



ISSN: 2788-8037

Publication details, including guidelines for submissions:
<https://rowaq.cihrs.org/submissions/?lang=en>

Views: The Rights Movement and Islamists, an Ongoing Crisis of Trust

Slaheddine Jouchi

Academic citation of this article: Jouchi, Slaheddine (2018) 'Views: The Rights Movement and Islamists, an Ongoing Crisis of Trust', *Rowaq Arabi* 23 (1), pp. 23-33.

Disclaimer

This article may be used for research, teaching and study purposes, as long as it is properly referred to. The Rowaq Arabi editors make every effort to ensure the accuracy of all the information contained in the journal. However, the editors and the Cairo Institute for Human Rights Studies make no representations or warranties whatsoever as to the accuracy, completeness or suitability for any purpose of the content. Any views expressed in this publication are the views of the authors and not necessarily the views of the editors of Rowaq Arabi or the Cairo Institute for Human Rights Studies.

Copyright

This content is published under a Creative Commons Attribution-NonCommercial-ShareAlike 4.0 Licence.



Views: The Rights Movement and Islamists, an Ongoing Crisis of Trust

Slaheddine Jourchi

There have been many changes in the human rights movement's relationship with political Islamist movements in the Arab world, particularly in countries directly affected by the Arab Spring. While the specifics differ from country to country, the overall change has been for the worse, with deterioration on more than one front. The two movements are again caught in a crisis of trust, characterized by suspicion and mutual recriminations. At times, one side may totally reject the existence of the other amid accusations of ideological rigidity or ties with anti-Islamic Western forces working to alter national identity.

When human rights organizations first emerged in the Arab world in the 1970s, they initially did not find a welcoming, supportive environment. State regimes were the most alarmed by these "alien entities," since these new activists sought to monitor governments and report on their many human rights abuses. Nonetheless, the international situation and the inclination of elites to rebel against traditional forms of despotism, led many to accept this new type of civil society organization. Human rights groups were first recognized in Tunisia and Morocco and later in most other Arab countries. At this stage, the rights movement and political Islamist movements began to become cautiously acquainted with each other. Several Islamist groups were formed during this same period in Arab North Africa, while in states like Egypt, Syria, Iraq, and even Libya, they were decades old.

At first, the relationship between the two parties was one of confusion. Despite the ideological divide between the two, human rights organizations stepped up to defend Islamists during successive waves of repression and exclusion. The relationship evolved when some Islamists began gradually showing an interest, though selective, in the rights system. At the same time, radical leftist groups fundamentally changed their attitude toward human rights organizations when the latter came to play an effective role in more than one country. After the Arab Spring, the political landscape shifted dramatically. Freedoms were unleashed, allowing parties and groups to surface and start jockeying for power through fiercely competitive elections, in a milieu in which nearly everyone was engaged in politics and public affairs.

In this environment, many political Islamist movements were transformed; once suppressed, excluded, marginalized organizations, they became recognized political parties with a plausible path to power. Some of these parties attempted to monopolize power, as in Egypt, while others accepted multiparty governing coalitions, as in Tunisia, Morocco, and, for a short time, Libya.

This role reversal put Islamist movements before a difficult choice. It opened them up to criticism and rights-based assessments of their political performance, just like the old regimes. At times, rights movements were more severe in their criticism and detailing of violations by Islamist movements, as they feared the religious ideology of these movements could have direct, grave consequences for state and society. For foes of the Islamists and other intellectuals and activists, the specter of a theocratic state still looms large for foes of the Islamists and other intellectuals and activists.

The relationship between rights organizations and political Islamist movements varies from country to country, given the widely different circumstances in states directly impacted by regional political transformations in the wake of the Arab Spring. It is therefore important to discuss some of these cases in order to highlight the differences as well as commonalities. For reasons of space, a detailed discussion of each country is difficult, so I will focus on just some cases.

Egypt

The January 25th revolution offered a historic opportunity for the Muslim Brotherhood, allowing the organization to move from the opposition to the seat of power eighty years after its establishment. Although democratic elections, both parliamentary and presidential, proved that the group had genuine popular support, the Brotherhood's desire to monopolize power soon isolated it from other non-religious political forces. This led them into many taboo areas, laying the groundwork for the military coup against the elected President Mohamed Morsi and the end of Brotherhood rule.

The Brotherhood also ran up against competing political forces, which joined ranks against them in fear of their political dominance. Most human rights organizations also turned against them, fearing the Brotherhood's political discourse and the potential for the violation of liberties and human rights. These fears were heightened following several statements from the Brotherhood's General Guide and Guidance Bureau, and grew even more urgent when the Brothers allied with the Salafis. The Brothers and Salafis then monopolized the drafting of the new constitution and sought to take control of the judiciary, demonstrating a keen desire to put most state power in President Morsi's hands. They refused to cooperate with secular and technocratic parties to save the state and revive the economy despite numerous indications that a conspiracy was afoot to remove them from power through the security and military establishments.

The rights movement in Egypt faced a difficult choice during the standoff between the regime and the Muslim Brothers. Some rights organizations reasoned that the battle against the Brothers must take place in a democratic framework and should be resolved through the ballot box and within the limits of the law. Other groups turned a blind eye to the grave human rights abuses committed against members of the Brotherhood. The stance taken by some rights groups was also used to give a sheen of legitimacy to the coup against the Brotherhood.

Egyptian rights organizations took widely different approaches to these major events that shook Egypt and the Arab world. There were organizations that did not look away and refused to justify

what happened by pointing to the political danger posed by the Brotherhood. These groups shouldered their responsibility as rights advocates although they did not support the Muslim Brothers politically. They chose to make a distinction between political opposition and justification for direct violations of human rights. These organizations continue to pay a high price for their stances, which are illustrated most recently in their condemnation of death sentences for seventy Brotherhood leaders in the Rabaa al-Adawiya case.¹ Despite the importance of the popular protests against Brotherhood rule, a rights-based approach to the events cannot ignore the atrocities committed during the dispersal of the sit-ins at Rabaa al-Adawiya and al-Nahda squares and elsewhere, or the momentous political consequences it had, which changed the course of events in Egypt.

Despite the political, social, and humanitarian calamity that struck the Brotherhood, some in the group have reckoned seriously with what happened. Some have begun a quiet process of revision while others turned to human rights work, driven either by a new realization of its importance or motivated by pragmatic, ad hoc considerations. Some of them have become involved in rights organizations in Egypt or abroad, including in international organizations, and others chose to establish associations that remain in the Brotherhood orbit. This could be an important turning point in the thought of some Brothers, which may have some influence on them and their political conduct. In a certain historical context, it could make them an active part of the rights community, independent of political parties and tactical considerations. This has been the case with other ideological movements in the past.

Within the Egyptian rights movement, the position on these events was not uniform. This has afflicted the movement and severely undermined its influence. It has given rise to many discussions about historical responsibility for the defense of democracy and human rights regardless of the movement's profound differences with Islamist movements. No doubt this period was difficult for those who believe in human rights inside and outside of Egypt, as they watched hundreds of people killed on their television screens. Were it not for the initial just stances of some human rights figures and associations on the victims regardless of their politics and many mistakes, the Egyptian rights movement would have found itself at the end of a dark tunnel.²

Syria, Libya, Yemen

Syria, Libya, and Yemen are a different context altogether given the ensuing divisions and civil wars that destroyed the revolutionary project and led to outcomes totally at odds with the aspirations and interests of their peoples.

Taking the case of the Muslim Brotherhood in Syria—separate from other religious groups that would emerge later and themselves have different positions on the Brotherhood³—it is clear that in the period known as the Damascus Spring, the group attempted a gradual and partial accommodation with the democratic choice. It made several remarkable revisions included in the document, “A Covenant and a Charter.”⁴ It drew the broad outlines of its concept of Syria after the fall of the regime, advocating a modern, civil, pluralistic, democratic state, which it called “the

basis for a new social contract that establishes a contemporary and secure national relationship between the components of Syrian society.”

The document called for a parliamentary republican system in Syria, in which citizens would choose their representatives and governors through the ballot box in free, fair, transparent elections. The document advocated for a state in which all citizens are equal regardless of ethnicity, religion, sect, or orientation, based the principle of citizenship, giving any citizen the the right to attain the highest positions in governance. The document also advocated for “a state that abides by human rights as affirmed by divine law and international charters, including dignity, equality, and freedom of thought and expression, in which no citizen is wronged in his faith or worship.”⁵

However, as soon as the Muslim Brotherhood of Syria adopted armed violence⁶ like other opposition trends, it found itself implicated in wrongful practices. This fueled the suspicions of its ideological and political enemies and the rights movement, including those organizations that had cooperated with the Brotherhood and defended the rights of its members while remaining wary of its political project. In this situation of collapse, some people leveled serious accusations against the Muslim Brotherhood. One wrote that the West “has risen up in support of the regime, albeit tacit, after Islamism flooded the landscape of the Syrian revolution, justifying this by the lack of an acceptable alternative in the ranks of the Islamist opposition and jihadi factions. In this way, the Muslim Brotherhood has helped to give new legitimacy to the regime despite its crimes and offenses. The group has become the laundry that takes in the regime’s tattered rags and returns them white, without beards or turbans, which is undoubtedly the appearance ultimately preferred by the West. The Brotherhood’s quest has been thwarted, it has tipped the balance against the people, and I’m afraid to say the regime has won.”⁷

Like other parties, the Muslim Brotherhood also fell captive to the complexities of regional relationships and strategies in play in Syria. It was not easy for the Brotherhood to remain neutral toward neighboring states to which it lent a helping hand in armed engagements or hosted its leaders and members during difficult straits. These states included Turkey, which gained a firm military and political foothold in Syria.⁸

Developments in Syria were much different from those in Libya. In the early period following the killing of Col. Muammar al-Qaddafi, Islamist parties—first and foremost the Muslim Brotherhood—engaged positively with democratic slogans. They played a constructive role in the success of the parliamentary elections of July 2012. After this, the experiment floundered and divisions between Libyans deepened. Positions and attitudes shifted, and everyone took up arms and formed militias, turning Libya into an arena for regional and international interference.

In Yemen, events were not so different from Syria and Iraq. Years-long efforts to develop the political discourse of Islamists in Yemen⁹ were cut short by the civil war, as the pitfalls of tribalism, armed violence, and sectarianism again felled everyone.

In Yemen, the situation was largely dependent on regional states and their conflicting agendas. The Muslim Brotherhood, through the Yemeni Congregation for Reform Party (Islah), attempted to adjust to the political process. The Brotherhood agreed to cooperate with other parties, both religious and secular, including the socialist party, and helped to found the Joint Meeting coalition,

which brought together ideologically diverse groups. Despite experiments based on openness and joint action, Yemeni Islamists in the Islah Party came under strong pressure from the Salafis. This limited the path for their evolution and opened them up to suspicions and criticism from the local and international rights movement, although it did not preclude cooperation between the two sides on numerous occasions, like that between the Islah Party and the Human Rights Information and Rehabilitation Center.¹⁰

The Yemeni Islamist movement engaged positively with the Arab Spring, contributing to the downfall of the Ali Abdullah Saleh regime through the vanguard role of its youth, who threw themselves into the street movement. Then the Yemeni revolution suffered a setback, which contributed to divisions in the country and fueled the civil war, due to the regional conflict between Saudi Arabia and Iran. Yemen was therefore denied the conditions for stability, peaceful coexistence, and a resumption of the democratic political process.

Rights organizations have cited facts and numerous testimonies implicating Islamists in these three countries of involvement in serious human rights violations, though the same accusations have been leveled at all other factions competing for power. The instability, crimes, and repercussions of civil wars leave no one untouched.

The Tunisian exception

The Tunisian case stands apart from other Arab countries because of at least two factors. First of all, the democratic transition survived, despite many difficulties, political tempests, and precarious situations. This allowed parties and social actors to continue acting openly given the wide margin of freedom in the country. As of this writing, three important elections were conducted, all of them fair and democratic. These three polls enabled the Ennahda movement to participate in governing with various other parties that changed depending on the shift in the balance of power. In turn, this made Ennahda more circumspect in its approach to rights issues. With the exception of the Ennahda-led Troika period, which witnessed practices that threatened to infringe on numerous liberties, such as press freedom, the right to protest, respect for privacy, and protection of the public sphere, Ennahda leaders generally avoided disputes revolving around human rights issues, although the movement did not draft laws aimed at shoring up these rights.

A look at most of the initiatives put to parliament for debate reveals that they typically originated with the government or prime minister's office. Since Ennahda was a part of successive coalition governments, it was necessarily a party to these initiatives. Yet in most cases, it did not take the initiative on rights issues, but rather mobilized political and social actors to support them. Moreover, the movement's position on the report of the Individual Liberties and Equality Committee demonstrated that it still maintained ideological boundaries, which led the movement to object to many of the report's recommendations, including the call for gender equality in inheritance laws.¹¹ It further mobilized its base to contest the committee's legitimacy and advocate a disavowal of its report, in clear concert with conservative religious circles, which attacked the report, calling it "hostile to Islam and a threat to the family and national security."¹²

Nevertheless, it counts in the movement's favor that it did not object to most reforms carried out in recent years; in most cases, it supported these initiatives and played a major role in securing the passage of many pieces of legislation supportive of freedoms and human rights.

Conclusions

These capsule reviews show that political Islamist movements did not adopt a uniform approach to the Arab Spring, although all of them believed at some point that the time of the sixth caliphate had come and that they were finally to be given the reins of power to lead the region on the basis of their Islamist platform, after secularists had monopolized state administration since the fall of the Ottoman caliphate.

Local particularities played a decisive role in these movements' responses. Each movement was thoroughly immersed in its local national context, and circumstances did not permit them to coordinate with one another in order to draft a common regional plan. Islamist movements chose among three different political options, which had divergent outcomes.

1. Monopolization of power

Egypt is the best example of this, where the Guidance Bureau of the Muslim Brotherhood chose to work toward gaining power without the cooperation of any secular party, including nationalists. The Brotherhood thus won the presidency and a parliamentary majority and formed a government, pushing all other actors to the sidelines. This choice cost the Brotherhood enormously.

2. Participation in building a new regime of power

Here Tunisia stands out. From the beginning, Ennahda leaders agreed to coordination and joint action with some secular parties, on the condition that it take the lead. This was the basis for the Troika experiment, resulting in Ennahda's acceptance as a major player in a pro-Western country. However, the movement's inability to address economic and social problems soon turned the opposition and a broad swath of civil society and the public against it, ultimately leading it to abandon its governing role. By so doing, the movement saved itself and successfully returned to power through electoral channels, forming a coalition government with the Bourgibist Nidaa Tounes party.

3. Involvement in violence

This was the path chosen in Syria, Libya, and Yemen. Political and social disputes were not peacefully resolved in these states because of the old regime's persistence and dominance or the desire by rising forces to seize control prematurely. Moving from the political opposition to armed insurgency opened up Pandora's box, spurring the jockeying for arms and financial backing, foreign intervention, the proliferation of militias, and a full-scale civil war, with all the destruction and rampant human rights abuses it entails.

Divergent experiences and contexts

The divergent contexts and local experiences were reflected in rights organizations' responses to political Islamist movements. The attitude to peaceful parties that operate in democratic circumstances will necessarily differ from attitudes to movements operating militias, engaging in military battles with advanced weaponry, and calling for holy war. These are two wholly different realms; a yawning gulf separates institutionalized activity governed by law and subject to oversight from the battlefield, where success is measured by casualty counts and the degree to which one can inflict pain on enemies and destroy them physically and psychologically.

In Egypt, for example, the rights movement ran up against the desire of the Brotherhood and Salafis to monopolize power and lead the country while excluding all other parties in a populous, complex country. The rights movement was also appalled by the Islamists' reckless, peremptory drive to Islamize the constitution and legislative institutions without regard for diversity or regional and international conditions. This led to the violation of, disregard for, or lack of recognition of many basic rights.

In contrast, the Muslim Brothers in Syria were unable to take up arms without violating human rights although they did not form their own militia publicly subordinate to their leadership. Nevertheless, their backing for and alliance with numerous militias formed after the outbreak of armed hostilities with the regime, some of them supported by al-Qaeda, meant that the movement was necessarily responsible for the resulting abuses, some of which were grave human rights violations. Human rights organizations did not remain silent, accusing the Brotherhood of hypocrisy in their rhetoric and practices.

Both of these cases differed from Morocco and Tunisia. The Justice and Development Party and Ennahda pursued a largely peaceful, participatory politics that eschewed violence, which was primarily limited to Salafi jihadi groups. Although Ennahda accommodated Ansar al-Sharia for the first three years after the revolution—a period that allowed the organization to take shape, expand, and build up its military apparatus—it soon enough took a more aggressive, hostile posture. This prompted Rached Ghannouchi to declare that his movement stood in the frontlines in war against terrorism in order to defend the nation state. While some politicians and human rights activists continue to doubt the fact of the break and the hostility between the two groups—particularly since the assassinations of Chokri Belaid and Mohamed Brahmi are still pending before the courts and await a final judgment—an objective analysis must recognize that the experiences of Morocco and Tunisia differ vastly from the other cases.

Crisis of trust between rights defenders and Islamists

Across the divergent contexts, most Arab rights movements had internalized a profound suspicion of political Islamist movements and their credibility. The roots of this suspicion go back to the establishment of Arab rights organizations, founded by numerous activists with extensive political experience in leftist and liberal organizations and circles. Islamists did not play a role in the

founding of the Arab human rights movement, but only later joined the trend. Given the ideological differences between secularists and Islamists, this suspicion of political Islam persisted, especially as Islamists played an increasing public role in recent years and attained governing power in more than one Arab states. Every skirmish around an issue, great or small, took on a clear ideological cast, reviving the disputes of the early days of the human rights order and to what degree it is philosophically and legislatively compatible with the Islamist value system.

Disputes within the rights movement

It must be noted in this context that rights organizations did not take a uniform approach to political Islamist movements. A debate has been underway in rights circles for years about how to engage with Islamists. Can their positions be relied upon? Are there genuine differences between these movements or are they one bloc with seemingly distinct rhetoric? Should some of their members be welcomed into rights organizations? Or will this pose a threat to these organizations?

Although all groups agree on the need to defend Islamists in cases of explicit, proven persecution, some organizations avoid an overemphasis on this field to avoid having their association instrumentalized by Islamists to advance their political rights. This incurs the wrath of governments, which intimidate and pressure activists to abstain from defending Islamists, on the grounds of national security. Some local and international organizations that provide redress for Islamists, accept them as members, or appoint them to positions in their internal structures may also be subjected to smear campaigns.¹³

Activists put to the test

The rights movement in the region finds itself once again facing the same challenge it faced decades ago. It has two choices. It can adhere fully to the dictates of human rights principles, defending any wronged person regardless of faith or political affiliation and based on the motto of all rights for all people. In doing so, it will encounter smears, skepticism, and pressures from various bodies that do not believe in the rights system, whether governments, media outlets, or ideological parties that have scores to settle with Islamists. The second choice is to yield to centers of power, accept tactical maneuvering and parsing victims' claims based on their identity, cooperate in convoluted ways with governing regimes, and gratify some desires at the expense of truth. With this, the movement will lose all credibility and help justify the grave abuses that are once more rampant in many Arab countries.

What is not required is a compromise with Islamists or silence about their own human rights abuses. What is needed at this juncture is an unwavering commitment to the rights of all parties, with a reliance on flexibility and prudence in method and action. Human rights activists are called upon to constantly invoke their basic mission, based on the belief that repressing one's political opponents, including Islamists, is a path that necessarily fuels terrorism and cements tyranny.¹⁴

Clarity and forthrightness

In turn, it should be remembered that Islamist movements must also be clear and avoid political and ideological evasiveness in matters related to human rights. It is true that Islamists' positions on human rights vary from faction to faction and they cannot all be put in the same basket.¹⁵ Nevertheless, Islamists must avoid embracing slogans and then internalizing their opposite; they must abide by their vows and not reverse them once in power.¹⁶ They must be honest with the rights movement. Adopting an instrumental, ad-hoc approach to the rights movement will only deepen the crisis of trust between the two parties. It will weaken human rights activists when they find themselves in awkward positions with regimes or local and international public opinion, having offered testimony that is not consistent with the actual practice of Islamists, whether in the opposition or when they assume power and public administration.

About the Author

Slaheddine Jourchi is a Tunisian writer and thinker with interest in topic of rights, freedoms, and Islamic Left.

¹ Eight rights organizations called the judgment in the Rabaa case issued on Sep. 8, 2018 to be further evidence of the perversion of justice and a shameful failure to punish the true perpetrators. These organizations rejected the trial proceedings, "which exemplify the degraded standards of fairness, impartiality and independence that define Egypt's dysfunctional judiciary," and the judgment's "incompatibility with the principle of individual criminal responsibility." The statement noted that five years after the dispersal of the Rabaa sit-in, in which 623 people were killed, among them 8 policemen, according to the fact-finding report of the National Council for Human Rights, the court decided to punish the survivors of the massacre with execution and imprisonment instead of holding those responsible for the bloodshed to account (reports from rights groups put the number of dead at more than 1,000). The statement added, "The conviction of all defendants in this case is clearly intended to absolve the military and police establishment of the atrocities committed during the dispersal." The signatories to the statement are the Cairo Institute for Human Rights Studies, Adalah Center for Rights and Freedoms, Freedom Initiative, Association for Freedom of Thought and Expression, Egyptian Commission for Rights and Freedoms, Democratic Transition and Human Rights Support Center, Egyptian Front for Rights and Freedoms, Belady Center for Rights and Freedoms, Committee for Justice, and the Andalus Center for Tolerance and Anti-Violence Studies.

² There is a pressing need to reckon with this phase by documenting the positions taken by all parties and understanding the reasons and circumstances that determined their paths.

³ Ahmed Abu Zeid, "al-Harakat al-Islamiya fi Suriya: Dinamiyat al-Tashazzi wa Afaq al-Taqrub," Al Jazeera Center for Studies, Sep. 5, 2016.

⁴ Released on Mar. 25, 2012.

⁵ "Jama'at al-Ikhwan al-Muslimun fi Suriya," Carnegie Middle East Center, <http://carnegie-mec.org/syriaincrisis/?fa=48396>.

⁶ Brotherhood leader Mulham al-Daroubi said in an interview that the group had maintained "the strategy it announced regarding the peacefulness of the revolution until March 2012. After the massacres committed by Bashar al-Assad in Baba Amr in Homs, the group's Consultative Council met and adopted a posture of self-defense and defense of the vulnerable, saying in its statement, 'Self-defense is a legitimate right, and defending the wronged is a religious duty.'"

Al-Daroubi added, “Yes, the Shield Authority was formed and announced, but the lack of resources and many people’s opposition to it compelled the group to abandon it. There were no financial or non-financial resources available to the group to allow it to continue to support the authority. As for the Free Army, the group was the first to use this name to refer to the fighting brigades, which nearly everyone supported with whatever they had. It took the same stance toward everyone, and the examples and evidence are too numerous to count.” Newsyrian.net.

⁷ Musaab al-Hamadi, “Dawr al-Ikhwan fi Ifshal al-Thawra al-Suriya,” Newsyrian.net.

⁸ In a statement, the Brotherhood said it would back and support the Turkish army “against terrorist organizations with separatist projects in northern Syria,” calling on “revolutionaries” to stand next to their brethren in “the national Syrian army” against these separatist movements. In the statement, the Brotherhood supported “the right of the Turkish Republic to take steps necessary to defend its national security,” adding that “the national Kurdish component is an authentic part of the Syrian fabric with the full rights of citizenship.” See watanipress.com.

⁹ Before the recent war, the movement vowed that “the Yemeni Congregation for Reform is committed to full partnership with all other national, regional, and international forces under the leadership of the Yemeni authority to fight terrorism of all types, forms, and sources with democracy, education, and development. It is a cancer of act and thought that threatens not only the security and stability of Yemen, but that of the countries of the region and the entire world.” The Islah party also stated, “The state alone has the right to bear arms of all types. No political forces have the right to possess militias or armed groups of any type for any reason. The law regulates the right of individuals to possess individual arms for the purpose of self-defense.” From a statement of the Islah Party on its 36th anniversary, Sep. 11, 2018, yemen-press.com.

¹⁰ The center was founded by Yemeni rights activist Izz al-Din al-Asbahi, who later became the minister for human rights and Yemen’s ambassador to Morocco.

¹¹ A statement released by Ennahda’s Consultative Council said, “The initiative for equal inheritance, aside from its incompatibility with religious absolutes, constitutional provisions, and the personal status code, raises fears about the stability of the Tunisian family and the social paradigm. The council supports all endeavors to develop the code to guarantee women’s rights in a way that does not conflict with unequivocal religious provisions and the constitution.” See Hassan al-Ayyadi, “Harakat al-Nahda: al-Kull Saff Wahid didd al-Musawa fi-l-Mirath,” Aug. 28, 2018.

¹² A statement from professors of Zitouna University regarding the report of the Committee on Individual Liberties and Equality, coran-constitution.tn.

¹³ Mahmoud Bassyouni wrote in an article, “Bahey eldin [Hassan] dedicated the Cairo Institute for Human Rights Studies to the service of the Brotherhood enterprise, and he continues to play the same role after fleeing Egypt and taking up residence in Tunisia. He even participated in the comprehensive conspiracy against Sinai with Human Rights First to fetter the army’s ability to counter terrorism. More than once, he attempted to secure international resolutions banning arms sales to the Egyptian army, and he was the one who came up with the proposition that the state’s persecution of the terrorist Brotherhood organization and so-called Islamic currents is the reason for terrorism. This is the same idea propagated by Brotherhood mouthpieces in the Western media and the Qatari Al-Jazeera channel.” See “al-Masyada 18: Bahiy al-Din Hasan, ‘Arrab Abu al-Futuh li-l-Mujtama ‘al-Dawli,” Feb. 15, 2018, <https://www.mobtada.com/details/699355>.

¹⁴ Haytham Manna states that Jacques Berque’s thirty-year-old maxim—“sow tyranny, reap fundamentalism”—is, if not universal, “correct in its Arab and Islamic readings. Authorities stripped of any historical or popular legitimacy that use the sword and the noose to deal with citizens’ issues legitimize extremist movements.” Manna believes that the wealthy classes in Third World countries promoted rulers whose basic program involved the nationalization of power, looting, and resistance to citizenship and democracy. He laid additional responsibility for this at the feet of intellectuals, criticizing their fear of the repressive apparatus and their silence and at times justification of eliminationist religious thought. See al-Salafiya wa-l-Ikhwan wa Huquq al-Insan, Arab European Institute for Publishing.

¹⁵ Speaking as a Salafi, writer Ahmed Fahmi criticizes “weakness in establishing legal underpinnings, or in other words, invoking the generalities of religious law in making judgments and considering the intentions while disregarding established proofs. This is largely attributable to the intellectual and psychological shock that has stricken many symbols of Islamic thought and action due to the growing chasm between, on one hand, the immutable principles of Islam and the imperatives of religious law as clearly enumerated in the Book and the Sunna and, on the other, the changes in secular reality and its subsequent iterations on the local and global levels. Many have become intellectually dependent on the West... Islamists’ attitudes to the human rights system are of three types. There is the rejectionist stance, largely exemplified by the academic Salafi trend. This is natural given its reliance on a clear religio-legal methodology in making judgments about novelties. By its nature, this trend is also relatively far-removed from the pressures of political or military confrontation with any existing regime, which preserves its fixed religious outlook, albeit with some disparities in vision and legal reasoning. Though the jihadi trend used to be categorized with the

rejectionist trend, the confrontation circumstances of the resulting from its nature and its method for change compel its leaders and adherents to invoke human rights to defend against or mitigate the impact of torture, arrest, and the like, particularly residents or refugees in Western states. The reliance on some human rights in this field could, as it continues and mounts, become a fixed principle that is difficult to overcome or abandon, particularly in public discourse. In fact, this issue (using human rights to counter issues of torture and detention) is an important avenue by which human rights concepts are propagated, filter in, and gain acceptance among Islamists. This calls for vigilance to repel the danger of this infiltration, which will be addressed at length below, God willing. One could include among the rejectionists those trends and leaders who overall reject human rights concepts, although in their writings and literature they use this term as proof that Islam was the first to posit and enumerate them, thus leaving no space for Western superiority. Examples of this include Sheikh Abu al-Ala al-Mawdudi in his book on human rights in Islam. We reject this way of approaching the issue because we have no need to rearrange our legal judgments and Islamic principles in accordance with Western contexts. Even if this is limited to the use of the term or form without content, there is no benefit to be gained, and God knows best, because for the Muslim, his religion is enough. As for the Western person, what we emphasize as right, he may view as a denial of a right, as is the case with rights associated with freedom of religion, equality between men and women, and more. There is no doubt that this position of overall rejection is the proper one that must be taken on this issue.” See “al-Harakat al-Islamiya wa Huquq al-Insan,” al-Bayan, Jun. 18, 2012.

¹⁶ Dr. al-Tayyeb Zein al-Abidin, a former member of the Consultative Council of the Sudanese Islamist movement, writes, “The Islamist movement, upon assuming power in 1989, repudiated all its propositions about basic liberties in a way unprecedented by other political forces, particularly after it remained in power for 23 years, the longest of any regime in Sudan. From its first day, the Salvation Government, like all military coups, moved to suspend the constitution, dissolve the parliament and the ruling cabinet, ban activities by political parties and confiscate their property, annul press licenses and confiscate their property, and dissolve labor unions and professional federations. It completely prohibited freedom of expression and association.” “Tajribat al-Haraka al-Islamiya al-Sudaniya fi Majal Huquq al-Insan bayn al-Nazariya wa-l-Tatbiq,” Nov. 10, 2012, www.alracoba.net.