

АКТУАЛЬНІ ПРОБЛЕМИ СУЧАСНОГО ФІЛОСОФСЬКОГО ЗНАННЯ

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*Fulneck School, London***PROBLEM OF UNIVERSALISM OF MAN'S RIGHTS CONCEPT
AS ELEMENT OF WORLD POLITICS GLOBALIZATION:
ANALYSIS OF ISLAMIC DOCTRINE**

In our study we're looking at the position of man, his subjective and objective understanding of the law, the relation of rights and responsibilities from Sharia's perspective.

Researchers have concluded that man's rights are not the main aspect of Islam, whereas responsibility and obligation are. For example "the dogmas of faith did not grant the Muslims any rights, a Muslim only has commitment to God". Personality had absolutely no power in Sharia.

Western authors have noted the reinforcement of Sharia's laws on duties rather than on human rights. J. Schacht claimed that the Islamic law is characterized by being an encompassing system of religious duties, but at the same time it demonstrates a personal, individualistic feature and represents the combination of personal privileges and individual duties. H. Afshar wrote that the individual is central to the Islamic law and everything is subordinated to the individual's interests.

The variety of the conceptual approaches to this issue is caused by Sharia's ambiguous nature, which is reflected in the concept of subjective law and human rights that combines the imperativeness and the orientation towards the idea of godly influence with human creativity and given confined freedom. Sharia consists of two main types of rules of conduct, the first of which concerns worshiping, completing one's religious duties, and the second one regulates their temporal relationships. The first form of Sharia concerns basically only duties. Also in the fundamental sources of fiqh these religious rules are described in their fullest form, which creates the impression, that Sharia is primarily a system of duties rather than individual rights. The second one concerns the rules of temporal Muslim conduct, which combine both duties and rights. The principle of free commercial activity is a good example of the aforementioned type of Sharia's rules.

The subordination of man to Allah's will is a distinguishing feature of the Islamic ideology. A. Vasilyev stressed the fact that there is an essential difference of conceptual order between the Islamic and the liberal idea of man's rights and freedom. From secular European perspective the source of power and law is the nation, whereas in the eyes of Muslim jurists the basis for law is exceptionally Allah's will.