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Islam and the Global Society: A Religious Approach to Modernity

Charles McDaniel

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I. INTRODUCTION

With the post-September 11 world fixated on terrorism and the war to combat it, the larger question concerning the compatibility of Islam with a global culture that is rapidly enveloping the Muslim world has gained increasing attention from Western journalists, academics, and foreign policy analysts. Newspaper columnists such as Cal Thomas and William Safire have issued credible claims that, in the words of Thomas, "the growing number of extremists who take the Koran as a declaration of war against all non-Muslims has become a clear and present danger, not only overseas, but increasingly in our own country."[1] Similarly, Western scholars such as Bernard Lewis and Samuel Huntington[2] have speculated that the cultural rift between Muslim and Western societies is too great to be bridged by the simple expansion of material affluence and the export of liberal conceptions of human rights. Huntington, in *The Clash of*

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1. Cal Thomas, *Will They Fool Us Twice?*, *at* http://www.townhall.com/columnists/calthomas/ct20011003.shtml (Oct. 3, 2001); *see also* William Safire, *For a Muslim Legion*, N.Y. TIMES, Oct. 1, 2001, at A23.

2. According to Lewis, it is the "attraction" of Western values and affluence that have energized fundamentalist movements in Islam and contributed to the divide between cultures. He states:

> More than ever before it is Western capitalism and democracy that provide an authentic and attractive alternative to traditional ways of thought and life [in Muslim society]. Fundamentalist leaders are not mistaken in seeing in Western civilization the greatest challenge to the way of life that they wish to retain or restore for their people. [Moreover, f]rom constitutions to Coca-Cola, from tanks and television to T-shirts, the symbols and artifacts, and through them the ideas, of the West have retained—even strengthened—their appeal.

Bernard Lewis, *The Roots of Muslim Rage*, ATLANTIC, Sept. 1990, at 47, *available at* http://www.theatlantic.com/issues/90sep/rage.htm (last visited Mar. 7, 2003); *see also* Samuel P. Huntington, *The Clash of Civilizations?*, FOREIGN AFF., Summer 1993, at 22.

Civilizations?, insists that humanity's future battleground "will not be primarily ideological or primarily economic. The great divisions among humankind and the dominating source of conflict will be cultural. Nation states will remain the most powerful actors in world affairs, but the principal conflicts of global politics will occur between nations and groups of different civilizations."[3]

Huntington's thesis is especially sobering to an intellectual community grappling with this supposed chasm that exists between Muslim and Western cultures, the nations of which are seemingly at odds over first principles.[4] The colliding civilizations theory insists that long-employed instruments of Western "paternalism"—the expansion of markets, the export of democratic ideals, and the promotion of human rights—are ineffectual, or perhaps even counterproductive, in resolving intercultural problems with the Muslim world. Bernard Lewis explored the rise of Islamic fundamentalism as a consequence of Muslim culture's growing attraction to Western values as far back as 1990 in his essay *The Roots of Muslim Rage*. In this essay Lewis suggested that

> Islamic fundamentalism has given an aim and a form to the otherwise aimless and formless resentment and anger of the Muslim masses at the forces that have devalued their traditional values and loyalties and, in the final analysis, robbed them of their beliefs, their aspirations, their dignity, and to an increasing extent even their livelihood.[5]

Yet one must question whether the responses of fundamentalist groups are in any way representative of the broad spectrum of Muslim society respecting the encroachments of modernity.[6]

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3. Huntington, *supra* note 2, at 22.

4. Huntington identifies some of the principles over which civilizations clash: "different views on the relations between God and man, the individual and the group, the citizen and the state, parents and children, husband and wife, as well as differing views of the relative importance of rights and responsibilities, liberty and authority, equality and hierarchy." *Id*. at 25.

5. Lewis, *supra* note 2, at 47, 59. For an excellent survey of books engaging the clashing civilizations thesis, see *Coming to Grips With Jihad*, ATLANTIC, *at* http://www.theatlantic.com/unbound/flashbks/jihad.htm (Sept. 12, 2001).

6. Lewis himself recognizes:

The Muslim world is far from unanimous in its rejection of the West, nor have the Muslim regions of the Third World been the most passionate and the most extreme in their hostility. There are still significant numbers, in some quarters perhaps a

Globalization, as one of the principal "encroachments," encompasses those processes in the interaction of human cultures that have succeeded in compressing and intensifying humankind's knowledge of the world such that traditional boundaries and the separations created by polities, and even those divisions resulting from the physical properties of space and time, are increasingly inconsequential.[7] The question addressed here is whether this simultaneous compression and intensification of knowledge and activities on a global scale, and the consequences thereof, is in any way incompatible with the Islamic worldview.

The clash of civilizations thesis assumes much about Muslim attitudes toward the rise of a global society, and it may exaggerate the fundamental nature of perceived incompatibilities between Muslim and Western culture. Consequently, the danger of a self-fulfilling prophecy exists with regard to Islam and the global community in that the presumed gulf between cultures may well be realized if those presumptions harden attitudes between Islamic nations and the rest of the world. Thus, while several conflicts such as the Israeli-Palestinian quagmire can be traced to particular historical, political, and geographical circumstances, future global conflicts could arise without any such justification. The mere existence of misperceptions between Islam and the West may be sufficient to inflame hatred and precipitate conflict.

At the very least, Western scholars are obligated to discern accurate views on the globalization phenomenon from a cross-section of Islamic leaders, scholars, and businesspersons. Western critics of Muslim society in particular must analyze attitudes and behavior across the social and economic strata of Islamic societies to

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majority, of Muslims with whom we share certain basic cultural and moral, social and political, beliefs and aspirations . . . .

Lewis, *supra* note 2, at 48.

7. This definition of globalization expands on one located on the website of the Globalization Research Center of the University of South Florida: "[G]lobalization refers to the worldwide compression of space and time and the intensification of consciousness about the world as a whole." Globalization Research Center Website, *at* http://www.cas.usf.edu/GlobalResearch/ (last modified Feb. 28, 2003). Attempting a more comprehensive definition, Roger Scruton notes: "Globalization does not mean merely the expansion of communications, contacts, and trade around the globe. It means the transfer of social, economic, political, and juridical power to global organizations, by which I mean organizations that are located in no particular sovereign jurisdiction, and governed by no particular territorial law." Roger Scruton, *The West and the Rest*, Nat'l Rev. Online, *at* http://www.nationalreview.com/comment/comment-scruton092302.asp (Sept. 23, 2002).

adequately assess if and where incompatibilities exist. More diligent scholarship would help to alleviate the stereotyping of Islam that has been perpetuated by non-Muslims on the basis of uninformed interpretations of the Quran and misperceptions about the Islamic faith generally. Indeed, it is just as misleading for a Christian to interpret and declare certain tenets of the Quran to be at odds with global culture as it would be for a Muslim to use select scripture from the Bible (e.g., the prohibition against usury) for the purpose of declaring Christianity incompatible with the modern industrial societies of the West.[8]

This Essay attempts to distill and analyze responses from representatives of various Islamic communities to the globalization of human culture. Specifically, it seeks to identify which, if any, of the cultural phenomena commonly associated with globalization are fundamentally at odds with the teachings of the Quran or the principles of social morality and organization common to most Islamic societies. To better facilitate investigation, the body of this Essay is divided into four principal sections: Part II explores the economic aspects of globalization that influence Muslim societies; Part III discusses political globalization and Western perceptions of Islamic resistance to democratic principles; Part IV examines Muslim attitudes toward an evolving international standard for human rights; and, Part V offers some reflections and suggests that Islam's encounter with the global society is not as "inherently" contentious as many Western critics have portrayed. In fact, the responses of Muslim communities, even many fundamentalist ones, to the globalization phenomenon are in certain ways similar to the struggles of early American society with principles of social organization as they emerged with the "new economics" of the Scottish Enlightenment, the political ideals of Whiggery, and the evolutionary and often painful development of a "modern" theory of human

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8. Swiss National Bank General Thomas Moser notes:

"All of the three legal codes of the Old Testament, the 'Code of the Covenant,' the 'Law of Holiness,' and the 'Deuteronomic Code,' contain a law prohibiting the lending on interest whereby the prohibition in the 'Code of the Covenant' in the book of Exodus is generally agreed to be the oldest."

Thomas Moser, *The Old Testament Anti-Usury Laws Reconsidered: The Myth of Tribal Brotherhood*, Social Science Research Network Electronic Library, *at* http://papers.ssrn.com/ sol3/delivery.cfm/9703041.pdf ?abstractid=41844 (last visited Mar. 12, 2003).

rights.[9] Part VI follows with a brief conclusion that the perceived clash of civilizations is in fact an encounter between cultures at different stages in their respective developments; yet, it also suggests that both Western and Islamic societies have the ability to inform the other and potentially to reveal each other's shortcomings in their respective conceptions of progress and justice.

II. ECONOMIC GLOBALIZATION

To date, the greatest cultural impacts among myriad phenomena associated with globalization have been economic—the proliferation of transnational corporations, the rise of brand consciousness in the developing world, the diffusion of manufacturing processes around the globe, and the rising dominance of an ethos of consumption. Economic globalization is perhaps most prominent because of its brashness; it is in-your-face globalization—a form that requires an immediate response at the level of the individual (to consume or to sell one's services)—and it is a type of globalizing influence that more easily circumvents the traditional physical and ideological boundaries of the state by facilitating value transference through the ubiquitous instrument of the market. Thus, economic globalization confronts Muslims, as all people, not only with consumption choices but with value choices as well. Its associated technologies are rife with value implications, as many Westerners have discovered in the development of markets for human fertility services, genetically engineered foods, human organs, pornographic commodities, and other religiously, morally, and ecologically controversial products and services. These and many other value-shaping commodities are increasingly marketed on a global scale.

Yet a teleological disconnect perhaps has contributed most to the separation between Islamic and Western cultures over economic globalization and, more generally, economic philosophy. Timur Kuran neatly summarizes the attitude that has divided Muslims from

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9. Legal historian John Witte explores the impact of "diverse ideological movements, in various academic disciplines and social circles throughout Europe and North America" in the formation of the United States in JOHN WITTE, RELIGION AND THE AMERICAN CONSTITUTIONAL EXPERIMENT: ESSENTIAL RIGHTS AND LIBERTIES 31 (2000). For Witte's view of the struggle for first principles in the early American nation and especially the evolutionary nature of the ideal of "religious liberty" in the American experience, see Chapter One, "The American Experiment in Historical Context" and Chapter Two, "The Theology and Politics of the Religion Clauses."

non-Muslims regarding economics where he states, "the main purpose of Islamic economics is *not* to improve economic performance,"[10] a point completely lost on most Western readers. The market, or *suq* in Islamic societies, is much more than an institution for the efficient exchange of commodities. Rather it serves to reinforce societal values and traditions and, perhaps most importantly, the *ordering* of those traditions in a very distinct hierarchy. Michael Gilsenan infers from the location of the market in Muslim villages—most often adjacent to a mosque—a symbolism that offers a critical insight into Islamic culture. The criticality of "space" and "symbols" to Muslims insists that the physical relationship between mosque and market is not coincidental but rather signifies that commercial transactions take place "within" the larger and greater context of an Islamic order built on the teachings of the Quran.[11] Moreover, it signifies that market ethics must remain subordinate to the doctrine and moral principles of Islam. Gilsenan gives the following explanation of the cultural differences between Muslim and non-Muslim societies[12] regarding the role of the market (and concurrently offers a not-so-subtle critique of the Western view):

> [T]he *suq* seldom ever has a singularly economic quality and . . . it rather might be seen in its turn as an extension of life in the adjacent mosque. For village and tribal markets . . . are not just arenas into which everyone leaps, economic fists at the ready for battle, where anything goes in terms of bargaining, self-interest, profit calculation, and getting as much out of the other fellow as possible. The *suq* is intensely personal and social. Relations of

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10. Timur Kuran, *The Discontents of Islamic Economic Morality*, 86 AM. ECON. REV., May 1996, at 438, 438 (emphasis added).

11. Gilsenan states,

It is no accident that the holy towns one finds throughout the Middle East . . . are also often the sites of major regional markets and caravan route stopping points. Religion and economy here link tightly and those who are sanctified men of peace, perhaps descendents of the Prophet, guarantee the functioning of the social system of the men of honor and violence. They extend a symbolic canopy of religious sanctions and symbols over the market and impose, at least in theory, a qualitatively different order and code upon those who come together there.

MICHAEL GILSENAN, RECOGNIZING ISLAM: RELIGION AND SOCIETY IN THE MODERN MIDDLE EAST 175 (rev. ed., I.B.Tauris & Co. 2000) (1982).

12. The term "non-Muslim country" or "non-Muslim society" is used in this Essay to denote a nation where Islam is a minority faith and not necessarily one in which Islam is absent altogether.

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honor and good faith are as crucial there as are the niceties of local
forms of accounting. Transactions are marked by language in which
reiterations of pious formulas and the swearing of religious oaths
on the Quran and by the Prophet are an integral part.[13]

Thus, the dominant economic values of profit maximization,
market efficiency, and subjective valuation found in democratic-
capitalist societies are not absent in Muslim culture. Rather, they are
consistently subordinated to a perceived greater good—the
preservation of Islamic traditions.[14] Indeed, Islamic traders of the last
millennium's middle centuries have been characterized as the "first
globalizers," who spread not only the material goods but also the
religion and culture of the Arab world to much of Europe and Asia.

In more recent times, however, many Muslims perceive trade
liberalization as a threat to Islamic cultural traditions. Ironically, this
perception of threat began to escalate dramatically during one of the
most financially prosperous times in the history of Arab-Muslim
states—the oil boom of the 1970s. Daniel Pipes summarizes the
means by which prosperity driven by oil exports amplified both the
allure and the threat of Western culture to Muslim society, and thus
precipitated a retreat to Islamic fundamentalism:

> Increased exposure to the West and to modernity made Muslims
> more receptive to fundamentalist Islam. Oil revenues led to
> urbanization, it attracted foreign non-Muslim workers, it made
> Western manufactured products more available; and it funded
> travel to the West for Muslim students, businessmen, and tourists.
> In these and other ways, the oil boom brought many Muslims into
> closer contact with modernity. As oil increased Muslim contact
> with the West, many believers reacted by turning inward. They

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13. GILSENAN, *supra* note 11, at 177 (emphasis added). Scholar of Islam John Esposito
also notes significance in the proximity between market and mosque in Muslim societies,
stating: "Mosques throughout the world, such as the Umayyad mosque in Damascus and the
magnificent mosques of old Cairo and Teheran, are often adjoined by magnificent bazaars.
Traders and businessmen were among the most successful sectors in society and were
responsible for the spread of their faith." JOHN ESPOSITO, UNHOLY WAR: TERROR IN THE
NAME OF ISLAM 129 (2002).

14. Kuran states, perhaps too negatively and too strongly, that the "real purpose [of
Islamic economics] is to help prevent Muslims from assimilating into the emerging global
culture whose core elements have a Western pedigree." Kuran, *supra* note 10, at 438. As will
be seen, there is some flexibility in Islam respecting assimilation so long as the core values of
the religious tradition are not lost in the process.

> sought refuge in their own tradition rather than contend with the threatening impact of modern culture.[15]

The vast oil reserves of many Arab-Muslim countries, offering an irresistible allure for industrialized nations, inspired an equally irresistible attraction for the Islamic nations to tap the wealth that oil represented. But this required the involvement of Western corporations, the implementation of high technologies, and the adoption of certain Western business practices, all of which precipitated a larger infusion of Western values. It is this ostensible infusion of Western values that is perceived to endanger traditional values and practices of Islam today and that has fueled the rise of Islamic fundamentalism.

This perception of threat was evidenced during a recent protest in Iran in response to a meeting of Iranian government ministers who came together to discuss the issue of trade. The protesters stated that the "[g]lobal economy is the domination of the West. The cultural domination should be demolished. World workers unite, unite and death to the Zionist capitalism . . . ."[16] A written statement issued by the demonstrators observed, "The accelerated pace of globalization is so high that the justice-seeking revolution of the Iranian people has fallen pray [sic] to this current as it has inflicted its first blows on the nation in the form of a structural reform plan . . . ."[17]

Two observations are immediately apparent in the protests of the Iranian demonstrators. First, their claim that the "[g]lobal economy is the domination of the West"[18] supports the stereotype that Muslims are resistant to globalization. For many fundamentalist and traditionalist groups within Islam, the term globalization is simply a euphemistic cover for more insidious forms of Westernization. Several Islamic leaders and scholars have attempted to emphasize that it is not globalization they fear but rather Westernization or, more pointedly, Americanization,[19] yet the very dominance of the

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15. DANIEL PIPES, IN THE PATH OF GOD: ISLAM AND POLITICAL POWER 297 (Transaction Publishers 2002) (1983).

16. *Iranian Workers Rally Against WTO, Globalization*, *at* http://www.payvand.com/news/01/nov/1019.html (Nov. 9, 2001).

17. *Id.*

18. *Id.*

19. Mark Long, director of Middle Eastern Studies at Baylor University, comments that in conversations with many mainstream Muslim leaders, a majority have quickly pointed out

American economy in the world lends itself to such easy association. International financial institutions such as the World Trade Organization ("WTO") and World Bank are often viewed as nothing more than puppet organizations of Western governments, erected to impose their values on the developing world.

Second, and more significant in the context of this Essay, the protesters were demonstrating against the acts of their own government as much as against any perceived infringements by Western institutions. This protest, in what is ostensibly one of the most anti-Western of Islamic nations, represents profound divisions in Muslim attitudes over the effects of globalization. Those attitudes run the gamut from genuine enthusiasm by many Muslim political leaders over the prospects for the global economy to alleviate poverty in their countries to qualified optimism by members of the middle class who observe both the good and bad of global capitalism to bitter hatred of the emerging world economy by fundamentalist clerics and militant Muslim students in the madrasas (Islamic schools).

Significantly, leaders of several Muslim countries, even those viewed as extreme in the West such as Iran and Libya, have voiced support for the economic aspects of globalization as a means of extricating their countries from the unrelenting cycle of poverty.[20] Professor Mohammad Ali Sa'adat, head of the Iranian embassy's cultural office, has observed the inevitability of the globalization phenomenon and its potential as a force for the empowerment of Muslims:

> We should accept globalization as a fact. It is difficult to say whether it is good or bad, but the modern world is moving towards globalization and the development of high technology. Taking their own high potential as a starting point, the Western countries are attempting to impose their own cultures and values. As a counterweight to this, we, the Muslim countries, should

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that it is the presumed dominance of one nation or political ideology over all others that they fear, not the confluence and compression of global values and practices that serves here as a working definition for globalization. Interview with Mark Long, Director of Baylor University's Middle Eastern Studies, in Waco, Tex. (Sept. 23, 2002).

20. *See Interconfessional Dialogue Will Promote Stability*, BBC MONITORING INT'L REP., June 20, 2002.

promote the development of integration and the formation of a
world culture.[21]

Similarly, Jordanian King Abdallah has stated, "In light of
globalization, Arabs should have their economic bloc that promotes
inter-Arab trade and [Arabs should] remove obstacles facing the flow
of trade, thus achieving a dignified life for our peoples."[22] The
statements of Sa'adat and Abdallah reveal an attitude more common
among Muslim political and religious leaders and intellectuals than
most Westerners comprehend: That given a fair playing field among
the world's diverse cultures, many Muslims welcome the opportunity
to reveal the virtues of Islamic society afforded through the forces of
globalization. M. A. Muqtedar Khan believes those virtues "such as
adl (justice), *zakaat* (distributive justice) *israf* (prohibition of
extravagance), [and] *falah* (welfare)" have been ignored or
marginalized in the economic realm due to the preoccupation of
scholars with the Quran's prohibition on usury.[23] Khan's article
demonstrates "how East Asian economies have [been]
institutionalizing Islamic principles in contemporary economic
practices and are harvesting great benefits."[24] Yet, Khan and others
suggest that achieving a "fair playing field" in which these Islamic
economic virtues can be demonstrated to a rapidly changing global
culture will require the reform of certain international institutions
and the reorientation of globalizing influences away from its current
Western bias and in favor of a truly multicultural approach.[25]

Hence, it is suggested that a misperception exists on the part of
many non-Muslims about Islamic attitudes toward globalization.

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21. *Id.*

22. *Jordanian King Praises US President's Middle East Initiative*, BBC MONITORING
INT'L REP., June 29, 2002.

23. M. A. Muqtedar Khan, *Mythology of Islamic Economics and Theology of the East Asian
Economic Miracle*, WITNESS-PIONEER, *at* http://www.wponline.org/vil/Articles/economics/
mythology_of_islamic_economics.htm (last visited on Mar. 7, 2003).

24. *Id.*

25. Non-Muslim observers are beginning to recognize differences in Muslim attitudes
between globalization, modernization, and Westernization. Dr. Michael Donovan of the
Center for Defense Information suggests that within Saudi Arabia, "more moderate groups
stress reform, rejecting Westernization rather than modernization. They understand that
Islamic society will have to accommodate the modern world in some respects. They wish to
mitigate the more problematic influences of modernity through a revival of traditional Islamic
values." Michael Donovan, *Islam and Stability in Saudi Arabia*, CENTER FOR DEFENSE
INFORMATION, *at* http://www.cdi.org/terrorism/saudi.cfm (Nov. 13, 2001).

The stereotype of militant Islamic groups resisting global institutions by force is greatly attenuated by the stated views of many mainstream Muslim leaders who confess resignation to the inevitable formation of a global community. Indeed, statements by prominent Americans such as television evangelist/political commentator Pat Robertson that Western and Muslim culture are so antithetical that "to see Americans become followers of quote Islam, is nothing short of insanity"[26] reveal a lack of understanding and even unwillingness by Western critics to genuinely explore Muslim values and attitudes.

Encouragingly, some observers are beginning to recognize that the arrival of the global economy may signal an attenuation of one of the principal impediments to the improvement of Muslim relations with the West—the disparity in their respective standards of material life. Columnist Tom Friedman, for example, has noted "the 'contrast between Islam's self-perception as the most ideal expression of the world's three great monotheistic religions . . . and the conditions of poverty, repression, and underdevelopment in which most Muslims live today.'"[27] Friedman's observation that it is incongruous for nations with the supposedly "purest" form of monotheism to have realized extreme material deprivation reveals an obvious Western bias concerning the natural confluence of prosperity and religiosity. Still, it leads him to his often-espoused idea that if bringing Islamic nations to a fuller participation in the world economy is successful in helping them shed their economic inferiority complexes, then economic globalization can serve both to harmonize and stabilize a transforming world community.[28]

A potential obstacle to Islam's acquiescence to a global economy, however, is whether Muslims can accept certain principles now viewed as essential to the effective operation of the capitalist economy, both national and international. For example, the modern capitalistic imperative of economic subjectivism (the idea that given a

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26. Press Release, The Interfaith Alliance, Robertson Calls Islam "Nothing Short of Insanity" (Oct. 29, 1997), *available at* http://www.interfaithalliance.org/Newsroom/press/102997.html (quoting *The 700 Club* (Christian Broadcasting Network television broadcast, Oct. 27, 1997)). Robertson continued by stating, "[T]he Islamic people, the Arabs, were the ones who captured Africans, put them into slavery, and sent them to America as slaves. Why would people want to embrace the religion of the slavers?" *Id*.

27. Martin Krossel, *Friedman's Follies: All the Peace-Processing That's Fit to Print*, THE WKLY. STANDARD, May 27, 2002, at 17 (quoting Thomas Friedman, *An Intriguing Signal from the Saudi Crown Prince*, N.Y. TIMES, Feb. 17, 2002, §4, at 11).

28. *See id*.

culture of markets and the freedom to transact, the subjective choices of individuals are the principal source of values for society and the primary guide to the social good) appears to conflict with traditional Islamic views of community and the role of the individual. Given the emphasis on communal values and restrictions on individual autonomy found in many Muslim societies, it is fair to ask whether a subjectivist economic ethic can exist and function in an Islamic culture in the same way that it has in the industrialized and technological economies of the West.

In describing Islam's struggle with such questions, Kuran's *The Discontents of Islamic Economic Morality* chronicles certain changes that have taken place in the Muslim world to accommodate the requirements of the modern global economy.[29] For example, Kuran notes that the Islamic banking system has adjusted to the requirement for some form of return on capital to enable investment while attempting to adhere to the Islamic prohibition on usury. Islamic banks charge what are termed "markup" fees and "commissions" in lieu of actual interest charges for monetary loans; yet the effect of these transfers is the same—the payment of an agreed upon sum for the use of money for a specified period of time.[30] Kuran observes,

> The Islamic banks create uneasiness in their employees who understand that their operations do not really conform to the ban on interest. At the same time, they serve as an instrument of guilt-reduction for depositors and borrowers who believe that, even if Islamic banking is not actually interest-free, it is at least morally superior to conventional banking.[31]

Thus, some flexibility is evident among certain Muslim groups in their dealings with the increasingly complex world economy. As Ray Takeyh has observed, "Moderate Islamists are likely to be most liberal in the realm of economic policy. The failure of command economies in the Middle East and the centrality of global markets to the region's economic rehabilitation have made minimal government

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29. *See* Kuran, *supra* note 10.

30. *Id.* at 441. Kuran notes, however, that this practice, obviously instituted to circumvent religious prohibitions, is an "exception"; it is a significant concession to the requirements of an expanding world economy. *Id.*

31. *Id.*

intervention appealing to Islamist theoreticians."[32] Moreover, there have been attempts in recent years to "Islamicize" certain institutions and principles of the modern capitalist economy. Stock and bond trading, for example, has been legitimated through the application of the Shari'a to such practices and facilitated through the advent of an "Islamic Web site [sic] for Sharia-compliant stock trading."[33] The growth in Muslim investment websites and newsletters would indicate that activities associated with global financial markets are gaining acceptability with at least some Islamic groups so long as these activities are deemed to comply with the dictates of Shari'a.[34]

The periodical *Islamic Voice* published an editorial that is critical of the fact that certain Muslim groups now look primarily to the *final* products and services of corporations to identify them as *Halal* (permitted, licit) while ignoring their underlying debt and investment structures, which are often dependent on interest-bearing instruments.[35] Again, this criticism reveals that influential groups within Islamic culture are finding ways to adopt modern economic principles and practices that traditionally have been viewed as incompatible with the Muslim religion.

Other symbolic and anecdotal evidence exists to suggest the rising acceptance of global economic principles by Muslims. The very existence of the Petronas towers, the world's largest skyscrapers located in Kuala Lumpur, Malaysia, which were financed by the Petronas National Oil Company as an effort to "announc[e] Kuala

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32. Ray Takeyh, *Faith-Based Initiatives: Can Islam Bring Democracy to the Middle East?*, FOREIGN POL'Y, Nov.–Dec. 2001, at 68, 70.

33. Ela Dutt, *Islamic Web Site for Sharia-compliant stock trading*, INDIA ABROAD NEWS SERVICE, *at* http://www.apnic.net/mailing-lists/s-asia-it/archive/2001/01/msg00035.html (Jan. 11, 2001). Shari'a is the divine law of the Islamic faith that guides humankind according to God's will. It is not simply a moral code; its laws are relevant to all aspects of life, for Muslims and non-Muslims as well.

34. The website Muslim Investor offers a screening filter to enable its Muslim clients to purchase Shari'a compliant stocks. *See* http://muslim-investor.com/mi/islamic-filter.phtml, (last visited Feb. 14, 2003). A Dow Jones Islamic Market Index also has been created that includes only stocks of companies whose products, services, and business practices have been determined to be in compliance with Islamic law. For more on the recent expansion of Islamic investing, see Jerry Useem, *Banking on Allah: Devout Muslims Don't Pay or Receive Interest. So How Can Their Financial System Work?*, FORTUNE, June 10, 2002, at 155.

35. For a fascinating discussion of the intra-Muslim debate over *Halal* businesses and the attempts by Islamic groups to accommodate the demands of the global economy, see *Trading in Stocks*, ISLAMIC VOICE, *at* http://www.islamicvoice.com/december.98/editorial.htm (Dec. 1998).

Lumpur's prominence as a commercial and cultural capital,"[36] serves as a potent symbol that an advanced form of capitalism can thrive within a predominantly Muslim country. Moreover, the dramatic rise of the Islamic banking system, which saw the first Muslim bank established only in 1975 and now includes approximately 200 financial institutions with total assets of around $170 billion,[37] serves as further evidence of Muslim acceptance of central institutions of capitalism.

Yet, these inroads into Muslim society created by the pervasive and unyielding nature of global forces undoubtedly have precipitated much of the tension that is observed in relations between Islam and the West. That tension will continue to force confrontations like the one observed in the Iranian protest noted previously until some agreement is reached over the degree of autonomy that communities can expect in the global society. This "agreement" between Western and Muslim countries will require facilitation by international institutions that are perceived as unbiased; even more important will be implicit and quite subtle economic arrangements in which both sides come to terms with the differences that separate their respective cultures and adjust their policies accordingly.

The demands of a global economic order undoubtedly will continue to pressure Islamic nations to conformity. However, it is suggested that the angst experienced by Muslims in their encounters with the world economy serves as an experiment that can also be of great value to the West. In an age in which the citizens of capitalist countries are beginning to question whether their economic system can continue to prosper even as religious and moral institutions are increasingly marginalized,[38] the gradual adoption of global capitalism

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36. *The Petronas Towers*, *in* THE WORLD'S TALLEST TOWERS, *at* http://www.skyscraper.org/tallest/t_petronas.htm (last visited Feb. 5, 2003). The building, designed by Cesar Pelli, expresses "the culture and heritage of Malaysia by evoking Islamic arabesques and employing repetitive geometries characteristic of Muslim architecture. In plan, an 8-point star formed by intersecting squares is an obvious reference to Islamic design; curved and pointed bays create a scalloped facade that suggests temple towers." *Id*.

37. Simeon Kerr, *Online Trading Comes to Islam*, SHIA NEWS, *at* http://www.shianews.com/hi/articles/business/0000054.php (Feb. 13 2001).

38. Social theorist Fred Hirsch explored the emergence and negative consequences of what he termed "micromorality"—a form of moral reductionism in Western culture that was realized as "the utilitarian-consumerist view of man banished from the social plane the explicit moral content that was embodied in Christian philosophy and sought after in Marxist and other socialist thought." FRED HIRSCH, SOCIAL LIMITS TO GROWTH 124, 132 (1976).

by Islamic societies will likely illuminate both the capabilities and limitations of religious voice in the global economy. For Western culture, often portrayed as having become desensitized to its own eroding moral foundations, Islam's struggles can help to expose moral failings that have resulted from the West's rise to economic dominance. The Islamic economic experiment currently underway can also serve as a test of the potential of capitalism to be a source of virtue and moral renewal as many economically conservative Christians have contended.[39]

The Islamic encounter with the global economy also serves as an interesting experiment in another sense that is perhaps best phrased in the form of a question: Can capitalism function effectively in societies where religious and moral institutions exhibit substantial control over their members' participation in a modern, technological economy? Certainly, to the extent that individual choice is controlled by any authoritarian institution, one can theorize that the economy of such a society will come to resemble the centralized planning system of collectivism.[40] However, the nature of control over personal behavior exercised by the institutions of the Islamic faith varies widely among and even within Muslim nations. What specific form or forms Islamic economics will take in the new world order remains to be seen; however, the trends identified here suggest that trade liberalism, an expansion of capital markets, and a greater receptivity to financial and industrial development likely will be included as integral, though controversial, components.

III. POLITICAL GLOBALIZATION

Resistance to the adoption of liberal principles of governance in Islamic societies undoubtedly has been conditioned by past experience. Coercive attempts to spread democratic values and

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39. Christian libertarians and neoconservatives such as Michael Novak, Ronald Nash, and Father Robert Sirico have often praised the virtue-generating capabilities of capitalist economies. The present author explores the views of these and other American Christians who contend that capitalism largely reinforces moral virtue in his unpublished dissertation: Charles McDaniel, Reinhold Niebuhr's Economic Realism: A Critical Response to Austrian Subjectivism in American Christian Economic Thought (2002) (unpublished Ph.D. dissertation, Baylor University) (on file with author).

40. "Collectivism" refers to socialist and communist systems in which private ownership has been abolished in favor of collective rights to property and in which a central planning system rather than the market guides the production of goods and services.

practices to Muslim countries in the period of European colonization
and later in the 1950s and 1960s as part of the Cold War effort
resulted in the rise of anti-Western attitudes, oppressive regimes, and
Islamic fundamentalist movements.[41] The Iranian Revolution of
1979 revealed for Americans the consequences of attempts to force
elements of Western culture on a predominantly Islamic society.
Similarly, the intensity of secularization in Turkey implemented
under Kemal Atatürk in the 1930s and 1940s ultimately precipitated
a fundamentalist response by various Islamist groups in that country,
beginning with Necmettin Erbakan's Party for National Order in
1970.[42] The stark divisions that exist within Turkish society are the
result of what was perhaps the most aggressive attempt to secularize
a predominantly Muslim culture in history. Hakan Yavuz observes
the rift in contemporary Turkish culture created by Kemalism and its
confrontational approach to the institution of Western values and
democratic principles:

> The soul of white Turkey and its Kemalist identity is in constant
> pain and conflict with the national body politic of Turkey. Each
> side has its own discursive field. For the white Turks, identity is
> based on the ideology of militant anti-religious secularism, known
> in this case as Kemalism, or *laïcism*. Islam, on the other hand, has

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41. Gilsenan traces the roots of modern class divisions in the Middle East to the rise of
the European inspired "colonial city." Gilsenan observes that as

> [M]embers of the new bourgeoisie and those members of the merchant classes who
> were successfully incorporated into the emerging economic and social order moved
> out of their old urban quarters into the new residential suburban spaces, so too
> social and cultural separation between classes grew greater and greater, even as their
> interdependency through the services sector became more intensive.

GILSENAN, *supra* note 11, at 200. Moreover,

> Islam was, of course, rigorously excluded from the colonial city, which specifically
> rejected signs of what was the faith of the subject classes while installing all the
> marks of the late-nineteenth-century European cosmos of state, church, and
> technology. But in the precolonial town the sacred (Islamic) order played a major
> part in articulating spatial forms, as it still does where those areas remain significant
> in contemporary Middle Eastern cities.

Id. at 201.

42. PIPES, *supra* note 15, at 240. Pipes notes:

> Atatürk did all he could to Westernize Turkey, for example, replacing Turkish words
> of Arabic and Persian origin with words of French derivation; he even installed pews
> in the mosques. After his death in 1938, the secularist legacy was carried on by the
> military. Keeping Islam out of politics required constant vigilance on its part, to the
> point that the soldiers made Atatürk's program into something resembling a civil
> religion.

Id.

provided the vernacular for the marginalized majority, who were excluded from the top-down transformation. While secular discourse seeks to empower the state, Islamism empowers the excluded black Turks and Kurds.[43]

Yavuz goes on to note core problems in the socio-political character of Kemalism that have contributed to the problems facing modern Turkey, the first of which is that "its uncritical modernization ideology prevents open discussion that would lead to a new and inclusive social contract that recognizes the cultural diversity of Turkey."[44] Yavuz's observation of the Kemalists' methods and their consequences can be abstracted to a more generalized fear in the Islamic world of the nature of globalization itself. In other words, Islamic societies fear that modernizing elements inevitably overwhelm traditional ones and prevent the formation of what could be distinctive social contracts that have the potential to embrace the rich diversity of Islamic culture. It is not the idea of globalization that Muslims fear but rather the cold reality of its implementation, or at least their perception of that implementation.

Nevertheless, other scholars have pointed to Turkey as a political model for Islamic countries in their often painful transitions to more democratic structures. Graham Fuller, for example, has stated that Turkey merits emulation

> not because Turkey is "secular"; in fact, Turkish "secularism" is actually based on total state control and even repression of religion. Turkey is becoming a model precisely because Turkish democracy is beating back rigid state ideology and slowly and reluctantly permitting the emergence of Islamist movements and parties that reflect tradition, a large segment of public opinion, and the country's developing democratic spirit.[45]

The Turkish struggle to "adopt" democratic principles illustrates that democracy only takes hold where its values reach the masses and where its specific form is flexible enough to conform to certain preeminent cultural values. The West must recognize that its democratic governments are not the only types of democracy; a

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43. M. Hakan Yavuz, *Cleansing Islam from the Public Sphere*, 54 J. INT'L AFF. 21, 26 (2000).

44. *Id.*

45. Graham E. Fuller, *The Future of Political Islam*, FOREIGN AFF., Mar./Apr. 2002, at 48, 59.

democracy's unique political form is as flexible and variable as the representative assemblies and constitutions of the world. And, in the specific context of Islam, Western leaders must recognize that, as Fuller has stated, "political Islam, or Islamism—defined broadly as the belief that the Koran and the Hadith . . . have something important to say about the way society and governance should be ordered—remains the most powerful ideological force in that part of the world."[46]

Yet Fuller's statement does not suggest that Islamic principles of governance are fundamentally undemocratic. Some scholars in fact suggest that the principal difference is not between Muslim political philosophy and democracy but rather between distinctive Islamic and Western conceptions of democracy. Ali Abootalebi, in his article *Islam, Islamists, and Democracy*, attempts to make this point by paraphrasing Abdul A'la Mawdudi, founder of the Jamaat-e-Islami, a group widely characterized in the West as a "radical" Islamic organization. According to Abootalebi, Mawdudi believed that "if democracy is conceived as a limited form of popular sovereignty, restricted and directed by God's law, there is no incompatibility with Islam . . . ."[47] However, Abootalebi goes on to observe Mawdudi's conclusion that "Islam is the very antithesis of secular *Western* democracy [that is] based solely on the sovereignty of the people."[48] While it can be argued that Abootalebi's characterization of Mawdudi's philosophy overemphasized the role of popular sovereignty vis-à-vis the sovereignty of the Creator in Western democracy, this perceived difference carries considerable weight in Muslim political thought. It is reinforced, for example, on the website of Jamaat-e-Islami, which attempts to differentiate Islamic and Western understandings of democracy rather than attacking the idea of democracy itself:

> What distinguishes Islamic democracy from Western democracy, therefor [sic], is that the latter is based on the concept of popular sovereignty, while the former rests on the principle of popular *Khilafa*. In Western democracy, the people are sovereign; in Islam sovereignty is vested in Allah and the people are His caliphs or

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46. *Id.* at 49.

47. Ali R. Abootalebi, *Islam, Islamists, and Democracy*, 3 MIDDLE E. REV. OF INT'L AFF. J., Mar. 1999, at 14, 15, *available at* http://meria.idc.ac.il/journal/1999/issue1/abootalebi.pdf (last visited Mar. 7, 2003).

48. *Id.* (emphasis added).

representatives. In the former the people make their own [laws]; in the latter they have to follow and obey the laws (*shari'a*) given by Allah through His Prophet. In one the government undertakes to fulfil [sic] the will of the people; in the other the government and the people have to fulfil [sic] the will of Allah.[49]

Two prominent scholars of Islam, John Voll and John Esposito, contend that three "longstanding Islamic concepts of consultation (*shurah*), consensus (*ijma*), and independent interpretive judgment (*ijtihad*)" are critical to the development of Islamic democracy.[50] Significantly, the authors find support for all three principles in the Quran, although they suggest "the classical doctrine of *shurah*, as it developed, was in error."[51] Likely due to the aristocratic and authoritarian nature of the caliphates, the concept of *shurah* developed culturally as "the process of one person, the ruler, asking other people for advice, whereas the Quranic understanding of *shurah* 'does not mean that one person asks others for advice but, rather, *mutual advice* through mutual discussions on an equal footing.'"[52]

A return to the Quranic ideal of *shurah* has been evidenced in several Muslim countries in recent decades as has a greater appreciation of the principle of *ijtihad*. Renowned Muslim philosopher-poet Muhammad Iqbal in fact noted rising appreciation for the value of independent spirit and judgment along with growth in the concept of representative government among Muslims as early as the 1930s:

> The growth of republican spirit, and the gradual formation of legislative assemblies in Muslim lands constitutes a great step in advance. The transfer of the power of Ijtihad from individual representatives of schools to a Muslim legislative assembly which, in

49. Syed Abul A'la Maudoodi, *The Political Framework of Islam*, ISLAMIC FOUNDATION, *at* http://www.jamaat.org/islam/HumanRightsPolitical.html (Ahmed Said Khan & Khurshid Ahmad trans., last visited Feb. 6, 2003).

50. JOHN L. ESPOSITO & JOHN O. VOLL, ISLAM AND DEMOCRACY 27 (1996). Voll and Esposito concede that "[l]ike many concepts in Western political tradition, these terms have not always been identified with democratic institutions and have a variety of usages in contemporary Muslim discourse. However, regardless of other contexts and usages, these terms are central to the debates and discussions regarding democratizations in Muslim societies." *Id.*

51. *Id.* at 28.

52. *Id.* (quoting Fazlur Rahman, *The Principle of Shura and the Role of the Ummah in Islam*, *in* STATE, POLITICS, AND ISLAM 90–91 (Mumtaz Ahmad ed., 1986)).

view of the growth of opposing sects, is the only form Ijma can take in modern times, will secure contributions to legal discussion from laymen who happen to possess a keen insight into affairs. In this way alone can we stir into activity the dormant spirit of life in our legal system.[53]

Interestingly, this growing respect for democratic principles is observed not only among the more secular segments of Muslim populations but also among certain Islamist groups that are committed to the incorporation of Quranic principles into whatever form of governance their countries adopt. Providing contemporary evidence that supports Iqbal's observations, Mumtaz Ahmad, professor of political science at Hampton University, notes:

> The Pakistani, Bangladeshi, Turkish, Malaysian, Egyptian, Jordanian, Algerian, Tunisian and Moroccan Islamists have already accepted the Islamic legitimacy of popular elections, the electoral process, the multiplicity of political parties and even the authority of the popularly-elected parliament to legislate not only on socio-economic matters but also on Islamic doctrinal issues.[54]

These concessions suggest that the governments of Muslim countries will continue to explore and experiment with various elements of democratic government in the attempt to discover critical synergies between democracy, the traditions of Islamic culture, and the dictates of Islamic law.

Hence, just as in the case of economic globalization, it appears that there may be much broader support for the adoption of democratic principles within Muslim nations than many Western critics are willing to acknowledge. Some moderate Islamist groups, which increasingly concede the inevitability of a global "economy," also acknowledge a newfound commitment to some form of representative and constitutional government. Ironically, it is the Islamists rather than the secular factions who may point the way to conciliation between Muslim countries and the West over the issue of democratic governance. For example, one scholar has noted that, among Islamists,

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53. *Id.* at 29 (quoting ALLAMA MUHAMMAD IQBAL, THE RECONSTRUCTION OF RELIGIOUS THOUGHT IN ISLAM 173–74 (1968)).

54. Mumtaz Ahmad, *Islam and Democracy: The Emerging Consensus – ii*, MILLI GAZETTE, *at* http://www.milligazette.com/Archives/01022002/0102200259.htm (last visited Feb. 7, 2003).

It is the extent of popular sovereignty and not its existence that is debated. Because of economic, technological, and environmental changes, further development of Shari'a seems inevitable to the Islamists. The development of Shari'a, they argue, need not be looked upon as a move away from Islamic principles, but, on the contrary, as a necessary stepping-stone towards reaching an ideal Islamic society—a materially and spiritually developed utopia.[55]

While the lessons of history might argue against utopian aspirations for any system emerging from a convergence among the institutions of religion and state, such statements are nonetheless encouraging for a world community that is locked in ideological conflict. And, once again, comments such as these from significant Muslim thinkers like Iqbal and Abootalebi point out the potential damage caused by the lethargy and ill-founded rhetoric of Western pundits who all-too-casually accept the clash of civilizations thesis and the stereotypes emanating from it.

IV. HUMAN RIGHTS GLOBALIZATION

The issue of emerging international standards for human rights perhaps poses more obstacles to Islam's acceptance of and acceptance within the global community than either economic or political globalization. The spread of Western-style individualism to the non-Western world that has been associated with the growth of international political and economic institutions has been more heavily criticized by Islamic groups than the institutions themselves. Muslim social theorist Ayatullah Sayyid Mahmud Taleghani, for example, condemns the extreme ethic of consumption that many perceive as fully ingrained in the Western conception of the individual:

One who has adopted useless or harmful ways of consumption and then becomes habituated to them will always be using his mind to seek out illicit sources of income; gradually he will find his way into the practices of stealing, embezzlement, and usurpation of public and private resources. As these forms of consumption increase, the production facilities for the corresponding goods expand proportionately (as for beverages, corrupting films, tobacco products, centers of corruption, deviant art forms, etc.), and the production faculties for sound, useful, necessary goods likewise are

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55. Abootalebi, *supra* note 47, at 17.

diminished proportionately. Productive capacities and human resources retreat from the course of social and intellectual evolution. Finally, a material and spiritual poverty envelops individuals and society, leading to the darkness of loss of life and general extinction.[56]

Taleghani's gloom over the prospects of a society of unbridled consumption is not uncommon in the Muslim world. While many Muslims are more subtle in their criticisms of Western individualism and its ethic of consumption, the question should be asked: Is there something distinctive in Islamic conceptions of human rights and responsibilities that gives rise to vehement criticism of Western notions? Perhaps more fundamentally, is there a consistently agreed upon understanding of individual rights in the Islamic world that can be expressed and thus compared to the Western view?

The Jamaat-e-Islami of Pakistan offers one perspective on human rights in the context of Muslim culture that suggests, at the very least, less temporality than the Western understanding: "When we speak of human rights in Islam we mean those rights granted by Allah. Rights granted by kings or legislative assemblies can be withdrawn as easily as they are conferred; but no individual and no institution has the authority to withdraw the rights conferred by Allah."[57]

Moreover, concerning international norms for human rights, the same group states, "The charter and the proclamations and the resolutions of the United Nations cannot be compared with the rights sanctioned by Allah; the former are not obligatory on anybody, while the latter are an integral part of the Islamic faith."[58] Thus, in Islamic political thought there appears to be denial of the legitimacy of "rights doctrine" as developed by secular political institutions, especially that of the international community.

Syrian scholar Sati al-Husri agrees that the exaltation of personal freedoms found in the West is contrary to the Islamic tradition. According to George Mason University professor Adeed Dawisha,

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56. AYATULLAH SAYYID MAHMUD TALEGHANI, SOCIETY AND ECONOMICS IN ISLAM 41 (R. Campbell trans., 1982). In fairness, Taleghani did not specifically target American or European economic ethics in his description, but the influence of the consumption ethic on Western individualism has been one of the principal targets of social criticism by Muslim scholars.

57. Maudoodi, *supra* note 49.

58. *Id.*

al-Husri "rejects the notion of freedom in the Anglo-French tradition that regards the state as instrumental in founding the nation."[59] For al-Husri, freedom is an "organic creation" that renders individual liberties subordinate to the freedom of the people collectively.[60] It is this elevation of national identity and rights above those of the individual that created stumbling blocks to conciliation between Islam and the West over human rights issues in the past. Attempts to bring Islamic countries into the emerging global community already encounter resistance from Muslims over differences between Islam's view of the relationship between the individual and society and that of the West. Michael Ignatieff describes the frustrations experienced in past attempts to reach common ground between Muslim and Western nations over the issue of human rights:

> There have been recurrent attempts, including Islamic declarations of human rights, to reconcile Islamic and Western traditions by putting more emphasis on family duty and religious devotion and by drawing on distinctively Islamic traditions of religious and ethnic tolerance. But these attempts at fusion between the Islamic world and the West have never been entirely successful: agreement by the parties actually trades away what is vital to each side. The resulting consensus is bland and unconvincing.[61]

Ignatieff's point draws support from the drafting of the Universal Declaration of Human Rights in 1947. Concessions made during the Declaration's drafting resulted in a document that many scholars concede has had limited efficacy in stemming the tide of persecution and repression. Western influence in the Declaration is obvious, which has limited the document's credibility in the Islamic world. At the same time, its shortcomings in articulating a truly liberal expression of religious liberty have left many human rights activists unimpressed and uninspired.[62]

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59. Dr. Adeed Dawisha, Arab Nationalism & Political Islam: Issues of Identity & Problems of Democraticization, Lecture at the University of Maryland (March 28, 2000) (summary of lecture *at* http://www.islam-democracy.org/dawisha_lecture.shtml).

60. *Id.*

61. Michael Ignatieff, *The Attack on Human Rights*, FOREIGN AFF., Nov./Dec. 2001, at 102, 103.

62. *See id.* at 106–07.

Ignatieff also exposes a subtle undercurrent of Occidental angst regarding the historical context of the Universal Declaration. He notes that the document was created in the period of European self-doubt that followed the Holocaust and thus concludes that its development "was not so much a proclamation of the superiority of European civilization as an attempt to salvage the remains of its Enlightenment heritage from the barbarism of a world war just concluded."[63] For Ignatieff the very chronology of the Declaration's development signals that it is not so much the imposition of Western arrogance "as a warning by Europeans that the rest of the world should not reproduce [Western] mistakes."[64]

Indeed, this insistence by the West that Muslims accept the Enlightenment basis for human rights as a "starting point" and, in the process, learn from Western mistakes is an unrealistic expectation that ignores fundamental differences between the cultures. While there are examples of documents, such as the United States' Declaration of Independence and Constitution, which have had dramatic effects on the cultures that inspired their creation, there are other examples of poorly conceived and constructed instruments that have engendered hatred and violence. Most of these divisive instruments resulted from a lack of understanding of the cultures to which the instruments were applied or from external coercion that attempted to use these instruments to force foreign institutions on resistant populations.

The West must recognize that human rights globalization is largely derivative of the political and economic globalization already taking place. Institutions and practices, such as legislative assemblies or free markets, as they evolve within the cultures that either create or assimilate them, are far more influential than written documents in transforming societies. Indeed, many argue that both the American Declaration of Independence and Constitution merely codified institutions, practices, and attitudes that were largely extant in American culture at the time of their development. As often as not, rights documents are records of societal changes well underway if not fully realized, and they merely reinforce cultural values that have already begun to flower.

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63. *Id.* at 107.

64. *Id.*

Moreover, the idea that cultures may simply accept the evolved bases of other societies as their starting points for both the construction of political structures and a conception of human rights is both arrogant and naïve. As siblings must often repeat each others' mistakes and learn from them, so too must cultures follow their own unique progressions in the development of cultural values for their progress to be meaningful. This observation is not meant to suggest that history cannot be instructive; certainly it can and generally it is. However, cultural differences as significant as those that exist between Islamic and Western societies insist that certain lessons must be learned and relearned in each society's unique cultural milieu.[65]

Despite Muslim criticism of Western values and the Western conception of individual rights, there are signs that rights-based language and values are taking hold in the Muslim world. In regards to women's rights, for example, the literacy rate among females in Arab countries has tripled since 1970, and female enrollment in primary and secondary schools has more than doubled.[66] These and other statistics support Islamic scholar Syed Abid Gilani's contention that many common individual and social values exist between Western and Islamic societies, among them: "[a]utonomy, vitality, education, morality, spiritual contentment, working ethics, social harmony, global outlook, [and] religious and social services."[67] Gilani even goes so far as to identify the roots of constitutional and representative government within Islam.[68]

This acknowledgement of certain commonalities between Western and Muslim conceptions of human rights is not intended either to ignore or to trivialize the differences, however. The problems encountered in past attempts to craft documents such as the Universal Declaration are neither symbolic nor trivial; they represent significant rifts between fundamental views of the individual and the community in their respective cultures. But these differences must be placed into proper perspective. A survey of

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65. Esposito and Voll observe, "[I]t is clear that Muslims are not willing simply to adopt Western democratic models. The period of unquestioningly borrowing techniques and concepts from Western experience has passed (if it ever took place), and now the effort is to establish authentically Islamic democratic systems." ESPOSITO & VOLL, *supra* note 50, at 30.

66. *The Arab World Takes a Hard Look at Itself*, WASH. POST, July 14, 2002, at B3.

67. Muhammad Tahir-ul-Qadri, *Globalization of Culture*, WESTERN VIEWS, *at* http://www.pat.com.pk/newsdesk/globalization_of_culture.htm (last visited Feb. 7, 2003).

68. *See generally id.*

history reveals that Muslim culture traditionally has respected individual beliefs within certain bounds, and Islamic governments today (with some notable exceptions) are more tolerant of religious and ethnic minorities than were certain European countries well into the twentieth century.[69] Moreover, Americans should humbly recognize that the current status of Islamic nations with respect to individual rights is not unlike its own experience, which has both abolished slavery and granted women the right to vote only within the past 150 years.

V. THOUGHTS ON POLICY ALTERNATIVES

For Western governments, which are now struggling to identify groups within Islamic society that are most capable of leading to constructive dialogue in the context of the rapid compression of the world community, three principal alternatives exist. First, the industrial powers of the West can continue past practices of aligning themselves with monarchial regimes and secular autocracies such as those in Saudi Arabia and Turkey respectively. Second, Western governments may forge new associations with the Islamist parties that appear to represent a growing cross-section of Islamic society. Third, the United States and European foreign policy can shift toward the establishment of political ties with more hard-line, fundamentalist groups if it is believed that trends within Islam will place such groups in power. The potential domestic ramifications of a U.S. government move toward alliances with Muslim fundamentalist organizations make this third option a virtual moot point; thus, the first and second alternatives appear most viable.

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69. Richard Khuri has observed that the principal difference in the perception of individual rights between Muslim and non-Muslim nations are the emphases on "positive freedom" in the former and "negative freedom" in the latter. RICHARD K. KHURI, FREEDOM, MODERNITY, AND ISLAM: TOWARD A CREATIVE SYNTHESIS xx–xxi (1998). Khuri defines "negative freedom" as concentrating "on the removal of barriers so that individuals may realize their plans, [while] 'positive' freedom concentrates on the *quality* of those 'plans.'" *Id*. at xxi. European and American systems of negative rights have contributed to a Muslim perception of rampant libertinism in Western society while positive freedom as conditioned by Islamic institutions leads many Westerners to perceive the concept of Muslim rights as a false freedom, coercing the individual into values and practices that are not of his or her choosing. Khuri concedes that Islamic theocracy "is likely to sap its [own] moral and spiritual vitality." *Id*. at xxiii. However, it is equally evident that "the modern [liberal] state has shown itself to be inadequate where Islam is best, namely, with regard to the inner life of a society, to what really holds it together, to the emotional, moral, and spiritual fabric of life." *Id*. Thus, for Khuri, "*the attainment of freedom requires emphasis on both its negative and positive dimensions.*" *Id*. at xxii.

The international embarrassment that the U.S. government has suffered recently from revelations of Saudi Arabian ties to terrorist activity[70] suggests that American support for traditional Arab monarchies is not only hypocritical given the American commitment to freedom and democratic ideals but also practically unwise. The power bases of these monarchies are generally unstable and their lack of commitment to human rights and to more equitable distributions of wealth in their respective countries only reinforce that instability. Moreover, the Iranian debacle of the late 1970s still looms large in the American psyche and exerts influence over U.S. policy in the Middle East.[71] Thus, a continuation of American support for monarchial regimes in Muslim states is a failed policy that will only experience a continued loss of both moral and political legitimacy.

Any American or European hopes for significant secularization in Islamic countries also appear to be ill-founded. As Ahmad has noted,

> Democratic movements in Muslim societies that are based primarily on secular liberalism will have little, if any, prospects of reaching the Muslim masses. The West's fascination with secular elites in the Muslim world—perhaps as a counter force to check the Islamists—is based on two false assumptions: the popular support base of secular liberals, and their commitment to the ideals and practices of democracy and liberalism.[72]

Ahmad uses examples of what he considers failed attempts to establish secular governments in Muslim countries like Egypt, Pakistan, Turkey, and Algeria to make his point that the popular appeal of secular social orders in Muslim countries is near non-

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70. For more on the Saudi monarchy's sponsorship of the Taliban in Afghanistan and Hamas in Palestine, as well as its funding of Islamic schools that serve as centers for anti-Western "indoctrination," see Ted Galen Carpenter, *Terrorist Sponsors: Saudi Arabia, Pakistan, China*, CATO INSTITUTE, *at* http://www.cato.org/dailys/11-16-01.html (Nov. 16, 2001).

71. The United States' support for the Iranian monarch Reza Shah Pahlavi resulted in the capture of 66 Americans at the U.S. Embassy and Foreign Ministry during the Iranian Revolution of 1979. The Shah's oppressive policies against popular movements toward both democracy and Islamism inspired the Islamic Revolution and, ironically, resulted in the installation of a hard-line Shiite government under the leadership of the Ayatollah Khomeni. For interesting comparisons of the events in Iran in 1979 and contemporary developments in Saudi Arabia, see John O'Sullivan, *Sizing Up the Saudis: Where They Fit In*, NAT'L REV., *at* http://www.nationalreview.com/jos/jos022002.shtml (Feb. 20, 2002); and Sam Ghandchi, *Iran and Saudi Arabia: Monarchies and Islamism*, *in* SELECTED ARTICLES: SAM GHANDCHI, FUTURIST *at* http://www.ghandchi.com/157-Saudi.htm (Aug. 7, 2002).

72. Ahmad, *supra* note 54.

existent.[73] Inevitably, hard-line military juntas or other authoritarian groups emerge in such efforts and attempt to force secular values and principles on their polities, which generally results in human rights abuses and the incitement of radical opposition.[74]

Thus, it appears that new Western alignments with progressive Islamist parties are the most practical and culturally respectful way to proceed in helping to bring Muslim nations into participation in the global society. Yet such a move is politically tricky because, ideologically, Islamist groups span a wide continuum from prudent to hostile in their acceptance of Western values and practices. Fuller notes, "The Islamist phenomenon is hardly uniform . . . ; multiple forms of it are spreading, evolving, and diversifying. Today one encounters Islamists who may be either radical or moderate, political or apolitical, violent or quietist, traditional or modernist, democratic or authoritarian."[75] Yet the need exists to categorize this movement for it to be appropriately "sold" to the West as an institution capable of bringing Muslim nations into the world community. In that regard, Bjorn Utvik states, "Perhaps we could best understand the Islamists as people acting from within religion, as it were, to defend their individual and collective identity against a perceived Western onslaught, and to effect a moral and material regeneration in their society."[76] As Fuller observes,

> Like it or not . . . various forms of Islamism will be the dominant intellectual current in the region for some time to come—and the process is still in its infancy. In the end, modern liberal governance is more likely to take root through organically evolving liberal Islamist trends at the grassroots level than from imported Western modules of "instant democracy."[77]

Indeed, the West, having witnessed failed attempts at instant democracy (and "instant capitalism") in former communist countries, should apply that lesson to whatever role it may have in the emergence of "Muslim democracies." But if some

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73. *Id.*

74. For details on the abuses created by the formation of a hard-line military junta in the specific case of Turkey, see Pipes, *supra* note 15, at 240–43.

75. Fuller, *supra* note 45, at 49.

76. Bjorn O. Utvik, *Islamism: The Pious Road to Modernity*, *in* TAMPERE PEACE RESEARCH INSTITUTE: RESEARCH REPORT NO. 89, at 258 (Dec. 2001).

77. Fuller, *supra* note 45, at 50.

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democratization of Islam is essential to an orderly and peaceful integration of Muslim states into the global society, non-Muslim countries can ill afford to view this process as an all-or-nothing proposition. Fuller further observes, "Americans brought up to venerate the separation of church and state may wonder whether a movement with an explicit religious vision can ever create a democratic, tolerant, and pluralistic polity. But if Christian Democrats can do it, there is no reason in principle why Islamists cannot."[78] A pluralistic democracy in Islamic countries will undoubtedly incorporate religious parties into the political process. Thus, models from various parts of the world where such systems have been institutionalized can help guide Muslim countries in their transitions to wider political and economic participation.

One can agree with Abootalebi that "[a]n 'Islamic' democracy will not embrace all the secular values adopted in the West";[79] however, "[t]he incorporation of an institutionalized Islam in the process of development will help the cause of democracy should Islamists successfully challenge the hegemony of the traditionalists in both the religious and political arenas."[80] Abootalebi further insists that "Islam need not go through a process of secularization as did the West."[81] Similarly, Bjorn Utvik has observed, "Since Islamists do not intend to dismantle modernity but to Islamise it, to create an alternative modernity, as it were, they must answer the same challenges and provide alternative answers to those of the West."[82] This understanding is equally important to non-Muslim states in their dealings with Islamic culture. Expectations that the full suite of liberal ideals, values, and practices will be implemented in Muslim countries must be lowered and greater respect granted to attempts by Muslim nations to preserve their traditions.[83]

The salient question is whether Western backing of Islamist movements will aid or hinder their progress. The answer to this

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78. *Id*. at 52.

79. Abootalebi, *supra* note 47, at 21.

80. *Id*. at 21–22.

81. *Id*. at 19.

82. Utvik, *supra* note 76, at 257.

83. The systems of Islamic democracy that emerge will, undoubtedly, lack the autonomy granted to religious minorities in countries like the United States where institutions of church and state are kept at arms length. Yet pressure can be exerted by the West on Muslim countries to respect the religious rights of minorities without forcing those countries to accept institutions that are likely to destabilize them.

question is largely dependent upon Western attitudes and the political and diplomatic policies of governments. Western pundits who all too casually champion the clashing civilizations thesis do a disservice to the world through their intellectual indolence. Ample evidence exists that significant constituencies within Islamic societies are amenable to many of the changes taking place as a result of myriad globalizing influences. Yet there is also abundant evidence to suggest that Muslim apprehension over these effects on their religious and moral traditions is well founded. Western financial institutions especially operate with the stigma of ideological hegemony. Some of these institutions must be reformed, some perhaps even dismantled, while new institutions committed to true "globalization" are constructed with a representative structure that engenders the loyalty of the world community. These new institutions undoubtedly will test American and European commitment to "globalization."

Greater acceptance of moderate Islamist groups and the reformation of Western institutions are necessary but insufficient steps for the improvement of Muslim-Western relations. The greatest contribution may well be attitudinal—a genuine willingness on the part of democratic-capitalist countries to reflect on their own shortcomings. Islam offers the West a mirror for reflection on its past and on the myriad ways in which Western society has changed, often for the better but at times for the worse. Muslim struggles with aspects of global capitalism are not radical, novel, or even beyond European and American experience; they are merely new instantiations of old tensions.

That tension between religious convictions and economic aspirations has greatly abated in the Western world.[84] The effortlessness with which the United States and European countries knock down religious and moral impediments to "progress" must be acknowledged and revisited. This attenuation of moral restraints has

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84. There are, of course, groups for whom this tension between religious belief and economic life has not abated. Christian Reconstructionists in the United States, for example, believe that structural and "unBiblical" changes in the American economy such as the advent of the fractional reserve banking system will ultimately precipitate a financial catastrophe in which those Christians who have followed the economic principles offered in the Old Testament and, to a lesser extent, the Gospels, will survive and lead the rest of society into a more disciplined world of "Christian economics." For more on the economic ideas of Christian Reconstructionists, see GARY NORTH, AN INTRODUCTION TO CHRISTIAN ECONOMICS (1973).

resulted in a Western culture that now witnesses the rising commodification of human life,[85] the exacerbation of environmental pollution, the extreme concentration of wealth, the "coarsening" and "brutalizing" of the "aesthetic and moral environment,"[86] and what renowned Protestant theologian and social philosopher Reinhold Niebuhr termed the "depersonalization of the universe."[87]

Islam's struggles with usury prohibitions, given the demands of the global economy, are reminiscent of early American debates over the social and moral effects of mass production and absentee ownership.[88] America has fought through its angst over the theological implications of organ transplantation and fertility technologies and now finds itself facing similar questions on the religious and moral implications of stem-cell research and human cloning with a feeling of inevitability as to their outcomes.[89] They will become accepted practices if modernity deems them key to the survival of civilization. The fact that many Muslims stop short of such determinations out of respect for and fidelity to their religious tradition is not something that should be ridiculed, vilified, or patronized; rather, it should give pause to the nations of the West and be cause for deep reflection on the part of non-Muslims. It can also serve as the impetus for social, political, and economic change in the West if the United States and other countries are willing to assess their respective views of progress.

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85. For a discussion of the loss of moral supports for economic progress and the commodification of traditionally uncommodifed aspects of human life, see JEAN BETHKE ELSHTAIN, WHO ARE WE? 47–48 (2000).

86. Conservative-jurist-turned-social-theorist Robert Bork discusses the ways in which the "aesthetic and moral environment" is becoming "coarsened and brutalized" in Robert H. Bork, *Hard Truths About the Culture War*, FIRST THINGS, June/July 1995, at 18.

87. REINHOLD NIEBUHR, DOES CIVILIZATION NEED RELIGION? 16 (1928). Niebuhr feared the loss of the spiritual dimension to human personality resulting from scientific and technological advances and concluded that "[t]he fight of personality against nature is religion's first battle." *Id*. at 25. *See also id*. at 6–7.

88. Sean Wilentz observes the social and moral trauma caused by these and other transformations in the early American economy in his book SEAN WILENTZ, CHANTS DEMOCRATIC: NEW YORK CITY & THE RISE OF THE AMERICAN WORKING CLASS, 1788–1850 (1984).

89. For a discussion of the attenuation of moral traditions in the face of technological advances, see ROGER LINCOLN SHINN, FORCED OPTIONS: SOCIAL DECISIONS FOR THE 21ST CENTURY (1982) and Charles McDaniel, Reinhold Niebuhr's Economic Realism: A Critical Response to Austrian Subjectivism in American Christian Economic Thought (2002) (unpublished Ph.D. dissertation, Baylor University) (on file with author).

VI. CONCLUSION

The terrorists of 9/11 destroyed lives and buildings with horrifying efficiency that was the product of Western technological prowess. But they did much more. They further emboldened a United States government already convinced of the moral and material superiority of its political and economic system as determined by its dramatic triumph in the Cold War.[90] That government has now set about labeling human institutions and human beings as good or evil, and it has come to the conclusion that the principal way modern Americans should respond to national catastrophe is by "consuming more" to keep their economy robust.[91] Moreover, it has convinced Americans that self-reflection is synonymous with self-doubt and, thus, unacceptable behavior for the world's last remaining superpower.

The increasingly dualistic framework that is being constructed for American foreign policy and the prominence of colliding civilizations theories in academic and journalistic circles have combined to increase the distance that separates Muslim and Western cultures. However, by ignoring the stereotypes and observing attitudes among a greater cross-section of Islamic society, one sees that these cultures are not fundamentally and hopelessly at odds over the largely democratic-capitalist consensus that is being determined on the world stage. Rather, it suggests that the two major cultural forces in

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90. Chalmers Johnson, president of the Japanese Policy Research Institute, asserts that many current international tensions result from "the crucial American decision to maintain a Cold War posture in a post–Cold War world." *Blowback: The Costs and Consequences of American Empire: The U.S. Maintains a Cold War Posture in a New World*, TOMPAINE.COMMONSENSE (Apr., 28 2000), *at* http://www.tompaine.com/feature.cfm/ ID/3032 (summarizing Chalmers Johnson, Blowback: The Costs and Consequences of American Empire, Address Before the New America Foundation (Apr. 10, 2000), *at* http://www.newamerica.net/index.cfm?pg=event&EveID=52&DocID=12).

91. President Bush also called upon Americans to commit to service in their respective communities. Nevertheless, a frequently espoused countermeasure to the terrorist acts of 9/11 articulated not only by the President but by other high-ranking politicians and dignitaries was that Americans should go about their lives as usual, traveling, enjoying entertainment, shopping, and generally performing their roles as "consumers." *See Soothing Words*, ABC News *at* http://more. abcnews.go.com/sections/politics/dailynews/bushspeech011108.html (Nov. 9, 2001) (summarizing President George W. Bush, Address at the Georgia World Congress Center (Nov. 8, 2001)). For a well-balanced treatment of the Bush Administration's use of "good" and "evil" in its rhetoric, see Anne-Marie Slaughter, *Good and Evil: Framing U.S. Foreign Policy in Moral Terms*, DAILY PRINCETONIAN, *at* http://www.dailyprincetonian.com/ archives/2002/11/21/page3/ (Nov. 21, 2002).

global politics today, liberal democracy and Islamism, are in different stages of development toward not so dissimilar goals. The West desires greater moral grounding for its increasingly technological societies while the nations of Islam seek to retain their moral foundations even as they adopt those political and economic institutions and practices that enhance their well-being.

The emerging consensus, however, even in traditional Islamic states, appears to favor market-based economics and at least some form of representative government. The outcome of the Cold War is being reaffirmed; unfortunately, that reaffirmation is not proceeding at the pace desired by the United States and several other Western governments. Moreover, it is likely that the form of Islamic democracy and economics that emerges will differ from its current instantiations in the West. As Takeyh has observed, ultimately "the integration of an Islamic democracy into global democratic society would depend on the willingness of the West to accept an Islamic variant on liberal democracy."[92] Such acceptance will require a degree of humility not present in contemporary Western culture. As Richard Khuri warns,

> The unabating condescension and superiority with which official Western pronouncements pertaining to the Arab Muslim world are intoned have made matters worse still. That some Christians in the Arab Muslim world, themselves ripe for a reassertion of their aspirations, have echoed the tone of those pronouncements and assisted in the penetration of modernity has been enough for the less subtle among the Muslims to see all Christians in their midst as a fifth column—economically, militarily, and culturally.[93]

Western attitudes likely will have a significant impact on the type of Muslim democracy that emerges. Muslim nations have become conditioned to responding to the perceived impositions of Western institutions on their societies. As a result, the attitudes and postures that European and American elites assume in their interactions with Islamic nations as members of the global society will have a critical impact on whatever political and economic changes take place in those countries. In that regard, Takeyh speculates on the characteristics of participatory government in Muslim society:

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92. Takeyh, *supra* note 32, at 70.
93. KHURI, *supra* note 69, at 289.

> But what will a prospective Islamic democracy look like? Undoubtedly, Islamic democracy will differ in important ways from the model that evolved in post-Reformation Europe. Western systems elevated the primacy of the individual above the community and thus changed the role of religion from that of the public conveyor of community values to a private guide for individual conscience. In contrast, an Islamic democracy's attempt to balance its emphasis on reverence with the popular desire for self-expression will impose certain limits on individual choice. An Islamic polity will support fundamental tenets of democracy—namely, regular elections, separation of powers, an independent judiciary, and institutional opposition—but it is unlikely to be a libertarian paradise.[94]

Nevertheless, the emergence of some form of Islamic democracy, however limited, offers the greatest hope for a solution that might benefit both Islamic and Western nations and, in the process, avoid a possible clash of civilizations.

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94. Takeyh, *supra* note 32, at 70.