Faculty Publications and Presentations   Helms School of Government

2007

Roger Scruton: The West and the Rest Study Guide

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ROGER SCRUTON: THE WEST AND THE REST
STUDY GUIDE, 2003-2007
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PREFACE

Introduction

Roger Scruton, a British conservative who taught aesthetics at Birkbeck College and who once edited the *Salisbury Review*, has written several books on philosophy and philosophers as well as works on modern culture, music, conservatism, leftism, England, the Middle East, and hunting.

In *The West and the Rest*, Scruton examines the clash between two civilizations: Islam and the West. He contrasts the dynamic, highly institutionalized, but increasingly decadent secular legal tradition of the West, which promotes such ideas as citizenship, corporate personality, and territorial jurisdiction, with the backward-looking but unified vision of a universal community associated with the Koran. One thing that troubles the relationship of these two civilizations today is a crisis of confidence in the West, which has produced a nihilistic, self-condemning "culture of repudiation." This countercultural solvent has been infiltrating the flood of cultural byproducts of the West that engulfs the rest of the world, and which inspires an unstable mixture of admiration and contempt.

Key Points

The parochial set of values associated with western "universalism" [a product of Enlightenment humanism] reverses the Islamic division between *dar-al-islam* and *dar-al-harb*.
Central question: What is Western civilization and what holds it together?
Islamic civilization defines itself in terms of submission to Allah.
Western civilization is abandoning its founding faith for free inquiry, experiment [empiricism], and the ubiquity of doubt.
Thesis: The apparent conflict with Islam is fed by, first, a decay of the western vision and, second, the loss of the political loyalty which that vision requires.

Outline

A.   THEMES (vii-xi)
  1.   **Samuel Huntington**'s Thesis: **Clash of Civilizations**
      a.   Western Dualistic View: **Freedom** vs. **Despotism** [theme of Minogue's Politics]
      b.   Islamic Dualistic View: ***Dar al-Islam*** [House of Submission] vs. ***Dar al-Harb*** [House of War]
      c.   Western "Universalism" Originated in a Small (Though Admittedly Noisy) Part of the World
      d.   Issue: Confrontation Caused by Transfer of Western Values to Places Inoculated Against Them by Culture and Custom
  2.   **Oswald Spengler**'s (and Arnold Toynbee's) **Decline of the West**
      a.   West's Lack of Spiritual and Moral Resources to Defend Itself Due to Decadence and Loss of Direction
  3.   The Real Question: What Is Western Civilization and What Holds It Together?
      a.   One Hypothesis: Freedom
          (1)   Even So: Aggressive Flaunting of Freedom Is Self-Destructive

4. Comparison: Foundations of Islam Are Based on **Submission**
    a. A *Muslim* Is One Who Has Surrendered and So Obtained Security
    b. [Compare the Emphasis on Salvation in the Christian Faith]
5. Origin and Character of Western Civilization
    a. It Began with a Common Religious Belief and Sacred Text
    b. It [Added or] Replaced These with **Free Inquiry**
    c. Result: Built-in Tendency to Equilibrium in Contrast to an Islam Riven by Conflict
    d. Muslim Refugees Flee to the West
6. Growing Vendetta of Many Muslims Against the West
    a. [Exacerbated by Group Identity Politics: Compare Kuehnelt-Leddihn's Identitarianism; Scruton's Culture of Repudiation, pp. 68-83]
    b. Hostility of So Many Children of Naturalized Muslim Citizens
    c. [Compare the Spanish Inquisition's Scrutiny of Marranos and Moriscos]
7. Who Is to Blame?
    a. Modernity Poses a Threat to Islam Because of Its Rejection of Islam's Founding Idea
8. Object of Study: The Western Vision of Society and Political Order
    a. Problem: **Decay of This Vision** and the Political Loyalty on Which It Depends [See "The Christian Legacy," pp. 35-40].
    b. Consequence: Conflict with Islam as an Alternative to the Western Political Project
    c. [Minogue and Budziszewski Also Note the West's Conflict with Itself in the Form of Political Moralism and Nihilism]
    d. One Source of Danger: Islamic Failure and the Burden of Resentment
9. Conceptual Theme: Divorce of Western Culture from the Political Process That Defines the West

Study Questions

1. How do the foundational principles of western civilization differ from those of Islam? Why are so many of the world's refugees Muslims who are fleeing to the West? Why do so many of these refugees (or their children) conceive a hatred of western society? What does the author blame for the conflict? (vii-xi)

Review

[Samuel Huntington]   [*dar al-islam*]   [*dar al-harb*]
foundation of Islam   Western civilization   decay of Western vision

Further Reading

Anonymous [Michael Scheuer]. Through Our Enemies' Eyes, 2002
_____. Imperial Hubris, 2004
Hoveyda, Fereydoun. Broken Crescent, 1998
Hintington, Samuel P. "The Clash of Civilizations?" 1993
Kaplan, Robert D. Warrior Politics, 2002
Lewis, Bernard. What Went Wrong? 2002

CHAPTER ONE: THE SOCIAL CONTRACT

Introduction

The political process based upon a separation of powers and a social contract defined by self-

chosen obligations is a distinctly Western achievement associated with the interplay of Roman law and Christian doctrine. But it is threatened "as the contractual vision of society gains ground over the experience of membership that made it possible.

Language, kinship, religion, and territory "all have fed into the various national and transnational ideologies that have animated modern politics." Political organization presupposes membership even as it defines it. "But beneath the artificial divisions drawn on the map lie other and more visceral differences . . . which constantly threaten the web of laws and powers and boundaries that have been laid across them." In the West, it is the existence of a political process that enables us to live without politics. Not so in the totalitarian state or the military dictatorship, in which everything is made subservient to the state.

Politically, Christianity as a creed community internalized the greatest of Roman achievements: its universal system of law considered as a means of resolving conflicts and governing distant provinces. Yet when law is defined over territory and comes to be regarded as a human artifact, it tends to remove all the ties that bind from the realm of status (ascription) to the realm of contract: it loosens them even as it articulates them. Parenthetically, this suggests that a sense of the sacred is likely to recede in the face of unceasing litigation to (re)define these ties. Even so, territorial jurisdiction in Britain originally gained its validity from "a vision of the enchanted landscape (25)," *i.e.*, the mystical sense of belonging that built an empire.

It is this sense of territorial self-identification that keeps the Ottoman empire's successor states, unlike the Czech and Slovak Republics, from acquiring the popular legitimacy that permits stabilization and development of a civil society. The ideology of Arab nationalism sought to overcome religious and sectarian divisions but it is self-contradictory because the Arab language itself was spread on the wings of a militant religion. Arab nationalism, which is non-sectarian, cannot coexist with militant Islam.

The Christian distinction between *regnum* and *sacerdotium* instilled the ideal of secular government *in a* people who were still bound by a common creed. Another supporting pillar is the importance given to forgiveness as a moral virtue. René Girard contends that the triumph of Christianity has broken free from the cycle of violence associated with scapegoating. Medieval just war theories sought to delineate the proper scope of the right of defense: to protect those who are entrusted into your care. "Added to the tradition of secular law and territorial sovereignty, Christianity leads to the idea of a political order established without reference to tribe or faith, in which even the most fundamental differences can be accommodated," but it also requires "the sense of belonging that makes sharing possible."

Key Points

Marcel Gauchet: The contest between the religious and political forms of social order was the
        process that formed the modern world.
The Church was conceived as a universal citizen -- a *universitas* or corporation – with secular
        and religious authority kept separate (the "two swords" of Gelasius).
Through his theory of conciliar government Nicholas of Cusa [Cusanus] introduced the modern
        understanding of corporate personality.
In Islam, the *'ulama'* hold religious authority directly from God.
In the West the law is made legitimate by the freely given consent (social contract) of those who
        must obey it: "My obligations are my own creation, binding because freely chosen."
For Hobbes [and liberals] rational self-interest is the foundation of political obligation.
Rawls sought to remove all reference to sources of division and conflict from the legal order and
        take to an extreme the idea of a purely political order based on abstract rights and duties.
The social contract already presupposes a first-person plural: What is chosen is not a contract but
        a bond of membership whose obligations and privileges transcend a mere agreement.
There cannot be a society without the experience of membership that makes the contractarian
        vision of society possible [Thus America was a people before it could become an "idea"].

Politics makes it possible to separate society from the state, removing politics from our private lives; where there is no politics [*e.g.*, despotism] everything is political because nothing is.

Artificial states attempt to invent a nation that will coincide with their borders and laws, but they are subverted by visceral differences of tribe, sect, language, loyalty, and lifestyle.

Creed communities can expand beyond kinship when they enjoy a sacred text that sanctifies the language in which it is written, lifting it out of time and change to become immemorial.

The Roman conception of law ensured its development as an entity independent of the sovereign and its adaptation to local circumstances, permitting the creation of territorial jurisdictions.

Since the Reformation three conceptions of membership have vied for supremacy: religion, language, and territorial jurisdiction.

Detached from religion, territory-based law becomes an abstract system of rights and duties, making our ties judiciable and therefore articulate, and in doing so loosens them.

A mature territorial jurisdiction involves a "we" [nostrism] of membership, a sense of hominess and belonging together; law (of the land) comes with the authority of long usage.

Territorial jurisdictions sit uneasily upon creedal communities, *e.g.*, the Ottoman *millet* system.

The Sykes-Picot accords and western legal codes introduced a nation-state territorial structure to replace the imperial structure upon which the non-territorial *millet* system had depended.

Regimes imposed by the West crumbled before feudal despotism, hereditary monarchy, and a combination of gangster terrorism and Leninist one-party rule.

Destruction of the Ottoman Empire had disastrous consequences but this has less relevance today than the enduring failure of Middle East states to acquire territorial legitimacy

The Arab nation was invented in order to provide a pre-political order suitable to emerging sovereign states, but this led to conflict with the real pre-political loyalty of Islam.

The social contract represents in idea form the coming together of people in a .single place in order to agree to terms of common protection.

The Christian injunction is to pray God for forgiveness conditional on our willingness to forgive others their trespasses, thus breaking the cycle of violence through reconciliation.

The right of defense stems from our obligation to others.

The political order in the West requires the sharing of territory [stewardship] and the sense of belonging that makes sharing possible.

Outline

A.   RELIGION AND POLITICS (1-15)
      1.   Religion
            a.   Founded in Piety
      2.   Politics
            a.   Dynamic Process as Opposed to Static Submission [the Bible' s Prophetic Tradition Is Dynamic Itself]
      3.   Contest Between Religion and Politics
            a.   Sophocles' **Antigone**: Dilemma of Public vs. Private
            b.   Aeschylus' **Oresteia**: Justice (City) Replaces Vengeance [the Erinyes (Furies) Become the Eumenides (Gentle Ones)]
            c.   Law of the City
      4.   Transition to Modern World: Two Great Universal Institutions
            a.   Roman Law [from the Twelve Tables to Justinian's Code]
            b.   Holy Catholic Church as a Corporation [**Universitas**]
      5.   Separation of Religious and Secular Authority
            a.   Clergy's Duty of Civil Obedience
            b.   Gelasius I: Doctrine of the **Two Swords**
            c.   Distinction Between *Regnum* and *Sacerdotium*
            d.   Marsilius of Padua: State as *Defensor Pacis*
            e.   Declining Influence of Ecclesiastical Law
            f.   National Churches Resulted from Conflicts of Jurisdiction
            g.   Nicholas of Cusa: Theory of Concilar Government, 1433: Modern Understanding of **Corporate Personality**

6. Islamic Fusion of Authority
   a. *'ulama'*
   b. *imam*
   c. Object: Control of State without Subjection to It
7. Legitimacy
   a. Freedom of Conscience Requires Secular Government
   b. **Consent** Makes Law Legitimate through
      (1) a **Social Contract**
      (2) **Citizenship** [a Participatory Process Rather Than Subjection]
   c. Both Are Mechanisms for Transforming Choices of Members into Choices of the Group [see p. 12: First-Person Plural]
   d. Consent Depends on Individual Freedom [see T. H. Green]
   e. Bottom Line: Western Societies Are Governed by **Politics** [see Minogue]; the Rest Are Governed by **Power** [*potentia*]
8. **Social Contract Idea**
   a. **Thomas Hobbes**' Definition: Freely Chosen Obligation
   b. Its Violation Is a Breach of Promise
   c. Contracts Are Paradigms of Self-Chosen Obligations
   d. Contracts Create **Vetoes**
      (1) Ordinary Citizens Are Endowed with a Veto: "I Forbid'
      (2) State Must Be Vigilant to Avoid Losing Consent and Right to Command
      (3) State Is Maximally Respectful of the Autonomy, Freedom, and Dignity of the Individual
   e. **Human Rights**: Absolute Entitlements
9. Implications of the Contractarian View of Legitimacy
   a. Law Must have a Basis in Reason
   b. Hobbes: Self-Interest Is the Clue to Rational Choice
   c. John Rawls: Theory of **Distributive Justice**
      (1) Rawls' Theology of a Post-Religious Society: Private Good vs. Public Law
   d. Reliance on Universally Valid Principles: Presupposition of the First-Person Plural ["We the People . . .]
10. American Case
    a. Pre-Contractual "We" [Kuehnelt-Leddihn's "Nostrism"]: [Compare J. Q. Adams's "Jubilee Address"]
    b. Future Generations Are Included in the Contract
    c. It Is Cemented by a Web of Non-Contractual Obligations [Edmund Burke's Contract between the Living, the Dead, and the Unborn]
       (1) American Idea of "**Elective Nationality**" [Based on *Jus Soli* and Naturalization]
       (2) What Is Chosen Is a **Bond of Membership**
11. **Experience of Membership**
    a. It Enables Me to Regard the Interests and Needs of Strangers as My Own Concern and to Recognize Authority
    b. Consequences of the Absence of This Experience
       (1) Social Obligations Are Rendered Temporary, Troubled, Defeasible
       (2) The Dead Are Disenfranchised; the Unborn Deprived of Their Inheritance [cf. C. S. Lewis: *Abolition of Man*]
       (3) The Mere "Contract Between the Living" Is a Contract to Squander the Earth's Resources [**Usufruct**]
       (4) [Note By Contrast the Old Testament Rules of Land Tenure] [cf. Nathaniel Hawthorne's "Earth's Holocaust" and p. 78 on Book Banning]
12. Multiple Identity of Human Beings

a.	Conceptions of the Good Are Not Private, as in Rawls, But Reflect the Desire for Membership in a Larger World
(1)	They Are Normally Rooted in Primary Loyalties
b.	They Console Us Because They Are Rescued from the Arbitrariness of Choice [Idea of Providence] [This Is T. S. Eliot's "Still Point of the Turning World"]
13.	**Liberal Thought-Experiment** Is the Attenuated Reflection of a Particular Kind of Membership
a.	It Lacks Credibility In the Absence of a Political Idea of Membership [as in the Muslim World]
b.	Muslim View: Laws and Maxims of the Koran Cannot Be Excluded from the Social Contract
(1)	Corollary: Political Order Almost Everywhere Is Illegitimate
B.	MEMBERSHIP (15-35)
1.	Identity
a.	**Sources of Ideology**: Language, Kinship, Religion, Territory
b.	Shaping a "Body Politic" by Inventing a "Nation" [cf. Edmund S. Morgan's *Inventing the People*] [Unified "Nations" Are Part of Joseph Conrad's "Thin Veneer of Civilization"]
c.	More Visceral Differences Lie Beneath the Map's Surface [a Theme of Robert D. Kaplan's *The Coming Anarchy*]
(1)	They Threaten National Identity and the Web of Laws and Powers and Boundaries Laid Across Them
(2)	[cf. the Theme of Multiculturalism in Arthur M. Schlesinger, Jr.'s The *Disuniting of America*]
d.	Return of the Repressed: The Case of Zimbabwe
2.	**Defining the West**
a.	Communities Held Together by a **Political** Process
b.	Result: Separation of Society from the State
(1)	[Subsidiarity = Autonomy of Mediating Structures]
(2)	**Despotic Alternative**: Everything Is Politicized and Politics Ultimately Becomes Nothing
3.	Political Process Is an **Achievement** [Artificial Rather Than Natural]
a.	Presuppositions: Roman Law and Christian Doctrine
4.	Tribes
a.	"Usness" Is Coextensive with Kinship
b.	Source: Common Ancestry
c.	Absent Generations Invoked in Membership Ceremonies
5.	**Creed Communities** Grow Naturally from the Tribe
a.	Worship and the Invocation of the Dead
b.	Representation of the Supernatural
c.	Community Based on Worship and Obedience
d.	Presence of the Dead
6.	Sacred Text
a.	It **Sanctifies the Language** in Which It Is Written [or Even Translated, as in the Case of the Latin Vulgate]
(1)	[cf. T. S. Eliot: "The Communication of the Dead Is Tongued with Fire Beyond the Language of the Living"]
b.	Apprenticeship in the Sacred Language Is Required of Leaders
c.	Creed Community Grants Privileges to the Native Speakers [Arabic Is Privileged as the Language of the Koran]
d.	Implications of the Neighboring Occurrence of Arabic and Hebrew in Today's Middle East: Both Languages Resound with a Message of Religious Membership
e.	Proximity and Resemblance Breed **Rivalry** [Heretics Anathematized]
7.	Conflict Between Tribal and Creedal Criteria of Membership

    a. **The Druze** [An Example of Religious Syncretism, Injecting Tribal Particularism into a Tradition of Islamic and Christian Universalism]

8. Europe vs. Islam
  a. Christianity Was a Creed Community with a Difference
    (1) It Internalized Some Ideas of Imperial Government and Adopted the **Universal System of Roman Law**
  b. Islam by Way of Contrast:
    (1) Holy Law That Specifies Minute Particulars
    (2) Law Derives Its Authority Exclusively from the Past, Including the Sunna
    (3) Jurisprudence Refers Back to Authoritative Sources
    (4) *ijtihad* (Effort) Must Be Based on the Four Roots of Islam: Koran, Sunna, *qiyas*, *ijma'* (see p. 88)

9. Roman Law Was Secular
  a. Its Validity Derived from Autonomous Principles of Judicial Reasoning That Permitted Change in Response to Changing Circumstances
  b. Law Developed as an Entity Independent of the Sovereign's Command
    (1) Universal Jurisdiction through Courts of Canon Law
  c. Kings Particularized the Law and Adapted It to Their Territorial Claims [the *lex regia*]
  d. Result: The Idea of Kingdoms as Territorial Jurisdictions and Kings Placed under the Rule of Law
    (1) English **Common Law** and **Equity** Made by Judges

10. Three Distinct Conceptions of Membership [A Fourth, Kinship or Tribalism, Could Be Added]
  a. Religion: Differences Regarded as Heresy and Blasphemy
  b. Language: Sanctity through the Translation of Sacred Texts
  c. Territorial Jurisdiction: Foundation for Secular Government

11. Law Regarded as Human Artifact Rather Than Divine Command
  a. Abstract System of Rights and Duties
  b. It Articulates Our Contractual Ties

12. Vision of the Enchanted Landscape: Idea of National Homeland
  a. **Territorial Jurisdiction** Invokes the "We" of Membership
  b. Sources of Validity: Immemorial Past or Fictitious Contract
    (1) England: Law of the Land
  c. Territory Regarded as Home
  d. Shakespeare and the Lake Poets

13. Territorial Jurisdictions Sit Uneasily upon Creedal Communities [see p. 16 on Visceral Differences]
  a. Islam: Validity of Law Derives from the *shari'a* (the Way) [But Tribal Law May Be Incorporated, *e.g.*, the Pashtunwali]
  b. This Solution Is Ill-Adapted to a Society Where Rival Confessions Compete for a Share in the Collective Assets [cf. Hindu/Moslem India]

14. *Millet* **System** of the Ottoman Empire
  a. Adjudication of Conflicts by the **Sublime Porte** [Sultan's Court]
  b. Its Authority Depended on the Dominant **Sunni** Muslims [Who Recognize the First Four Caliphs; see p. 90] and the *shari'a* as Interpreted by the *mufti*
  c. Result: the **Majalla**
  d. System of Appeals to the Religious Leaders of the *millets*
  e. Those That Suffered from Sunni Ascendancy: "Heretical" Sects, Such as the **Shi'ites** [*shi'at 'Ali* = Partisans of Ali] [the Druze Are a Shi'ite Spinoff]

15. Western "Divide and Rule" Imposed During Ottoman Decline
  a. Prevalence of Sectarian Loyalties over the Sublime Porte
  b. Staking Out of Rival Imperial Claims

16. No Alternative to Empire in a Region of Creed Communities

        a.   Imposition of Territorial Jurisdiction
        b.   **Sykes-Picot Accords** Created Territorial (Geographical) States
17.   Ready-Made Codes Imported from the West [cf. *prêt-à-porter* in clothing]
        a.   Their Failure to Take Root
        b.   Dependence on Puppet Sovereigns
        c.   Puppet Regimes Replaced by Feudal Despotism, Hereditary Monarchy, and Leninist One-Party Rule (**Ba'ath Party**)
        d.   Khomeini's Islamic Revolution
18.   Lebanon
        a.   Semi-Autonomous Emirate during Ottoman Period
        b.   Maritime Trade and Relative Freedom
        c.   Maronite Community
        d.   Its Destruction (in the 1970s and 1980s)
        e.   National Pact Grew Out of a Christian Political Culture
        f.   Secular Turkey Is the Muslim Exception That Proves the Rule
19.   Disastrous Destruction of the Ottoman Empire
        a.   Tragic History of the Post-WWI Settlement: Failure to Acquire a Territorial Legitimacy
        b.   Contrast with the Breakup of the Austrian Empire
20.   Czech and Slovak Republics After Fall of Communism
        a.   Secular Citizenship Based in National Loyalty and Territorial Integrity
        b.   Originated in Administrative Fiat
            (1)   German Minority Supported German Expansion
            (2)   Soviet Yoke After Germans Expelled
        c.   The Idea of a European *Rechtstaat* [Legitimate State] Shapes the National Ideals
21.   Arab Nationalism
        a.   *qawm* [Nation] Replaced *umma* (Community of Muslims) as Focus of Loyalty
        b.   Nationalist Ideology: *'Uruba*
        c.   Michel Aflaq: Co-Founder of Ba'ath Party
22.   Self-Contradiction of Arab Nationalism: the Case of Egypt
        a.   Quasi-Autonomous 19th Century Khedivate of Mehmet Ali
        b.   Muslim Brotherhood: **Hassan al-Banna**
        c.   1952 Coup: **Gamal Abdel Nasser**
        d.   Coptic Christians Recognized Benefits of a Secular State
        e.   Muslim Brotherhood Suppressed
        f.   Declaration and Collapse of the United Arab Republic
        g.   Anwar Sadat's *msriah* (Local Egyptian Nationalism)
C.   THE CHRISTIAN LEGACY (35-40)
    1.   Social Contract [cf. Old Testament Covenant]
        a.   Legacy of Territorial Loyalty [Scruton Omits the Medieval Imperial Tradition of Common Law on the Continent; see Ruben Alvarado]
        b.   *regnum* and *sacerdotium*: Secular Government for People Bound by a Common Creed
        c.   Forgiveness as a Moral Virtue
    2.   Prayer: Difference Between the Two Faiths
        a.   Muslim: Declaration of Faith
        b.   Christian: Appeal to Divine Mercy through Forgiveness
            (1)   Imitation of Christ
            (2)   Apology for the Crusades
            (3)   Seeks Peace through Conciliation [cf. Aeschylus]
    3.   **René Girard**: **Mimetic Desire** [Imitative, as in an "Eye for an Eye"] in the Absence of Judicial Process
        a.   Cycle of Vengeance
        b.   Traditional Solution: Scapegoating

       c.   Christ Breaks the Cycle and Lifts Humanity into the Realm of Conciliation
    4.   **Forgiveness** of Enemies
        a.   Turning the Other Cheek
        b.   Redemption
    5.   Right of Defense Stems from Your Obligations to Others: **Just War Theory**
        a.   Christian Injunction to Forgive Is Compatible with Defensive Warfare, Incompatible with Terrorism, and Inimical to Those Visceral Antagonisms That Lead to Wars of Extermination
        b.   Christianity Leads to the Idea of a Political Order in Which the Most Fundamental Differences Can Be Accommodated
    6.   Social Contract: Theology of Territorial Jurisdiction
        a.   A Sense of Belonging Is Also Required
        b.   Refugees: Need to Renounce Old Identity [Conversion]
    7.   Prevailing Christian Culture of America Is the Most Important Factor Contributing to the Triumph of This Great Experiment in Settlement

Review

religion	*Oresteia* of Aeschylus	Roman law
universitas	separation of religious and secular authority	
[Nicholas of Cusa]	*'ulama'*	*imam*
basis of legitimacy	idea of the social contract	self-interest
John Rawls	private good vs. public law	preexisting unity
web of non-contractual obligations (bond of membership)		[liberal thought-experiment]
[nation and its artificial map]	[visceral differences of tribe, sect, language, etc.]	
politics makes it possible to separate society from the state		creed communities
[sacred text]	[the Druze]	European vs. Islamic law
three types of membership	the "we" of territorial jurisdiction	*shari'a*
millet system	Majallah	Sykes-Picot Accords
Ba'ath Party	*qawm*	Hassan al-Banna
[*regnum* and *sacerdotium*]	René Girard: mimetic desire	[forgiveness]

Further Reading

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Gellner, Ernest. <u>The Conditions of Liberty</u>, 1995
Girard, René. <u>The Scapegoat</u>, 1986
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Rosenstock-Huessy, Eugen. <u>Out of Revolution: Autobiography of Western Man</u>, 1938
Rushdoony, Rousas John. <u>The Politics of Guilt and Pity</u>. ch. 2: "Scapegoats"

CHAPTER TWO: ENLIGHTENMENT, CITIZENSHIP, AND LOYALTY

Outline

A.   DEVELOPMENT OF THE NATION-STATE (41-51)
    1.   Lessing's *Nathan the Wise*
        a.   Plea for Toleration: to Define Ourselves in Terms of Our Citizenship [Locke's *Essay on Toleration* Is the Classic Expression; Jefferson and Washington Went Further by Appealing for Religious Liberty]
        b.   Shared Monotheism of the Protagonists
    2.   Shared Monotheism Was Built into the Lebanese Constitution

        a.   Freedom of Conscience
        b.   Secularism as a Religious Duty
3.   Abstract God of the **Enlightenment**
        a.   Non-Threatening Worship in Private
        b.   National Identity: a Rival Source of Membership
            (1)   Visceral Membership of the French Revolution
4.   **French Revolution** Was Primarily a Religious Phenomenon
        a.   St. Just
        b.   Opponents: Real and Imaginary
        c.   *Émigrés* as Victims Prepared as Sacrificial Offerings [Note the Later Popular Play and Novel: "The Scarlet Pimpernel" and the Reality of "Operation Keelhaul" After WWII].
        d.   Fanaticism and Exterminatory Zeal [cf. Khmer Rouge]
5.   Napoleonic Project of Empire
        a.   Desire for a Political Form of Membership
        b.   *Code Napoleón*: Promise of Equal Citizenship
6.   Spread of Citizenship Across Europe
7.   Invention of the Nation
        a.   Lord Acton: Nations Invented by States That Require Them
        b.   Benedict Anderson: **Imagined Communities** [cf. Kaplan's *The Coming Anarchy*]
        c.   Only a Partial Explanation
8.   Nation-State
        a.   Emergence of the Modern Western State Coincided with the Emergence of a Special Kind of Pre-Political Loyalty
9.   National Idea Reshapes Religion
10.   American Religion
        a.   Vital Force in Building the Nation
        b.   Emotional Currents Diverted into the Common Flow of Patriotic Sentiment
11.   Types of Patriotism
        a.   Theories of Race and Culture (German Romantics)
        b.   Patriotism of the Village
        c.   Burke's "Little Platoons" [Tocqueville's Associations]
        d.   Importance off Belong in Times of Emergency
        e.   Freedom of Association
12.   Law of the Land: Membership Defined through Place
        a.   Common Law and the Process of **Discovery**
13.   "Higher Law" Tradition
        a.   Bill of Rights and the Role of the **Law as a Shield**
14.   Sense of Being at Home in the "Mother Country"
        a.   Legal Culture's Procedural Rules for Sharing a Common Territory
        b.   The Nation-State as a Regime of Toleration
15.   Common Language as a Catalyst for National Loyalty
        a.   Threat Posed by Exclusive Religions and Customs [cf. French Laicization of Education]

B.   CITIZENSHIP (51-60)
    1.   Modern State: A **Society of Strangers** [cf. Ferdinand Tönnies: *Gesellschaft* as Opposed to *Gemeinschaft*; Henry Maine: Contract as Opposed to Status]
        a.   Common Obedience and a Web of Mutual Support
    2.   Contrast: Muslim Obligations [*Gemeinschaft*]
        a.   Supreme Mantle of a Divine Law
        b.   Disregard of Strangers [Contrast with Biblical Law]
        c.   State Identified with a Creed or Dynasty: *e.g.*, Sa'udi Arabia

3. Good **Citizen** Recognizes Obligations toward Strangers
    a. An Exception: Greek Metics (*Metoikoi*)
    b. Honoring and Providing for Dead and Unborn Citizens
    c. Funeral Oration of Pericles: Celebration of the Free Citizen as Opposed to the "Idiot"
4. Successful Democracy Includes Strangers in Web of Obligations
    a. Comparative Absence of This Obligation in Muslim Countries
    b. **Citizenship** Is a **Shield Against Oppression** and an **Echo to the Dissenting Voice**
5. Western Democracies Grew from the Virtues of Citizenship
    a. Public Spirit of *The Federalist*
        (1) Only in a Republic Will True Patriotism Animate the Workings of Power
    b. Concrete Embodiment of the Obligations to Strangers in the Institutions of the Union
    c. **Danger of Democracy** Degenerating into a Battleground for Special Interests [Mancur Olson's Thesis in *The Rise and Decline of Nations*]
    d. The Good Citizen vs. **Tyranny of the Majority**
    e. **Three Paramount Virtues**: Law-Abidingness, Sacrifice in War, and Public Spirit in Peacetime
6. Need for the Disposition to Renounce Life for the Common Good
    a. Instinct to Depend One's Territory, Regarded as Sacred
    b. Merits of the Citizen-Soldier as a Weapon [This Overlooks the Abuse of Conscription]
        (1) Victor Hanson: Civic Culture of the West Produces Group Discipline and Inventive Decision-Making
7. Public Spirit Expressed in **Voluntarism**
8. Web of Rights and Duties
    a. The Apostle Paul on the Corporate Body of the Church
    b. Citizens Are Bound to the Temporal Community
9. Community of Strangers Is an **Inherited Community**
    a. Crises Bring Out the Sense of the First Person Plural [Presence of Absent Generations: cf. *auctoritas*=Authority Derived from Ancestors]
    b. *e.g.,* the Debate Over Europe
    c. The Nation Commands Our Loyalty Because of What It Has Been and Will Be through Its Reproductive Powers
10. Burke: Society Is a **Partnership** [Between the Living, the Dead, and the Unborn]
    a. Strangers Are Bound to the Same Web of Connections as I
    b. Mythology of Citizenship
11. Citizenship Involves Adopting the Long-Term View
    a. **Law-Abiding** People Look on Society as an Enduring [Abiding] Thing
    b. Belief in the **Durability** of the Object of Our Sacrifices [Francis Lieber Believe Liberty Grows Out of Durable Institutions]
        (1) Loss of This Species of Virtue: Intrusion of Media Makes Us More Self-Conscious
        (2) Declining Birthrate Makes Us Reluctant to Risk Sons
12. Public Spirit and Charitable Giving Also Require a Long-Term Perspective
    a. **Endowments** Are Products of Institution-Building Forces
13. The Muslim Equivalents to the Virtues of Citizenship -- *shari'a*, *jihad*, and *zakat* -- Are Owed to God [see p. 96 on the Five Pillars of Islam; Kharijites Add *jihad*]
C. NATIONHOOD (60-68)
    1. Citizenship: A Criterion of Legitimacy
        a. Rights and Duties of Citizens
        b. It Depends on Pre-Political Loyalties of a Territorial Kind

   c. It Depends on the **Nation** as "a Self-Renewing Organism Clothed in the Mantle of a Law-Governed State"

  2. Dream of World Citizenship [cf. Stoics, Dante, Kant]

   a. International Ideal Threatens Historical Balance of Power [see Chapter 4]

   b. Alternatives to Nation-State Are No Longer Available to Us

  3. Nations Must Be Renewed

   a. Their Strength Lies in Its Multitude of Sources of Renewal: Youth Movements, Education, Family, Patriotic Culture, etc.

   b. Weakness: No Protection by a Single Overarching Religion

   c. Immigrants May Not Share the Loyalties on Which the *Rechtstaat* [State Governed by Its Own Public Law] Is Founded

   d. Illustration: Case of Hamza al-Masri

  4. **Loss of National Identity** [*e.g.*, Is America an Idea or a People?]

   a. Official View: **Multiculturalism**

    (1) Result: New Form of Apartheid or Ghettoization [through Political Correctness]

  5. On the Contrary: The West Is Really a **Single Political Culture** [cf. David Gress, *From Plato to NATO*]

   a. Those Who Do Not Fit: Religious Absolutists

   b. But Religion Should Not Be Excluded

   c. Permissibility of Prayers in Public Schools

  6. America as a Nation

   a. Loyalties Are Local and Secular

  7. Rights and Duties of the British Citizen

   a. Contrary View of **al-Muhajiroun** [Exiles]

  8. Two Views of Addressing **Conflicts of Law**

   a. Christian View: Commands Constrain But Do Not Replace Secular Law

   b. Muslim View: Secular Law and the State Not Recognized

  9. Western Religious Toleration

   a. Founded on Territorial Jurisdiction Rather Than Group Identity

   b. Defiance of This Way of Life Is Treason

  10. Membership Is a Need

   a. Western Rites of Passage Survive in Privatized Form

  11. Ruling Problem of Western Societies Today

   a. **Culture of Repudiation** Has Replaced the Experience of Membership Required by the Citizen Idea

   b. Result: Bewilderment and Loss of Identity [The First of the Five **Crises of Nation Building**: Identity, Legitimacy, Penetration, Participation, and Distribution]

D. THE CULTURE OF REPUDIATION (68-83)

  1. Sense of Duty Erodes as Loyalty Erodes

   a. Amplification of Rights

   b. Political Process Becomes a Commercial and Litigious Scramble to Exploit the Common Resources

  2. Culture of Rights

   a. Presumption of a Common Loyalty Is Felt as a Moral Burden

   b. Consequence: Old Forms of Membership Repudiated

  3. Illustration of This Phenomenon: The Family

   a. Families Generated as the By-Product of Religious Faith

    (1) Religions Dedicate People to the Task of Social Reproduction [Lieber Noted That Polygamy Favors Despotism]

    (2) Religion Binds People into a Web of Indestructible Vows

  4. **Secularization**: Family Loses Moral and Ideological Support

   a. Conservatives' Iconization of the Family as an End in Itself

    (1) G. W. F. Hegel and Edmund Burke

   b. Conservatives' Emphasis on Family Values

   c. Reaction: Repudiation of Family's Patriarchalism and Oppression
5. Intellectual War Against the Family
   a. Radical Psychotherapy: Family Is a Burden Imposed by the Past,
      Encumbered with an Inheritance of Defunct Authority
   b. R. D. Laing
   c. Radical Feminists and Deconstructionists
6. Shapers of Public Opinion
   a. Feminist, Anti-Patriarchal Message of the Media, Academe
   b. **Michael Polanyi**: Elite Culture's "**Moral Inversion**"
   c. War Waged Against Former Orthodoxy [Theme of James Hitchcock's
      What Is Secular Humanism?]
7. **New Form of [Deviant] Membership**: Co-Belligerency Against the Past
   a. Covert Appeal to the Religious Experience of Society
   b. Feminism: A Movement Against Politics [cf. Minogue's Anti-Political
      "Political Moralism']
   c. Ideologies Like Feminism Offer a Comprehensive Faith
8. Feminism Sees Itself as Heir to the Enlightenment
   a. Its Repudiating Zeal Is Directed Against the West
9. **Political Correctness** (PC)
   a. Denigration of What Is Felt to Be Most Especially "Ours"
   b. It Repudiates Our Distinct Cultural Inheritance [cf. George Forgie's
      Patricide in the House Divided and Jeane Kirkpatrick's "Blame America
      First Committee"; cf. also the Bohemian Life of Greenwich Village]
   c. "Down with Us" Mentality ["Self-Hatred"]: Rooting Out Old Loyalties
10 Substitution of the "View from Outside" [cf. Ben Stein's *The View from Sunset
  Boulevard*]
   a. Appeal to Reason Is a Mere Shibboleth ["Privileging"]
   b. Postmodernist Critique of Western "Ethnocentrism"
11. Hostility to the Belief in Objective Truth
   a. Laws of Logic Must Be Presupposed
   b. Defenders of the Old Curriculum Face an Intellectual Impasse:
      Colonization by New Anti-Authoritarian Authorities
   c. **Friedrich Nietzsche**: No Truths, Only Interpretations
   d. Truth Marginalized
   e. Appeal of **Deconstructionists**: Authoritative Rejection of Authority
   f. No Argument Can Counter This Massive "Will to Believe"
   g. New Form of Membership Founded on a **First-Person Plural of Denial**
      [cf. Garet Garrett's *The Revolution Was*]
12. Enlightenment: Celebration of Universal Values
   a. But: Postmodern University Challenges the Old Curriculum
   b. **Edward Said**'s *Orientalism*: Enlightenment Is Dismissed as "Cultural
      Imperialism"
      (1) Thesis: Orient Was Remade as a Decorative Foil to the Western
         Imperial Project
13. Old Curriculum Is Rejected as a Rationalization of Imperialism
14. Resulting **Paradox**: We Must Judge Other Cultures on Their Own Terms, But
  European Culture Must Be Judged from an External Perspective
15. These Countercultural Criticisms Only Confirm Western Culture's Claim to Favor
   a. Western Culture Proclaims Racial and Sexual Equality
   b. Enlightenment Conception of Man Is Demanding [Exacting]
   c. Western Attempt to Embrace Other Cultures Is Not Shared by Them
      [Islam Never Showed a Comparable Interest in "Occidentalism"]
   d. Closing of the Arab Mind vs. Opening of the Western Mind
16. **True Multicultural Approach**

    a. Western Culture Invokes a Historical Community of Sentiment While Celebrating Universal Human Values [cf. Salvador de Madariaga's *A Portrait of Europe;* Russian Music's Incorporation of Oriental Motifs]

    b. Its Sympathetic Imagination Is Global in Scope

  17. Culture of Repudiation Marks a **Loss of the Spirit of Free Inquiry**

    a. Book Banning and Speech Codes

    b. Racism Awareness Courses

    c. Redirection of Inquiry Towards PC Goals

  18. Humanities as Taught in Universities

    a. Theme: Illegitimacy of Western Civilization

      (1) Its Deconstruction as an Oppressive Process

    b. Substitution of a New Theology

  19. Desire for Knowledge Is Not as Strong as Desire for Membership

    a. People Turn from Uncomfortable Truths, Shutting Them Out

    b. Result: Creation of an Acceptable Public Doctrine

    c. Vast Cultural Changes Are Due to the Mere Search for Membership

  20. Substitution of New Beliefs of a Society Based on Equality and Inclusion; Judgment of Other [Alternative] Lifestyles Is Made a Crime

    a. Purpose: To Substitute One *Community* for Another

    b. Project: To Sever Young People from Historical Loyalties

    c. Result: Alienation [Author Overlooks the Phenomenon of Conversion]

  21. Robert Bly: **Sibling Society** [Again, the Patricide Theme]

    a. Why the Youth Culture?

      (1) Answer: Mounting Religious Deficit in Modern Societies

      (2) Disappearance of Rites of Passage to a Higher Form of Membership

    b. Young People Confront a Moral Void

    c. Collective Dissipation of the Will to Inherit [Prodigal Children]

  22. Herd Analogy: Collective Life Provides a Refuge from Anxiety

    a. Valley vs. Hilltop Experience [cf. Plato's Myth of the Cave]

  23. Decline in the Forms of Membership on Which the Enlightenment Depends

    a. Acceleration of Global Contacts

    b. Spectacle of Western Plentitude and Decadence

Review

[Gotthold Ephraim Lessing	[freedom of conscience]	[national identity]
[St.-Just]	sacrificial victims	territorial jurisdiction
types of patriotism	[common law]	[Anglo-American legal culture]
metoikoi (metics)	web of obligation	democracy and citizenship
[tyranny of the majority]	[public spirit]	[inherited community]
law-abidingness	institutional durability	endowment
[legitimacy]	strength and weakness of the national idea	
multiculturalism	criticism of minority cultures censored out of the public debate	
[Ten Commandments]	culture of repudiation	duties and rights
iconization of the family	Michel Foucault	Polanyi's "moral inversion"
new form of membership	[movements against politics]	political correctness]
hostility to objective truth	Edward Said	[acceptable public doctrine]
Robert Bly's sibling society	[dissipation of the will to inherit]	

CHAPTER THREE: HOLY LAW

Outline

A. INTRODUCTION: A SUMMARY OF THE FOREGOING (85)
1. Western Idea of Citizenship
   a. Territorial Jurisdiction
   b. Pre-Political Loyalties
2. Breakdown and Repudiation of Old Loyalties
3. **Globalization** Spreads the Message of **Western Decadence**
B. ISLAM: AN EVANGELISTIC FAITH (85-86)
1. Rapid Growth: Arabs Are in a Minority
   a. Some Arabs Are Christians
   b. Muslim Diaspora (Dispersion)
2. Koran: Principal Source of Islamic Cultural Achievements
3. Foreign Influences Have Not Diminished the **Original Vision**
C. KORANIC POLITICAL ORDER (86-101)
1. Theories of Institutions: Sparse and Theological
2. *Falasifa* (Thinkers Influenced by Greek Philosophy)
   a. **Al-Farabi**: Reason vs. Revelation
   b. Avicenna (Ibn Sina): Ideal State Founded on Prophecy
3. Code of Conduct (see p. 22)
   a. *madhahib*: Four Schools (*Hanafi, Hanbali, Shafi,* and *Maliki*)
   b. *fiqh*: Body of Islamic Jurisprudence
   c. Deduced by *qiyas* (Analogy) and *ijma'* (Consensus)
   d. *usul*: Four Sources of Law
4. **Ibn Khaldun** and His *Muqaddimah*
   a. Societies Are Held Together by *'asabiya* [cf. Latin *religio*]
      (1) *'asabiya* Is Strong in Tribal Communities But Weak in Cities
   b. Luxury of City Life Leads to Dynastic Decline
   c. Focus on Pre-Political Unity Rather Than Political Order
5. Ibn Khaldun's Political Theory
   a. Two Kinds of Government: *siyasa diniya* vs. *siyasa 'aqliya*
   b. Secular Law Leads to a decline of '*asabiya*
   c. *wazi'* (Impediment): External in the Secular State; Internal in the State Founded on the *shari'a* [cf. Robert Winthrop's Bible (Internal Law) vs. Bayonets (Force); Budziszewski on the Conscience as a Restraint]
   d. Emergence of Secular Politics Is a Sign of Moral Decline
6. Bleak View of the City
   a. *'asabiya* Decays in the City
   b. *khilafa* {Caliphate) vs. *mulk* (Worldly Sovereignty)
7. Static Idea of Government
   a. **Confiscation of the Political**
      (1) Decrees by Rival Religious Authorities
8. **Three Features** of the Original Message
   a. Messenger of God (Muhammad) Was a Political Leader
   b. No Distinction Made Between Public and Private Spheres
      (1) No Hierarchy of Laws
      (2) Whole Life of the Community Laid Out in a Set of Absolutes
      (3) Everything Is Owed to God; Nothing to Caesar
   c. Social Vision
      (1) [Absence of a *Subsidium* or Mediator]: Unmediated Confrontation Between the Individual and God
9. Koran Provides No Foundation for an Impersonal Political Order
   a. Messenger Made No Provision for a Successor [Islam Has Been Plagued with Assassinations and Succession Crises]
      (1) Abu Bakr Succeeded Mohammed as *imam* and Became the First Caliph
      (2) No Institutional Authority in the Sunni Tradition [Lieber: Liberty Must Be Sustained by Institutions]

            (3)   Or in the Shi'ite

10. Office of the **Caliph**
    a. Three of the First Four Died at the Hands of Assassins
    b. Charismatic Type of Authority (Max Weber)
    c. No Concept of an Office [cf. Ernst Kantorowicz's *The King's Two Bodies*]
        (1) Spinoza's and Aristotle's Views: Government of Laws
11. Koran's Change of Tone after the Hegira [**hijra** = Flight from Mecca into Exile]
    a. Early Meccan **suras**: Short, Lyrical
    b. Medina *suras*: Longer, Concrete
    c. Muhammad's Project: Replace Tribal Society with Universal Islamic **umma**
    d. Sign of Divine Favor: Success in War
12. Sense of Being in Exile
    a. **al-muhajiroun**
    b. Intense Nostalgia
    c. **Five Pillars** (**arkan**) of Islam Include a Pilgrimage to Mecca (**hajj**), Plus the **shahada** (witness = *la ilaha illa'llah*), the **salat** (liturgical prayer), the **zakat** (alms), and the **sawm** (annual fast)
        (1) Ritual Obeisances Before the Kab'ah [Cube]
13. Koranic Vision of Society
    a. Any Idea of Territorial Jurisdiction or National Loyalty Is Alien
    b. Localities Are Only the Objects, Not the Sources, of Law
    c. A **Holy Place** Is Not a Territorial Seat Like Rome: Set Apart
        (1) Context of Conflict over Jerusalem (*al-Quds*)
14. Rift Between Shi'ite and Sunni Muslims
    a. Caliphate
    b. Period of Hadiths: Attempt to Adapt the Faith to the Needs of Government
    c. Rise of the Four Schools of *fiqh* (p, 88)
15. No Provision for Legal Personality (Corporation)
    a. *e.g.,* Charitable Foundations (**awqaf**)
    b. Resulting Corruption
16. Consequences of the Adoption of the **shari'a**
    a. Status of Other Religious Communities Left Undefined
        (1) Status of the **dhimma** [see Bat Ye'Or, *The Dhimmi*]
        (2) **millet** System
    b. Way of Life is Domestic Rather Than Civic or Political
        (1) Mosque, School, and Bazaar or **souq** Are the Only Public Places
17. Muslim City
    a. Minarets of the Mosque Dominate the Skyline
    b. Contrast with Commercial Skyscrapers of the Western City
    c. **Muhammad Atta**'s Studies in Architecture and His Attack on the World Trade Center in 2001

D. CHARACTER OF ISLAM (101-07)
1. **Nostalgia**: Endemic (Generic) to the Muslim Faith
    a. It Is Fed by Corruption and Change [Disappointment]
    b. Endlessly Renewable Anger Against the Other [cf. R. J. Rushdoony's "Doctrine of Selective Depravity"]
    c. Tradition of Lamentation
2. Religion: Primarily **Ritual and Law**, Not Doctrine
    a. Ritual Consoles, Equalizes, and Acts as the Outward Manifestation of the Collective Act of Submission
3. Islam Offers an Unparalleled Form of Membership
    a. Universal **umma** [cf. Rom. 8:18-22]
4. Islam: A **System of Piety**
    a. Submission Is Beneficial

b. System of Morality with the Singular Advantage of Clarity
c. It Ignores the Public Sphere
d. It Provides Moral Security in the Face of Western *anomie* [Durhheim's term for the Absence of Social Norms]
5. Importance of the *madrasah* [or *madrassa*]
a. Intellectually Backward; Morally and Culturally Superior
b. Repertoire of Maxims [*i.e.,* Commonplaces]
c. It Provides What Western States Despise: Authority [Roman Concept of *auctoritas* Derives from the Ancestral Founders]
6. *madrasah* Provides a Common Culture
a. Egalitarian, Uncritical, Focused on Essentials
b. Western Education Is the Reverse But It Provides Access to a High Culture
7. Western Societies Provide a Public Space That Compensates for Educational Decline
a. This Public Space Is Absent in Traditional Muslim Societies
(1) *shari'a* Has Produced No Body of General Laws

E. POLITICAL ORDER (107-23)
1. Law of the Rulers
a. *De facto* Power But No *de jure* Authority
b. Change Takes the Form of a Crisis [Succession Crisis]
2. Secular Laws Are a Mere Expedient Adopted by Rulers
a. Ottoman Reforms Were Westernizing
3. Illustration: Westernizing of Turkey
a. Mustafa Kemal **Atatürk**
b. Cost of the Transition
c. Search for a Modern Identity
4. Search for an Identity in Arabic-Speaking Countries
a. **Islamism**: An Armed Doctrine in the Burkean Sense
5. **Al'Qaeda**: Its Three Roots
a. Wahhabism (points 5-6, pp. 110-11)
b. Muslim Brotherhood (points 7-11, pp. 111-17)
c. Technological Education (point 12, pp. 117-18)
6. **Wahhabite** Movement
a. **Ahmad Ibn Hanbal**: Compiler of a Collection of **Hadiths**
(1) Leading Principle of Hanbali *fiqh*: Law Should Be Derived Afresh from Original Sources through *ijtihad*
b. Muhammad Ibn '**Abd al-Wahhab**
c. Muhammad Ibn **Sa'ud**
7. Wahhabite Tenets
a. Purity of Lifestyle
b. Rejection of Traditional Schools of *fiqh*
c. No New *ijma'* After the Death of the Companions
d. Unity of God: *muwahhidoun* vs. *mushrikoun*
8. *ikhwan* (Brotherhood)
a. **Ibn Sa'ud** and the Creation of Saudi Arabia
b. Accommodation with Britain
c. Betrayal of the *ikhwan*
d. Wahhabites Become **Salafis** (*salaf* = ancestors)
9. Subterranean Influence of the Search for Purity
a. Occupation of the Sacred Mosque, 1979
b. Search for a "Base" (*al-qae'da*)
10. Muslim Brotherhood (Ikhwan)
a. **Hassan al-Banna** in Ismailia Taught Need for a *jihad*
b. Campaign of Terrorism: Unrest Facilitated Nasser's Coup
11. Campaign of Repression

        a.   **Sayyed Qutb**
        b.   Ikhwan's Modernist Character: Quest for Authenticity
        c.   Self-Affirmation of the Believer Against the *jahiliyya* (World of Ignorance) [cf. Tertullian's Credo]
        d.   Execution of Qutb and Followers
        d.   Redemptive Membership
        e.   Al-Ahram University
        f.   Ayman al-Zawahiri
        g.   Recent Outbreak: Luxor Massacre, 1997

12. Scientific Training
    a.   Introduction to the Spiritual Vacuum of the West
    b.   Mohammed Atta
    c.   Al-Qae'da: Heidegger's "Being-towards-Death"
13. Al-Qae'da's Appeal to North African Muslims
    a.   Its Arabism
    b.   It Is Comparable to Khomein's Vision
        (1)   Laws of *qissas* (Retribution)
        (2)   Confiscation of the Political
14. Khomeini's Sentiments Reflect His Long Exile [cf. Muhammad]
    a.   Western Virtues Seen as Moral Failings; Human Rights and Secular Government Regarded as Marks of Decadence
15. **Khomeini's Importance**
    a.   Demonstrated the Viability of Islamic Government
    b.   Exported Islamic Revolution
    c.   Endowed the Islamic Revival with a Martyrdom Strategy
16. Original Spread of Islam
    a.   Validation through Military Success
    b.   Shi'ite Eschatology of Redemption
17. **Battle of Karbala**, 680: **Hussein ibn 'Ali** vs. Yazid
    a.   Shi'ites Internalize the Goal of Self-Sacrificial Death
18. Khomeini's Call to Martyrdom
    a.   **Hassan Sabah**'s **fedayeen**
    b.   Khomeini's Army of Martyrs
    b.   Implacable Nostalgia
    c.   **Cult of Death** [cf. Igor Shafarevich on Socialism]
19. Worldwide Islamic Revival
    a.   Impact of Globalism in Producing the Unity
    b.   Globalism Awakens Old Antagonisms

Review

[effect of globalization]	Islam's original vision	Al-Farabi
madhahib	Ibn Khaldun	*Muqaddimah*
'asabiya	caliphate	confiscation of the political
features of original message	succession problem	office of Caliph
Medina suras	five pillars	Kab'ah]
awqaf	*dhimma*	*millet* system
[Mohammed Atta]	nostalgia	[ritual and law]
universal *umma*	[Islam as system of piety]	*madrasah*
Ottoman secularization	Atatürk	Islamism: an armed doctrine
roots of Al-Qa'eda	[Wahhabite movement]	[Ahmad Ibn Hanbal]
Wahhabite tenets	[Salafis]	Hassan al-Banna
Sayyed Qutb	laws of *qissas*	Khomeini
[Battle of Karbala]	[cult of death]	

CHAPTER FOUR: GLOBALIZATION

Outline

A. WEST CONFRONTS EAST (125-34)
    1.   Local Western Citizenship vs. Global Islamic Ideal
        a.   Failure of Manufactured Nationalisms
    2.   **Islamic Terrorism: Models**
        a.   Assassin Model [cf. Ossawatomie John Brown]
        b.   Russian Nihilist Model [Michael Bakunin]
        c.   Mutually Supportive Networks [cf. Concept of Netwars]
    3.   Islamist Terrorism: A Distinct Development
        a.   Pursuit of an Unrealizable Goal
        b.   Reign of Murder and Persecution
        c.   Islamist Is an **Avenger-in-Exile** in This World [Combining Mimetic Desire and Visceral Membership]
    4.   Globalization
        a.   Regrettable By-Product of Freedom
        b.   New Kind of Threat to Sovereignty [cf. Minogue, ch. 13]
    5.   **Al-Qae'da**: Fusion of Globalization and Islamic Revival
        a.   State of Permanent Exile [and Total Mobilization]
        b.   Its Global Techniques Include Western Enterprise, WMDs, Oil Revenues, and a Building Boom
    6.   Western Architecture
        a.   **Mohammed Atta**'s **Nostalgia** for the Old Town of **Aleppo**
        b.   Walter Gropius's **Bauhaus**, Le Corbusier, and the International Style [cf. Tom Wolfe's *From Bauhaus to Our House* and E. Michael Jones's *Living Machines*]
    7.   Impact of Globalization Controlled and Limited in the West
        a.   Germany Is the Exception
    8.   American Homeliness
    9.   Middle East: Mutilation of Landscape and Cityscape
        a.   Example of **Le Corbusier** in Algiers
        b.   Transformation of Middle Eastern Cities
        c.   Pollution of the West Bank by Electric Lights
    10.   Al-Qae'da's Summons to War
        a.   Western Civilization Has **Amplified Its Message**
    11.   Attitudes towards Globalization
        a.   Outrage
        b.   Pornography as Free Speech
        c.   Dress and Behavior of Women
    12.   Western **Public Space** vs. Islamic **Shared Private Space**
        a.   Western Ways Seen as Temptations
    13.   West Has Provided a New Sword to Militant Islam
        a.   Global *umma* Attaches Itself Like a Parasite to Global Institutions [cf. Rushdoony on the Parasite State]
        b.   Globalized Islam Satisfies a Hunger for Membership
B. THE PERSONAL STATE (134-44)
    1.   Target: The United States as "the Great Satan"
        a.   Wrath of God on American State Is an Autonomous Agent
        b.   Corporate Agency and Moral Personality in the State
    2.   Nation-State as a Moral and Legal Person [cf. Hobbes, *Leviathan*]
        a.   **Limited Liability** of Its Members
    3.   State as a Collective Expression of Its Citizens' Way of Life
        a.   Its Actions Are Those of Corporate Persons

   b. *e.g.,* Iraq Is a Legal Fiction
   c. By Contrast: Non-Western States Are Impersonal, Mere Machines in Their Rulers' Hands
     (1) This Is the Rationale Behind Lenin's System of Parallel Structures
  4. **Goal of 9-11 Attacks**: Assault on the Person of the United States
  5. Idea of the **Personal State** Originated in RomanLaw
   a. It Exhibits a Preference for Negotiation over Compulsion
   b. It Fosters the Growth of National Loyalty
   c. Its Legitimacy Lies in Both Custom and Contract
  6. Ideal to Which Western States Have Aspired
   a. Democracy Is More a Consequence Than a Cause
     (1) Instability in the Absence of Corporate Personality
   b. Democracy Leads to Tyranny in the Absence of an Institutional Framework [cf. Lieber's Democratic Absolutism]
  7. Personal State Is Answerable to Its Citizens
   a. Contrast with **Non-Western Forms**: One-Party State, Religious State, Individual Tyranny, and the Failed State
     (1) All Lack Effective Internal Opposition
     (2) Decisions Are Made by an Unanswerable Minority
     (3) Opposition Makes Government Accountable
  8. Conflict with a Non-Personal State Is with a **Faction** within It
   a. Reason Why the Gulf War Ultimately Failed
   b. Formal Defeat of Iraq Was the Defeat of a Legal Fiction
  9. **Asymmetry** between Personal States and Impersonal Forces
   a. Balfour Declaration, 1917
   b. Stern Gang
   c. Transformation of Israel into a Nation-State
   d. Injustice Done to Palestinian Arabs
  10. No Palestinian State; No Historical Palestinian Nation
   a. **Yassir 'Arafat** and the Palestine Liberation Organization
     (1) PLO Modeled on IRA (Irish Republican Army)
   b. Impossibility of Negotiating with Terrorist Organizations: Absence and Unlikely Prospect of a Corporate Person
  11. Israel: Agonies of a Personal State at War
   a. Structural Difficulty of the Palestinian Problem
     (1) Palestinian Arabs Have Political Influence Only in Israel
  12. Israel's Relationship to America Makes It a Target
   a. Exploitation of the Palestinian Issue by Muslim States
   b. Israel Seen as Outreach of West in the *dar al-islam*
   c. Occupation of the West Bank: Modernist Architecture Is a Symbol of the Globalizing Process
     (1) Will to Permanent and Irreversible Change
  13. Globalization Is Spreading the **Asymmetry Problem** to the West
   a. Imbalance between Global Remedies and **New Kinds of Agency**
C. TRANSNATIONAL GOVERNMENT (144-49)
  1. Extension of Human Powers Requires an **Extension of Law**
   a. Demand for New Legislative Bodies
   b. International Law Exerted This Kind of Control
   c. Sovereignty Was Vested in Individual States
  2. The **United Nations**
   a. The Benign View Is No Longer Sustainable
   b. Corruption Due to Unaccountable Bureaucratic Power
   c. Creation of New Disputes [cf. Kaplan's *Coming Anarchy*]
  3. New Forms of Transnational Legislation
   a. Coherent Response Would Be to **Encourage Nation-States**

   b.   Need to Attach Loyalties to Real (Not Utopian) Places
   c.   Illustrations: WTO Regulations, Genetically-Modified Crops
  4. WTO Protests
  5. **Global Financial Ins**titutions (World Bank and IMF)
   a.   Purpose: Secure Global Financial Stability (Dollar Nexus)
   b.   Effect: Subsidization of Tyrants
   c.   Lack of Genuine Fiscal Accountability
    (1) IMF Loans Disappear into Swiss Bank Accounts
  6. Comparative **Immunity of the United States** from These Problems
   a.   Sidestepping of Entangling Treaties [Leading to Accusations of a Double Standard]
  7. Illustration: The International Criminal Court
   a.   Violation of National Sovereignty
   b.   Lack of Accountability
   c.   Danger of Almost All Transnational Legislation
  8. UN Convention on Refugees and Asylum
   a.   Growth of European Black Markets
   b.   Loss of Control over Borders
  9. Territorial Jurisdictions [Especially in the Case of *jus soli* as Opposed to *jus sanguinis*] Require **Border Control**
   a.   Subversive Effects of Transnational Legislation in Conjunction with the Culture of Repudiation
   b.   The Path of Self-Destruction
D. THE NEW IMPERIUM (149-56)
  1. Is the Nation-State a Durable Arrangement?
   a.   Example of England
   b.   "Invisible Hand" of Imperialism
   c.   United States vs. Transnational Institutions
  2. **European Union** (EU)
   a.   Europe Is the Original Home of the Nation-State
   b.   Varied Reactions to Transnational Federation
  3. Path toward a European Superstate
   a.   Most British Laws Originate as EU *diktaat*
   b.   Division of England into Regions
   c.   Absence of a Pre-Political European Loyalty
   d.   Federal Project in Fact Grew Out of This Very Absence
  4. Illustration: **Real Consequences** of an Asymmetrical Merger of Village with Town [*e.g.,* Forced Merger of Self-Sufficient Independent School Districts of Linn Country, OR with Financially-Strapped Albany, OR School District]
   a.   Power of Town to Override Interests of the Village
  5. Result: Loss of Sovereignty and Diminution of Democratic Powers
   a.   Conflicts of Interest Re-Animate Desire for National Autonomy
  6. Crises Lead to Reversion to Default Position: **National Character**
  7. Unlikelihood of an EU Pre-Political Loyalty
   a.   Instead, National Destruction Will Leave a Vacuum
   b.   Growth of **Separatist and Nationalist Movements** [cf. Benjamin Barber's *Jihad vs. McWorld*]
  8. Project of Union Is Promoted by European Elites
   a.   EU: Political Expression of the Culture of Repudiation
   b.   Consequence: Enforced Political Correctness
   c.   Proposed European Police Force
   d.   Suppression of Nationalist Opposition
  9. Place of the Muslim Immigrant in This Political Labyrinth
   a.   Welfare Benefits
   b.   Ghettoization
   c.   "Parochial" Membership

10. *Q.E.D.*: European Superstate Is a **Breeding Ground** (Incubator) for Terrorists, Posing a Double-Barreled Threat to the Nation-State [Host/Parasite Codependency: See Rushdoony, *The Politics of Guilt and Pity*, p, 224].

Review

models for Islamic terrorists   [Muhammad Atta]   Bauhaus
Le Corbusier   amplification of Islamists' message
Western vs. Islamic space   liability of a legal person   goal of the 9-11 attacks
idea of a personal state   hazards of the absence of corporate personality
asymmetry between personal states and impersonal forces   prospects for a Palestinian state
[Israel and the United States]   absence of remedies for new kinds of agency
[demand for new legislative bodies]   United Nations as an illusion
obstacles to embryonic states   global financial institutions   immunity of United States
lack of border control   effects of transnational legislation and culture of repudiation
UN Convention on Refugees and Asylum   territorial jusrisdiction
European Union   loyalty and legitimacy   [village vs. town analogy]
reversion to national character   [separatism and nationalism]   political character of the EU
plight of the Muslim immigrant   European superstate and terrorism

CHAPTER FIVE: CONCLUSION

Outline

A.   REPRISE AND CHARGE [*ENVOI*] (157-61)
   1.   **Nihilism**: The Other Side of Religion
        a.   Howl of the Lapsed Believer
        b.   Last Remaining Absolute: Nothingness
        c.   Death Intoxication [cf. Igor Shafarevich's *The Socialist Phenomenon*]
   2.   Crisis Wrought by Globalization
        a.   Offensive Spectacle of a Secular Society Achieving Equilibrium without God
        b.   Phony, Humiliating Economy of Pure Consumption
        c.   Nostalgia for a Reign of Goodness
        d.   Together These Are an Explosive Mixture [cf. Thesis of Amy Chua's *World on Fire*]
   3.   Limited Possibilities for Organized Political Action
        a.   Only in the West Can It Be Mounted
        b.   Terrorist Plots Are Hatched by **muhajiroun** [*émigrés*] Living in Seeming Symbiosis with the West [Parasite Image]
        c.   Religious Violence Is an Assertion of Identity [cf. Sectarian Violence in India]
   4.   Task of the West
        a.   Reinforce the Nation-State
        b.   Constrain Globalization
   5.   Addressing the Contributing Factors
        a.   Immigration and Travel
        b.   "Multiculturalism"
        c.   Free Trade
        d.   Multi- (or Trans-) National Corporations (MNCs)
        e.   Predatory Litigation
        f.   Dependence on Imports Due to Devotion to Prosperity
   6.   These Beliefs, Habits, and Prejudices Are Deeply Ingrained

a.   The Law Is Used as a Weapon
    7.   Unintended Consequences of Free Association and Secular Law
        a.   We Are Careless of the Sacrifices on Which Sovereignty Depends
            (**hubris** = Insolent Pride)
    8.   Our Challenge: To Think through Alternatives

Review

nihilism   *muhajiroun*   reasons for present danger