

Introducing Halaal and Haraam into Globish Based on Moral Philosophy of Abstract Halaal And Defining The Libre-Halaal Label

معرفی دنیایی حلال و حرام و تعریف حلال-وجودی چند وجودی ها

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1 About This Document

1.1 This Essay is in Globish

This essay is in Globish. It is not in conventional Anglo-American English.

See the document titled *Introducing Globish into Globish* [5] for a description of Globish. Briefly, Globish (mixture of Glob-al and Engl-ish) is the language that a Chinese may use to communicate with a Brazilian.

The intended audience for this essay is all of humanity.

Some of the concepts developed in this essay stand separate from American and Western values. Some of these concepts specifically reject American and Western values. Western readers need to pay extra attention, as many of their assumptions are likely not the same as ours.

1.2 Part of the Evolution of Globish Series

This essay is part of a series of essays, where we introduce new words and concepts into Globish. See *Introducing Globish into Globish* [5] for a list of sister essays where we introduce other words and concepts relevant to this essay.

In this essay we introduce the terms “halaal” «حلال» and “haraam” «حرام» into Globish. Halaal and haraam are facilities that assist with expression of moral sensibilities. It is a good thing for people to be better equipped to express their moral sensibilities. It is a good thing for different societies to move towards consensus on moral topics through dialogue. The inclusion of halaal and haraam in Globish assists with that.

Based on the introduction of the word halaal in this essay, in a subsequent document we then provide definitional criteria for halaal manner-of-existence of software [7], and halaal manner-of-existence of Internet Services [6]. And based on those definitions, we then introduce:

The Libre-Halaal ByStar Digital Ecosystem
A Unified and Non-Proprietary Model For Autonomous Internet Services
A Moral Alternative To The Proprietary American Digital Ecosystem
<http://www.by-star.net/PLPC/180016> – [8]

1.3 Request For Feedback

The primary URL for this document is: <http://mohsen.1.banan.byname.net/PLPC/120039>. The pdf format is authoritative.

Distribution of this document is unrestricted. We encourage you to forward it to others.

This document is in its early stages of evolution and we plan to follow up with further updates and enhancements.

We can benefit from your feedback. Please let us know your thoughts. You can send us your comments and criticisms via the URL <http://mohsen.1.banan.byname.net/contact>, or by email to feedback@ourbase.com, which is mohsen.1.banan.byname.net.

We thank you for your assistance.

2 Shortcomings of English in the Domain of Morality

English is strong in some domains and weak in others.

The strength and weakness of English in various domains is of course directly related to the culture and value system of the native speakers of this language, most notably the Americans and the British.

In the domain of business, economics and finance (that is to say, money) English is very strong. In the domain of money English is rich with terms such as: MBS (Mortgage-Backed Securities), shorting, margin, hedge fund, haircut, reverse mortgage, EPS, P/E, dead cat bounce, double down, bubble, pyramid scheme, day trading, pump-and-dump, spin-and-flip, and many others. In Anglo-American English, the term for the world's largest casino is "the stock market." Equivalents for most of these terms do not exist in most other languages, because these concepts do not exist in other cultures. Values, thinking and behavior influence language; and conversely, language influences values, thinking and behavior.

Economics is the study of what people do when nothing more important than money is at stake. Even though twenty first century planet earth is too primitive to be governed by anything but economics, there are variations for the place of economics in societies. With its purest form, Americans have ended up with a collection of economic creatures existing in an industrial complex, which they call American society. And in that context, English, the language of Americans and the British, has ended up being very economically oriented. It is towards evolution beyond economic creatures that we want to introduce halaal into Globish.

In the domain of morality, ethics and philosophy, English is extremely weak. Fundamental concepts from other cultures such as Halaal and Haraam are entirely absent from English. And previous attempts to translate these terms into English have been miserable failures. This is because these are complex concepts that do not exist within the value system of the Americans and British.

3 Current Orientalist Appropriation Of Halaal In English

Looking up the words "halaal" and "haraam" in Wikipedia, or in Encyclopedia Britannica or Webster's dictionary, provides at best an over-simplification, or at worst complete garbage. Viewing haraam as meaning just "prohibited" and viewing halaal as meaning just "permissible" is shallow and simplistic. Limiting the scope of applicability of halaal and haraam to Islamic dietary laws and then trying to simplify halaal based on parallels between halaal meat and kosher meat are sophomoric at best. The concepts of halaal and haraam are far more complex than that.

Not only is Anglo-American English weak in regard to expression of morality, but the culturally egocentric Americans (and Westerners generally) are allergic to the expression of morality by others. In Anglo-American English, the word halaal is loaded with connotation. More than anything else, it evokes immediate feelings of Islamophobia.

Westerners tend to define East and eastern terms and concepts in their own context and for their own benefit. And not just that, Western definition of eastern terms and concepts are often intended to degrade eastern and Moslem concepts in the spirit of establishing Western superiority and towards Western exploitation of the East and Moslems. Edward Said has labeled this Western model of looking at the East and Moslems as: "Orientalism", [14]. In English, halaal and haraam have been subjected to Orientalism. The scope of applicability of halaal for the most part has been reduced and the concept has been overly over simplified.

Our definition of halaal rejects the current Orientalist appropriation in English and focuses on introducing the real concept of halaal in Globish. The Western and the West-toxicated readers should in particular recognize the distinction that we are drawing between English and Globish and the distinction that we are drawing between the Orientalist appropriation of halaal in English and the real meaning of halaal that we are introducing into Globish.

Halaal is a fundamental, deep and broad concept among Moslems which addresses the question of right and wrong about everything and about all aspects of life. Purpose and meaning of life could well be understandings of what should be Halaal and what should be Haraam. Trying to stick to halaal in action could well become life's primary challenge.

4 Halaal: the Native Context

Halaal is a word with Arabic origins. Halaal is a word with Islamic origins.

In Arabic and in Persian/Farsi the word halaal has several contexts and usages. It is a pervasive concept, appearing in multiple contexts: in the form of formal decrees for what is prohibited or permitted; in daily language as an individual statement of moral values; in the content of proverbs and stories; and in many other usages. The particular shading of meaning in any particular usage depends on the context and how the term is used.

For Moslems and for Iranians; language, religion, morality, economics, law, culture and society are very intertwined. This leads to a complex model for humanity.

In contrast, the Western two layers model of law and economics is very simple. And in that simple two layered model, one important purpose of law is to accommodate economics. In the spirit of combating west-toxication «غرب زدگی», [12], Imam Khomeini, captured this difference in a short crisp sentence: “basis of everything for the donkey too is its economics” – «الاع هم زیربنای همه چیزش اقتصادش است»¹. The word and concept of halaal is clearly non-essential for simple economic creatures.

Right and wrong are often orthogonal to economics and profit, as externality is an inherent characteristic of economics.

To pay lip service to any remaining human needs of economic creatures, individualism and individualistic freedom becomes the main pillar of Western morality. Conveniently, the Western economics model celebrates individual freedoms. Based on those individualistic freedoms, the sophisticated Western corporation is then well positioned to manipulate the naive Western individual. With that form of Western morality in place, the Western corporation then demands those individualistic freedoms for itself. The American/Western legal system then kicks in and formalizes the Western legal notions of “corporate personhood”. The Western model then amounts to a complete collection of economic creatures (people and corporations alike). Should such a collection be called a society? What is Western society?

The span of the word halaal does include the individual’s freedom. Halaal subsumes freedom. The concept of halaal is far broader and far stronger than freedom. The span of the word halaal in Persian and in the Shia tradition and in the Iranian culture is illustrated below with five examples:

Religious Decree: One of the purposes of religion is to declare “rights” and “wrongs”. In Islam that is accomplished with Halaal and Haraam declarations.

For example, consider the following.

“Gambling is haraam”

«قمار حرام است»

Here we have Islam, in its entirety, explicitly declaring that gambling is wrong and prohibited.

Fatwa by your Source-of-Imitation: One of the responsibilities of one’s source-of-imitation «مرجع تقلید» is to figure the ethics and morality of new complex topics and provide Halaal and Haraam declarations for his followers and on behalf of society. Very often societal consensus and source-of-imitation’s declaration are consistent. In such cases, the source-of-imitation’s declaration is still extremely important as it seals societal consensus.

For example, consider the following fatwa by Grand Ayatollah Sayyid Ali Khamenei.

«آیت الله العظمی علی خامنه‌ای، رهبر ایران، در سال ۲۰۰۵ طی فتوایی سلاح های اتمی را حرام اعلام کردند»

“In 2005, Grand Ayatollah Sayyid Ali Khamenei, Iran’s leader, issued a fatwa declaring nuclear weapons haraam.”

¹ These are Imam Khomeini’s exact words from his September 8, 1979 speech – This sentence is often mis-quoted as “economics is for the donkey” – «اقتصاد مال خره».

The full relevant text in Globish is on Ayatollah Khamenei's web site at:

http://english.khamenei.ir//index.php?option=com_content&task=view&id=1442&Itemid=13

It includes the following:

We believe that using nuclear weapons is haraam and prohibited and that it is everybody's duty to make efforts to protect humanity against this great disaster.

Such a declaration by the Iranian leader, using this most strong word "Haraam", is in stark contrast with America's actual use of nuclear weapons, its threats of re-using it in the form of "all options are on the table" and the American belief system of: "might makes right".

Were Halaal and Haraam on the table when in August 1945, on American leader's (Truman's) orders, two atomic bombs were dropped on Japanese civilians in Hiroshima and Nagasaki?

The significance of Iran's leader, a Grand Ayatollah, to have declared nuclear weapons haraam seems not to have been understood by Westerners.

If the Westerner's lack of understanding of halaal and haraam plays a role in the failure of dialog between Iran and the West, perhaps this essay can prove useful in that regard.

Societal Consensus: In addition to religious decrees and fatwas by sources-of-imitation, the society through consensus can provide halaal and haraam declarations.

Consider the following example.

"One's manner of earning a living must be halaal."

«نان حلال خوردن»

Here we have a usage of halaal which is more in the context of society and culture. Where halaal as a label is applied to income.

An Individual and Her God: In a popular song, Hayedeh «هایده» sings:

«بیا ای سوته دل ساقی به مستی بی ملالم کن»

«خدایا امشب این می را حلالم کن، حلالم کن»

"God, tonight make this wine be halaal for me. Make it be halaal for me."

Here we have usage of the word halaal in context of the relationship between an individual and her God – which need not even be necessarily all that religious.

A Mother's Ultimate Threat: A mother's most severe threat to her child may take the form of:

«شیرم را حلال نمی‌کنم»

"I won't make my milk be halaal for you."

Interpersonal Relations: It is easy to imagine the following exchange between an Armenian-Iranian and a Jewish-Iranian.

«هر چه بدی از من دیدی، حلالم کن»

"Whatever badness you have seen from me, please make it be halaal for me."

This is a common saying in Farsi that often occurs between good friends when they say good bye to one another for an extended period of time.

Here we have a usage of halaal that is completely outside of religion. It can be used by non-Moslems and is purely cultural. Here the Armenian and Jew's exchange is rooted in their use of Farsi and their being Iranians.

In addition to halaal and haraam, there is a facility in Arabic and in Persian to express: not quite haraam, but discouraged. The word “Makrooh” «مكروه» is that facility.

Note here that the scope, span and depth of Halaal is far broader than its common simplistic Western translation of “permissible in Islam” or its limited parallels with the Jewish Kosher in the context of properness and conformity.

The intertwined nature of language, religion, morality, economics, law, culture and society for Moslems leads to uses of halaal and haraam where the source of declaration and the manner of declaration need not always be totally clear. Aside from religious authority, power of the word halaal can be based on its widespread acceptance and may be rooted in logic, persuasion and consensus.

In all the above examples, the word halaal functions as a facility for declamatory expression of moral values. It is this general concept that is at the heart of the word halaal.

5 Philosophical Halaal: a Wordly Framing

The word halaal is loaded in many ways. It carries a number of strong connotations, in both its native context, and in non-native contexts. In its roots it is theological, originating in and tied directly to Islam. It is a sensitive word in its native context (Arabic and/or Islamic cultures), and evokes strong reactions in the West.

In a non-native context the word halaal evokes negative reactions. In particular it is viewed as a direct expression of Islam; at best unwelcome and at worst evoking strong feelings of Islamophobia.

But in this essay we are using this term without these theological/Islamic connotations. The scope of the word here is philosophical and wordly, to be used in day-to-day affairs, including those of business and technology. We are using it as a philosophical term, to address worldly concerns.

Thus we are introducing a new context for this word, without the native Islamocentrism, and without the non-native Islamophobia.

We considered the word secular as an appropriate qualifier, as in “secular halaal,” but this is not correct for our purposes. Secular implies a complete separation from Islamic/theological meaning, but we wish to retain a reference to these theological origins. Thus we are shifting the center of gravity of the word from theological to wordly, but retaining the origins of the concept as a theological formulation of morality. Thus we are coining the terms “philosophical halaal” and “abstract halaal” to represent this.

6 Philosophical Halaal: the General Concept

Here we provide an overview description of halaal. We will then follow with a more rigorous dialectical definition.

The word halaal has several contexts and usages. Generally speaking one can say it is a term for the declamatory expression of moral values.

The word halaal is a facility for expressing general moral sensibilities which map to “right.” The word haraam is a facility for expressing general moral sensibilities which map to “wrong.”

In order for the above to be meaningful we need a framework for moral philosophy in the abstract.

7 Locating an Abstract Moral Philosophy for Expressing Philosophical Halaal

The Western model has produced its own brand of philosophers and ethicists. Various of these have produced frameworks and structures that come close to recognizing the need for halaal and haraam. For example, Jeremy Bentham and John Stuart Mill (and others) have put forward the ethical theories of Utilitarianism. Utilitarianism is an effort to provide an answer to the practical question “What ought a man to do?” It goes towards rightness and wrongness analysis and the greater good, but does not quite reach the point where the need for the concepts and the words halaal and haraam become obvious. Another Western example is Kantian ethics. Kant gets to principle of Universalizability and laws of hypothetical kingdoms but does not recognize that he is actually searching for the concepts of halaal and haraam.

From the perspective of those for whom halaal is a natural part of their language and their culture, such Western philosophers and ethicists are not playing with a full deck. Lacking the essential concept of halaal, Western philosophers are benighted without it, and so they flounder when trying to come to grips with moral questions.

To express philosophical halaal we are not going to use any of the well-known existing models. Instead we will use a set of precise abstractions presented by a fellow electrical engineer. A Western colleague and friend, Dr. Andrew Hammoude, has written an essay which provides a good basis for explicit definition of philosophical halaal.

Hammoude’s essay is titled *Moral Philosophy: An Abstract Approach* [1]. The full text of his essay is available at: <http://andrew.hammoude.1.byname.net/PLPC/150020>

Hammoude’s work does not in any way touch on the words halaal or haraam. But the framework he has created is a useful basis for the definition of philosophical halaal.

In this essay we are using Hammoude’s work extensively. Here we will restate the key ideas, definitions and vocabulary from his essay. For complete details, refer to the original essay titled, *Moral Philosophy: An Abstract Approach*.

The present essay is completely separate and independent from Dr. Hammoude’s work.

8 Definition of an Abstract Morality

Hammoude defines something he calls an *abstract morality*. This is a completely artificial construct, making no formal reference to real-world moral concepts, but it provides a framework and a way of thinking about moral constructs. His definition is as follows:

An **abstract morality** is a mapping from the *set of actions* into the two-element abstract set $\{right, wrong\}$.

The set of actions consists of all actions that may be considered to have moral consequence; that is, they are all actions that affect the welfare of others in some respect. The two-element set $\{right, wrong\}$ is a pair of symbolic tokens with no meaning assigned to them—they are merely arbitrary tokens that we may associate with actions. Thus an abstract morality as defined by Hammoude is a function from the set of actions into this pair of token symbols.

The token words *right* and *wrong* are distinct from the natural language terms “right” and “wrong.” To distinguish the two pairs of words clearly the abstract terms are written italicized, while the natural language terms are written unitalicized, and frequently within quotation marks.

Refer to his essay for complete discussion and examples.

8.1 Vocabulary for Real-World Morality

Hammoude also establishes a vocabulary to make reference to moral constructs in the real world. He defines a number of terms for this purpose: an “individual moral sensibility” referring to individual persons, an analogous “group moral sensibility” referring to groups of individuals, a “manifestation” of such sensibilities, and a “real-world morality,” defined in terms of such manifestations.

We summarize his definitions below:

- An **individual moral sensibility** is defined as “an innate sense of aversion by an individual to certain kinds of behaviour, or to the commission of certain acts.”
- A **group moral sensibility** is defined as an analogous concept for groups of individuals; it is a cultural formulation of sensibility, representative of the majority individual sensibilities within the group.
- Hammoude notes that these sensibilities have externally observable “manifestations,” and he gives a number of examples of this, including, “avoidance or relative rarity of acts or behaviour that offend the sensibility; explicit verbal expression such as the use of natural language terms like “right” and “wrong” to acts or forms of behaviour that do or do not offend the sensibility; strong forces of dissuasion against offending acts or behaviour; and explicit codifications of the sensibility in the form of religious or legal doctrine.”
- He then defines the **real-world morality** associated with a moral sensibility as “a data set, consisting of the set of actions, and for each element in the set of actions, the set of all manifestations of the sensibility regarding that action.” Thus a morality is the complete characterization or cataloging of an underlying moral sensibility, in terms of its observable manifestations.

8.2 Duality between abstract and real-world moralities

Having defined an abstract morality, and a real-world morality, Hammoude then notes that there is a duality between these two constructs, stating as follows:

For any abstract morality we define, there is a real-world morality that may exist, or that we can imagine. And for any real-world morality, we can define a corresponding abstract morality. Thus every abstract morality has a real-world counterpart, or *doppelganger*, and *vice versa*.

9 Defining Abstract Halaal and Abstract Haraam

This now provides the framework and vocabulary needed to define philosophical halaal. In particular, we have definitions for following terms:

- The two-element set $\{right, wrong\}$
- The set of actions
- A mapping
- A moral sensibility
- A manifestation
- An abstract morality

Note that these definitions span both abstract morality and real-world morality contexts. In particular, the *right* and *wrong* definitions taken from abstract morality remain purely symbolic.

Based on this, we now can properly introduce the concepts of philosophical halaal and philosophical haraam.

Philosophical halaal is “manifestation” of “moral sensibilities” relevant to a specific topic where “the set of actions” map to “*right*.”

Philosophical haraam is “manifestation” of “moral sensibilities” relevant to a specific topic where “the set of actions” map to “*wrong*.”

Philosophical halaal and haraam can then be applied to different topics, providing in large part an abstract morality.

Abstract halaal and haraam are powerful enough concepts to become basis of defining one’s religion – separate from God and even without a name.

10 Uses Of Halaal As Labels

In addition to the description of an act as halaal or haraam, halaal and haraam are also used as labels.

For example amongst Moslems, a well known usage of halaal as a label is “Halaal Meat”, where a specific manner-of-existence of meat is considered halaal. This halaal manner-of-existence of meat demands respect for the animal, engagement of the creator at the time of killing of the animal by the human and demands prevention of such a delicate act becoming industrial.

This topic’s equivalent in the American and Western cultures is driven by efficiency and economics leading to Food Inc., [13]. Where the animal becomes just a commodity.

The label of Halaal in “Halaal Meat” communicates a great deal in a single word. It demands adherence to specific processes and rituals – specific to the animal. It is not a single act or a single aspect of meat that makes it “Halaal Meat”. It is the entirety of the specific process that warrants use of the label. That specific full process is of course well defined.

Uses of halaal as labels are equally applicable in the context of abstract (philosophical) halaal. Throughout this document and elsewhere, we make use of capitalized Halaal/Haraam when we are referring to use of these words as labels. When we are referring to the concept of halaal/haraam we use the uncapitalized form.

10.1 Halaal Manner-Of-Existence Of Poly-Existentials

There are things in nature that exist in singular and there are things that exist in multiples. That which exists in nature in singular, we call mono-existential. That which exists in nature in multiples, we call poly-existential. A physical wheel is a mono-existential. The formula for calculating the circumference of a circle is a poly-existential.

Increased importance of role of poly-existentials (knowledge, ideas, information, the digital domain) in our lives and their impact on society and humanity now requires analysis towards recognition of halaal and haraam for different forms of poly-existentials. And once we have recognized the halaal manner-of-existence of poly-existentials we need to label it.

10.2 The Libre-Halaal Label

The current dominant model of governance of poly-existentials is the Western Intellectual Property Rights (IPR) regime. Where various types of imposed restrictions – copyright and patents – are applied to poly-existentials.

In an essay titled:

**The Nature of Poly-Existentials:
Basis for Abolishment of The Western Intellectual Property Rights Regime**
<http://www.by-star.net/PLPC/120033> – [9]

We analyze and discredit the Western Intellectual Property Rights regime based on the inherent nature of what it seeks to control and restrict. All digital constructs are inherently Poly-Existentials. Poly-Existentials are poly-possessable. Assignment of restrictive ownership to what is poly-possessable is in conflict with nature.

Because IPR restrictions in their entirety are in conflict with nature, they are haraam. We need to express this fundamental rejection of Western IPR restrictions in our labels. From the perspective of the poly-existentials, rejection of Western IPR restrictions amounts to freedom and liberty. Hence, the label “Libre” can play the proper role in crisp communication of our rejection of the Western IPR regime.

However, just rejecting the Western IPR restrictions does not lead to the halaal manner-of-existence of poly-existentials. And hence, “Libre” alone as a label is not sufficient. The proper label in this context therefore needs to communicate both “Libre” and “Halaal”.

In the “Libre-Halaal” label, Libre indicates that:

1. The scope of consideration of Halaal is manner-of-existence of poly-existentials.
2. We reject the Western IPR regime. That the natural right to copy and the natural right to apply knowledge are the basis of our ideology.

Halaal indicates that:

1. We are rooted in philosophy and morality – Not just economics.
2. For each form of poly-existential, the manner-of-existence that permit Professions to safeguard society and humanity are the Halaal manner-of-existence for that poly-existential.

The scope of usage of the “Libre-Halaal” label is the entirety of the domain of poly-existentials. The digital domain as a form of poly-existentials is of particular interest to us as software engineers.

Libre-Halaal Software in particular is of importance in that software is controller of all that is digital. Key attributes of Libre-Halaal Software are that its usage and copying are unrestricted and it is perpetually internally transparent and modifiable.

We want to move towards defining the halaal manner-of-existence of Software and the halaal manner-of-existence of Internet Services and halaal manner-of-existence of Digital Ecosystems. As such we provide our definitions for use of the labels Libre-Halaal for Software, Internet Services and Digital Ecosystems in [7], [6].

The Free Software and Open Source movements and their combination the Free and open-source software (F/OSS, FOSS) or free/libre/open-source software (FLOSS) have been attempting to address this labeling challenge. Because their philosophical and moral analysis is shallow, all of their labels are problematic in a number of respects.

The FLOSS movement lacks deep recognition of IPR regime being just Western and does not call for full abolishment of the IPR regime. The FLOSS movement lacks deep recognition of the place of software as a special form of digital poly-existential. The FLOSS movement lacks deep recognition of importance of morality and role of software engineering profession in formulation of definitions and labels.

But since we have the “Libre” label in common, we use the “Libre-Halaal” label when operating in Western authority. Where our rejection of the copyright regime parallels FLOSS copyleft licensing. And where we wish to express common cause with our FLOSS brothers and sisters.

11 Moral Sovereignty and Global Morality

So we now have properly introduced Halaal and Haraam into Globish.

For what purpose? What are we going to do with Philosophical Halaal and Philosophical Haraam?

Ghom and Las Vegas can coexist just fine as long as they remain separate. In which case, economic creatures in Las Vegas need not even know what halaal means.

But things have changed, and that separation is no longer viable. Knowledge and application of knowledge are now more than ever essential to health of any society and the digital era is here. Poly-existentials are now a dominant reality. Unlike a world dominated by mono-existentials, a world dominated by poly-existentials demands greater commonality of morality. Poly-existentials are easily transmittable and know no border.

11.1 A Central Sin Of Our Time: The Western IPR Regime

There are many sins of our time. Some are symptoms and some are root causes and are central. By a sin of our time, we mean haraam behavior and belief that is common place. People are born into it and it is taken for granted as normal.

Amongst greatest central sins of our time is the Western IPR regime. Where knowledge and application of knowledge is owned, where the natural right to remember, to copy and to re-play is restricted.

Under Western dominance, the most basic moral underpinning of poly-existentials, the so-called “Intellectual Property Rights,” has become the norm. It is haraam. Based on economic values and economic power, Westerners are imposing their self-serving and misguided ownership models for copyright and patents onto the rest of the world. We present our rationale for this conclusion in:

The Nature of Poly-Existentials:

Basis for Abolishment of The Western Intellectual Property Rights Regime

<http://www.by-star.net/PLPC/120033> – [9]

In that paper we analyze and discredit the Western Intellectual Property Rights regime based on the inherent nature of what it seeks to control and restrict – poly-existentials: all that is digital and all that can be learned and remembered.

The Western intellectual property rights regime is in conflict with nature, it does not serve the ideal intended purpose of societal regulations, i.e. to balance rights equitably among conflicting constituencies. On the contrary, it has the effect of enriching a minority of powerful vested interests, to the very great detriment of society at large. The detrimental effects include the obstruction of engineering creativity, a distortion of the competitive business environment, and denial of the benefits thereof to the public.

Many societies fully reject the basic concept of patents and copyright, [11]. Yet, the Western Intellectual Property ownership regime is portrayed by Westerners as universal and global. Since poly-existence and digital entities are inherently not restricted by borders, the nature of global Internet demands rejection of the Western Intellectual Property ownership regime.

We use that logic for declaring:

The Western patent regime is haraam.

The Western copyright regime is haraam.

Ramifications of global nature of poly-existentials and proliferation of poly-existentials in our daily lives have many contexts and many dimensions.

12 Uses Of Halaal and Haraam By Professions

We put our finger on Western IPR Regime and label it a central sin of our time because it impacts many professions and many aspects of life. Western IPR regime is the source of much that is haraam.

Professions have responsibilities to society and to humanity. In order to fulfill these responsibilities, professions need and require certain moral understandings and agreements from society.

Here we are using the term “profession” in the way it is understood in the East.

The notion of a “profession” in the West consists of training and the acquisition of specialized skills, to perform specialized work, to create monetary income. The responsibility of a profession towards society at large does not factor significantly in this. Western society is mostly, if not totally, economically driven. The Western model of economically driven individuals existing within an industrial context considers only money and self-interest. Such broader concepts as society, profession, responsibility and respect are very weak in the Western model.

In the East the word “profession” carries a greater meaning. It includes the Western meaning of a specialized skill set to perform work of value to others. But it also includes an agenda of trust and responsibility. The professional person is entrusted by society to maintain guardianship over an important aspect of life. Based on proper execution of this responsibility, the profession is respected.

The primary author of this essay, attests that: for him as an engineer it is only in Iran that he is called “Mr. Engineer Banan.” That has never happened to him in U.S., Canada, England, France, or anywhere else in his travels throughout the Western world.

So it is in this Eastern sense that we are here speaking of “professional responsibility.”

Today, professions know less borders. And these certain moral understandings need to now be certain global moral understandings and agreements from humanity. Such global moral agreements can well take the form of halaal and haraam declarations.

Subject-matter knowledge and application of subject-matter knowledge is at the core of professions. The profession’s subject-matter knowledge is often tied to something that is a basic societal need. Farmers and Food, Doctors and Medication, Software-Engineers and Software are some examples. Restriction of knowledge and restriction of application of knowledge through patents amounts to crippling of professions. That crippling of professions in turn makes the manner-of-existence of the thing that the profession is responsible for, a haraam manner-of-existence.

The halaal manner-of-existence of what is at the base and core of a profession therefore needs protection. For example:

Halaal Manner Of Existence Of Medication is fundamental to the profession of Medicine.

Halaal Manner Of Existence Of Food is fundamental to Farmers.

Halaal Manner Of Existence Of Knowledge is fundamental to Academics.

Halaal Manner Of Existence Of Software is fundamental to the profession of Software Engineering.

In section 13 we focus on the “Halaal Manner Of Existence Of Software”. There, in addition to providing a formal definition for the halaal manner of existence of software, we put forward a roadmap for realizing it.

Software is a special form of poly-existential that has the most potential for demonstrating the erroneous fundamentals of Western intellectual property rights regime. Software is of essential use. Software is purely digital. Under the halaal manner of existence of software, development of software can be very collaborative and global. Software is inherently cumulative.

The model that we present towards safeguarding the software engineering profession can be mimicked by other professions.

Here we briefly consider, “Medicine and Doctors”, “Food and Farmers” and “Knowledge and Academics” as three examples. We then focus on our own profession (Software Engineering) to move towards defining halaal-manner-of-existence of software.

Medication and Doctors

The fact that patented medication in the West restricts healing has ramifications for the profession of medicine in Brazil, in Iran, in China and everywhere. In the Western patent model, the knowledge of the cure for an illness is at hand, but applying that knowledge to produce the medication is restricted by the patent regime and the businessman who holds that patent (a monopoly). And the patient has to suffer and perhaps die, unless he is rich enough and he conforms to the Western so-called Intellectual Property Rights economic regime that demands payment to the patent holder who is in control of his cure. The cost of a patented medication is almost entirely the cost of the patent. The cost of the ingredients and the cost of making the drug are often a very small fraction of what the patent holder demands for the patent.

In America, the profession of medicine has fully failed society. The American doctor has become quite comfortable being an economic creature existing in an industrial context. The “Patient” has become the “Client”. The American “Doctor” has become the “Service Provider”. And in that “Client”–“Provider” model, the services and goods being exchanged for money is called “Health Care”. In that model, of course there is no place for respect that Society owes its Doctors.

The nature of the profession of medicine is unique and making it be subservient to the economic model damages society and endangers humanity. In America the profession of medicine is fully subservient to economics. This is fully manifest in an exceptionally American phenomena: Prescription Drug Advertising. On national TV, the holder of patents for prescription drugs directly advertises to the public the availability of their goods. The business-man dangles the cure in front of the patient and tells the customer to demand that good from his service provider. That much for the end of the Doctor-Patient relationship! The ugliness of this inhumanity goes straight over the heads of American individualistic economic creatures.

The profession of medicine and Doctors everywhere should do what the American service provider does not comprehend: start with demanding that society, government and moral leaders declare:

Patents for Medications are Haraam.

It is only after the powerful patent based pharmaceutical industry is contained, that Medicine may have a chance to be a profession.

Food and Farmers

The fact that American agro-business has terminated the American farmer (see Food Inc., [13].) has ramifications for the Brazilian, Iranian and Chinese farmers. A main instrument of American agro-business in terminating the American farmer were patented chemicals and patented organisms. Separate from the American economic model, Brazilian, Iranian and Chinese farmers should put on the table the question of what makes for global halaal agriculture and what makes for global halaal food. Are patented GMOs (Genetically Modified Organisms) haraam? Is patented food haraam?

Farmers everywhere should do what the American farmer failed to do: demand that society, government and moral leaders declare:

Patents for Food are Haraam.

Knowledge And Academics

Academics play an important role in the well being of the society. Their role falls into two broad categories:

1. Teaching – dissemination of knowledge
2. Research – discovery and production of knowledge

Teaching prospers when copying is not restricted by the Western copyright regime.

Research prospers when application of knowledge is not restricted by the Western patent regime.

The existence of the patent and copyright debate may be understandable in the industry but not in academia. Pursuit of knowledge is in conflict with ownership of knowledge. Being in favor of patents and participating in IPR regime is in conflict with being an academic.

Yet, American Academia loves copyright and patents. There is no shortage of so-called American teachers that compete in producing copyright restricted text books and lecture notes. There is no shortage of so-called American researchers that keeps restricting application of knowledge with patents.

The process that has made the American economic model the American societal model has corrupted both teaching and research.

Academics everywhere should do what the American academic has failed to do: demand that society, government and moral leaders declare:

Patents And Copyrighted information are Haraam.

Role of Professions in Declaring Halaal and Haraam

The rapid pace of technology has created an environment where the need for halaal/haraam declarations is more urgent.

Because the profession is often closest to the source of the harm and because the profession is sometimes best positioned to understand the harm, the profession should sometimes blow the whistle before the ethicists, theologians, philosophers and sociologists get to it.

13 Uses Of Halaal and Haraam By Software Engineering Profession

As software engineers, our focus has been one form of poly-existentials and halaal manner of existence of that poly-existential. That of: halaal manner of existence of software and halaal manner of existence of Internet services.

Software and Internet services are now common, everyday aspects of life, globally. This demands a common set of understandings and agreements regarding their manner of existence.

Regarding the functionality and usage of software and Internet services, a sovereign state can and should exercise its own moral sovereignty and define halaal on its own terms. And so praise and applause to the great firewall of China, and the great firewall of Iran. Clearly, Las Vegas porn should stay in Las Vegas and should remain haraam in Ghom.

But in contrast to functionality and usage, the definition of halaal manner of existence of software and Internet services is best dealt with in the global context.

13.1 Halaal Manner of Existence of Software

Today there are two models for the manner of existence of software:

1. The Proprietary Software Model.

This model is exemplified by Microsoft Windows. It is based on a competitive development model, and dominated by American companies. It is protected and rooted in the corrupt Western so-called Intellectual Property Rights regime, in particular the twin ownership mechanisms of patent and copyright. It is opaque and prevents software users from knowing what their software is doing. Therefore, the user can not trust the software. Its distribution is controlled by its producer.

2. The Libre-Halaal Software Model.

This model is exemplified by Debian GNU/Linux. It is based on a collaborative development model where software engineers worldwide work collectively to move the software forward. It rejects the corrupt Western so-called Intellectual Property Rights regime of patent and copyright. It is internally transparent and permits the Software Engineering profession to verify the software. Therefore, the user can trust the software. Its distribution is unrestricted.

In our document titled:

Libre-Halaal Software
Defining Halaal Manner-Of-Existence Of Software
<http://www.by-star.net/PLPC/180044> – [7]

We provide a definition for Halaal manner-of-existence of software.

Based on that definition proprietary software such as Microsoft Windows is haraam.

Based on that definition libre software such as Debian GNU/Linux is halaal.

13.2 Halaal Manner of Existence of Internet Services

In our document titled:

Libre-Halaal Services:
Defining Halaal Manner-Of-Existence Of Internet Application Services
A non-proprietary model for delivery of Internet services
<http://www.by-star.net/PLPC/180045> – [6]

We provide a definition for Halaal manner-of-existence of Internet Services.

The following criteria are required for Internet Services to be considered Halaal, and so to allow the Software Engineering and Internet Engineering professions to fulfill their responsibility to society and humanity:

1. Every software component included in the service must be Libre-Halaal software.
2. The software for the entire service must be Libre-Halaal software. The entire primary source code for the entire service must be available to all software engineers, so that the entire service can be reproduced.
3. All protocols used by the service must be transparent and unrestricted.

Based on the above definition Facebook is Haraam, Google is Haraam, Yahoo is Haraam, MSN is Haraam, and many others.

It accomplishes little to label something as haraam, when a halaal alternative is not offered.

We have built a set of real, working, demonstrable Halaal Services which meet the above definitional criteria. We call these the **By* Federation of Autonomous Libre Services**. By* (pronounced “by-star”) is a unified services model, unifying and making consistent a large number of services that currently exist in functional isolation. It is a coherent, integrated family of services, providing the user with a comprehensive, all-encompassing Internet experience.

For more information see the document titled:

**The ByStar Applied Model
Of Federations of Autonomous Libre-Halaal Services**
<http://www.by-star.net/PLPC/180015> – [3]

As part of our responsibility to create a viable implementation construct we have also fully analyzed the business dimension, and we have formulated the business model in the form of an Open Business Plan, titled:

**The Libre-Halaal ByStar Open Business Plan
An Inversion to the Proprietary Internet Services Model
Neda Communication Inc.’s Open Business Plan**
<http://www.by-star.net/PLPC/180014> – [10]
<http://www.neda.com/strategicVision/businessPlan>

13.3 Overview of the Full Picture: The Halaal By* Digital Ecosystem

This essay is part of a bigger picture. Our goals are broader than just defining Halaal Software.

We want the world to move towards Halaal Software and Halaal Internet Services.

The totality of our work is directed towards creation of **The Halaal ByStar Digital Ecosystem**, as a moral alternative to the proprietary American digital ecosystem. An overview of this is provided in [8], available on-line at:
<http://www.by-star.net/PLPC/180016>

If you believe that the concepts of Halaal Software and Halaal Internet Services as we have defined them have merit, we invite you to continue to read. In the overview of The ByStar Halaal Digital Ecosystem [8] we draw a vast picture for putting in place a model and process that can redirect manner of existence of Internet services and safeguard humanity.

We have introduced halaal into Globish, we have created working halaal Internet services, and we have created a framework for further development. We now invite you to participate. We invite you to assist in the collaborative development of halaal software and halaal Internet services. And we encourage you to avoid use of all haraam software, and haraam Internet services.

This document has been produced, published and distributed purely with halaal software and halaal Internet services.

14 Authority For Halaal and Haraam Declarations And Role Of Religions

Early in our exposition of the concept of halaal and haraam, very deliberately, we divorced halaal and haraam from its religious origins. We now want to revisit the role and place of halaal and haraam in religions and the place of religions with regard to halaal and haraam.

Uses and introductions of halaal and haraam by individuals here and there are of some importance and significance. But, it is broad consensus and widespread acceptance of halaal and haraam that results in significant moral impact.

How are we to arrive at that broad consensus and widespread acceptance?

In the West, people attempt at expressing their take on right and wrong and all of that right and wrong becomes quickly irrelevant when economics comes into the picture – as economics is the center of the Western model. So, for the most part, halaal and haraam are academic in the West.

To the extent that religions can be considered vehicles for promotion of morality and ethics, based on their track record; a religion can be considered weaker or stronger compared to another religion.

Church and State were easily separated in the West as Christianity is a weak religion. Christianity draws a clear separation between the two worlds and the two times. The Western Christian model has become very “Secular” now. The definition of the purely Western word and the concept of “Secular” by Webster is:

Of or pertaining to this present world, or to things not spiritual or holy; relating to temporal as distinguished from eternal interests; not immediately or primarily respecting the soul, but the body; worldly.

In that simple Western Christian model, the Church is in control of the other world (heaven and hell) and the State is in control of this world. And the State quickly boils down to economics and the Corporation.

The concepts of halaal and haraam are totally absent in Christianity. Christianity does not concern itself much with this world.

Westerners consider their idea of separation of church and state as prescriptive. They believe that their notion of church applies to all religions and that their concept of religion emanating from Christianity is universal. The concept of separation of religion and state is in no way universal.

Unlike Christianity, Islam is a strong religion which concerns itself fully with both worlds. The founding fathers of the Islamic Republic were quite familiar with the West’s history of Dark Ages. Those who wrote the Islamic Republic’s constitution had read the French and the American constitution and were familiar with the lessons of the French and the American revolution. The founding fathers of the Islamic Republic fully understood the Western concepts of separation of church and state and they fully rejected these concepts.

The model of fusing Islam and the Republic is complex and powerful. It is only such a model that can preserve humanity and it is only this model that can stand against the Western model of economic creatures calling their collection a society.

Halaal and haraam are of this world. Halaal and haraam are for this world. Only a religion that fully concerns itself with both worlds can properly drive forward, Halaals and Haraams. Secular Western and Christianic models fo focusing on each of the two worlds separately, at best will result into highly diluted Halaals and Haraams.

In the Moslem model, declarations of halaal and haraam by sources of imitation play an important role in moving society forward as new topics for Halaal and Haraam arise.

For example, towards societal consensus on halaal manner-of-existence of software, consider Imam Khomeini’s fatwa on invalidity of Western Intellectual Property Rights regime which has paved the way towards current sources of imitation digesting the software engineering profession’s definition of halaal manner-of-existence of software.

Consensus amongst Moslem sources of imitation in recognizing halaal manner-of-existence of software and halaal manner-of-existence of internet services can result in significant moral impact towards preventing the harm that the current disastrous Western model of manner-of-existence of software and internet services are headed for.

15 Putting Abstract Halaal To Good Use

Globish is often primarily thought of as language of global trade and global business. On some topics, Globish needs to also be the language for consensus towards common morality.

With a proper description of abstract halaal and haraam in place, we now encourage you to use these in Globish and in your native language.

If a certain aspect of your profession puts you in a position, ahead of the rest of society, to see a need for specific considerations of halaal and haraam; bring them up and move towards defining those. Try to build consensus on those halaal labels. Have those who have authority for halaal and haraam declarations, consider use of the labels.

Our motivation in writing this essay has been to facilitate better discussions of global aspects of morality and ethics.

With halaal and haraam in it, the world will be better equipped to be a better world.

A Colophon

This document was produced entirely with Libre-Halaal Software, and is published using Libre-Halaal Internet Services. All tools used to produce and distribute this document conform fully to the definition of Libre-Halaal Software and Libre-Halaal Internet Application Services as specified in [4] and [2].

A.1 Our Libre-Halaal Software Tools

This document has been created based exclusively on the use of Libre-Halaal software tools. We make use of a comprehensive and well-integrated set of tools, including:

- Debian GNU/Linux is our base platform
- Emacs is our editor-based user environment
- TeX, LaTeX, XeTeX, XeLaTeX is our document processor
- Emacs bidi (bidirectional) capability is used to write in mixed Persian and Globish
- xepersian LaTeX package is used to process Persian documents
- LaTeX beamer package is used to prepare presentation slides
- Emacs auctex mode is used to create documents in LaTeX
- Aspell via Emacs is used for spell checking in Persian/Farsi and Globish/English
- Dict via Emacs is used for dictionary and thesarus lookup in multiple languages
- Conversion from LaTeX to html is accomplished through HeVea and tex4ht
- Libre Office is used for creating figures and illustrations
- CVS via Emacs is used for version control
- Emacs Gnus and qmail facilities are used for emailing out drafts and receiving feedback
- Integration with ByStar Services is through BLEE (the ByStar Libre Emacs Environment)

These Libre-Halaal software tools collectively represent a deeply integrated environment that is far superior in capability to any Haraam software. We question why so many people continue to use the clumsy and ineffective Microsoft Proprietary-Haraam software when such a vastly superior alternative is available.

A.2 Our Libre-Halaal Internet Services

The publication and distribution of this document has been accomplished exclusively by means of Libre-Halaal Internet Application Services. We make use of a comprehensive and well-integrated set of services, including:

- The ByName Autonomous Libre Service (part of the ByStar) is used for autonomous web publication of this document by the author himself
- The ByContent Federated Libre Service (part of the ByStar) is used for web re-publication/distribution of this document
- All By* Services are based on the Debian GNU/Linux platform
- Apache2 and Plone3 are used to provide By* Web Services
- All By* Services related to this document are hosted at LibreCenter.net, a physical data center built exclusively with Halaal software. All routers, servers and other hardware infrastructure at LibreCenter.net run Halaal Software exclusively.
- The By* Self Publication Facilities, fully integrated with BLEE, are used for publication of this document
- The By* Library Facilities are used for managing this document in the context of multiple other related documents

These Libre-Halaal Internet Services are comparable in capability to the most high-profile Haraam Internet Services presently available, such as Google or Facebook.

The deep integration between Libre-Halaal Software and Libre-Halaal Internet Services creates a Libre-Halaal Software-Service continuum, which is far superior in capability to any Proprietary-Haraam Software/Service combination.

B About The Author

Nature of the topic and tone and style of this writing is such that some may suspect the author's biases, agenda and motivations.

Those suspicious of religious, national or cultural bias in these writings, may profit from some background information about the author.

The primary author of this document is Mohsen Banan.

He is a Software Engineer.

He is a Shia Muslim. Much of his formal education were at schools that were operated by Catholics – Saint-Louis, Salesians of Don Bosco and Jesuits of Seattle University.

He is fluent in Farsi, English and French. His children are additionally fluent in Mandarin Chinese.

He has a Masters of Science in Electrical Engineering from University of Washington.

He holds residences in Seattle,WA,USA and in Isfahan,Iran.

He runs Neda Communications, Inc. a for-profit organization. He runs Free Protocols Foundation a non-profit organization.

He has no patents and has never applied for a patent. As an expert witness he has assisted in legal efforts involving invalidation of a number of patents.

The software and Internet services that he publicly offers all conform to the definition of Halaal Software and Halaal Internet Services.

All of his public writings are subject to verbatim-copying-permitted and are web published. The tools that he uses to write and publish are Halaal Software and Halaal Internet Services.

He is the main driver behind development of

The Libre-Halaal ByStar Digital Ecosystem
A Unified and Non-Proprietary Model For Autonomous Internet Services
A Moral Alternative To The Proprietary American Digital Ecosystem
<http://www.by-star.net/PLPC/180016> – [8]

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