



## ISLAM, HUMAN RIGHTS AND GLOBALIZATION

### 1. Dr. Karam Hussain Wadho

Associate Professor /Additional Director

(H.R) Colleges Larkana, Pakistan

Email : [karamwadho@gmail.com](mailto:karamwadho@gmail.com)

**ORCID ID:**

<https://orcid.org/0000-0001-6061-4264>

### 2. Dr. Roshan Ali

Assistant Professor (Islamic Studies),

Islamabad Model College for Boys,

Islamabad, Pakistan.

Email: [roshanali007@yahoo.com](mailto:roshanali007@yahoo.com)

**ORCID ID:**

<https://orcid.org/0000-0001-6836-9507>

### 2. Dr. Zain Ul-Abdin

Director (incharge), Institute of Languages, University of Sindh, Jamshoro, Pakistan.

Email: [hafizzainsodhar@gmail.com](mailto:hafizzainsodhar@gmail.com)

**ORCID ID:**

<https://orcid.org/0000-0003-0896-2821>

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## ISLAM, HUMAN RIGHTS AND GLOBALIZATION

Karam Hussain Wadho, Roshan Ali, Zain Ul-Abdin

### ABSTRACT:

*The objective of Islam is to establish economic equality, social justice, and fairness in all spheres of the life of individuals and societies. Islam put a very clear prohibition on slavery and discriminated social grades and caste-systems, and asserts on the human dignity through the golden principles of universal brotherhood among all human and gave a special honor to the women. These principles are considered integral parts the UN charters and constitutions of civilized world for establishing exploitation free society. In the view of Islam, in the divine religions as well, all races of human, white and black or brown are born from Adam and Eve. Allah, the almighty creator, has made them vary in colour, language and has placed them in different lands, but before Him they are all one and cherished by Him alike, and he is most honoured who is most righteous. Islam described the rights and duties of all kinds of people as all are equal in gender as human being. This paper examines the rights of individual in the lights of Holy Quran specially Surah al-Nisa verse 36 and the Sunah specially the last sermon of the Holy Prophet Muhammad (PBUH).*

**KEYWORDS:** Islam, Human Rights, Honour, Protection, Social Justice, Equal, Duty, Obligation.

### 1. BEGINNING OF HUMAN BEING AND CAUSE OF DIFFERENCES

Quran in verse 312 chapter 2 says: Mankind was but one people; so Allah sent the prophets as bearers of good tidings and as warning givers,

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and He sent down them with the true Book, so that it might judge between the people. In that in which they had differed. And none differed about it but the very people who were given it, after clear signs had come to them, revolting among themselves; whereupon Allah guided, by His will, those who believed to the truth about which they differed. And Allah guides whom He pleases to the straight path.<sup>1</sup>

This verse describes that human being is required to follow a prescribed set of teachings and instructions and explains why religion was promulgated and human beings are obliged to follow it, and why differences occurred in thoughts and believes.

Human as living social beings, having been created with a natural urge to live together and remain cooperative with each other, were in the beginning one single group. Then with passage of time and increase in the population occurred differences because of the acquisition of the necessities of life. These differences could only be settled by creating social laws and regulations to give each one his right and to make him abide the respect and the rights of others. Allah has ordained the principles and sent it down as religion, accompanied by good tidings of reward for those who obey and a warning of punishment for the offenders. All this was accomplished by sending the prophets and the apostles.

After that, people differed again this time about the knowledge of religion, or about matters concerning the beginning and end of mankind. Thus, religious unity was disrupted and various groups of thoughts

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<sup>1</sup> Al-Quran, 2:312

appeared on the scene, and their differences contaminated the other aspects of life.

These second differences only occurred because of the revolt of the very people who were given the book, after the fundamentals and characteristics of religion had been fully explained to them and the proof of the existence of one Creator of this universe had been completed for them.

It is clear that there were two differences: First, the difference about worldly gains, which was of physical instinct and worldly needs; second, the difference about matters of religion which was of metaphysical instinct and based on logic, not on nature but on the revolt of mischief-makers. Then Allah guided the believers to the truth about which they differed; and this guidance was done by His Will; and Allah guides whomsoever He pleases to the righteous path.

The divine religion is the only means of happiness and felicity for the human and it keeps life in order. It creates a balance between human instincts and urges, and keeps them on the middle path, preventing them from going towards either extreme. Thus, there appears the best system and the highest discipline in the human life both of this world and of the Hereafter, the material as well as the spiritual.

## **2. CLASSES AND GRADES OF THE PEOPLE AND THEIR RIGHTS**

Hazrat Ali describes the classes and grades of the people and their rights as follows:

“You must know, Malik, that the people over whom you rule are divided into classes and grades and the prosperity and welfare of each class of the society individually and collectively are so interdependent upon the well-being or the other classes that the whole set-up represents a

closely women net and a reciprocal aspect. One class cannot exit peacefully, cannot live happily and cannot work without the support and good wishes of the other. Among them there are (i) soldiers of the Army of Allah who defend His cause, (ii) next class is that of the Secretaries of State to whom duties of writing and issuing special or general orders are assigned, (iii) third class of Judges and magistrates who administer justice, (iv) the fourth is of officers who maintain law and order and guard the peace and prosperity of the country, (v) Then there are common men, Muslims who pay the taxes levied by the government (vi) and non-Muslims who pay the tribute to the State in lieu of taxes, (vii) then the class of men who carry on various professions and trades, (viii) and the last but not the least are the poor and the have-nots who are considered at the lowest class of the society. The merciful Allah has fixed rights and duties of each one of them. They have been either mentioned in His Book or explained through the instructions of the Holy Prophet .A complete code of preserved with us.<sup>2</sup>

### 3. KINDS OF RIGHTS

In the view of Islam there are two types of Rights: Rights to the Creator i.e Almighty Allah and rights to the creation i.e. human beings. Quran says: “And worship Allah and do not associate anything with Him, and do good to the parents, and to the kindred, and the orphans and the needy, and the neighbor close to you, and the neighbor who is a stranger, and the companion in a journey, and the way farer, and the slaves whom

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<sup>2</sup> Imam Ali (a.s) Nahj-al-Balagha. (Peak of Eloquence) Letter No. 53, page No. 251)

your right hands possess. Verily Allah does not love the one who is proud, boastful.”<sup>3</sup>

In this verse, two types of rights are spoken about. They are irrespective of the rights of Allah, and the rights of people, and also some civilities of social life. The prime nature and the substance of Islam is to worship the only the Allah and else to do good and to be good to mankind in particular, and to all our fellow creatures in general. The verse alludes to a series of rights and instructions to observe such rights. These rights, the observance of which is obligatory and incumbent upon us all, are the rights of the creator and those of His creatures, and some ten instructions can be deduced from the verse as under mentioned:

**3.1 - Rights of Allah:** The first theme therein is that it invites people to worship and servitude to Allah while they should abandon idolatry and infidelity. This Allah manner is the root of all Islamic agenda. The act of following the notion of Unity and theism, purifies the soul, clarifies the intention, strengthens the will, and tightens the decision for performing any right and useful action in the cause of Allah. Since the verse is to state a series of Islamic rights, before referring to anything else, it points to the right of Allah upon people. “And worship Allah and do not associate anything with Him,”

Imam Ali ibn Hussain Zainul Aabiden (a.s) says in Risalatul Huqooq: “The greatest right of Allah is to worship Allah and do not associate anything with Him.”<sup>4</sup>

**3.2 - Rights of parents:** Then, it adds:” ... and do good to the parents ...”

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<sup>3</sup> Al-Quran, 4:36

<sup>4</sup> Imam Zain ul Aabideen, (Risalatul Huqooq: page: 13

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The right of parents is one of the subjects which have been repeatedly emphasized in the holy Quran. There are fewer matters that have been recommended so much in it.

**3.3 – Rights of Relatives:** Next to that, it continues saying: " ... and do good to the relatives,"

This subject is also one of the themes that have been emphasized abundantly in the Quran. It has sometimes been referred to as 'blood ties', and sometimes has been enjoined under the commandment of doing good to the kindred '. In this regard our Holy Prophet said: a person can not enter in paradise who does not care of his relatives.<sup>5</sup>

**3.4 – Rights of Orphans:** Then it pays to the rights of orphans, and encourages the believing people to doing good unto the 'orphans'. The reason of this emphasis is that, as a result of different incidents, there always exist some orphan children in every society that forgetting them, not only spoils their condition but also puts the situation of the society in danger. " ... and do good to the orphans, ..."

**3.5 - Rights' of the Needy ones:** Next to that, the Holy Quran reminds us the 'rights' of the needy ones. " and do good to the needy, ..." The reason of this remembrance is that: in every society there are usually some handicapped persons, some feeble ones, and the like of them that leaving them out is against all the principles of humanity.

**3.6 – Rights of near Neighbours:** After that, the verse recommends to doing good unto the neighbours who are near to us in house to house or in country to country. It says: ".. and do good to the neighbor close to you, .."

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<sup>5</sup> Mirza Hussain al-Noori, (Mustadrikul wasail Edition first in 1408 by Muassis-e-Aal-e-Bait, Qum Iran .vol 9 page 107

**3.7 - Rights of Stranger Neighbours:** The neighbours who are strangers to us are then recommended. It says: " ... and do good to the neighbor who is a stranger,"

The 'right of neighborhood' is so important in Islam that Amir-ul-Mu'mineen Imam Ali (a.s) has stated about it thus: "The Prophet Muhammad (PBUH) put so much emphasis and stress on the abide of the rights of the neighbours that we thought he would finally order the neighbours to inherit one another."<sup>6</sup>

Another tradition denotes that one day it happened that the holy Prophet three times said: "By Allah, he does not believe." A person asked him whom he meant, and the Prophet said: "The person whose neighbor is not in security from his molestation." What a dignified command of Islam it is? If the neighbor of House or Country is secured from one another subsequently the entire world would be in peace and safety.

**3.8 – Rights of Companions:** After that, the Quran has recommended about those who are friends and companions. It says: ".. and do good to the companion in a journey,..". The Arabic phrase:/ as-sahib-il-janb/, of course, has a larger scope of meaning than 'friend' and 'companion'. Thus, the verse conveys a general and inclusive command regarding to having good manner due to those who somehow connect with us irrespective of real friends, fellow-workmen, fellow-travelers, those who ask us for something, students, counselors, and waiters etc.

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<sup>6</sup> (Nahj-al-Balagha. commentary by Sheikh Muhammad Abduh, Letter No.47, Volume 3, page 86.

**3.9 – Rights of Travelers:** Another group, whom are recommended about here, are those who will be in need, because of some reasons, when they are in journey and are far from their own home, although they may be rich in their own city. So, it says: " ... and way farer, ..."

**3.10 – Rights of Slaves:** The final recommendation is about doing good unto the slaves. It says: " ... and the slaves whom your right hands possess. ..." In fact, the above verse begins with the subject of the right of Allah and concludes with the rights of slaves '. Not only in this verse the slaves are recommended about, but also many other verses of the Quran are upon this matter.<sup>7</sup>

#### **4. CONCEPT OF HUMAN RIGHTS IN ISLAM**

Human rights in Islam it means that these rights have been granted by Allah and also all rights are taken out from the rights of Allah, because Allah is the creator of all things so He has granted the rights to His creatures from His rights: Hazrat Ali (a.s) says: "A further sign of His Grace is that He gave to the rights of man over another man an importance equal to His Rights over Human beings. He granted these rights reciprocally to all human beings".<sup>8</sup>

These rights have not been granted by any king or by any legislative assembly. The rights granted by the kings or the legislative assemblies, can also be withdrawn in the same manner in which they are conferred. The same is the case with the rights accepted and recognized by

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<sup>7</sup> Tafseer Noor ul Quran , Traslated by Syed Abbas Sadr Aamuli Isfahan, Iran, 9<sup>th</sup> edition printed in 1383, vol 4 , page 41-42

<sup>8</sup> Nahj-al-Balagha, commentary by Sheikh Muhammad Abduh, sermon 211,volume 2, page 224

the dictators. They can confer them when they please and withdraw them when they wish; and they can openly violate them when they like. But since in Islam human rights have been conferred by Allah, no legislative assembly in the world, or any government on earth has the right or authority to make any amendment or change in the rights conferred by Allah. No one has the right to abrogate them or withdraw them. Nor are they the basic human rights which are conferred on paper for the sake of show and exhibition and denied in actual life when the show is over. Nor are they like philosophical concepts which have no sanctions behind them.

Islam does not accept the rules made by other than Allah. Quran describes three commands for those persons who make their own decision against Allah(i) "Those who do not judge by what Allah has sent down are the disbelievers.". (ii) "They are the wrong-doers (zalimun)" and (iii)"They are the evil-livers (fasiqun)"<sup>9</sup>

#### **5. ALL HUMAN BEINGS ARE EQUAL IN RIGHTS**

The first thing that we find in Islam in this connection is that it says some rights for man as a human being. In other words it means that every man whether he belongs to this country or that, whether he is a believer or unbeliever, whether he lives in some forest or is found in some desert, whatever be the case, he has some basic human rights simply because he is a human being, which should be recognized by every Muslim. In fact it will be his duty to fulfill these obligations.

Islam not only recognizes absolute equality between men irrespective of any distinction of colour, race or nationality, but makes it

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<sup>9</sup>Al- Quran 5:44,45 & 47

an important and significant principle, a reality. Almighty Allah says in Holy Quran in this regard: O, mankind! Verily, We created you all from a male and female and classified for you the tribes and clans so that you recognize each other. Verily, in Allah's Sight the most honourable of you is the most pious of you.<sup>10</sup>

This is addressed to all human beings and not to the Muslims only, though it is understood that in a perfect world the two would be equal. All races of men, white, brown and black are His creation. Allah has made them to vary in colour, language and mode of life, and has placed them in different lands, but before Him they are all one and cherished by Him alike, and he is most honoured who is most righteous.

This means that the division of human beings into nations, races, groups and tribes is for the sake of distinction, so that people of one race or tribe may meet and be acquainted with the people belonging to another race or tribe and cooperate with one another. This division of the human race is neither meant for one nation to take pride in its superiority over others nor is it meant for one nation to treat another with contempt or disgrace, or regard them as a mean and degraded race and usurp their rights.

Our Holy Prophet said in his last sermon: O, mankind! Verily your Creator and Nurture is One, your Father is one, you must remember that

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<sup>10</sup> Al-Quran 49: 13

there is no any preeminence to Arab on non-Arab, nor to non-Arab on Arab, not to beautiful on ugly, nor to ugly on beautiful but the pious one.<sup>11</sup>

The Islamic policy is to create justice, fairplay and harmony in the human society. Abolition of slavery and caste system, clear assertion of human rights, brotherhood among all people of the world, rights of women, social welfare, establishment of a society free from exploitation of man by man and belief in one Allah are some of the Islamic teachings which are now part and parcel of all the constitutions of the civilized countries.

In this manner Islam established equality for the entire human race and struck at the very root of all distinctions based on colour, race, language or nationality. According to Islam, Allah has given man this right of equality as a birthright. Therefore, no man should be discriminated against on the ground of the colour of his skin, his place of birth, the race or the nation in which he was born.

Hazrat Ali (A.S) says: Remember, Malik, there are two kinds of people: those who are your religious brothers (Muslims), and those who are human beings like you (Non-Muslims). Men of either category suffer from the same weaknesses and disabilities that human beings are inclined to. They commit sins indulge in vices either intentionally or unintentionally let your mercy and compassion come to their rescue and

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<sup>11</sup> Muhammad Mehdi Raishahri, (Meezanul Hikma, edition 1<sup>st</sup> Print by Darul Hadith vol. 3, page 2328

help in the same way and to the same extent that you expect Allah to show mercy and forgiveness to you.<sup>12</sup>

Equality of Islam practically seen at the time of performing the pilgrimage, where the Muslims of Asia, Africa, Europe, America and all over the world, those of different races, languages and colours of skin, were wearing one dress and were hurrying towards Allah's House the Holy Ka'bah and offering prayers standing in one row and there was no distinction of any kind between them. Today, a number of non- Muslim thinkers, who are free from blind prejudice, openly admit that no other religion or way of life has solved this problem with the same degree of success with which Islam has done so.

## **6. DUTIES AND OBLIGATIONS OF THE ISLAMIC GOVERNMENT**

### **6.1 PROTECTION OF THE LIFE OF CITIZENS**

The first and the foremost basic right is the right to live and respect human life. The Holy Quran says: “Whosoever kills a human being without any reason like man slaughter, or corruption on earth, it is as though he had killed all human beings. .<sup>13</sup>

The person who slays and kills an innocent human being, has such a preparation, in fact, to kill some other innocent persons, too. This person is, indeed, a homicide whose prey is innocent human beings. And, we know that there is no difference between the innocent persons from this

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<sup>12</sup> Nahj-al-Balagha, commentary by Sheikh Muhammad Abduh, Letter No. 53, volume 3 page 93

<sup>13</sup>Al- Quran 5: 32

point of view. On the other hand, the person who, because of having the quality of philanthropy and human emotions, saves another person from death has such a preparation to perform this sympathetic action unto any other human beings. So, regarding the fact that the Quran has applied the phrase: / fa-ka-'anna-ma/) it is as if (, it seems that although the life and death of a person is not equal to the life and death of a society, it has a likeness to it. Again, it can be said that in potency, there is a capability in any person to bring a great society, or a new generation, into existence. Hence, annihilating a human being sometimes results to the effacement and murder of a generation. The following points may be observed from this verse

- i. The members of human beings originate from a common truth and have a single soul, so that they are similar to the limbs of a body. Therefore, slaying a person is the same as killing all humankind.
- ii. The act of evaluating deeds relates to the motives and aims. Slaying a person with the intention of transgression, is putting a society into death; while killing under the title of retaliation is counted as the life of the society.
- iii. The death and life of a person is sometimes effective in the death and life of a society. Similarly, sometimes the individual murders prepare the ground for some massacres.
- iv. The sign of a living society is helping the needy and saving the souls or lives.
- v. Suicide, and even abortion, is one of the examples of homicide ', which is unlawful.
- vi. Transgressing against the rights of an individual is a threat to the security of the society.

- vii. The managers of the professions like physicians, nurses, fire-extinguishers, reinforcers, makers of medicine, etc, whose job is securing the lives of human beings, should know the position and value of their own profession.

As far as the question of taking life in retaliation for murder or the question of punishment for spreading corruption on this earth is concerned, it can be decided only by a proper and competent court of law. In any case, no human being has any right by himself to take human life in retaliation or for causing mischief on this earth. . Therefore, it is incumbent on every human being that under no circumstances should he be guilty of taking a human life. If anyone has murdered a human being, it is as if he has slain the entire human race. These instructions have been repeated in the Holy Quran in another place saying: “Do not kill a soul which Allah has made sacred except through the due process of law ...”<sup>14</sup>

Here also homicide has been distinguished from destruction of life carried out in pursuit of justice. Only a proper and competent court will be able to decide whether or not an individual has forfeited his right to life by disregarding the right to life and peace of other human beings. The Prophet, may God's blessings are on him, has declared homicide as the greatest sin only next to polytheism. The Tradition of the Prophet reads: "The greatest sins are to associate something with God and to kill human beings." In all these verses of the Quran and the Traditions of the Prophet the word ‘soul’ has been used in general terms without any distinction or particularization which might have lent itself to the elucidation that the

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<sup>14</sup> Al-Quran 6:151

persons belonging to one's nation, the citizens of one's country, the people of a particular race or religion should not be killed. The injunction applies to all human beings and the destruction of human life in itself has been prohibited.

'The Right to Life' has been given to man only by Islam. You will observe that the people who talk about human rights if they have ever mentioned them in their Constitutions or Declarations, then it is clearly implied in them that these rights are applicable only to their citizens or they have been framed for the white race alone. This can clearly be gleaned by the fact that human beings were hunted down like animals in Australia and the land was cleared of the aborigines for the white man. Similarly the aboriginal population of America was systematically destroyed and the Red Indians who somehow survived this genocide were confined to specified areas called Reservations. They also penetrated into Africa and hunted down human beings like wild animals. All these instances go to prove that they have no respect for human life as such and if they have, it is only on the basis of their nationality, colour or race. Contrary to this, Islam recognizes this right for all human beings. If a man belongs to a primitive or savage tribe, even then Islam regards him as a human being.

## **6.2 THE SECURITY OF LIFE AND PROPERTY**

Our Prophet (PBUH) delivered the sermon on the occasion of his last Hajj at Mina, he said: "Your life, honor and property are forbidden to one another till you meet your Lord on the Day of Resurrection."<sup>15</sup>

Almighty Allah has said in the Holy Quran: "Anyone who kills a believer deliberately will receive as his reward (a sentence) to live in Hell for ever. Allah will be angry with him and curse him, and prepare dreadful torment for him."<sup>16</sup>

The Prophet has also said about the dhimmis (the non-Muslim citizens living in the land conquered by the Muslim): "One who kills a man under covenant (i.e. a dhimmi) will not even smell the fragrance of Paradise".<sup>17</sup>

Islam prohibits homicide but allows only one exception that the killing is done in the due process of law which the Quran refers to as bi al-haqq (with the truth). Therefore, a man can be killed only when the law demands it, and it is obvious that only a court of law can decide whether the execution is being carried out with justice or without justification. In case of war or insurrection a just and righteous government alone, which follows the Shari'ah or the Islamic Law, can decide whether a war is just or unjust, whether taking of a life is justified or not; and whether a person is a rebel or not and who can be sentenced to death as a punishment. These weighty decisions cannot be left in the hands of a court which has become

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<sup>15</sup> Muhammad Yaqoob al-Kulaini, *Usulul Kafi*, Darul Kutub al-Islami Aakhondi. Second Print in 1388h.vol.7 page. 273

<sup>16</sup> Al-Quran 4:93

<sup>17</sup> Al-Imam ul Bukhari Muhammad ibn Ismail, *Sahihul Bukhari*, Darul Fikr, Beirut Lebanon, printed 1401hijry, volume.8, page. 47

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heedless to Allah and is under the influence of the administration. A judiciary like this may miscarry justice. Nor can the crimes of state be justified on the authority of the Holy Quran or Traditions (hadith) when the state murders its citizens openly and secretly without any hesitation or on the slightest pretext, because they are opposed to its unjust policies and actions or criticize it for its misdeed, and also provides protection to its hired assassins who have been guilty of the heinous crime of murder of an innocent person resulting in the fact, that neither the police take any action against such criminals nor can any proof or witnesses against these criminals be produced in the courts of law. The very existence of such a government is a crime and none of the killings carried out by them can be called "execution for the sake of justice" in the phraseology of the Holy Quran.

Along with security of life, Islam has with equal clarity and definiteness conferred the right of security of ownership of property, as mentioned earlier with reference to the address of the Farewell Hajj. On the other hand, the Holy Quran goes so far as to declare that the taking of people's possessions or property is completely prohibited unless they are acquired by lawful means as permitted in the Laws of Allah. The Law of Allah categorically declares "Do not devour one another's wealth by false and illegal means".<sup>18</sup>

### **6.3 THE PROTECTION OF HONOUR.**

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<sup>18</sup> Al-Quran 2: 188

The second important right is the right of the citizens to the protection of their honour. In the address delivered on the occasion of the Farewell Hajj, to which I have referred earlier, the Prophet did not only prohibit the life and property of the Muslims to one another, but also any encroachment upon their honour, respect and chastity were forbidden to one another. The Holy Quran clearly says :(i) "You who believe, do not let one (set of) people make fun of another set. (ii) Do not defame one another. (iii) Do not insult by using nicknames. (iv) and do not backbite or speak ill of one another"<sup>19</sup>

This is the law of Islam for the protection of honour which is indeed much superior to and better than the Western Law of Defamation. According to the Islamic Law if it is proved that someone has attacked the honour of another person, then irrespective of the fact whether or not the victim is able to prove himself a respectable and honourable person the culprit will in any case get his due punishment. But the interesting fact about the Western Law of Defamation is that the person who files suit for defamation has first to prove that he is a man of honour and public esteem and during the interrogation he is subjected to the scurrilous attacks, accusations and innuendoes of the defense council to such an extent that he earns more disgrace than the attack on his reputation against which he had knocked the door of the court of law. On top of it he has also to produce such witnesses as would testify in the court that due to the defamatory accusations of the culprit, the accused stands disgraced in their eyes. Good Gracious! what a subtle point of law, and what an adherence to

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<sup>19</sup> Al-Quran 49: 11-12

the spirit of Law! How can this unfair and unjust law be compared to the Divine law? Islam declared blasphemy as a crime irrespective of the fact whether the accused is a man of honour or not, and whether the words used for blasphemy have actually disgraced the victim and harmed his reputation in the eyes of the public or not. According to the Islamic Law the mere proof of the fact that the accused said things which according to common sense could have damaged the reputation and honour of the plaintiff, is enough for the accused to be declared guilty of defamation.

#### **7. ISLAM AND SOCIAL JUSTICE:**

Quran says: “O you who believe! Be maintainers of justice bearers of witness for Allah's sake, though it may be against your own selves or your (parents or near relatives; if he be rich or poor, Allah is nearer to them both in compassion; therefore, do not follow) your (low desires, lest you deviate; and if you swerve or turn aside, then surely Allah is aware of what you do.”<sup>20</sup>

Here a general instruction has been issued on account of social justice a commandment that all have to observe without any exception. That is, in all our judgments we must have our Lord as a witness besides us. We must seek Allah's consent and pleasures in our judgment, and swerve not even though our decree has to be issued against our own interests or against the interests of our parents and our nearer and dearer. And when we have to be a witness and testify to something, we must be strict, straight, and not drooping. We must be a witness for Allah, because we act in the presence of the Lord Allah Who is aware of whatever we do.

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<sup>20</sup> Al-Quran 4: 135

The verse then points at the causes of swerve, that some people may be inclined to favour a rich man of whom they may expect some aid; and a judge may want to favour a poor for being helpless.

“Be you witness for Allah, even if it be against you or against your parents or kinsfolk; be the rich or be the poor, Allah is more deserving than them.”

Be they poor or rich, you have to observe justice and to avoid both extremes, because all of them are under the care and protection of Allah and Allah more deserves to be cared than the others.

This verse may also show the importance of justice in the sight of Allah and Islam. Shiites are of opinion that Justice is an attribute of Allah, and it is one of the tenets and five principles of religion; and that, to stand firm for justice is to be a witness of Allah, and being Allah.

In another verse, Quran says: “O you who believe! Be upright for Allah, bearers of witness with justice and let not hatred of a people incite you not to act equitably”<sup>21</sup>

This verse is similar to the verse 135 of " Al-Nisa", However, there is a subtle difference between the two verses. The verse of" Al-Nisa" forbids deviation from justice in bearing witness because of some low desires; the person loves the man for whom he bears witness because of some relationship or friendship, etc. and therefore, gives evidence in his favour in order that he might get some undue benefits. Conversely, this verse of "Al-Maida" prohibits deviation from justice while bearing witness because of hatred and enmity for the person against whom evidence is

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<sup>21</sup> <sup>21</sup> Al-Quran 5: 8

tendered; he bears witness against him intending to take some revenge from him and thus tramples on his rights.

This difference of themes has brought difference of stipulations in the clauses of the two verses. The verse in " Al-Nisa" says: Be maintainers of justice, bearers of witness for Allah's sake; while this verse in "Al-Maida" turns the restrictions around and says:" be upright for Allah, bearers of witness with justice."

The main purpose of this verse is to restrain the believers from going against truth in bearing witness because of some enmity that the witness might be entertaining against the party concerned. Therefore, the evidence is attached to justice, meaning that one should observe justice while giving evidence; the evidence should not contain even an iota of injustice, even if the person concerned is one's enemy. On the other hand, evidence in favour of someone because of love or relationship) even if it goes against the right (is not counted such a deviation from justice although in reality it is not free from injustice and deviation. Therefore, the verse of" Al-Maida" enjoins bearing witness with justice and it has been based on the order of being upright for the sake of Allah; while the order of" Al-Nisa" enjoins giving evidence for the sake of Allah, that is, without following base desires and it is based on the order of being upright with justice.

The same is the reason why in the verse of" Al-Maida" the order to bear witness with justice leads to the order of acting equitably as Allah says: act equitably, that is nearer to piety; it calls to justice and counts it as a means of acquiring piety. And in the verse of " Al-Nisa", the order has been reversed and the command to bear witness for Allah is followed by the phrases: do not follow your) low (desires lest you deviate. Thus, Allah prohibits the believers from following one's low desire and discarding of

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piety; and counts it as a means of deviating from justice. Then, both the verses warn them against deviation from piety, using almost similar wordings. The verse of " Al-Nisa" says: and if you swerve or turn aside, then surely Allah is aware of what you do, i. e., if you don't keep firm hold of piety; and the verse of "Al-Maida" says: and fear Allah, surely Allah is Aware of what you do.

#### **8. SCOPE OF RIGHTS IN ISLAM:**

There is the vast scope of rights in Islam like human being to human being, human being to animals, human being to plants, human being to earth etc the moral rights in Islam are uncountable. In this regards Hazrat Ali (a.s) said: “ Fear Allah in so far as the rights of an individual or a society is concerned because you will be questioned about performance of your duties and obligations in sphere of your activities even in respect of the land you live in and the animals you are in contact with.”<sup>22</sup>

Islam does not allow to any person to cut off a leaf the tree without any reason. How can it allow the dangerous action against human beings?

Our Holy Prophet said: Oh! People may I tell you why believer (Al-mu'min) is called the believer? because the human being's lives and property are safe from him (he does not harm them). May I tell you why Muslim is called Muslim? because Muslim is he from whom the Human being's life, prosperity and honour may be safe from his hand and tongue.<sup>23</sup>

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<sup>22</sup> Naj-al-Balagha, , commentary by Sheikh Muhammad Abduh, Sermon.1 62, volume 2, page 97

<sup>23</sup> Al-Sheikh Suddoq ibn e Babweh Muhammad ibne Ali, Maaniul Akhbar, printed by Intisharat Islami, in 1361,H.S, page 239, and Majlisi Muhammad

## **9. ISLAM AND UNITED NATIONS ORGANIZATIONS**

The charter and the proclamations and the resolutions of the United Nations cannot be compared with the rights sanctioned by Islam; because the former is not applicable to anybody while the latter is applicable to every believer. They are a part and parcel of the Islamic Faith. Every Muslim or administrators who claim themselves to be Muslims will have to accept, recognize and enforce them.

The United Nations, which can now be more aptly and truly described as the Divided Nations, made a Universal Declaration of Human Rights, and passed a resolution against genocide and framed regulations to check it. But as you all know there is not a single resolution or regulation of the United Nations which can be enforced. They are just an expression of a pious hope. They have no sanctions behind them, no force, physical or moral to enforce them. Despite all the high-sounding ambitious resolutions of the United Nations, human rights have been violated and trampled upon at different places, and the United Nations has been a helpless spectator. She is not in a position to exercise an effective check on the violation of human rights. Even the heinous crime of genocide is being perpetrated despite all proclamations of the United Nations. Right in the neighbouring countries just like Palestine, Lebanon, Afghanistan, Iraq etc, genocide of the Muslims has been taking place, but the United Nations does not have the power and strength to take any steps against. No action has even been taken against any country guilty of this most serious and revolting crime.

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Baqir, Biharul Anwar, second edition, from Beirut Lebanon in 1983AD, vol 72, page 51

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Christian's writer George Jordac emphasizes laws of human rights and he after comparing with United Nations regulations proved that Ali (a.s) is most careful from human rights as well as he given reasons as follow.

In his opinion the difference between the two set of rules is due to four following reason s:

- i. The charter of the United Nations was drafted by thousands of intellectuals belongs to almost all the countries of the world whereas the Alavi rules were enunciated by only one person viz Ali ibn Abi Talib.
- ii. Ali arrived in this world fourteen years ago.
- iii. Those that drafted the U.N Charter or in fact collected the requisite material for it indulged in too much extravagant talk and self-praise and boasted that world was indebted to them on this account. On the contrary Ali showed humility before God and was modest before the People he did not seek greatness or superiority. He always prayed to God and also wished the People that his acts of commission and omission might be over looked.
- iv. The difference which is more important than three above is that many Nations, out of those which participated in the U.N Declaration of human rights and endorsed it, violated this declaration and started armed conflicts to nullify and destroy it, but wherever Ali placed his foot, and whenever he said anything, or unsheathed his sword, he did so to destroy tyranny and oppression and leveled the grounds to march forward on the faith of truth and justice so much so he met his martyrdom in defense of human

rights although during his life time he had already been martyred thousand s of times.<sup>24</sup>

#### **10. CHARTER OF MADINA AS THE IDEAL SOURCE FOR SOLVING THE PRESENT CONFLICTS**

In today's globalized world, because of the revolutionary developments in the means of mass communication, it is much easier to contact and communicate with people of different cultures and beliefs. Unfortunately, increased globalization has also broadened the scope of conflicts throughout the world. Modern conflicts take place between societies with widely different cultural, religious, and philosophical backgrounds. In today's complexed world the Madina Charter can be a source for answers to many of today's questions, presenting approaches to solving and preventing conflicts between groups based on differences in culture and belief. The Madina Charter is a constitution that essentially established the Madina city-state. The Charter was the first written constitution in Islam and arguably the first constitutional law in society. Before Prophet Muhammad's arrival from Makka, Yathrib (later known as Madina) had a population of 10,000 that was organized into approximately 22 tribes. Approximately half the population was Jewish and half was Arab. Regardless of religion, tribes sought power through military dominance over other tribes, with the numerous alliances forged between warring tribes greatly contributing to the aggression.

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<sup>24</sup> George Jordac: Voice of Human Justice; translated by M Fazel Haq, published by Ansariyan publications-Qum-Iran, page: 137

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## **11. CONCLUSION**

Islam is complete code of life; it has defined and described all issues related with life. Consequently all kinds of rights and obligations relating to human are described in details in Islam. Human rights in Islam means the rights taken out from the rights of Allah as a grant to human as said by Hazrat Ali “a further sign of His Grace is that He gave to the rights of man over another man an importance equal to His Rights over Human beings”. He granted these rights reciprocally to all human beings. All people are equal in regards of rights and obligations, he be a Muslim or not, young or old, man or woman. Last prophet Muhammad (PBUH) said: a person who does not mercy on the younger and not respects the elders is not a Muslim. Islam does not consider a person as Muslim from whom the life, property and honour of other human beings are not safe. Islam connects the people of all over the world as a chain or just like a body of a man if any part of body is damaged all body would feel the affliction of it.



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