



Berdal Aral, İnsan Haklarını “Özgürleştirmek” İslam Dünyası ve İnsan Hakları (*“Liberating” Human Rights and the Islamic World and Human Rights*), İstanbul: Beyan Yayınları, 2025, 368 pp.

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The liberal understanding of human rights puts the “individual” at the center and defines “individual-oriented rights” through universal principles. The claim that rights are universal leads to the imposition of Western-centered norms on all societies, which naturally gives rise to several criticisms. The liberal paradigm prioritizes individual freedoms but often pushes structural inequalities, social justice, and collective rights demands to the background. This inevitably paves the way for the transformation of human rights into an instrument of global hegemony. Moreover, in this understanding, rights such as a market economy, private property, and freedom of expression are placed in a central position; however, such problems as poverty, global inequalities, exploitation, or a colonial past are not sufficiently taken into account. Thus, liberal rights discourse weakens its claim to universality by excluding different social experiences.

Prof. Dr. Berdal Aral, a faculty member at the Department of International Relations at İstanbul Medeniyet University and one of the leading academics in the field of international law in Türkiye, critically evaluates the claim of universality of human rights in his latest study. The term “liberate” in the title effectively conveys the author’s critical stance that human rights have essentially evolved into an instrument of domination for the reader before they even start reading the book.



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The book consists of six chapters, excluding the introduction and conclusion. Just before the introduction, various data on the Muslim world are presented in the form of tables (pp. 9-21). These tables enable a comprehensive assessment of information, including the countries with majority or minority Muslim populations and their respective gross domestic products. In addition, the “glossary of key terms” on international law (pp. 22-30), which immediately precedes the introduction, is of great convenience not only to those interested in the discipline of international relations but also to the general reader interested in the subject.

In the introduction, the historical and normative significance of human rights and the relationship between human rights in the context of Islamic thought are comprehensively discussed; in this respect, the theoretical foundations of the issue are discussed, and a conceptual framework is presented to the reader regarding the general content and methodological approach of the work. The book is structured by compiling texts published in academic circles over different periods and incorporating current debates into these texts (pp. 61-62). Although this method may give the impression that it may lead to a structural integrity problem, the fact that the study goes beyond the title of “Islam and human rights”, which is usually discussed within the boundaries of the discipline of theology and deals with “the relationship between the Islamic world and human rights” from the perspective of international law and international relations makes it the first systematic review in this field in Turkish academia (p. 36). In this respect, the book makes a unique and noteworthy contribution to the literature.

The second part of the book critically examines the historical, theoretical, and conceptual foundations of the concept of human rights. Although human rights are presented as a universal norm, the extent to which this universality aligns with morality and justice is debated and the legitimacy of the Western-centered ethical framework in diverse cultural contexts is questioned. The chapter also emphasizes that human rights are not only a global issue but also a political phenomenon closely related to nation-state structures and carefully analyzes the tension between sovereignty and individual rights. Accordingly, for example, “new human rights” will emerge as the conditions in which people live change. Not all forms of systematic victimization to which people are subjected lead to their recognition as human rights. Politics plays a decisive role in transforming a threat or humiliating behavior into a human rights issue (p. 82). Moreover, human rights, which have replaced religion and morality, are often framed in such a way as to encompass differences in sexual preference or pleasure, letting alone systematic victimization (pp. 105-106). In this chapter, the author reveals that the contributions of historical events, such as

the American Revolution and the French Revolution, and thinkers, including John Locke, which are frequently cited in the historical development of the concept of human rights, are quite limited and pose serious problems (pp. 86-88). It is seen that human rights have been transformed into a tool of domination all over the world, that the dominant power finds the right to intervene in other countries under the name of human rights, that they ignore the reasons why crises or wars occur, almost all of which are caused by the inequality caused by the liberal economic system, and that after the intervention, human rights are taken away from the opposition and provided as imperial opportunities to the intervening actor (pp.112-114). However, despite all its negative aspects, human rights should be considered as a possibility and should not be ignored as it is the first concept that has victimized or disenfranchised people all over the world turn to voice their demands (pp. 119).

The third part of the study examines the connection between human rights and religion and tradition. In this context, it takes a critical look at the approach claiming that the concept of human rights is a value specific only to secularism. Additionally, it examines the issues arising from the overemphasis on the principle of secularism within the current human rights movement. Accordingly, if the secular-liberal tradition is accepted as the only universally valid political and legal framework for human rights, the liberal approach, which aims to be “free from dogmas,” becomes itself a dogma (p. 126). This situation, which Esposito describes as “secular fundamentalism”, sees all other approaches as “irrational” and “dangerous”. The assumption that the liberal paradigm has achieved political and normative supremacy by excluding all other alternative approaches has faced serious intellectual and political challenges since the 1970s. In particular, the conviction that secularism led to moral dissolution and identity erosion created a strong line of resistance to Western modernity in the Islamic world (p. 138). According to Islamic thought, law is defined as the transfer of moral principles to the social plane, in contrast to the religious and moral references that the West excludes with its secular approach. In this framework, the claim of universality for the doctrine of human rights can gain a more inclusive and legitimate ground if it is based on a pluralist and intercivilizational perspective, rather than an understanding that “excludes the other” (p. 139).

The following section of the study focuses on when and how the concept of human rights began to be addressed “as an issue” in the Islamic world. It discusses the drawbacks of the claim of universality of human rights for the Muslim world and why the concept should be accepted as a “challenge” by the Muslim world. While some intellectuals in the Islamic world tend to conflate human rights and Islam directly, another group of intellectuals draws attention to the distinction between the two

paradigms. In this context, it is essential to note that the distinction between haqq al-‘ibād (rights of the human person as God’s creature) and human rights in Islam is significant. In human rights discourse, the human being is defined as a “subject”, whereas in haqq al-‘ibād, the human being is an “interlocutor” who must also observe the rights of others. On the other hand, colonialism, oppressive regimes in the Islamic world, and Western ambivalence about the incompatibility between human rights and Islam have given rise to Muslim exceptionalism, which claims that Islam will not borrow anything from any other moral system (p. 153). On the other hand, although it is well-intentioned, the attempt by many Muslim thinkers to establish a direct identity between Islam and human rights is methodologically problematic. To claim that human rights have historically been present in Islam from the beginning is not verifiable on a theoretical and practical level. Although the Qur’an places a strong emphasis on the value of human beings and the protection of their dignity, this emphasis also highlights the divine responsibilities of the individual. In this respect, the Islamic understanding differs from the liberal individualist approach in that it addresses the concept of rights in conjunction with the individual’s obligations. It also offers a universal moral framework by proposing an ethical order that respects not only the rights of the individual but also the rights of the “other” (p.168). In this framework, the most appropriate understanding of human rights for Muslim societies can be defined as “responsible freedom”. Responsible freedom implies that the rights granted to individuals and societies should be considered in conjunction with their corresponding religious, moral, and social responsibilities (p. 205).

Although there are significant ontological and historical differences between Islam and human rights, the Muslim world should not remain indifferent to this concept. First of all, it is impossible to ignore the structural problems that the processes of modernization and Westernization have created in non-Western societies. Moreover, the claim of universality of the international order that emerged after the Second World War has created a global context that affects the attitudes not only of the West but also of all actors involved in this order or those taking a position against it. Finally, the Islamic world, which has suffered severe victimization in the face of colonialism, especially over the last two centuries, has faced the necessity of producing original and critical intellectual work in the field of human rights based on these historical experiences (p. 188).

The fifth part of the study examines human rights and the rights of subjects within the context of the relationship between the ruler and the ruled in the Ottoman Empire. Within this framework, it is emphasized that both rulers and the ruled had rights defined within certain limits; however, they also had responsibilities

towards one another. The people's allegiance to the ruler is valid only as long as the ruler adheres to the sharia. Sharia does not grant absolute and unlimited authority to Ottoman rulers; it is a legal system that subjects them to specific rules and responsibilities. On the other hand, the ideal understanding of governance in the minds of the Ottoman ruling class was always shaped within the boundaries of sharia. Even after the proclamation of the Tanzimat Edict, there was no serious will to abandon this traditional understanding of governance completely. Moreover, even in the opposition movements that emerged during the last century of the Ottoman Empire, demands for human rights were articulated on Islamic grounds (p. 227-228).

The sixth chapter, entitled "Liberating human rights", addresses the barriers that stand in the way of human rights. Accordingly, human rights have been considered "as a useful tool" in the hands of the imperialist West to maintain its colonial policies. Until the end of the Second World War, the imperial experience and the ruthlessness of the West witnessed the non-Western world's anger and hatred towards the West. Human rights, which were framed with the claim of universality after the Second World War, turned into an apparatus used to make Western military interventions look "cute". Moreover, human rights could not prevent the West from producing racist discourse in the process of "civilizing the other" (p.231). However, while idealizing human rights, Western powers have tried to keep their relationship with imperialism, colonialism, and orientalism out of sight (p.232). Once again, a significant limitation in historiography becomes apparent: history is often written as though the entirety of human experience were absent, situating the world's pivotal developments exclusively within this geography, as if Europe alone had been the locus of major progress over the past few centuries. Thus, the Western imagination positions human rights in terms of its own historical experience, excluding the non-Western world (Asia, Africa, etc.) from this narrative (pp. 233-234). In addition, while human rights expand the individual's sphere of freedom as much as possible, they also bring along social corruption. And the West has no perspective on how to overcome this social corruption. Moreover, the discourse of human rights, which excludes dogma (religions and traditions) but becomes a dogma itself because it is closed to criticism, legitimizes the secular domination of the West and becomes another obstacle to the "universality" of human rights. (s.256).

In the seventh chapter, which examines the relationship between human rights and Muslim countries where Muslim populations are concentrated, the records of Muslim countries in this field are first revealed. In this context, the human rights performance of countries is analyzed in three distinct periods: before, during, and after the Cold War. The international texts drafted immediately after the Second

World War also coincided with the period when Muslim countries gained their independence. Unfortunately, a relationship of equals could not be established between the newly independent states and the West, and Muslim countries had to establish a relationship with the bitter memory of colonialism (p.323). In this context, Islamist thinkers such as Sayyid Qutb and Abu Ala al-Mawdudi argued that human rights were used as a tool by the West to continue its cultural invasion. However, all this did not require Muslim states to remain insensitive to human rights; on the contrary, countries such as Pakistan, Syria, Egypt, and Iraq have made significant contributions to the establishment and development of the texts emerging at the UN. In this context, Muslim societies and states have recognized human rights as a concept to be cherished. However, this does not mean that the idea has been fully embraced (p.324).

The final (concluding) section of the study evaluates why the concept of human rights is a concept that should not be ignored for Muslim countries. However, he also suggests that one should be aware of the drawbacks of the instrumentalization of the existing idea of human rights by the liberal/secular West for imperial purposes. The most valuable discussion in this chapter is undoubtedly the necessity of placing human rights in the proper context, one that does not conflict with the fundamental principles of Islam, but instead does not directly overlap with them. In this way, the Islamic world should be able to benefit from the concept without ignoring it, while at the same time not losing its distinctive character by not accepting it in its entirety.