Human Rights, Revolution, and Reform in the Muslim World

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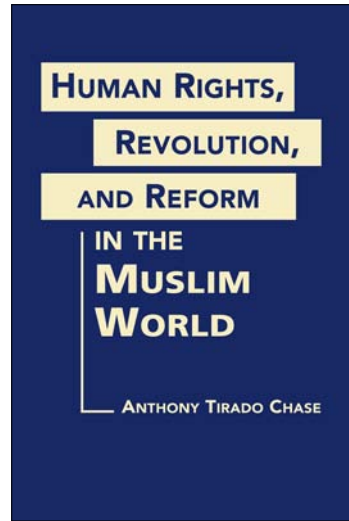
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Human Rights
and the Muslim World

Do human rights matter? That is, do they have an impact to some degree on how key issues are understood and acted upon in diverse locales, including in the Muslim world? If so, then through what processes does this impact take form? In other words, are human rights a dynamic-enough force to inform controversial debates and, in turn, affect how important events unfold?

These are crucial questions globally, with human rights increasingly becoming a sort of lingua franca informing claims for political and social justice. And they are particularly crucial questions in the transnational Muslim world, where human rights are being contested in an especially vigorous manner.

This book's animating argument is that the international human rights regime is an important prism through which to understand issues that are pivotal to the future of the transnational Muslim world. While a wide array of variables shape complex issues in disparate locales, I seek to show the recurring importance of human rights to intellectual, political, and social life in the Muslim world.

As an example, the 2010–2011 events that became known as the Arab Spring have upset many assumptions about what constitutes legitimate governance in the Arab and Muslim worlds. Indeed, seemingly well-informed analysts continue to express surprise and skepticism that democracy and human rights were among the demands of many Arab Spring protesters. The Arab Spring was not hierarchically organized such that it had a clear platform. Nonetheless, one of the most famous Egyptian organizers of the Tahrir Square protests, Wael Ghonim,

expressed the outlook of many protesters in Egypt and other countries when he bluntly declared: "These are our rights and we're asking for our rights. That's it."[1]

Such claims, echoed time and again in the streets of Cairo, Tunis, Sana'a, Taiz, and elsewhere, unsettle assertions in media and academic writings that politics in the predominantly Muslim Arab world has been a choice between indigenous authoritarianism and Islamism, with the essentialized notion of a monolithic "Arab Street" (most often an instrumentally created tool of governments that have repressed any truly representative civil society)[2] supposedly focused only on external enemies and not caring about its own rights. The Arab Spring's participants came from diverse age groups and varied political, social, and economic backgrounds and, just as importantly, also did *not* represent important political sectors (Islamists, in particular, were at best underrepresented among those on the Arab Spring's front lines). Demands were as distinct as participants, but as Middle East scholar Rashid Khalidi notes: "What we have seen in every single Arab country where there have been demonstrations, or the beginnings of regime changes, are expressions of the same universal values that we've seen from East Asia to Latin America: democracy, social justice, rule of law, constitutions."[3]

My hope is that by the end of this book readers will agree that events such as the Arab Spring are not so surprising after all. Although conceptualized before the Arab Spring had begun, what the book demonstrates about the place of human rights in the Muslim world directly contradicts claims that the Arab Spring could not have been anticipated. One must maintain humility regarding our ability to divine precisely what went into the protests and what will be their eventual result. It is certainly predictable that there will be ferocious backlash from forces threatened by the Arab Spring's democratic uprisings, which are far from promising any sort of revolutionary utopia. Indeed, even in countries that have seen the successful overthrow of dictators, these have been revolutionary only in the sense that they have set into motion processes that have revolutionary potential. Such movements also, however, have the potential to be contained or subverted. Nonetheless, the notion bandied about that both the protests and the form they have taken—largely focused on demands for political and economic rights—came out of the blue is problematic.[4] Certainly there was no way to predict the scale of the mass movements that would raise the prospect of regime change in favor of democracy and the broader implementation of human rights in so many Arab countries. But the particular demographic currents (especially the "youth bulge") and normative currents (including human rights expectations) running

through the Arab world meant that no one should have been caught off guard by the challenges to government authority that have taken place. I suggest that these currents have long demanded more attention than they have received in the media or academe.

More generally, I do not propose to only focus on applying a human rights frame in order to better understand the broad range of debates and events in the Muslim world on which this book will touch. Just as importantly, I also argue that such debates and events provide insight into the nature of human rights and, in so doing, are a necessary corrective to many of the dominant narratives explaining human rights. To explore this mutual interplay requires an in-depth conceptualization of the human rights regime. Thus, examining human rights in the context of the Muslim world requires a further step: that we think about human rights in a way that takes into account all of their dimensions, including how human rights are influenced by intersections with the Muslim world.

The dynamics of these intersections as described in this book directly challenge one of the most common mischaracterizations regarding human rights: that they can only be understood as either unabashedly universalist or narrowly particularist (i.e., Western). This is a false binary that disregards human rights' capacity to be rearticulated on an ongoing basis under the force of influences from around the world. International law is at its most dynamic when it is part of a mutually constitutive relationship between global and local politics.[5] Stubbornly embedded notions about a mutually exclusive relationship between the global and the local risk blinding us to the tangible ways in which international law—especially international human rights law—intersects with daily political realities around the globe.

Recognizing human rights as something that is constituted in good measure by local political practices provides the basis for understanding how it is that human rights matter to politics in the Muslim world. We can appreciate how they matter only if we reject pervasive assumptions about human rights having one eternal legal or philosophical foundation that must, therefore, be applied *to* the Muslim world. To the contrary, I argue that human rights can be and often are given impetus from the ground up, including from practices in diverse parts of the Muslim world.

International human rights law is an essential grounding that gives solidity to human rights. That should not, however, lead to the illusion that the meaning of human rights can be permanently fixed via legal agreements between states. Rights are continuously reshaped in fields of contestation around the globe, including the Muslim world. This is neither

a simplistically universalist process, in which the global is imposed upon the local, nor one strictly limited by preexisting cultural units that are separate from transnational normative flows. To the contrary, political, social, and cultural understandings are impacted by modernity's transnational flows. Importantly, multiple political, social, and cultural locations contribute to such flows, making the relationship mutual rather than solely a hierarchical imposition, though there are certainly hierarchies as well. Indeed, the Arab Spring is an example of this: demands made in Tahrir Square and elsewhere were neither simplistically local nor universal, but rather were informed by complex interactions at many different levels.

The key is that new rights and new definitions of rights are constantly being generated in ways that reflect shifting political, social, and normative configurations. Without this impetus from the ground up, human rights would only translate into dead letter law. What matters, therefore, is both the degree to which human rights are relevant to and inform debates around the globe and, equally, the degree to which debates around the globe are relevant to and inform human rights. It is only through such ongoing interactions that the human rights regime can continue to grow as the primary vessel for movements toward political, economic, and social justice.

Before going further, I would like to provide a caveat concerning the use of terms such as "the Muslim world" and "the transnational Muslim world." As the book continues, references to specific cases within the region (a region in a conceptual sense, not a geographic sense) will recur. Because of my own training and experiences, perhaps a disproportionate number of my references will be to the Arab world or to the Middle East. References will also be made, however, to other parts of the predominantly Muslim world (from parts of Africa to parts of Southeast Asia) and to places where Muslims are a minority (from Europe and the United States to China). I make such references both because they are relevant to my central arguments and because the Muslim world should not be conflated with either the Middle East or the Arab world. The Muslim world is referred to, in other words, with full appreciation for its diversity; hence the insistence on alluding to its transnational dimensions. Indeed, this book is meant, in part, to contribute to undermining the notion that the Muslim world is a monolithic bloc.

So the phrase "the Muslim world," even as I may use it at times as shorthand, is problematic insofar as it could imply the existence of such a monolithic bloc. There are, in fact, many different Muslim worlds that

are considerably more complicated and fractured than any single term for it might suggest. The phrase is also problematic insofar as it could imply that Islam is necessarily the most relevant variable determining how issues are perceived by those who, to one degree or another, may identify with a Muslim heritage. To the contrary, many variables from multiple sources—religious, secular, ethnic, ideological, and so forth—inform people's perceptions and therefore impact how such issues and debates are framed. Islam may be relevant to one degree or another, or may not be relevant at all. In the end, under a "Muslim world" rubric it cannot be forgotten that we are talking about a range of states and societies with diverse political, economic, and social situations, and with their own internal differentiations. No book can be exhaustive or all-inclusive regarding a subject as uncomfortably broad as the Muslim world, and I ask readers to bear in mind the inevitable limitations of this book's examples in that respect.

What This Book Does and Does Not Claim About Human Rights, Revolution, and Reform

This book does not claim that human rights have somehow become un-contested in the Muslim world or anywhere else. This is far from the case. In fact, the controversies on which I will focus embody political, ideological, and normative points of resistance to human rights—some specific to the Muslim world, but many common to other parts of the world as well. These controversies indicate that human rights are being actively contested, not that they are triumphant.

This book does make the case, however, that human rights inform the primary non-Islamist language of opposition to what has been an authoritarian status quo in some parts of the Muslim world. Despite claims by government, media, and academic elites that human rights are irrelevant to Muslim societies, human rights in different forms continue to impact upon how people think and act.

The so-called Arab Spring, including the overthrow of Hosni Mubarak in Egypt and Zine El Abidine Ben Ali in Tunisia, gives three illustrative lessons in this respect. First, it explodes some common myths about what informs political activity in the Muslim world in that it shows how important human rights have become to political thought and action; the Muslim world is not informed solely by nationalists, be they ethnic or Islamic. Second, it also calls attention to the embedded

political and economic structures of power that remain in place despite the overthrows of some leaders; such structures are an obstacle to true revolutions in which democracy and human rights are actually integrated into governance. Third, despite powerful reasons for pessimism in the short and medium term, the political spaces the Arab Spring has opened also give at least some reason for long-term optimism. Such space is a necessary precursor to the possibility of moving beyond transitory reforms to secure truly revolutionary change based in agency and the empowerment of peoples. These three lessons are relevant not just to the Arab Spring but also to the Muslim world more generally.

It is certainly possible (and perhaps likely) that the demands for greater respect for human rights in the political and economic spheres that were part of the turmoil of the Arab Spring will even in the long term be frustrated by those with an interest in maintaining some variation on the authoritarian status quo. But whatever the future in those countries, the Arab Spring demonstrates that my underlying thesis is, in fact, on point: human rights have come to inform, in part and in interesting ways, how significant issues in some parts of the transnational Muslim world are contemplated, debated, and acted upon. This has had real impacts upon political practices in ways that are both reformist and revolutionary. Reformist in that the challenge of human rights to embedded power structures has become part of reform processes in many domains, only rarely with the immediate aim of overthrowing a regime. Revolutionary in that the foundation of these reform processes—what makes them about human rights rather than some other variable—is that they express the desire of people to be subjects of politics rather than objects of politics.[6] This has the potential to transform demands for specific human rights into something far more radical: a call for the sort of bottom-up democracy and fluid, inclusive notions of identity that are necessary prerequisites for human rights' broad implementation, and that would be truly revolutionary.

How This Book Is Organized and Argued

Chapters 2 and 3:
Historical Memory and Transnational Context

Following this introductory chapter's general overview, Chapters 2 and 3 make three arguments supporting the assertion that human rights are

a relevant frame for many debates in the Muslim world. The first of these arguments, presented in Chapter 2, is that human rights are a much discussed topic in transnational Muslim world politics and that this currency is sustained in part by a history of engagement with the human rights regime from within the Muslim world. In short, references to human rights in contemporary debates do not come out of the blue. Nor is there any reason to think that they can be externally imposed, as some proposed could be the case following the US-led 2003 invasion of Iraq.[7] To the contrary, human rights have strong historical roots in the region and resonate with current political, social, and economic realities.

The true debate, thus, is not over whether the Muslim world is allergic to democracy and human rights, whether nihilistic violence is due to economic marginalization unique to Muslims, or whether social discriminations are particularly endemic in the Muslim world. Debates over such issues are not the exclusive monopoly of any part of the world, and a human rights frame is useful in moving us beyond the false binaries that too commonly degrade discussions of contentious issues. For all the criticism one can direct at the human rights regime, its globalization has had the merit of making clear that in all parts of the world, the state—the primary object of the rights regime[8]—is at the center of contention over precisely these sorts of issues. The history of the Muslim world shows interesting sites of such contention.

Chapter 2 makes this point by weaving together several disparate contemporary and historical strands. It begins by observing how Palestinians have consistently grounded their claims in the language of international law and international human rights law. Perhaps more surprising to some will be the subsequent example of how Islamist exchanges with generally more secular-oriented human rights activists have led at times to human rights language being integrated into Islamist demands. Further demonstrating how human rights have been part of politics in the Muslim world is a historical survey of the Muslim world's engagement with human rights at the state level, specifically focusing on the central role of Muslim states in the mid-twentieth-century construction of the human rights regime's early stages. Last, a history of nonstate actors' engagement with the human rights regime highlights Arab nongovernmental organizations (NGOs) and the ways in which, over the course of the twentieth century and continuing into the twenty-first, they have connected their concerns to human rights, even in states where this entailed considerable danger.

The second of my arguments, explained in Chapter 3, is that debates of global interest are increasingly defined in a transnational space in which human rights have an important presence and that the Muslim world is very much a part of this transnational space. The common inclination to conceptualize the Muslim world as an insular backwater should be resisted; this was never remotely the case. Its connections to transnational currents explain the intensification of rights discourse in various parts of the region and will impact each of the debates discussed in this book.

Recognizing transnational dimensions of politics in the Muslim world is essential to understanding how human rights have become a common reference point in a diverse number of struggles. Networks that allow for communication that is neither local (i.e., bordered by the state) nor international (i.e., bounded by state-to-state interactions) inform politics around the world, including in the Muslim world. This has set the stage for human rights to permeate the language and demands of those throughout the region, just as transnational structures also impact how Islamist politics have developed. Chapter 3 concludes that a combination of historical memory, new media, and engagement in transnational conversations has resulted in human rights norms becoming a part of contemporary debates in the Muslim world, and therefore becoming increasingly integrated into peoples' normative consciousness. It is thus that human rights have come to inform identifiable issues in ways that can be empirically documented. Ignoring this history and the potential dynamism that flows out of transnational structures is to risk misunderstanding human rights, the Muslim world, and their intersections.

Chapters 4 and 5: Human Rights Defined

In order to transition from the general context through which human rights have impacted the politics of the Muslim world to the specifics of those impacts, it is important to understand what human rights are and are not. This is too often left unasked in favor of sweeping statements about human rights that lack any sense of their actual specifics and dynamics. Chapter 4 begins to unpack human rights as something much different from the vague mantras that too often mar their invocation. To move beyond such essentialized caricatures of human rights, the chapter explains how political and structural factors that emerged following World War II impelled the establishment of the modern in-

ternational human rights regime. It was not the product of a moral crusade, but rather came out of the globalization of the modern state system, state-societies' self-interested reaction to the devastation of two world wars, and the acceleration of transnational interactions that allowed connections to be made among populations engaged in struggles around the world that shared a human rights dimension. In turn, these struggles have often informed the human rights regime's ongoing process of redefinition.

This brings up, of course, the eternal question regarding human rights: are they real or mere "nonsense on stilts"? It is certainly true that international law—especially human rights law—lacks a centralized enforcement apparatus and is enforced only in part and to degrees. As under any legal system, powerful actors are somewhat insulated from human rights enforcement mechanisms, while some lawbreakers openly disdain the system itself. Nonetheless, implementation procedures are evolving and have considerable bite; they are one element in what makes human rights a very real part of global politics.

After examining the translation of human rights into positive law and the emergence of the "respect, protect, fulfill" enforcement paradigm, Chapter 4 concludes with a survey of these implementation apparatuses. The argument is not that human rights are anywhere close to being systematically enforced in the Muslim world or elsewhere. Instead, I propose that something more modest has been accomplished: varying degrees of substantive implementation of human rights at multiple levels (domestic, international, and transnational) and through various categories of action (legal, political, normative, and institutional). This is important, despite obvious gaps, because solely aspirational human rights cannot be taken seriously. Having some sort of patchwork of real implementation, limited though it may be, is key to human rights resonating as something that actually matters.

I next turn to the groundings and foundations of human rights, the focus of Chapter 5. To understand human rights, it is essential to grapple with their groundings in law, politics, institutions, and norms—the intersection of both bottom-up and top-down elements. The multiplicity and interplay of these groundings have been essential to human rights' stubborn presence in global politics.

In terms of law, a regime of human rights declarations and treaties now formally binds states, structures the mandates and programming of international organizations, and informs the work of domestic and transnational civil society networks. In terms of politics, human rights

have become part of the common language of political debate, invoked in everyday discussions and listed in surveys as among the most widespread demands of people around the globe. This political context is not separate from law, but rather is closely linked to how human rights law has evolved. Too often law is seen as utopian while politics is seen as realistic. To the contrary, political calculations by states about what is in their best interest and what best satisfies their constituents define what laws will be promulgated. Thus, multiple political forces define both the limits and the expanse of international human rights law.

In terms of norms, the flow of human rights–related ideas and information through transnational networks of various sorts—including media, diaspora, and economic and political networks—has had a dramatic effect on how issues are conceptualized.[9] The normative and the political closely intersect: the expectations that inform the political consciousness of peoples around the globe are evidenced in everything from Arab Spring demands for democracy and human rights to global disgust over the US torture in Abu Ghraib prison. The point is that shifts in these normative expectations lead to shifting political impacts. Expectations of democracy and rights lead to people dying in protests against violations of democracy and rights, just as repellant photos of torture led to a biting political backlash against US policies in the Middle East. In other times and places, different normative expectations meant that rights violations such as torture would not have caused a backlash (or, indeed, would have been something about which to boast).

Last among these groundings, among the various institutionalizations of human rights are the agencies and arms of the United Nations that make human rights part-and-parcel of proposed solutions to thorny issues. Whether in peace plans, postconflict reconstruction, or everyday economic development, implementation of human rights is often conceptualized as a fundamental underpinning to long-term policy success. The United Nations is the key institution of note here, but not the only one—human rights are part of the work of other organizations, including national human rights monitoring organizations.

Moving on to the foundations of human rights, it is really an "antifoundational" argument that I make. From the 1948 adoption of the Universal Declaration of Human Rights onward, human rights principles have shown themselves to be more than just the legal playthings of great power states or rules that can be applied from the top down by some sort of authoritative source. I argue in Chapter 5 that both proponents and opponents too often approach human rights from a flawed

starting point—one that frames human rights narrowly in terms of historical or moral foundations, as if their meaning has been fixed for the ages. This belief that foundations are the key to understanding a static body of human rights with permanently agreed-upon implications informs both cultural relativist and structuralist critiques of human rights as well as legal and philosophic justifications of human rights. I critique the skeptics in an extended section on relativism and structuralism that sees their views on non-Western engagement with human rights as problematically essentialist.

Nonetheless, I also accept much of the critique of the unthinking universalism that is the too-easy justification for human rights. The antifoundationalist alternative that I propose sees the essence of human rights as manifest in how the rights regime continues to dynamically evolve in a global context, rather than residing in some singular or eternal quality that explains its impacts. To the degree that human rights are seen as pertinent in diverse local contexts, this is because of the dialectic between anchoring human rights in law and institutions and allowing the human rights regime to change in response to all manner of political and normative inputs. These groundings are not in a hierarchical relationship in which one of them is the ultimate foundation. They are, instead, in a circular relationship in which the rights regime is vibrant (or not) to the degree that these groundings mutually inform and permeate each other.

Here, the source of the continued resonance of human rights—the closest thing to a real foundation—is their role in dynamic transnational conversations, such as those initiated by movements that make claims for rights, often in ways that freshly articulate those rights or extend into new rights. These circular connections among the elements in which human rights are grounded are essential to the maintenance and expansion of human rights' global resonance. Not to acknowledge these synergistic connections is to leave human rights in the straitjacket of a singular foundation.

If human rights are to sustain the surge in global importance we have seen in recent decades, they must continue to expand through this sort of give-and-take beyond legal texts monitored by Geneva-based treaty bodies. The definition and implementation of human rights are dependent on a dynamic interaction between the global and the local and on political and normative movements that are shifting and pluralistic rather than "foundational." Transnational dialogues have been key to such processes, allowing human rights to be continuously

rethought in ways that have been essential to increasing their local resonance.

In other words, the transnational highway runs in two directions. While in Chapter 3 we see that a transnational environment affects various parts of the Muslim world by embedding its controversies in frames at least partly defined by human rights, in Chapter 5 we see that expanding the global vibrancy of human rights depends equally on transnational dialogues about how to define and implement rights. Contestation is at the heart of putting human rights on the political map. Human rights are not a bequest from on high, but rather emerge in new forms out of struggles around the world.

Chapters 6 and 7: Political and Social Debates Informed by Human Rights

Once we have considered the meaning and nature of human rights in Chapters 4 and 5, we will be better prepared to use a human rights lens to move us beyond simplistic binaries and give insight into complex issues affecting different parts of the Muslim world. Chapters 6 and 7 aim to show how prominent political and social debates are framed and informed by human rights, and how movements informed by human rights represent important shifts from status quo approaches to key issues. Chapter 6's focus is on the political sphere, including the broad area of democracy and its close relationship with controversies over free expression. Two of the most famous controversies are Ayatollah Ruhollah Khomeini's *fatwa* on Salman Rushdie that made *The Satanic Verses* a global issue, and the more recent and similarly transnational Danish cartoon crisis of 2006 (interestingly, the starting point to the global reactions in each case began among the Muslim diaspora in Europe). There have been numerous other efforts to silence voices of dissent throughout the transnational Muslim world. In the Arab world, for example, this has included everything from attacks on independent intellectuals such as Muslim theologian-philosopher Nasr Hamid abu Zeid (who died in exile) to the brutal repression of Syrians, Yemenis, Bahrainis, and others who protest against the political status quo.

Such controversies are part of a debate over two closely related questions: whether democracy is possible in Muslim-majority but inherently pluralistic states, and whether Muslim minorities can coexist with predominantly non-Muslim societies in Europe and North America. This debate over democracy has exploded with particular

ferocity around Iran's 2009 elections. The widespread protests that erupted over claims of government fraud in that election embody many of the themes this book addresses. Human rights not only implicitly framed normative expectations going into that election but also went beyond that to explicitly undergird nonviolent resistance against the Iranian government's repression in its wake. There has clearly been, in other words, resonance for rights in Iran in a way that translates into political action. This is not exclusive to Iran, of course; indeed, Iran's turmoil presaged in some ways the Arab Spring.

More broadly, Chapter 6 makes the argument that freedom of expression and democracy are intricately linked. Violations of the right to free expression have little to do with cultural sensitivities and everything to do with repressing dissent against the political status quo. Free expression is essential to democracy and to realizing a broad range of rights. Limiting free expression by deference to cultural sensitivities is a very dangerous game—one with fixed results that will reinforce status quo power structures and stifle voices of dissent in the political sphere as well as in the economic and social spheres.

In Chapter 7, the focus moves to the social sphere on the assumption that the social and the political are deeply intertwined. I take up the controversial question of how rights pertain to sexual orientation and gender identity, with a focus on discrimination against gay men in the Arab world. Cases like the 2001 Queen Boat arrests in Cairo show how even the mildest assertion of a countervailing sexual identity on the margins of the public sphere can provoke a brutal clampdown by authorities. The accompanying campaign by Joseph Massad and other cultural nationalist elites to demonize those who dare challenge dominant expressions of sexual identity as Western fellow-travelers is telling. It speaks to the power of patriarchal structures to deploy simplistic binaries in the attempt to discredit the new ideas and ways of being that flow out of social ferment.

Given sensitivities over sexuality, negative responses to claims of nontraditional sexual identities and gender identities are not a shock. But, as I show in Chapter 7, explosions of violence against homosexuals (especially though not exclusively focused on gay males) in some parts of the Arab world are about much more than sensitivity. They are part of an authoritarian discourse that sees assertions of difference in any sphere as a challenge to status quo power structures. Thus the ruptures represented in movements for rights regarding sexual orientation are not a marginal matter but are integrally related to how rights have come to

inform political-social movements that push for change at the local and global levels. These movements express repressed demands for a more fluid, open public sphere.

Chapters 6 and 7 thus vividly illustrate the book's themes about how the international human rights regime, transnational norms, and local movements intersect with each other, with momentous consequences for both the Muslim world and the human rights regime itself. Rights are not fixed moral principles that need to be protected by powerful actors like a baby needs to be protected by a parent. Instead, in all parts of the world, human rights are objects of struggle. They rely for their relevance on their capacity to be (re)constituted by those making claims in the emancipatory language of a rights regime that is evolving and multi-sourced rather than static and singular.

Movements for rights regarding sexual orientation, like prior movements for women's rights, demonstrate this. Such movements show the limits of the current rights regime to the degree that such rights remain on its margins. They also show the rights regime's potential to be rearticulated in ways that are legitimized by neither a preexisting universal foundation nor the particularities of a singular social-political-cultural construct, but that dynamically shift in response to impulses from previously marginalized groups. When the global women's movement engaged with the human rights regime, it did so by fundamentally transforming that regime. It remains to be seen if the push to include rights regarding sexual orientation within the human rights regime will be similarly globalized such that it can have the same dramatic effect, though it does carry that potential.

Chapter 8: Human Rights, Revolution, and Reform in the Muslim World

Earlier in this chapter, I introduced my perspective on how human rights relate to processes of reform and revolution, using lessons from the Arab Spring to explore this issue. This book ends by considering in more depth the dynamics of human rights, revolution, and reform. Human rights have opened up new possibilities for the disenfranchised and marginalized, raising hope for lasting systemic reform in many countries. Indeed, at their heart, human rights are reformist in that they seek as a matter of principle not to overthrow governments but rather to work within the system to make governments more equitable and just in the self-interest of both those governments and their peoples.

This reformism, however, has revolutionary potential. Its challenge to closed structures of power, if unmet, can bring about the de-legitimization of authoritarian rulers and governments. Such a process is quite distinct from either coups or classic top-down revolutions that seek to impose a predefined ideological blueprint in the previous system's place. Rather than imposing a blueprint, human rights are about giving agency to peoples to define their political structures from the ground up in ways that reflect the fluidity and multiplicity of ideology and identity. This refusal to offer the certainty of one mode of absolutist truth is what makes human rights revolutionary in a unique way.

This reformist and potentially revolutionary challenge means, unsurprisingly, that human rights have been subject to severe backlashes in many parts of the world. Governments increasingly have been forced to take human rights seriously and are fighting back by aggressively subverting rights at the domestic, international, and transnational levels. In an earlier era, the predominant strategy for rebuffing human rights claims was a passive defense, with governments making tortoise-like assertions that the shell of domestic sovereignty protected them from international human rights obligations. Governments are now often cannily playing offense by engaging with human rights in a purposefully destructive manner. The battle, in short, has been joined by governments that are counterattacking in response to human rights being transformed from seemingly idealistic rhetoric into a very real factor in global politics.

The Arab Spring exemplifies how human rights can inform movements that challenge deep-rooted political, economic, and social structures, as well as how such a challenge is susceptible to severe backlash. Chapter 8 describes ways in which the Arab Spring illustrates the pattern shown in this book of human rights having an impact on both normative expectations and political action. It also describes how the overthrow of dictators in the Arab world does not in itself constitute a revolution. At best, these are revolutionary moments with revolutionary potential that remains to be fulfilled. Unfortunately, the Arab Spring's aspirations are more likely to be contained and countered by power structures that preserve their power by maintaining some variant on the status quo. Worse, as is being seen in Yemen and Syria, the Arab Spring may unleash destructive chaos as anarchic, decentralized protesters confront forces with perhaps greater organizational discipline that are focused on either maintaining or gaining power by virtually any means necessary.

In any case, whatever the future course of the Arab Spring's uprisings, to the point of this book it has put the lie to the notion that either the Arab world or the larger Muslim world is a monolith defined by singular identities and ideologies. The Arab Spring has been, if nothing else, an expression of the diversity of political, social, and economic aspirations of peoples. This raises the hope that, whatever the backlash and whatever the chaos in the near term, space has been created for more fluid and engaged forms of grassroots politics. The key variable in this regard, I argue, is the struggle for agency. Human rights' revolutionary potential lies in their capacity to harness the desires of peoples to engage in defining their political and social lives, rather than being mere objects of political meta-narratives.

Reasons for Pessimism and Optimism

It is important to assess the place of human rights in the Muslim world from a perspective unclouded by simplistic assumptions about the nature of that world and the nature of Islam and Islamists. Numerous areas of scholarship are affected by stereotypical characterizations of Islam and Islamism as monolithic forces. I would note, simply, the two currents of this book that undercut this notion of singularity. First, Islam— just like the Muslim world and the human rights regime—is transnationally defined. And second, normative currents associated with both Islam and Islamism intersect with human rights in significant ways.

I explore the relevance of human rights to the Muslim world with full awareness of the ideological centrality of political Islam in many Muslim societies over recent years, and of how this has sometimes been problematic from a human rights perspective. In short, many Islamist movements have directly challenged human rights and have been implicated in practices that violate such rights. It is understandable, therefore, to see pessimism expressed in this regard. I would suggest, however, that matters are more complex than constructs of Islam being inevitably oppositional to human rights. As with human rights, the question regarding Islam is not so much if but when, how, and why it has mattered to the debates the book addresses. Islam is not a static theological entity. To the contrary, the relevance of Islamic constructs— reformist, reactionary, and endless other variations—is a result of transnational interaction and hybridized integration with any number of other discourses.[10]

Indeed, a fascinating trend in the contemporary Muslim world is the increasing interplay between human rights and Islamic discourses. A shared transnational space makes it inevitable that various normative currents will brush against one another. This phenomenon is manifesting itself in two striking ways. First, some intellectuals associated with the human rights movement in the Muslim world are increasingly trying to justify themselves in Islamic terms. From various articulations of Islamic feminisms to the more full-bodied theories of Abdullahi an-Naim and others, the basic idea is that human rights can and should be expressed in Islamic language in order to be legitimate.[11] I am somewhat skeptical about this claim, but there is no doubt that it is changing how human rights are conceptualized in the Muslim world and, therefore, globally.[12]

Second, Islamist movements have at times joined with liberal and human rights movements in on-the-ground political coalitions. In Egypt, for example, this took place to some degree during 2011's Tahrir Square protests, as well as in the mid-2000s when the Kifaya movement drew in both Islamist and liberal elements. In Yemen in 2005 the Islamist party Islah entered into an electoral coalition with the Yemeni socialist party, and this cooperation continued to some degree in 2011 in the street protests against President Ali Abdullah Saleh. Similar interactions have taken place in other parts of the Muslim world. This underlying theme, important in itself, is also indicative of how human rights have become an inescapable part of the region's political fabric.[13]

These intersections represent a mutual recognition that, since both human rights and Islamism have decided limits in terms of popular resonance, co-opting the language of the other can be mutually advantageous. Human rights–oriented activists may perceive benefit from Islamicizing their language in an attempt to counteract the claim that rights are inauthentic to local traditions. Islamists, for their part, may seek to capitalize on the normative resonance of human rights and democracy as a means to extend their popularity, which in many cases is derived more from opposition to the prevailing or previous status quo than from any widespread commitment to a deep application of Islamic law (indicators of support for the actual Islamicization of society have been generally low).[14] This is further evidence of the Muslim world's ideological dynamism in relation to the debates this book addresses. Intersections of varied theories and practices of human rights and Islam belie monolithic conceptualizations of their relationship as necessarily conflictual or, for that matter, as necessarily complementary.

These intersections buttress the book's argument that, both currently and historically, human rights have had an important place in the Muslim world, a prominent place in transnational dialogues in which the Muslim world has been an active participant, and a definable impact on how specific issues are conceptualized in the region. This makes human rights a relevant frame for looking at debates of global importance in the Muslim world. It also necessitates understanding the sources of the global impacts of human rights. This leads to the book's complementary argument: that such an understanding must emphasize the dependency of human rights on local and transnational normative currents if it is to thrive. Impulses from these disparate sources can inform change in the human rights regime that keeps it relevant to political, economic, and social struggles around the world. If the rights regime evolves in response to such currents, rather than conceptualizing itself as bound by foundational documents, it can maintain and further its impacts.

The question of whether the human rights regime is indeed maintaining and furthering its impacts is, of course, a matter of intense debate. Skepticism abounds, with all manner of human rights violations being cited as evidence of the supposed failure of the system or movement as a whole. I respond to such skepticism by emphasizing that I am no optimist when it comes to the implementation of human rights. I am merely suggesting that human rights have increasingly defined how and why certain issues are discussed, and have sometimes informed what political actions are taken regarding those issues. Even in light of the overthrow of rulers like Ben Ali and Mubarak, I certainly would not contend that human rights are an unstoppably powerful political or normative force. In fact, this is an extremely precarious time for human rights, both globally and in the Muslim world (and *especially* in the Arab world).

That said, blanket pessimism about the future of human rights globally or in the transnational Muslim world also warrants skepticism. It is a mistake to see the Muslim world as historically determined, any more than any other part of the world. It is worth recalling that most academics look back on the era of modernization theory with unrestrained scorn for its naive historical determinism. The notion that all parts of the world, including the Muslim world, were incrementally setting aside "primordial" loyalties based in religion or ethnicity and "progressing" along the same path as Western countries is indeed somewhat silly. Many of those who would scoff at modernization theory, however,

partake of a similar sort of historical determinism when they sneer at the notion that human rights can be relevant to the Muslim world.

This speaks to the temptation to see the world in simplistic, culturally determined binaries. This temptation is all too common not only in popular discourse but also in academic work, ranging from Samuel Huntington's *Clash of Civilizations?* to Joseph Massad's *Desiring Arabs.*[15] For all of their differences, Huntington and Massad are comparable in that each posits a seemingly natural order that divides the Muslim world or Arab world from the West, be it regarding civilizational identity or sexual identity. These static, deeply conservative conceptualizations are a barrier to understanding the processes that give rise to locally impelled and transnationally informed human rights movements. It is essential to show how, in a world constituted by multiple currents, such simplistic conceptualizations result in a distorted vision of the world. Such constructs as "the Arab world," "the Muslim world," and "the West" are each overly generic.[16] Within such generic constructs are a diversity of political and social trends, including grassroots-level human rights movements influenced by global norms and laws.

While this book offers no optimistic prognosis, it is worth remembering that our global societies will likely develop in ways that will seem as shocking a few decades hence as current events would seem to a modernization theorist in 1960. If nothing else, therefore, I suggest maintaining the humility to recognize that we really have little idea how the politics, economics, and societies of the transnational Muslim world will change. For all the uncertainty about how the Arab Spring will play out, it has nonetheless dramatically demonstrated that changes in all of these realms are inevitable.

Such changes, when they occur, need not seem as perplexing as they do to some. By paying more attention to human rights dynamics globally and in the Muslim world, we can come to appreciate their role in the course of events, even when the deep implementation of rights is far from imminent. Human rights are both an implicit and an explicit part of the political identities of many in the transnational Muslim world— they inform both agendas for reform and the possibility of a more far-reaching revolution in power structures.

This book contents itself with exploring how human rights factor into some crucial contemporary debates and political events, both reformist and revolutionary. As for the worlds of possibilities that may flow out of that, I steadfastly refuse to claim seerlike knowledge regarding how events will play out. I do, however, insist that human agency

is a powerful force in its ability to overturn seemingly fixed constructs relating to politics and identity and truth and to reimagine them in revolutionary ways. And it is a force we must reckon with, as the rise of human rights shows.

Notes

1. "Talk with Wael Ghonim," interview by *Dream TV Egypt,* February 8, 2011, http://alive.in/egypt/blog/2011/02/08/dream-tv-interview-with-wael -ghonim-part-2-with-english-subtitles.

2. The term "Arab Street" is problematic in that it makes the Orientalist assumption that Arabs are a monolith with unified opinions on any number of issues. The working assumption in this book is that both Arabs and Muslims have subjectivities that are defined out of a variety of geographic, demographic, social, and political positions. The assumption of an essentialized monolith has been an ongoing problem with too much governmental and academic work on the Arab and Muslim worlds. It has led too many to ignore more complex on-the-ground political and social dynamics.

3. "The Arab Reawakening: An Interview with Rashid Khalidi," *Columbia Magazine,* Spring 2011, http://magazine.columbia.edu/features/spring -2011/arab-reawakening.

4. Ibid. Khalidi is appropriately scathing on this point, writing: "Everything we have been told systematically by talking heads, by pseudo-experts, by self-appointed gurus on the Arab world has been proven to be completely false. These people should be on their knees in sackcloth and ashes as far as I'm concerned." For an even more cutting take, see Hassan, "Ideas Can Also Kill." In particular, note what he calls the "racism" of the many observers who dismissed (and continue to dismiss) rights claims by Arabs for a variety of clichéd reasons.

5. My thinking on this issue, as will be indirectly reflected throughout this book, is influenced less by the literature on the Muslim world(s) and more by some of the following authors and their works. Though these works come out of different academic fields and preoccupations, they share an emphasis on the importance of situating our understanding of the intersection of international law, global politics, and transnational norms in the day-to-day political practices of different localities and subjectivities. See Devji, *Landscapes of the Jihad;* Lefort, *Writing;* Bayat, *Life as Politics;* Rajagopal, *International Law from Below;* Appiah, *Cosmopolitanism;* and Delanty, "The Cosmopolitan Imagination."

6. A conversation with Faisal Devji on March 14, 2010, prompted by a post in the "Duck of Minerva" blog led me to this formulation. See http://duckof minerva.blogspot.com.

7. In the felicitous phrasing of Richard Falk: "There is a difference between liberation Bush-style and liberation Tahrir Square–style." Falk, "Revolution on the Nile."

8. Clapham, *Human Rights Obligations of Non-State Actors.* Andrew Clapham reminds us that while human rights are no longer solely about the state, this shift does not negate the centrality of state obligations.

9. Regarding media, for example, contemporary media are in the hands of vastly larger groups of peoples through new communication technologies. This means both much broader access to news, information, and opinion and the ability to create and transmit news through blogs as well as Facebook and Twitter accounts. This has its resonances at a normative level.

10. A group such as al-Qaeda, for example, is a prototypical transnational, nonstate normative actor that thus embodies many of the same currents that inform our discussion of human rights. The issue with al-Qaeda is not that it represents some unchanging essence of Islam or that it represents the mainstream of the Muslim world. To the contrary, it represents an example of how intersections between Islamic norms and transnational structures result in novel ideas of what is "Islamic." A transnational context is very much a part of informing diverse and dynamic constructs of what Islam is, from those of al-Qaeda to those with opposing ideologies. On this topic, specifically, see Devji, *Landscapes of the Jihad;* and Roy, *Globalized Islam.* More broadly, this understanding of the dynamics of transnational normative currents is influenced by constructivist international relations theory. On constructivism's founding literature, see Wendt, *Social Theory of International Politics;* Onuf, *World of Our Making;* and Ruggie, "What Makes the World Hang Together."

11. Hassan, "Rights of Women Within Islamic Communities." On articulations of Islamic feminisms, see, for example, Shah, "Women's Human Rights in the Koran." On the theories of an-Naim, see his book *Toward an Islamic Reformation.*

12. Chase, "Liberal Islam and 'Islam and Human Rights.'"

13. See Schwedler, *Faith in Moderation;* and Hamzawy, "Globalization Human Rights."

14. Schwedler, *Faith in Moderation.* There clearly is more than a little opportunism on all sides in such coalitions. Nonetheless, this phenomenon shouldn't be discounted, either. As Jillian Schwedler demonstrates, Jordanian Islamists have reoriented themselves to a worldview that is more pluralistic and democratic in the context of a more open public sphere.

15. Massad's work is discussed at length in Chapter 7.

16. As should be clear, I am as uncomfortable with the broadness of the term "the West" as I am with the broadness of the term "the Muslim world"—both need to be disaggregated rather than taken as a holistic entity. Is "the West" that of Hitler or Stalin or Churchill? That of Plato or Aristotle or Foucault? Of British colonialism, US power, or Canadian peacekeeping forces? With the most powerful representative of the West—the United States—constituted by a polyglot mixture of peoples, languages, and cultural impacts, does "the West" really tell us anything important as a term, or does it hide more than it reveals? My sense is the latter.