

ARE RELIGIOUS VALUES UNIVERSAL?

Paul Morris

Victoria University of Wellington
New Zealand

Introduction

Are religious values universal? After studying and teaching religious studies for nearly thirty years it is hard not to recognise that there are indeed a plethora of local, indigenous, and revivalist religious traditions, both within larger religions and independent of them. There are many Judaisms, Islams, Christianities, Buddhisms, Hinduisms and Daoisms. My researches have led me to the conclusion that the differences between religious traditions are real and not easily reduced to any single pattern or model. But there are, of course, many overlapping elements, conceptual, theological and most evidently historical. All religious traditions, for example, are committed to the value of peace but all traditions equally know of war, and have different thresholds at which abhorred violence is not only permissible but often mandated.

The values of peace, loyalty, justice, integrity, respect, responsibility, service, truth, freedom, faith, compassion, courage, family, discipline, and community are found in all human communities but values are never just words but the living fabric of communities. And, values, real values, are always debated and discussed. Values are dynamic, responsive and the backbone of communities. But these values are often in tension. For example, there is a debate in Christianity between the values of truth and peace. Some like St Augustine contended that the values of truth and justice outweigh the value of peace, and other have argued the reverse. Today, the values of liberty and responsibility and discipline, or between national security and personal freedom often appear to be in tension. We all have

This is the text of the special lecture given by Professor Paul Morris on 12th August 2003, at the *First Za'ba Seminar on the Malay World*, organized by the Institute of Malay Civilisation, 12th-14th August 2003.

overlapping lists of values, organised into a hierarchy of values. It was easy for Plato who insisted that all three principal values – truth justice, beauty - all merged into the Good. For us, it is often less simple - a new factory creates the good of paid employment and the dignity of work but it also could create the ‘evil’ of pollution. We have goods in the plural and must manage and mediate the tensions between them. I have written elsewhere on the different types of religious community, of communities of assent and communities of descent, and the way different ways in which religions conceive and construct community, purity, deity, hierarchy, the good life and purpose. I am anxious about any list of universal values divorced from the context of their interpretation and application in living religious communities. Our values are those we live rather than those we merely aspire to without direct and immediate impact on our daily lives. Any list of values will exclude and stigmatise those that fail to fully accord with it. These failures will be deemed non-religious if the list is religious or not fully human if the list is a humanist one. The issues of religious and cultural pluralism have never been more important as we continually step up the level of our global interactions in a world where what happens anywhere impacts on us all. We need to understand each other’s values as a matter of great priority and urgency, particularly after September 11, 2001.

Last’s night’s address by Datuk Seri Utama Dr. Rais Yatim referred to Professor Samuel Huntington’s article ‘The Class of Civilizations? (1993) and Professor Dato’ Ir. Dr. Mohammad Noor Haji Salleh mentioned Francis Fukuyama (1992). Following the end of the Cold War and the collapse of the Soviet Union in 1989, Fukuyama triumphantly announced the ‘end of history’, the end of ideological debate, and the ultimate success of the Western values of capitalist liberalism and the US style of democracy. In response Samuel Huntington argued that there were other values at play and the victory of the American way was premature. Huntington’s position is that religious cultures, what he calls ‘civilizations’, have different values, irreconcilable and it appears as if a ‘clash’ of these civilizations is all but inevitable. Religious values are indeed of crucial importance in today’s world - Christian values in the US, Europe, Latin America and sub-Saharan Africa, the Philippines, Korea and increasingly in China; and, Islamic values in North Africa (the Maghreb), Africa and of course in S.E. Asia; and other religious traditions

in other parts of the world. Religious values can no longer be considered as marginal to world politics. But these appear all too often to be values in tension or in conflict. At a conference a number of years ago in Canada that brought together ‘mystics and scholars’, it became clear that whilst the mystics (Jesuits, Hindu swamis and gurus, Buddhist monks, Sufis and Jewish mystics) shared little, the scholars forged links across religions traditions and between them. This is the urgent task for all of us scholars.

Tony Blair, the Prime Minister of Britain, addressing his Labour Party conference last October (1 October 2002, Blackpool) sought support from his political party for his policies on Iraq. He said: ‘...I’ve lost count of the number of supposedly intelligent people who’ve said to me. ‘You don’t understand the Serbs - they’re very attached to Milosevic’. No they weren’t. ‘The Afghans are different - they like religious extremism’. No they didn’t. ‘The Iraqis don’t have the same tradition of political freedom’. No they don’t but I bet they’d like to. Our values aren’t western values. They’re human values, and anywhere, anytime people are given the chance, they embrace them’. This is a claim for value-universalism.

Many religious traditions and cultures claim forms of universalism, that is, make claims that are held to be true for all. But the major claim for universal values in our time does not come from religious communities but from ‘secular’ internationalist bodies. In this paper, therefore, I have chosen to focus on the best-known claim for universalism the Universal Declaration of Human Rights of the United Nations. I want to say a few words about religions and human rights and then explore some of the alternatives to the UDHR and comments on the implications of such alternatives.

The New Human Rights

The post-1989 fall of the Soviet Union world has witnessed a new centrality for human rights, or rather human rights abuses, as evidenced in the foreign policies of the US and a number of the governments of the ‘West’, or in the debates over the International Criminal Court. Human rights abuses have been invoked as legitimation for the deposing of the Taliban and Milosevic, the arrest and deportation of Pinochet, the invasions of Kosovo and Afghanistan, and Iraq. This new emphasis

has often highlighted religious issues and concerns at what some refer to as the new 'Protestant Post-Cold War' war against the enemies of Christianity.¹ For example, the US led Christian 'global crusade' of the last decade against the barriers to the freedom of religion on the part of their fellow Christians, supported by tens of millions of Christians particularly directed against the authorities in Afghanistan, Iran, Saudi Arabia, 'ungrateful' Kuwait, and of course, Iraq, have prepared the American public for military and other actions to liberate oppressed Christians and others.² Whether the millions of dollars collected to bring the truth of Christianity to 'poor' Muslims will bear anything at all is another issue. There are, of course, parallel campaigns regarding China over Tibet and, since 1999, Falun Gong.

Religion and Human Rights

Religion and human rights are related in the scholarly literature in a number of pertinent ways. There are those who see the foundations and ongoing viability of human rights as dependent upon religion,³ and those who recognise these origins but insist that human rights are now independent institutionally and in terms of its own established and widely accepted discourse.⁴ There are even those who consider that human rights morality and action are a proselytising form of secular religion.⁵ There is also an extensive literature explicitly concerned with the human rights of religious liberty and the freedom of belief most often based on UDHR Articles 2, 16, 18, 26, Articles 18 and 27 of the International Covenant on Civil and Political Rights, and the eight articles of the 1981 UN Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief and domestic constitutional (and other legal sources) provisions. The focus here is on issues such as the religious freedom of children, religious expression, religious hatred and discrimination, and religious coercion. My concern here, however, is with the tensions between religious values and human rights, real and apparent. There are books and articles and debates over specific issues, such as circumcision, ritual killing of meat, animal sacrifice, marriage arrangements, inheritance, burial and death customs, medical treatment for particular groups, ages of consent, religious authority, customary religious law, religious education of minors, and whether Sikhs and Rastafarians should be required to wear safety cycle helmets!

The modern liberal state and its individualistic rights theory has largely privatised religion and reduced its legal scope to 'according to the (secular) law'. So that, for example, Jewish law is reduced in modern states (except Israel where there is a unique situation) to the less than one tenth of traditional law that happens to coincide with our different versions of Roman-Dutch law. This is lamentable as Jewish law, for example, does not proceed from caveat emptor but ascribes responsibilities to sellers and buyers. Jewish law would sensibly ban advertising to minors, insist that new enterprises are for the communal good, and put employment before profit. The same is true of many traditional religious legal systems within the context of the modern state.

Universal Human Rights?

The specific area that I want to address here arose out of teaching last year's LAWS 530 paper (an LLM paper, Human Rights: Law and Culture) at Victoria, and in particular the lecture by a visiting official. He contended, and he is not alone in this, that 'Asian values' were a smokescreen for human rights abuses. This raises the question of how we might understand the alternative, 'other' declarations of human rights as part of the wider debate over the claimed triumphant universalism of the United Nations Universal Declaration of Human Rights, and the later conventions and instruments. Although the charge that the UDHR and UN covenants are vehicles for Western imperialism and colonialism is well made by Satrean anti-humanists and their post-structural offspring, philosophical relativists, and others, the main opponents of the UDHR as imperialistic, non-universal, and biased espousing Western or Christian⁶ values have been non-Christian religious and cultural groups, in the main Islamic, Jewish, African, Buddhist, Asian and so on.

What I intend to do is briefly explore and illustrate the claim of bias, examine a number of the alternative declarations, and draw a conclusion from my brief analysis.

These charges are not new, being as old as the UDHR itself. The Chinese representative for the Commission on Human Rights, Chang Peng-chun, insisted to no avail that the UN declaration should reflect Chinese as well as Western values,

cultural groups irreconcilable? Are they intended to be universal? What different fundamental principles, if any, ground these claims for different values? The first question is what is out there and what we might include here. I have limited the discussion to a small number of typical 'declarations'. These are issued as conscious alternatives to the UDHR and so the framers are committed to clearly distinguishing their versions from the UN's. They mirror the UDHR in form and to a considerable extent in content. Designed to promote cultural and religious differences from the UN's universalism, they entail respect for traditional values and codes and their re-formulation in declaratory quasi-UN form.

Human Rights in Islam

I want to begin this section on Islam by referring to a recent article by Daniel Price¹³ where he demonstrates, in a study of a sample of twenty-three predominantly Muslim countries compared with non-Muslim developing nations, that, using UN criteria, the influence of Islamic political culture on governments is statistically insignificant with regard to the protection of human rights. I mention this only to make the point that the influence of Islam is complex, the factors involved in a consideration of human rights manifold, that there are a wide variety of Islamic viewpoints, and that this section is designed only to introduce a number of statements and declarations for consideration.

At this time there is an urgent need to understand something of the claims made by Muslims that Islam recognises human rights but that these are not identical to the UDHR. There have been a number of different agreements and declarations made in the name of Islam each with a particular history of origins, range of acceptance and adoption. There is the Constitution of the Iranian Republic of Iran (1979), the Universal Islamic Declaration of Human Rights (1981), the Cairo Declaration on Human Rights in Islam (1990), the Arab Charter of Human Rights (1994 endorsed by the governments of the member states of the League of Arab States), together with a number of important statements on human rights from the Islamic Conference, and various bodies of Muslim lawyers and jurists. Most of these understand human rights to be an integral part of Islam and to have been so for much longer than these principles have been enshrined in the UDHR by the UN.¹⁴ As with the Saudi abstention at the time of the UDHR itself, these all share

the acknowledgement of the need to frame and recognise specific human rights and human rights in general in the revelatory and authoritative religious traditions of Islam. And, Islamic scholars, such as Abdul Aziz Said, consider the UDHR to be Western and thus 'parochial' and exclusionary of other cultures and societies.

So, for example, in 1979 the Iranian Constitution promotes human rights 'according to Islamic standards', or at the Islamic Conference to discuss the UN Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief (1981) a collective reservation was entered by Iraq rejecting 'any provision 'contrary to Islamic law, or to laws based on Islamic principles'. In fact, the primacy of Islamic law is usually cited as the framework for Muslim adherence and acceptance of the UN human rights covenants. In a number of instances there are marked differences between UN provisions and those reflecting Islam, so for instance the death penalty is legitimated in Articles 10, 11 and 12 of the Arab Charter of Human rights, except for pregnant women and those under eighteen.

Sultan Hussein Tabandeh of Iran published A Muslim Commentary on the Universal Declaration of Human Rights in 1968 for the Tehran International Conference on Human Rights. He understood the UDHR to be mostly compatible with Islamic law and that it reiterates many Islamic provisions, but in a number of areas it is not possible to reconcile Islamic traditions with the UDHR.¹⁵ He discussed family law, divorce, and rights in marriage, which are designed in Islam 'to protect the family', and the limits on freedom of thought and expression as set by Islamic law. Freedom to change religion, he also understood to violate Islamic law. The freedom of expression issue and the 1988 fatwa against Rushdie served to highlight the chasm between liberal Western conventions and laws and those of Ayatollah Khomeini's Islamic state.

How different are the Universal Islamic Declaration of Human Rights (1981) and Arab Charter on Human Rights (1994) from the UDHR? The first thing to note is that in form, at least, both documents are modeled on the UDHR. The UIDHR begins with a prayer and acknowledgment of Allah and continues with the claim that there is no need for the UDHR at all as there is already a universal code in the Qu'ran. Within the framework of an 'obligation to establish an Islam order', the UIDHR rejects all forms of discrimination, enjoins protection and

honouring of the family, views 'worldly power' as a 'sacred trust', 'all economic resources' as 'divine blessings bestowed on mankind, to be enjoyed by all', and insists that all 'public affairs' be determined after 'mutual consultation' between those affected in accordance with the 'law and public good'. Muslims are obligated to refuse to do anything contrary to the Law regardless of who issues the order and non-transferable individual responsibility is mandated for all. Freedom of thought and expression is recognized but only so within the Law. Everyone has the right to earn their living 'according to the (Islamic) Law' and 'all means of production shall be utilised in the interest of the Ummah (community) as a whole, and may not be neglected or misused'. And, the poor have a right to share in the 'wealth of the rich'. Clearly there are significant overlaps with the UDHR, but there is considerably more emphasis on the communal and collective good and all rights are accepted or limited by the compatibilities or differences with Islamic law.

Most importantly, these Islamic declarations and statements reject the claim that human rights and freedoms are given by nature, rather they are 'gifts of God in accordance with the Islamic faith'¹⁶ and it is only by virtue of this that they can be acknowledged as universal, 'inalienable and irrevocable'. That is, human rights are significant only in a theocratic order and the only human rights that matter are those authorised by the teachings of Islam. All rights have corresponding duties, and each community has an obligation to govern itself so as to ensure both that rights are protected and that duties can be discharged. Individual rights must be subordinated and correlated with the common and collective good. Abdul Aziz Said argues that the Islamic and Western values subscribe to different notions of freedom, with Western liberals obsessed with freedom from external 'restraint', an idea not found in Islam, versus the Islamic idea of the freedom to fully contribute and participate in one's community.¹⁷

In summary, the UIDHR is a very different document that goes a long way to support the UDHR, but at the same time re-frames it in terms of obligations and duties that match rights within the context of a community that provides the necessary framework for individual, family and corporate life. Another most important aspect is the (Islamic) Law is non-coercive and cannot be seen as anything other if it is perceived as imposed on Islamic cultures from outside.¹⁸ The UIDHR is widely accepted and has been cited in a Shari'a court decision in Pakistan.

Asian Values

A second arena for the challenging of the Western nature of the UDHR and the claims of universality is that of the assertion of discrete and different 'Asian values'. Asian values have been used to explain the growth rates of the Asian tiger economies and also more recently to go some way to accounting for the Asian crisis as well! Certainly after the crisis there is greater external scrutiny of the relationships between human rights and programmes of modernisation, and on the part of many a cynicism about the use to which these values are put. Notwithstanding the fact that any coherent, agreed list of Asian values, given the diversity of religion, language, culture and political and legal systems across Asia, is inherently unlikely to receive wide agreement. We will look briefly at three of the models of Asian values that developed in the 1990s in the aftermath of increased US and Western influence in the whole region after 1989, evident alongside the continuing decolonisation of the region as in Hong Kong in 1997 and Macau in 1999. These models are most readily associated with Prime Minister Dr Mahathir Muhammad of Malaysia, former Prime Minister of Singapore, Lee Kuan Yew, and China's last President, Jiang Zemin. Each, albeit, in different ways, has claimed that there are values specific to Asia, suited to Asia, and the assertion of these Asian values has been part of an explicit attack on Western values.

In the case of Dr Mahathir, he seeks to promote a pan-Asia system of values that arises out of 'Asia as civilisation' and which link his majority Muslim population with the 'Confucian' cultures of Singapore, Taiwan and Hong Kong. He emphasises the significance of authority and stability and the limiting of individual rights in the name of the communal. He decries the West as morally degenerate and writes of the crisis of liberal democracy and attributes this to its loss of values. Mahathir seeks to develop a political system based on 'Asian values'. More recently, he has attacked globalisation on the grounds that free flows of capital have a negative impact on the developing world, in particular shifting power from the nation-state to the global companies. This move, he argues, reduces the democratic and human rights of the citizens of these states.¹⁹ The debate over human rights has become central to his political philosophy of the state. The promotion of these Asian values does not appear however to be explicitly related

to an increase in political and civil rights in Malaysia.

Lee Kuan Yew and his 'Singapore School' contend their tradition of Confucian values lay behind the development of Singapore's 'social solidarity', creating a national community made up of hardworking families of disciplined citizens where individual rights are secondary to those of the community. Lee Kuan Yew understands this emphasis to be the major difference between the system of Asian values and those of the West. The 1991 government publication, *Shared Values*, reports that the stress 'on the community has been a key survival value for Singapore'. Individual rights are held to be corrosive of social solidarity and the West is the proof of this with rising crime rates, family breakdown, homelessness, and substance drug abuse demonstrating the failure of 'Western values'. Lee Kuan Yew acknowledges the cultural diversity of Asia with its Islamic, Confucian, Buddhist, Hindu and other traditions and notes a sort of negative solidarity in that what unites these is a rejection of a 'purely Western interpretation of human rights'.²⁰ The Chinese government post-Tiananmen in 1991 issued a draft Human Rights paper contending that China had indeed adopted human rights policies but that these were to be in accord with China's history and traditions ('spiritual civilisation') and present policies of 'socialist, ethical, and cultural progress'. The principal policy was that human rights are 'culturally specific' and that the Chinese were committed to the maintaining of order and stability and the Confucian values of 'community harmony' and 'social harmony'. Political and civil rights are secondary to the economic development designed to meet the basic needs of the Chinese population. The paper also insists that human rights are within the 'sovereignty of each state' and that external and international pressures are to be resisted as an unwarranted attack on such sovereignty. When the deputy chair of the 'Human Rights Commission' of China visited New Zealand (Centre for Strategic Studies, Victoria University of Wellington, 2000), he insisted that 'national self-determination, stability, order and economic development were human rights' and that NGOs and other governments were guilty of 'double-standards'. At the regional lead up meeting to the Vienna Conference on Human Rights in China in 1991, the hosts developed a document on Asian values for discussion. At a conference in 1993 just prior to Vienna, forty-nine countries including Japan and South Korea

signed the 'Bangkok Declaration' on Asian values. The Declaration reported that:

... while human rights were universal in nature, they must be considered in the context of a dynamic and evolving process of international norm-setting, bearing in mind the significance of national and regional particularities and various historical, cultural and religious backgrounds.

Here, we can begin to see something of the issues that would be included in the Vienna Declaration, including the significance of the differential cultural context of human rights and the 'right to development'. The Bangkok Declaration also insisted that the UN interpret human rights within the framework of a state's national and regional realities. These realities include values? Asian values that focus on the collective and family rather than the individual, and understand national interests to outweigh individual rights. As with Islam, above, duties are emphasised alongside rights and the West is condemned for failing to fully recognise this. Stability and harmony are stressed and the difficulties of maintaining these together with programmes of industrial and commercial development.²¹

In summary, the debate on Asian values leading up to the 1993 Bangkok Declaration of Human Rights has had a significant impact on the Vienna congress and subsequent debates on the universality and cultural specificity of human rights. The social consensus theory of rights needs to be taken seriously as do the values espoused by the advocates of Asian values. The absorption of collective or communal into the state needs to be noted, as do the fears of the negative impact of Western values on Asian societies.

Conclusion: Rhetoric or Relativism?

Even the briefest trawl through some of the literature exposes the difficulties with the current form of the UDHR and the institutional settings for the implementation of human rights. Different cultures and religious traditions do indeed have different values, different emphases and different modes of authorisation and validation. The UN would do well to develop a framework to consider these issues in detail. Beyond an empty debate between universalism and relativism, or the reduction of

cultures and traditions as the backdrop for global development, including human rights, or a stark choice between individual or collective rights, we can begin to develop with a greater degree of sophistication a more nuanced account of the possibilities. We need to take the rights to culture and religion as an integral part of our individual rights and to develop models of the relationship between communal, traditional and individual rights. We also need to recognise what I call 'pluralistic legitimisation', where parties can agree to a shared code on quite different grounds, so for example a Jew might accept articles of the UDHR as deriving from God and another party from a rationalistic political philosophy. There is enormous scope for the mutual understanding of different human groups, beginning with the recognition that individuals live within cultures and in religious communities, and that these are the only context for the development of human rights, and the articulation of differential human rights, that is, rights specific to particular groups are necessary if the debate is to advance at all. There are important genuine developments to be found in the Islamic, Asian, African, Jewish,²² Hindu and Buddhist declarations and codes of human rights, including re-distributive systems of inheritance, ethical codes for food production and marketing, models of communal responsibilities and collective duties, and subtle and sophisticated moral insights about human rights and their cultural contexts.

To return to our starting point and make two concluding points: First, the last two decades under a single superpower have witnessed a new intensification of the development of global market capitalism raising a raft of human rights concerns. In large part in response to these pressures a number of religious and revivalist cultures in developing states have grown in prominence and political influence. Drawing on traditional moral codes and norms these religious resurgence movements offer a critique of global capitalism and often the human rights regime associated with it, the UDHR. In some cases the International Monetary Fund and the World Bank have insisted on imposing human rights clauses and conditions in order to secure development funds, as has the US in relation to the granting of 'favored nation status'. The 'other' human rights codes that we have looked at above reflect the attempts to secure human rights in a global world that arise not just from the capitalist West but from the cultures and religious traditions marginalised by just

such a global capitalist world order. They offer an invaluable source for necessary new thinking beyond the twin poles of the modernist mythologies of the individual citizen and the nation-state. These declarations and codes represent ongoing debate and contestation. Further, it seems clear that a fair and equitable world order will necessitate a sustained debate and serious engagement with these alternative codes of human rights as the only alternative to armed interventions and the external imposition of the UDHR. Even a state-Rawlsian like Michael Ignatieff considers that intervention (query meaning of first part of sentence) - military or enforced economic? will not achieve positive human rights outcomes, and advocates, even if not taking the views of others seriously, a pragmatic approach to practical human rights while giving full recognition to the need to re-think and re-establish firm foundations for human rights. Paradoxically, his view that supporting states is better for stability than not doing so, or supporting sub-state elements, reinforces the cultural and religious specificity of human rights. While this is less than is called for above, it could make a significant stage on the way to a genuine pluralism in human rights.²³ Such a pluralism would have to give full weight to the differences in the religious and cultural values of different groups.

Finally, we must learn to recognise our cultural and value differences. This entails an unprecedented degree of respect and tolerance, not necessarily acceptance and blessing but acknowledgement of difference and understanding of these differences, a mutual recognition of difference, what Charles Taylor²⁴ calls 'the politics of recognition'. The dialogue between religious communities is perhaps the only antidote to conflict and tension. Dialogue cannot in itself solve anything but it can allow different religious values to be articulated and brought out into the open. We could learn a great deal from tenth century Baghdad where 'philosophers', Muslims, Jews, Christians and others declared their assumptions, recognised that these were different and that they had different sources of authority in order to construct the very possibility of debate - the alternative being ships passing in the night or arbitrary oppression and suppression of difference - as the foundation for dialogue. The United Nations heralded 2001 as the International Year of the Dialogue Between Civilizations but 2001 is over. We need to have every year as the year of dialogue between civilizations, just as we need religious representation at the United Nations.

The West has a legacy of orientalism, that is, a tendency to essentialize the Orient and characterise it oppositionally, to love and hate the Orient but for all the wrong reasons. We need to fully recognise that the 'Orient' served an essential function in the development of modern Western identity. This was positive in terms of a desire or knowledge but negative in generalising and constructing a mirror image of the West and externalising it as the 'East'. I was intrigued by a report in *The News Straits Times* (26 June, 2003), announcing a new chair in Occidental Studies in a Malaysian university. This too is positive in terms of the desire to develop knowledge of 'the other' and understanding but potentially negative if it becomes yet another mirror image.

We all share a world increasingly dominated by global economic networks -New Zealand and Malaysia depend for our survival on exporting goods utilising just these networks. Our religious traditions and their values are a counterweight to the potential injustices of such a global system. A sort of theological aside: We all have to ask ourselves why is there religious and cultural pluralism? If we are religious we might ask our maker why there are different religious communities with different values. We might answer that it is part of the divine plan for humanity, it is how it was intended. If we do so, we may come to realise that our religions have the resources and traditions to respect others and recognise different cultural and religious values without losing values altogether. If there is a universal religious value it is that there is great wisdom in our systems of religious values, and that these are dynamic and responsive to new realities and perceptions and are essential sources for life in the undeniably pluralistic twenty-first century, for today. Religion transforms individual lives, creating identities, and constructing a common good and communities, a necessary defense against the tradition-eroding impact of globalisation of capitalism.

Thank you for granting me the opportunity to address this conference with its central theme of values. This region is central to Huntington's scenario for our future, I am sure that it will be but for positive rather than negative reasons. Malaysia has promoted itself as a model of pluralism and fully recognised that this project is a task not completed.

To finally return to our question: Are religious values universal? The answer is that without a great deal of trust and genuine dialogue between the different religious communities we as yet have little knowledge and understanding of each other values. Our religious values may well be universal but until we develop networks and relationships that allow us to hear each other and learn of each other is values we are not in a position to give a definitive answer beyond, yes, probably.

Footnotes

¹ See Kurth (1998), where he discerns a 'Protestant basis' to US foreign policy and characterises this contemporary Protestantism 'as the pursuit of human rights and uninhibited self-expression'; on US power and human rights, see, Donnelly (1998), Evans (1996), and Little (1998).

² See, van de Vyver & J. Witte (1996); Evans (1997); Leigh (2002).

³ Such as, Stackhouse (1998), where the claim is made that the foundations of human rights are essentially 'theological'; for a fuller account, see Stackhouse (1984).

⁴ See, Henkin (1998), where the author acknowledges the grounding of human rights in religious faith but argues that human rights morality and values are now autonomous of this heritage. On religious rights, see, Evans (2000).

⁵ See Evans (2000); see, also Klug (2000).

⁶ The UDHR, of course, had Christian opponents although many agreed with Jacques Maritain, a member of the drafting committee, who, it is held, failed to agree with a single principle but still considered the declaration better than nothing (Maritain, 2001). For a similar sentiment to the MFAT position by the CEO of the Asia 2000 Foundation of NZ, see Gibson (1997) where he refers to 'so-called Asian Values'.

⁷ Chang Peng-chun, Vice Chairman of the Commission on Human Rights and head of the Chinese delegation to the UN, was a member of the UDHR drafting committee, Wang (1986) 119. See, Glenson (2001); Gurewitsch (1973, 25). The Saudi objections were twofold; the UDHR failed to recognise that rights are given to humankind by Allah, and that the Qur'an does not permit the right to change religion.

⁸ Nickel (1987, 68); 'Statement on Human Rights' - American Anthropological Association, *American Anthropologist* 49/4 (1947) 539.

⁹ See, Morsink (2000), the post-Nazi context is an essential dimension of the UDHR framework.

¹⁰ Paragraph 5, my italics, United Nations 1993; see, Morris (1996).

¹¹ See, Pollis & Schwab (2000).

¹² On the question of universal or global rights, see, Tharoor (1999-2000); Bradney (1993); Donnelly (1998); Ladd (1983); Warner (1997); Thompson (1980); D. Little, J. Kelsay & A. Sachedina (1988); Milne (1986); J. Nickel (1987); Panikkar (1982); Penncock & Chapman (1981); Pollis & Schwab (1979); Pollis & Schwab (2000); Teson, (1985); Traer (1991); Swidler (1986); van de Vyver & Witte (1996).

¹³ Price (2002).

¹⁴ So, in the Statement from the Union of Arab Lawyers at the Seminar on Human Rights organised by the International Commission of Jurists in 1980, the expressed aim was to 'refute the idea that the initiation and development of human rights must be attributed exclusively to Western culture' and to record that 'Islam was the first to recognise human rights almost fourteen centuries ago ... Islam through the centuries set up guarantees and safeguards that have only recently been incorporated in the Universal Declaration of Human Rights'. In a similar vein, the report from the Union of Arab Lawyers (1986) proclaims 'faith in the principles in the Charter of the UN and the International Bill of Rights' but equally insists on the 'Islamic interpretation of human rights ... best suited to the particular needs of the modern Arab world'. Said (1979).

¹⁵ Tabandeh (1970).

¹⁶ On Islamic human rights, see: Farhang (1988); Hassan (1982); Human Rights in Islam (1982); Islam and Justice (1996); Nasr (1980); Piscatori (1980); Tabandeh (1970); Universal Islamic Declaration of Human Rights (1981); and, Zakaria (1986). For a very different view, see Mayer (1991).

¹⁷ See, Said (1979); also Sinaceur (1986); Jullundhri (1980).

¹⁸ Kelsay (1988); Mawdudi (1980); Mayer (1991); Mayer (1988).

¹⁹ See, M. Mahathir & S. Ishihara, *The Voice of Asia ? Two Leaders discuss the coming century* (Tokyo: Kodansha International, 1995) on the basis for 'Asian values'. The authors predict 'end of the western world' as it collapses under the weight of its hedonism, 'materialism, sensual gratification, and selfishness' leading to family breakdown of institutions, families, religions, and traditions; and Verma (2002).

²⁰ On human rights in Buddhism and the Buddhist Charter on Human Rights, see: Keown (1995); Perera (1998); Perera (1991); Unno (1988); and Thurman (1988); and on Hindu human rights, including the Vedic Code of Rights see, Mitra (1988); Panikkar (1982).

²¹ On the debates on human rights in Asia, see: Cooper (1985); Davis (1995); Feinerman (1989); Nathan (1986); Peerenhoom (1990); Shen (1982); Yi (1989); Hsiung (1985); Rosemont (1988); Rouner (1998); Tai (1988); and, Welch & Leary (1990).

²² See, Fishbane (1988); Goodman (1976); Kaplan (1980); Konvitz (1972); Polish (1982); Sidorsky (1979).

²³ Falk (2001); Ignatieff (2001); also, Martin, Bloom & Proudfoot (1996).

²⁴ See, Charles Taylor, *Multiculturalism and The Politics of Recognition* (Princeton: Princeton University Press, 1992) and *Multiculturalism: Examining the Politics of Recognition* (Princeton: Princeton University Press, 1994); also, Charles Taylor *Source of the Self: The Making of the Modern Identity* (Harvard University Press, 1989), *The Malaise of Modernity* (Toronto: Anansi, 1991) and *Philosophy in an Age of Pluralism: The Philosophy of Charles Taylor in Question*, ed. J Tully (Cambridge: Cambridge University Press, 1994).

References

- A. A. An-Na'im (ed.). 1992. *Human Rights in Cross-Cultural Perspectives: A Quest for Consensus*. Philadelphia: University of Pennsylvania.
- _____. 1987. 'Religious Minorities under Islamic Law and the Limits of Cultural Relativism', *Human Rights Quarterly* 9,1.
- _____. 1990. *Toward an Islamic Reformation: Civil Liberties, Human Rights, and International Law*. Syracuse N.Y: Syracuse University Press.
- _____. *et al.* (eds.). 1994. *Human Rights and Religious Values*. Grand Rapids: Erdmans.
- A. A. Mawdudi. 1980. *Human Rights in Islam*. Leicester: Islamic Foundation.
- A. A. Said. 1979. Human Rights in Islamic Perspectives in Pollis & Schwab.
- A. Bradney. 1993. *Religions, Rights and Laws*. Leicester: Leicester University Press.
- A. E. Mayer. 1988. *The Dilemmas of Islamic Identity in Rouner*.
- _____. 1991. *Islam and Human Rights: Tradition and Politics*. Boulder: Westview.
- A. J. Milne. 1986. *Human Rights and Human Diversity*. London: Macmillan.
- A. Kaplan. 1980. 'Human Relations and Human Rights in Judaism', in A. S. Rosenbaum (ed.). *The Philosophy of Human Rights: International Perspectives*. Westport Conn: Greenwood Press.
- A. Nathan *et al.* 1986. *Human Rights in Contemporary China*. New York: Columbia University Press.

- A. Pollis & P. Schwab (eds.). 2000. *New Perspectives, New Realities*. Boulder: Lynne Rienner.
- _____. 1979. *Human Rights: Cultural and Ideological Perspectives*. New York: Praeger.
- A. Swidler (ed.). 1982. *Human Rights in Religious Traditions*. New York: Pilgrims.
- B. X. Shen *et al.* 1982. On the Question of Human Rights in the International Realm, *Being Review* July 26, (101-104).
- C. E. Welch & V. Leary. 1990. *Asian Perspectives on Human Rights*. Boulder: Westview.
- D. Gurewitsch. 1973. *Eleanor Roosevelt: Her Day*. New York: Interchange Foundation.
- D. Keown. 1995. Are there "Human Rights in Buddhism?" *Journal of Buddhist Ethics*, 2 (3-27).
- D. Little, J. Kelsay & A. Sachedina (eds.). 1988. *Human Rights and the Conflict of Cultures*. Columbia S. C.: University of South Carolina Press.
- D. Little. 1998. Religion and Global Affairs: Religion and US Foreign Policy, *SAIS Review* 18/2, (25-31).
- D. Polish. 1982. 'Judaism and Human Rights' in Swidler.
- D. Price. 2002. Islam and Human Rights: A Case of Deceptive First Appearances. *Journal for the Scientific Study of Religion* 41/2, (213-225).
- D. Sidorsky (ed.). 1979. *Essays on Human Rights: Contemporary Rights and Jewish Perspectives*. Philadelphia: The Jewish Publication Society of America.
- D. Warner (ed.). 1997. *Human Rights and Humanitarian Law: The Quest for Universality*. The Hague: Martinus Nijhoff.
- D. Yi. 1989. Opposing Interference in Other Countries Internal Affairs through Human Rights. *Being Review* November 6-12(14-16).
- F. Klug. 2000. *Values for a Godless Age*. London: Penguin.
- F. Teson. 1985. International Human Rights and Cultural Relativism. *Virginia Journal of International Law* 25, (869-898). 1985.
- F. Zakaria. 1986. 'Human Rights in the Arab World: the Islamic Context', in UNESCO.

- H. Cohn. 1984. *Human Rights in Jewish Law*. New York: KTAV.
- H. Rosemont. 1988. Why Take Rights Seriously? A Confucian Critique in Rouser. *Human Rights in Islam*. 1982. Geneva: International Commission of Jurists.
- I. Leigh. 2002. Freedom of Religion: Public/Private, Rights/Wrongs', in M. Hill (ed.). *Religious Liberty and Human Rights*. (128-158). Cardiff: University of Wales Press.
- Islam and Justice*. 1996. New York: Lawyers Committee for Human Rights.
- J. C. Hsiung. 1985. *Human Rights in East Asia: A Cultural Perspective*. New York: Paragon.
- J. Carman. 1988. *Duties and Rights in Hindu Society* in L.S. Rouser, 113-128.
- J. Cooper et al. 1985. *Human Rights in Post-Mao China*. Boulder: Westview.
- J. Donnelly. 1998. *International Human Rights: Dilemmas in World Politics*. Boulder: Westview.
- J. Dudley. 1982. Human Rights Practices in the Arab States: The Modern Impact of Shari'a Values'. *Georgia Journal of International and Comparative Law* 12, 55-93.
- J. Feinerman. 1989. 'Human Rights in China: Impact of the China Democracy Movement'. *Current History* 88 (274-284).
- J. Kelsay. 1988. Saudi Arabia, Pakistan, and the Universal Declaration of Human Rights, in D. Little, J. Kelsay & A. Sachedina.
- J. Kurth. 1998. Protestantism and Foreign Policy: Religion in World Affairs. *Current* 404, July/August (9-19).
- J. Ladd (ed.). 1983. *Ethical Relativism*. Lanham: University Press of America.
- J. Maritain. 2001. *Natural Law: Reflections on Theory and Practice*. W.Sweet (ed.). Chicago: St Augustine Press.
- J. Morsink. 2000. *The Universal Declaration of Human Rights: Drafting, Origins and Intent*. Philadelphia: Pennsylvania University Press.
- J. Nickel. 1987. *Making Sense of Human Rights: Philosophical Reflections on the Universal Declaration of Human Rights*. Berkeley: University of California Press.
- J. P. Martin, I. Bloom & W. Proudfoot. (eds). 1996. *Religious Diversity and Human Rights*. New York: Columbia University Press.

J. P. Piscatori. 1980. Human Rights in Islamic Political Culture in Thompson.

J. Penncock & J. Chapman (eds.). 1981. *Human Rights: Nomos XXIII*. New York: New York University Press.

J. Van de Vyer & J. Witte (eds.). 1996. *Religious Rights in Global Perspective*. The Hague: Martinus Nijhoff.

K. K Inada. 1990. A Buddhist Response to the Nature of Human Rights, in Welch & Leary (91-103).

_____. 1982. The Buddhist Perspective on Human Rights in Swidler, (66-76).

K. Mitra. 1988. Human Rights in Hinduism in Rouner.

K. W. Thompson (ed.). 1980. *The Moral Imperatives of Human Rights*. Washington: University Press of America.

L. Goodman. 1976. Equality and Human Rights: The Lockean and Judaic Views. *Judaism* 25 (361-362).

L. Henkin. 1998. Religion, Religions and Human Rights. *Journal of Religious Ethics*, 26, 2 (229-239).

L. P. Perera (ed.). 1988. Human Rights and Religions in Sri Lanka. A Commentary on the Universal Declaration of Human Rights. Colombo: Sri Lanka Foundation.

_____. 1991. *Buddhism and Human Rights. A Buddhist Commentary on the Universal Declaration of Human Rights*. Colombo: Karunaratne.

L. S. Rouner (ed.). 1998. *Human Rights and the World's Religions*. Indiana: University of Notre Dame Press.

L. Swidler (ed.). 1986. *Religious liberty and Human Rights in Nations and in Religions*. Philadelphia: Ecumenical Press.

M. A. Sinaceur. 1986. Islamic Tradition and Human Rights in UNESCO.

M. Abe. 1986. 'Religious Tolerance and Human Rights: A Buddhist Perspective in Swidler.

M. Davis (ed.). 1995. *Human Rights and Chinese Values*. New York: Oxford University Press.

M. Evans. 2000. Human Rights, Law and Religion: Locating the Debate in P. Edge & G. Harvey (eds.). *Law Religion and Contemporary Society: Communities, Individualism and the State*. Aldershot: Ashgate.

M. Farhang. 1988. Fundamentalism and Civil Rights in Contemporary Middle Eastern Politics, in Rouner.

M. Fishbane. 1988. The Image of the Human and the Rights of the Individual in Jewish Tradition in Rouner.

M. Glenson. 2001. *A World Made New: Eleanor Roosevelt and the Universal Declaration of Human Rights*. New York: Random House.

M. H Beg. 1980. 'Human Rights and Asia' *Santa Clara Law Review* 28. 319-350.

M. Ignatieff. 2001. *Human Rights as Politics and Idolatry*. Princeton: Princeton University Press.

M. L. Stackhouse, Max L. 1984. *Creeds Society and Human Rights*. Grand Rapids: Eerdmans.

M. R. Konvitz (ed.). 1972. *Judaism and Human Rights*. New York: Norton.

M. Stackhouse. 1998. The Intellectual Crisis of a Good Idea. *Journal of Religious Ethics* 26,2 (236-268).

M. Wang. 1986. Forty Years of International Human Rights. *Chinese Intellectuals* 2, (117-124).

P. Gibson. 1997 November. 'Asian Values Western Values and Human Rights'. Paper at the 12th NZ International Conference on Asian Studies. Massey University.

P. Morris. 1996. 'The United Nations, New Zealand and Tolerance', G. Hawke (ed.). *Diversity and Justice*. Wellington: Institute of Policy Studies, (27-34).

R. A. Jullundhri. 1980. Human Rights and Islam in A. Falconer (ed.). *Understanding Human Rights: An Interdisciplinary and Interfaith Study*. Dublin: Irish School of Ecumenics.

R. Daoudi. 1983. 'Teaching of Human Rights in Arab Countries' in ed. A. Eide & M. Thee (eds.). *Frontiers of Human Rights Education*. New York: Columbia University Press, 69-71.

R. Drinan. 2001. *The Mobilization of Shame: A World View of Human Rights*. New Haven: Yale University Press.

R. Falk. 2001. *Religion and Humane Global Governance*. New York: Palgrave.

R. Hassan. 1982. On Human Rights and the Qur'anic Perspective in Swidler.

- R. Panikkar. 1982. Human Rights in Hinduism in Swidler.
- _____. 1982. Is the Notion of Human Rights a Western Concept?. *Diogenes* 120 (75-102).
- R. Peerenhoom. 1990. Confucian Justice: Achieving a Humane Society. *International Philosophical Quarterly* 1, (139-157).
- R. Thurman. 1988. Social and Cultural Rights in Buddhism in Rouner.
- R. Traer. 1991. Faith in Human Rights: Support in Religious Traditions for a Global Struggle. Washington, DC: Georgetown University Press.
- S. H. Nasr. 1980. The Concept and Reality of Freedom in Islam and Islamic Civilization, in A. S. Rosenbaum (ed.). *The Philosophy of Human Rights*. Westport: Greenwood Press.
- S. Tabandeh. 1970. *A Muslim Commentary on the Universal Declaration of Human Rights*. F. J. Goulding (tr.). London: F. T. Goulding.
- S. Tharoor. 1999-2000. Are human rights universal?. *World Policy Journal* 16/4.
- T. Evans. 1996. *US Hegemony and Universal Human Rights*. New York: St Martin's.
- T. Tai. 1988. *The Vietnamese Tradition of Human Rights*. Berkeley: Institute of East Asian Studies.
- T. Unno. 1988. Personal Rights and Contemporary Buddhism in Rouner, (129-147).
- UNESCO and International Institute of Philosophy. 1986. *Philosophical Foundations of Human Rights*. Paris: UNESCO.
- Universal Islamic Declaration of Human Rights*. 1981. London: Islamic Foundation.
- V. Verma. 2002. Debating Rights in Malaysia: Contradictions and Challenges. *Journal of Contemporary Asia* 32/1, (108-130).