



Can Muslims Think Universally?

Human Rights as a Challenge for Reform



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Können Muslime Universalität denken? Die Menschenrechte als Herausforderung zu Reformen: Debatten über Menschenrechte und ihre Allgemeingültigkeit waren in muslimischen Nationen und der muslimischen Diaspora umstritten, seit sie 1948 von den Vereinten Nationen in der Allgemeinen Erklärung der Menschenrechte formuliert wurden. Einige sehen in dem Thema ein Beispiel für die Übertragung westlicher Werte auf die Entwicklungsländer. Andere erkennen einen wichtigen Schritt in Richtung auf die Wahrung bürgerlicher und politischer Rechte, besonders für die machtlosen Minderheiten in der islamischen Welt. Der folgende Beitrag richtet sein Augenmerk auf die sich entwickelnden Vorstellungen (in Europa und den USA) davon, wie Muslime sich zu den Menschenrechten stellen und islamische Traditionen vor diesem Hintergrund kritisch hinterfragen. Wie bewertet das muslimische Denken den Wert von Menschlichkeit und 'menschlicher Weisheit'? Wie lässt sich dies mit dem Glauben an heilige Schriften ein Einklang bringen?

The UDHR, drafted by the widest assembly of nations, came out of the context of two World Wars and the Holocaust in the 20th Century, but it draws upon a much deeper current of human experience and struggle to recognise the rights of man. The Magna Carta, the French Revolution, the American Declaration of Independence, the struggles of independence in many other parts of the world, as well as events amidst the backdrop such as the Peace of Westphalia, feed into the spirit of the UDHR. As such, this represents a global attempt to find the value basis of how all human beings can live together (in an increasingly globalised world) and how the rights of the individual can be protected from the state, how the weak can be protected from the strong. By definition, such a project, to be effective, has to be universal and shared across cultures. It must stand apart from religious and cultural specificities and above national interests, bringing people together as 'mere' human beings.

It is therefore with some consternation that advocates of Human Rights observe the various Muslim objections to the UDHR, including the projection of specifically 'Islamic' versions of Human Rights, but also oppositions within the west, whether that is objections from the US or more recently talk of 'derogation from Human Rights' by politicians in the UK.

Recent developments at the Organization of Islamic Cooperation (OIC) seem to show a renewed attempt to discuss the UDHR further and an Independent Permanent Human Rights Commission (IPHRC) was established in 2011. In the first meeting of the IPHRC in January 2012 in Jakarta, the Secretary General of the OIC, Ekmeleddin Ihsanoğlu, talked of the need to "review and update OIC instruments, including the Cairo Declaration..." The Cairo Declaration on Human Rights in Islam (CDHRI), adopted on 5th August 1990 by the OIC, followed a report of the OIC's Committee of Legal Experts in Teheran in December 1989. The CDHRI states that Shari'a is "the only source of reference" for the protection of human rights in Islamic countries, thus giving it supremacy over the UDHR and making this declaration a highly controversial one. According to one specialist, "this is consistent with the basic premise of Islamic human rights schemes, that Islam must be treated as the overriding concern" (Mayer 2012).

Muslim Critics of the Universality of Human Rights

The main areas of clash between Shari'a and UDHR are often cited as the notions of freedom of religion or belief, gender equality, equal treatment of minorities (and related to that equal-

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