

Human Fundamental Rights

by G. A. Parwez

Published by:

Idara Tolu-e-Islam

25B Gulberg 2, Lahore 54660, Pakistan

Tel: 92 42 571 4546

Email: idara@toluislam.com

Website: www.toluislam.com

Publication funded by:

Bazm Tolu-e-Islam London

76 Park Rod, Ilford, Essex, IG1 1SF, UK

Tel & Fax: 44 208 553 1896

Email: bazm.london@virgin.net

Website: www.islam21.info

Also available from:

Mrs R. Khawaja

72 Herent Drive, Clayhall, Ilford, Essex, IG1 1SF, UK

Tel: 44 208 550 3893

Title : Human Fundamental Rights
Author : G. A. Parwez (late)
ISBN : 1 9021 3817 1
Published by : Idara Tolu-e-Islam
: 25B Gulberg 2, Lahore 54660, Pakistan
Translator : M.S. Fehmina, Delhi, India
Vetted and Edited by : Farah Jarra! and Maqbool Farhat, UK
Publishing Consultant : Paigham Mustafa
Printed by : Impac, Glasgow, UK

All rights reserved. No part of this book may be reproduced, stored in a retrieval system, or transmitted in any form or by any means electronic, mechanical, photocopying, recording or otherwise, without prior permission in writing from both the author's estate and the publisher of this book.

Preface

A few years ago, the nations of the world celebrated the 50th anniversary of the Universal Declaration of Human Rights which had been adopted by the UNO on the 10th of December, 1948, with fanfare all over the world by the signatory countries. There were speeches, resolutions, fireworks, exhibitions, seminars and the making of more pledges. Yet, one might ask the question, what was there to celebrate?

Fifty years after the declaration, in this 'civilised' world, even today newspapers and television daily report human-rights abuses around the globe. Torture, ethnic cleansing in the name of religion, ideology or culture, rampant inequality, and absence of freedom of thought are the order of the day. There seems to be no end to the suffering inflicted by one group of people on others, or that inflicted by governments (irrespective of whether 'democratic' or otherwise) on their own populations. Such tyrants are accountable to no higher political or moral authority other than themselves.

Signatory countries blatantly violate the basic preamble of the Human Rights Charter, one article of which cites "promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion."

Mankind has witnessed, experienced and benefited profoundly by the fruits of those human rights, that The Holy Quran had vouchsafed upon humanity over 1400 years ago. Those human rights which UNO could identify and included in

its charter merely fifty years ago were enshrined in the Quranic constitution, the basic tenet of which was:

"We have made man worthy of respect, honour" (Al-Qur'an 17:70)

Mr Ghulam Ahmad Parwez (died 1985), founder of *Tolu-e-Islam Movement*, Lahore, Pakistan and a renowned Islamic scholar, commentator and revolutionary reformer, who authored almost forty-five voluminous books on various aspect of Islam also wrote a pamphlet on human rights in Urdu titled *Bunyaudi Haqooq-e-Insaniyat Aur Quran (Basic Human Rights and Qur'an)* thirty years ago.

Ms Fahmeena of New Delhi, India has now rendered it into English and further edited by Farah Jarral, a student of Oxford University and a few additions made by the undersigned. This essay addresses topics such as provision of necessities of life, civil rights, equality before law, freedom of choice and thought, social and cultural rights

It is hoped that this work will dispel some of the wrong notions about Muslim attitude towards human rights practices and rebut the partisan analysis of Islamic cultural values by Harvard University professor Samuel Huntington in his book "The Clash of Civilisations".

Instead of giving literal meaning of the Quranic text, wherever possible, an exposition has been given of the verses quoted in the essay. As far as possible, the translator has faithfully tried to keep in line with the original work of Mr Parwez. The translator is fully responsible for any variation in meaning from the original, as every language has its own rule and constraints when translating one language into another.

*Muqbool Mahmood Farhat
Bazm Tolu-e-Islam, London*

Glossary and Notes

English-speaking readers may find the following terms used in this booklet useful.

- Adl-wal-Ihsann:** *Adl* means to give every person his due. *Ihsaan* means to make good the deficiency in a person. Adl and Ihsaan is the duty of an Islamic State to fulfil (16:90) and right of everybody to claim both.
- Allah:** Arabic/Qur'anic reference to the One God Who is the Lord God, the Creator and Sustainer of the entire universe and everything that is in it. "Allah" is not an exclusive name for a tribal deity of Muslims as some Christians, Jews and other non-Muslims erroneously believe. It is wrong to consider "Allah" as a name for God as God has no name, only Attributes.
- Deen:** or **Din**, a term with no exact English equivalent, a "Way of Life," and in the Islamic context, a social, political system based on Qur'anic Values. Deen or Din is generally incorrectly translated in English as religion.
- Islam:** Islam is not a religion in the ordinary sense of the word. Religion is the English equivalent for the Arabic word 'Mazhab', which does not occur even once in the Qur'an. Islam is a system. The Qur'an has used the word "Addeen" for Islam, which means a particular way of life, code of life, a social system (3:18):

5:3).

It is usually translated into English as the Lord, which does not convey the real meaning and significance of the Arabic word. It means one who provides nourishment, to process a thing with new additions, alterations or changes so that it should reach its goal, to bring a thing gradually to perfection. One of God's Attributes means Nourisher, Cherisher and Sustainer.

- Kafir/Kuffar:** infidel, a non-Muslim, non-believer in Divine Message.
The one who rejects teachings of the Qur'an. (2:6; 47:32)
- Qur'an:** holy scripture of Muslims revealed by God Almighty to Prophet Muhammad (pbuh). Its literal meaning is collection, recitation.
- Rabb:** It is usually translated into English as the Lord, which does not convey the real meaning and significance of the Arabic word. It means the one who provides nourishment, to process a thing with new additions, alterations or changes so that it should reach its goal, destiny. The One Who brings up a thing gradually to perfection. God's attributes of Nourisher, Cherisher and Sustainer.
- Rahmat:** The gift, which would fulfil, compensates one's shortcomings, visible or invisible and is given free. Therefore, *Rahmat* is that attribute of Allah by which He provides sources of nourishment free of cost. It also means to cover or protect.
- Rasool:** A person chosen by Almighty who receives Divine guidance and delivers this message continuously, gently and softly to mankind

without the slightest change or modification.

- Salaat:** complete obedience to Allah and concordance with the Book Al-Qur'an and thereby incorporate in one's self, Allah's most balanced attributes as far as humanely possible. It also means a social, political system established by an Islamic government.
- Tayyab:** is something which is pleasant to see, hear, smell, taste, eat, and gives wholesome nourishment.
- Ummah:** derives from Arabic word Umm-the mother. Ummah would mean a nation, group of like-minded people with common code and ideology.
- Zakaat:** to purify, grow, to flower, increase, develop. An Islamic social order that provides means of sustenance and nourishment to the humanity.

Note: Where a Quranic reference is quoted, e.g. 4:135, this means Sura (chapter) no 4, ayat (verse) no 135.

Human Fundamental Rights and The Holy Qur'an

The instinct for self-preservation is inherent in all living creatures, and in man, this instinct exerts a tremendous and profound influence on his acts. It accounts for man's inclination to protect everything that belongs to him.

Even the systems of government present in the world today are essentially a grand manifestation of this instinct for self-preservation

In pre-historic times, man enjoyed certain unbridled rights, about which he became less secure as he began to lead a civilised life. Therefore, to protect his rights, he came up with the idea of a social order, or a system of government. However, in his naivety, early man entrusted all his rights (which are synonymous with powers) to a group of people forming the government. This arrangement proved counter-productive in time, as all man's rights were eventually usurped. In the course of time, the chosen and trusted people declared themselves sovereigns and gave the masses the status of slaves. Consequently, human society split up into two classes: the rulers, who had all rights, and the subjects, who had none.

This obnoxious ruler-subject polarisation of society continued until the seventeenth century, when there were radical changes in European political ideology. Efforts were made to re-determine the ruler-subject relationship by way of an agreement, known as the contract theory. The leading hypotheses of the contract theory are:

1. Before the dawn of civilisation, man was in his natural free state.
2. In his free state, man enjoyed some natural rights, hitherto ununsurped.
3. To provide protection for his rights, man adopted a way of life that included social order.
4. It is thus an obligation of society to safeguard man's basic rights.
5. These natural rights of man are known as fundamental human rights.

Views of Western thinkers

The renowned European thinker **Hobbes** (1588-1679) is the first exponent of the contract theory. In his view, man essentially experiences two contrary and mutually exclusive desires – namely, “to command” and “to establish peace”. They cannot exist, since peace can never reign if everyone desires power. Fortunately, man's desire for peace is greater than his desire for power, and in quest of peace, he eventually renounces all other desires. Thus, the establishment of peace is the only fundamental human right.

Locke (1632-1704) is the other proponent of the contract theory. In his view, “life, health, freedom, and property” are the fundamental human rights, and man forsakes only one right in order to protect his other rights - that is, the right to resolve disputes himself. Hence, it is society's moral responsibility to preserve all of man's rights.

Both Hobbes and Locke fall short of establishing the concept of fundamental human rights, as they present it as a subsidiary branch of the contract theory.

Tom Paine (1739-1809), the author of “Rights of Man”, introduced the concept of fundamental human rights as a substantive and confirmed theory for the first time. He regarded

“life, freedom, property, security and prevention of despotism” as basic human rights. These rights were incorporated in the charter of the French Assembly after the French Revolution, and the American Liberation Manifesto of 1770 was also based on these rights, with the addition of an extra right: the right to “the acquisition of happiness”.

The United Nations and Human Rights

In a bid to determine man’s primary rights, the United Nations set up an inquiry board – the Human Rights Commission – to discuss the issue thoroughly, and make recommendations concerning it. After a thorough overhaul of the suggestions forwarded by this board, the UN issued the ***Universal Declaration of Human Rights*** in 1948. This charter, whose creation was assisted and endorsed by almost all the nations of the world, is reckoned the ultimate conclusive human attempt to accept and determine man’s basic rights to date. The charter included the following fundamental human rights:

- The assertion that all human beings are equal and deserve equal rights
- The right to life, freedom and preservation of life
- The prohibition of slavery
- The right to impartial treatment by the law
- The right to protection from arbitrary arrest, detention, and exile
- The right to be considered innocent until proven guilty
- The right to non-interference in matters of one’s personal life
- The right to freedom of movement
- The freedom to migrate
- The right to a nationality

- The right to marry with free will
- The right to own property
- Freedom of thought, expression, opinion, conscience, and religion, and the right to attend peaceful assemblies.
- The right to take part in the formation of a government in one's own country.
- Freedom of resources and means to support oneself and one's family
- Freedom of education, standard of living, leisure and comfort
- The right to participate in cultural and social activities

Entitlement to these rights is however, conditional. A footnote clause in this charter suggests that governments should implement these rights within the confines of their own respective laws.

This somewhat decreases the high standing of this sincere human attempt, since nations have the privilege to make and modify their laws and thereby can manipulate this situation. The loophole that allows potential manipulation of laws by governments in order to curtail the human rights of their people negates the very reason behind the creation of the charter of human rights – to set apart certain *inviolable* rights for mankind.

A question crops up at this stage: Why, in spite of vast resources and a considerable amount of effort, did the UN fall short of reaching a charter that fulfilled the criterion of setting out fundamental human rights that could be taken as globally inviolable?

In order to reach an answer, we must first clear some misconceptions about human nature. When we use the word “nature” in terms of the nature of a being, we mean those latent characteristics of the being over which it has no power – for

instance, water will always flow from a higher level to a lower level, and animals are, by nature, herbivores or carnivores. Man, on the other hand, is born with authority, free will, and control over himself. He does have some instincts, but he has full control over them and can act against them at will. For example, to commit suicide is to go against the deeply ingrained instinct of self-preservation, and yet humans can achieve it.

Human instincts may be classified into two groups – physical instincts, like sexual desire etc, which are easily recognisable in living things all over the world, and secondly, those instincts which are apparently purely human. This second group includes such instincts as the desire to guard chastity, or to remain chaste. These desires are rather transient and visceral - difficult to be determined. Therefore, man's physical as well as human instincts should be taken into account in order to determine his basic human rights – this is where the UN fell short.

The Quran's pronouncement

So far, we have had a cursory review of man's primary rights, as defined, acknowledged, and established by *himself*. Let us now take stock of the rights conceded to him by his Creator, through the holy Quran in the 6th century – a time when man was alien even to the idea of his own rights.

The Quranic concept of the Contract theory

The holy Quran in fact presented the concept of the contract theory archetypically, though from a different perspective. Instead of a contract between a human king and human subjects, it was a contract between humankind and God. The Quran regards all human beings as equal and advocates egalitarian principles of life. Hence, the whole idea of a human being ruling his fellow men, who are equal and similar to him in every aspect, is ridiculous. It stands to reason, too, that a person with all human weaknesses and prejudices can hardly rule his fellow men justly. Therefore, a ruler must be superior in every conceivable way to

his subjects, and in the case of man, there is no other contender for the post of ruler than God himself. To establish God's sovereignty, a group of people pledge everything they own, including their lives, to maintain peace and harmony, justice and fair play in the kingdom of God. In return, they are promised a place in paradise in the life hereafter, As the Quran puts it:

“Allah purchased of the Believers their very persons and their worldly possessions (in return) for the blissful life of paradise” - 9/111

However, they will be held accountable should there be any dereliction of duty. This type of government is known as the Caliphate, or Islamic government, and it stands to provide people with all the rights and privileges that Allah has promised them in the Quran.

The human fundamental rights singled out by the holy Quran are categorically inviolable and absolute, and take into consideration man's physical urges as well as other human urges. Besides, these rights are equally applicable to all nations that believe in the holy Quran, and therefore these rights are eternal, unalterable and universal.

Apart from the absolute fundamental human rights, the Quran also grants many conditional rights to man, but clearly states the conditions and limitations to which these rights are subjected, thus making them immune to any manipulations. However, here we will discuss only those human rights classified as fundamental. These include:

Human venerability

Human beings are the best creature on earth and occupy a central place in the divine scheme of creation. Allah created them in the best form:

“We have indeed created man in the best of moulds” - 95/4

Besides, Allah bestowed innumerable bounties upon man,

provided good things to use, and made all worldly things subservient to him. Thus, the Creator of the worlds awarded great honour to human beings:

“[Physical forces working in the universe are mighty and powerful, but to mankind We have given superiority over all of them and] **certainly We honoured man** (given him the knowledge as a result of which) **he can conquer the forces of nature on land and sea and thus earn pleasant sustenance for himself and given superiority to him over most of Our creations”** 17/70

Thus, the Quran regards dignity as a fundamental human right.

Sexual Equality:

According to the Quran, sex does not determine the superiority or inferiority of a person as all life originated from a single person:

“O humanity! Adhere to the laws of your Sustainer who created you from a single life cell.....” - 4/1

See also 6/99 and 39/6

Every person comes into being by the contribution of a male and a female, and therefore enjoys the characteristics of both.

“O mankind! We created you from a single (pair) of a male and a female...” - 49/13

Accordingly, as human beings, both men and women are equal and equally deserve all human rights. Their difference in physical form is linked only to their biological functions. They enjoy the same areas of activity and will receive the same rewards for their deeds. Both sexes are a part of each other and participate equally in all affairs of life:

“The Believers, men and women, are protectors, one of another...”- 9/71

Therefore, the Quran speaks of men and women in equal terms

and treats them equally : There is no difference in the potentialities of man and woman, except certain biological requirements:

“For Muslim men and women –

For believing men and women,

For devout men and women,

For true men and women,

For men and women who are patient in adversity,

For men and women who humble themselves in charity,

For all self-denying men and self-denying women,

For men and women who guard their chastity,

And for men and women who keep in view the divine Laws at every step in their lives – for them there is a full protection from all types of destruction and a great reward”33/35

In short, sexual equality is a human fundamental right according to the Quran, and Islamic society is responsible for safeguarding it.

Social status

As a human being, every person is worthy of respect. Nevertheless, his character and deeds will be the deciding factor of his status in Islamic society.

“And to all are (assigned) degrees according to the deeds which they (have done)” - 46/19

No one would be shown any favour and no one will be wronged.

A God-fearing, virtuous person with high moral values and a strong character will hold the highest position among people:

“.....Verily! The most honoured of you in the sights of Allah is (he who is) the most righteous of you....” - 49/13

Truly, the real dignity of a man lies not in what he has, but in what he is. The Quran ascribes to man the right to carve a niche in society, and allows this opportunity to everyone irrespective of their worldly distinctions.

Liberty

Notwithstanding the fact that we live in a free world, we often come across laws that put checks on people's freedom. An explanation given in this regard is that these laws are indispensable to maintain law and order and to protect human rights. However, more than often they are misused to oppress a particular class of people. The holy Quran offers a solution to this tricky situation, but first it emphasises the fact that none other than Allah is eligible to put restraints on humanity.

“(The fundamental principle of *Deen* is) that no human being-even though *Allah* may have given him a code of laws or the power to enforce it or even *Nubuwwat* - has the right to say to people ‘ You should obey me rather than *Allah*.....’
- 3/78

The Qur'an either clearly states the laws for mankind to follow, or clearly defines the limitations within which laws can be made by mutual consultations.

“...Who (conduct) their affairs by mutual consultations.....” - 42/38

The laws and limitations rendered by the holy Quran are unalterable and inviolable – their violation would amount to infidelity, as it would be effectively taking away people's right to liberty.

“What! Have they partners (in godhead) who have established for them some religion without the permission of *Allah*.....?”- 42/21

Thus, the Quran wonderfully puts restraints on mankind

without creating hindrance in their freedom or spreading lawlessness.

The right to strive

Idleness is a malady that turns the mind into a hub of all-evil, whereby all kinds of sinful and sinister acts take shape. In Islam, any sort of work that brings comfort to oneself or to other people is held in high esteem and is termed as a greater Jihad. The Quran permits none to lead a parasitic life, save disabled or old people. It clearly proclaims that nothing can be achieved without earnest effort.

“That man (is entitled) to receive only that much which he strives for (the reward would be proportionate to the labour put in by him)- 53/39

Furthermore, precluding exploitation, the Quran assures people of full rewards for their endeavours.

“And every person will be paid in full (the fruit) of its deed.....”- 39/70

Thus, the Quran not only checks the growth of idlers, but also roots out exploitation.

Justice and Favour

Justice is a comprehensive term in the Quran, incorporating security to all sorts of rights and privileges. The Quran is highly circumspect and discreet in the matter of justice, and therefore makes no distinction between a friend and a foe. It clearly warns people:

“Oh ye who believe! let not the hatred of others make you swerve to wrong and depart from Justice....” - 5/8

The Quran does not stop here – it asks people for something warmer and more human: the doing of good deeds or favours where they are not strictly demanded by justice, such as obliging those who have no claim on you, and fulfilling the needs of the

needy.

“Allah commands you to do justice to all; make good the deficiencies of others.....” - 16/90

The disabled and aged and those people who, in spite of putting in their best efforts are unable to satisfy their needs, have a right to the wealth of those who are favoured with superfluities. Moreover, it is an obligation of the rich to search out for those who are in real need whether they ask for help or not.

“And those in whose wealth is a recognised right for the (needy) who asks, and him who is deprived (for some reason from asking)” - 70/24-25

Subsistence

According to the Quran, subsistence is a basic human right. Allah is the sole creator and cherisher of all that exists, and He alone provides sustenance to all:

“There is no moving creature on earth for whom means of its sustenance have not been provided by Allah.....”-11/6

Therefore, it implores people not to kill their children out of poverty, in desperation:

“.....You should not deprive your children of the opportunity for their development out of fear of want; We provide sustenance for you and for them.....”- 6/152

The term “subsistence” is comprehensive, embodying not only a square meal, but also everything that is indispensable for the nourishment of mind and body and a necessity for survival in this world – for example, education, and professional training, which enable a person to earn his own living etc.

As mentioned at the beginning, it is the responsibility of an Islamic government to provide people with all such necessities.

Preservation of life

The Quran regards human life as sacred and worthy of protection. Therefore, it prohibits the killing of human beings, except for the sake of justice and the preservation of human rights:

“.....Take not any human’s life, which Allah has made sacred, except by way of justice and law....”- 6/152

Save this, the Quran condemns human assassination for any other cause:

“....That if anyone kills another person – unless it be for murder or for spreading disorder in the land – it would be as if he has killed all mankind.....” 5/32

Contrarily, saving a life is termed as an act of great virtue:

“And if anyone saved a life it would be as if he saved the lives of all mankind.....”- 5/32

Protection of property

In Quranic terminology property comprises everything a person possesses - as such, property is unquestionably held dear. This is why the Quran regards the preservation of property as a fundamental human right and warns people against fraudulent encroachment of the property owned by the weak and orphans:

“....And do not touch the property of the orphans except to improve it.....”- 6/152

Taking a step further, the Quran entreats people not to waste their own properties out of conceit and the craving for admiration:

“Oh ye who believe! Do not devour each other’s wealth unlawfully.....”4/29

Instead of extravagance and the embezzlement of property, people are encouraged to increase it by trade and economic use:

“....Let there be amongst you traffic and trade by mutual

goodwill...”- 4/29

Residential security

A person identifies himself with his home and it takes precedence over any other thing in his life. One of the sins committed by the Jews was rendering people homeless, as the Quran describes:

“(These were the pledges you made) but you continued shedding each other’s blood and threw the weak amongst you out of their homes.....”-2/85

Thus, the Quran affirms the residential security as a fundamental right and the expulsion of people from their homes is seen as a breach of their basic right.

Right to remain chaste

Chastity is the greatest human virtue, and exclusively a human trait. Hence, the Quran ratifies it as a confirmed human right and calls for the harshest punishment in the case of its violation:

“The woman and man guilty of fornication – flog each of them with a hundred stripes.....” - 24/2

Besides adultery, the slander of virtuous women and the spreading of rumours about them is an equally enormous crime and demands an equal degree of punishment.

The Quran directly addresses the common injustices practised against women and safeguards them in such matters by making the process of accusing a woman of sexual lewdness something that needs to be proved by the testimony of four witnesses. This law, when practiced, makes it difficult for wicked men to abuse the social status of a woman by falsely charging her of lewdness (a common device used to destroy women in the past):

[When chastity is regarded such a precious virtue and a permanent value, all steps should be taken to protect and safeguard it. In this context, it is ordained]

“Whoever makes accusations against a virtuous lady and fails to bring in four witnesses in support of his accusation-flog them with eighty stripes.....”- 24/4

Furthermore, the molestation and harassment of women – both verbal and physical - is a serious crime. The Quranic punishment for people who are found guilty of such crimes is heavy - the removal of citizenship and exile from their homeland. If the convicted person continues to harass women, he will be arrested on a non-bailable warrant and sentenced to death or given capital punishment when proven guilty.

The right to choose a life partner

Marriage not only aims at the fulfilment of physical urges and household maintenance, it also addresses many other objectives that are often not taken into account when a marriage is being contemplated. A husband and wife are a source of comfort for each other. During their journey through life, they advise and assist, share joys and sorrows. They also share secrets and sympathise with one another, making life pleasant for each other. However, if partners are incompatible with or dislike each other, marriage can be a lifelong ordeal. In order to prevent hostilities from tainting the beautiful relationship that marriage can be, Islam views marriage as a contract requiring the consent of both parties.

“.....Marry women of your own choice.....” - 4/3

On the other hand, the Quran safeguards the rights of women by setting down regulations of appropriate conduct for men. Addressing the men, it says:

“O Believers, you are forbidden to marry women against their will and become their master.....” - 4/19

Moreover, it clearly and definitely declares that men and women shall have similar rights against each other:

“.....The rights and responsibilities of men and women

shall be the same in all sphere of life, according to what is equitable....” - 2/228

Aesthetic taste

The Quran respects the individual aesthetic tastes of the people. It leaves people at liberty to avail themselves of the things permitted by Allah, and authorises none to forbid them.

“Say: Who can declare *Har’um* the beautiful good things and wholesome (*Tayyab*) articles of food made available to human beings by Allah.....?” - 7/32

Besides, no restrictions have been imposed on people with regard to modes of eating and ways of living:

“.....There is no blame on you, whether you eat in company or separately.....” -24/61

Likewise, no dress code has been enforced – instead, dress is deemed a means of adding beauty and lustre to the personality:

“O mankind! We have bestowed raiment upon you to cover your private parts as well as to be an adornment to you.....” - 7/26

Freedom of religion

The Quran offers full freedom in the matter of religion. After clearly revealing the truth, it leaves the choice of religion to people’s will:

“Proclaim [to all mankind]: The truth has come from your *Rabb*, whosoever chooses may accept it and whosoever chooses may reject it.....”- 18/29

Allah is omnipotent – if it were His will, he could have made all mankind alike and all could have faith, but that faith would have reflected no merit on them. Man has been endowed with various faculties and capacities so that he should strive and explore, and bring himself into harmony with Allah’s will. Hence, faith is a moral achievement and therefore Allah asks his

believers to guard against the temptation of forcing faith. Forced faith is no faith – people should be left to strive.

“If human being had not been endowed with freedom of choice all those who dwell on earth would have been made to believe. But this was not *Allah*’s way. Would you then, O *Rasool!* Compel them to believe”? 10/99

Compulsion is incompatible with religion since religion depends upon will and faith, and these would be meaningless if induced by force. *Allah* did not wish to exercise compulsion. He made the right and wrong path clear and left man free to choose either path.

“Let there be no compulsion in religion; truth stands out clear from error.....” - 2/256

In addition to this religious freedom, the Quran favours the protection of all religious places:

“.....If *Allah* had not enabled people to defend themselves against one another, all monasteries and churches and synagogues and mosques - in which the name of *Allah* is abundantly extolled-would surely have been destroyed....”
- 22/40

The Quran asks Muslims not to denigrate other religions. lest they in ignorance defame the truth.

“.... You should not revile their deities lest in their ignorance these people revile *Allah* in retaliation....” - 6/108

Thus, the Quran ensures respect to all religions and security to their religious places along with freedom of religion. It is incumbent upon an Islamic state to protect places of worship of all non-Muslims.

The right to speak the truth

Truthfulness requires a person with the invaluable assets of spiritual gratification, peace of mind, confidence in oneself and

a strong character – all of which are vital for shaping up a strong nation. Hence, there is no religion under the sun that does not preach the principles of honesty and truthfulness to its followers. The Quran not only allots man the right to speak genuinely but also commands him to be honest while speaking even if it goes against the interests of his near and dear ones.

“.....Whenever you speak, speak justly, even if your own relatives are involved.....” - 6/152

However, it is not easy to be impartially truthful while speaking, the human mind is vulnerable to external influences, such as fear of the rich or favour for the poor. Hence, the Quran emphatically asks people to be just and impartial in matters of justice, and not to mingle truth with falsehood.

“And do not overlay the truth with falsehood, and do not knowingly suppress the truth”- 2/42

Justice is Allah’s attribute, and people are asked to bear witness to Him, even though it may be detrimental to their own cause, or to the cause of their kith and kin:

“.....Be truthful in giving evidence even though it be against your own-selves or your parents or kinsfolk... do not follow your own inclinations nor foist your statement, nor show aversion to appearing as a witness. *Allah* is aware of what you do” - 4/135

People are also asked to provide security to the witness and the jurist so that they may fearlessly come out with the truth.

“And let neither scribe nor witness suffer harm, for if you do harm them, behold, it will be sinful conduct on your part....” - 2/282

Freedom of expression

Allah, in his infinite mercy, not only bestowed on man the capability to translate his thoughts into intelligible speech, but also endowed him with the faculty to express his thoughts in

writing: Allah has bestowed upon man the unique ability to transmit, by means of written records, his thoughts, experiences and insights from individual to individual, from generation to generation.

“He has taught him to express clearly in spoken language; intelligent speech”- 55/4

“He who taught (the use of) the pen,” -96/4

These point out the power of expression as the basic difference between man and other creatures. The Quran affirms this power as a basic human right.

The right to privacy

Privacy is of paramount importance for the personal growth and happiness of people – therefore, the Quran marks it as a fundamental right. Ensuring non-interference in personal affairs and familial secrets, it discourages people from keeping each other under unnecessary surveillance.

**“And do not spy upon one another and neither allow to speak ill [back-biting] of one another behind your back.....”
- 49/12**

This disgustingly futile and time-consuming activity does not only hampers the mental growth of the people and deviates them from their aim in life. It also gives rise to hostilities among them. Giving people a code of conduct, the Quran thereby asks people to respect each other’s privacy.

“...Enter not houses other than your own, unless you have asked permission and greeted their inmates....” – 24/27

The principle of asking respectful permission and exchanging salutation ensures privacy without exclusiveness, and friendliness without over-familiarity. It also protects individuals against possible slander and in its wider purport; it postulates the inviolability of each person’s private life.

The preservation of personal repute

Man is a social animal and needs social acceptance at every stage of his life. What is said about a person influences him psychologically in his actions and attitude towards life, and to a great extent, his happiness and success depend upon it. Moreover, as every individual is a building block of the society and nation, his prestige is of utmost significance not only for him but also for the progress and well being of the whole society and eventually, the nation. The Quran therefore regards the preservation of people's personal repute as their fundamental right. Hence, it asks people to refrain from every act that damages a person's reputation. That may be idle sensationalist rumour-mongering, malicious gossip, malevolent slander, or libel intended to cause harm to that person.

“Allah does not like any evil to be mentioned in public ...” – 4/148

The Quran also prohibits people from laughing at each other in contempt or ridicule, as mutual ridicule ceases to be fun when there is arrogance, selfishness or malice behind it:

“..... No men shall deride [other] men: it may be that those [whom they deride] are better than themselves....” – 49/11

The Quran also discourages people from suspecting each other, as most of the time suspicions are baseless. Some are crimes in themselves for they do cruel injustices to innocent men and women, and should therefore be avoided.

“...Avoid suspicion as much (as possible) for suspicion in some cases is a sin....” –49/12

The Quran also forbids backbiting, as not only is it useless, but it is also mischievous and if pointed with malice, is a sin upon a sin. People are asked to refrain from backbiting and hurting each other's feelings.

“.... Nor speak ill of each other behind their backs.....” -

49/12

An offensive nickname may also amount to defamation, which causes pain to people and is also bad manners:

“.....Nor defame nor be sarcastic to each other, nor call each other by (offensive) nicknames” - 49/11

Giving a code of conduct, the Quran asks people not to overlook it if they hear something malicious about a person. Whenever such a rumour is heard, think the best of one another. Thus Qur'an instructs people

“....And say: This (charge) is an obvious lie...” - 24/12

And to each other they should say

“...It is not right of us to speak of this. It is a most serious slander....” -24/16

Security of peace

The Quran has also confirmed peace and harmony as fundamental human rights:

“....On them shall be no fear, nor shall they grieve” – 2/38

Fear is related to external dangers, while grievances are associated with internal causes. Therefore, it is a duty of the government to make arrangements where people have no such anxieties. This also includes the freedom from harassment for the misdeeds committed by one's kith and kin.

“.....Every person draws the consequences of his acts on none but himself; no bearer of burdens can bear the burden of another....” – 6/165

Comparison of rights

Juxtaposing the rights granted by the Quran with those conceded by the UN, one could easily discern their difference. No right offered by the UN is absolute; while the Quran grants

absolutely unconditional rights – it also accords some conditional rights to mankind but makes them unalterable and unmodifiable by clearly defining their conditions:

“Allah’s laws based on truth and justice have been set forth in this Book in a complete form. None has the authority to make any change in these laws....”- 6/115

No absolute human right

Meanwhile, as the human rights charter was under scrutiny, UNESCO circulated a questionnaire around the world, in order to bring to light the opinions of the world’s celebrated thinkers. A notion explicitly and unanimously shared by all of them is that no human right is absolute. In the words of Jacques Maritain, who wrote the introduction to the collection of opinions brought together by the UNESCO questionnaire:

“It is an axiomatic fact that after all, these rights are human rights (not divine rights) and like other human rights, they should be made modifiable and subjected to some restrictions for the sake of justice”

This opinion belies the human aspiration to have some unrestrained basic rights simple because one is a human being. If on one hand, fundamental rights are short listed for mankind, and on the other, they are bracketed with restrictions, then all the uproar about human rights is simply a big farce that leaves human beings in a zero-sum situation.

Nonconformity to the charter

Notwithstanding the acknowledgement and the consensus of the world leaders, there is no guarantee that they will come into line to implement this charter, Professor Quincy Wright of Chicago University opines:

“Experience tells that no nation can be trusted as regards the implementation of these rights. The cruelties meted out to the minorities in recent times are horrendous. If the UN really

wants that these human rights are put into effect and given due respect, then rising to the occasion, it should utilise its powers and make amendments in the charter"

However, contrary to Professor Wright's proposition, the very existence of the UN seems uncertain, as many nations have not even paid their dues to it! A question emerges at this point: In such circumstances, what should be done so that human rights are protected and respected? To answer this question, an extract from Mr Maritain's introduction is worth considering. He writes:

"Human rights cannot be defined. To reach an agreement about the utilisation of these rights, the first and foremost condition is to agree that people have a shared practical idea of life that is called the philosophy of life"

It imparts that unless all the nations of the worlds share the same ideology of life, attempts to preserve human rights would go in vain. The holy Quran calls this concept "faith". It sets equal parameters in values for the entire human race, addressing it thus:

"O mankind! There has now come to you an admonition from your *Rabb* and a healing for all the (ills) in your hearts - a guidance and *Rahmat* for those who believe in it"- 10/57

This faith rests upon the belief that every action performed by an individual or an entire nation is requited by a divine law of retribution, and that its consequences play an important role in determining fates. A relentless feature of this law is that a nation's dereliction as regards the protection of human rights is always the basis of its decline and decimation. This faith or ideology is instrumental for the preservation of human rights.

Other Booklets

Idara Tolu-e-Islam, Lahore, in cooperation with Bazm London has published the following pamphlets and booklets in English:

1. Family Planning
2. How Can the Sects be Dissolved?
3. Is Islam a Failure?
4. Islamic Ideology
5. Man and War
6. Quranic Constitution in an Islamic State
7. Quranic Permanent Values
8. Who Are The Ulema?
9. Why Do We Celebrate Eid?
10. Why Do We Lack Character?
11. Why Is Islam the Only True Deen?
12. Women in the Light of Qu'ran
13. Human Fundamental Rights and The Holy Qur'an.
14. Individual or State!
15. Man and God

Contact the following for availability of the above literature:

Idara Tolu-e-Islam
25B Gulberg Colony 2
Lahore 54660
Pakistan

T: 00 92 (42) 571 4546
Email: idara@toluislam.com
Website: www.toluislam.com

Bazm London
76 Park Road
Ilford

Essex IG1 1SF
T & F: 00 44 (208) 553 1896
Email: bazm.london@virgin.net
Website: www.islam21.info

OTHER PUBLICATIONS

ISLAM: A CHALLENGE TO RELIGION

by G. A. Parwez

The very name of the book strikes one as a paradox for it is universally accepted that Islam is one of the major religions of the world. So how could a religion challenge the very institution to which it subscribes? The author has indeed made a successful bid to prove this strange aphorism for the first time in the history of Islamic thought and his research deserves careful study. It is thought-provoking; it is revolutionary, opening new vistas and bold horizons of intellectual endeavours. It is the outcome of a life-long study by one of the renowned Quranic thinkers of our times.

The author has not, however, taken a purely negative attitude. Having proved his claim that Islam is NOT a religion, he has very lucidly explained what Islam really is and how it offers the most convincing and enduring answers to those eternal questions which every thinking man asks about the meaning and purpose of life, and how it can be achieved. The book is thus a unique attempt at the rediscovery of Islam.

Scholarly written and exquisitely presented.

For details of availability of this and other publications listed on succeeding pages, please contact:

Tolu-e-Islam Trust
25-B Gulberg 2
Lahore – 54660
PAKISTAN

QURANIC LAWS

“**Quranic Laws**” was written under pressing demands. It provides the code of laws for an Islamic State and, as such, it be considered a precursor of “**Tabweeb-ul-Quran**” (classification by Parwez in three big volumes).

In this book, the purport of the Quranic verses have also been given. Along with this, inferences have also been drawn, although this right belongs to the Legislative Assembly of an Islamic State. However, Parwez emphasises that his inferences are not more than a pointer in this direction.

Although this collection of Quranic Laws shall benefit all Muslims in general, it shall be especially useful for those connected with legal affairs, e.g. judges, advocates, those working with the law sections of the government, members of the legislature, the constituent assemblies, and those concerned with the media.

The chapters deal with such topics as state affairs, Government Agencies, Justice, General Injunction for Family Life, Inheritance and Testament, Protection of Life and Property, and chapters pertaining to economy and Basic Human Rights etc.

ISLAMIC WAY OF LIVING

The future of a nation depends on the way its younger generation is brought up. Muslims living abroad, especially Pakistanis, feel apprehensive of their children going astray under the influence of foreign culture. Off and on they have contacted Idara Tolu-e-Islam to write a book on the "Islamic Way Of Living" which could be useful for the young.

The work that he has produced is not the exact translation but a reproduction in English of the book entitled "Islamee Muasharat" by Ghulam Ahmad Parwez. It compises such Quranic instructions which guide the way to the formation of an Islamic society. It is not a philosophical treatise but a description in simple terms, meant for children as well as those who neither have the time nor the aptitude to go into details.

REASONS FOR THE DECLINE OF MUSLIMS

For the last two centuries or so, the Muslims have been emotionally and mentally preoccupied with what has been now classically bandied about as their favourite theme: "The Rise and Fall of the Muslims". The glorious past has been lamented and wailed upon endlessly. While some have done just this, the other have attempted to move away from it all, alienated and disgusted. The fall and disintegration of the Mughal Empire, leading to the dethronement of Bahadur Shah Zafar in the last century, followed by the fall and disintegration of the Ottomans and dethronement of Sultan Adbul Hamid II during and after the World War I was a trauma that Muslims have not got over.

Even a cursory glance over the world makes it amply clear that the fall of any empire and civilisation does not happen suddenly. It is preceded by a prolonged phase of decay, with Nature watching, as if hoping against hope that humankind may yet see the edge of the precipice and turn back. In the Quranic terminology this is the "period of respite"

The Muslims, however, like many other before them, reached a point of no return. . A. Parwez is one of those who objectively and scientifically attempted an analysis of the causes of the decline and fall of the Muslims from the Quranic perspective of the philosophy of history. This little book in Urdu has been very much in demand and voraciously read by all and sundry. For a long time the need was felt for the English rendering of the book. There had been a demand for it from those who were not very proficient in Urdu or those whose children were born and brought up abroad. We are greatly indebted to Mr Ismail Atcha from Bolton, Lancashire, UK, for fulfilling this dire need. He has put in tremendous effort to render this book into English.

LETTERS TO TAHIRA

“Letters to Tahira” is essentially a collection of letters written to a mature and inquisitive young lady with clean intellect. This was in response to the queries the author had received from many of the female readers of his earlier book “Letters to Saleem”.

These letters bring forth the trial, tribulation and those vexing problems that the unfortunate and helpless girls of our society have to face today.

Some letters highlight those maladies that are currently rampant amongst our modern educated class. These are the results of following the West blindly. The nation is gradually pushed towards destruction, and if the orthodox section of the society needs to change, the modernists, too, are not to be exempted. It is imperative that both extremes be brought to the middle path, in the light of the Quran.

It is a fact that women can train a society more easily and effectively than men. The publishing of these letters will hopefully initiate the reformation process at home. Parvez hope that if this effort of his can light a few Quranic candles in some homes, he believes his endeavours will have borne fruit.

EXPOSITION OF THE HOLY QURAN

VOL. I

It was in 1983 that Ghulam Ahmad Parwez undertook the project of rendering into English his celebrated work titled "**Mathum-ul-Quran**". He could only complete up to Surah "Al-Kahaf (No. 18) – slightly more than half the text of the Quran – when death overtook him.

The reader will notice that some of the Quranic terms are retained as such (in Arabic) as this exposition e.g. *Allah, Deen, Nabi, Rasool, Momin, Kafir* etc. These concepts have special significance in the Quran and it is just not possible to translate them in few words in English. So a Glossary of terms has been added.

The reader would find a new approach in this presentation which is different from all other translations in English. As the title explains, this presentation is not the translation of the Holy Quran, but its **Exposition**.

It is an honest and serious human effort to convey the pristine concepts of the Holy Quran. The original Arabic text of Wahi (Revelation), however, is eternal and its understanding during any span of time cannot be taken as the last word, which shall have to be left to the last man on this earth.

AL-BALAAGH

"And our duty is but plain conveyance (of the Message)."
(Quran, 36:17)

Al-Balaagh is edited by A. S. K. Joommal and published quarterly in South Africa.

The Quran commands and encourages the use of the God-given faculty of thinking and reasoning. Al-Balaagh conveys the message of the Quran in its pristine purity.

Al-Balaagh is an open forum that entertains ALL shades of religious opinion without prejudice or favour. This paper's policy and Quranic beliefs are always reflected in its editorials. Opinions expressed by writers of articles and letters need not necessarily be those of the editor.

SUBSCRIPTION (PER ANNUM)

South Africa – Rand 40-00
United Kingdom - £5.00
USA & Other Countries - \$10.00

Please write to:
Al-Balaagh, P.O.Box 1925, LENASIA 1820, South Africa

Subscribers in the UK can order through:
Maqbool Farhat, 76 Park Road, Ilford, Essex, IG1 1SF
Tel & Fax: 020 8553 1896