

Rehabilitating Islamic Ethics: A “Postmodern” Opportunity for Contemporary Islam

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Abstract

The debate between modernity and postmodernity in western discourses about law and morality calls for a similar debate in contemporary Islam. For Islam, the question is whether a rehabilitation of its classical discipline of ethics (*‘ilm al-akhlaq*) may contribute to international morality even as it disabuses Islam of privileging Islamic jurisprudence (*‘ilm al-fiqh*), which conceives of the Shari`ah as merely law. Islam’s strong tradition of ethical discourse is similar to the West’s classical and contemporary formulations of virtue ethics. Such a renewal constitutes a post-modern opportunity for contemporary Islam as it faces the globalization of western values and jurisprudence.

[T]hought, in the very act of knowledge, passes beyond its own finitude ... It is in its progressive participation in the life of the apparently alien that thought demolishes the walls of its finitude and enjoys its potential infinitude. – Muhammad Iqbal¹

Verily God will not change the condition of people until they change what is in themselves. (Qur’an 13:11)

A Matter of Cultural Distance

The cultural distance between the West and Islam is narrower than Westerners think. Muslim societies are more humane than portrayed in

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the West, while Western societies often fail to live up to their liberal mythology. Islam has protected other religions and avoided fascism, racism, and genocide. Citizens of Muslim countries may be more vulnerable to their governments and political violence, but their streets are safer and their families more stable. We could all benefit from Islamic values.²

Such are the words of Ali A. Mazrui, the distinguished professor of global cultural studies at the State University of New York at Binghamton, delivered a decade ago while discussing the relation of Islamic and western values. In contrast Irene Oh, author of *The Rights of God: Islam, Human Rights, and Comparative Ethics* (Georgetown University Press: 2007) and faculty member in the University of Miami's Department of Religious Studies, recently wrote:

Promoting Islam as a defender of human rights is fraught with difficulties. Many advocates of human rights readily point out the numerous examples of humanitarian failures carried out in the name of Islam: the Taliban in Afghanistan, female genital mutilation in Africa, the penal code in Saudi Arabia, genocide in Darfur, and the September 11 attacks in the United States. As a result, human rights proponents are often tempted to blame Islam, if not religion generally, for human rights violations.³

Yet another commentator, Ebrahim Moosa, an associate professor of Islamic studies at Duke University and associate director of its Islamic Studies Center would add to Oh's list "a range of manifestly discriminatory practices [e.g., towards women] inherited from the medieval formulation of Islamic law" and deriving from that period's "strong patriarchal and patri-lineal assumptions."⁴ But he also is quick to acknowledge that the intercultural debate on human rights cannot be engaged except by accounting for "more complex issues of history, tradition and the contested perceptions of law and religion," a complexity that has its own "intellectual rigor" and "political consequences."⁵ Indeed, while "[r]hetorically, Islamic and secular human rights formulations may sound the same ... they have very different theoretical assumptions and practical applications."

Yet a scholar such as Fred Halliday calls for caution, inasmuch as human rights discourses are more properly evaluated as responses not to "tradition," but to an international political project that Muslims construe as decidedly "Western."⁶ It is no wonder then that, as Abdullahi An-Na'im says, "Arab elites and governments ... tend to equate advocacy of human rights with service to the hegemonic agenda of Western powers."⁷ In other words, because western governments show through their policy and behav-

ior what is perceived to be unconditional support for Israel along with destructive practices in Iraq, any supposedly benign advocacy of human rights in the Middle East is met with profound distrust.⁸

Critics of the Cairo Declaration on Human Rights in Islam, adopted by Muslim states in 1990, express their distrust and reservations of it by viewing it as an alternative to the Universal Declaration of Human Rights (1948).⁹ Yet westerners who assign a particularism or relativism to this document fail to realize an important insight about Islam's own claim to universalism: "Islam is a religion without overt ethnic or regional particularism ... The *da'wa* or call to submit to God, the basis of Islamic faith, is made to all of mankind. Hence, given that the truths of Islam must be applicable to all humans, be they believers or not, any position articulated in Islamic terms is itself universalistic."¹⁰ Thus the conflict between these two codes is, possibly, one between diverging and contradictory forms of universalism instead of one between universalism and particularism or relativism.

Notwithstanding such an idea, these views reveal an operative assumption that must remain explicit for analysts engaging a host of narratives:

[T]here is no one "Middle Eastern" or "Islamic" body of thought on this question [of human rights]. Attempts, declamatory or benign, to identify an "Islamic" position are as misguided as those seeking to produce an "African" or an "Asian" stance. There are over fifty Muslim states in the world, with a variety of legal and political systems, and there is no single body, political or religious, that speaks for the Muslim world as a whole. The Muslim religion itself is not only highly fragmented, but is, in contrast to Christianity, one that operates without even a purported theological and legal central authority: what we have is a range of bodies ... which interpret law and tradition as they see fit and which appeal to all Muslims to follow them.¹¹

The Tension of Moral Philosophy and Law in Islam

Comments about values are proper to the domain of moral philosophy. Some might say, more specifically, "modern" moral philosophy, given that the philosophy of Greek antiquity was concerned with virtue (Greek: *arête*) in a way that differs from the modern discourse about values. Islamic values, of course, issue first and foremost from the Shari`ah and, as Sherman A. Jackson said recently, Islamic law is not a moral philosophy, but rather a formal law.¹² Mohammad H. Khalil interprets this to mean that "outside of Islamic law, it is generally assumed that no one using the *`aql* [reason] alone can definitively demonstrate the moral repugnancy of certain acts."¹³ In other

words, without revelation and the Shari`ah, the substantive set of imperatives belonging to this revelation, morality cannot be conceived. Appealing to Ibn Taymiyyah's authority, one might say that moral assessments based on religious law (*shar`*) take precedence over those using reason, because of the Shar`iah's supposed infallibility or definitive demonstration (*burhan*), in contrast to the inevitable doubt and contradiction present in reason when separated from revelation.¹⁴

George Hourani speaks to the centrality of law in Islam thus: "[T]he legal profession in the first two centuries of Islam tried to make the law of the shari'a cover every ethical situation and to make the study of this law the culminating study in Islamic education."¹⁵ Despite this goal, however, one basic fact remains today: the multiplicity of opinions, each of which has its context of significance, means that no individual or group speaks for Islam as such, either relative to a transmitted tradition or to contemporary positions, about what counts as a possible or legitimate interpretation.¹⁶ This is true especially as we account for the variety of Sunni and Shi'i jurisprudential schools.

In a recent discussion on the relation of postmodernism, reason, and religion, Majid Fakhry accounts for the claim that "the Islamic revelation is final and definitive" by stating that its truth "cannot be questioned or 'deconstructed.'"¹⁷ Muqtedar Khan, commenting on postmodern "philosophical" challenges to modernity, writes: "While European modernity decentered God and in its place crowned reason as the sovereign authority that alone determined the legitimacy of truth claims, postmodernity has chosen to dethrone not only reason but the very notion of authority and the very idea of Truth with a capital T."¹⁸ It is, therefore, no wonder that one could ask if the nascent postmodernist age is "intrinsically hostile to Islam" and "a challenge to the faith and piety which lies at the core of their world-view," given that this faith and piety claim an incorruptible revealed "Truth."¹⁹

Postmodernism seeks to move beyond modernity's grand narratives, each of which is a version of "history-as-progress" through the agencies of reason, science, and technology. One of these is the liberal-capitalist story of humanity's emancipation from poverty via the free market.²⁰ But the postmodernist critique also insists on examining all narratives and radically questioning their apparent truth claims. Historical authority, cultural values, and ethical judgments are deconstructed and rendered relative rather than presented as universally binding:

Once all claims to possess the truth of history are recognized as projections of the specific interests of one social group or another – one class, one race,

one culture, or gender – then historical “truth” is relativised and distinctions between fact and fiction, record and invention, become difficult to sustain.²¹

As during the Enlightenment’s encounter between reason and religion, despite religion’s claim to infallibility and even more so for contemporary postmodernism, “the dogmatic side of religion” that presents itself as doctrine cannot be demonstrated in the sense of having apodictic certainty.²² From the perspective of western postmodernists, therefore, the present exhibits (for all who wish to see) a crisis of historical authority and an ensuing crisis of cultural identity. Since “[i]dentity is inscribed in time, in narratives of continuity, if not of origin and destiny,” the consequence of a postmodernist critique is “the scattering of history into incommensurable discourses” and scattering identity “into multiple, incommensurable moments.”²³ Islam’s identity is thus also expressed in conflicting discourse, as the misleading monolithic idea of “Islam” yields before multiple and more accurate ideas of what it means to be a Muslim in the modern world.

Khan, a self-described contemporary Islamic philosopher “living in the dusk of modernity and in the heart of the West,” is “deeply nostalgic for a divinely ordained order of things,” but one that is “consistent with reason and justice, full of compassion and mercy.”²⁴ He sees a resurgent Islam itself as a postmodern reality. It remains to be seen, however, which visions will guide this resurgence in the present century, as a “progressivist” Islam engages Islamic tradition and western modernity in the interest of rapprochement and as a “reformist” (Salafi) Islam seeks a return to a more pristine, less innovating Islamic faith and practice.

For those who were always with God and comfortable with reason, in the tradition of Al Ghazali, Ibn Khaldun, and Ibn Rushd, the resurgence of religion is merely the continuation of the divine way. Islam never succumbed ... to modernity [and has not lost out] to postmodernity. Islam’s decline was geopolitical and economic, never epistemological.²⁵

Nevertheless, Muhammad Iqbal, a major contemporary Islamic philosopher, opined: “During the last five hundred years religious thought in Islam has been practically stationary.”²⁶ Such a claim has to be assessed in relation to an insistent commitment within Islam to the authority of tradition. For many familiar with western intellectual history, tradition has its own kind of authority, and Islam’s commitment to it presupposes an older historically operative distinction between the rationalists (the Mu`tazilis), determinists (the Ash`aris), and literalists (the Hanbalis) in their engagement with the sacred texts.²⁷

Also presupposed is a distinction among several Islamic “sciences,” each of which has its own distinctive set of questions and domain of knowledge: the theological (*`ilm al-kalam*), moral (*`ilm al-akhlaq*), and jurisprudential (*`ilm al-fiqh*).²⁸ Viewed historically, each of these disciplines has contributed to Islamic self-understanding, as regards its beliefs and practices, and has its acknowledged knowledge (*`ilm*) as its authority. Each field of study also presupposes a relation between what is believed to be the originating source of truth (viz., the divine revelation, which always has its unimpeachable metaphysical or transcendent quality) and what is derived from it and presented as a narrative of human understanding. The latter is the sum content of hermeneutic disclosure, human acts of interpretation delivering a plurality of “truths” (*huquq*), according to which confessant Muslims must live their lives with justice and compassion.

Yet when it is acknowledged that truth (“true reason”) is unitary rather than contradictory, there can be no contradiction between the truths of reason and of revelation. Expounding upon Ibn Taymiyyah’s position, for example, Binyamin Abramahov writes: “In the case of [putative] contradiction of reason and revelation, either a tradition is weak or apocryphal or a rational argument is false” – although, however the supposed contradiction is engaged, Ibn Taymiyyah held that reason could not be considered an independent authority because revelation served as its foundation.²⁹ For the Hanbali literalist tradition, “There is no judge except Allah the Exalted. Therefore ... the *`aql* does not determine what is good and what is detestable, nor does it determine what is obligatory and what is forbidden.”³⁰ In other words only the Shari`ah, the set of divine legal and moral imperatives, infallibly discloses what is obligatory (*wajib*), not expressly prohibited (*halal*) and therefore permissible – recommended (*mandub*), neutral (*mubah*), bad (*sayyi*), detestable (*qabih*) – and evil (*sharr*) and thus forbidden (*haram*).

The problem here is that even though we can find volumes of *fiqh* in accord with the Qur’an and the Sunnah, the “shari’a law is not codified in the sense that we are accustomed to understand codification in modern law,” meaning that any matter under contention can yield various interpretations that are considered as being part of the Shari`ah.³¹ In short, “[i]n the absence of any institutional regulation of the shari’a, legal power is then vested in the formally and informally constituted religious authorities who interpret the shari’a as the final arbiters of God’s law.” This is true even of the more “fundamentalist” or “reform” Salafi Islam prominent in Saudi Arabia, with its General Presidency of the Authorities of Enjoining Good and Forbidding Evil and the system of *imamah*, the well-established scholars of jurispru-

dence who attend to the people's common and personal affairs in accordance with the Shari`ah.³²

Iqbal provides an important insight that is relevant here, given the relation of religious experience and judgment (i.e., fatwa) that is usually the principal way in which religious authorities apply the Shari`ah to specific cases:

Religious experience ... is essentially a state of feeling with a cognitive aspect, the content of which cannot be communicated to others, except in the form of a judgement. Now when a judgement which claims to be the interpretation of a certain region of human experience, not accessible to me, is placed before me for my assent, I am entitled to ask, what is the guarantee of its truth? Are we in possession of a test which would reveal its validity? ... Happily we are in possession of tests which do not differ from those applicable to other forms of knowledge. These I call the intellectual test and the pragmatic test. By the intellectual test I mean critical interpretation, without any presuppositions of human experience, generally with a view to discover whether our interpretation leads us ultimately to a reality of the same character as is revealed by religious experience. The pragmatic test judges by its fruits. The former is applied by the philosopher, the latter by the prophet.³³

It is important to bear in mind here what he included in religious experience: the confessant Muslim's religious experience, as represented by applying the Shari`ah more broadly construed. Halliday reminds us that, initially, the term *shari`ah* did not denote a legal code at all.³⁴ Only with the development of *usul al-fiqh* (Islamic jurisprudence) do we have any legal codification according to the various Sunni and Shi`i foundational schools. As a result, the Islamic legal discourse developed to the point that the Shari`ah "as law" assumed primacy.

From Law to Ethics

Problematic here, however, is the exclusion of *`ilm al-akhlaq*, because installing the Shari`ah as law caused the "Shari`ah as morality" discourse to be ignored or diminished. The latter conception is arguably more important, due to the spiritual intent of "the letter of the law" given in the Qur'an as such – a spiritual intent that is focused on forming the individual good character, specifically what Ibn Miskawayh and al-Ghazzali considered as essential to forming noble dispositions and refining character: "discipline of the soul" (*riyadat al-nafs*). Significantly, both classical-era scholars can be a source of inspiration for renewing Islamic ethics specifically concerned with

the soul's dispositions. Whereas al-Ghazzali maintained his critical distance from ancient Greek philosophy, as expressed in his *Tahafut al-Falasifah*, Ibn Miskawayh appropriated the thought of both Plato and Aristotle, albeit with enough modifications to be characterized as "neo-Platonist," at least insofar as we have it in his *Tahdhib al-Akhlaq*.³⁵ Both scholars allow us to appreciate the tension between law and ethics in classical Islamic thought and the respectively legitimate roles of revelation and reason in achieving justice "in the soul."³⁶ Miskawayh in particular understood and advocated the quest for human happiness – "one which is neither imposed on man nor withheld from him by anything outside the scope of his will, and issuing from an intellect greater and stronger than his."³⁷

Arabic philosophers who engaged with Greek philosophy, among them al-Farabi, al-Kindi, and Ibn Sina, understood Islamic sciences as forming a pyramid composed of axiomatically subordinated branches of knowledge. Ibn Rushd, for example, distinguished the wisdom of philosophy (*hikmah*) from law (*shari`ah*) by accepting that whatever is classified as law is established and thus beyond revision, given the Qur'an's transcendent authority and imperatives of duty (which is why the divine revelation, as given in the Qur'an, is transcendent or metaphysical and incorruptible); however, he also allowed reason its "independent rights for obtaining the truth that – within the limits defined for it – no one can violate."³⁸

But regardless of the discussions in the literature on the relation between revelation and moral reason, we are left today with a question that, *prima facie*, can be answered (and justifiably so) in the affirmative: Can a rehabilitated Islamic science of ethics contribute to an international, culturally convergent moral discourse such that both Muslims and westerners can negotiate the substance of human duties and human rights based on the understanding that the core issue here is, first and foremost, a problem of international morality rather than one of international law?

The key word here is *moral*, in contrast to *law*. I will now stress the idea of *shari`ah* as moral guidance (*akhlaq*) instead of law (*fiqh*). This undertaking requires examination of the intellectual, epistemological level, as both western philosophy and jurisprudence are called on to cooperate in negotiating the contours of a meaningful cultural and religious dialogue with contemporary Islam. This cannot but occur in the context of any number of post-modern discourses, including that concerned with the substance of human rights. It is also important for the West to disabuse itself of existing media-generated negative stereotypes of Islamic law and politically active Muslims,³⁹ all of which reflect modernist prejudices that are consistent with Enlightenment-era notions of progress and the authority of western reason.

Modern philosophy, such as that of Immanuel Kant (d. 1804), identified the human being as a “sovereign subject” and thus expected human reason to be exercised autonomously, for appeals to divine revelation were considered as heteronomous. In such a framework, as Charles Hirschkind puts it, “Islam never satisfies these modern demands and thus must always remain somewhat outside the movement of history as a lesser form of reasoning.”⁴⁰ Thus, in an era of globalized western values and cultural preferences, in which the very fact of globalization presumes a universalist authority, any religious tradition construed as particular, such as Islam, is expected “to find legitimization from within the dominant Western framework of values and terms of reference.”⁴¹ Thus Islam is left without a valid defense, even if it appeals to a critique that is internal to western philosophical disputation.

Postmodern discussions confronting the tradition of western moral philosophy cannot avoid grappling with the problematic of a limited European rationality, such as has been articulated by moral philosopher Alasdair MacIntyre.⁴² At the same time, as Karim Crow opines, “the urgency and seriousness of the question concerning the authentic Islamic understanding of reason now assumes the critical mass of a vital central issue between Muslims themselves in the form of an internal dilemma or contradiction.” According to him, this is urgent both to “combat the inverted values of secular materialism and pervasive effects of globalizing culture.”⁴³

This problematic also requires some examination from the perspective of the more sensitive debate going on within Islam, as fundamentalists or traditionalists contend with more modernizing or progressivist movements over the Shari`ah’s status as law. This contention is especially evident in the context of individual and collective appeals to universal human rights, the legitimacy of democratic governance, and the supposed compatibility of liberal democracy with Islamic traditions of law and morality.⁴⁴ In this context, it is no surprise to find one such as Abdelwahab M. Elmessiri argue that

there is not one single Islamic discourse, but rather a variety of discourses that manifest the various endeavors (*ijtihad*) of the Muslims, within a specific time and place, to understand the world around them and to interpret the Quran.⁴⁵

Thus, despite appealing to the authority of core principles derived from the Qur’an and the Sunnah, the process of *ijtihad* exposes the breadth of the hermeneutic challenge within contemporary Islam itself. The emphasis on the Shari`ah within Islam of course places law (viz., jurisprudential reason) at the heart of deliberations about Islamic self-identity. Nonetheless, the conceptual distinction of law and morality, a distinction that is common to western

and Islamic self-identity, opens the door to the prospect of re-inscribing ethics in any contemporary narrative of Islamic identity that, within the corpus of Islamic scholarship, was once presented as *ilm al-akhlaq*.

The Authority of Reason in Reconstructing Islamic Identity

Western assessments of Islam have moved from the twentieth-century's essentially negative Orientalism to a more positive post-Orientalist intellectual encounter. Post-Orientalists realize that Islam is not a monolithic religion and that it presents itself throughout the Muslim world with both diversity and complexity.⁴⁶ Furthermore, the Orientalist prejudice that western society "has a privileged possession of a set of essential features – rationality, progress, democratic institutions, economic development – in terms of which other societies are deficient and backward," is no longer credible.⁴⁷ As Elmessiri observes, "the bearers of the new Islamic discourse reject ... both the presumed centrality and universalism of the West, as well as its imperialism, which is closely linked to its claims of universality."⁴⁸

This Islamic discourse is also an outcome of deconstructive critique. Nonetheless, the question beyond the deconstructive discourses challenging the Orientalist prejudice is whether Islam can deliver a reasonably justified reconstruction of its identity that acknowledges its current diversity and complexity across nation-states as well as the unity of faith and reason within the Islamic confession. This presupposes an internal critique that is the equivalent of a postmodern deconstruction of the Islamic tradition. As Crow puts it, an "authentic Islamic understanding of reason" is at once urgent and serious for Muslims, precisely because of "a strong trend" within Muslim societies "rejecting critical methods of analysis, contextual thinking, and rational modes of discourse."⁴⁹

On the other hand, Elmessiri's remarks cannot be gainsaid: whereas an older generation of Muslims considered the modern western concept of *reason* to be synonymous with the Islamic concept of *ʿaql*, the newer generation realizes that western reason cannot be understood without, as Elmessiri says, accounting for "the emergence of absurd, irrational tendencies in the West" despite its universalist assertions of western reason.⁵⁰ Ironically, the same is said of Islamist ideology in a post-9/11 world, wherein Islamic assertions of universality are depreciated and denominated as dogmatic, particularist, and relativist religious confessions.

The question here is urgent in light of Richard Falk's exposure of a "deficiency of the human rights enterprise, as broadly conceived, namely the

discriminatory treatment of non-Western civilizations, and especially Islam, with respect to participatory rights” in the current international legal order.⁵¹ This ranking expert in international law and practice explains that this discrimination and exclusion are the result of a false universalism manifested in both process and results, which, he clarifies, is “a mask worn to obscure Western civilizational hegemony.”⁵² Consequent to this hegemony, “Islam has been excluded from world order arenas and subjected to discriminatory regimes of control and prohibition.”⁵³ One example of this attitude will suffice: in a report on the status of ratifying the principal human rights treaties as of June 2004, neither the Universal Islamic Declaration of Human Rights of 1981 nor the Cairo Declaration on Human Rights in Islam of 1990 was included among the list of “treaties.”⁵⁴ Yet as Oh remarks, avoiding Islam’s legitimate contributions to the human rights dialogue makes the advancement of universal human rights all the more problematic.⁵⁵

Accordingly, one who, like Alasdair MacIntyre, speaks of “limited” rationality cannot but ask “Whose justice? Which rationality?” thereby acknowledging our historical moment to be one of intellectual traditions in a state of contention. Their juxtaposition manifests an insecure incommensurability (if not a benign coexistence) of doctrine, western and Islamic discourses both immersed in “epistemological crisis,” as both the sources and authority of their respective claims to knowledge are critically examined. It is, in short, “the problem of how to reach absolute truth from a historically limited position,” but with the task of attempting a resolution that does not merely acquiesce before the West’s imposed cultural asymmetry, whether through the exercise of brute force or through more subtle assertions of a postcolonial yet neo-imperial hegemony.⁵⁶ Let us cite MacIntyre more fully on this point:

To have passed through an epistemological crisis successfully enables the adherents of a tradition of enquiry to rewrite its history in a more insightful way. And such a history of a particular tradition provides not only a way of identifying the continuities in virtue of which that tradition of inquiry has survived and flourished as one and the same tradition, but also of identifying more accurately that structure of justification which underpins whatever claims to truth are made within it, claims which are more and other than claims to warranted assertibility. The concept of warranted assertibility always has application only at some particular time and place in respect of standards then prevailing at some particular stage in the development of a tradition of enquiry, and a claim that such and such is warrantably assertible always, therefore, has to make implicit or explicit references to such times and places. The concept of truth, however, is timeless.⁵⁷

In contrast to modern European rationality, traditionally Islamic disciplines (theological, moral, jurisprudential) have asserted the timeless authority of revelation, which necessarily superintends human reason (implicitly including here all reason, such as may be articulated even by western thought). Thus, for example, the states that signed the Cairo Declaration on Human Rights in Islam reaffirmed what they called Islamic world's civilizing and historical role, declaring Islam to be "a universal and well-balanced civilization in which harmony is established between this life and the hereafter and knowledge is combined with faith."⁵⁸

Generally speaking, Sunni Islam (at least the Hanbali confession) does not find itself in a state of epistemological crisis, for the very concept is foreign to its confession of faith and submission to infallible divine imperatives. Accordingly, given its self-conception, Sunni Islam does not seek to vindicate itself relative to any standards of assessment articulated by western reason. Moreover, it would not consider its confessional commitment subject to the test of warranted assertibility, such as MacIntyre puts forward as characteristic of a tradition of enquiry. In addition to that, Sunni jurisprudence does not accept its (supposed) subordination to the hegemonic assertions of western jurisprudence, despite the latter's privileged position in the formulation of contemporary international law.

However, the status of international morality in the twenty-first century, insofar as this morality is to be distinguished from international law, is perhaps to be construed otherwise when one considers today whether there yet is such a thing as "Islamic morality" *per se* and, thus, whether contemporary Islam may contribute meaningfully to current discourse about the relation of international morality to international law. To speak of meaningful contribution from Islamic ethics *per se*, in the interest of rapprochement and cultural symmetry, is by no means to anticipate or insist on any necessary or inevitable outcomes. At issue here (in the setting of western discourse) is the tension between realist assertions about the nature of international relations and neo-idealist or progressivist aspirations for more humane global governance.

In other words, the tension is between ideological, supposedly empirically verifiable geopolitical interests of the nation-state that direct foreign policy on the one hand, and the installation of one or another "normative" conception of world order that constrains and restrains the aggressive consequences of the logic of statecraft on the other. At issue in the setting of Islamic discourse, in relation to this western debate, is the tension between authentic and dissembling assertions of Islamic tradition, given an under-

standing of 9/11 as “a rebellion against the prevailing paradigms of post-colonialism and the culture of modernity.”⁵⁹

Further, the moral relativist and the moral perspectivist, in the sense used by MacIntyre, preclude rational debate between rival traditions, namely, between western reason and the Islamic tradition, such as may be given in moral knowledge or law. Relativists or perspectivists may doubt the authority of their present moral commitment and that of any other rival tradition, thereby keeping themselves subject to both epistemological skepticism and the prospect of yet further renovations of all truth-claims that they may accept as contingently valid and historically limited. Muslims, by contrast, ostensibly cannot but remain firmly grounded in their knowledge (*ilm*), given what they take to be the apodictic certainty of their foundation (the Qur’an and the Sunnah). Hence, as MacIntyre himself observed, such fundamental disagreement itself testifies to “substantive disagreements over what is true and false” and how such disagreement may be resolved.

The question here is whether, despite the Muslims’ confession and claim to the contrary, the very idea of *ilm al-akhlaq* can be sustained today without actually conflating law and morality to the point that morality, as such, is diminished or ignored. While law and morality in Islam cannot be separated, they can be conceptually distinguished with promising effect. Presumably, conflating them renders the concept of *akhlaq* null and void in its purchase of moral – in contrast to legal – knowledge, given (for example) that even the Cairo Declaration (Article 22) stipulates: “Everyone shall have the right to advocate what is right, and propagate what is good, and warn against what is wrong and evil according to the norms of Islamic shari’ah.”

As Crow remarks, it behooves contemporary Muslims not to be ignorant of “the essential Islamic insight taught by the Qur’an concerning the hierarchical scale of knowledge that varies in degree of certainty and grasp of truth.”⁶⁰ In short Islam has a law, but not a morality, as such only to the extent that it denies the continuing validity of the knowledge hierarchy that it once recognized within its tradition of enquiry. But such a denial is without foundation, for a legitimate appeal to the authority of this knowledge hierarchy continues to exist, and therefore so does a legitimate appeal to the discipline of *ilm al-akhlaq*.

Of course, one cannot ignore the fact that any appeal to an Islamic rationality is itself an appeal to principles that are questioned by those seeking to move beyond a mere cultural coexistence. Despite the contention of intellectual traditions, many people on both sides of this encounter between western reason and Islam aspire to reach a mutual accommodation in their

quest for moral truth.⁶¹ The latter presupposes a cultural and epistemological negotiation in the quest for a convergence beyond the supposedly incommensurable truth claims. In other words, at issue here is whether Islam's ostensibly absolute truths can be rationally defended rather than merely asserted as dogma – and without western antagonists prejudicially consigning Islam to “irrationality” for its refusal to accept many of the trappings of western modernity.⁶² Part of the task here is to conceive and complete a process of justification such that all can attain to a body of moral knowledge that has a mutually acknowledged authority. The enduring value of Ibn Miskawayh and al-Ghazzali's work, as viewed in the context of contemporary revivals of virtue ethics in western moral philosophy, speaks favorably of an achievable justification.

In the distinction of Islamic disciplines identified earlier, Islam recognized both the interdependence of knowledge and a process of rank-ordered derivation of truth. That is, a Muslim might argue: If and only if one has *`ilm al-kalam* (the theological discourse) may one then derive both *`ilm al-fiqh* (the legal discourse) and *`ilm al-akhlaq* (the moral discourse) as coordinate domains of knowledge. The problem with uncritical contemporary Islamic discourse is that *`ilm al-fiqh* is all too often given so much primacy that *`ilm al-akhlaq* is viewed as a domain of knowledge subordinate to and derivative of *`ilm al-fiqh*, even though it is not. In MacIntyre's terms, theology would be denominated the “higher-order enquiry.” The justification of the principles of “a subordinate science,” such as ethics, would then be “demonstrative” only insofar as Islam's moral principles are demonstrated by derivation from the higher order science.⁶³ The same would hold for *`ilm al-fiqh*.

However, everything here depends on the Islamic concept of reason that is operative in this setting of discursive engagement. Crow states the point more fully:

The centrality of “intelligence-reason” (*al-`aql*) for Islamic ethics (*akhlaq*) unfolds out of the fundamental insight that the human volitional impulse arises within us prompted by our own understanding, and directed by the reception of divine guidance from without. As one of its most basic functions, “intelligence-reason” energizes the efficacy of “conscience,” thereby possessing a conative or exertive force since without the native intelligence created in us by God no ethical response is possible. This crucial insight is ultimately responsible for the great emphasis placed on reason as the condition for “moral obligation” (*taklif*) among the Mu`tazili and Ash`ari theologians.⁶⁴

Of course, as he adds, were it not for both the efficacy and integrity of the human capacity to reason, there would be no comprehension or proper response to the divine revelation given to guide human conduct. Problematic for Crow, however, is the depth and scope contained within Islam's authentic teachings as regards reason's hierarchical scale and authoritative validity. *A fortiori*, due to the emphasis placed on law, contemporary Islamic self-understanding ignores or marginalizes the authoritative validity of ethical reason that once spoke in its own right within the Islamic intellectual tradition.

Crow also provides an important reminder: the classical Islamic concept of reason recognized the authority of the prudential mind (*`aql `amali*), a concept that links readily to the basic approach taken by both Ibn Miskawayh and al-Ghazzali in their promotion of *`ilm al-akhlaq*. In every individual, it is the function of the prudential mind "to change one's behavior and act in accordance with the directives of both inner conscience and outer guidance or divinely revealed imperatives."⁶⁵ The point cannot be gainsaid: the directives in human conduct must be both inner conscience and outer guidance, in short both moral imperatives of conscience (such as follows from *taharat al-a`raq* and *riyadat al-nafs*) and the legal imperatives of religious authority (such as are given in *fatawa* as part of *`ilm al-fiqh*), without privileging the latter to the exclusion or diminution of the former, as has happened consequent to the primacy of Islamic jurisprudence.

As Crow clarifies, one of intelligence-reason's most basic functions is to energize the efficacy of conscience, the exertive force at the base of the human ethical response. Indeed, the efficacy of conscience is recognized in the fact that "in Arabic, *al-`aql* has at the core of its basic meaning the practical idea of 'restraining' or 'binding' – of holding one's self back from blameworthy conduct – *being an interior self-imposed limit*."⁶⁶

The lack of attention to the authoritative validity of ethical reason, unfortunately, manifests itself in a setting of what Ibn Khaldun would call *`ashabiyah*, defined as the breakdown of social cohesion in the Muslim world.⁶⁷ Thus, Akbar Ahmed argues that the divine vision for human civilization cannot be implemented in a setting of *`ashabiyah*, for

Muslims believe that those who possess *`ilm*, or knowledge, best explain the idea of what God desires from us on earth. So central is *`ilm* to understanding Islam that it is the second most used word in the Koran. The Prophet's hadith, saying "The death of a scholar, is the death of knowledge" emphasizes the importance of scholarship.⁶⁸

Thus, Article 9 of the Cairo Declaration reminds us that the quest for knowledge is an obligation even as the article conditions this obligation by having this quest remain consistent with the Shari`ah's principles.

There is a fundamental prejudice that has to be avoided here, however. Given the varied theological positions of the Mu`tazilis, Ash`aris, and Hanbalis, we have varied and contending conceptions of "right." These conceptions are themselves evidence of the evolution of Islamic law, despite the claims such law is immutable. More important, as argued earlier, it is an error "to accept the medieval constructions and interpretations of law as final and immutable normative statements" with reference to contemporary life.⁶⁹ In fact, to do so is to miss the point of the Shari`ah:

In the twelfth century Ghazali became dissatisfied with the popular and legalistic understanding of *fiqh* that was preoccupied with hairsplitting and arcane debates. True *fiqh*, he argued, meant more than just the law of marriage and divorce, contracts and sales. Issuing authoritative opinions or juridical *responsa* (fatwa, pl. *fatawa*), Ghazali said, was *the least important part of the law*. The external law regulating one's actions must be *complemented by an inner discernment (fiqh al-nafs)* said Ghazali.⁷⁰

This insight points to an essential connection between law and ethics that has been ignored consequent to the ascendancy of a legalistic construal of a Muslim's obligations before God and humanity. This connection, however, also points to the prospect of a revitalized engagement of *ilm al-akhlaq* so as to redirect Islamic discourse in a way that speaks to contemporary life, specifically to currents within western discourse that point to the relevance of virtue ethics as an ethics concerned with cultivating a good character, as taught by Ibn Miskawayh and al-Ghazzali.

Let us consider briefly the critical points of distinction noted above. First, "Muslim ethics is a responsibility-based ethics, invoking reciprocal rights and duties."⁷¹ Al-Ghazzali composed an important treatise that engaged the theme of disciplining the soul even as he recognized the importance of observing ritual and otherwise specifically legal obligations. However, the ritual and legal obligations are not performed merely because they are known to be obligations. Instead, "Obedience to the norms derived from revelation (Shari`ah) enables the individual to develop an inner disposition that is analogous to the notion of conscience."⁷² Significant here is not mere obedience to the law, but the fact that obedience to divine imperatives is purposive, for its overall goal is to develop the set of inner dispositions that manifest the prevalence of a noble character.

Al-Ghazzali's teaching makes it clear that the history of Islam so professionalized the law that Muslims moved away from the deeper ethical and moral impulses that the Shari'ah sought to implant in the service of the confessional Muslim's noble character. This is the consequence of privileging *fiqh* over *akhlaq*, even though these were coordinate sciences in the classical conception of *'ilm*. It is hardly surprising, then, when Majid Fakhry says that "if we scour the literature beyond the fifteenth century, we would be hard put to produce a single ethical treatise which adds substantively to our knowledge of Islamic ethics, and this applies to modern ethical writings as well."⁷³ His assessment concerns substantive advancement of the field, in contrast to exposition of the tradition.

Despite this negative assessment, we have an opportunity "to devise a satisfactory ethical theory in which the dialogic of transcendent norms and history are effectively demonstrated."⁷⁴ For the moment, however, al-Ghazzali's treatise on disciplining the soul and Ibn Miskawayh's instruction on purifying one's dispositions provide an important point of departure, including here Mohammed A. Sherif's elaboration of al-Ghazzali's theory of virtue.⁷⁵ M. A. Draz's discussion of both ethical theory and applied ethics, as these might be construed from the Qur'an, is an important supplement, as is Toshihiko Isutz'u's *Ethico-Religious Concepts in the Qur'an*.⁷⁶ Salma K. Jayyusi's engagement with ethical universalism in relation to the Arab tradition is a notable recent contribution to contemporary human rights discourse⁷⁷ and should be read along with Mashood A. Baderin's recent works on international law, Islamic law, and human rights.⁷⁸

Conclusion

It is a principal task of contemporary Islam, while responding both to its own intellectual tradition and to contemporary political ideological forces internal and external to it, to rehabilitate and renovate the classical-era Islamic discipline of *'ilm al-akhlaq*. This has to be done so that this domain of inquiry can make its own unique contribution to the substance of international morality, in contrast to international law as such. As Moosa remarked:

Only after we have established consensus around a mutually understandable intercultural language about, say, human dignity, can a genuine dialogue and moral conversation take place. ... [Even more important, the] language of international law may allow *inter-governmental discourse or conversations among cosmopolitan elites* to occur, but that does not necessarily translate into a successful inter-cultural dialogue.⁷⁹

Such a dialogue must become a dialogue among peoples who appreciate the importance of discussing ethical norms in the life of individuals and families, regardless of their national affiliation. Finally, *ilm al-akhlaq* must be rehabilitated in order to disabuse both the West and the Muslim world of the excess of authority or critique assigned to the Shari`ah and construed, all too narrowly, as law. A wider construal of it in terms of ethical discourse would shift the dialogue out of the court of law and disputations about international law and into the more informal, yet efficacious, setting of intercultural engagement of peoples – in short, to the setting of moral conversation among individuals who are ever at the source of moving the global world order toward humane moral governance.

Endnotes

1. Muhammad Iqbal, "Knowledge and Religious Experience," *The Reconstruction of Religious Thought in Islam*, www.allamaiqbal.com.
2. Ali A. Mazrui, "Islamic and Western Values," *Foreign Affairs*, September/October 1997.
3. Irene Oh, *The Rights of God: Islam Human Rights, and Comparative Ethics* (Georgetown: Georgetown University Press, 2007).
4. Ebrahim Moosa, "The Dilemma of Islamic Rights Schemes," *Worlds & Knowledges Otherwise* (fall 2004): 14.
5. Moosa, "The Dilemma," 2.
6. Fred Halliday, "Relativism and Universalism in Human Rights: The Case of the Islamic Middle East," *Political Studies*, vol. 43 (1995): 161.
7. Abdullahi A. An-Na'im, "Human Rights in the Arab World: A Regional Perspective," *Human Rights Quarterly*, vol. 23 (2001): 726.
8. Ibid.
9. See, for example, International Humanist and Ethical Union, "Islamic Law vs. Human Rights," 10 March 2008, available at www.ihea.org/node/2949.
10. Halliday, "Relativism," 158.
11. Ibid., 155.
12. Sherman A. Jackson, "Islamic Law" (lecture, University of Michigan, Ann Arbor, 2004), as cited in Mohammad Hassan Khalil, "Ibn Taymiyyah on Reason and Revelation in Ethics," *Journal of Islamic Philosophy* 2, 2006; accessed online at <http://beta.philosophyonline.org/xtf/view?docID=jip/2-0/jip.div.2..3>.
13. Khalil, "Ibn Taymiyyah."
14. Ibid.
15. George F. Hourani, *Reason and Tradition in Islamic Ethics* (New York: Cambridge University Press, 1985), 1.
16. Halliday, "Relativism," 156.

17. Majid Fakhry, "Rationality in Islamic Philosophy," 509-10; available at www.muslimphilosophy.com. See also Ernest Gellner, *Postmodernism, Reason, and Religion* (New York: Routledge, 1992).
18. Muqtedar Khan, "Islam, Postmodernity, and Freedom," available at www.ijtihad.org/discourse.htm.
19. Akbar S. Ahmed, *Postmodernism and Islam: Predicament and Promise* (London: Routledge, 1992).
20. David Bennett, "Postmodernism, Postcolonialism, and 'the Rushdie Affair,'" *The Cogito Society* (spring 1995): 12-25.
21. Bennett, "Postmodernism," 14.
22. The late German philosopher Immanuel Kant argued as much in his *Critique of Pure Reason* and added to this basic epistemological position in his *Religion within the Limits of Reason Alone*.
23. Iqbal, "Knowledge and Religious Experience," 15.
24. Khan, "Islam, Postmodernity."
25. Ibid.
26. Iqbal, "Knowledge and Religious Experience," 3.
27. Fakhry, "Rationality in Islamic Philosophy," 509-10; available at www.muslimphilosophy.com.
28. Murtada Mutahhari, "An Introduction to *ʿIlm al-Kalam*," trans. 'Ali Quli Qara'i, *Al-Tawhid* 2, no. 2 (January 1985).
29. Binyamin Abramahov, "Ibn Taymiyyah on the Agreement of Reason with Tradition," *Muslim World* 82, nos. 3-4 (1992): 256-73. Consider Karim Douglas Crow's statement as well: "Islamic teachings and thinkers conceived of 'rationality' in ways that vary from the present western conception, employing modes of conceptualization and discourse that at times depart radically from those now accepted by the West. The great irony is that almost all Muslims today have forgotten this and unconsciously adopt the prevailing western conception of 'reason' as their conceptual default or format, oblivious of their own legacy and teachings on this central feature of human existence." See his "Reason, Physicalism, and Islam" (paper presented at the International Institute of Islamic Thought and Civilization, Kuala Lumpur, Malaysia, August 2003), 4.
30. Ali ibn 'Abbas al-Ba'li Abu al-Hasan, *Al-Mukhtaṣar fī Uṣūl al-Fiqh 'ala Madhhab al-Imam Ahmad ibn Hanbal* (Damascus: Dar al-Fikr, 1980), 55 (as cited in Khalil, "Ibn Taymiyyah," 2006).
31. Moosa, "The Dilemma," 9.
32. Suleiman bin Abdul Rahman Al-Hokail, *Human Rights in Islam and Their Applications in the Kingdom of Saudi Arabia*. The Series of Human Rights in Islam, book no. 2, 1st ed. (Riyadh: College of Education, Imam Mohammad bin Saud Islamic University, 2000), writes on page 91: "Shaikh Mohammad Bin Abd Al-Wahhab's Da'wah was built on the fundamental principle of opening the door for interpretation [*ijtihad*] whenever the means and the evidence are available to the scholars..."
33. Iqbal, "Knowledge and Religious Experience," 12.

34. Halliday, "Relativism," 160.
35. For a summary of *Tahdhib al-Akhlaq*, see Nadia Jamal al-Din, "Miskawayh," *Prospects: The Quarterly Review of Comparative Education* 24, nos. 1/2 (1994): 131-52, as reproduced and made available by UNESCO, the International Bureau of Education, 2001.
36. Leaman opines: "Ibn Miskawayh seems on the whole to accord greater respect to Greek rather than specifically Islamic authorities." See his entry on Ibn Miskawayh at www.muslimphilosophy.com/ip/rep/H042.htm#H042SECT2. See here also O. Leaman, "Ibn Miskawayh," in *History of Islamic Philosophy*, ed. S. H. Nasr and O. Leaman (London: Routledge, 1996), 252-57, and O. Leaman, "Secular Friendship and Religious Devotion," in *Friendship East and West: Philosophical Perspectives*, ed. O. Leaman (Richmond: Curzon, 1996). Also see Majid Fakhry, "Justice in Islamic Philosophical Ethics: Miskawayh's Mediating Contribution," *The Journal of Religious Ethics* 3, no. 2 (fall 1975): 243-54.
37. Jamal al-Din, "Miskawayh," UNESCO version, 4.
38. Andrey Smirnov, "Truth and Islamic Thought," available at www.muslimphilosophy.com/ip/truth.htm.
39. Jane F. Collier, review essay, "Intertwined Histories: Islamic Law and Western Imperialism," *Stanford Electronic Humanities Review* 5, no. 1: Contested Politics: Religious Disciplines and Structures of Modernity (February 1996); available at www.stanford.edu/group/SHR/5-1/text/collier.html.
40. Charles Hirschkind, "Heresy or Hermeneutics: The Case of Nasr Hamid Abu Zayd," *Stanford Electronic Humanities Review* 5, no. 1: Contested Politics: Religious Disciplines and Structures of Modernity (February 1996); available at www.stanford.edu/group/SHR/5-1/text/hirschkind.html.
41. Karim Douglas Crow, "Reason, Physicalism, and Islam."
42. See Alasdair MacIntyre, *Whose Justice? Which Rationality?* (Notre Dame: University of Notre Dame Press, 1989).
43. Crow, "Reason, Physicalism," 2.
44. See, for example, M. Hathout, et. al., *In Pursuit of Justice: The Jurisprudence of Human Rights in Islam* (Washington, DC: Muslim Public Affairs Council, 2006); Mashood A. Baderin, *International Human Rights and Islamic Law* (Oxford: Oxford University Press, 2003); M. Steven Fish, "Islam and Authoritarianism," *World Politics*, vol. 55 (October 2002): 4-37; Ladan Boroumand and Roya Boroumand, "Terror, Islam, and Democracy," *Journal of Democracy* 13, no. 2 (April 2002): 5-20; Akbar Ahmed, "Ibn Khaldun's Understanding of Civilizations and the Dilemmas of Islam and the West Today," *Middle East Journal* 56, no. 1 (winter 2002): 20-45; Abdullahi A. An-Na'im, "Islam and Human Rights: Beyond the Universality Debate," *American Society of International Law Proceedings*, no. 94 (2000): 95 ff.; Jose A. Lindgren Alves, "The Declaration of Human Rights in Postmodernity," *Human Rights Quarterly*, vol. 22 (2000): 478-500; Ebrahim Moosa, "The Dilemma of Islamic Rights

- Schemes,” *Journal of Law and Religion*, vol. 15 (2000-01): 185, available at www.jhfc.duke.edu/wko/dossiers/1.1/MoosaE.pdf; Jonathan Fox, “Two Civilizations and Ethnic Conflict: Islam and the West,” *Journal of Peace Research* 38, no. 4 (2001): 459-72; Riffat Hassan, “Religious Human Rights in the Qur’an,” in *Religious Human Rights in Global Perspective: Religious Perspectives*, ed. John Witte Jr. and Joan D. van der Vyver (The Hague: Kluwer Law International/Martinus Nijhoff, 1996) and “On Human Rights and the Qur’anic Perspective,” *Journal of Ecumenical Studies* 19, no. 3 (summer 1982): 51-65; Abdullahi A. An-Na’im, “Human Rights in the Arab World: A Regional Perspective,” *Human Rights Quarterly*, vol. 23 (2001): 701-32; Bassam Tibi, “Islamic Law/Shari’a, Human Rights, Universal Morality and International Relations,” *Human Rights Quarterly*, vol. 16 (1994): 277 ff.; Donna E. Arzt, “The Application of International Human Rights Law in Islamic States,” *Human Rights Quarterly*, vol. 12 (1990): 202 ff.; and Fred Halliday, “Relativism and Universalism in Human Rights: The Case of the Islamic Middle East,” *Political Studies*, vol. 43 (1995): 152-67.
45. Abdelwahab M. Elmessiri, “The West and Islam: Features of the New Islamic Discourse, Some Introductory Remarks,” February 1997, available at www.muslimphilosophy.com/ip/21-cen.htm.
 46. Bryan S. Turner, *Orientalism, Postmodernism, and Globalism* (London: Routledge, 1994).
 47. *Ibid.*, 22.
 48. Elmessiri, “The West and Islam,” 4.
 49. Crow, “Reason, Physicalism,” 2-3.
 50. Elmessiri, “The West and Islam,” 6. This is one of the consequences of deconstructive criticism, such as has been issued in the work of Michel Foucault and Jacques Derrida. See, for example, Foucault’s *The Order of Things: An Archaeology of the Human Sciences* (New York: Vintage Press, 1994) and Derrida’s *Writing and Difference* (Chicago: University of Chicago Press, 1980).
 51. Richard A. Falk, “False Universalism and the Geopolitics of Exclusion: The Case of Islam,” *Third World Quarterly* 18, no. 1 (March 1997): 7-24.
 52. *Ibid.*, 8.
 53. *Ibid.*, 12.
 54. Office of the United Nations High Commissioner for Human Rights, Status of Ratification of the Principal International Human Rights Treaties as of 09 June 2004. While it is not a signatory party to the UDHR [which it characterizes as an “international,” not “universal,” declaration], the two International Covenants or the optional protocol, Saudi Arabia has acceded to the Cairo Declaration. This consensus document does not require ratification, since it provides “guidance” and does not thereby entail the usual treaty concern for compliance and violation entailing whatever sanction from whatever aggrieved party.
 55. Oh, *The Rights of God*, 1.

56. Muhammad Legenhausen, "Book Review: *Whose Justice? Which Rationality?*" *Al-Tawhid Islamic Journal* 14, no. 2, Qum Iran, available at www.al-islam.org/al-tawhid/whosejustice/2.htm.
57. MacIntyre, "Whose Justice?" 363.
58. The Cairo Declaration on Human Rights in Islam, 19th Islamic Conference of Foreign Ministers in Cairo, 05 August 1990; available at <http://religlaw.org/interdocs/docs/cairohrislam1990.htm>.
59. Khaled Abou El Fadl, "The Orphans of Modernity and the Clash of Civilizations," *Global Dialogue* 4, no. 2 (spring 2002): 1-16.
60. Crow, "Reason, Physicalism." Italics added.
61. See, for example, Ibrahim Kalin, "Roots of Misconception: Euro-American Perceptions of Islam before and after 9/11," available at www.theamerican-muslim.org/tam.php/features/articles/roots_of_misconception_euro_american_perceptions_of_islam_before_and_after/.
62. Ibid. The author aptly observes: "To the extent that Muslims are unwilling to adopt the standards of modernism, they are thought to be irrational. Islamic intellectual traditions are taken to be more or less the same as what the West progressed beyond when it abandoned medieval scholasticism. The caricature of Islam drawn by the liberal West requires neglect of the particularities of character, history, and circumstance."
63. MacIntyre, *Whose Justice?* 173.
64. Crow, "Reason, Physicalism," 11.
65. Ibid.
66. Ibid. Italics added.
67. Akbar Ahmed, "Ibn Khaldun's Understanding of Civilizations and the Dilemmas of Islam and the West Today," *Middle East Journal* 56, no. 1 (winter 2002): 20-45.
68. Ahmed, "Ibn Khaldun's Understanding," 31.
69. Moosa, "The Dilemma," 7.
70. Ibid., 239. Italics added.
71. Ibid., 238.
72. Ibid., 239.
73. Majid Fakhry, *Ethical Theories in Islam* (Leiden: E. J. Brill, 1994), ix.
74. Moosa, "The Dilemma," 242.
75. Mohammed A. Sharif, *Ghazali's Theory of Virtue* (Albany: SUNY Press, 1975).
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78. Mashood A. Baderin, ed., *International Law and Islamic Law* (Surrey, UK: Ashgate Publishing, 2008)
79. Moosa, "The Dilemma," 16.