

MUSLIMS AND GLOBAL JUSTICE

Abdullahi Ahmed An-Na'im

Muslims And Global Justice Pennsylvania Studies In Human Rights

Peri Bearman



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Muslims and Global Justice Abdullahi Ahmed An-Na'im, 2011-06-06 Over the course of his distinguished career legal scholar Abdullahi Ahmed An Na'im has sought to reconcile his identity as a Muslim with his commitment to universal human rights In *Muslims and Global Justice* he advances the theme of global justice from an Islamic perspective critically examining the role that Muslims must play in the development of a pragmatic rights based framework for justice An Na'im opens this collection of essays with a chapter on Islamic ambivalence toward political violence showing how Muslims began grappling with this problem long before the 9 11 attacks Other essays highlight the need to improve the cultural legitimacy of human rights in the Muslim world As An Na'im argues in order for a commitment to human rights to become truly universal we must learn to accommodate a range of different reasons for belief in those rights In addition the author contends building an effective human rights framework for global justice requires that we move toward a people centered approach to rights Such an approach would value foremost empowering local actors as a way of negotiating the paradox of a human rights system that relies on self regulation by the state Encompassing over two decades of An Na'im's work on these critical issues *Muslims and Global Justice* provides a valuable theoretical approach to the challenge of realizing global justice in a world of profound religious and cultural difference

Muslims and Global Justice Abdullahi An-Na'im, 2010-11-09 Over the course of his distinguished career legal scholar Abdullahi Ahmed An Na'im has sought to reconcile his identity as a Muslim with his commitment to universal human rights In *Muslims and Global Justice* he advances the theme of global justice from an Islamic perspective critically examining the role that Muslims must play in the development of a pragmatic rights based framework for justice An Na'im opens this collection of essays with a chapter on Islamic ambivalence toward political violence showing how Muslims began grappling with this problem long before the 9 11 attacks Other essays highlight the need to improve the cultural legitimacy of human rights in the Muslim world As An Na'im argues in order for a commitment to human rights to become truly universal we must learn to accommodate a range of different reasons for belief in those rights In addition the author contends building an effective human rights framework for global justice requires that we move toward a people centered approach to rights Such an approach would value foremost empowering local actors as a way of negotiating the paradox of a human rights system that relies on self regulation by the state Encompassing over two decades of An Na'im's work on these critical issues *Muslims and Global Justice* provides a valuable theoretical approach to the challenge of realizing global justice in a world of profound religious and cultural difference

The Palgrave Handbook of Islam in Africa Fallou Ngom, Mustapha H. Kurfi, Toyin Falola, 2020-09-26 This handbook generates new insights that enrich our understanding of the history of Islam in Africa and the diverse experiences and expressions of the faith on the continent The chapters in the volume cover key themes that reflect the preoccupations and realities of many African Muslims They provide readers access to a comprehensive treatment of the past and current traditions of Muslims in Africa offering insights on

different forms of Islamization that have taken place in several regions local responses to Islamization Islam in colonial and post colonial Africa and the varied forms of Jih d movements that have occurred on the continent The handbook provides updated knowledge on various social cultural linguistic political artistic educational and intellectual aspects of the encounter between Islam and African societies reflected in the lived experiences of African Muslims and the corpus of African Islamic texts

Human Rights Christian Tomuschat, 2014-09-25 This third edition of *Human Rights Between Idealism and Realism* presents human rights in action focusing on their effectiveness as legal tools designed to benefit human beings By combining conceptual analysis with an emphasis on procedures and mechanisms of implementation this volume provides a multidimensional overview of human rights After examining briefly the history of human rights the author analyses the intellectual framework that forms the basis of their legitimacy In particular he covers the concept of universality and the widely used model that classifies human rights into clusters of different generations In this edition the author brings together the fundamental aspects of human rights law addressing human dignity as the ethical foundation of human rights the principle of equality and non discrimination as the essence of any culture of human rights the protections against racial discrimination and discrimination against women and assesses the individual as a subject of international law The volume then moves on to assess the activities of the political institutions of the United Nations the expert bodies established by the relevant treaties and the international tribunals specifically entrusted at the regional level with protecting human rights This edition also includes specific analysis of the actions mandated by the UN Security Council against Libya in 2011 It also includes greater coverage of the jurisprudence of the Inter American Court of Human Rights and the African Commission on Human and Peoples Rights The author explains how and why the classical array of politically inspired informal devices has been enriched by the addition of international criminal procedures and by endeavours to introduce civil suits against alleged individual violators of human rights Finally the volume is rounded off by a consideration of the importance of humanitarian law as an instrument for the protection of human life and dignity and an exploration of the future of human rights

Human Rights, Islam and the Failure of Cosmopolitanism June Edmunds, 2017-05-12 Cosmopolitanism as an intellectual and political project has failed The portrayal of human rights especially European as evidence of cosmopolitanism in practice is misguided Cosmopolitan theorists point to the rise of claims making to the European Court of Human Rights ECtHR among Europe s Muslims to protect their right to religious freedom mainly concerning the hijab as evidence of cosmopolitan justice However the outcomes of such claims making show that far from signifying a cosmopolitan moment European human rights law has failed Europe s Muslims *Human Rights Islam and the Failure of Cosmopolitanism* provides an empirical examination of claims making and government policy in Western Europe focusing mainly on developments in the UK Germany France Italy and the Netherlands A consideration of public debates and European law of conduct in the public sphere shows that cosmopolitan optimism has misjudged the magnitude of the impact claims making among Europe s

Muslims To overcome this cul de sac European Muslims should turn to a new politics of rights to pursue their right to religious expression This book is a theoretically challenging re evaluation of cosmopolitan arguments through a rigorous discussion of rights making claims by Europe s Muslims to the European Court of Human Rights It combines sociological and legal case analysis which advances understanding of one of the most pressing topical issues of the day *Human Rights in the Middle East* M. Monshipouri,2011-12-07 The authors provide a systematic analysis of looking beyond the abuses of human rights in the Middle East with a view toward problematizing traditional doctrinal thinking and concepts in the region ascertaining comparative and historical roots of human rights abuses in the Middle East The Ashgate Research Companion to Islamic Law Peri Bearman,2016-03-16 This unparalleled Companion provides a comprehensive and authoritative guide to Islamic law to all with an interest in this increasingly relevant and developing field The volume presents classical Islamic law through a historiographical introduction to and analysis of Western scholarship while key debates about hot button issues in modern day circumstances are also addressed In twenty one chapters distinguished authors offer an overview of their particular specialty reflect on past and current thinking and point to directions for future research The Companion is divided into four parts The first offers an introduction to the history of Islamic law as well as a discussion of how Western scholarship and historiography have evolved over time The second part delves into the substance of Islamic law Legal rules for the areas of legal status family law socio economic justice penal law constitutional authority and the law of war are all discussed in this section Part three examines the adaptation of Islamic law in light of colonialism and the modern nation state as well as the subsequent re Islamization of national legal systems The final section presents contemporary debates on the role of Islamic law in areas such as finance the diaspora modern governance and medical ethics and the volume concludes by questioning the role of Sharia law as a legal authority in the modern context By outlining the history of Islamic law through a linear study of research this collection is unique in its examination of past and present scholarship and the lessons we can draw from this for the future It introduces scholars and students to the challenges posed in the past to the magnitude of milestones that were achieved in the reinterpretation and revision of established ideas and ultimately to a thorough conceptual understanding of Islamic law **Corpus Juris of Islamic International Criminal Justice** Farhad Malekian,2018-09-30 This pioneering scholarly oeuvre evaluates the major comparative philosophy of Islamic international criminal justice It represents an in depth analysis of the necessities of creating an Islamic international criminal court its possible jurisdiction proceedings judgments and sanctions It implies a court functioning under the legal personality of the International Criminal Court with comparative international criminal lawyers with basic knowledge of Shariah contributing to the prevention of crimes and impunity at an international level The morality and philosophy of Islamic justice are highly relevant with reference to the atrocities committed explicitly or implicitly under the pretext of Islamic rules by superiors groups and governments The volume focuses on substantive criminal law and three methods of the criminal

procedure namely the inquisitorial adversarial and adquisitorial The first two constitute the corpus juris of civil and common law systems The third term presents a hybrid of the first two methods The intention is to enhance the scope of each method of the criminal procedure comprehensively The volume examines their variations and effects on a shared system of international criminal justice The inherence of comparable norms in the foundation of Islamic and international criminal law affirms their efficiency in the implementation of the essence of the complementarity principle This book will appeal to readers who are interested in comparative criminal law international criminal justice and Shariah criminal law It is recommended for course literature

Rethinking Human Rights Erika Jiménez, 2024-10-17 Palestinians have used the language of human rights to articulate their struggle against the Israeli occupation and internationalise the injustices they face Palestinian young people learning about human rights at school experience a dissonance between the aspirational and internationalised framework of those norms and the layers of injustice of their own lived experience Drawing on research in the occupied West Bank this book explores the three layers of marginalisation faced by Palestinian young people the Israeli occupation that denies them their humanity the Palestinian pseudo state that denies them a voice and patriarchal structures that deny them agency to show how these barriers influence their understanding of and scepticism towards human rights Influenced by decolonial theories this book illuminates how space needs to be created for the counter narratives of the oppressed in human rights discourse which may not align with more conventional representations of human rights It contends that human rights and by extension human rights education in the Palestinian context and beyond needs to be critiqued decolonised and ultimately transformed

Human Rights Between Universality and Islamic Legitimacy Mahmoud Bassiouni, 2024 Historically the dynamics underlying contemporary Muslim human rights discourse and the related question of identity can be traced back to the second half of the nineteenth century Faced with European superiority and aware of their own need for reform Muslim intellectuals pondered how to explain the stagnation of Islamic societies and what initiatives were needed to bring about the desired progress Many Muslims were troubled not only by Europe's material superiority but also by the sense of inferiority they felt in the face of Europe's ideological defamation of Islamic societies Any person wrote the French philosopher Ernest Renan in 1883 with a modicum of instruction in the affairs of our time clearly sees the current inferiority of Muslim countries the decadence of the states governed by Islam the intellectual nonentity of the races that derive their culture and education solely from this religion Thus the idea of reform derived its impetus from an ideological challenge that saw the causes of Muslim stagnation as residing in Islam and identified the latter as inhibiting or even blocking the progress of Islamic societies Accordingly the crisis of the Muslim search for identity unfolded in response to the question of how to define oneself in relation to Europe and what role Islam should play in this regard In a broader sense Muslims were confronted with the basic questions of political philosophy What principles should we live by and where do we derive these principles from Can the principles of a modern society be derived from Islam Or is it necessary to refer to

the ideas and institutions of Europe To what extent can we then still define ourselves as Muslims in relation to Europe In response to these questions three broad currents of thought can be identified 2 1 Dialogue of Identities Echoing the European position a secularist school of thought believed that Muslims by virtue of their religion were intellectually incapable of developing progressive thought in the European sense According to this view Islam was fundamentally incompatible with science and modern civilization Muslims should therefore accept European modernity as the ultimate frame of reference and assimilate to Europe as much as possible Politically this assimilationist stance became most prominent in Turkey In contrast a second much broader current of thought which might be called traditionalist argued that the plight of Muslims was due to colonization and oppression by the European West According to this view the stagnation of Islamic societies was caused by the exercise of European imperial power to which Muslims had fallen victim so that adopting European ideas would be tantamount to intellectual capitulation Rather Muslims should seek and rediscover their strength in their own past The only way to express one's true identity according to this argument is to return to one's own tradition

Inside the Islamic Republic Mahmood Monshipouri, 2016 Goes beyond the media stereotype of fashionable parties in North Tehran to examine the quotidian realities of how society has evolved in Iran since the 1979 revolution Decolonizing Human Rights Abdullahi Ahmed An-Naim, 'Abd Allāh Aḥmad Na'īm, 2021-12-09 This book advances practical protection of human rights and challenge claims of western monopoly of human rights discourse The Rule of Law, Freedom of Expression and Islamic Law Hossein Esmaeili, Irmgard Marboe, Javaid Rehman, 2017-12-14 The importance of the rule of law is universally recognised and of fundamental value for most societies Establishing and promoting the rule of law in the Muslim world particularly in the Middle East North Africa and Central Asia has become a pressing but complicated issue These states have Muslim majority populations and the religion of Islam has an important role in the traditional structures of their societies While the Muslim world is taking gradual steps towards the establishment of rule of law systems most Muslim majority countries may not yet have effective legal systems with independent judiciaries which would allow the state and institutions to be controlled by an effective rule of law system One important aspect of the rule of law is freedom of expression Given the sensitivity of Muslim societies in relation to their sacred beliefs freedom of expression as an international human rights issue has raised some controversial cases This book drawing on both International and Islamic Law explores the rule of law and freedom of expression and its practical application in the Muslim world **Human Rights, Security Politics and Embodiment** Aneira J. Edmunds, 2023-12-05 Virtuous institutions such as human rights ones have been neglected by securitization theory's focus on the national state apparatus as the key driver of security politics This book challenges this assumption showing the ways institutional human rights deemed the most progressive of rights have been complicit in rendering the body vulnerable While the book principally focuses on the treatment of the veiled woman it also considers wider cases involving torture the ultimate removal of control over one's body and biggest transgression of human

rights supposed foundational commitment to bodily integrity

Feminism and Global Justice Kerry

Carrington, 2014-10-17 In this book Kerry Carrington takes a bold critical and reflexive approach to understanding the global divisions and inequalities that shape distinctive patterns of gender and crime The book argues that in order for feminist criminology to enhance its conceptual and political relevance in the twenty first century bold new directions in scholarship on gender crime and global justice are required that also take into account global divisions and inequalities Issues explored in the book include the forced marriage of child brides female genital mutilation femicide honour crimes rape and domestic violence and the systemic denial of female rights justified by religion custom or culture It also explores rising rates of violence recorded for women offenders globally and their increasing participation in terrorism as well as troubling male on male violence in anomic spaces cultivated by globalising forces Feminism and Global Justice argues that the world needs feminism more than ever to address systemic culturally shaped and diverse forms of injustice experienced by females across the globe many of them children It will be essential reading for international and national human rights organisations as well as academics and students engaged in the study of criminology development studies sociology politics and gender studies

Parental Child Abduction to Islamic Law Countries Nazia Yaqub, 2022-10-20 As the world becomes smaller family law is becoming truly global giving rise to more and more questions for private international law This book looks at the sensitive and complex question of child abduction with a unique child rights perspective Taking Islamic law as its case study it delves into child abduction in key jurisdictions from Iran to Saudi Arabia and Libya to Pakistan Rigorous doctrinal analysis is enhanced by empirical insights namely interviews with abductees parents and professionals It is an excellent guide to a complicated field

Free Speech, Religion and the United Nations Heini í Skorini, 2019-07-19 This book explores the political struggle to interpret and define the meaning the scope and the implications of human rights norms in general and freedom of expression in particular From the Rushdie affair and the Danish cartoon affair to the Charlie Hebdo massacre and draconian legislation against blasphemy worldwide the tensions between free speech ideals and religious sensitivities have polarized global public opinion and the international community of states triggering fierce political power struggles in the corridors of the UN Inspired by theories of norm diffusion in International Relations Skorini investigates how the struggle to define the limits of free speech vis vis religion unfolds within the UN system Revealing how human rights terminology is used and misused the book also considers how the human rights vision paradoxically contains the potential to justify human rights violations in practice The author explains how states exercise power within the field of international human rights politics and how non democratic states strategically apply mainstream human rights language and secular human rights law in order to justify authoritarian religious censorship norms both nationally and internationally This interdisciplinary book will appeal to scholars and students researching international human rights religion and politics The empirical chapters are also relevant for professionals and activists within the field of human rights

Religious Liberty in Western and Islamic Law Kristine

Kalanges,2012-04-19 Weaves together international and comparative law religion international relations comparative politics and legal history to illuminate and address the theoretical and practical dimensions of a significant human rights problem

Interdisciplinary Approaches to Human Rights Rajini Srikanth,Elora Halim Chowdhury,2018-10-30 Interdisciplinary Approaches to Human Rights History Politics Practice is an edited collection that brings together analyses of human rights work from multiple disciplines Within the academic sphere this book will garner interest from scholars who are invested in human rights as a field of study as well as those who research and are engaged in the praxis of human rights Referring to the historical and cross cultural study of human rights the volume engages with disciplinary debates in political philosophy gender and women s studies Global South Third World studies international relations psychology and anthropology At the same time the authors employ diverse methodologies including oral history theoretical and discourse analysis ethnography and literary and cinema studies Within the field of human rights studies this book attends to the critical academic gap on interdisciplinary and praxis based approaches to the field as opposed to a predominantly legalistic focus drawing from case studies from a wide range of contexts in the Global South including Bangladesh Colombia Haiti India Mexico Palestine and Sudan as well as from Australia and the United States in the Global North For students who will go on to become researchers practitioners policy makers and activists this collection of essays will demonstrate the multifaceted landscape of human rights and the multiple forces philosophical political cultural economic historical that affect it John Rawls: Das Recht der Völker Henning Hahn,Reza Mosayebi,2019-12-16 Im Rahmen der Reihe Klassiker Auslegen wird nun auch Rawls drittem Hauptwerk Das Recht der Völker ein kooperativer Kommentar gewidmet Rawls entwickelt in seinem Spätwerk eine realistische Utopie internationaler Gerechtigkeit die bei vielen seiner kosmopolitischen Schüler schnell auf Ablehnung stieß Aus dem Abstand von 20 Jahren wird nun deutlich dass die Schrift an Aktualität eher gewonnen und bis heute wichtige Debatte geprägt hat Die einzelnen Beiträge rekonstruieren Rawls Position zu globaler Gerechtigkeit Menschenrechten nichtidealer Theorie internationaler Toleranz Methode des politischen Konstruktivismus öffentlicher Vernunft um Nach den Kommentarbänden zu Eine Theorie der Gerechtigkeit und Politischer Liberalismus liegt damit eine Einführung in Rawls Theorieentwicklung in Gänge vor Der Kommentar bietet somit ein für Studierende und Lehrende unentbehrliches Werkzeug um sich mit der Politischen Philosophie internationaler Beziehungen zu befassen

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