

A Look at Human Rights

Unless we begin to interpret mankind in a domain of values, speaking of human rights is impossible. Those who claim to be arguing about the Universal Declaration of Human Rights should first specify which kind of human being they refer to: the one described by the holy prophets, i.e. the being created with innate greatness, created by God's perfect wisdom, the being who lives to be good and become perfect, the being to whom any insult equals insulting God's will? Or do they mean a wolf-like creature devoid of any values.

Human rights should be based on innate greatness and generosity; none of the Western philosophies, like Nietzsche and the supporters of authoritarianism have provided such a basis. In order to become a universal culture, the Universal Human Rights should concretely prove human dignity and greatness, and eliminate any Machiavellian, authoritarianism, or utilitarianist ideas.

Western human rights are based on mutual coexistence accompanied by peace, freedom, and justice in all societies. Although such a basis is significant, it cannot provide a foundation in which all people can feel themselves as a part of one family; that is only possible by means of a much greater foundation – which, in Islam, is God.

Merely making and compiling laws does not necessarily mean executing them. For a legal system to be executed 1) there should be no bias among people and 2) the educational background needed for the system to embrace reality should be established. This is why Islam has provided a series of psychological and moral principles common to all people in order to make its legal system feasible.

Human rights in Islam are based upon religion, which results in a few exclusive characteristics:

- 1– It is a legal system based on God's will; in other words, it is God who has presented His subjects with these rights and responsibilities. Thus, each individual not only performs his duties with pure sincerity, but also considers fulfilling them to be of critical importance to one's own development and perfection.
- 2– Man's own perfectionist character is responsible for enforcing Islamic laws.

3- The fact that Islam – as other religions – is based on Abraham's innate religion makes it easier to prove that human rights and duties are universal.

Why the Human Rights Were Made: the Western Point of View

Seven reasons have been presented for the compilation of the Human Rights. We will now comment on some of them:

1- In the Human Rights Declaration, “the basis of freedom and peace lies in identifying the virtues of all of mankind and their equal, untransferrable rights”. The problem with this point is that it cannot be claimed unless man's innate value and dignity is proven. The Declaration considers all human beings, with all their ethnical, racial and cultural diversities and characteristics as equal, and invites them all to abandon their disputes and advantages. But how can we make this embrace reality – by force, or showing people the necessity and value of such rights?! In other words, human rights will never truly exist unless people are made to realize that there are rights for human lives alongside the rights providing their natural mutual coexistence.

2- The Declaration uses the term “members of the family of mankind”, which is of great significance; more important, however, is making it come true, and why humans have very seldom achieved unity throughout history. The answer is: man has seldom embraced elevated virtues throughout history. Islam, believing that everyone is part of God's family, emphasizes brotherhood and unity, and strongly believes that all human beings are potential divine light.

3- “Human innate dignity” and “members of the family of mankind” are meaningless unless man proves himself to be worthy of kindness. If people's innate respect for humanity is not confirmed, and each human being cannot love himself, he will never be capable of loving others. It must first be proved that man respects every other human being, and that everyone is able to truly love himself. He should be able to advance from accepting respect for congeniality to loving humanity for the sake of humanity itself. Then, having understood the universality of such human congeniality which is caused by dependence upon God, he can be kind and loving to others authentically, not due to a desire or mortal feeling.

4- Human rights will be impossible unless people control their purely natural life and their selfishness. Man must realize that the intelligent balancing of one's desires and wishes – emphasized by all philosophers and religions – is not a myth or impossible. Compiling such idealistic rights by people who are totally obsessed with managing their natural life, is like building a glorious mansion on top of a volcano.

5- Freedom of speech, uprooting poverty and fear have been claimed to be the reasons and motives for setting the Human Rights, but they are in fact merely the means, not the end. The “means” aspect of freedom is much more logical than its “end” one. Fear and poverty are also factors that prevent human

life from continuing, and their destruction will make man's life much easier to go on. They are, therefore, inhibitors of human life, not factors developing it.

6– In the Declaration, states are obliged to make global respect and true human rights a reality through cooperation with the United Nations. We might even rightly claim that such a promise is indeed the highest responsibility governments worldwide can ever undertake. However, two points must be kept in mind:

a) preparing the grounds for having human rights accepted globally by means of making human dignity understood and approved of, and

b) the political, personal and cultural issues pertaining to each membering states, disputes and conflicts in which sometimes lead to disagreements between state leaders on what is proper and deserving for mankind. Thus, again we must reiterate the necessity of mutual understanding and agreement on the basics of human virtues and dignity.

Considering what man has been through, the conclusion we get out of all the causes and motives in the preface to the Declaration of Global Human Rights is:

Man cannot possibly reach a feeling of real mutual understanding unless human beings' souls get closer to each other.

The Reasons and Motives for Setting Human Rights in Islam

The fundamentals upon which the human rights were set in Islam are very different from those in the West, so their motives and reasons will also naturally differ to a great deal. Let us consider some of the reasons and motives for establishing human rights in Islam:

1– In Islam, the life and death of one human being is regarded as equal to the life and death of all of mankind. Thus, Islam elevates mankind way beyond quantities to the domain of qualities. See the Holy Qur'an, 5:32 .

2– The true value of kindness and charity toward people lies in the charitable deed itself. In other words, man must be kind for God's sake alone, not for the reward he might get from others. See the Holy Qur'an, 76:9.

3– The closest of human beings to God is the one who is the most helpful and useful to others. Everyone should run to aid their fellow beings. As a *hadith* says:

الخلق كلهم عباد الله و أحبهم اليه أنفعهم لهم

"All people are like God's family; the most loved by God is the one who is the most useful and helpful to people."

4– Islam believes all human beings to be members of one big family. Their relationship must be one of brotherhood and harmony.

5– Islam categorizes human beings into several groups. However, they all still have a series of common rights in Islam, which are:

- a) the right to live,
- b) the right to innate greatness,
- c) the right to work,
- d) the right to education, and
- e) the right to freedom.

6– The divine, supernatural factor is necessary for human development and prosperity, and Islam has put much emphasis on it.

The Ad Valorem Theorems in the Human Rights Declaration

Let us now study and analyze some of the ad valorem issues included in the Declaration of Human Rights:

1– Man: Everything in the Declaration of Human Rights is based on mankind. Here we are concerned with how it interprets man. According to the Declaration, is man the same creature born by unconscious laws of nature, who spends his aimless life destroying the earth, fighting his fellow men, and quenching his endless desires for pleasure, and is eventually buried under the ground? Or is man the meaningful being who, according to righteous religions created by God's will and wisdom, has been made to head for a meaningful end?

If we accept the first interpretation man would be a totally selfish creature, seeing himself as the end and others as the means; a being who only thinks of seeking his own pleasures, human innate values and greatness have no meaning at all. The Declaration of Human Rights unfortunately does not – even once – say a word about the necessity of piety, or encourage people to seek it; as we know, man can have no superiority, dignity, greatness or value without piety.

2– Man's Virtual Dignity: The key to freedom, peace and justice is accepting man's munificence, his greatness, which is not possible without admitting that man has virtual dignity. Unless this goal is established, the destructive formula, "I am the end, the others are the means" will always prevail. Man's

virtual munificence and dignity is the most important issue in the human rights, and all intellectuals should keep its necessity in mind.

3- Members of the Human Family: One of man's greatest ideals is having all human beings related to each other. Unfortunately, ever since social life arose, human beings have never felt themselves united, except for when God-sent leaders made them recognize their virtual ability to be one. We cannot have people keep their unity and relationship unless they join with the supernatural, where they originate from. If man is to stop seeking his own benefit and think about others' benefit, he must have a common, divine goal.

4- Brotherhood and Equality: This is undoubtedly one of the greatest ideals in social human life. All of God's prophets and true men of wisdom have tried to make it a reality. But alas, the tyrants of history have always destroyed it. Brotherhood among men is the fertilization of the highest possible concept of unity and emotion.

5- Friendly Relationships: One of man's oldest wishes throughout history has been to have all of mankind live in friendship and peace. So far, due to selfishness and alienation from the true human self, the relationships among human beings, in particular between the powerful and the meek, have been one of wolves and sheep.

6- The Spirit of humanity: is also one of the valuable concepts in the Universal Declaration of Human Rights. If the spirit and soul of mankind, with all its glory and holiness, were truly respected by the powerful leaders of the world, history would have definitely taken a different course, and many human beings would not have been oppressed and undergone so much atrocity. The human spirit, however, can be considered as sacred only when it is regarded as a non-physical, non-materialistic issue, not merely a part of the nervous system.

7- Equal rights: Recognizing human rights and establishing equality among all is one of the highest wishes of developed man. Its reality, alas, throughout history has seldom gone beyond writings and lectures.

8- Freedom: Freedom has been defined in a variety of ways. Let us define it as the factor providing the survival of a desired life and the supervision and dominance of the human character upon the pros and cons of an action on the path to the good. One of the points of criticism the Declaration of Human Rights undergoes is that it emphasizes natural freedom so much that spiritual freedom has been ignored. Even some of man's collective rights, like avoiding weaknesses, have been neglected.

9- Peace: Every mental, moral, or religious reason concerning the value and importance of human lives has also emphasized safeguarding and protecting them. Since peace and friendship are essential to safeguarding and protecting life, it proves that all war and conflict are to be opposed and overruled. The important point about peace is that physical conflict and killings cannot be avoided without wiping out the motives for war inside human beings.

10– Justice: The conscious, free way that is in accordance with the law is justice. The important point in this definition is, which law is the free, conscious and compatible with justice? How can it be determined? After all, each individual and every society accepts principles that are in accordance with their own specific culture and circumstances.

Thus, the Universal Declaration of Global Rights must determine which reality about justice it conveys. Hence, once again the importance of fine human moral ethics, originating from pure human nature and accepting evolutionary principles is proved. Furthermore, if we consider man's freedom as so vast and unlimited that he would feel no shame to commit the filthiest of actions, nothing called justice will exist in him; his deeds, if in accordance with the laws and regulations set for him, would be fatalistic. The justice required if human rights are to be accepted and obeyed cannot come true without moral ethics.

11– The Highest human wishes: Freedom of belief and eliminating poverty are considered as the highest of man's wishes in the Universal Declaration of Human Rights. The necessity of discovering and respecting human rights is emphasized with the aim of preventing savage actions leading to mutiny, hoping to create a world in which human beings enjoy freedom of belief and have no dread of poverty.

Of course, it is obvious that establishing freedom of belief in human communities and removing any threat of poverty is a necessity; they are not, however, the highest human wishes. They are merely means to prevent the theory of “life for life” – which suits animal history, not human history – from becoming a reality.

12– Wisdom and Conscience: The two words “wisdom” and “conscience” have been included in Article 1 of the Declaration in order to prove human glory and dignity; they are sources of rights, not the rights themselves, and should have been included in the preface, not in the article itself.

There is little argument that man has wisdom and intelligence that helps him think and distinguish right from wrong. The concept of conscience, on the other hand, is under much debate; the first question is, what is conscience? Does it refer to awareness – self-consciousness, in particular – or moral conscience?

Of course, it means moral conscience, and those who set and compiled the human rights intend to use it to encourage people to follow the thirty articles of the Human Rights. If man is to make correct use of his moral conscience and not let his wisdom fall into obeying his desires and whims and eventually reach the truth, humanities intellectuals should begin discussing such issues, and prove that our predecessors and contemporary have been quite wrong in ignoring these originally human issues.

13– Life: In our era, biology and some psychological schools of thought have become so obsessed with science that they have come to regard human life as a physical, materialistic issue. They believe that life is merely a gathering of substances; this so-called “scientific” belief destroyed the value of human life. There can be no value for man's life unless it goes beyond the physical limits.

14– The Belief and faith of united nations: These two concepts have also been damaged by the extreme science–obsessed, for they regard belief as nothing more than scientific conformations based purely on scientific premises; emotional perceptions are of no value to them.

15– Universal respect: The necessity of universal respect has been emphasized in the Universal Declaration of Human Rights. Demanding universal respect for an issue without illustrating why will clearly never go beyond a hearty request; it is essential, therefore, that the philosophy underlying this universal respect be explicitly explained for the people on earth.

Merely claiming it to be important will not make people form the respect. They must really understand its reason, for respect is one of the psychological phenomena that is value–based, and if the UN has not been able to save values from the peril of the professionally science–obsessed, by no means will it succeed in getting respect by just begging for it.

16– Mutual Understanding: It is clearly stated in the Universal Declaration of Human Rights that mutual understanding plays a crucial role in the complete execution of its articles. This is perfectly logical, and much needs to be done to make it come true.

17– Savage Actions: In the preface to the Declaration, neglect and humiliation for the human rights is said to lead to savage actions. The point of significance here is that if intellectuals and leaders of societies do not regard the strong overcoming the weak as a savage act and do not attempt to harness human selfishness, savage deeds will never come under control. The idea “Whatever I want is to my benefit, and I can get anything I consider to my advantage” must be eliminated and replaced by “I can use completely what is my right, and my friends and society have to defend my rights.”

18– Sin and rebellion: The preface of the Declaration also reads, “Since neglect and humiliation of human rights leads to savage deeds and sinful, rebellious actions by man.” We, however, do not approve of using terms like “sin and rebellion” here, for they convey rebellion and mutiny against values. More suitably, “resistance heading for righteousness–seeking” should have been used, which means the individual's resistance to acquire his lost rights.

19– Great effort: The preface ends with inviting humans to “make great efforts to expand these rights by means of education and respect.” This is a moral value of high significance, and the grounds should be prepared for humans to commit themselves to.

20– The Ultimate limit of development: One of the points of importance in the Declaration is that, “education should be guided in a way so that it elevates the human character to its ultimate level of development.” The interpretation of what that development is, alas, is usually neglected. Intellectuals who study human culture should put much more effort into interpreting what development, perfection and freedom means. From a general point of view, development and perfection can have two meanings:

a) Human development and perfection means the power to achieve every goal possible for man to

achieve. In other words, it is the absolute power to gain anything man can possibly accomplish, whether it is a human value or not. Such an interpretation of development and perfection would definitely prove anti-human.

b) Development and perfection means, “man influencing and being influenced by the universe, all of whom and which are dependent upon God Almighty, the granter of perfection and development.” This concept of development and perfection calls for internal human refining of speech and actions based on the instructions prophets of God have brought us.

21- Correct compliance to moral expectations: The Declaration presents correct compliance to moral expectations in a democratic society, which is not entirely perfect, for it obscures the concept. In a democratic society, where quenching any desire – provided that does not disturb others – is allowed, this can destroy fine human morals.

The Points in Common between the Western and Islamic Views on the Human Rights

There are several things in common between the human rights Islam presents and the Declaration of Human Rights:

- 1- Both regard the right to live as quite serious.
- 2- Both have paid significant attention to human dignity.
- 3- In both systems, the right to education is considered as one of the responsibilities of social leaders.
- 4- They both consider the right to freedom as one of the primary rights, which should be provided by the government and the society.
- 5- They both approve of the right to equality.

Let us now consider what they have in common and how they differ:

1- The Right to Live: In both systems, the right to have a deserved life, freedom, security, and the elimination of torture, atrocity and inhuman behavior has been emphasized. Nevertheless, there are some points of difference between them:

- a) In contrary to the Western system, Islam believes life to be a blessing from God.
- b) The Declaration of Human Rights considers governments and states all around the world responsible for executing the laws concerning the right to live, but there is no guarantee whether they will actually be carried out or not.

c) Islamic human rights state that human life cannot be destroyed by any means at all, but the Western human rights does not. In Islam, nobody is allowed to bring harm to his own life, and if others bring harm to him, the issue must be resolved and compensated.

d) The right to live is so significant in Islam that even abortion is not allowed – except for highly dangerous cases.

2- Human Dignity: This principle has also received attention in both systems. However, Islam believes there are two forms of dignity:

a) The innate, natural dignity and greatness all human beings possess.

b) The value-based dignity arising from activating human potentials on the path to perfection.

The points in common between the two systems regarding human dignity are:

a) All human beings are entitled to dignity.

b) No human being can be humiliated.

c) Man's dignity brings him certain rights and duties in order to carry it out.

d) No political preference or social situation can eliminate man's dignity.

e) Torture, disturbance or insult of any kind is forbidden.

f) No individual's name, dignity or reputation should be insulted.

g) Every individual is entitled to the standard of life required to provide him/her and his/her family with a healthy, dignified living.

The two systems differ on the principle of human dignity:

- The Western system of human rights makes no distinction between innate dignity and value-based dignity, but Islam does.

- In Islam, innate dignity is regarded as a God-given blessing, whereas Western human rights have no logical explanation for it, for they have no accurate anthropological system.

- In Islamic human rights, the right for people to live in surroundings free from any corruption or vice is an unquestionable reality, but this does not exist in Western human rights.

3- Education: There are several points in common between the two systems concerning the right to education:

- a) The right to education is generally approved by both systems.
- b) Both systems regard education as important to human development and emancipation.
- c) Parents have the first priority in selecting what kind of education suits their children the best.
- d) Every human being is entitled to dignified education.

The two systems, however, have some differences:

- a) In the Western system of human rights, primary school education is considered necessary, whereas Islam believes education should continue throughout man's life, for each human being is entitled to a dignified, deserved life, which cannot be possible in Islam without correct education.
- b) In Islam, it is the parents' natural, value-based right to choose their children's type of education provided the fact that their selection be calculated and accurate; such a condition does not exist in the Western system of human rights.
- c) In Islam, the education of orphans is the responsibility of those who legally have the child's custody, for instance the child's grandfather. The Western human rights include nothing on this.
- d) In contrary to Western human rights, much importance is given in Islam to man's mental and spiritual issues.
- e) Another point absent in the Western system is Islam's belief that in an Islamic society, all people have the right to invite and encourage others to do good
- f) Islam believes that propaganda and the mass media should serve to guide man toward perfection and greatness; in the West, they mainly serve to quench desires and create pleasures.

4- Responsible Freedom: Again, we see some points in common and some differences. Let us first consider the commonalities:

- a) All humans are born free, and cannot by any means be enslaved.
- b) All humans are equal in terms of dignity and freedom.
- c) All human beings have reason and conscience.
- d) All humans should treat each other in a brotherly fashion.
- e) No human being is allowed to insult one another.
- f) Freedom of expression is of the undoubted human rights.

- g) Another one of the rights humans unquestionably have is the right to be provided with and make use of scientific, literary and artistic advances.
- h) All humans are entitled to freedom of religion.
- i) Both systems believe that every human is entitled to the right of citizenship.

However, Islam has several advantages over the Western system of human rights:

- a) Islam emphasizes that no one has the right to exploit or dominate another; Western human rights neglect this point.
 - b) The numerous results of man serving as God's slave have been accepted in the Islamic system of human rights.
 - c) In Islam, no one is allowed to, "...make use of totally unlimited freedom of speech, expression or religion so as to disturb the members of the society." As mentioned before, freedom is not virtually absolute, and it is not the goal; it is, in fact, the state of being provided with the creative force of life that enables man to reach an intelligible life."
- Freedom of selecting a religion should also be accompanied by the required education.
 - The forbidden aspects of freedom are not confined to the cases where others' rights are violated; man should not harm his own development or progress, either.

5- The Principle of Equality: Here we do not mean that all human beings completely resemble each other, or that they are all the same; the point is equality in a certain number of principles and characteristics. Generally, human beings can have three kinds of equality:

- a) "Equality in relation to the source and origin of the highest principles of the universe,"
- b) "Equality in the identity and characteristics all human beings have in common,"
- c) "Conventional equality in the natural rights required for life,"

Both systems have some points in common concerning equality:

- They both emphasize the equality of all human beings with regard to the law.
- Everyone is guaranteed the right to refer to the judiciary to get back what is his/her right in both systems.
- All human beings – regardless of their race, language, sex or religion – are entitled to be provided with social services.

- The right to establish charity groups and community services has been guaranteed in both systems.
- Everyone has the right to present his/her case to a court of law.
- Everyone is protected by the law against any kind of bias.
- Every human being is entitled to attempt to accomplish the highest goals of life.

The differences between the two systems regarding the principle of equality are:

- a) If someone's presence is necessary for a group or community that serves the good of the whole society, he/she is religiously obliged to be there.
 - b) Although obeying and keeping social order and discipline has been emphasized in both systems, Islamic societies are basically different from democratic ones.
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