

RELIGION IN SOCIETY**ISLAMIC POLITICAL AND
LEGAL THOUGHT
IN SEARCH OF ANSWERS
TO NEW CHALLENGES**

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It was late in the 20th century that Islam developed into a major issue of contemporary world politics. It left the realm of academic deliberations to be discussed by political scientists, publicists, and journalists. They normally concentrate on several subjects: Islam and international terror-

ism and political extremism inherited from the past as well as several recent ones, namely the Muslim world's future in the context of political changes and the role of Islam in the process. In the final analysis, this is related to the future of Islam under the conditions of accelerating globalization.

**Globalization and
the Structure of the World as
Seen by the Shari'a**

Globalization has become a prominent feature of the contemporary world. Seen by itself it is a more or less natural, or even inevitable, process born of the on-going interaction among countries, cultures, and ways of life, as well as vigorous exchanges at the state and personal levels. Like all

other parts of the globe, the Muslim world feels the impact of globalization and its ambiguous influences.

So far, the rich West profits more than the rest of the world from the fact that globalization tends to impose identical rules on all the countries involved in the process. This explains the fact that while many countries (Russia included) are seeking WTO membership, some public associations and movements are regularly protesting against the common standards imposed on the world in the interests of huge monopolies that do nothing for the rest of the world but widen the gap between the economically developed and underdeveloped regions.

In the context of the Shari‘a teaching about the hierarchy of human interests, it can be said that while some states use globalization to live in greater comfort or even luxury, others cannot cope with their everyday needs: the starting positions of the members of international exchange vary greatly. This is the reason that the Islamic legal doctrine insists on taking into account initial positions in full conformity with the principles of justice and law within which the Shari‘a grants privileges to the needy and even temporarily exempts them from certain common duties. In real life, however, generosity of this kind is a rare commodity.

No wonder, the world of Islam produces different, or even opposing, opinions about globalization. Many of the Islamic thinkers are convinced that the West employs globalization to fight Islam and that the Islamic and Western values are worlds apart.¹ This is quite understandable. The West does try to impose its own cultural and moral values, or even political and legal norms, disguised as globalization on all Muslims in total disregard of their traditions. The Muslims’ negative response is natural—it is all the more natural because more likely than not such efforts are interpreted as a direct attack on Islam and its values. When talking about globalization, Muslim lawyers and political scientists never tire of repeating that the Shari‘a rejects any attempts to impose behavioral norms and patterns by force. Its main principle, “there should be no coercion in religion,” says precisely this. These patterns should not be merely stated by the world community—they should be embraced by all its members of their own free will. In the view of the Muslims, the references to the Shari‘a add weight to these opinions.

On the whole, however, neither globalization nor its results can be described solely in negative terms. In fact, many Islamic scholars and politicians have already recognized this. Early in March 1999, I had the chance to listen to Saudi Arabian Minister of Higher Education Imam Muhammad ben Saud at the Islamic University. He said then that its negative results apart, globalization did a lot for education and information processes. It was thanks to globalization that curricula were coordinated and adapted to the international standards to allow Saudi graduates to continue their education in the best universities outside their own country.

International economic exchange is rapidly developing in the globalizing world. The Islamic Fiqh Academy-OIC pointed out that international trade had profited from globalization.² Some of the Arabic media have reported that the banking systems of their countries, the Islamic Development Bank among them, use the Internet and other latest technologies to deal with globalization challenges. Muslim law has already approved commercial activities through the Internet.³

This should not be taken to mean that the rules and standards obligatory for all should be hailed without reservations: the sphere of cultural and moral values, as well as religion and the legal principles based on it is ill-suited to tolerate coercion. This means that the positive assessment of economic and financial aspects of globalization impacts should not be indiscriminately transferred to

¹ See, for example: Abdel Azim al-Matani, “Globalization as a New Form of Traditional Rejection of Islam by the West,” *Al Bayan* (Dubai), 26 November, 1999 (in Arabic).

² See: *Ash-Shark al-Awsat* (London), 18 October, 1997.

³ See: *As-Siyasa* (Kuwait), 8 January, 2001; *Al-Watan* (Kuwait), 7 January, 2001; *Ar-Ray al-Amm* (Kuwait), 8 January, 2001; *Al-Iman* (Kuwait), 5 January, 2001.

these sensitive spheres. In view of the above, we should treat globalization not as merely a unifying phenomenon that brings nations together, but also as a phenomenon that takes into account national, cultural, and religious values and distinctions, respects them and involves nations in a dialog and exchange. Any attempts to impose certain standards in these sensitive spheres causes justified objections.

While in the sphere of culture globalization has already produced a lot of dissent, culture itself may suggest the right answers to globalization challenges. In the Muslim world, this role belongs to Islamic political and legal culture. The fundamental norms and principles of the Shari‘a may supply answers to certain specific questions—what is more they can suggest an overall approach to the phenomenon of globalization.

We should admit, at the same time, that Islamic legal science has not offered a clear and detailed conception of globalization, yet my talks with respected Muslim scholars allow me to outline the major trends of their scholarly quest. It is most important to make use of the positive aspects of globalization and minimize its negative effects. To achieve this we should guide ourselves by the widely known general principles of the Islamic legal doctrine (fiqh), which says: “matters are judged by their motives,” “no one has the right to inflict harm or injury to compensate for the injury done,” “regarding all that they [citizens] are in need of with respect to what benefits them.” In their relations with the non-Muslims, Muslims should undoubtedly be guided by Allah’s words quoted in the Koran: “Help you one another in righteousness and piety; but help you not one another in sin and rancour” (The Table Spread, 2).

The choice of right path between what is prohibited and allowed by the Shari‘a is another fundamental principle the Muslims should use when assessing globalization. The Prophet said: “That which is lawful is clear, and that which unlawful likewise, but there are certain doubtful things between the two from which it is well to abstain.”

Seen from the viewpoints outlined above, globalization looks dubious: it is merely reduced to those standards which when specified and applied in the interests of Muslims permit varied assessments. Placed in the Islamic legal context, globalization can be described as a very specific sphere of the Muslims’ everyday existence that presupposes *ijtihad* (a search for rational answers to the questions the Shari‘a did not specify). Globalization is not merely an object of *ijtihad*—it makes its own claims on it. It adds urgency, among other things, to the principle of *fiqh*, which makes it possible to readjust norms every time place, conditions, and time change. It adds weight to such a source of new norms as “exclusive interests” that legalize the novelties the Shari‘a does not ban outright. When it comes to an assessment of how the Muslim world responds to the vast range of achievements of other nations in many spheres (law and the principles of power included), the presumption of permissibility of using everything that is not banned by the Koran or the Prophet’s *Sunnah* can be applied.

To find one’s bearings in the fairly contradictory conditions of globalization, the Muslims should be guided by the following principles of *fiqh*: “incur lesser of the two harms when faced with them both” and “repelling harm takes precedence over procuring benefits.” In this context, globalization is seen as a balancing trick between avoiding damage and acquiring profit. To choose between the two extremes, the Muslim should turn to the original principles, basic values, and aims of the Shari‘a—continuity, moderation and balance, and deliberate avoidance of extremes and of burdening man beyond endurance.

Globalization insists on a dialog with other cultures and axiological systems—this is one of its typical features, which presupposes that civilizations should be involved in cooperation and exchange. The Muslims have acquired the unique chance to introduce the non-Muslim world to Islamic values and goals. These newly acquired possibilities have already become one of the most important trends and a call to follow in the road of Allah, in order not only to borrow the cultural achievements of oth-

ers, but also to familiarize the world with the Islamic civilizational values. It says in the Koran: "Invite all to the way of your Lord with wisdom and beautiful preaching; and argue with them in ways that are best" (Bees, 125).

Some of the non-Islamic countries that have found themselves confronted by the challenges of globalization may profit from certain achievements of Islamic political and legal thought. Russia, which, like the Muslim world, is struggling to join in the worldwide processes while preserving its independence, its latest developments, and highly specific nature, is one such country. Since 2005, when it acquired an OIC observer status, Russia has been paying particular attention to the principles and norms of the Shari'a in the sphere of international relations.

To develop its contacts with the Islamic world and to achieve the best possible cooperation between the federal center and the traditionally Islamic regions inside the country, Russia should take into account the latest achievements of Muslim legal science in international relations. This will promote confidence and mutual understanding between Russia and the Islamic world and positively affect Russia's policies in Central Asia.

We should never lose sight of how Muslim legal principles (which vary from one school to another) interpret Russia's contacts with the Islamic world. Contemporary Muslim law encourages reliance on various schools to find solutions within the Shari'a, its basic principles, values, and aims best suited to realities. In view of this, relations between Russia and the Muslim world can be scrutinized within the conception that divides the world into several sectors, the World of Islam and the World of War in particular. Certain legal trends are aware of the World of Concord (Reconciliation) that includes those non-Muslim states with which the World of Islam has agreements which guarantee mutual security and take account of mutual interests.⁴

Today, Muslim legal science tends to extend the World of Concord conception to the relations between the Muslim and non-Muslim states based on the principles of mutual security and mutual interests.⁵ Theoretically we cannot exclude the possibility of applying the World of Concord model to a non-Muslim country that grants a special status to a Muslim region. In this case the region will be treated as the World of Islam, while the non-Muslim state, within which the region that enjoys a special status on the strength of an agreement or according to national laws is found, will be treated as the World of Concord.

An analysis of Muslim legal conceptions reveals the contemporary demands imposed on the World of Concord: Muslims should be guaranteed security and the right to freely perform their religious obligations and promote Islam as well as be involved in peaceful mutually advantageous cooperation with the World of Islam.⁶ On the strength of the above, Russia's relations with nearly all the Muslim states can be described as the relations between the World of Concord and the World of Islam.

Certain aspects of such cooperation can be assessed within the Shari'a, which describes peace as the key principle of the relations between the World of Islam and the non-Muslim states.⁷ The ties between them should be based on mutual agreement and compromises that would exclude diktat and coercion; all agreements should help attain beneficial goals and ensure strict abidance to the already signed agreements. The Shari'a envisages specific norms that would lead to such agreements and identify their aims: moderation, compromises, risk avoidance, prevention of damages, consultations, heeding expert opinions, etc.

⁴ See, for example: Abu al-Hasan al-Mawardi, *Norms of Power and Administration of Religious Affairs*, Beirut, s.a., pp. 175-176; Ibn Rushd, *The Beginning of Ijtihad and the Limits of Achievement*, Cairo, 1983, Part 1, pp. 449-451; Muhammad al-Hatib ash-Shirbini, *Enriching the Needy*, Damascus, s.a, Part 4, pp. 260-265 (all in Arabic).

⁵ See: Muhammad Abu Zahra, *International Relations in Islam*, Cairo, 1964, pp. 53-57 (in Arabic).

⁶ See: Wahba az-Zuheyli, *International Relations in Islam as Compared with Contemporary International Law*, Beirut, 1981, pp. 103-112 (in Arabic).

⁷ See: Abdel Wahhab Hallaf, *Shari'a Politics. Constitutional, Foreign Policy and Financial Foundations of the Islamic State*, Beirut, 1987, pp. 72-79 (in Arabic).

This approach, however, reflects one, albeit widely popular, conception in the Islamic world. There is also a more radical theory that relates the majority of states, Muslim states included, to the world of unfaithfulness. At the same time, some of the most prominent Muslim thinkers believe that today the traditional Shari'a approach is out of place since today's civilization can no longer be regarded as the field on which Islamic and non-Muslim countries stand in opposition.⁸

Russia's foreign policy and its relations with the Muslim world, which recently embarked on the road of fairly radical political reforms, may profit from what contemporary Muslim legal thought says about international relations. For obvious reasons, Muslim legal thought cannot ignore the processes underway in the Muslim world.

Islam and the Prospects of Political Reforms in the Muslim World

Today most Muslim states are developing in a rather contradictory way in the political and legal sphere where Islamic traditions coexist with universally accepted standards and Western liberal values. We should always bear in mind that politics and the principles of state power functioning form a very specific sphere of interaction (cooperation and competition) between Islamic principles and Western patterns. Islamic thought believes that the most specific feature of this sphere is created by the fact that the traditional Muslim legal doctrine (fiqh) offers no detailed, exact, and unambiguous answers to the vast majority of specific questions. It limits itself to identifying the most general landmarks, such as consultation, fairness, and equality to be realized in different, including borrowed, versions. When applied, these general principles may produce different results. The consultation principle, for example, can be put into practice in the form of a consultative council accountable to the head of state or as representative body with full legislative powers elected by universal suffrage.

Today, Muslim legal postulates are invoked to prove that Western experience of parliamentarism, elections, political pluralism, the division of powers, and even human rights should be tapped. In these spheres, however, the borrowing is limited to outward features, yet the very fact that Islamic legal thought does not issue rigid instructions about the power system in general opens the road to the widest possible reliance on the experience of political democracy.

What is more, today any modernization and democratization project has good prospects in most Muslim states if realized within the Islamic political and legal tradition, or at least with due account of it. The opposite is also true: no political reform stands a chance of survival if it is aimed at setting up formally democratic institutions that go against the grain of Islamic thought. Objectively, the people at the top and the public at large are interested in democratic developments if they are accompanied by political stability and security. This can be done if democratization is realized within the Muslim political and legal traditions, Islamic interpretation of all the changes included.

The strategy of political and legal reforms of the Muslim world should aim at incorporating it into the globalization process together with its Islamic values (legal and political among other things) that are compatible with the universal democratic principles and remolded to fit contemporary reality. This can be achieved if the positive potential of Islamic political and legal thought is tapped in a very active way and if the thinkers are encouraged to work on the problems connected with new realities and Islam's role in the globalizing world.

⁸ See, for example: Yusuf al-Karadawi, *Sovremennye fatwy (izbrannoe)*, Issue 1, Andalus Publishers, Moscow, 2004, pp. 202-205.

We should bear in mind that the use of Islamic arguments is neither a trick nor empty talk. The present state of mind in the Muslim world has made the attitude of the Muslim political and legal doctrine toward the possibility of blending Islamic and Western principles extremely important. The latest works of those Muslim legal scholars and political scientists who share a moderate and balanced attitude toward the Shari'a admit, at least theoretically, that this blend can be achieved. One of the most prominent Muslim thinkers Yusuf al-Karadawi, who has never been caught preaching liberal ideas, believes that Muslim legal thought admits the possibility of a multiparty system and political opposition in Muslim states. He favors the presence of women and non-Muslims in the representative power bodies in Muslim countries and even the involvement of Muslims in parliamentary activities in non-Muslim states. He says that the Shari'a interpreted in conformity with the present reality does not object to borrowing liberal democratic institutions and proceedings.⁹

Typically enough those who share these views and those who reject them appeal to the Shari'a. Recent experience has confirmed, in particular, that the ruling circles of the Muslim countries were prepared to carry out political reforms with Islamic substantiation. These changes, however, cause a lot dissent when it comes to harmonizing them with the Shari'a. The polemics about women's suffrage in Kuwait is one such example. Until the early 21st century, Islamic radicals prevailed over their opponents: they blocked, with the help of the Shari'a, all attempts to grant women the right to vote at parliamentary and local elections. In June 2005, the National Assembly passed a law based on the Shari'a, under which women received the right to vote.

This shows that contradictions and conflicts between the Islamic and Western approaches are not merely possible—they are inevitable. This makes it all the more important to see the limits of their drawing closer or blending. In principle, the political dialog between the West and the Muslim world is still going on, but the limits have not yet been attained.

The above is indispensable for assessing the prospects for and the forms globalization might assume in the Muslim world and the future of the political reforms underway. So far, no one has demonstrated how the objectively needed democratization of the Muslim world can be achieved without disturbing political stability there; how to make the Muslim world part of the globalization process while leaving its Muslim values intact. This can be done in principle, as the experience of legal development of the Muslim world has shown.

Today, the national legal systems of practically every country are gradually acquiring features typical of the mainstream legal developments in the world today. The systems draw closer to the extent that some of their important elements become unified at the regional level—this is the main such trend. Another trend is manifesting itself with increasing clarity: states and regions take their historical, cultural, religious, and civilizational specifics into account in their laws, and these specifics relate to the universal legal standards in different ways.

In this respect, globalization goes beyond the fact that national legal systems of many countries are becoming increasingly similar. Globalization presupposes legal diversity throughout the world, the active involvement of legal cultures in planetary legal development, which results in widely different modes in which universal standards are realized. Unified legal principles in the organization and functioning of state institutions take into account national traditions and are realized in a variety of forms. In the last few decades, Muslim countries have been actively accepting European legal patterns while extending the sphere of the Shari'a.

Contemporary Islamic legal thought pays a lot of attention to these developments; those convinced that the Muslim world can borrow some of the European legal patterns that do not contradict

⁹ See: Yusuf al-Karadawi, *On the Legal Conception of the State in Islam. The Status of the State, Its Specific Features, Nature and Attitude to Democracy, Pluralism, the Role of Women and Non-Muslims*, Cairo, 1997 (in Arabic).

or violate the clearly stated Shari'a principles are gradually strengthening their position. At the same time, Islamic legal thought is actively pushing forward the idea that the fiqh norms should be codified; it is developing the contemporary ijihad theory that rejects blind submission to the traditional Islamic conception of the inadmissibility of novelties. In other words, Muslim lawyers tend to agree that Muslim law needs to be renovated in order to combine tradition and contemporary developments. They, in fact, have agreed that Muslim law is strongly influenced by European experience.¹⁰

In principle, national legal systems based on a combination of European and Muslim legal culture are quite viable—this has already been confirmed by practice. Russia should draw its own lessons from this when molding its policies and implementing them.

Some of Russia's regions are moving toward previously abandoned Shari'a traditions; there are attempts to tap Muslim legal culture in order to address social and economic problems of various kinds, enable the Muslims to live according to their traditions, or even make some of the Muslim legal provisions part of regional laws (Tatarstan, for example, has recognized, at the republican level, the right of religious organizations to waqf properties). Under certain conditions some of the RF republics may incorporate some of the Muslim legal elements into their legal systems.

Russia's more active cooperation with the Muslim world, its closer contacts with the OIC, as well as the need to ideologically oppose Islamic extremism (of which I have already written elsewhere) are stimulating the process.

Moderation as the Priority Trend of Contemporary Islamic Thought

The issues mentioned above cannot be properly discussed outside the trends obvious in the Islamic world today: ideas hold a special place in the Islamic world, in which all deep-cutting changes and important projects of national dimension are scrutinized through the prism of Islamic principles. What is more, devoid of an Islamic foundation they will never take off. This means that all positive solutions for the above-mentioned issues should be sought within Islam.

Today, the Muslim world is torn between two contradictory trends: advancing along the road toward democratization and upsurges of radicalism. How does Islamic thought respond to this? I do not intend to discuss its treatment of terrorism and radicalism here and shall limit myself to pointing to the ambiguous ties between Islam and extremism. Islamic conceptions are often used to substantiate the goals and methods of terrorist activity. Islamic conceptions are often used to substantiate the goals and methods of terrorist activity. At the same time, Islamic principles and values may help to effectively oppose this global threat.¹¹ So far, those who accuse Islam of global terrorism are shouting much louder than their opponents who, at the global level, remain in the shadows and on the defensive.

Until recent times, balanced Islamic thought did not manifest the necessary dynamism when issues of democratization and political reforms or the possibility of the Muslim world joining the globalization process came up for discussion. In other words, it has not yet supplied the Muslim public with a position that would fit Islamic principles. We cannot help but feel that, at the ideological level, Islam has so far been unable to meet the challenges of our times. No wonder, in the absence of a clear Islam-

¹⁰ See, for example: Yusuf al-Karadawi, *Muslim Law Between Specifics and Renovation*, Cairo, 1986; idem, *Contemporary Ijihad between Abidance and Violation of Strict Rules*, Cairo, 1994; Muhammad Usman Shubeyr, *Legal Interpretation of New Situations in Islam and Its Practical Implementation*, Damascus, 2004; Abdallah Muhammad al-Jabburi, *Muslim Law between Specifics and Renovation*, Amman, 2005 (all in Arabic).

¹¹ See, for example: L. Sjukijainen, "Islam vs. Islam. On Islamic Alternative to Extremism and Terrorism," *Central Asia and the Caucasus*, No. 3 (15), 2002.

ic strategy, most contemporary authors remain reserved, or even pessimistic, about the future of the Islamic civilization. Those who would like to detach it from the world come up with a much clearer message.

There is a widely shared opinion outside the Muslim countries that democracy and traditional Islamic values are incompatible. Islamic extremists share this view for different reasons: they are convinced that the contemporary developments threaten Islam. The global “Islamic project,” or Islamization of mankind, is seen as the only adequate answer.

This leads to a question of fundamental importance: is Islamic ideological potential big enough to finally arrive at a formula that would bring Islamic values and the latest achievements of contemporary civilization together?

When trying to answer this question, we should take account of the fact that Islamic thought abounds in various trends, three of which until recently were considered the main ones. One of them, the traditional trend, justifies conservation of sorts of Muslim society’s present state; another, the fundamentalist trend, insists that the public and state structures should undergo radical changes and return to the literally understood Shari’a. The modernist approach uses the outwardly Islamic interpretation in an attempt to justify liberal reforms patterned on the West.

Until recently, another of the many trends that interprets the contemporary world along Islamic lines remained lost to the public, which has its attention riveted on the three prominent trends. I have in mind the idea of tapping Islam’s internal potential, which says that reality should be measured against the Shari’a cornerstones, values, and general principles rather than its petty rules related to minor things and interpreted in a narrow-minded manner.

This is very close to what the Muslim reformers of the turn of the 20th century thought, even though they never got beyond the calls to return to *ijtihad* and never tried to apply the other Shari’a principles to put their purely Islamic idea of the changing world on firmer ground. It should be added here that since the mid-20th century this position has been limited to the works of those scholars who preferred to concentrate on the immutable principles of the Shari’a as opposed to its particular, and never consistent, solutions. Just recently, this theoretical construct had absolutely no influence on political and legal practices.

The situation is obviously changing: the formerly ignored trend has come to the fore as the most promising soil on which the strategy of contemporary Islam and the Muslim world will probably grow. It is extremely important for the Islamic states to take it up as part of the official policy on which the national Islamic idea, its conceptual pillars, landmarks, and mechanisms can be placed.

The state structures of Kuwait are actively moving in this direction. The Ministry of Awqaf and Islamic Affairs has come forward with the Moderate Nation conception¹² based on the interpretation of the Shari’a described above. The Ministry explained that the time had come to supply the Muslim world with Islamic interpretations and general approaches to the tasks the world and Islam are facing. Moderation that stems from the words of Allah quoted in the Koran: “Thus have We made of you an ummah justly balanced. That you might be witnesses over the nations, and the Messenger a witness over yourselves” (The Cow, 143) is the linchpin of the Ministry’s conception. There are also the words of the Prophet Muhammad: “In all affairs the middle way is best.”

This approach explains moderation as a well-balanced approach equally removed from all extremes—from down-to-earth pragmatism and idealism divorced from reality, it rejects obstinate devotion to the outdated as well as striving toward constant changes.

This approach placed moderation in the center of the Shari’a, the pillars of which became the pillars of the conception: not overburdening man beyond his ability, steadiness, compromises, avoiding damage rather than gaining profit, and eliminating risk. Interpreted in this way, the Shari’a is seen

¹² [<http://www.islam.kw.2006-10-17>].

not as a fossilized structure and a collection of trite and immutable solutions that weigh heavily on man. The conception shows that the Shari‘a knows how to address certain problems. In the extremely incomparable social, cultural, and political conditions, its methods based on certain values are used differently, but within common aims and principles.

The conception is obviously a compromise between traditionalism, fundamentalism, and modernity. It makes use of the positive sides of each of the trends and skillfully avoids their extremes. In other words, the very idea of moderation is an example of the middle-of-the-road approach that supplements the traditional Islamic thesis about faithful reason with a contemporary thesis about conscious faith.

The basic ideas about moderation as the Islamic way of life, however, are not commonly accepted—they call for further research of contemporary ideas within the Islamic principle of moderation and encouragement of creative Islamic thought. This alone may help overcome religious fanaticism and the attempts to pass any of the Islamic ideas as the only absolutely correct interpretation of the will of the Most High. The conception subjects such claims to scything criticism based on the Koran: “[The things that my Lord has indeed forbidden are:] and saying things about Allah of which you have no knowledge” (The Heights, 33) and “But say not—for any false thing that your tongues may put forth—‘This is lawful, and this is forbidden,’ so as to ascribe false things to Allah. For those who ascribe false things to Allah, will never prosper” (Bees, 116). The conception offers a quote from Muhammad: “Verily god doth not taketh away knowledge from the hands of His servants; by taketh it by taking away the learned; so that when no learned men remain, the ignorant will be placed at the head of affairs. Causes will be submitted to their decision, they will pass sentence without knowledge, will err themselves, and lead others into error.”

The conception points to the state’s special responsibility when it comes to using the Islamic values described above to strengthen national unity and prevent separatism and radicalism, as well as a split inside the Muslim community. The authors insist that the government should resolutely thwart any attempt by those who side with any of the interpretations of Islam to accuse their opponents of faithlessness and to impose their own ideas by force. Dialog and convincing arguments are the only tools to be used; the state can play the key role in coordinating the positions held by various centers of Islamic thought and Muslim thinkers on the most burning issues and bring them together.

The Moderate Nation conception pursues similar aims when it comes to issuing fatwas (decisions on urgent issues within the Shari‘a): they should not overburden man; deliver him from excessive toil and searching for the best solution; avoid conflicts whenever possible; insist on the priority of the Shari‘a general principles over its specific norms; teach people to act according to its key immutable principles; and emulate its flexibility and ability to take reality into account.

At the same time, the conception confirms the freedom of *ijtihad*, the traditional Islamic idea, and accepts differing opinions within the general Islamic axiological framework. It reproduces the famous principle of *fiqh*, which permits adjusting certain Muslim legal norms to changing times, conditions, and circumstances. This principle, however, is closely related to another one that speaks of the need to preserve those Muslim customs and traditions that do not contradict the clear and unambiguous Shari‘a prescriptions.

The conception draws on the principle of religious pluralism to invite the Muslims to enter an active dialog with other faiths and cultures. It blames Islamic fanaticism on Islamic isolation, calls on Islam to open up to the world, and points out that the time has come to use new approaches that would fit the new reality to preach Islam outside the Muslim world.

The authors deemed it necessary to speak about the mosques’ educational activities and their task of preaching Islam. They should abandon the old stereotypes and rid themselves of obsolete ideas; they should adjust themselves to current reality, says the conception, so as to be able to comprehend it in conformity with Islamic principles of commensuration of good and evil when it comes to

decision-making; avoiding damage should be preferred to gaining profit; the Shari'a aims and main principles should be realized with due attention to the meaning of any decision rather than to their formal correspondence to obsolete doctrines. These principles have become part and parcel of the Mosque Charter elaborated in Kuwait. It calls on the Muslims to abandon unthinking devotion to any one of the Islamic legal schools and to embrace pluralism within a wider Islamic context.

The conception is an absolutely practical document: the state has already launched educational programs for the youth and university students; those studying the natural sciences are also invited to take part in seminars to discuss all aspects of moderation as the linchpin of the Islamic world outlook. In order to engage in public polemics with those who profess radical Islamic ideas, the state set up a center designed to promote unbiased ideas about Islam and its political and legal culture outside the Muslim world.

The Ministry's Islam-oriented strategy designed for the next five years is based on the same idea of moderation: the Ministry is responsible for coordinating Islamic agitation based on this idea and respect for the Shari'a-based Constitution and state order. The Ministry plans close cooperation with the media, which are expected to promote the idea of moderation as the Islamic way of life.

The conception is far more important than it may look at first glance: it is not limited to the interests of the Muslim community or the narrow tasks of religious policy proper. It has already become an important factor that helps to address many national problems, national security among them: an ad hoc commission has already supplied the government with an anti-extremist strategy¹³ based on two major issues—ideological confrontation with extremism and substantiation of the Islamic alternative, as well as active propaganda among young people to prevent radicalization.

The Muslim world has already accepted the moderation principle as the guideline for its global policy. In October 2005, speaking at a meeting of the Gulf Islamic affairs ministers, head of the Saudi delegation pointed out that the authority and influence of Islam in the contemporary world depends on moderation as the Muslim world's strategic value.

Those who spoke at the III Extraordinary Session of OIC held in Mecca in December 2005 said more or less the same thing. Sabah al-Ahmed al-Jaber as Sabah, who headed the government of Kuwait at that time (he was proclaimed Emir in January 2006), pointed out that true Islam was the religion of moderation and rejection of the extremes; that it respected other faiths and was prepared to enter into a dialog with them. The King of Saudi Arabia, who opened the conference, said: "Bloodshed will never lead us to Islamic unity; the path to it lies through moderation and tolerance."¹⁴

The above suggests that the international Muslim community has come to a clear understanding that its chance of joining the worldwide processes as an active member, while preserving Islamic values and enriching world civilization with them, depends on its acceptance of the detailed Islamic substantiation and practical realization of the conception of moderation. Strategic security of the Muslim world and its future also depend on this.

Moderation as a strategic trend of contemporary Islamic thought might provide an answer to the question about reforming Islam.¹⁵ In actual fact, it is not the reforms that are at stake, rather the ability of Islamic thought to stand up to the challenges. This depends on the priorities selected from among a multitude of traditional Islamic political and legal principles to help the Muslims cope with the complexities of contemporary life.¹⁶

¹³ See: *Al Watan*, Kuwait, 30 November, 2005; 1 December, 2005; 4 December, 2005; 5 December, 2005; 6 December, 2005.

¹⁴ See: *As Siyasa* (Kuwait), 8 December, 2005.

¹⁵ For more detail, see: Z.I. Levin, *Reforma v islame. Byt ili ne byt? Opyt sistemnogo i sotsiokul'turnogo issledovaniya*, Kraft Publishers, Moscow, 2005.

¹⁶ See: Yusuf al-Karadawi, *Legal Muslim Substantiation of Priorities Based on the Koran and Sunnah*, Cairo, 1995 (in Arabic).

The Muslims living in the non-Muslim countries where they comprise a religious minority may find at least some of the provisions discussed above useful. Indeed, within the moderation conception and granted there is a desire to take alien views into account, the problem of Muslim integration into European society, which has recently become aggravated, can be resolved. It seems that the not-yet-forgotten cartoon scandal would have not reached boiling point had the sides involved preached moderation.

Russia, which has been given observer status at the OIC, may profit from the key principles of moderation too: it can borrow from the conception the idea of a dialog inside the Muslim community, unquestionable respect for the constitution demonstrated by all Islamic movements and organizations; the state's special efforts to formulate Islamic views on all the prominent national issues, security and social harmony included. We should never forget that the law on opposing terrorism passed early in 2006 put the corresponding ideology among the threats of terror. It seems that the country as a whole, not only the Muslim community of Russia, will profit if the principles of moderation are consistently applied in all the spheres described above.