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Human rights, interrupted

Arabs are thirsting for democracy and social justice. So why are human rights viewed with such hostility in the Arab world?

Read this article in Russian.

Arab and Muslim countries remain reluctant to adopt international human rights treaties. They have often opposed such conventions as United Nations members and asked for provisions to be added that are tailor-made to the Arab-Muslim context. To give just one example: Saudi Arabia was one of eight countries not to sign the Universal Declaration of Human Rights when it was adopted in 1948 and the country remains the only one to oppose this text.

This continued when so-called second and third-generation conventions related to socio-economic and cultural rights were adopted in later decades. Regarding the role of women, for instance, professor and human rights activist Hafidha Chkir remarks: 'In spite of the development of legal texts which protect the women and recognise their important rights, their status remains fragile; persistent discrimination against them, in the name of tradition or of customs marked by sacredness and religiosity are in the internal law of the country concerned, in social practice and in the reservations made during the ratification of international conventions.'

The disregard for human rights might not be particular to Arab-Muslim culture and the universalist discourse cannot escape the question of cultural context. A legal anthropology of human rights is needed to reflect on the apparent cultural obstacle complicating embrace of these rights, a point often made to justify misgivings about universal rights. But no matter how welcome such an anthropology would be, it doesn't mean that the opposition of radical Islamist voices to the human rights narrative is measured and precise. In my opinion, it actually exceeds all limits of reasonable criticism.

In fact, the Arab world's rejection of human rights is fuelled by a bizarre, wider rejection of universal values, according to Abdel-Basset ben Hassen, president of the Tunisia-based Arab Institute for Human Rights:

'We are confronted with a strange situation: On the one hand, our society strongly demands political participation, democracy, the equitable distribution of resources, and the restoration of the notion of civil status. [...] But on the other hand, the dominant political and cultural discourse in Tunisia considers that the notion of human rights presents a plot to undermine our identity and stability. So what exactly do we want?'

The Arab Spring and its continuing reverberations should be seen against this backdrop. The paradox is this: Citizens rose up against dictatorial regimes and social inequality, yet subsequent free elections brought to power obscurantist government forces that viewed human rights with hostility. The irony of history at its best.

Why so reluctant to human rights?

The deeper reason for this rejection of the liberal, so-called Western model of human rights is related to three reasons: religious, anthropological and political.

First of all, the predominantly tribal structure of Arab societies requires the dissolution of the individual in relation to the whole of the tribe. Contrary to what one might think, this factor is still powerful in the Arab world in which traditional social structures have not been sufficiently broken by profound social changes (as they have in Europe).

In the case of the Arab-Muslim world, two elements stand in the way of an embrace of human rights – the sacredness of the religion's holy texts and the fervent political opposition to a more open interpretation of Islam.

Secondly, Islam - although historically constituted against tribal culture as a universalist ideology - is also based on the principle of the dissolution of the particular in the whole, of the individual in the Jamaa (community). From the tribe to Jamaa (from Mecca to Medina) there was no great change in the destiny of the individual: it remained dependent on the community.

Finally, some repressive political regimes have always invested in this weakening of the status of the individual, because it is easier to control the individuals already subjected to existing social structures.

Therefore, there are three obstacles to individual freedom in Arab-Muslim societies: a deep socio-political alliance between religious, social and political reasons. One could even go as far as seeing external threats to state security as a pretext for strengthening control over individuals.

This was indeed the case in Tunisia during the Ben Ali period and it is still the case in many Arab countries today.

Choosing the Arab path forward

In this context, Arab citizens are not yet certain of their allegiance: should they strive to create a free society and free elections, or should they support their religious parties and the theocracies they represent? In the case of the Arab-Muslim world, two elements stand in the way of an embrace of human rights – the sacredness of the religion's holy texts and the fervent political opposition to a more open interpretation of Islam.

In fact, we are confronted with a complicated socio-political phenomenon: As mentioned before, it is the nature of religious faith itself that absorbs the individual in the community. Secondly, political power - which is afraid of the emancipation of the free individual - supports interpretations of the sacred text that forbid any reformist and open reading. The most expressive example in this context is that of the Wahhabism that continues to spread in the Arab-Muslim world: Wahhabism sometimes becomes an intelligent alibi for political power. The Islamism of the Ennahda movement in Tunisia is another example of this conservative trend that seeks to block any opening of society allowing the birth of a free individual.

But there is hope. Maybe Tunisia will be able to make an exception.

On top of that, freethinkers are not sufficiently supported in Arab-Muslim countries and are often oppressed by Islamist groups who easily mobilise the masses against them. They only find some elites or international civil society organisations to defend them. This unfortunately has a long history: free thinkers have always been the target of all dictatorships in the Arab world. With the Islamists, it is the same power game against free thought that continues to work.

In this complicated context, we are witnessing a paradoxical alliance between the masters and the enslaved. The 'citizens' will freely choose those who will deprive them of their freedom. This is why Islamists can reach the overwhelming majority in various elections in the Arab world. And in the case where these Islamists take power with vast majority, it seems like they will never be dismissed: this is the case of Gaza, Iran, Sudan.

Tunisia might be an exception

But there is hope. Maybe Tunisia will be able to make an exception. First of all, Tunisia experienced the breaking down of traditional social structures during the colonial period. This is largely thanks to the emergence of a considerable mass of workers in its big cities like Tunis or Sfax (the first Tunisian trade union movement was founded in 1924 by Mohamed Ali Hammi) and thanks to the ethnic mixture of the existence in cities of diversified ethnic affiliations (Italian, French, Jewish, Turkish and so on). It is not strange that Tunisia is the first Arab country to know a powerful trade union movement and to live a very dynamic ethnic and cultural opening. This social dynamism makes the Tunisian exception in terms of individual freedoms and human rights.

Secondly, despite the triumph of Islamists, much of the political power represented by the President of Tunisia, Beji-Caid Essebsi, shows great sympathy with civil society. The best example is the Committee on Individual Freedoms and Equality (COLIBE), instituted by presidential decree, which has just published an important report. It highlights the need to reform Tunisian laws in order to make them more compliant with individual liberties embodied in the 2014 Tunisian Constitution.

Although a large wave of defamation and accusations followed the spread of this report, members of the commission found protection from the presidency. For once in the history of the Arab-Muslim world, political power tends to support the defenders of individual liberty and enlightenment values.

It is this change of the position of political power in relation to the conflict between religious radicalism (represented both by Islamist organisations and a large part of the society mobilised by these organisations), and the defenders of individual liberties which could perhaps allow a deep socio-political change in this region of the world.



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