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# Are human rights universal?

Human Rights

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**T**he question of human rights being 'ours' and 'theirs' would not even have arisen had politics not skewed our thinking. Certain things are plain enough: every human being feels pain; everyone needs nutritious food for health; everyone needs clear drinking water; everyone needs medicine; everyone needs freedom from fear. In short, people want a healthy and happy life.

Put like this, few would disagree with these imperatives. The trouble is that when it comes to happiness, we enter the realm of the intangible.

The condemnation of human rights as 'Western Human Rights' is based on political reasons. Governments want to continue imprisoning people; they are not prepared to stop little children working in subhuman conditions; they do not want pressure upon them. So for all these reasons they come up with the slogan that the West is talking only about 'Western Human Rights'. Others who use the same slogan are ideologically committed to different ways of perceiving reality.

This is the toughest problem of all. What is one to say to a Hindu committed to satti? A Muslim committed to an interpretation of Islam which prohibits women from going out alone without wearing the veil? A Western individualist who believes that providing a home for little children is less important than creating more money? What universal criterion can one invoke in cases of genuine and sincere commitment to values which may increase unhappiness for individuals or societies?

In all sincerity, there is no satisfactory answer. If liberal-humanists were to place their cards on the table, they would have to concede that they do, indeed, believe in the superiority of their values. But they cannot keep talking about the virtues of moral relativism while condemning practices based upon other codes of ethics. This is either a pragmatic tactic, hypocrisy or confusion. Whatever it is, it does not work.

poorest prisoners were not even produced in a court for as long as five years. There were unauthorised jails and torture in them, as well as in the authorised ones, was so widespread that over 20 deaths in jail were reported. The case of Bihari Lal, an Indian national, was cited in the report among others.

Now this is not a question of 'Islamic' or 'Pakistani' values. It is simply one of abuse of authority. Let us now come to more sensitive issues. First, child labour. An International Labour Organisation survey reports that 3.3 million children work in Pakistan. Many work 56 hours or more per week and for a pittance. Since these unprotected children are in contact with grown-ups they are beaten, abused and sometimes raped. Some are sold as sex slaves and some end up in foreign countries as virtual slaves. What concept of national interest — even the necessity to sell carpets — excuses this crime against innocent children? How is it 'Western' to condemn these outrages? This is a universal issue and if the West woke up to it before us, so much the better for Western children.

Even more controversial are issues about women and religious dissidents. In 1996 there were said to be 3,000 divorce cases pending in courts and 70 per cent women in Lahore's protected institutes sought dissolution of their marriage. In the name of religion some authoritarian people wanted to take away the right of women to choose their husbands. There was the well-publicised Saima Waheed case; Saima's father, Waheed Ropri, would not allow her to marry the man of her choice. The Lahore High Court agreed with Ropri but the Supreme Court reversed the judgement.

**E**ven worse is the case of women who cannot escape from a bad marriage. Zainab Noor, whose case even the prime minister knew, got her marriage from her sadistic husband annulled in 18 months. Further, women can be raped and then accused of fornication. This law, imposed by General Ziaul Haq, has actually made a mockery of the Islamic provision

Those who believe in liberal values must confess to doing so and, insofar as these are also Western values, acknowledge this fact. Personally, I believe, our interaction with the West has created, at least in some people, a certain sensitivity towards egalitarianism, rights of women, majority decision-making and the rule of law. There is no need to deny this.

But the reasons for West-bashing are complex. It is not only unscrupulous state functionaries and ideologically committed people who react to the West's advocacy of human rights. People who are sensitive to human suffering also condemn the West. They do it for reasons which a reading of the political writings of the famous linguist Noam Chomsky makes clear.

Chomsky raised the issue of East Timor in an article entitled: 'The Great Powers and Human Rights'. In this article he brought out the fact that Indonesia massacred thousands of people in East Timor from 1975 onwards. The West, according to Chomsky, kept silent. It was only by 1994 that some conscientious Western intellectuals, notably Chomsky himself, forced public opinion to take notice.

In Muslim countries the West's indifference towards Bosnian Muslims was a similar case. In Pakistan the indifference of the West towards the plight of Kashmiris is a live and emotionally charged issue.

However, if one looks at the State of Human Rights in 1996 published by the Human Rights Commission of Pakistan one finds that there are things which nothing can excuse. For instance, 102 women and 52 men were killed through Karo Kari. They either had, or were suspected of having, illicit sexual relations and were killed brutally. Many were hacked to death with an axe or knife.

No ideology condones this cruelty. It is not a question of 'Asian values'.

In Hyderabad Central Jail prisoners were kept blindfolded, in fetters and handcuffs. Boys and young men were raped and prisoners were tortured. The

a mockery of the Islamic provision which makes stoning to death (the extreme punishment for adultery) nearly impossible. One feels that such discrimination, or rather cruelty, should be ended no matter whether those who end it are Westernised people or not. To me it appears a part of universal values which are denied because the powerful always deny rights to the powerless.

The intolerance towards Mirzais and religious dissidents is defended with reference to Islam. In reality, however, people use sections 298-B and C and the Blasphemy Laws to take personal revenge. In 1996 there were 658 court cases against Mirzais under the Anti-Ahmadi sections. Another 144 cases were also registered against them under the Blasphemy Laws.

Whether the laws are right or wrong from the purely religious point of view can only be discussed by a scholar of Islam. There are, indeed, Islamic scholars who have disputed the grounds on which these laws are based from the Islamic point of view. But leaving that aside, can it not be said that if a law can be misused — is regularly misused — it causes more harm than good? Although all laws can be misused but why add to that list? Misuse of law is surely a universal issue. One would like to close as many loopholes as possible. Thus, the non-interference of the state in religion, too, can be seen as a universal human right.

The point, therefore, is that most human rights are universal. We must support them because people need them. As long as anyone is in pain and danger; as long as there is poverty and squalour; as long as power is used to oppress — so long does the concept of human rights remain valid.

Whether supported by the West or not, human rights are necessary for our own people who are shackled and fettered and starved. And to the extent the West supports human rights, however hypocritically, we must thank the West. Indeed, we must thank anyone who supports human rights no matter who and no matter why.