

The Religion of Human Rights and Other Religions

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The concept I am trying to address in this paper is a dilemma faced by most people who are faithful to God and at the same time want to make sure that the basic rights of human individuals are safeguarded against those who have the power and the position to violate it. The paper is not seeking to provide an answer to the dilemma, but to state it as clearly as possible.

It is rather unconventional to call the Declaration of Human Rights a religion since the central concept of a religion i.e. God and the pivotal figure of the religion i.e. the prophet are missing in it. However, putting God and prophets aside, there are many features in the Declaration that make it very similar to a religion.

First, there are sweeping value judgements in the Declaration about the world, the human being, human relations, and human conduct. Second, since values are based on faith and belief rather than fact and observation, it demands conviction, commitment, and dedication from all its advocates.

Third, it is being preached and proselytised as though it is the new religion of the world. Fourth, it is enforced upon those who do not believe in it or do not meet its standards by recourse to all means including military force. And finally, those who do not believe in it are ostracised from the intellectual community, excommunicated and sent to Coventry.

There is, however, nothing wrong in all these if it was not for one very crucial feature; that is the claim to universality. Universality here, unlike the concept found in some great religions like Islam and Christianity, is not the claim to an alternative that could be accepted by everyone, everywhere, at every time after abandoning their previous beliefs. Rather, it claims that people of all different persuasions could and should accept it and at the same time remain faithful to their individual convictions if they so wish. It is not an alternative, but a universal imperative that overrules all other standards and values. It is not a religion among other religions; rather it is the super-religion to which all other religions should tune in, and by the values of which all other values should be judged and evaluated.

This fact is best explained by the Universal Human Rights proponent, Jack Donnelly, when he claims that as the highest moral rights, Human Rights "regulate the fundamental structures and practices of political life, and in ordinary circumstances they take priority over other moral, legal, and political claims." (1)

However, it is for this very reason that the Declaration of Human Rights is not going to succeed in its vision. For the very broad and basic values that it tries to disseminate throughout the world and among people of different religions are in head on collision with the most sacred values of those religions.

Although the main tenets of all religions of God are almost identical, however I am not in a position to speak on behalf of other religions; therefore I would only speak for my own religion, Islam, and try to explain why as a Muslim I can not place myself among the unconditional advocates of the Declaration despite my sympathy with most of its concepts and visions which, to the best of my knowledge, are in one way or another taught and preached by the Qur'an and the Sunna of the Prophet.

The main pivotal and the most pervasive concept of Islam is God; the One, the Creator and the Commander of all worlds. He has created human beings and has given them their rights. However, they also have some duties and responsibilities towards Him. They can not do whatever they wish or live in whatever way they like, even if all of them agree and have consensus about it; and even if what they agree upon gives all of them the greatest pleasure possible in this world. It is not the case that whatever a people want or enjoy is right and gives them a right to realise it. This is where the concept of sin creeps into religious ideology. Sin is the violation of duties and responsibilities explained in the Book of God. These duties and responsibilities might have no bearing on this-worldly administration of the society, since religion sets itself the task of looking after both this-worldly and other-worldly well being of its followers.

The Declaration of Human Rights, having its roots and origins in the liberalist mindset of the modern West, can by no means accommodate in its entire framework the concept of God, the concept of the world beyond and the practical implication of these two, i.e. the concept of sin. The very language, tone, insinuation and undertone of the Declaration are all in defiance with such a concept.

As a matter of fact the Declaration of Human rights was devised partly to curb and control the precarious and arbitrary practices of religious authorities in the West, and in its primary vision the most enemy of human and Human Rights was God himself incarnated in His representatives, i.e. the Christian clergy. It was an insurgence of human against God, and in this uprising it was not human who sinned, but God who was the greatest of all sinners. Such a mindset never can accommodate the concerns and attitude of those who believe in God and therefore can not take them on board. Thus, until the Declaration of Human Rights insists on its liberal origins and on neglecting the concept of sin and sacrilege and human responsibility it

can by no means bring the followers of Islam in its fold and can not uphold any claim to universality.

It is probably due to the above fact that recently many outstanding religious leaders, and prominent intellectuals and politicians including ex-German Chancellor, Helmut Schmidt have subscribed to the Universal Declaration of Human Responsibilities drafted by InterAction Council in September 1997 to complement the Universal Declaration of Human Rights. This is of course a preliminary step taken to amend the Universal Declaration, but until such a process has come to fruition the human-rights-mongering of super powers and their accomplices would not increase but hatred and animosity among human beings. It is not only Helmut Schmidt who acknowledges the fact that Human Rights Declaration is today used "as an aggressive instrument for pressure in the field of foreign affairs" and that such a pressure instrument is used in a "selective way for reasons of geopolitical or domestic political interests." Rather, every Palestinian teenager with a stone in their hand has an internalized understanding of this outstanding fact.

The next most central concept of Islam and indeed of any religion is modesty and chastity. This concept would limit the kind of relationship and freedom that each sex could have, both individually and with regards to the opposite sex. The code of hijab for women is a practical implication of this concept in Islam. Strict rulings and penalties for fornication, adultery, and homosexuality are among the other implications of such a conception. The Declaration of Human Rights not only fails to address this concern of the faithful, but also defies it with the loudest voice and considers the enforcement of such codes as an infringement of basic Human Rights.

You might find some Muslims careless of such precepts considering them a traditional superstition rather than a compulsory observation. There are even some Muslims who call themselves secular Muslims, modern Muslims, intellectual Muslims, and the like, and consider all codes of practice in Islam to be outdated and out-fashioned; and although until the last decade, it was a well established procedure to take such people as authorities in Islam and cite them as the standard and typical Muslims of the modern age, it has now become clear that they have no authority and command over Muslim masses when it comes to articles of faith and matters of practice. The return of hijab to Muslim communities in both East and the West during the past two decades is an honest witness of this fact.

It is the systematic and analytical study of the main texts of a religion, and acceptable hermeneutic judgements of those texts that reveal the real characteristics of that religion, not arbitrary and subjective statements of different individuals who try somehow to adapt the

religion to various types of old or modern ideologies. So long as this fact is ignored and the real authorities of Islam are played down and intentionally neglected the chances for a mutual understanding between the proponents of Human Rights Declaration and the followers of Islam are minimal.

Considering the issues covered by the Declaration of Human Rights, including recognition of personal rights to life, recognition before the law, freedom of expression, protection against torture, protection against discrimination on the basis of race and sex, legal rights to fair trial, the presumption of innocence, protection against ex post facto laws, arbitrary arrests and detentions, arbitrary interference with one's family, home, or reputation; variety of civil liberties and political rights; economic rights to work, rest and leisure, no Muslim can ever decline to accept them since most of these measures are either identical or conformant with Islamic standards and precepts. As Donnelly has rightly put it, Islam is not "in any way inherently hostile to or fundamentally incompatible with human rights." The problem arises, however, when Human Rights proponents want to take some of these rights to their extreme in a way that they contradict the more vital and basic moral standards of Muslim faith.

It would be a pity if people with religious conviction in general and Muslims in particular on the one hand and Human Rights proponents on the other, could not reach a settlement on a realistic universal agenda that could be unanimously and forcefully implemented worldwide and restrict arbitrary and inhumane practice of power.

According to Benjamin Barber, an excess of liberalism is undoing the democratic institutions of the modern society, for the democracy existing in the West has been repeatedly compromised by the liberal institutions and philosophy that undergrid it. Such an excess might as well undo the Human Rights Declaration in its entirety and ushers the world into a new phase of extreme fundamentalism, and consequently plunge the human race into a modern era of hatred and conflict.

References:

1. Donnelly, Jack, Universal Human Rights in Theory & Practise, Second edition, Cornell University Press, London, 2003, P. 1.
2. Schmidt, Helmut, Toward Establishing Human Responsibility in the New Century, Keynote address by former West German Chancellor Helmut Schmidt at the commemorative ceremony marking the thirtieth anniversary of the WCRP, on November 28, 2000.
3. Ibid.
4. Donnelly, P. 75.
5. Barber, Benjamin, Strong Democracy, University of California Press, 1984, P. xix