald Garrigou-Lagrange, *Christian Perfection and Contemplation according to St. Thomas Aquinas and St. John of the Cross* (Rockford, IL: Tan Books, 2003). Translated and reprinted from the original French *Perfection chretienne et contemplation* (1937).
24. Miguel Asin Palacios, *Saint John of the Cross and Islam*, tr. Douglas and Yoder (Vantage Press: 1981).
25. Robert D. Crane, "Wahdat al Wujud: Fact or Fiction," (9 August 2004). Online at www.theamericanmuslim.org.
26. Surah Qaf 50:16. The entire chapter deals with this theme.
27. The first English translation of the Qur'an that I have found with an index listing "love" was prepared by the Sufi shaykh Nooruddean Durkee, founder of Dar al-Islam in Abiquiu, NM, and completed in 2000 in Green Mountain, VA (www.an-noor.net). This 1,032-page production is designed for experts who recite the Qur'an using *tajwid*, and therefore is officially entitled *The Tajwidi Qur'an*. The first complete listing in English of all uses of terms referring to love in the Qur'an may be found in H. E. Kassis, *Concordance of the Qur'an in English* (University of California Press). It lists many related terms under *hubb, radiya, shaghata, wa`ada,* and *wadda*. More than seventy-two of them are from the root *hbb*, although many of these merely state what God approves or disapproves, the first being: "Allah loves the doers of good (*al-muhsinin*) (Qur'an 2:195) and "does not love the aggressors (*al-mu'tadin*) (Qur'an 2:190). The term for aggressor, from the verb *`ada*, means to exceed the bounds of self-defense. This earliest usage in the Qur'anic revelation is repeated throughout the Qur'an as the defining limit of the *jihad al-saghir* (the obligation to use force, when necessary, to defend the human rights of oneself and others).