Human rights scenario

BY MOHAMMAD ISMAEEL QUREISHY

Since the proclamation of the Universal Declaration of Human Rights by the General Assembly of UN in the year 1948, the issue of Human Rights has been brought on the front burner the world over. Some of the relevant articles of the HR Declaration are that all human beings are born free, everyone has the right to life, liberty and security of person. No one shall be subjected to torture or to cruel or inhuman or degrading treatment.

Strangely enough, the President of the neo-con government of America, Mr. George W. Bush, who has trampled all the human rights under his feet is claiming to be the watchdog of Human Rights. Invading a small country like Afghanistan with cruise missile and daisy cutter bombs in order to crush the strength of freedom fighters is indicative of the psychological problem of Islamic phobia of the unipolar power of the world. Lord John Ven Zyal Steyan, who sits as lord of appeal on the Britain highest court, condemning the cruel, inhuman and degrading treatment of American Government of the defenseless detainees on US naval base in Guantanamo Bay declared it to be a monstrous failure of justice.

It reminds us of the Spanish Inquisition Tribunals established in 1478, when Christians regained power 800 years after the Muslim rule. These Tribunals proceeded with great severity against the Jews and Muslims. They were notorious for the use of torture till the 19th century especially against Muslims and Jews when refusing to embrace the Christian faith.

After Afghanistan the crusaders invaded Iraq and turned its living cities into a graveyard. The recent report with regard to the extremely wicked and immoral tortures commuted in Abu Ghraib Jail of Iraq by male and female American soldiers show the darkest phase of human society. In spite of all this flagrant violation of Human Rights, the US bureaucracy is odious enough to harshly criticise the law of blasphemy and Hudood Ordinance of Pakistan in its International Religious Freedom Report for 2003 prepared by the Department of States in consultation with the Bureau of Democracy and Human Rights. There is no cogent reason in the report as to why and how the blasphemy law or Hudood Ordinance is inconsistent with human rights. It says that minorities are feeling insecure due to the law of blasphemy whereas it is admitted in the report that no one has been convicted by the superior judiciary of Pakistan since its promulgation in the year 1999 nor any citizen irrespective of his faith or religion has ever been denied the right to profess, practise or manage religious institutions. The authors of this International Religious Freedom Report seems to be oblivious of the Blasphemy Law of their own states and the final judgments of their apex courts. In the Mockus case (ALR 871) it is held by the US Supreme Court that any word or deed which would expose the God of Christian religion (Jesus Christ) amounts to contempt which would undermine the foundations of the binding force, the religion of the majority of the citizens of the state. They are also fairly ignorant of common law of blasphemy in force in England where the maximum punishment for this offence of blasphemy is life imprisonment after abolishing the death penalty. In the Lemon's case decided in 1990 by the Queens Bench, the highest court of UK, it has been held that the incus rea of blasphemy requires only an intention to publish the words found to be blasphemous. In another case it has been held that only reviling of Jesus Christ is an offence punishable under blasphemy law, but insulting the founder of other religions like Islam does not come within the mischief of blasphemy, where Islam is the second religion of UK.

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We would like to bring it to the notice of the authors of this report that the law of blasphemy has been declared to be in consonance with the ground norms of the Constitution of the Islamic Republic of Pakistan. In now Shariat case titled as Mohammad Ismail Qureshy versus Govt. of Pakistan by the Federal Shariat Court in the year 1990 it has attained finality after dismissal of the Govt. appeal by the Supreme Court of Pakistan.

Therefore when reviling the Jesus Christ is a punishable offence in the secular states of America & UK and that is not contrary to FIR then how come insulting the Holy Prophet of Islam in an Islamic State of Pakistan could be said to be violative of the Human Rights. This behaviour is a clear manifestation of the double faced policy of America which is bound to augment hatred and hostilities.

When honour and dignity has been acknowledged as the Universal Declaration of Human Rights, everyone is under obligation not to insult and belittle others. Because this would logically mean a sinister violation of man's fundamental rights. Above all, matters would get acutely delicate and sensitive when no less a man than the universal person of the Prophet of Islam (PBUH) is made an object of slandering. To be sure, this hurts the susceptibilities of Muslims in whose eyes none is more dear, respectable and sacred than he.

The law of blasphemy too is designed to counteract the cancerous effects of a grim mischief which may cause chaos in the society splitting the unity of mankind against the Divine scheme of things. How does it involve the violation of Human Rights is not understandable? Yet the so-called modernist and the vested interests have raised a terrible hullabaloo to confuse and poison the minds of the non-Muslim minorities supporting the HR report of the US department. If one rises above prejudices and looks into things realistically, one would realise that the Law of Blasphemy instead of safeguarding the honour and dignity of man, appeals to the conscience of human beings to learn to respect the sentiments of one another. Moreover it imparts to nations the lesson of peaceful co-existence. So instead of attributing narrow and parochial motives to this law, it should be viewed in a wider perspective to ensure the peace and security of humanity at large.