Human Rights and Religious Values

An Uneasy Relationship?

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Toward an Islamic Hermeneutics
for Human Rights

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INTRODUCTION

The central question addressed in this collection of essays is whether the various religious views of what it means to be truly human leave room for the acknowledgment of a set of *neutrally formulated* common human rights (my emphasis). It is not possible, or desirable, in my view to identify a set of neutrally formulated human rights. Any normative regime, which justifies a set of rights and provides or informs their content, must necessarily represent a commitment to a specific value system. This is particularly true, I believe, of a regime which claims to justify and formulate a set of human rights because of the organic relationship between the conception and implementation of such rights on the one hand, and the normative regime which provides or informs perceptions of human dignity, self-identity and personal experience on the other.

Nevertheless, I will argue in this paper that an 'internal' commitment to a normative regime from one point of view need not and should not be exclusive of the 'other' (however he or she is identified) with respect to a set of commonly agreed human rights. In my view, therefore, what is at issue is not the possibility of abstract or absolute neutrality from any religious, cultural or ideological regime. Rather, the question is how to reconcile commitments to diverse normative regimes with a commitment to a concept and set of universal human rights. If this is achieved, the commitment of some to one regime or another would be, in effect, immaterial from other points of view. In other words, it would be possible to achieve the benefits of neutral formulation instead of pursuing the illusion of neutrality as such.

It may be argued that seeking to exclude the requirement of neutral formulation simply begs the question of how to achieve consensus on a set of rights accruing universally to all human beings of whatever religious persuasion or lack thereof, and irrespective of gender or race (hereinafter referred to as universal human rights). From this point of view, to allow the formulation of a set

of rights to be committed to a particular value system would impose that system's criteria of entitlement to rights which might *exclude* group(s) of human beings. Judging by the experience to date, the argument goes, commitment to a religious value system would almost certainly exclude those who do not adhere to that religion, or at least not accord them rights equal to those enjoyed by the adherents of the religion in question. Religious value systems also tend to deny women equality with men. This is certainly true not only of orthodox perceptions of Judaism, Christianity and Islam, it could be added, but also of other religious traditions, cultures and even ideologies. In this light, it may be concluded, the only way to achieve consensus on a set of universal human rights is through 'neutral formulation'.

As indicated earlier, however, the difficulty of achieving consensus on universal human rights is not due to commitment to a value system as such, be it religious, cultural or ideological. What is problematic is the *exclusive* nature of value systems, that is to say, their tendency to define the relationship between the 'self' and the 'other' in antagonistic or negative terms, thereby diminishing prospects for the acknowledgment of equality and non-discrimination. I would therefore argue that if and to the extent that it is possible to overcome this particular feature of the various value systems of the world today, global consensus on universal human rights would be attainable without requiring people to abandon their religious, cultural or ideological commitments in order to subscribe to this project.

In any case, it would be counter-productive to require people to choose between their religion, culture or ideology, on the one hand, and a supposedly 'neutral' universal human rights project, on the other, because most people would probably opt for the former over the latter. This choice is more likely for two reasons. First, to the vast majority of people, no human rights scheme can by itself serve as a substitute for religion, culture or ideology. Second, most people would maintain that some conception of human rights is integral to their specific religion, culture or ideology. To avoid undermining the legitimacy of a universal human rights project by placing it in direct competition with what people hold as their comprehensive fundamental value systems, I would strongly recommend a strategy of *internal transformation* of perceptions of the religion, culture or ideology in question in order to reconcile the former with the latter. Without minimizing the difficulties and risks of this approach, I maintain that such reconciliation is conceptually possible in general (cf. An-Na'im and Deng, 1990; An-Na'im, 1992) and applicable in the Islamic context (An-Na'im, 1990). In view of the greater difficulties and risks of trying to establish and implement a supposedly neutral universal human rights scheme, I would recommend attempting to achieve reconciliation at least as *one of the strategies* for legitimizing and effectuating a universal human rights project.

In this paper, I will explore the issues and prospects of such internal transformation in relation to Islam and Islamic societies in the present globalized

world of diverse religious and other normative systems. To this end, I will define and outline an *Islamic hermeneutics for human rights*. However, if the proposed analysis is to be useful for a universal human rights project, it should be applicable to other religions, cultures and ideologies. I will therefore attempt to extrapolate from the Islamic case some general guidelines on the conceptual and methodological aspects of the process of internal transformation as it may apply to any religion, culture or ideology.

THE GENESIS OF EXCLUSION AND INCLUSION

As suggested earlier, the problem is the exclusive nature of religion, culture or ideology rather than these normative systems as such. But it is also clear to me that some level of exclusivity is integral to the fundamental nature and function of normative systems: the basis of the claim of each system to the commitment of its adherents and the sanction for compliance with its precepts. That is to say, people's commitment to a given normative system is usually premised on the belief that conformity with the precepts of the system in question would bring them specific moral and/or material benefits. Part of this rationale, it seems, is the belief that other normative systems will not achieve those benefits, at least not to the same degree or quality. Thus, the advantage of adhering to one system is appreciated on its own terms as well as in contrast to the disadvantage of adhering to other systems.

However, the process of achieving the perceived benefits of adherence to a normative system is normally protracted, diffused and difficult to evaluate in daily life. In the case of some religious normative systems in particular, the most significant benefits, such as becoming a moral person in this life or achieving salvation/going to heaven in the next life, cannot be verified in concrete or immediate terms. Consequently, people need to find ways of sustaining their faith in the ability of their chosen normative system to deliver promised benefits, especially during periods of mounting frustration and helplessness.

One way in which people tend to reinforce their faith in their own normative system is to exaggerate the quality or quantity of the benefits they have or will have, and the loss of those who do not adhere to the same system. In this way, many people come to have a territorial or proprietary interest in their own system and an adverse view of other systems. This self-vindicating defense mechanism often leads to a 'them' and 'us' syndrome which can easily degenerate into hostility and antagonism towards the 'them' and solidarity with the 'us' under any circumstances.

Despite the unavoidability of some level of exclusivity in all normative systems and its tendency to degenerate into hostility and antagonism towards the 'other', I would still argue that commitment to a system can be compatible with a degree of inclusion of the 'other' at another level. More specifically, I suggest that one can be fully committed to a certain religion and identify with his or her

co-believers for that purpose, while also being fully committed to another normative system and identifying with co-adherents of that system for its purposes as well. In other words, people can and do have *multiple or overlapping identities* and can and do cooperate with the 'us' of each of their identities without being hostile to the 'them' of one level of identity because the latter can be part of the 'us' of another level of identity.

For example, I am a Muslim and do identify with other Muslims for the purposes of my religion. I am also a Sudanese who belongs to a certain profession and have a variety of interests and concerns which I share with other Sudanese, and with people from all parts of the world. Ultimately, and most importantly, I am a human being who is committed to protecting and promoting the values and qualities of being human. The fact that there is a variety of 'them' and 'us' at the various levels of my overlapping identities indicate to me that my relationship to the 'them' of one identity should not frustrate or diminish the prospects of relating to the same people when I need them to be part of the 'us' for me at other levels of identity.

I see the possibility and utility of overlapping identities and cooperation as integral to my faith as a Muslim, in accordance with verse 13 of chapter 49 of the Qur'an (that is, 49:13 as the Qur'an will be quoted in this paper) which may be translated as follows:

> We [God] have created you [human beings] into [different] peoples and tribes
> so that you may [all] get to know [understand and cooperate with] each other;
> the most honorable among you in the sight of God are the pious [righteous]
> ones.

As I understand it, this verse means that human diversity or pluralism (be it ethnic, religious or otherwise) is not only inherent in the divine scheme of things, but also deliberately designed to promote understanding and cooperation among various peoples. The last part of the verse emphasizes to me that the quality of morality and human worth is to be judged by the person's moral conduct, rather than by his or her membership in a particular ethnic, religious or other group.

However, I must admit that my choice of this particular verse of the Qur'an, and interpreting it as supporting the principle of overlapping identities and cooperation with the "non-Muslim other", are premised upon a certain orientation which may not be shared by all Muslims today. Muslims of a different orientation may choose to emphasize other, clearly exclusive, verses of the Qur'an such as 3:28, 4:139,144, 8:72-73,[1] and/or interpret the above-quoted

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[1] These verses speak about 'believers' as *awliya'* (allies and supporters of) one another and 'non-believers' as *awliya'* of one another. I will address the question of criteria and rationale of reconciling apparently conflicting verses of the Qur'an below, especially in section 5 of this paper.

verse as referring to diversity and pluralism *within* the global Islamic community (*Umma*) rather than among the totality of humanity at large. A Muslim of the latter orientation may also see the last part of the verse as restricting piety/righteousness to Muslims, so that only a Muslim may qualify for honor in the sight of God in accordance with the quality of his or her personal conduct, as judged by Islamic criteria.

It should be emphasized, however, that choice and/or interpretation of verses of the Qur'an (or any other text for that matter) in relation to human experience and relationships is necessarily informed by the orientation of the person in question. Muslims, for example, have always differed, and will always differ, in their choice of verses to cite in support of their views, and also in their understanding of the verses they quote. That is one of the reasons why there are so many schools of Islamic theology and jurisprudence, with a wide variety of views within each school. This feature of Islamic discourse is often cited by Muslims with great pride as conclusive evidence of the flexibility and adaptability of Islam to the different circumstances of time and place.

By 'orientation' I mean the *conditioning of the existential or material circumstances* of the person reading (or hearing) the Qur'an or another textual source. That is to say, every person always understands the text in question, and derives its normative implications, in terms of his or her knowledge and experience of the world: perceptions of self-interests in political, economic and social contexts, realities of inter-communal and/or international relations, and so forth.

A person's orientation may also be influenced by his or her vision for change or improvement in existential or material circumstances. In other words, one need not always feel totality constrained by existing circumstances, and may wish to strive to break away from the mold of prevailing political, economic and social conditions. For such vision to have realistic prospects of fulfillment, however, it must be grounded in existing sociological, political, economic and intellectual circumstances of the society in question. This is what I will refer to in the next section as the 'historical contingency' factor in the hermeneutical process.

In my view, two conclusions can be drawn from the above analysis in relation to the thesis of this paper. First, there is no such thing as the only possible or valid understanding of the Qur'an, or conception of Islam, since each is informed by the individual and collective orientation of Muslims as they address themselves to the Qur'an with a view to deriving normative implications for human behavior. Consequently, a change in the orientation of Muslims will contribute to a transformation of their understanding of it, and hence of their conception of Islam itself.

Before considering whether modern Muslims already have, or are likely to have, an orientation which is conducive to actively supporting a project of universal human rights, I wish to clarify the concept of hermeneutical discourse in relation to Islam. This is important because the following sections of the paper

deal with might be called an Islamic hermeneutics which can be harnessed, I suggest, in promoting and applying a human rights orientation among Muslims today.

HERMENEUTICS IN CONTEXT

Hermeneutics is usually defined as the art or science of interpretation, especially of Scripture, and commonly distinguished from exegesis or explanation and exposition (*Oxford Universal Dictionary*, 3rd ed., 1955). The need for interpretation as a means of understanding the purpose and normative implications of a text like the Qur'an or Bible is beyond dispute. But the precise nature and actual practice of hermeneutics, and its relationship to exegesis would, of course, vary from one religion to another, and often within the same religion over time and/ or place. I would also emphasize the anthropological dimension of these processes.

For example, according to the 1992 acts of the Christian Reformed Ecumenical Council, hermeneutics is an unavoidable task of the Christian church in seeking the abiding significance of the Word of God in the constantly changing circumstances of human life and history: "Hermeneutics has to do with the interpretation of the Bible *as it applies to our own time*, taking into account the broad historical, cultural and scientific changes that have taken place, as well as the changes in basic mentality and outlook that characterize the modern world" (1992, 28-29, emphasis mine). This document maintains that it is necessary to take into account contextual and cultural factors in applying Scriptural ethical directives to concrete life situations (*ibid.*, 49-51). However, it is clear from the argument and conclusions of the document as a whole that it is cast in terms of a particular tradition within the Christianity as distinguished not only from that of the Roman Catholic church but also from earlier views within the Protestant church. The very fact that the document was issued at this point in time indicates to me that its authors felt the need to re-formulate or update the position of their own tradition on questions of hermeneutics and ethics.

It is true that each religion (and specific tradition within a religion) has its own 'framework of interpretation': a set of interpretative rules, techniques and underlying assumptions which are accepted by the adherents of the religion or tradition in question as valid or authoritative. It would therefore seem to follow that there is a 'correct' way of understanding and applying the content of the Scripture (or the Qur'an for Muslims), that is to say, a way which is consistent with the appropriate framework of interpretation (Vroom, 1993).

As can be expected, however, all participants in the hermeneutical process would claim that their understanding of the Scripture is the correct one because it is more consistent with the accepted framework of interpretation. Others may even challenge the authority of a given framework of interpretation and seek to provide an alternative. Such claims or combinations thereof underlie differences

between, for example, Orthodox, Catholic and Protestant Christians, Sunni and Shi'ite Muslims, Sufi and non-Sufi Muslims, as well as among various factions within each religion.

I would therefore emphasize the need to understand the process through which the frame of interpretation is specified, verified and revised or re-formulated: how and by whom is it defined and specified? Does that process provide for reformulation or revision, according to which criteria and how can that be legitimately done? Ultimately, who is to arbitrate and mediate between competing claims about the frame of interpretation and/or its application?

In my view, the community of believers as a whole should be the 'living frame of interpretation and ultimate arbiter and mediator of interpretative rules, techniques and underlying assumptions. This seems to have been the case during the founding stages of major religions. Over time, however, a few tended to appropriate and monopolize the process of interpretation and turn it into an 'exclusive and technical science or art'. Thus, the process of religious revival and reformation is often about breaking the monopoly of the clergy or technocrats of hermeneutics and reclaiming the right of the community to be the living frame of interpretation for their own religion and its normative regime.

In the case of Islam, for example, there is no reference in the early traditions to any special requirements or qualifications for engaging in the interpretation of the Qur'an or exercising *ijtihad* (human reasoning) to derive ethical norms and legal principles. Even the founders of the major *mathahib* (schools of Islamic jurisprudence) simply stated their views for Muslims at large to accept or reject freely without claiming an exclusive right to interpretation or *ijtihad*. By the end of the third century of Islam, however, the process was rendered so technical and exclusive that the "gate of ijtihad" was said to have been closed, thereby confining subsequent generations of Muslims to the blind followers of the founding 'masters' of Islamic jurisprudence. (Hallaq, 1984). Since Ibn Taymiyya (14th century AD), various scholars have tried to break the deadlock of tradition (Kerr, 1966).

A possible reason for this failure, it might be suggested, is that the sociological, political, economic and other circumstances of the time were not ripe for a change in the orientation of Muslims which would have permitted acceptance of the proposed reforms. That is to say, the requirement of historical contingency of their hermeneutical argument was not satisfied at the time of those reform efforts. I would agree that this must have been the case since, or to the extent that, previous reform efforts were not successful as a matter of fact. But I would also emphasize that *historical contingency can only be accurately judged in retrospect*.

It is integral to any reform effort that its proponents of reform should strive to demonstrate that the circumstances of the time are ripe for change. One would also expect the opponents of reform either to dispute the validity of the proposed change as such or to claim that it is premature. Whatever one may

think of the hermeneutical argument or other aspects of the case for reform, the historical contingency factor cannot be categorically judged in advance. Only time will tell whether the community in question will eventually accept or reject the proposed reform. Moreover, rejection of a hermeneutical argument for reform at any point in time should not be seen as final and conclusive, or that its historical contingency will never be satisfied in the future. Subsequent generations of 'would-be reformers' may continue to make, refine and update the argument in their own context, and may well succeed when the case for reform is made in the right or appropriate way, time and place.

AN ANTHROPOLOGICAL APPROACH TO ISLAM

The above analysis may be described as an 'anthropological approach' to the Qur'an and to Islam in general, in the sense that it is premised on an organic, dynamic relationship between the Qur'an and Islam on the one hand, and the nature of human beings (that is, their comprehension, imagination, judgment, behavior, experience, and so forth) on the other. Is such an approach valid from an Islamic religious point of view? If it is valid, what does it mean for the ways in which Muslims seek to understand Islam and try to conform to its precepts today?

An anthropological approach to the Qur'an and Islam in general is fully justified, indeed imperative, in my view, by virtue of the terms of the Qur'an itself and the experience of Muslim communities throughout their history. According to Muslim belief, the text of the Qur'an contains the final and conclusive message of God to the whole of humanity. This is explicitly stated in verses 107:21, 1:25; and is also clear from the many verses (such as 168:2, 138:3, 31:7 and 13:49, quoted above) in which the Qur'anic form of address is "Oh, humankind" or "Oh, Children of Adam".

The Qur'anic form of address is also directed mostly to the individual person, or to community in some cases, without the intermediacy of clergy or officials of the state. In so doing, the Qur'an constantly emphasizes that people should reflect and consider what is being said, should think about this or that, and so forth, as in verses 219:2, 266:2, 191:3, 3:1-4:13, 44:16, 24:10 and 8:30. In fact, verses 2:12 and 3:43 declare human reflection and understanding to be the whole purpose of revealing the Qur'an.

Two further points can be added in support of the validity of an anthropological approach to the Qur'an and Islam in general. First, human agency is simply unavoidable in understanding the Qur'an and traditions of the Prophet, and in deriving ethical norms and legal principles from those sources to regulate individual behavior and social relations. Ali bin Abi Talib, one of the leading earliest Muslims and the Fourth Khalifa, is reported to have said "The Qur'an does not speak, it is people who speak on its behalf." Second, and as noted earlier, the actual rich and complex diversity of Islamic theology and jurisprudence

clearly demonstrate the dynamic relationship between the scriptural sources of Islam, on the one hand, and the comprehension, imagination, and experience of Muslim peoples, on the other.

Thus, there is nothing new about an *Islamic* anthropological approach to the Qur'an and Islam in general. What is at issue, in my view, is what this approach means for the ways in which Muslims seek to understand Islam and try to conform to its precepts today. Given the fact that the specific historical context has always affected the perceptions and practice of Islamic principles by Muslims of the past, how does the modern context affect the perceptions and practice of present-day Muslims? More importantly for the purposes of this paper, what is the *orientation* through which Muslims should understand the Qur'an in the modern context?

It is obvious that the orientation of modern Muslims should be different from that of earlier generations because of the radical transformation of the existential and material circumstances of their life today in contrast to those of the past. For better or for worse, Muslims now live in a globalized world of political, economic and security inter-dependence, and mutual social/cultural influence. Their conception of Islam, and efforts to live by its precepts, must be conditioned by modern perceptions of individual and collective self-interests in the context of this radically transformed world. Whatever vision Muslims may have for change or improvement in the present realities of the world today must also be grounded in the circumstances and conditions of this world. That is, their perceptions of the range of options available to them must take into account the facts of interdependence and mutual influence.

A central issue that modern Muslims have been struggling with over the last two centuries is how to adapt their orientation and transform their conception of Islam in an *authentic and legitimate* manner. Whether in terms of issues of modernity, democracy, human rights, economic development or some other concern, the central issue has often been the need for legitimizing and rationalizing desired normative or material objectives in terms of the traditions of Islamic societies. It is obvious that there is more to these traditions than the Islamic dimension, but to the extent that Islam is integral to the circumstances of these societies, there seems to be a spectrum of opinion on issues of political, economic and social change.

At one end of the spectrum, there is what might be called the traditionalist or 'fundamentalist' approach, which insists on strict conformity to Shari'a as an essential prerequisite for accepting the proposed change. At the other end, there are those who wish to avoid the question of conformity to Shari'a altogether, usually out of a conviction that reconciliation between their objectives and the relevant principles of Shari'a is not possible. For example, some advocates of universal human rights in Islamic societies prefer to base their position on the present international standards of human rights, irrespective of the conformity of those standards with principles of Shari'a. Between these two poles of the spec-

trum, there is a variety of positions which seek to reconcile universal human rights with Shari'a, or with Islam in general, in one way or another.

While I agree with those who see Islamic authenticity and legitimacy as imperative for wide and effective acceptance and implementation of universal human rights, I believe that their reconciliation with Shari'a is neither possible nor required. Reconciliation is not possible because Shari'a is premised on a fundamental distinction between the rights of Muslims and non-Muslims, and those of Muslim men and women, which totally repudiates the principle of equality and non-discrimination upon which universal human rights are fundamentally premised. That is to say, it is simply impossible for Shari'a to acknowledge any set of rights to which all human beings are entitled by virtue of their humanity, without distinction on grounds of religion or gender. Since what is required is Islamic authenticity and legitimacy, rather than conformity with Shari'a as such, I believe that this requirement can be satisfied without necessarily reconciling universal human rights with Shari'a. In other words, I argue that it is possible to achieve Islamic authenticity and legitimacy for a set of human rights by distinguishing between Islam and Shari'a.

THE DIVINITY OF ISLAM AND TEMPORALITY OF SHARI'A

In my view, as a human understanding of Islam and hence necessarily limited by circumstances of time and place, Shari'a should not be identified with the totality of the religion itself. As explained earlier, any reader of the scriptural sources of Islam would always understand those texts and their normative implications in terms of his or her knowledge and experience of the world. Since that knowledge and experience, and indeed the world itself, tend to change over time, Islam should not be bound by any particular understanding of its scriptural sources. I believe that this view is not only consistent with the Muslim belief in the divinity of the Qur'an and finality of its message, but is in fact essential for maintaining the practical relevance of that divinity and finality to the lives of Muslims through the ages.

One often hears in Islamic discourse the proposition that "Islam is suitable (valid) for all times and places". For this maxim to be true, however, there must be flexibility and change in the understanding and implementation of Islam over time and place. More specifically, and given the radical transformation of Islamic societies and the whole world around them, it is simply impossible for the same principles of Shari'a formulated by Muslim jurists more than thirteen centuries ago to remain the only valid and applicable law of Islam. It would therefore follow that Shari'a principles must be reformed and reformulated before they can be applied today, whether in themselves or as criteria for accepting and implementing a normative system of universal human rights.

This obviously valid proposition is usually stated in modern Islamic discourse as a critique of what is known as *fiqh* (the juridical and theological

opinion of early Muslim jurists) rather than of Shari'a itself. Moreover, advocates of reform would also call for a modern exercise in *ijtihad* in order to change those aspects of *fiqh* which they find objectionable or problematic today. Such calls for *ijtihad*, however, are rarely followed by actual application and concrete derivation of specific new principles of Shari'a. Space does not permit much elaboration, but I wish to state briefly two objections to this sort of reasoning from the point of view of the advocacy of universal human rights in modern Islamic societies.

First, since universal human rights are untenable in view of some clear and categorical verses of the Qur'an itself, such as verse 4:34 of the Qur'an, often cited as the basis of the inequality of women to men, the problem is one of Shari'a and not merely *fiqh*. Second, since the traditional principle of *ijtihad* is confined to matters on which there is no clear and categorical text of the Qur'an, it cannot challenge a principle of inequality based on such a text. In other words, there is a need to reform the principle of *ijtihad* itself before it can be used to resolve incompatibility of Shari'a and universal human rights where conflict between the two is due to a clear and categorical text of the Qur'an rather than *fiqh* as the opinion of early jurists.

I believe that *ijtihad* should be applied even to matters governed by clear and categorical texts of the Qur'an, as suggested by the late Sudanese Muslim reformer, *Ustadh* Mahmoud Mohamed Taha. According to Taha's methodology of reform, the Qur'an itself should be seen as containing two messages, one intended for immediate application within the historical context of the seventh century and after, and another message for subsequent implementation as and when the circumstances of time and place permit (Taha, 1987). An historical approach to the Qur'an in general can be supported by some of the rulings of U-mar ibn al-Khatab, the second Khalifa, who decided that clear and categorical verses of the Qur'an should not apply when the objectives intended to be achieved by the revelation are no longer valid (An-Na'im, 1990, 28). Taha has developed that approach into a comprehensive methodology of Islamic reform which would enable modern Muslim jurists to select and interpret verses of the Qur'an in order to develop a modern version of Shari'a (An-Na'im, 1990).

Taha's methodology may appear to be too radical to many Muslims today, but I am not aware of any alternative which will adequately resolve the crisis in modern Islamic reform, especially in relation to universal human rights. Those who wish to achieve Islamic authenticity and legitimacy for universal human rights must overcome theological objections, and political and sociological resistance, to an adequate reform methodology, be it that of Taha or any other viable alternative. My own preference to date is the methodology proposed by Taha and explained in the sources cited earlier. I remain open, however, to accepting any alternative methodology which will achieve what I believe to be the necessary degree of Islamic reform.

This is as far as theory is concerned. In the next section, I will offer some reflections on aspects of the political and sociological resistance to approaches which seek to develop and present an Islamic rationale for universal human rights in modern Islamic societies. In my experience, much of so-called theological or hermeneutical objections to reform methodologies such as that of Taha are in fact a product of political and sociological factors. Whatever may be their nature or motivation, I believe that all obstacles to genuine commitment to universal human rights must be identified and overcome by the proponents of universality, each working within his or her own context as well as in collaboration with others.

PROSPECTS OF UNIVERSALITY IN GLOBAL CONTEXT

Resistance to an Islamic rationale for universal human rights in Islamic societies today may be traced to several sources, some pertaining to regional and international considerations while others relate to local dynamics of power relations. It is also important to note that this resistance is mostly reactive to perceived threats or other concerns, whether internal or external to the region. It is not possible, of course, to discuss all aspects of this phenomenon, but it may be useful to highlight the following aspects with a view to suggesting ways of overcoming resistance to universality of human rights.

First, there is the problem of perceiving universal human rights as yet another element of a 'Western' conspiracy to undermine the integrity and independence of Islamic societies. The best defence these societies have against this neocolonial attack, the argument goes, is a strong and uncompromising assertion of a distinctive Islamic identity and culture. Thus, while all Muslim advocates of universal human rights are seen as agents of foreign domination and Western cultural imperialism, those who seek to base their advocacy on an Islamic rationale are even more 'dangerous' because they undermine the distinctive Islamic identity and culture as vital defence.

Related to this factor are popular perceptions of the double-standard of Western governments, media and public at large regarding Muslim concerns, especially in relation to Palestine and, more recently, former Yugoslavia, in contrast to devastating and decisive action against Iraq. These perceptions enhance the view that the West is not interested in universal human rights except where they serve its geo-political and economic interests.

There is also the perception that the existing international human rights standards, and mechanisms for their implementation, in fact reflect a Western bias in favor of individual civil and political rights, over against economic and social rights and collective human rights. Besides reinforcing apprehensions of cultural imperialism, this bias is also used to argue that the values and priorities of Islamic societies are not served by the existing international standards.

At the local or internal level, there is resistance from those who feel that their vested interests are threatened by universal human rights. These include ruling classes and groups, men and Muslim majorities at large who would normally tend to resist any threat to their privileged position. The usual argument used by these groups is that human rights are alien to the culture and traditions of Islamic societies. Thus, the perceived threat is even more serious when it claims an Islamic rationale, thereby seeking to undermine the rationale of the defence itself.

Strategies for overcoming these and other causes of resistance must be founded on a realistic understanding of the internal logic and perceived basis of opposition to universal human rights. For example, the facts and aftermath of Western colonialism and present domination and exploitation must be admitted and confronted, the facts of internal power relations and perceptions of vested interest must be understood and redressed, and so forth.

The key to any effort in this regard, however, is the credibility of advocates of universal human rights in the eyes of their own local constituencies. These advocates must be able to draw on the symbols of their own culture and history, speak the 'language' of their own peoples, know and respect their concerns and priorities. In so doing, advocates of universal human rights should appreciate and utilize the 'ambivalence and contestably' of their cultures, seek out and explore new options and rationales for advancing the cultural legitimacy of universal human rights. All of this will have to be through what might be called an internal Islamic discourse. Outsiders can assist such an internal discourse by supporting the right of all Muslims insiders to engage in it, as well as by holding their own (Christian, Hindu, Buddhist or other internal religious) discourses to resolve the conflicts and tensions between their respective religions and universal human rights. Universality of human rights can also be enhanced through a cross-cultural dialogue to promote an over-lapping consensus on global moral foundations of these rights (An-Na'im and Deng, 1990; An-Na'im, 1992).

All the major religions of the world agree that there is an organic and dynamic relationship between ends and means, so that legitimate objectives can only be realized through appropriate methods and processes. I would therefore conclude that, in the final analysis, the acknowledgment and implementation of universal human rights should be seen as a co-operative process as well as an a common objective - a global joint venture and not an attempt to universalize a particular cultural or religious model.

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