

Human rights in the middle east



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Human rights, an integral part of global development, is still a dilemma that virtually every region in the world faces. Within the Middle East, many countries have human rights violations ranging from honor killings to child labor. With the long road of human rights progress, and progressive thinking, it is hard to imagine any inhumane human rights violations today. However, everyday, innocent people's human rights are violated throughout the world. Even with the almost equal treatment of women and men in the western world, many other countries are subjecting their women to unfair and very brutal treatment and customs. In some countries, children are abducted and threatened with death until they submit themselves and become child soldiers. Following the Cold War, democratic ways, emerging markets, and human rights development seemed to emerge from different parts of the Middle East. The important question to address is why some countries in the region were able to respect the concept of human rights, while many find it difficult to establish. Do they merely not want to address the situation of human rights? Or maybe the countries' religious observance conflicts with that of the Universal Declaration of Human Rights? Surely, most of these countries share the same religious dogma's and perhaps some are more conservative than others, but addressing each country's inability to accept the issues pertaining to their human rights violations is very important to understand. To completely recognize this situation, we must analyze certain case studies of diverse Middle Eastern countries, such as Pakistan, Saudi Arabia, and Jordan.

PAKISTAN

Since its creation as a Muslim country in 1947, Pakistan has gone through a chaotic course of building and establishing its own country. The delay in creating a parliamentary democracy in a national setting has been hindered by the multi ethnic groups, disagreeing elite, and the overall influences from other countries. In Pakistan, the civilian rulers have often relied on the military to preserve their power. Since the creation of Pakistan, the martial law has been called into effect three times. The military considers its authority of Pakistani politics as imperative to protect the territorial integrity of Pakistan with the various ethnic, linguistic, and regional diversity. In 1977, when General Zia ul-Haq took power, he used Islam to eliminate democratic elections and constitutional liberties. He also utilized Islam to legitimize his own control. Zia instituted a concept of “Islamization” that shifted the laws from a more secular tradition to an Islamic one. This abolished the value of Pakistani institutions, particularly their system of justice. Zia’s attempts to create an alliance with Muslim clerics in Pakistan, he offered them positions as judges. This allowed people with no previous legal qualifications in the seats of judges. This decision and change damaged the reliability of the Pakistani judiciary and also tied its power directly to the state and Zia.

(Mustafa pg 168-84)

Cultural and religious developments such as traditional Islamic influences and the strict enforcement of Shari’a law, have negatively affected the country’s human rights situation. The prospects for the improvement of human rights in Pakistan are unwelcoming, although the country is ranked, according to the comparative survey of freedom worldwide, as being partly

free. (Malik 117-28) Death from torture while in police custody is very common in Pakistan. Indistinct custody without any charges, that sometimes add up to one year, is not unusual. Speaking out against the regime is silenced, especially on matters relating to the military and religion. Forced or child labor is prevalent in rural areas, and the government appears incapable of recognizing and preventing it. After the threat of sanction by sporting goods manufacturers and labor organizations, Pakistani authorities have investigated child labor in the soccer ball industry. Ethnic and religious discrimination are rampant. The different minority groups in Pakistan that are continually targeted are: Baluchis, Pathans, Ahmediyans, Christians, Shi'ite Muslims, and Hindus. The Federal Shari'a Court has prescribed the death penalty for insulting the Prophet Mohammad.

Traditional and religious groups block political and legal equality for Pakistani women. An all-Pakistan Working Women Convention in Karachi uttered concerns over social attitudes towards women. The convention called for an end to abuse of property rights, inheritance, and social traditions. (Khan 181) Women's rights, however, are restricted in varying degrees in Pakistan. The underprivileged women's rights condition can often be attributed to actual underdevelopment, low female literacy rates, and harsh local traditions in the case of Pakistan, and to patriarchy, and to strict social codes. (Nizamani 317) While Pakistan has ratified the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social, and Cultural Rights, Pakistan have thus far refused to ratify those agreements (Malik 2007 117-28) More than half of Middle Eastern and North African countries have ratified the same covenants. Pakistan has ratified the

Convention on the Elimination of All Forms of Discrimination against Women. With the exception of Saudi Arabia, which is not a party to any human rights instruments, all Muslim countries are a party to one or more of those instruments. Although the ratification of these human rights instruments is no evidence of palpable improvement of fundamental rights, becoming party to such treaties has at least made their governments vulnerable to international criticism in cases of grotesque violations of global standards. It should be noted, however, that effective enforcement of human rights instruments remains almost entirely within these countries' purview.

(Whaites 2005 229-54)

The most active and vocal human rights monitoring groups, the Human Rights Commission of Pakistan (HRCP) and the Bonded Labor Liberation Front (BLLF), have been instrumental in promoting legislation which bans the bonded labor system. (S. V. R 2005 135-36)

S A U D I A R A B I A

Saudi Arabia is a monarchy without elected representative institutions or political parties. The Government has declared the Islamic holy book the Koran and the Sunna (tradition) of the Prophet Muhammad to be the country's Constitution. The Government bases its legitimacy on governance according to the precepts of a rigorously conservative form of Islam. Neither the Government nor the society in general accepts the concept of separation of religion and state. The Government prohibits the establishment of political parties and suppresses opposition views. In 1992 King Fahd appointed a Consultative Council, or Majlis Ash-Shura, and similar provincial assemblies. The Majlis, a strictly advisory body, began holding sessions in 1993 and was <https://assignbuster.com/human-rights-in-the-middle-east/>

expanded first in 1997 and again in May. The judiciary is subject to influence by the executive branch and members of the royal family.

The Government's human rights record remained poor. Citizens have neither the right nor the legal means to change their government. Security forces continued to abuse detainees and prisoners, arbitrarily arrest and detain persons, and hold them in incommunicado detention. In addition there were allegations that security forces committed torture. The Mutawwa'in continued to intimidate, abuse, and detain citizens and foreigners. Most trials are closed, and defendants usually appear before judges without legal counsel. The Government infringes on citizens' privacy rights. The government prohibits or restricts freedom of speech, the press, assembly, association, religion, and movement. However, the Government continued to tolerate a wider range of debate and criticism in the press concerning domestic issues. Other continuing problems included discrimination and violence against women, discrimination against ethnic and religious minorities, and strict limitations on worker rights.

The two declarations have inflamed on the Saudi constitution such article 26 and below, the state protects human rights in accordance with the Islamic (Shari'ah), the state guarantees the rights of the citizen and his family in cases of emergency, illness and disability, and in old age; it supports the system of social security and encourages institutions and individuals to contribute in acts of charity. The state provides security for all its citizens and all residents within its territory and no one shall be arrested, imprisoned, or have their actions restricted except in cases specified by statutes, the home is sacrosanct and shall not be entered without the permission of the

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owner or be searched except in cases specified by statutes, penalties shall be personal and there shall be no crime or penalty except in accordance with the (Shari'ah) or organizational law. There shall be no punishment except for acts committed subsequent to the coming into force of the organizational law, information, publication, all other media shall employ courteous language and the state's regulations, and they shall contribute to the education of the nation and the encouragement of its unity. All acts that foster sedition or division, harm the state's security and its public relations, or detract from man's dignity and rights shall be prohibited. The statutes shall define all that.

Nevertheless, this is only the theory, what about the reality? Well Saudi Arabia is one of a number of countries where courts continue to impose corporal punishment, including amputations of hands and feet for robbery, and lashings for lesser crimes such as "sexual deviance" and drunkenness. The number of lashes is not clearly prescribed by law and is varied according to the discretion of judges. Saudi Arabia also still engages in capital punishment, including public executions by beheading. Some are also executed in private by shooting. There have also been allegations that stoning and crucifixion are carried out.

Recently, in 2003, the case of Abd al-Karim Mara`i al-Naqshabandi, who was executed after being convicted of practicing witchcraft against his employer. The organization concluded that the Saudi legal system "fails to provide minimum due process guarantees and offers myriad opportunities for well-connected individuals to manipulate the system to their advantage.

By western standards Saudi women face severe discrimination in many aspects of their lives, including the family, education, employment, and the justice system. Women are not allowed to drive or ride bicycles on public roads. Religious police enforce a modest code of dress. Also it is illegal for Saudi women to go out, meet with men. If these laws are broken they are punishable by death.

Freedom of speech and the press are restricted to forbid criticism of the government or endorsement of “ un-Islamic” values. The government officially bans satellite television, but the rule is generally ignored. Trade unions and political organizations are banned. Public demonstrations are forbidden.

Saudi Arabia forbids missionary work by any religion other than Islam. Officially all religions other than Islam are banned and churches are not allowed. Unofficially the government acknowledges that many of the foreign workers are Christian and on Aramco civilian compounds, foreign Christians are generally allowed to worship in private homes or even hold services at local schools provided that it is not spoken of in public. This is a degree of unofficial tolerance that is not given to Judaism, or Atheism.

“ Freedom of religion does not exist,” Islam is the official religion, and all citizens must be Muslims. The government prohibits the public practice of other religions. Foreigners must conform to local practices in public.

Conservative dress is expected, especially for women who travel to rural areas. Shops and restaurants close five times a day for prayer, and public displays of foreign religious or political symbols is not be tolerated. During

Ramadan eating, drinking, or smoking in public during daylight hours is prohibited. Foreign schools are often required to teach a yearly introductory segment on Islam.

At October 27, 2005, a death sentence of Ahmad al-Dammam, an Egyptian boy resident in Dammam, who was convicted for a crime committed when he was thirteen years old, a Saudi court sentenced him to death in July 2005 for the April 2004 murder – when he was thirteen years old – of his neighbor, three-year-old Wala' `Adil ' Abd al-Badi', also an Egyptian citizen, in Dammam, Saudi Arabia.