

# Universal Declaration of Human Rights and Islam

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In an ever changing, tumultuous world, Eastern and Western society have historically had difficulties in trying to find ways to coexist. This came as no surprise to nations in past centuries, and, despite nowadays apparent tendencies of thinking that all cultures are alike, it should come as no surprise to 21<sup>st</sup> century nations that these differences persist in hindering the latest societal desiderate, homogeneity.

The fact that the Occident and the Orient are so different does not pose a problem per se. Each has its own cultural and historical background and each has influence over different geographical areas. The problem arises when the two worldviews are forced to coexist.

Presently, the United States and Europe are struggling to keep the peace between Eastern and Western views and practices in their communities.

Western civilization has a common understanding of what individual rights are and how society should function. In this respect, should one travel from one part of Western culture to another, for example from the US to Europe or Australia, there will be no striking differences in this general understanding.

[The Universal Declaration of Human Rights](#) is the quintessential guideline of Western European Society. It is proclaimed by its framers to be “ a common standard of achievement for all peoples and all nations to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.” From it originates the [European Convention on Human Rights](#) (ECHR), which states that through it, “the first steps are taken to enforce many of the rights contained in the Universal Declaration of Human Rights.

The Islamic point of view, however, is one that is unfamiliar to Western civilization. Islamic nations are usually run by theocratic legal systems which have their roots in the Qur'an and Hadith.

An attempt at homogeneity was made by the enactment of the [Cairo Declaration on Human Rights in Islam \(CDHRI\)](#), adopted in 1990, nine years after the Universal Islamic Declaration of Human Rights. It was declared by its drafters to be “In contribution to the efforts of mankind to assert human rights, to protect man from exploitation and persecution, and to affirm his freedom and right to a dignified life in accordance with the Islamic Shari'ah.” This attempt was to be in full accordance with Islamic law, making homogeneity unlikely however.

As an example, article 16 of the [UDHR](#), paragraph 1 states that:” Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.” The Islamic view, it was argued, dictates that Muslims only marry other Muslims though.

Art 18 states “Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.” From the Islamic point of view, changing one’s religion to anything but Islam represents the crime of apostasy, and the dialogue taking place in Muslim countries is centered on whether to kill, imprison or spare the apostate.

Other intensely debated issues include some practices which seem not to be controversial in Islamic societies yet cause outrage in Western ones, such as: rape (which has a different definition in Islamic law than in Western law), child marriages, incest, sexual abuse, female genital mutilation, human trafficking, and honor killings. Moreover, the fact that in some Islamic countries a woman’s testimony is equal to half that of a man’s and the fact that a wife is considered property of her husband adds to the essential differences in the way East and West perceive the world.

There has been a rise in Muslim immigration to Europe since the early 1960’s. Countries like Great Britain, predicted to be a [majority Muslim](#) country by 2050, are already facing the reality which brings to mind the fact that democracy is by definition the rule of the majority. And if the majority worldview changes, so does the country’s future.

France and Belgium now have laws [banning](#) the burqa while Barcelona banned burqas and niqabs from public buildings. Tensions seem to be rising. How might the laws of these countries look by 2050?

The [United States](#) has also had its share of issues regarding Shari’ah. In 2010 an amendment to the Constitution banning Shari’ah law was taken into account by voters in Oklahoma, yet, even though the measure had been overwhelmingly approved by the voters, the banning of Shari’ah was later ruled [unconstitutional](#). How might this precedent affect the US?

Also, the well-known case of the social studies textbook, [Across the Centuries](#), which is supposed to present Californian seventh graders with an un- biased history of religions yet dedicates 55 pages to Islam while those concerning Christianity only number around 10 pages, which outraged parents and led to lawsuits, is another example of shifting tendencies and growing social tensions.

As time goes on, the question of whether or not it is possible for theocratic Islam and laic, democratic Western civilization to reach a compromise presents itself. Should such a compromise even be attempted considering that in this case the absolute principles of theocracy

would be expected to yield to the principles of cooperation? Or would Western civilization have to redefine itself in order to better fit the theocratic vision of Shari'ah?

If a balance can't be reached, then what steps will the West take in order to preserve itself? And how will its outlook on multiculturalism differ in understanding? One can only wonder what a shift in basic conceptions might bring for the future of civilization.