Islam Encountering Globalization

Edited by Ali Mohammadi

14 Kamil (1952: 135 and 152)..
15 Kamil, Kamil (1952: 23–4).
16 Kamil, (1952).
17 See Alghazali (1962).
18 Kamil. (1952: 22).
19 Kamil. (1952: 29).
20 Arkoun (1994).
21 Kamil (1952: 3).
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23 Said and Mohammadi (1978).
24 *ibid.*
25 Arkoun (1994).
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27 Arkoun (1994: 110).
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7 The globalization of rights in Islamic discourse[1]

Charles Kurzman

In the past twenty-five years, influential voices have emerged with a common refrain throughout the Islamic world. They offer an Islamic defence of rights through the sociology of religion, primarily the rights of Islamic interpretation but, by extension, all sorts of other rights. The basic point, as expressed by the Iranian scholar Soroush, in *Liberal Islam: A Source-Book* (1998: 245),[2] is that 'Religion is divine, but its interpretation is thoroughly human and this-worldly'. Soroush explains:

> The text does not stand alone, it does not carry its own meaning on its shoulders, it needs to be situated in a context, it is theory-laden, its interpretation is in flux, and presuppositions are as actively at work here as elsewhere in the field of understanding. Religious texts are no exception. Therefore their interpretation is subject to expansion and contraction according to the assumptions preceding them and/or the questions enquiring them. We look at revelation in the mirror of interpretation, much as a devout scientist looks at creation in the mirror of nature…[so that] the way for religious democracy and the transcendental unity of religions, which are predicated on religious pluralism, will have been paved.

(*Liberal Islam*: 245, 251)

Similarly, the South African scholar Esack (1997) cites the words of 'Ali ibn Abi Talib, the son-in-law and second successor to the Messenger Muhammad: 'this is the Qur'an, written in straight lines, between two boards [of its binding]; it does not speak with a tongue; it needs interpreters and interpreters are people'. Esack translates this into contemporary terms: 'Every interpreter enters the process of interpretation with some preunderstanding of the questions addressed

by the text – even of its silences – and brings with him or her certain conceptions as presuppositions of his or her exegesis' (Esack 1997: 50). Esack's preunderstandings emerge from the multi-religious struggle against apartheid in South Africa, and he argues that this commitment resonates with the spirit of early Islam, when an 'emerging theology of religious pluralism was intrinsically wedded to one of liberation' (Esack 1997: 179).

Likewise, around the Islamic world:

Hassan Hanafi (Egypt):

> There is no one interpretation of a text, but there are many interpretations given the difference in understanding between various interpreters. An interpretation of a text is essentially pluralistic. The text is only a vehicle for human interests and even passions....The conflict of interpretation is essentially a socio-political conflict, not a theoretical one. Theory indeed is only an epistemological cover-up. Each interpretation expresses the socio-political commitment of the interpreter.
>
> (*Liberal Islam* [Kurzman 1998]: 26)

Amina Wadud-Muhsin (USA):

> when one individual reader with a particular world-view and specific prior text [the language and cultural context in which the text is read] asserts that his or her reading is the only possible or permissible one, it prevents readers in different contexts from coming to terms with their own relationship to the text.
>
> (*Liberal Islam*: 130)

Abdullahi An-Na'im (Sudan):

> 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.
>
> (An-Na'im 1995: 233)

Rusmir Mahmutehaji (Yugoslavia-Bosnia):

> No institution or group of believers has the exclusive right to 'understand' and 'interpret' a faith and its origins.
>
> (Mahmutehaji 1995: 148)

Nurcholish Madjid (Indonesia):

> Among the freedoms of the individual, the freedom to think and to express opinions are the most valuable. We must have a firm conviction that all ideas and forms of thought, however strange they may sound, should be accorded means of expression. It is by no means rare that such ideas and thoughts, initially regarded as generally wrong, are [later] found to be right....Furthermore, in the confrontation of ideas and thoughts, even error can be of considerable benefit, because it will induce truth to express itself and grow as a strong force. Perhaps it was not entirely small talk when our Prophet said that differences of opinion among his *umma* [community] were a mercy [from God].
>
> (*Liberal Islam*: 287)

Ali Asghar Engineer (India):

> It is very difficult to establish what the real intention of God is. Everyone tries to approach His intention according to one's own *a priori* position. It was not for nothing that the classical commentators, after giving their opinion on the verses, used to say *Allaho a'alam bis sawab*, that is, truth is known to Allah.
>
> (Engineer 1990: 130)

None of these scholars, to my knowledge, is familiar with the work of the others. Yet all of them have independently come up with the same sort of position. I call the position the 'interpreted *sharia*': the position that all interpretation of Islamic sources is humanly interpreted, and therefore fallible, and therefore unworthy of imposing upon others.[3]

What accounts for the simultaneous emergence of this Islamic defence of human rights around the Islamic world in the past quarter century? I make the case for four sources:

1 The rise of the global discourse of rights
2 Increasing secular education, breaking the monopoly of the seminaries over theological research
3 Increasing international communication, granting educated Muslims access to global cultural trends
4 The failure of Islamic regimes to provide an attractive alternative to the dominant global institutions

Islam and the global rights discourse

At the dawn of the 'rights era', as we might label the period since World War II, the global rights discourse had not entirely permeated the Islamic world. It was still possible, at that time, for Muslim leaders to deny that individuals have rights. Two sorts of objections were raised, one traditionalist and based on the duties of monarchical subjects, the second revivalist and based on the duties of submission to God.

The traditional objection was stated most clearly by representatives of Saudi Arabia, whose polity was based on a concept of legitimate kingship. King 'Abdul 'Aziz, founder of the modern dynasty, created no constitution, no laws (he ruled by decree), and no parliament (though he briefly had a council of advisers). His advice to his chosen successor in 1933, for example, echoed 'mirrors for princes' of the pre-modern era, and displayed no hint of 'rights' discourse:

> You should be diligent in looking after the affairs of those who will be under your control and advise them openly and secretly. Be just towards your friend and enemy. Observe this rule in large and small matters. Do not be afraid of others blaming you when you are directing yourself according to the laws of Islam.
>
> You should mind the affairs of Muslims generally and the affairs of your family especially. Consider the aged as your father, the middle as your brother and the young as your son. Also be humble and forgive their faults. Always advise them and comply with their wants as far as you can. If you now follow this advice of mine and be faithful and truthful, you will secure success in everything.
>
> I recommend you to indulge in the company of the righteous and learned people. Sit with them and respect them. Take their counsel and be strict in teaching them the doctrines of the religion and literature, for people are nowhere if God and knowledge do not help them.
>
> (al-Rashid 1976: 178)

'Abdul 'Aziz nonetheless conceived of his kingship as equivalent in certain respects to modern states, and participated in the founding of the United Nations. During the discussions at the United Nations over the Universal Declaration of Human Rights in 1948, the Saudi representative rejected the guarantee of rights that are 'at variance with the patterns of culture of Eastern States', and argued that 'the words 'dignity and rights' used in the first sentence were ambiguous and had

different meanings in different countries'. He castigated delegates from other Islamic countries for approving of 'universal rights' at variance with their religion, and abstained from the final vote on the declaration (Kelsay 1988: 35–6).

The revivalist objection to rights was exemplified by *Mawlana* Abu'l-A'la Mawdudi (India-Pakistan, 1903–79), the foremost representative of Islamist revivalism in South Asia. Mawdudi began his political career in British India with a rejection both of Western concepts such as rights, and of Muslims who sought to align Islam with modern values:

> Whenever such enlightened and modernized people discuss any issue, their ultimate argument is, perhaps the strongest argument in their view, that it is the general trend and a universal practice, how can we dare to go against it, and how can we survive with such opposition....Thus, be it culture, social life, ethics, education, economy, law, politics or any other field of life, they want to follow the west instead of the principles of Islam, on the ground that the changing trends of the world cannot be ignored and that we must keep pace with the fast moving world in culture and fashions. They try to logically justify adoption of western way of life, ignoring the fact that it amounts to revolt against Islamic concept of life and, in a way, it leads to apostasy.
>
> (Mawdudi 1991 [1936]: 254–5)

> There are others who, in their misguided zeal to serve what they hold to be the cause of Islam, are always at great pains to prove that Islam contains within itself all the social and political trends which influenced contemporary thought and action, especially if such trends happen to have received the approval of their rulers. Such people perhaps look upon Islam as an orphan whose sole hope of survival lies in securing the patronage of some influential person. Or, perhaps, they believe that our position as mere Muslims can bring us no honour unless we are able to show that our religious system agrees mostly with current modern ideologies.
>
> (Mawdudi 1939: 3–4)

Mawdudi may not have been consistent in this condemnation. He could also argue that Islam accorded with modern values, for example, that an Islamic state would guarantee freedom of thought and speech, maximize individual development with no regard to inequalities of

birth and status, and allow political participation for Muslims, at least within the boundaries set by the sacred sources (Mawdudi 1939: 49–55). But these considerations did not prevent him from rejecting rights discourse as a Western innovation adopted only by insecure Muslims.

In the decades since World War II, however, global rights discourse has become so dominant that Islamic counter-discourses, traditionalist and revivalist, have largely disappeared. Traditionalists and revivalists still object to certain rights stipulated in the UN Universal Declaration of Human Rights, and prefer to couch rights talk in terms of sacred sources rather than secular humanism (Mayer 1999). But these distinctions mask a historic shift: the opponents of rights talk are now engaged in rights talk themselves. According to one study of the world's constitutions, by 1970 Islamic countries were just as likely as non-Islamic countries to grant rights to their citizens: 86 per cent include a constitutional right to freedom of expression, compared with 76 per cent of non-Islamic countries; 17 per cent included women's right to equality, compared with 24 per cent of non-Islamic countries; and so on (Boli 1998: table 1). Let us consider the two examples already introduced.

Mawlana Mawdudi, upon his move to Pakistan during the partition of British India in the late 1940s, began to define the Islamic state 'in increasingly Western terms' (Nasr 1996: 88). He helped to draft an Islamist 'Objectives Resolution' in 1949, for example, that framed the desired Islamic state in near conformity to global rights discourse:

> Wherein the principles of democracy, freedom, equality, tolerance and social justice, as enunciated by Islam shall be fully observed…
> Wherein shall be guaranteed fundamental rights including equality of status, or opportunity and before law, social, economic and political justice, and freedom of thought, expression, belief, faith, worship and association, subject to law and public morality…
> Wherein adequate provision shall be made to safeguard the legitimate interests of minorities and backward and depressed classes…
> So that the people of Pakistan may prosper and attain their rightful and honoured place amongst the nations of the World and make their full contribution towards international peace and progress and happiness of humanity.
>
> (Binder 1961: 142–3)

The final reference to the world community signals a striking reversal of Mawdudi's rejection of world culture in the 1930s. Mawdudi later helped to draft the 1956 Constitution of the Islamic Republic of Pakistan (Nasr 1994: 142–3; 1996: 44), which included the earlier 'Objectives Resolution' as its preamble. This document listed a series of 'fundamental rights' that essentially reproduced the list proposed in 1950 by the secularists whom Mawdudi opposed: equality before the law, freedom of speech and assembly, freedom of religion, the right not to pay taxes supporting another's religion, the right to appointment to public service, and so on. The constitution went on to stipulate a series of Islamist 'Directive Principles of State Policy', but none of these were understood to undermine the designated fundamental rights. Indeed, the principles added further modern rights, including the right to education, 'just and humane conditions of work', distribution of wealth, and pensions (Choudhury 1967: 274–6, 397–401). In the last years of his life, Mawdudi embraced rights discourse so completely that he published a book entitled *Human Rights in Islam* (Mawdudi 1975).

Saudi Arabia, for its part, resisted rights discourse for decades longer, becoming publicly engaged in rights talk only in the 1980s. In 1981, the Saudi regime funded, and Saudi representatives helped draw up, the 'Universal Islamic Declaration of Human Rights' (UIDHR). In 1990, a Saudi representative joined in the 'Cairo Declaration of Human Rights' passed by the nineteenth Islamic Conference of Foreign Ministers, and a Saudi representative presented the declaration to the 1993 World Conference on Human Rights in Vienna. In 1992, the Saudi monarchy promulgated a Basic Law modelled on Western constitutions (Mayer 1999: 21–3). In the late 1990s, Saudi diplomats in Washington distributed brochures on 'Human Rights in Islam', correcting those who accuse Islam of ignoring or abusing such rights:

> In Islam, human rights are granted by God (Allah), not by kings or legislative assemblies, and therefore they can never be taken away or changed, even temporarily, for any reason. They are meant to be put into practice and lived, not to stay on paper or in the realm of unenforceable philosophical concepts or United Nations declarations.
>
> (Human Rights in Islam [n.d.])

In all of these documents, the justification for rights is distinctively Islamic, but the rights themselves are familiar throughout the world, including the following from the 1992 Basic Law:

Article 26 [human rights] The state protects human rights in accordance with the Islamic *shariah*.

Article 27 [welfare rights] The state guarantees the rights of the citizen and his family in cases of emergency, illness and disability, and in old age; it supports the system of social security and encourages institutions and individuals to contribute in acts of charity.

Article 28 [work] The state provides job opportunities for whoever is capable of working; it enacts laws that protect the employee and employer.

Article 29 [science, culture] The state safeguards science, literature and culture; it encourages scientific research; it protects the Islamic and Arab heritage and contributes toward the Arab, Islamic and human civilization.

Article 30 [education] The state provides public education and pledges to combat illiteracy.

Article 31 [health care] The state takes care of health issues and provides health care for each citizen.

Article 32 [environment, nature] The state works for the preservation, protection, and improvement of the environment, and for the prevention of pollution.

                    (Saudia-Arabia, Constitution, March 1992)

My point in briefly rehearsing this history is to suggest that global rights discourse has converted even its most hostile Islamist opponents. They do not speak precisely the same rights talk as the United Nations, and they may not honour in practice the rights they acknowledge in principle, but the very mouthing of such principles has opened up rhetorical space for other Muslims. The fact that the Saudi regime and Islamist hardliners are speaking of rights allows Muslim thinkers to do so too. They may be criticized for their positions, even arrested or killed, but the topic of rights is no longer out of bounds in and of itself.

Islamist rights talk has opened up institutional space as well. Repressive governments in the Islamic world have devoted funds to support the study of rights, have offered governmental and government-controlled university and parastatal positions to rights specialists, and have even hosted international conferences on rights, among which may be counted the International Conference on Human Rights (Tehran, 1968); the Seminar on Human Rights in Islam (Kuwait, 1980); and in Tunisia alone: the United Nations Seminar on the Human Rights of Migrant Workers (Tunis, 1975); the

International Colloquium of the Friedrich Naumann Foundation on the Media in the Service of Human Rights and Development (Tunis, 1981); the Governmental Conference on Human Rights in Tunis (Tunis, 1990); and the Regional Meeting of the World Conference on Human Rights (Tunis, 1992).[4]

In addition, official rights talk has opened up a gap between the ideal and the real that critics may exploit. Regimes in the Islamic world that do not live up to their stated ideals are inviting measurement by these standards. And few such regimes are living up to rights ideals. Figure 7.1 presents one rough-cut demonstration: the X-axis arrays the countries of the world by the percentage of the population that is (nominally) Muslim, as estimated by a Christian evangelical encyclopaedia (see sources on the figure); the Y-axis indicates the level of political rights and civil liberties in each country, as estimated by the Freedom House organization in New York (higher numbers mean more rights and liberties, with a minimum of 2 and a maximum of 14). The indicators might be replaced, but the general point would probably remain the same. Notice the bunching in the lower right-hand quadrant: few countries with large Muslim majorities are anywhere near the top of the rights scale. The two outliers are Gambia (85 per cent Muslim, 10.7 on the Freedom House rights scale) and Turkey (99 per cent Muslim, 9.1 on the rights scale) – neither of which regime particularly emphasizes Islamic justifications for its (limited) observance of rights. This bivariate chart expresses visually what multivariate regressions have shown for years: Islamic countries are less democratic and rights-respecting than other countries, even when controlling for level of economic development, level of education and other factors.[5] Even if we do not wish to ascribe this statistical regularity to some essentialized feature of the religion, the lag is too clear to dismiss as Orientalist propaganda.

Increasing secular education

The gap between rights talk and rights reality does not announce itself. It takes observant individuals to notice it and make a fuss. The authoritarian regimes of the Islamic world have busied themselves for the past half-century or more producing just such a class of observant individuals. Beginning in the colonial era, and continuing since as part of the ongoing power struggle with religious leaders, state elites have built vast systems of secular schools to compete with the religious leaders' madrasa and seminary systems. This battle is largely over, and religious education has been effectively marginalized. A century ago,
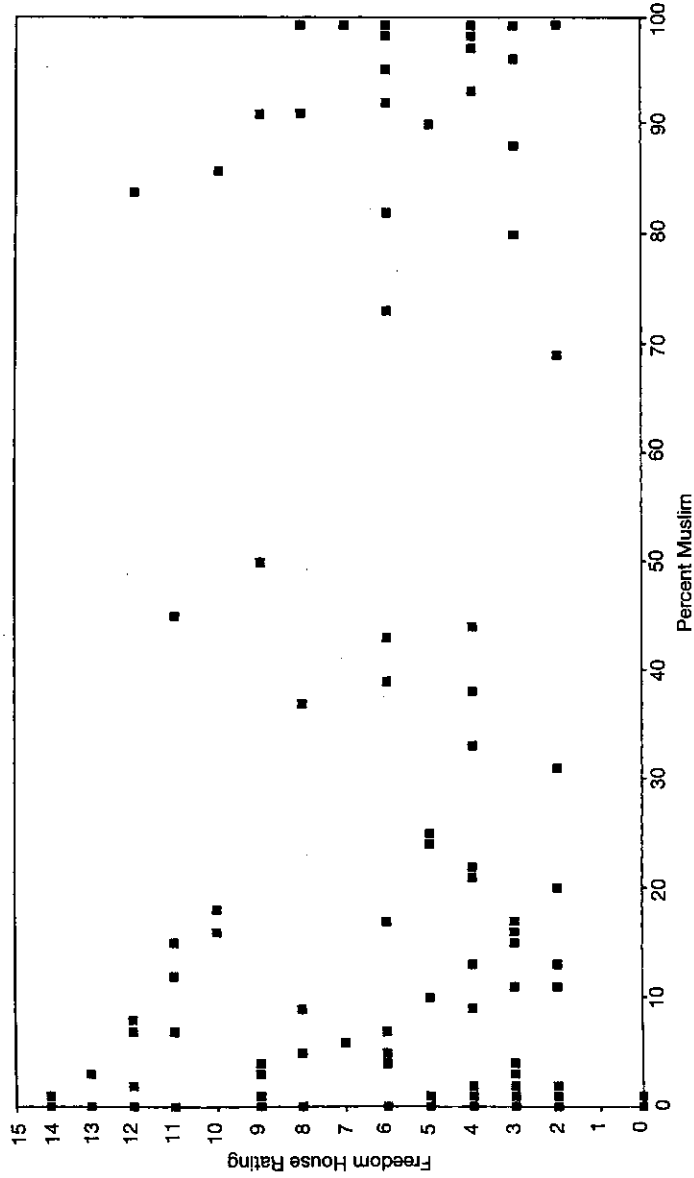
Figure 7.1 Islam and political/civil rights, 1980

Source: Percentage Muslim: Farzana Shaikh, editor, *Islam and Islamic Groups: A Worldwide Reference Guide* (Harlow: Longman, 1992); supplemented by David B. Barrett (ed.) *Worldwide Christian Encyclopaedia* (Nairobi: Oxford University Press, 1982). Political rights and civil liberties: Freedom House, *Freedom in the World*, annual edns (New York: Freedom House, 1987–95) (inverted so that higher numbers indicate more rights).

virtually all literate Muslims had been trained by religious scholars, who themselves had been trained, and permitted to teach, by other religious scholars. Today, the proportion is tiny. But in breaking the religious scholars' grip on education, the state has generated a potentially more dangerous enemy: a cohort of secularly educated intellectuals who believed their classroom textbooks' assurances that states ought to be well intentioned, democratic, respectful of rights, and violent only in the last resort. Insofar as secular education has succeeded in inculcating the state's modern values, including rights, it has trained the population to notice, and resent, the state's failure to live up to such values.

Secular education has not, however, removed all traces of religiosity. It is a common observation, though still not fully documented, that students and graduates of secular universities in the Islamic world are among the most ardent supporters of Islamist movements (Kurzman, in preparation). Liberal Islamic movements also find their greatest, perhaps their only, base of support on secular campuses. Both of these heterodox religious movements – heterodox in the sense that they challenge the teachings and religious leadership of the traditional seminaries – draw on the growing pool of the university-trained. As shown in Figure 7.2, only three of nineteen Islamic countries (defined as majority Muslim) in the Barro-Lee education dataset had more than 1 per cent of the adult population with university-level education in 1960; by 1990, only three of these countries had 1 per cent or *less* trained at this level.

Autodidacts are, in a literal sense, practising theology without a licence. When secularly educated elites engage in religious discourses, they do so as competitors, as often as allies, with seminary graduates. The Muslim thinkers quoted at the start of this chapter, for example, took their graduate degrees in philosophy (Hanafi, Soroush), engineering (Engineer, Mahmutfnof;cehaji), law (An-Na'im) or religious studies at secular universities (Esack, Madjid, Wadud-Muhsin). One way to read the theological work of such figures is as an attempt to reconcile the modern values they learned in secular schools with the religious values they assimilated outside of school. Indeed, more than one critic has assailed these authors on such grounds. Hanafi, for example, was accused of apostasy by a leader of a seminary scholars' organization in 1997 (Egyptian Organization for Human Rights and International Freedom of Expression Exchange Clearing House 1997). Esack's work was savaged in a book review both for poaching on the ground of seminary-trained professional theologians, and for doing so in the service of modern values:

Esack is here proposing an iconoclastic revolution in Islamic methodology, the result being a set of Islamic ethics which dovetail precisely with liberal values. No unsightly survivals from the past are to be permitted: the Qur'anic ethic is, despite all appearances, a miraculous prefigurement of late twentieth-century Western ideals.

(Murad 1997)

A first order of business, then, for many secularly trained theologians is to defend their right to trespass. Some do this with reference to their scientific background. Muhammad Shahrour (Syria, born 1938) for instance, appeals to methods he learned in engineering; Mehdi Bazargan (Iran, 1907–95) uses thermodynamics as an orienting device for Quranic analysis; Mohamed Arkoun (Algeria-France, born 1928) urges the application of linguistics and semiotics (*Liberal Islam*: 23, 82, 207). Others open up space for their own interventions by critiquing seminarians: gently, as in S. M. Zafar's (Pakistan, born 1930) suggestion that nobody today could possibly know all the seminary disciplines *and* all the secular disciplines necessary for applying theological knowledge to contemporary social problems; categorically, as in Mamadou Dia's (Senegal, born 1911) blanket comment that religious scholars are 'shackled' by the past; or aggressively, as in 'Ali Shar'ati's (Iran, 1933–77) condemnation of religious scholars as reactionary (*Liberal Islam*: 70, 279; Shar'ati 1971).

Others simply offer the analysis as its own justification. For example, Fatima Mernissi (Morocco, born 1940), trained in sociology rather than theology, examines the *hadith* (tradition of the Messenger, Muhammad):

'Those who entrust their affairs to a woman will never know prosperity!' This examination involves a study of the religious texts that everybody knows but no one really probes, with the exception of the authorities on the subject: the *mullas* [religious scholars] and *imams* [prayer leaders].

(*Liberal Islam*: 113–20)

Mernissi looks up the *hadith* in Ibn Hajar al-'Asqalani's (1372–1449) *Fath al-bari* (The Creator's Conquest), a commentary on Muhammad ibn Isma'il al-Bukhari's (810–70) collection of epistemologically sound traditions, *Al-Sahih* (The Authentic). Mernissi finds that the *hadith* was attributed to Abu Bakra (died circa 671) – born a slave, liberated by the Prophet Muhammad, who rose to high social
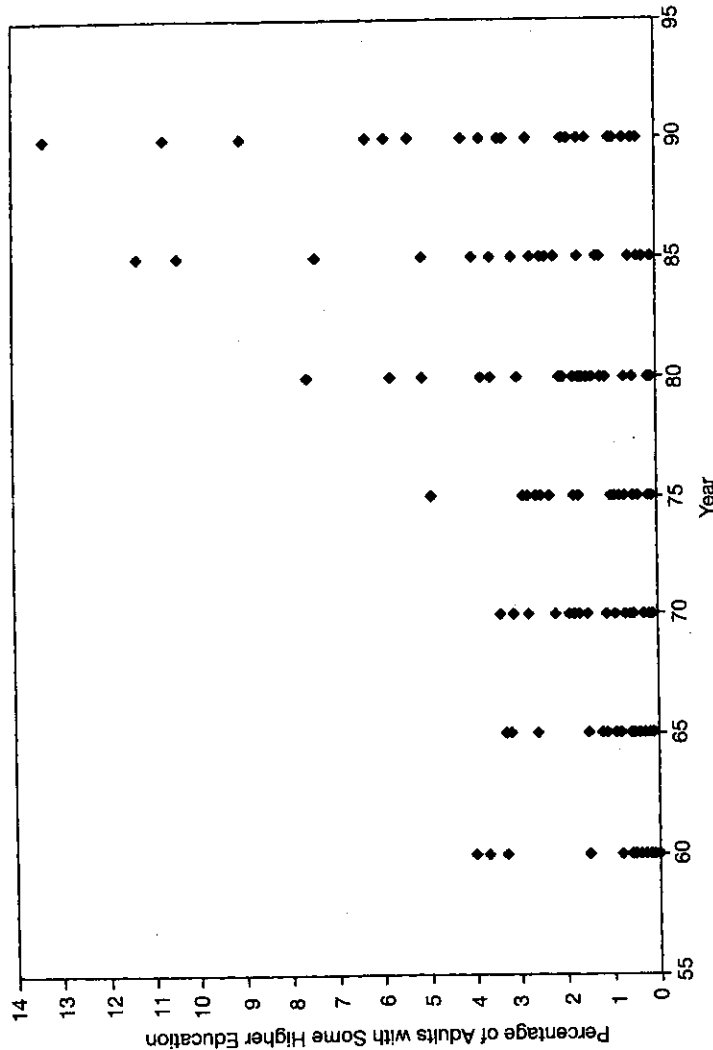

Figure 7.2 Higher education in Islamic countries, 1960–90

Source: Robert J. Barro and Jong-Wha Lee, *Data Set for a Panel of 138 Countries*, revised version, Cambridge MA: National Bureau for Economic Research [distributor] 1994.

position in the city of Basra. He is the only source for this *hadith*, and he reported it twenty-five years after the death of the Messenger. Mernissi suggests that this *hadith*, though included in Al-Bukhari's collection and widely cited in the Islamic world, is suspect for two reasons. First, when placed in context, Abu Bakra's revelation of the *hadith* seems self-serving. He was trying to save his life after the Battle of the Camel (December 656), when, to quote Mernissi:

> all those who had not chosen to join 'Ali's clan had to justify their action. This can explain why a man like Abu Bakra needed to recall opportune traditions, his record being far from satisfactory, as he had refused to take part in the civil war.... [Although] many of the Companions and inhabitants of Basra chose neutrality in the conflict, only Abu Bakra justified it by the fact that one of the parties was a woman.
>
> (*Liberal Islam*: 113–20)

Second, Abu Bakra had once been flogged for giving false testimony in an early court case. According to the rules of *hadith* scholarship laid out by Imam Malik ibn Anas (710–96), one of the founders of the science of *hadith* studies, lying disqualifies a source from being counted as a reliable transmitter of *hadith*. 'If one follows the principles of Malik for *fiqh* [Islamic jurisprudence], Abu Bakra must be rejected as a source of *hadith* by every good, well-informed Malikite Muslim' (*Liberal Islam*: 113–20). Mernissi's point is that seminary-trained theologians can be inconsistent when their methods contradict their gender bias; Mernissi's meta-point is that she, no less than seminary-trained theologians, is capable of reading and analysing the sacred sources according to the accepted standards of such research – indeed, that she is better at it because she is not limited by traditional blinkers.

Think of the implications of searchable CD-ROM or internet versions of al-Bukhari, al-'Asqalani, and other *hadith* collections: anyone literate in Arabic with a personal computer can investigate the sources of Islamic law and question the reigning interpretations.

Increasing international communications

International technologies of communication – newspapers, telegraph lines and international trade, as well as high-tech technologies such as radio, television, telephones, and the internet – are bringing educated people from around in the world into ever-closer contact. The ideals of

Western liberalism – like other Western ideals such as nationalism, authenticity and economic development – have entered people's homes around the world. For example, people in Gabon, West Africa, watched the fall of Communism in Eastern Europe in the news and started demanding democracy themselves. The dictator in Gabon commented derisively on the 'wind from the east [that is, the Communist Eastern bloc] that is shaking the coconut trees' (Decalo 1992: 7).

Some countries have tried to block foreign ideas from entering their countries precisely because they fear these sorts of inter-cultural interactions. But blocking foreign ideas, to quote US President Woodrow Wilson out of context, 'is like using a broom to stop a vast flood' (Mayer 1967: 602). Few countries are able to keep up this level of sweeping for long. Over the past century, advances in communications technology have made sweeping that much harder – older technologies do not disappear, but are joined by new avenues for the exchange of ideas. In Iran, for example, the Qajar dynasty struggled to block the importation of oppositional newspapers and books published abroad, which helped inspire the 1906 Constitutional Revolution – among them Mirza Malkum Khan's broadsheet *Qanun* (The Law), published in London; the newspaper *Habl al-Matin* (The Firm Clarion), published in Calcutta; and Haji Zayn al-'Abidin's novel *Siahat-namah-yi Ibrahim Bey* (The Travelogue of Ibrahim Bey), published in Istanbul, which pro-democracy activists passed around secretly and read aloud at oppositional political meetings (Kirmani 1968: 5, 8, 9, 20). The Pahlavi dynasty struggled to block not only books and periodicals, but also electronic communications from abroad during the 1979 Islamic Revolution, such as the telephone calls from France that delivered Imam Ruhullah Khomeini's pronouncements, and shortwave radio reports from the BBC Persian Service. Today the Islamic Republic – like other regimes in the Islamic world – is debating how to deal, in addition, with satellite television and internet access.

The scope of this international communication can be estimated, in a rough way, by the number of households having access to global television and the internet (see Table 7.1). The source of the television households come from advertising figures, and may be inflated, but the fact remains that hundreds of thousands of people in the Islamic world have access to global media: more than 10,000,000 households getting MTV in Indonesia, 200,000 getting the Discovery Channel in Malaysia, an estimated 1,000,000 getting CNN in Iran, and almost 100,000 households in Bahrain getting BBC television. Apparently, the pioneering Qatari television station Al-Jazeera is so popular that videocassettes of taboo-breaking programmes are circulated in large

Table 7.1 Cable/satellite television households and internet usage in selected Islamic countries, 1999

Country	BBC World	CNN International	CNBC	Discovery Channel	MTV Asia	Star TV	Internet usage
Afghanistan							
Algeria	95,000						750
Bahrain	1,500,000	19,100					32,500
Bangladesh	18,000						5,000
Brunei						205,000	300
Chad			1,000	36,431	36,431	35,400	200
Comoros							300
Djibouti							
Egypt	100,000	358,800					207,200
Gambia							150
Indonesia	40,000	1,000,000	2,411,946	21,411	16,000,000	22,500,000	80,000
Iran							
Jordan	90,000	56,000					50,300
Kuwait	50,000	178,000					62,800
Lebanon	210,000	467,090					132,200
Malaysia	2,000		181,418	214,387	182,737		600,000
Mali							500
Mauritania							100
Morocco	105,000	215,000					32,500

Table 7.1 cont

Country	BBC World	CNN International	CNBC	Discovery Channel	MTV Asia	Star TV	Internet usage
Morocco–Tunisia–Turkey (plus Cyprus)	1,565,000						
Nigeria		88,000					3,000
Oman	20,000	121,000					40,000
Pakistan	900,000						
Qatar	28,000	34,700				10,000	27,500
Saudi Arabia	1,350,000	1,416,000					112,500
Syria		100,000					15,000
Tunisia		2,000					
Turkey		1,139,100					600,000
United Arab Emirates	105,000	187,200					204,300
Yemen		208,000					6,300

numbers (Eickelman 1999). I don't need to suggest that television is brainwashing its viewers, or even affecting them particularly; one can as easily cast these numbers as indicative of consumers' desire to gain access to the outside world. Satellite dishes and cable hook-ups may be seen as expressing a pre-existing sympathy for the norms that global television represents. Internet access is an even clearer instance of active appreciation of global culture, in the broadest sense; and note the numbers in Malaysia (600,000), Turkey (600,000), Egypt (200,000), and the UAE (200,000) – these numbers are too large to be limited to a handful of elites, suggesting that significant portions of the educated middle classes are getting online.

Even the countries with tiny numbers of global media subscribers are worth noting. One wonders how many of the estimated 200 internet users in the Comoros, for example, are reading human rights reports online. What sites are the 300 internet users in Chad surfing? Access is presumably limited in such countries to trustworthy elites, but one can imagine the exposure to global rights discourse having an effect similar to smuggled broadsheets in an earlier era.

To give one example of the use of international media in the context of Islamic rights discourse, one may note the tremendous internet activity surrounding the trial of Anwar Ibrahim (Malaysia, born 1947). Anwar's trajectory from youthful Islamist militant to liberal reformist is itself a case study in the internalization of global rights themes, coinciding with his increasing use of quotations from William Shakespeare and other cross-cultural sources. When Anwar was arrested in autumn 1998, supporters of his reform movement turned to international communication through websites such as

Anwar Online (*http://members.tripod.com/~Anwar_Ibrahim*)
Anwar Ibrahim One (*http://www.anwaribrahim1.com*)
Gerakan Reformasi (*http://members.xoom.com/Gerakan*)
ADIL (*http://members.easyspace.com/reformasi*)
Reformasi Dot Com (*http://www.reformasi.com*, quoting poetry by
    Rabindranath Tagore)
Anwar's wife's official website, *http://www.anwaribrahim.org.*

Some of these sites registered hundreds of thousands of visitors in two or three months, if the hit counters are to be believed (with 600,000 internet users in Malaysia, these figures are not unreasonable). The link between domestic rights and international communication runs throughout these sites, as expressed in halting English on one flashing pro-Anwar banner:

Welcome to J's Reformasi Online, the site of the oppressed and depressed!! In the name of Allah, most gracious, most merciful....If you denied our freedom of speech [and] access to truth, [you have] sodomized our rights! As a pro-Anwar politician noted, 'With the Internet, people know there are much better alternatives to what you are fed in *Utusan Malaysia* [a leading pro-government newspaper]!'

(Sabri Zain's Reformasi Diary 1999)

Muslims around the world have responded with support for Anwar. Yusuf al-Qaradawi (Egypt, born 1926), a religious scholar in Qatar, issued a pro-Anwar *fatwa* condemning false accusations (Al-Qaradawi 1998). Abdurrahman Wahid (Indonesia, born 1940), leader of the world's largest Islamic organization, Nahdatul Ulama, wrote an article calling Anwar 'the hero of humanity', which Indonesian students in Cairo posted on the world wide web (Wahid 1998). Liberty for the Muslim World, a rights organization in London, issued a press release protesting de-democratisation in Malaysia ('Liberty Warns Against Repercussions of De-Democratisation in Maylaysia', 1998). Muslimedia, the online edition of Crescent International in England, ran a series of increasingly positive stories on Anwar.[6] In the US, the 'Minaret of Freedom Institute' in Maryland linked its website to several pro-Anwar sites.[7] Such communication was possible before the internet; transnational religious pronouncements, periodicals and travel have been a staple of the Islamic world since the beginning. But the new electronic media add an instantaneity and a common ground – the same web exists everywhere – in which transnational communications take on an increased importance. These communications are not used solely for rights discourse, but rights discourse has benefited greatly from their presence.

The failure of Islamic regimes

A fourth factor in the rise of Islamic rights discourse is the failure of alternative ideologies. In particular, there appears to be a growing sense that Islamic regimes have not lived up to their promise. Sudan and Pakistan, for example, have proved to be no less corrupt after the Islamization of the government than before. The recently departed Taliban regime in Afghanistan appeared to many Muslims as a true horror. One devout Muslim in Los Angeles even shaved off his beard in protest against the Taliban's enforcement of a mandatory beard policy (Abdullah 1997).

The disappointment for 'fundamentalist' Muslims, however, has got to be Iran. The Iranian Revolution of 1979 raised tremendous hopes among Islamists in Malaysia, in Africa, and throughout the Islamic world. This was going to be the showpiece of the Islamist movement. This was going to be the first place on earth since the seventh century where a truly Islamic society was going to be constructed, and it has been painful for these people to find that dream unfulfilled. Even revivalists who still cheer the goals of the Revolution are defensive about the reality, as in this recent editorial by a British-based Islamist periodical:

> The expectations which people had for an Islamic state which was bound to be embryonic and experimental, as well as being subjected to the most venomous hatred and enmity by the west, were not reasonable. Not all officials of the state can be expected to share the qualities of the Imam [Khomeini] himself. Having said that, in terms of nationalism and sectarianism in particular, too many have failed to maintain even minimum standards.
>
> (Muslimedia 1999)

Yet for others, disillusionment has led to a repudiation of hardline Islamist ideals in favour of rights. One example of this process is 'Abdul-Karim Soroush. Soroush, a wholehearted supporter of the Islamic Republic in the early years, participated actively in the revolutionary reorganization of the universities in Iran, which involved getting rid of otherwise qualified professors in the name of ideological purity. Yet even this staunch supporter of the Islamic Republic began to have doubts. By the mid-1980s he had started to distance himself from the official committees he had served on. By the late 1980s he began to criticize the government, to call for a reinterpretation of Islamic law, and to call for the academic and intellectual rights that his university reorganization had disregarded in the early 1980s. These themes, along with his impressive erudition and his talent for public speaking, made Soroush one of the most popular public speakers in Iran in the early 1990s. He spoke at mosques, at universities and on the radio, always with big audiences. Naturally the Iranian government found his words threatening, and Soroush has now been barred from speaking publicly in Iran. Instead Soroush now speaks outside of Iran, when he is allowed to travel, addressing international audiences, mainly in Europe and North America, stressing the commonality of his views with Western interpretations of religion. But the painfulness

of Soroush's break with the Islamic Republic, his disillusionment, is apparently so great that he literally cannot deal with his own former hopes and aspirations. In interviews, Soroush denies that he was a supporter of the Cultural Revolution in Iran and denies that he was active in the reorganization of the universities.[8]

Conclusion

The permeation of rights discourse in the Islamic world is no different, I would suggest, from the permeation of automobiles or population control. All of these were invented in the West, packaged as universally applicable, and exported to the rest of the world, where consumers of various sorts (states, businesses, social groups) snapped them up more or less eagerly, with greater or lesser adaptation to local circumstances. This perspective, associated with the institutional theory of John Meyer and his colleagues,[9] moves the question of rights discourse away from normative debates as to whether 'Islam' is compatible with 'rights' – as though either term could be defined with any closure – and towards a sociological understanding of the social situations in which 'Islam' and 'rights' are understood to be compatible. I have tried to identify four global processes that have encouraged such an understanding:

1 the adoption of rights talk by previously hostile traditionalists and revivalists, even as they abuse rights in practice;
2 the growth of a class of secularly educated theological autodidacts;
3 the acceleration of international communication through electronic media; and
4 the disillusionment associated with alternative Islamist projects.

These global processes account for the pattern of rights discourse in the Islamic world: the simultaneous and independent emergence of parallel arguments in Egypt, Iran, India, Indonesia and elsewhere.

These arguments emerge from a common point in the social space: leading professionals who broke with a family background steeped in traditional Islamic learning to obtain a foreign education, and who maintain friendly and collegial relations with professionals in the West. Such individuals have an ongoing interest in reconciling their Islamic faith and their modern values, including global rights values. To do so, they must first defend their own status as interpreters of Islam, and this defence draws their arguments towards a particular

rights discourse – basically a sociology of religion – in which no interpretation is recognized as definitive, and all interpretations are linked to the social milieux in which they are generated. This position, which I call the 'interpreted *sharia*', has a long history in Islamic discourse, beginning with the live-and-let-live routinization of the four Sunni schools (*madhabs*) a millenium ago. But the 'interpreted *sharia*' takes on a different, more challenging form when it is wielded by theologians outside of the recognized seminary institutions, against these institutions, in the service of rights talk that these institutions have historically not recognized as legitimate. Add to this the inherent hostility of repressive states to rights activism, indeed to any form of social mobilization not controlled by the state, and the rights campaigners face serious challenges in the Islamic world. I have tried to argue, though, that the globalization of rights talk in the Islamic world, as elsewhere in the world, is the product of social trends that show no sign of abating – and therefore that rights activism is only going to diffuse further, despite the challenges.

Notes

1   Earlier versions of portions of this paper were published in *MERIA Journal* (Middle East Review of International Affairs) vol. 3, no. 3, September 1999; and *Forum Bosnae* (Sarajevo) no. 2, March-April 1999. I thank Deborah Barrett, John Boli, Rusmir Mahmuthaji, Barry Rubin and Suzanne Shanahan for their assistance in preparing this paper.
2   In Charles Kurzman (ed.) (1998) *Liberal Islam: A Source-Book*, New York: Oxford University Press. This paper draws upon and develops the works contained in this anthology.
3   Other 'liberal' tropes are the 'liberal *sharia*', which holds that liberal positions are mandated by sacred sources; and the 'silent *sharia*', which holds that sacred sources leave certain fields to human invention, thus permitting liberal positions. See *Liberal Islam*: 14–18.
4   *International Conference on Human Rights at Teheran*, New York: United Nations, 1968; *Human rights in Islam: Report of a Seminar Held in Kuwait, December 1980*, Geneva: International Commission of Jurists, 1982; *Seminar on the Human Rights of Migrant Workers, Tunis, 12–24 November 1975*, New York: United Nations, 1976; *The Media in the Service of Human Rights and Development: Proceedings of the Fourteenth International Colloquium of the Friedrich Naumann Foundation, Tunis, 20–22 September, 1981*, Bonn: Liberal-Verlag, 1982; *al-Nadwah al-Dawliyah hawla Huquq al-Insan fi Tunis amama Mutaghayyirat al-'Alam al-Yawm, Tunis 10 Disimbir 1990*, Tunis: al-Tajammu' al-Dusturi al-Dimuqrati, 1990; *Actes de la Réunion Régionale pour l'Afrique de la Conference Mondiale sur les Droits de l'Homme*, Tunis: Tunisian External Communication Agency, 1992.
5   Recent statistical analyses of this subject include Midlarsky (1998: 485–511) and Abootalebi (1995: 507–29).

6   Compare the 1999 stories in *http://www.muslimedia.com/my-crisis/index.html* with the 1998 stories in *http://www.muslimedia.com/archives/sea.htm*.
7   'New Link to Anwar Ibrahim Website', 11 April 1999, *http://www.minaret.org*.
8   See the website devoted to Soroush's thought (*http://www.seraj.org*), and 'Intellectual Autobiography: An Interview', in Sadri and Sadri (forthcoming).
9   See the paradigm-building collections: Thomas *et al.* (1987) and Boli and Thomas (1999).

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