

PAPERS

IDEOLOGICAL MANIPULATION OF CULTURAL RELATIVISM

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A Case for Textual Analysis

My aim in this paper is to show how cultural relativism can be manipulated to justify an authoritarian ideological attitude. I think that this would be better achieved through the analysis of a representative document, which is the “Universal Islamic Declaration of Human Rights” (Issued on 19 September 1981 by the Islamic Council)¹. It is representative, in my view, first, because it expresses the mental attitude of a vast majority of Muslim intellectuals all over the world, second because it is said to be compiled by eminent, Muslim scholars, jurists and representatives of Islamic movements and thought, third, and maybe more significant, because it expresses the practices exercised by many Islamic states, especially in the Middle East.

The first impression one gets on reading this document is that it has a double message. Its manifest content is to defend and confirm the universal standard concepts of Human Rights, but its hidden

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¹ <http://www.Islamonline.net>

intent is to legitimize – in the name of religion- the sort of practices characteristic of pre-modern, if not medieval, societies. How can these two contradictory aspects be achieved and out of what problematic do they arise? That is what I am going to talk about.

1. Description of the document

In the very beginning, the document presents a Quranic verse that says: *“This is a declaration for mankind, a guidance and instruction to those who fear God”*. Such a statement, in such a context, has several implications: First, it not only expresses God’s Will, but also talks on behalf of Him. This gives the document a unique status as if it were itself the word of God addressing the whole mankind. Second, it ascribes an inferior status to the readers who are supposed to obey its instructions without any critical sense and without any logical argumentation. Third, it tries to nullify the international Human Rights declarations and covenants, as they are all human - and not made by God. This attitude is further affirmed by saying that: *“Islam gave to mankind an ideal code of Human Rights fourteen centuries ago”*, and that: *“Human Rights in Islam are firmly rooted in the belief that God and God alone, is the Law Giver and the Source of all Human Rights,”* which: *“Are an integral part of the overall Islamic order”*. That is why: *“It is obligatory on all Muslim governments and organs of the society to implement them in letter and in spirit within the framework of that order”*. More over: *“By virtue of their Divine source and sanction these rights can neither be curtailed, nor can they be surrendered or alienated”*.

It seems that the document writers are not fully satisfied with all the statements about the Divine Source of Islamic Human Rights. That is why they insist on refusal of rationality as a source for formulation of Human Rights, by saying that: *“Rationality by itself without the light of revelation from God can neither be a sure guide in the affairs of mankind nor provide spiritual nourishment to the human soul.”* It also affirms that: *“Islam represents the quintessence of Divine guidance in its final and perfect form”*. Assuming all these beliefs and notions, human beings are left with nothing but to obey God’s teachings, so that *“duties and obligations, should have priority over rights”*. In fact, there would be no room left for rights whatsoever, since duties and rights are contradictory terms that cannot be realized at the same instance.

Nevertheless, the document displays a list of rights including political, civil, and women's rights. It is, however, worth noticing that wherever a certain standard universal right contradicts with a Shari'a rule, the document either keeps silent about it, or uses evasive formulation, or refers to what it calls Islamic Law, which is nothing but the Shari'a. These techniques are most prominent in at least four conflict areas:

- 1) The institution of slavery,
- 2) Discrimination on the grounds of gender and religion,
- 3) Freedom of belief and thought.
- 4) Participation in political affairs

As regards the slavery institution, although there is no verse in the Qur'an that directly approves enslavement, some verses do that by implication e.g. in "*al-baqara: 178*"; "*an-nisaa: 3- 24-25-36*". That is why Shari'a recognized slavery in principle, though it sought (as certain verses of the Qur'an did) some measures to restrict the sources of acquisition of slaves and to encourage their emancipation. And that is why the document, despite being a declaration of Human Rights, did not prohibit slavery in a clear-cut way, but considered it just "abhorred", the same as forced labour. Shari'a also discriminates against a non-Muslim man who is not allowed to marry a Muslim woman. Again, a Muslim and non-Muslim are not allowed to inherit one another. There is also discrimination between them in testimony and in criminal penalty of Qisas (equal retaliation).

But the major discrimination under Shari'a may be that which is directed against women. Women are considered inferior to men by nature and by the ability of men to earn money to spend on the family. The husband has the unquestionable right to divorce, while the wife can get it only under restricted conditions. On equal terms of relationship, the women would inherit half the portion of men. In criminal testimony, two women would be equal to a man. The woman is generally considered to be a sexual object for the satisfaction of man's desires and has to be paid for that.

How did the document approach these problems? First of all, we find "Law" everywhere. Expressions like: "*in consonance with*," "*in accordance with*", "*in due process of*", "*except under the authority of the Law*"; are always there to remind the reader that he is subject to religious restrictions which modify and sometimes violate, the core of the original statement. Second, it simply ignores the crucial point,

e.g. the equality statement, excludes discrimination “*by reason of so and so*”, but not “*by reason of religion*”, which is the significant point. Third, by playing on formulations, it can give a false impression of a desired effect which it does not mean in reality, e.g. article no. XIII concerning the right to freedom of religion says that: “*every person has the right to freedom of conscience and worship*” but then, it adds: “*in accordance with his religious beliefs*”, a specification that seriously violates the original statement, if not nullifying it altogether. It is universally agreed upon that freedom of conscience and belief means the right to choose, on maturation, one’s attitude towards religion i.e. to have a religion of any kind or to have no religion whatsoever. Furthermore, he/she has the right to freely express his views publicly through all available means of expression. The only restriction here is, as it is everywhere else, that the rights of the others not be encroached upon by humiliating their own beliefs.

The restrictive attitude of the document is confirmed more harshly in article no. XII, which states that: “*Every person has the right to express his thoughts and beliefs: so long as he remains within the limits prescribed by the Law*”. But to avoid any misunderstanding, it adds that: “*No one, however, is entitled to disseminate falsehood or to circulate reports which may outrage public decency, or to indulge in slander innuendo or to cast defamatory aspersions on other persons*”. The question that may arise here is: who is entitled to define these vague offences?

Political rights are also evasively stated in the Document. Article no. g-ix) states that: “*...the authority to administer (public affairs) shall be exercised after mutual consultation (shura) between the believers qualified to contribute to a decision which would accord well with the Law and the public good.*” Moreover, article no. g-vi states that: “*Obedience shall be rendered only to those commands that are in consonance with the law.*” Of course, the most significant phrases here are: a) “*consultation between believers*”, which is the alternative of the general election in modern democracies. It is clear that such a statement keeps silent in relation to the imperative status and the scope of the consultation, and in relation to the non-believer citizens; b) “*obedience to commands*”, which is the real demand of any despotic state.

However, it is worth noticing that although all these notions and attitudes have a sound basis in the Qur’an which is the supreme authority in Islam; still it is the outcome of a certain non-historically

oriented reading which does not exclude the possibility of other different readings leading to different outcomes. But, anyhow, elaboration of such a point lies outside the scope of this paper.

2. The problematic

What are the factors that contributed to the situation that lead to the issuing of such a document? I think that we can refer at least to two factors or groups of factors: first, we have those which led to the intermingling between the religious and the political in the early Prophetic society; and which, later on, made the religion of Islam the sole source of political legitimacy for the Caliphate states down to, at least in some and at least in part, the contemporary Muslim states. And, second, we have those factors that led these same societies to be invaded by the modernity in a highly complicated and even contradictory way, at a time when they were still in a traditional medieval state of affairs.

As regards the first group of factors, what concerns us here is how the political need for religious legitimacy led, first, to the establishment of the institution of Shari'a, and, second, to ratify it as of Divine source (the Law). It is well known that the Prophet, after moving to Medina (hijra), had to consolidate and regulate the social, political, and military affairs in and around Medina. This aspect of his activities was not a part of the revealed doctrine. However, during the Prophet's life, the presence of God and His participation in the decision making of the significant communal problems, was a concrete social reality. All believers complied without questioning to the instructions of the Prophet as the messenger of God. Anyhow, this ideal situation changed drastically after the Prophet's death and the cessation of revelation.

The problem of the succession of the Prophet confronted the community of the believers with the first, and may be the most significant, crisis in Islamic history. It represented a point of departure from what was divinely justified to what became apparently profane without sacred covering: an open conflict for possession of power and status. It was not so surprising that the clash was settled on a tribal basis according to the degree of blood relationship to the Prophet's tribe i.e. the *Quraysh*. But then the seeds of the problem of legitimacy were laid down especially for the future generations. Since that time the ruling dynasty has the

obligation to show its worthiness of ruling a Muslim nation through its -at least apparent- adherence to what the people believe to be Islam. This obligation reached its peak with the reign of the *Abbasid* dynasty which overthrew the *Umayyad* dynasty under the banner of Islam. It was not until the early *Abbasid* era, from 750 A.D. onward, that, what has been called since then, "Shari'a" was really developed. This was achieved through consolidation and systemization of the work of certain individual jurists and their students into separate schools on Shari'a². That is why, Shari'a, as known to Muslims today, is not divine in the sense of being considered as direct revelation. Rather, it is the product of a process of interpretation of, and logical derivation from, the text of Qur'an and Sunna (deeds and sayings of the Prophet) and other traditions (Naim, 1990, p11).

The relationship between the Caliphate state and the intellectuals of the time (mainly the jurists) should be further scrutinized in order to determine the role of each partner in the process of the consolidation, and in particular, the attribution of a divine nature to the "Shari'a". It is worth noticing that what the Document referred to as "*the Law*" is nothing but this "*Shari'a*". That is what the explanatory notes of the Document tell us. Whereas it defines the Shari'a as: "*the totality of ordinances derived from the Qur'an and the Sunna and any other laws that are deduced from these two sources by methods considered valid in Islamic jurisprudence*".

However, it may be interesting to go on a bit further along those explanatory notes just to see how far the restrictions and limitations imposed upon Human Rights could be. It goes on saying, in note 2: "*Each one of the Human Rights enunciated in this declaration carries a corresponding duty*". And in note 3:

"In the exercise and enjoyment of the rights referred to above, every person shall be subject only to such limitations as enjoined by the Law for the purpose of securing the due recognition of, and respect for, the rights and the freedom of others and of meeting the just requirements of morality, public order and the general welfare of the Community (Ummah)."

² A.A.An-Naim, *Towards an Islamic Reformation*, 1990, The American University in Cairo Press. P17, 11.

That is how the first group of factors lead to the unification of the political and the religious in Islamic states rendering what is political and profane to appear as if it were religious and sacred.

The second group of factors comprises those related to the challenge of modernity and the nature of responses it stimulated in Islamic societies and states. Of course, there are social, political, cultural and developmental differences between different Arabic- Islamic states. But still, they have common religious cultural traditions that shape their intellectual and psychological response to modernity. At the same time, the social solidarity is still based on religious community and patriarchal extended families. And the rural and/or tribal mentality and psychology are still pervading society as a whole. The ruling elites persisted to be authoritative and control the various aspects of the socio-political life. This means that these societies are not predisposed to assimilate the cultural aspects of modernity with its modern values, such as the concept of "the individual" as an autonomous and self-dependent entity equal to all others, and the concept of Human Rights as rights inherent in human nature and defended by the law against any encroaching authority whatsoever.

However, there is another aspect of modernity that is unacceptable to any non-western society. That is the imperialistic hegemonic aspect characteristic of western capitalism. This contradictory aspect of modernity created contradictory attitudes in responding to it. Moreover, the situation, especially in the Arab countries, has been aggravated by their heavy cultural and political heritage. That is why the ruling and intellectual elites in Arab-Muslim states responded to the challenge of modern Human Rights by issuing such an Islamic Declaration. And that is why it had such a double-binded character.

3. Ideology and cultural relativism

Now I think I have to reveal the rationale of my hypothesis, i.e. why I consider this document to be ideological in nature, and why I suppose that there is -under the surface at least- some sort of manipulation of the concept of cultural relativism which has been well known to be held by the mainstream of the contemporary cultural studies, especially in the West. I think it is better to explain how I understand such terms as: ideology, culture, and cultural relativism, before seeing whether they apply to the case at hand.

Brown³ defines ideologies psychologically as being: generally regarded as systems of beliefs about social issues that have strong effects in structuring and influencing our thought, feelings and behavior. Their foundation is in attitudes and beliefs acquired through learning and socialization, and they are embodied in social movements and in the lives of individuals. While Lichtheim⁴ defines its positivistic concept as referring to: any kind of consciousness that can relate to the ongoing activity of a class or group and is effective enough to make some sort of practical difference. The main elements of ideology⁵ are considered by many scholars to consist of: (1) patterns (or schemes, systems, syntheses (thoughts, values, convictions, beliefs), (2) characteristic of (or belonging to, adhered to by a group (class, epoch), (3) or characteristic of individuals. Anyhow, in addition to these elements and to the Marxian specification of ideology as referring to a distortion of thought which stems from, and conceals, social contradictions⁶, I would like to add one more point i.e. ideological beliefs appear to their holders as if they were universal reality.

But then the question arises: is religion ideology? I think that at least some elements in the religious type of thinking are ideological in the sense mentioned before. However, the document, as we have seen, bears heavily on ideology. It involves: (a) a system of beliefs that is socio-culturally oriented; (b) held by an institution (the Islamic Council) which represents a group of Muslim intellectuals and which is supposed to be financed and directed by some Arab -Muslim organizations and (c) sees these socio-culturally derived beliefs as a universal and ultimate truth that should be adhered to by others. That is why I think that such a document is an ideologically-laden one.

Although ideology can be a part of a culture, they are different concepts. Culture consists of the values the members of a given group hold, the norms they follow, and the material goods they create. While values are abstract ideals, norms are the definite principles or rules which people are expected to observe. Generally speaking, culture refers to the ways of life of the members of a society, or of

³ Brown, 1973: L.B. Brown, *Ideology*, Penguin books, 1973, p 173 on.

⁴ George Lichtheim, *The Concept of Ideology*, A vintage Book, 1967, p 46.

⁵ Arne Naess et al., *Ideology and Objectivity*, Oslo, University Press, 1956. (Internet).

⁶ Ralph Dumain: *The Autodidact Project: Ideology by Jorge Larrain* (Internet).

groups within a society. It includes how they dress, their marriage customs and family life, their patterns of work religious ceremonies and leisure pursuits. It also covers the goods they create and which become meaningful for them - bows and arrows, ploughs, factories and machines, computers, books, dwellings⁷. Values and norms of behavior vary widely from culture to culture, often contrasting in a radical way with what people from Western societies consider 'normal'⁸ Culture diversity, seen from another perspective, leads to what is known as cultural relativism.

Cultural relativism involves the notion that each culture should be understood and appreciated in its own terms. What is moral in one culture might be immoral or ethically neutral in another. This attitude resulted from the increased knowledge that was acquired recently and led to or facilitated a deeper understanding and, with it, a finer appreciation of cultures quite different from one's own. Such an increased knowledge led to an understanding that universal needs could be served with culturally diverse means, that worship might assume a variety of forms and that morality consists in conforming to ethical rules of conduct but does not inhere in the rules themselves⁹.

4. Conclusion

So far, I have tried to explain how I understand terms like ideology, culture, and cultural relativism. Now, my point is that the writers of 'the Document' are playing on the fact that the mainstream of Western intellectuals adopt the notion of cultural relativism. This means – for them - that there would be a room for their system of ideas in Western thought. I think that this is the reasonable explanation for the fact that the writers translated their Document into English and appealed to Western intellectuals, not only to accept their version of what they call Human Rights, but moreover, to adopt their interpretation of Islam as the ultimate word of God. They are unaware that what they declared is not a version of Human Rights but is rather a bill of duties based upon one, amongst other, reading of Islamic texts.

⁷ Anthony Giddens, *Sociology*, Polity Press 1994, p 31.

⁸ Ibid, p 38.

⁹ *Concepts of cultures* (Internet)