

Teaching “Islam and Human Rights” in the Classroom

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ABSTRACT This article discusses my approach to teaching a course on Islam and human rights. I begin by examining the attention Islam has received in the media and classroom. Then, I discuss how I structure lectures on Islam and human rights, the various readings associated with the lectures, as well as common themes discussed in class that include but are not limited to Islamic law, women’s rights, and minority rights. From there, I discuss a range of different approaches to the Islam and human rights discourse. I then describe how I test the students’ knowledge of the material.

The religion of Islam has been a topic heavily discussed both in the classroom and in the media since the attacks on the Pentagon and the World Trade Center on September 11, 2001. Significant attention has been given to examine Islam, the tenets associated with the faith, and its relations to democracy and human rights. With this attention has come much discussion surrounding the level of respect Islam gives to the rights of individuals that include, but are not limited to, women’s rights and religious minority rights. Although some work has addressed approaches toward teaching issues related to Islam (Kazemzadeh 1998; Safi 2002a; Safi 2002b; Wheeler 2002) and also teaching Middle Eastern politics in the classroom (Burgos, 2008; Kiasatpour 1999; Raymond and Sorensen 2008; Stockton 1995; Stover 2006; Tetreault 1996; Vincent and Shepherd 1998), this article specifically discusses teaching Islam and human rights as a topic within a college classroom, and in this case, within a broader course on Middle Eastern politics.¹

In terms of setting up the topic within my course, the Middle Eastern politics course is structured so that students will learn about the political history of the Middle East, followed by a number of current political issues related to the region. Before I begin the topic of Islam and human rights, I build a context for students’ understanding this issue. First, students in the class learn about the origins of Islam in the Middle East, as well as a brief overview of the main tenets of Islam. Along with this, we examine the history of the Middle East since the birth of Islam to present day events. Next, we investigate the rise and “transformation” (Cleveland and Bunton 2008) of the Ottoman Empire and the politics and bureaucratic structures and policies within the Ottoman Empire. Then, after studying the decline of the Ottoman

Empire, we cover various country politics, as well as the role of outside powers in the region (that include Britain, France, the former Soviet Union, and the United States). Furthermore, we study thematic political topics such as “Political Islam and Islamist Movements” (specifically looking at the origins of Al-Qaeda, the Muslim Brotherhood, and Hezbollah), along with other topics that include democracy and the Middle East (and Islam), the Iraq War, and oil and natural resource politics in the Middle East. After discussing these topics, we examine issues of human rights as it relates to Islam. Although a full-semester course allows one to go into more depth regarding the issues of Islam and human rights (both in terms of a theoretic discussion, as well as quantitative and qualitative case analyses), my approach allows students to gain a brief introduction surrounding issues of human rights within Islam, and (in this course) how it relates to politics in the Middle East.

By introducing (and emphasizing) the idea of human rights and Islam, we must be careful to ensure that we highlight the plethora of factors that contribute to a person’s decision to follow and protect (or not follow and not protect) a particular human right. Within this individual decision, the role of religion is often only one, of many, factors or elements that play a role in an individual’s position about human rights. For example, one cannot simply suggest that by knowing various Islamic “positions” or “perspectives” that we can and will understand the motivations of Muslim individuals. In fact, this is far from the case. As Mamdani (2004) argues, we must make a clear distinction between religious and political identifications and understand that the two can (and often) operate at different levels for different persons.

When we are mindful of this distinction we can approach the discussion of Islam and human rights with the appropriate mindset, namely, that recognizes the importance of various interpretations of Islam about a particular rights issue. Furthermore, including a range of other individual, social, economic, and

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political factors, we can realize the complexity in what makes a person hold (or not hold) a particular position. Therefore, in the discussion of Islam and human rights, the role of religion and religious interpretation may be minimal or highly relevant, depending on the circumstance. While instructors should remind students that religious interpretations need to be analyzed accordingly, we need to also be aware (and again remind students) of how religious interpretations are also used politically. Within that space, it is important to examine the different religious interpretations that do exist, as well as interpretations that can exist, and from that, attempt to analyze the political, economic, and societal effects of this on politics, and vice versa.

Students need to understand the various Islamic positions surrounding such issues, the politics of those who are taking these “religious” positions toward human rights, and be aware of some perceptions of the human rights movement itself that exist (Mutua 2001, 2002) due to the historical actions (such as human rights violations) of outside powers in the Middle East, Africa, Asia, Africa, and Latin America in the name of democracy or another political system. Without this understanding, students may not grasp the level of complexity associated with positions of rights taken by individuals. Knowing the political history of the development of the human rights corpus in the context of other movements in history is critical in the discussion of Islam and human rights. Some people have argued that human rights itself is a Western construct and thus has an inherent bias in its approach to human rights. Although we should not excuse individuals who attempt to quickly dismiss the human rights movement merely for fear of their own political survival in office, we must be willing to approach human rights with the perspective of truly allowing the movement to become multicultural. Although some may quickly dismiss the human rights corpus for their own political interests, many others individuals’ true concerns to improving rights need to be seriously considered and included in the advancement of the international human rights system (Mutua 2001).

READINGS

Working on the assumption that most students are unfamiliar with any literature regarding the debate surrounding approaches in Islam regarding human rights, I selected readings that cover a spectrum of issues regarding the compatibility of Islam and human rights. Although the entire set of assigned readings may vary from semester to semester, a core group of readings are usually consistent. The core readings introduce the debates surrounding actions of actors in the name of Islam or the leaders of Muslim states and their level of protection and/or level of respect for rights of individuals and groups. First, I always include “Women’s Human Rights in the Koran: An Interpretive Approach” written by Niaz Shah (2006). This article sets out a range of positions regarding Islam and human rights. The four positions discussed in Shah (2006), namely the secular approach, the noncompatible approach, the reconciliatory approach, and the interpretive approach, allow students to see the arguments presented by each position as well as detailed critiques posed by Shah (2006). Second, I usually include Heiner Bielefeldt’s (1995) *Muslim Voices in the Human Rights Debate*. This article lays out points of contention between human rights and the actions of Muslim states (often in the name of *Shariah* or Islamic law). The additional (or secondary) readings introduce students to different case studies regarding the application of human rights in Muslim contexts. Here, more flexibility

exists: the readings can cover particular country studies, particular human rights issues, or other interpretations of Islam. For example, in the discussion on human rights (focused primary on women’s rights) one case reading looks at Iranian law (Kar 2007), along with supplemental work on activities of individual and organization rights advocates in Iranian civil society regarding human rights in Iran (Boroumand 2007). Other subject areas that can also be used as case or issue studies include human rights as it relates to free education policy and labor rights, as well as looking at the relationship between Sufi philosophy and human rights (Muedini 2010).

Because of limits to the number of articles (and pages) students can effectively read per class while retaining the information, in addition to the required material that students are expected to read, additional recommended readings are listed in the syllabus, or more often, mentioned as further readings are also mentioned (and also, scholars who work in on issues of Islam and human rights are also mentioned) in class. For example, Ann Mayer’s (2007) *Islam and Human Rights: Tradition and Politics*, Katerina’s Dalacoura’s (2007) *Islam, Liberalism, and Human Rights*, Omid Safi’s (2003) *Progressive Muslims*, Mahmood Monshipouri’s (1998) book *Islamism, Secularism, and Human Rights in the Middle East*, or the Monshipouri et al. (2006) edited work *Islam and Human Rights: Advocacy for Social Change in Local Context* are all possible selections for a semester-long course that is solely on Islam and human rights. When spending time on women’s rights and Islam other readings such as *Quran and Women: Rereading the Sacred Text from a Women’s Perspective* by Amina Wadud (1999), Kecia Ali’s (2006) *Sexual Ethics and Islam: Feminist Reflections on Qur’an, Hadith, and Jurisprudence*, Leila Ahmed’s (1993) *Women and Gender in Islam: Historical Roots of a Modern Debate*, or Fatima Mernissi’s (1991) *The Veil and The Male Elite: A Feminist Interpretation of Women’s Rights in Islam* are possible works to be examined. However, because we spend anywhere from one to two weeks (at most) on this topic, reading selections are limited. Thus, the objective of the recommended material is to introduce students to leading scholars and writings on the theoretical issues surrounding Islam and human rights so that students who are interested in additional material regarding various positions within the debate of Islam and human rights can be directed to additional reading material.

SHARIAH

The role of *Shariah* or Islamic law is important to address throughout the discussion of human rights in Islam. To begin, I introduce students to what *Shariah* is, as well as how *Shariah* is established. We discuss the importance of the *Quran* for Muslim law, the life of the Muslim prophet Muhammad (*Sunnah*), as well as the importance of *Qiya* (analogy), *Ijma* (consensus), and *ijtihad*, or personal interpretation (Cleveland and Bunton 2008). It is important to illustrate to students that different interpretations of *Shariah* (and thus Islam) can exist. Instructors who have written on approaches regarding teaching Islam have discussed student perceptions related to *Shariah*. For example, Kassam (2002) has found that:

Muslim students who take my course conflate the Quran, the Hadith literature, and Shari’ah law into one religiously authoritative source outlining normative behavior incumbent upon Muslim women. Non-Muslim students come in with the perspective that everything Muslim women are required to do is outlined in the Quran” (126).

In my approach of discussing *Shariah* as it relates to rights in Islam, we challenge the very assumption held by some people that Islam is somehow crystallized, supporting one position, and having only one interpretation of a plethora of issues. Often many people believe Islam to be monolithic in terms of recognition of the faith as well as the interpretation of Islamic doctrine, both of which are not accurate. In the context of human rights (but not limited to human rights), students learn about various understandings of *Shariah*, and how human interpretation is necessary. With a range of human interpretation—depending on different experiences and worldviews—a host of understandings of “Islamic law” will develop. It is exactly this point that I continue to stress: When

does or does not say² about a range of issues that include human rights. Thus, to analyze these perceptions and compare it to different “Islamic opinions” of these issues, students should be reminded that the classroom is a place where they can freely share their thoughts about the subject. Furthermore, as their instructor, my job is to facilitate discussion about the various issues, while presenting an objective account of the various positions surrounding the compatibility of Islam and human rights.

After making this point clear, I open the discussion by asking students for frank answers to the question: “When you hear about issues of human rights and Islam, or human rights in the Middle East (because this issue is usually being covered in the Middle

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From this point I introduce one more misconception regarding *Shariah*, namely that *Shariah* must play a role in the state for that state to be Islamic. One of the major thinkers that I often reference in class, in regards to discussions of *Shariah* in the context of Islam and human rights, is Abdullah An-Na‘im. Some of his specific work that I mention is one of An-Na‘im’s articles “Human Rights in the Arab World: A Regional Perspective,” as well as two of his books, *Towards an Islamic Reformation* and *Islam and the Secular State*. For example, As An-Na‘im (2009) points out in *Islam and the Secular State*, the idea of *Shariah* as a necessary condition for an “Islamic” state is far from the case. In fact, he argues that a true “Islamic” government is not a government where *Shariah* plays a role in the structure of the state, but rather an “Islamic” government is one where the state is secular. An-Na‘im argues that because Islam promotes tolerance of other faiths, then a “true Islamic state” would have no choice but to ensure that all individuals are free to practice and live according to their religious beliefs without government inference or influence of a particular religious structure (in this case Islam). By mentioning this argument, I show students that one single interpretation of what “Islam says” does not exist, as well as to also make students aware that “reform” approaches exist from various scholars. Although these ideas are at the heart of the intellectual movements surrounding Islam and human rights, many students are often not familiar with such concepts. Furthermore, ideas calling for a necessary secular state (for it to truly be Islamic) (An-Na‘im 2009), or other arguments that may alter one’s previously accepted worldview regarding supposed solidified positions that Islam takes regarding human rights may also be foreign to Muslims outside of this particular course. Thus, students should be introduced to ideas such as this in a course on Islam and human rights.

CLASSROOM APPROACH

Before beginning the lecture and discussion of the assigned readings for the course on Islam and human rights, I remind the students the value of a university setting, namely, the freedom that they have to be able to speak their minds in the classroom and learning and exchanging ideas and thoughts. This is important, because students may have preconceived notions (or ideas) about what Islam

Eastern politics course), what comes to mind?” Responses to this question may be indicative to the role of the media in framing such issues as the issues themselves. Many of the student responses often relate to issues of women’s rights, persecution of religious minorities in Muslim societies, and *Shariah* (often ideas of criminal punishments are mentioned by students). Although such responses are frequent, using the Bielefeldt (1995) article allows the class lecture and discussion to be centered around these often-raised particular human rights issues that seem to receive significant attention in relation to Islam. (Bielefeldt makes it clear that Islam should not be blamed for violations of human rights by “Muslim governments” in the name of the faith) (595). The “conflict areas” that Bielefeldt (1995) highlights include women’s rights, religious minority rights, and issues of corporeal punishment.

The issue of gender regarding the Middle East and Islam has been a particular subfield within Islam that has also drawn significant attention (Hudson 2001). Issues that are discussed in class regarding Islam and gender issues include marriage, namely the notion that men in Islam are able to marry up to four wives, whereas women do not have the ability to marry up to four men. Other issues are women and clothing, specifically the wearing of *hijab* (and other dress [*niqab*]). The rights of women in terms of court testimony, divorce, and driving prohibitions (in Saudi Arabia) are also points of discussion. Although such issues highlight potential challenges between certain interpretations of Islam and rights, similar to Zayn Kassam’s (2002) comments on teaching gender issues as it relates to Islam, I also spend time addressing “students’ assumption [s] that Islam has the corner on discriminatory ideology” (125) as it relates to women. For example, we discuss the context of women’s rights during the time of Muhammad and how this compared to pre-Islamic Arabia. While we discuss various human rights violations that are committed against women under the name of Islam,³ using the Shah (2006) article, we discuss how Muhammad brought significant changes to the rights of women that were not present in Arabia prior to Islam. Furthermore, we place this in context with other non-Muslim societies who have similarly restricted the rights of women throughout history. In class, we have to remember that while the focus of this lecture is on Islam, that human rights violations against women are not new, nor are they confined to “Islamic” societies. Nevertheless, as Bielefeldt (1995) mentions, attention must be

given to proposed discrepancies between the application of particular interpretations of “Islamic law” and women’s rights.

Another issue that can often be raised in the classroom regarding human rights and Islam is the right for individuals to practice other faiths other than Islam, as well as mentioning cases of those who were punished for converting out of Islam. Related to religious freedom is the freedom of speech regarding religious issues. For example, at the time of this writing, news media outlets are covering stories regarding the depiction of the Prophet Muhammad in the Comedy Central’s *South Park*, and coverage of the Quran burning by Pastor Terry Jones of World Dove Outreach. This issue set off various debates surrounding the freedom of speech regarding Islam, and namely toward saying or drawing anything related to Muhammad, who Muslims see as the final Messenger of God. Although this is the most recent event to capture the debate, it is far from the first. The death threats posed against Salman Rushdie, as well as the murder of the filmmaker Theo Van Gogh are all related to the debate surrounding freedom of speech and its relation to Islam.

After a discussion about the students’ thoughts regarding human rights in the Middle East and Islam, a series of lectures follow. The lectures are set up to discuss the range of four approaches regarding Islam and human rights the secular approach, the noncompatible approach, the reconciliatory approach (and a variety of positions within the reconciliatory approach), and the interpretive approach (Shah 2006).⁴ Within each approach I lay out the major arguments espoused by individuals of the approach. I briefly discuss a key thinker within each position as well as criticisms of the approach. For example, with the secular position, we discuss the argument that many secularists want to apply international human rights laws such as the Universal Declaration of Human Rights (UDHR) onto Muslim-majority societies. Although differences between the UDHR and various interpretations of Islamic law may exist, some may contradict the UDHR. Furthermore, a critique of the secular approach is that some may take issue with having an outside system taking precedent over religious interpretations of law (Shah 2006).

For the noncompatible approach regarding Islam and human rights, I discuss the positions that advocates of this position may take (Shah 2006), namely that Islam and “the West” have different values (Huntington 1993), that Islam has its own laws (that are God centered), as well as the idea that human rights is seen as a political tool.⁵ From this point, we discuss responses to this position, namely that Islam has within it and its teachings numerous references toward rights, which are ideas similar to international human rights law. In addition, I also explain to students that critics of the non-compatible position have argued that, despite arguments by advocates of the noncompatible position that Islam is focused only on God—and not concerned with the daily affairs of human beings, Islam is, in fact, concerned with “worldly” affairs (Shah 2006).

Next, we move to examine the “compatibility” of Islam and human rights. Here, we follow Shah’s (2006) examination of other compatible approaches that call for a “fusing” (Monshipouri 1998) of different cultures to establish one human rights standard. Within these arguments also exist differences. For example, whereas some suggest a mixing of different cultures, others are more demanding of cultural reforms within one culture (Tibi 1994). Also within this position is Mashood Baderin’s (2003) “margin of appreciation” in which international organizations should allow states the ability to interpret and implement human rights

for their respective societies (in Shah 2006, 877). One last approach that Shah (2006) discusses, which is within the compatible approach, is An-Na’im’s (1990) argument for the compatibility of Islam and human rights through a reexamination of verses in the Quran that highlight differences between Mecca and Medina-revealed verses. Because the Meccan verses often emphasized a “timeless” message compared to time-specific prescriptions of Medina verses (which often dealt with the situation of the community at the time of Muhammad), An-Na’im argues that the Meccan verses should be the ones that should be applied to modern day contexts. In summary, by discussing the different compatible approaches in the class, students become familiar with the idea that even within the “compatible” position, different approaches are advocated.

I spend the remainder of the specified time discussing the interpretive approach to Islam and human rights. Within this position, I explain that alternative interpretations are (and have been) done with the *Quran*, *Hadith*, and overall *Sunnah* of Muhammad, and that when done, have shown that Islam, in fact, does guarantee a number of rights that previous interpretations may have not suggested exist. Within this discussion, we specifically look at several issues that on the surface that while seeming to restrict rights, on interpreting the *surahs* within the appropriate contextual settings, we find, in fact, that the *surahs* were not revealed to restrict rights. For example, some of the issues we discuss from Shah (2006) are *surahs* on polygamy, equality, divorce, equal witness, and inheritance. In the case of polygamy, students are often unaware that polygamy was allowed for a particular reason and within a particular context. Specifically, when Muslim men at the time of Muhammad were dying in battle, *Surah 4* verse 3 of the Quran was revealed that said that in the name of protecting orphans, a man was able to marry more than one woman (Shah 2006). Thus, within the context of the society of Muhammad at the time, a concern existed that orphans would not be taken care of without the male figure (their father) in their family. Thus, under these conditions, polygamy was permitted. From this, we discuss how some people have argued that the issue of polygamy was prescribed not as a universal prescription but for certain contexts. This reading of the Quran is often very different from what students have been familiar with before the course.

STUDENT ANALYSIS AND CRITICAL EVALUATION

To judge how well students understand the differences in positions, I include this question as one potential question on the end-of-semester exam. The question is framed as follows:

Please list the four different approaches in regards to Islam and Human Rights listed in Niaz Shah’s article, and explain what is called for/advocated by each position. Please make sure to include critiques of the various positions according to Shah.

The goal of this question is that students should be able to recognize the different interpretations and approaches that exist regarding Islam and human rights. In addition to overall approaches, a student with a solid grasp of the topic will be able to also describe in depth, not only distinguishing between the different positions, but also by advocates of each position and differences within approaches. Therefore, a student who is able to list and explain the range of different approaches, the arguments made for each approach, as well as criticisms demonstrates an understanding of different positions within the Islam and human rights debate.

CONCLUSION

For students to see a range of positions surrounding Islam and human rights, as well as various interpretations of religious text surrounding rights (such as women's rights), an effective approach is to discuss supposed tensions within Islam and the international human rights corpus. To accomplish this objective, a lecture and discussion regarding the various approaches/support/lack of support regarding Islam and human rights is necessary. Students will have an understanding of the different beliefs individuals hold regarding whether rights are protected in Islam. Then, introducing students to the interpretive approach allows them to view another perspective regarding rights. In particular, this discussion allows students to see reformist arguments related to Quranic verses and women's rights.

By opening the floor to a frank discussion about student perspectives on Islam and human rights, then by introducing alternatives interpretations of human rights in Islam, and how when applying such frameworks to notions of rights—that Islam, in fact, does offer strong protections of human rights, students are able to learn that Islam, like other faiths, is not monolithic in its practice or its doctrine. In addition, students will learn and be mindful of the fact that Islam is not practiced in a vacuum, but it also influences and is also influenced by a range of political, economic, social, and cultural factors. By introducing the mere notion that Islam is not a monolith and that different positions exist within Islam for rights, students are better able to understand the complexities of the human rights movement as it relates to Islam, and they are better equipped to deal with ideas of how Islamic perspectives have and do offer ideas of rights that not only are compatible with the current human rights corpus but give us different perspectives on how to improve the rights of all individuals. ■

NOTES

I would like to thank Claude E. Welch Jr., Kaltrina Ukmata-Muedini, and the anonymous reviewers for all of their advice and comments related to this work. All remaining errors are mine.

1. The issue of Islam and human rights can be taught in a variety of classes. I have included the discussion in my Middle Eastern Politics and Human Rights courses, but of course the issue of Islam is not limited to these courses. In addition, this article is not suggesting that issues of Islam and human rights are synonymous with the Middle East. This article merely suggests that a course on Middle Eastern politics is just one platform for which to address the discussion of Islam and human rights.
2. For a detailed discussion about the media and student beliefs of Islam as it relates to teaching "Introduction to Islam," see A. Kevin Reinhart's "On the Introduction to Islam," in Brannon M. Wheeler's *Teaching Islam* (2002).
3. And again, my emphasis on this is not solely related to violations in the Middle East or the "Muslim World," as I make it clear that human rights violations occur throughout the world, and not only in Muslim majority states.
4. Shah (2006) does an excellent job of summarizing the various positions.
5. We find arguments of cultural relativism within this position (Shah 2006, 871)

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