

better than other cultures because it uses its own cultural values & standards to measure other societies.

The philosophical underpinnings defining human relationships with each other and society in Islam are at variance with the Western fixation with radical individualism. As the scholar A.K. Brohi pointed out: "Collectivity has a special sanctity attached to it in Islam." It is clear that the focus on individual rights to the total detriment of the family and community is inconsistent with the Islamic outlook on human rights. However, this in no way implies that Islam is totally devoid of consideration for the individual. On the contrary the Islamic system as observed by Islamic Law scholar Hashim Kamali "is inherently individualistic...it is designed first to defend and protect the basic dignity of the person against imposition by the society and the state."

The substructure of human rights in Islam provides for parameters directed at the attainment of equilibrium between individualism & collectivism. Islam offers a moderate approach by not stressing the extremes, rights of the individual over community nor rights of society to the detriment of individual dignity. Islam seeks to reconcile the communitarian and individualistic conceptions of society.

In Islam's golden period stretching from the 7th – 10th century, it produced a comprehensive legal system that has withstood the test of time and cultures. The notion of human rights is inherent in this great heritage. The Shariah exists in a number of countries, but it is a diluted & stagnant variety: a mixture of customs, traditions, Western and Islamic legal principles (still slavishly adhering to the rulings of medieval jurists – without acknowledging the space-time dimension of their views).

In some areas contemporary laws governing Muslims are inconsistent with the spirit of the Quran. In the light of changed human conditions, such laws must be reformed. Except in a few cases, the letter of the prescriptive elaborations of human rights in Islam is **not** sacrosanct & hence absolutely unalterable. The qualities of eternity & immutability belong to the principles behind the prescriptive elaboration.

In the human rights arena, like most others, the West from its dominant position imposes its values and attempts to measure other societies using its own standards. But dominance **cannot** be equated with truth, although it no doubt benefits from the old confusion of

right and might. The assumption that the current international human rights framework is exclusively derived from the ideological framework of the West is a major obstacle in the way of it being truly universal. The only way to ensure universal compliance is by removing the crutch used for so long by human rights violators; that human rights is a Western construct with limited applicability.

Though the divergence between the two paradigms is at times quite wide, Islam upholds fundamental human rights. The concern for human rights is **not** a Western monopoly. Unlike some other systems, the Shariah does not emphasize collectivity at the expense of the individual.

The Prophet was asked: "When will justice be realized on earth?" He responded: "Not until he who sees injustice being done to another suffers from the sight of injustice being perpetrated as much as the victim." The centrality of justice to the Quranic value system is displayed by the following verse: "We sent Our Messengers with clear signs and sent down with them the Book and the Measure in order to establish justice among the people..." (Quran 57:25) The phrase 'Our Messengers' shows that justice has been the goal of all revelation and scriptures sent to humanity. This shows that Muslims have a religious duty to contribute to the human rights movement.

Millions are still crippled by the manacles of slavery & the chains of discrimination. This is no time to take the tranquilizing drug of the UN's meaningless "slogans." No time to wait for poetic justice but to **work** for Quranic justice: "Be upholders of justice, bearing witness for God alone...Do not follow your own desires & deviate from the truth..." (4:135). The rights which have been sanctioned by God are permanent, perpetual & eternal. They are **not** subject to any alterations or modifications, and there is no scope for any change or abrogation.

The Rights of the CHILD: We should deal with children as we deal with grown-up people. We should understand that they have their rights and that their rights should be as safely guarded as our own are. The office of the parent is to guide the child in the right way of life, and to do it in a gentle and firm way. While we require a great deal of gentleness in the training of children, we also need much firmness. In taking the right course with a child try to lead rather than force.

It is much **easier to lead** than **to force**.

# THE BLUEPRINT

Justice has been the goal of all Revelations

**It is time to re-declare the Universal Declaration of Human Rights. To find a suitable name for it. There is one indeed. Let's call it Islam. "But if you do judge, judge between them justly. God loves the just." (Surat al-Maida: 42)**

**Rights in Islam are **not** divorced from obligations. The two go hand-in-hand. An individual has duties to family, others and the community. What we call rights are, in the final analysis, the results of the duties incumbent upon us. The first & major human right provides the framework for all other rights in the form of respect for a transcendent source of truth to guide human thought and action. God instructs us in the Quran: "And the word of your Lord is perfected in truth & justice." Recognition of this absolute source of truth and of the responsibility to apply it in practice are needed to counter the temptations toward relativism & the resulting chaos, injustice & tyranny that results from **de-sacralization** of public life.**

**Rights** are the  
**MIRROR-IMAGE**  
of **Duties**

**And why should you not fight in the cause of God and of those who, being weak, are ill-treated and oppressed? Men, women and children, whose cry is, Our Lord! Rescue us from this town, whose people are oppressors, and raise for us from You one who will protect; and raise for us from You one who will help.**

It is not too late to write an epilogue for the XXth century of the Christian era. To edit its history book, excavate its likely future archaeology. It was a century of genocide. The 100 years of the bomb, the missile-guided massacres, the death-machine on scales undreamt, the planned and willed mass-murders – by arms or by attrition. By social disorientation, by societal decay...The streams, the oceans of the wide-eyed bewildered and displaced, the refugees of a “civilized” world wandering the deserts of “civilization.” Across the earth, across the century, the ceaseless wandering and wondering of the undefended, in man-shattered homelands.

Surely, the last century is clothed in other shades too: man on the moon, ocean depths conquered, global spanning (virtual, physical, tele/acoustic closeness), medical miracles, defiance of aging, of death...Note the pattern: underlying all the tech magic, see that same old smugness, that conqueror’s stomping path. Let us subdue the universe, says this earthling who has **abandoned** caring & constraints for the hymn of conquest. Everything, at any cost. See the aggression of the wolf dressed in lamb promises. It has to be the killing, the sheer & massive number and repetition and deliberate intent of the killing, that marked the last century. **(No difference seen in the first decade of this century)**. The watershed events of the century (spurring the hurtling advances of technology) were confrontational or military ones. The century opened & closed on war, still global if scattered, & **in war, human rights die, even before humans do.**

This is the pessimists’ version. They will be right about the Western part. The XXth century followed and crowned nineteenth century propositions of future-as-conquest, over nature, over man, while it consolidates the profile: occidental, secular, man-centred; ambitious aspirations invariably dashed in a moral & ethical void. This will surely be a partial history. The other side, the real story of humankind at the crossroads, is beginning to bud everywhere. A spiritual reawakening is infusing the earth. People, betrayed by their own, are looking to the One Who Does Not Betray. God calls. This is the only epilogue that makes any sense. It does so in perfect logic. Islam is today, as from the first, the way out of the desert. Islam the absolutely justice-bound is the path to the flourishing, the life-affirming oasis. Islam is the river that feeds it. Islam is the very water that shapes and sustains the human oasis.

Battered “civilizing” proclamations have withered. Bosnians, Kashmiris, Algerians, Tunisians, Egyptians, Palestinians, Iraqis, Afghans...and all those who witnessed the hollowest of centuries. They do not, as did uncomprehending earlier victims, lay down and die, so the “civilizers” can knock off and go fishing. They look evil in the eye. They fight oppression back.

Point to pompous “UN Declarations” and you can say, it was all a sham, a deceit, a masquerade. The more indulgent say: they tried and failed. The Muslim says: whatever it was (double-speak or wishful thinking; misapplied dreams or pretend-justice), it was a good try; but there really was no need for a Universal Declaration, thank you. It happens to exist already. It contains 114 chapters. It holds the entire spectrum of humans’ rights. The Quran of Islam is this Divine Proclamation. The Universal Declaration of Human Rights is Islam. And that is not just words. Islamic rights, older by one thousand and a half years than the secular attempts: more specific yet broader; more universal, yet more rigorous. Think of right a human needs, and Islam contains it already.

Islam did not wait for the guilt of industrial, assembly-line genocides to “remember” to dictate the dealings of fair societies. It was sent in a time when

such horrors were not even imaginable. War against civilians, war against babies, war against women, war against dignity, war against life, **blind** missiles slamming **blindly** down, anonymous craters of death. Islam did not just codify or legalize certain rules and regulations of conduct, just another “tinkering” at the edges. It sets the definitive standards. It remains the definitive standard. The human rights criteria in Islam enforce the most decent, balanced and generous human behaviour. They depend upon, and derive from, the inner motivator, the personal monitor, the daily training of rigorous self-evaluation. They do not vary from place to place. **They are the human rights blueprint.**

There is a place beyond the desert where the oppressed can find the redeemers of human justice.

The inherent rights of Creation – emanating from the Divine rather than natural law – were built into the Shariah 1400 years ago; well before rights became fashionable in Western discourse. Though coming from a different philosophical perspective, fundamental human rights are clearly safeguarded by the Quran. By making us responsible in the afterlife for our actions in this life, Islam answers the question asked from time immemorial by thinkers: “What is the good of being good in the world?” The Prophet (p) taught: “God has no mercy on one who has no mercy for others.”

Islam introduced a social revolution based on individual and collective morality. The principles of morality, in the words of Prof. Cherif Bassiouni (The Islamic Criminal Justice System), “are enunciated among others in terms of equality, justice, freedom, brotherhood, mercy & compassion.” This is in sharp contrast to secularism & Machiavelli’s notion that there is no place for morals in the conduct of state affairs.

The Western definition of human rights constitutes a cultural structure in which Western society finds itself easily at home. Non-Western societies, including Islamic, however, find alternative conceptions of human rights and human dignity more relevant. This has led some commentators to conclude that the Western construct of human rights has very little pertinence to non-Western societies. This view overlooks the fact that the West **can only claim** to be

**WHEN YOU JUDGE BETWEEN PEOPLE  
JUDGE WITH JUSTICE**

Zamals Software Co.; 6 Dowding St. Kitty  
shamalz2007@yahoo.com; Brochures on [zamalsgy.com](http://zamalsgy.com)  
**Please Donate: Call Shama! 225-9031**