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# The Global Vision of Metalaw

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## Abstract

**Purpose:** Metalaw is the highest level of jurisprudence reflecting the normative principles universally recognized, though not always practiced, in the world's religions and civilizations. This introductory study reflects and proposes systematic pre-search in developing metalaw through the classical Islamic system of jurisprudence known as the *maqasid al shari'ah*.

**Methodology:** The metalegal or cosmic perspective of Metalaw is introduced by examining advances in science and their policy implications. One of these is the need for a new Golden Rule. This is spelled out in summaries of eight irreducible principles of human responsibilities and human rights.

**Findings:** All the revealed religions contain a universal paradigm of thought. Muslims call this Islam. It is based on an affirmation that there is an ultimate reality of which man and the entire universe are merely an expression, that therefore every person is created with an innate awareness of absolute truth and love, and that persons in community can and should develop from the various sources of divine revelation, including natural law or the *Sunnat Allah*, a framework of moral law to secure peace,

prosperity, and freedom. This framework is known in Islam as the maqasid al shari'ah.

The key to justice and to just governance is education. Education should be designed to shape the paradigms of thought that govern public life. The paradigm shapers control the agendas of think-tanks and the media. It is a truism, not absorbed by Muslim think-tanks, that whoever controls the policy agenda controls policy.

**Research Implications:** The development of a paradigm of compassionate justice adequate to inform the think-tank community not only would serve the immediate purpose of developing a new art of paradigm management, but would facilitate more long-range strategies of civilizational renewal through such projects as producing an on-line normative encyclopedia of all knowledge in twenty volumes over a period of twenty years. This would be similar to the Fifteenth Edition of the Encyclopedia Britannica, which required forty years and \$30,000,000, but would differ by being an interfaith project to include the traditionalist wisdom and global vision of the world religions.

**Originality:** The maqasid are expanded from the traditional five to eight and are divided into two categories of guidance and implementation, as well as individually into three levels of abstraction. These form the substance of a higher universal Metalaw.

**Keywords:** Metalaw, natural law, maqasid al shari'ah, compassionate justice, Golden Rule, astrobiology.

## Synoptic Background

### Paradigm Management

Paradigms shape policy agendas. Over the long run, whoever shapes the agenda controls policy. The paradigm of natural law expressed in faith-based justice and compassionate cooperation is new. Nevertheless, it is an ancient and perennial part of humankind's advances both geographically and jurisprudentially toward larger identities. A higher, meta-legal identity combines the best of Islam and the West by rejecting the tribalistic paradigm of Orientalist thought known as "The Beast of the East," as well as the Occidental and equally tribalistic paradigm known as "The West and the Rest".

### Paradigmatic Premises and Principles

In all traditions, natural law consists of answers to three questions: 1) ontology: what is truth; 2) epistemology: how can we access it; and 3) axiology: what is its moral purpose and how do we apply it.

In Islamic tradition, the three sources for answers are known as *haqq al yaqin* or divine revelation, *haqq al 'ain* or scientific observation of the known universe, and *haqq al 'ilm* or human reason to understand the first two. All three, not only the second one, constitute what is known in Islamic jurisprudence as the *Sunnat Allah* or ways of God. One of the greatest Islamic scholars, Morteza Mutahari, says that the opposite of the *Sunnat Allah* is *taswib*, which is the phenomenological concept that truth is relative and does not exist.

In the West, the concept of natural law began to be perverted in the 19th century as a means to justify positivist law, which denies any higher source of authority beyond human fiat and is based on "might makes right". The Founders of the United States of America based their "great American experiment" on the traditional Christian concept of natural law, which is identical to that of classical Islam in its foundation on the conviction that "right makes might".

The universally traditionalist concept of natural law has been rehabilitated by Russell Hittinger in his new book, *The First Grace: Rediscovering the Natural Law in a Post-Christian World*. He writes that the purpose of natural law theory is to discover or assert the prior premises of law. He finds these in three foci: Order (metaphorically speaking) in the Divine Mind; Order in Nature; and Order in the Human Mind.

In Islamic thought the equally universal concept of natural law is being rehabilitated by recognizing four premises, namely, Tawhid (the oneness of reality), Beauty, Balance, and Purpose, and by further developing a set of resulting principles, known as the *maqasid al shari'ah*, to define justice as respect for divinely ordained human responsibilities and corresponding human rights. The first four, which serve as guiding spiritual principles, are: 1) *haqq al din*, respect for freedom of religion; 2) *haqq al nafs*, respect for the sovereignty of the human person; 3) *haqq al nasl*, respect for human community, and 4) *haqq al mahid*, respect for the physical environment. The four social principles for implementation are: 1) *haqq al hurriyah*, political justice; 2) *haqq al mal*, economic justice; 3) *haqq al karama*, respect for human dignity, especially gender equity, and 4) *haqq al 'ilm*, respect for knowledge.

## **The Art of Rehabilitation**

In Islamic thought the art of rehabilitating faith-based natural law consists of two disciplines: 1) the human motivation from response to divine love, known as *'ilm al taqwa*, and 2) the search for transcendent justice, known as *'ilm al 'adl*.

The Qur'anic bases of these two disciplines, respectively, are encapsulated in the wisdom, “*wa nahnu 'aqrabu ilayhi min habil al warid*” (and we are closer to each person than is his own juggler vain), and “*Wa tammam kalimatu rabika sidqan wa 'adlan*” (the Word of your Lord is fulfilled and perfected in truth and in justice).

In Christian thought, *'Ilm al Taqwa* is best developed by St. John of the Cross, who borrowed his whole methodological and terminological approach from Shaykh Abu'l Hassan al Shadhili, who is the North African father of the only great Sufi order to originate outside of Asia. Christian *'Ilm al 'Adl* was best articulated by St. Thomas Aquinas, who emphasized human reason as borrowed from Aristotelian methodology through its further development by the Islamic philosopher, Ibn Sina. In the introduction to his forty-volume *Summa Theologica* acknowledging his mentor in philosophy and moral theology, St. Thomas wrote "Whenever I say master, I mean Avicenna [Ibn Sina]".

Both of these two great Christian scholars taught that there cannot possibly be any contradiction between faith and reason, but even more they taught that the two sources of knowledge external to humans, namely, revelation through prophets and through the laws of nature, are designed to enrich each other because they have a common purpose. This synthesis was best articulated by Meister Eckhart, who succeeded St. Thomas in the chair of theology at the newly created University of Paris.

## **Metalaw**

The synergistic disciplines of transcendent and immanent law can best be described as Metalaw, which combines the two great jurisprudential sources, namely, *al hikmat al muta'aliyah* or higher wisdom, as developed by the 17th-century Persian polymath, Sadr al Din Shirazi, and *'ilm al 'adl al muta'aliy*, or higher justice, as developed in the *maqasid al shari'ah*.

Metalaw is based on three premises: 1) there is nothing new under the sun; 2) we must constantly repackage the evolving art and science of metalaw to retrieve the best of the past from every religion and civilization in the present to build a better future; and 3) we can best do so at the level of paradigmatic management in pursuing peace, prosperity, and freedom through compassionate justice.

## Text

### The Cosmic Perspective

Recently, I spent twenty hours flying at a ground speed of 500 miles an hour from America to attend the Second Islamic Unity Conference in Kuala Lumpur and to introduce the new discipline of “metalaw” in a discussion at the International Islamic University Malaysia (IIU). Metalaw brings out the universality of Islamic normative law in a systems analysis of its ultimate purposes, namely, the *maqasid al shari'ah*, from a cosmic perspective. Metalaw is the science of building on the best of the past from all religions and dependent civilizations, in the present, to build a better future.

When I am fortunate enough to have a window seat on an airplane, I am always the only one to look out the window so I can

behold our beautiful home as we fly over it. I always marvel at everything in nature, from God's smallest creation to the largest.

From my limited perspective as we flew across two continents, the Atlantic and the Indian, and four continents, America, Europe, Africa, and Asia in order to avoid a European snowstorm, it appeared to me that the world must be flat because we just kept going and going with no end. Yet I went only halfway around the earth, which itself is relatively only an infinitesimally small speck in a much larger reality.

This beautiful flight to Malaysia brought home to me the immensity and interdependency of both space and time in the "systems perspective" of *tawhid*<sup>1</sup>, best translated perhaps as "the oneness of reality", which illuminates the coherent diversity of the Created world as it points to the Oneness of its Creator.

Eighty years ago, when I was born, we thought that the entire universe consisted of what we now know as the Milky Way Galaxy. We knew it is big. But how big?

We also knew that light travels the equivalent of eight times around the world in one second. It takes 400 seconds or seven minutes for light to travel from the sun to our earth. Yet our galaxy has a diameter of 100,000 light years.

On December 19th, 2009, the National Geographic Channel premiered a new documentary entitled "The Known Universe: Sizing Up the Universe". Astronomers say that there are something like ten quintillion stars (that is ten followed by 21 zeros) in the universe. There are more than 100 billion observable galaxies in what might be called the light universe, and each of them has a hundred billion or more stars. There are

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<sup>1</sup> Monotheism

more stars than there are grains of sand on earth. And in addition to the known matter there is an incomprehensibly immense space in between. As George F. Will puts it in his Washington Post article published on New Year's Eve, 2009, about the study of catastrophism, entitled What an Asteroid Can't Quell, "If there were only three bees in America, the air would be more crowded with bees than space is with stars". And who knows what is in the dark matter, which is not known and therefore is called "dark". Astronomers are able to calculate, however, that the known universe is only a small part of total physical reality.

Most significant for the study of metalaw is the existence of planets around these stars as a normal part of nature. According to Marc Kaufman in a Washington Post article on November 8th, 2009, in a single day of the previous month the European Space Agency announced the discovery of 32 new extra-solar planets. NASA, the National Aeronautics and Space Agency, which wanted to hire me in 1959 as its first General Counsel, has launched a new space satellite program, called the Kepler Space Telescope Project, to find and catalogue earth-size planets with life-sustaining environments. Its task will be huge.

This new frontier of knowledge is now being advanced further by evidence that Velikovsky's theories advanced almost a century ago about catastrophic collisions in earth's history are not exaggerations. George Will quotes the evidence marshaled by Sankar Chatterjee of Texas State University reinforcing the consensus that the impact of a giant asteroid created Mexico's 110-mile-wide Chicxulub crater with the force equivalent to 100 trillion tons of TNT - 10,000 times the explosive potential of the world's entire arsenal of nuclear weapons. There is now evidence that a still larger asteroid, twenty-five miles in diameter, caused the 300-mile-wide Crater of Shiva off western India. The survival of life despite the estimated effects of such catastrophes leads to



the conclusion that life in the universe is an extraordinary imperative.

This new frontier of human knowledge raises questions about exploring higher dimensions of knowledge, especially what has been called “meta-law”, a law that would apply in one way or another to all sentient beings.

It is increasingly difficult to assume that our sun and planet are the only ones capable of supporting complex and evolved life – the kind of life that Christians might assume would be in need of salvation through Jesus Christ. Questions inevitably follow: Are Christianity and, to some extent, other religions only stories about life on Earth? And if they are not “universal” in a cosmic sense, does that diminish their significance?

As long ago as 1957, when the Russians launched sputnik as the first man-made satellite of earth, the Nobel prize-winning scholar, Joshua Lederberg, addressed this challenge. In February, 2009, NASA's National Astrobiology Institute sponsored a meeting of scientists, ethicists, religious leaders, and philosophers to brainstorm about the societal implications of astrobiology, which is the science of studying extra-terrestrial life. It is preparing a semi-official “road map” of sensitive issues that must be addressed if and when the presence of life elsewhere in the universe is definitely established.

Perhaps one concern is for NASA's budget. Would Christian counterparts of Muslim Wahabbis demand that all further research on threats to the primacy of Jesus on earth be terminated? A similar scientific catastrophe occurred in China in 1425, seventy years before Columbus “discovered” America. Of course, the Americans at the time, including my own Cherokee ancestors, who lived there, knew about America before Columbus did. In 1422, a famous Chinese of Mongol heritage, Zheng He,

sent a great fleet of ships from China with experts in every known discipline of knowledge to explore the world. Reportedly, he even established small colonies in America.

When Admiral Zheng He returned three years later, a new government had taken power in order to stop the wasteful spending on digging grand canals, equipping ocean expeditions, and even teaching foreign languages. It ordered the destruction of all his hundreds of ships and all of his scientific discoveries and even of all knowledge that he and his expeditions ever existed. Fortunately, the government failed to erase totally this spectacular feat of discovery from human knowledge. But the new xenophobic policies ended the global leadership of the Chinese civilization just as effectively as the political corruption and subsequent fear of knowledge had ended the global Muslim civilization only a century or two earlier.

The denial of the very possibility that sentient beings may live on any of the almost infinite number of planets now being discovered in the universe is what I consider to be the best example of dogmatic and existential solipsism. This may be defined as the denial of anything that conflicts with one's own self-worship. Such denial could trigger the eruption of polytheism unknown in human history and mark the beginning of a new dark age on earth.

In 1945, as a sixteen-year-old freshman at Harvard University, I rejected Roman Catholicism as a revealed religion because of its long-standing dogma against what is now known as astro-biology, but was called exobiology when I first wrote and published articles on the subject in 1959 at Harvard Law School. One of them was published in the book *Space Law and Government* by my future boss, the richest lawyer in the world, Andrew Haley, who in 1961 helped give birth to the Communications Satellite Corporation. This book has a foreword

by then Vice-President Lyndon Johnson, who was ex-officio Chairman of the U.S. Space Council.

The issues of astrobiology and metalaw are no doubt as old as the human species. In the year 1600, during the European Enlightenment, Giordano Bruno, a Renaissance philosopher, writer, and free-thinker, was burned at the stake by the Inquisition. Among his many heresies was his belief in what he called “a plurality of worlds” - in extraterrestrial life, in aliens. The problem for Catholic dogma was the unique Christian insistence on “one incarnation” in Jesus Christ, which did not permit the descent of divine being anywhere else in the universe. For me, this denial of God's mercy to other sentient beings in the universe, who like us are “made in the image of God”, disqualified Christianity as the ultimate in what the New Testament calls “The truth, the way, and the life” (John 14:6) and “The Truth shall set you free” (John 8:32).

This contrasts with the very beginning of the Qur'an, Surah al Fatiha, which opens with the prayer of praise, “All praise be to Allah, Lord of the Worlds”. Scholars have interpreted this in many ways, including the concept of worlds as various layers of transcendent beings, such as angels. But Islamic scholars taught that it can have multiple meanings, as can much of the Qur'an.

The greatest Jewish scholar of all time, who wrote in Arabic in Andalusia 800 years ago, Moses Maimonides, warned in his book *A Guide for the Perplexed*, “An ignorant man believes that the whole universe exists only for him; as if nothing else required any consideration. ... If, however, he would take into consideration the whole universe, form an idea of it, and comprehend what a small portion he is of the Universe, he will find the truth. ... What we have, in truth, to consider is this: the whole mankind at present in existence, and a fortiori every other

species of animals, form an infinitesimal portion of the permanent universe”.

In November, 2009, Pope Benedict XVI convened a five-day conference formally to consider the new science of astrobiology and the impact that further findings in this field may have on traditional religion. For this purpose, he tasked the Pontifical Academy of Sciences to gather prominent scientists and religious leaders on private Vatican grounds in the elegant Casina Pio IV, formerly the pope's villa, in response to the ferment in all the tradition-bound faiths about the possibility that life exists in myriad forms beyond this planet. This is a belated catch-up to the level of thinking embodied in the teachings of Islamic and Jewish scholars a thousand years ago.

Just as the Copernican Revolution forced us to understand that Earth is not the center of the universe, the logic of advances in astrobiology points in a similarly unsettling direction to the likelihood that we are not alone and perhaps that we are not even the most advanced creatures in the universe. This may not 'conflict with our faith', but it may conflict with the stories we tell about who we are. As Kaufman noted in his article, “Having overcome the giggle factor of most things extraterrestrial, astrobiologists are telling a scientific story to an audience that may someday use it to defend – or enhance – its faith”.

## **The Golden Rule**

The history of humanity is one of expanding our horizons on earth as we bump into others like ourselves. As we “bump into” sentient beings from foreign planets, perhaps the shock will help us overcome our religious tribalism so that in awe we can in the future expand our vision beyond our own physical home and also to higher dimensions of reality.

We might even reverse the Golden Rule, which is enshrined in all of the world religions. Contextually designed for earthbound humans, it now reads, “Do unto others as you would have them do unto you”. Under the new moral guidelines of a still higher metalaw, the Golden Rule might read, “Do unto others as they would have done unto themselves”. Any other approach might destroy all life. This is the core of metalaw, which could provide the guidelines for new disciplines in the study of peace, prosperity, and freedom through compassionate justice both on earth and throughout the universe.

Islamic scholars centuries ago developed this metalegal perspective in what is known as the *maqasid al shari'ah*, which is the science of ultimate ends. This is based on the common purpose of all sentient beings and even of every plant and animal in its own way, which, in turn, is based on study of their common origins.

In the Qur'an, Surah al Rahman 55:6, we read, *wa al najmu wa al shajaru yasujdan*, “and the stars and the trees bow down to God”, but in ways you do not understand. As developed in my book, *Rehabilitating the Role of Religion in the World*, in the section on the *shar'i* principle or *maqсад* of *haqq al mahid* (environmental justice), this is developed further by reference to Surah al Nur 24:31: “Are you not aware that it is God whose limitless glory all [creatures] that are in the heavens and on earth extol, even the birds as they spread out their wings? Each [of them] knows how to pray unto Him and to glorify Him. And God has full knowledge of all that they do, for God's is the dominion over the heavens and the earth, and with God is all journey's end”. Allah tells us in Surah al 'Isra 17:43-44, “And there is not a single thing but extols His limitless glory and praise. But you [O humans] fail to grasp the manner of glorifying Him”. The Qur'an summarizes all this in the simple phrase, “Wherever you turn, there is the face of God”.

The Qur'an speaks of an inner truth in Creation. Thus, in Surah al Hijr 15:85 we read: *wa ma khalaqna al samawat wa al 'ard wa ma bainahuma illa bil haqq*, “and We have created the heavens and the earth and all that lives in between with an inner truth”. This is repeated again and again in different contexts, in Surah Yunus 10:5, Al-i 'Imran 3:191, Hajj 22:18, and Sad 38:27, where the term *batilan* is used and best translated as “meaning and purpose”.

Introducing Surah al Hijr 15:85 is 15:75, which reads *ina fi dhalika l'ayatini lil mutawasimin*. “In this are messages for those who can read the signs”. The root word *wasama* in its fifth form *tawasama* means to watch or examine closely. Both of the classical commentators Razi and Zamakshari say that *mutawasim* means “one who applies the mind to the study of the outward appearances of a thing with a view to understanding its real nature and its inner characteristics”.

## **The Maqasid al Shari'ah**

This search for the inner or higher truth of reality is the highest purpose of the maqasid al shari'ah as meta-legal guidelines for human responsibilities and rights, in accordance with the basic Qur'anic principle expressed in Surah al An'am 6:115: *tammam kalimatu rabika sidqan wa 'adlan*, “The Word of your Lord is fulfilled and perfected in truth and in justice”.

The theory is simple. All the revealed religions contain a universal paradigm of thought. Muslims call this Islam. It is based on an affirmation that there is an ultimate reality of which man and the entire universe are merely an expression, that therefore every person is created with an innate awareness of absolute truth and love, and that persons in community can and should develop from the various sources of divine revelation,

including natural law or the Sunnat Allah, a framework of moral law to secure peace, prosperity, and freedom.

What is this system? Using current phraseology, the answer is simple. It is justice. This is the core message that activists of every religion should put front and center.

Within the last two or three years for the first time in decades of fruitless political activism in America, Muslims have finally begun to revive the necessary guidance of classical Islam in the universal purposes (*maqasid*) or universal principles (*kulliyat*) or essentials (*dururiyat*) of the *maqasid al shari'ah* as the applied essence of Islam in the world and as the only winning paradigm for America and for Muslims in America or anywhere else in the world or in the universe.

The Great American Experiment was founded on it. The Constitution of the United States of America starts with a Preamble that declares the priorities of its purpose. This starts with the pursuit of a unity through justice, national defense, domestic order, prosperity, and freedom. Freedom comes last because it is the product of justice. Only through leadership in promoting the natural law of justice can Muslims help America recover its lost tradition and become what its founders envisioned, which is to be a moral model for all of humankind.

The Prophet Muhammad, *salla Allahu 'alayhi wa salam*, strove to develop the believer's conscience through adherence to principles and values, known as the Sunnat Allah or natural law. This became known later as the synergism of three sources, namely, Divine Revelation or *haqq al yaqin*, observation of the physical laws of the universe or *'ain al yaqin*, and human reason or *'ilm al yaqin* to understand the first two primary sources. The values and principles were just as important as their source. The Prophet and especially his follower 'Ali, *radi Allahu anhu*, showed

a way to transcend narrow and self-centered group allegiance in the tribalistic and negative form of *asabiya* in favor of primary loyalty to universal principles themselves.

These universal principles or *maqasid* were developed over a period of centuries into what became the world's most sophisticated code of human responsibilities and rights. They are spelled out in two of my recent books. The first one is *The Natural Law of Compassionate Justice: An Islamic Perspective*, Scholar's Chair, 224 pages, released in January 2010. The second, entitled *Rehabilitating the Role of Religion in the World: Laying a New Foundation on the Natural Law of Compassionate Justice*, has a detailed discussion on the origin and historical development of the *maqasid*, as well as lengthy chapters on each of the eight *maqasid* as I understand them. The most advanced study of Islamic normative law as an expression of Metalaw, however, is Professor Jasser Auda's *Maqasid al Shari'ah as Philosophy of Islamic Law: A Systems Approach*, IIIT, 2008, 347 pages.

The first universal principle or *maqasid* is known as *haqq al din*. This requires respect for religion. At a secondary level, known as the *hajjiyat*, this *maqasid* means that religion should be neither prescribed nor proscribed in public life, that is, neither institutionalized nor forbidden. This *hajjah*, as developed by the first great successor to Al Shatibi, namely, Mufti Ibn Ashur of Tunisia in 1946, is basic to every level of metalaw.

The next universal principle, *haqq al nafs*, requires respect for the individual person. At the secondary level it requires respect for sentient life. At the still more detailed level, known as *tahsinniyat*, it teaches the limiting principles of the just war doctrine.



The next maqsad requires respect for the community, *haqq al nasi*, which is sacred because its component members derive their individual sovereignty directly from God. This is the other side or dimension of *asabiya*, which Ibn Khaldun distinguished from the negative form known as tribalism. This positive form of community loyalty permits authority and sovereignty to ascend from God through the human person upwards from the nuclear family to every higher level of community, including the nation and even all of humankind. This sacred form of sovereignty is the opposite of the positivist concept enshrined in Western international law as we were taught it at Harvard Law School. The Islamic concept of sovereignty turns the Western secular concept of the state on its head, because Western secularist jurisprudence declares that ultimate authority comes not from God but from whoever can impose order by force over fifty-one percent of any given territory. For example, this Islamic concept declares that the Palestinian people are inherently a sovereign nation, whereas Western international law declares that they do not exist.

The fourth maqsad, which has always been assumed but rarely spelled out as an irreducible principle of the Sunnat Allah is *haqq al mahid* (from *wahada*) or respect for the physical environment.

These first four of eight maqasid al shari'ah are what I call the transcendent or guiding principles. These are followed by four implementing maqasid.

Briefly, the first of the four is *haqq al hurriyah*, which requires governmental institutions adequate to promote the self-determination of persons, communities, and nations, based on the four hajjiyat known as *khilafa*, *shurah*, *ijma*, and an independent judiciary. This concept of political freedom is basic to the founding concept of government introduced in the West by the

American Revolution, which in turn was based on the Scottish Enlightenment.

All of America's founders condemned democracy as the worst possible form of government, because by definition democracy, as exhibited in the French Revolution, vested ultimate authority not in God but in whoever could manipulate the masses to support elitist oppression. The opposite of a democracy is a republic, which by definition is based on the concept that the legislature is charged with seeking and implementing justice from the higher authority of God, that the Executive branch of government is charged with carrying out the will of the legislature, and that the Judicial branch of government is responsible to assure that both of the other branches are properly doing their job. In 1787, at the Constitutional Convention, when Benjamin Franklin was asked whether the Framers of the Constitution had created a republic or a monarchy, he replied, "A republic, if you can keep it".

The second of the four applied maqasid is *haqq al mal* or economic justice. This requires respect for the decentralization of power through institutional reform, especially in the creation of money and credit designed to promote the universal right of access to individual ownership of wealth producing assets. This diffusion of capital ownership, while respecting the property rights of all existing owners, is key to reducing the growing wealth gap within and among nations, which is the primary cause of radicalism and has always been the primary cause of civilizational suicide.

The final set of maqasid requires respect for human dignity (*haqq al karama*), especially through gender equity, and respect for knowledge (*haqq al 'ilm* or *'aql*) through freedom of thought, speech, and assembly.

These eight universal principles and purposes of sentient life are the key to the rise and fall of civilizations. Civilizations fall, usually in the midst of wars, when pessimists see growing inequities and fail to respond as agents of change or when they seek change through blind destruction. Both individual persons and entire civilizations die when they abandon the transcendent mission implanted in human nature and seek only to survive. Civilizations rise when optimists follow a higher vision and challenge the status quo by perfecting what is good but can be better. As brought out in my book *Shaping the Future: Challenge and Response*, Tapestry Press, 1997, 159 pages, it is a matter of challenge and response.

Unfortunately, most nations in our world have become at best bi-polar societies that alternate between seeking justice and seeking physical power as ultimate ends, without appreciation for the fact that the pursuit of justice is the most reliable road to security and peace. The goal should not be to empower only oneself but to empower others. Any perspective that raises an ideology of power, whether economic, political, or military, to the level of an ultimate end and rejects justice as a guiding paradigm in either domestic or foreign policy inevitably will lead from cosmos to chaos.

The key to justice and to just governance, on earth or anywhere else, is education. Education should be designed to shape the paradigms of thought that govern public life. The paradigm shapers control the agendas as developed by think-tanks and the media. It is a truism, not absorbed by Muslim think-tanks, that whoever controls the policy agenda controls policy.

Thomas Jefferson, who drafted America's Declaration of Independence and was its third president, taught that people can remain free only if they are properly educated, that education consists primarily in learning virtue, and that no people can be

virtuous unless both their private and public lives are infused with awareness and love of God. In his days, the virtues were other words for what today are known as human responsibilities and rights, and these were considered together as the very definition of justice.

God, through his mercy, has given every person, as well as every nation, the freedom to become what they are intended to be. Their true identity is not what they may falsely try to construct, but rather what they in potential have been created to be. One's purpose, both as a person and as a community, therefore is to become what one is, metaphorically speaking, in the eyes of God.

This search for the inner or higher truth of reality is the highest purpose of the *maqasid al shari'ah* as metalegal guidelines for responsibilities and rights, in accordance with the basic Qur'anic principle expressed in Surah al An'am 6:115: *tammam kalimatu rabika sidqan wa 'adlan*, "The Word of your Lord is fulfilled and perfected in truth and in justice".

The motivation for seeking to become what God has created one to be is best expressed in one of the fondest prayers of the Prophet Muhammad, *salla allahu 'alayhi wa salam: Allahhumma, asaluka hubbaka, wa hubba man yuhibbuka, wa hubba kulli 'amali yuqaribuni ila hubbika*, "O Allah, I ask you for Your love, and for the love of everyone who loves You, and for the love of everything that will bring me closer to Your love".