1999

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THE issue of conflicting rights raised by Susan Okin’s paper is of fundamental importance to any serious human rights discourse. Okin’s perspective, discussion, and proposal, however, all suffer from three fatal problems: (1) stereotypical views of the “Other”; (2) a conflation of distinct belief systems; and (3) conflict with American constitutional principles.

The paper is clearly written from the perspective of the dominant cultural “I,” a Western point of view burdened with immigrant problems and the human rights conflicts they engender. Okin blames this conflict on a Western liberal tradition that recognizes value in the very existence of cultural diversity. She argues that some cultures may in fact be worthy of extinction.

Okin’s statement is remarkable in its honesty. If she is right about the universality of her principles, then, of course, why should women from other cultures have a lower standard of human rights crafted especially for them? In fact, whether immigrants or residents in their home country, why should women wait for salvation, when the West can readily defend their rights by use of force if necessary? Certainly, Okin’s position has more integrity than one which views the “natives” or “alien immigrants” condescendingly and argues, under the guise of Western liberalism, that “those people” should be allowed to live in accordance with their own lower standards of human rights.
Luckily, these two options are not exhaustive. To recognize other alternatives, we need to revisit Okin’s article and uncover its first fatal error. A quick look at her endnotes reveals what was already obvious to a culturally sensitive reader: her understanding of other cultures/religions is derived from secondary sources outside these cultures/religions. As a result, Okin commits simple but significant factual errors in assessing other belief systems. She argues, for example, that “the founding myths” of Judaism, Christianity, and Islam “are rife with attempts to justify the control and subordination of women” and, among other things, characterize women as “overly emotional, untrustworthy, evil, or sexually dangerous.” As proof, she offers two stories: the creation of Eve out of part of Adam and the fall of Adam.

But the Qur’an nowhere says that Eve was created out of part of Adam. In fact, the Qur’an clearly states that males and females were created by God from the same nafs (soul or spirit), and that the most honored among them in the sight of God is the most pious. The story of the fall of Adam is also different in the Qur’an. Both Adam and Eve were tempted by Satan, and both succumbed. The story is thus about the human condition. It is not about gender. By missing these important differences, Okin attributes to Islam a position based on biblical analysis. This is a serious form of religious reductionism. It is also the example par excellence of Okin speaking in her dominant voice about the inessential Other. So inessential is this Other that, even when included in the discussion, it is rendered remarkably indistinguishable and voiceless. It is allowed into the discussion only through the voice and perceptions of the dominant “I.” Given these ground rules, it is hard to have a serious discussion or reach a democratic resolution of existing conflicts.

The importance of a genuine dialogue is that it permits a more accurate diagnosis of the problems at hand. While “founding myths” are not patriarchal in Islam, several jurists have succeeded in developing a patriarchal interpretation of various Qur’anic passages. It is these passages with the related jurisprudence, and not the “founding myths,” that need to be addressed in Islam. Unfortunately, an Orientalist reductionist approach to Islam often delays productive dialogue.