

Concepts Of Human Rights In The Light Of Pentateuch: A Descriptive & Comparative Study Of Its Similar Commandments In The Light Of Islamic Teachings

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Abstract:

Human Rights are the moral & social principles that protect society from disrespect, deprivation & disruption. Human society is based on justice, sympathy, and mutual equality. The absence of these characteristics leads the community towards unrest & violence.

A society that practices Human rights in its true spirit reaches the status of Peace, which develops the characteristics of Equality, Harmony, and tolerance.

The current research will elaborate on the concept of Human Rights in general and describe the religious Literature of the Pentateuch specifically and these commandments will be further reviewed in terms of their similarities & dissimilarities with Islamic teachings and a Comparative Analysis will be made.

The current descriptive and comparative research is based mainly on two parts. The first part briefly introduced Human rights in the modern era. The second part has described the commandments of Human rights in the Books of Moses/Pentateuch, Talmud, and human rights phenomena in Judaism. The third and last part has elaborated the selected basic Human rights from the perspectives of Islam. The present research aims to discuss human dignity, duties, and ownership in the light of the original literature of two semantic religions, Judaism and Islam. The purpose is to highlight the importance of human dignity in society, their duties towards maintaining Peace, equality, nonviolence and unbiasedness in society.

Keywords: Human Rights, society, comparative research, semantic religions, Judaism, Islam.

Introduction to Human Rights:

Inherent to the human condition is a universal desire for personal liberties, egalitarianism, fairness, and harmony, extending beyond individual aspirations to encompass societal ambitions. Upon examination, it becomes evident that the human rights movement is a relatively recent phenomenon. However, the

underlying conflict it addresses has persisted throughout history, manifesting in distinct forms in each era. The forthcoming manifestation is taking the shape of:

As per the lexicographical definition, "Haq" is an Arabic term denoting a state of being necessary:

حق لك ان تفعل كذا وحققت ان تفعل كذا¹

In other words, you are worthy of doing it, and it is worthy of you to do it.

Human rights encompass not only fundamental individual rights, such as the right to life and property, but also the broader spectrum of economic, social, and political rights about the collective. The appropriate remuneration of these rights can be achieved regardless of an individual's colour, race, or religious affiliation. Primarily, it is imperative to designate humanity as the fundamental basis.

The significance of the subject:

There is an extensive corpus of literature about human rights, which is unquestionably substantial. There arose a necessity to elucidate the primary writings within the realm of religious literature that pertain to human rights and the adherents of those religions in the present day. It is recommended that these lessons be revised and incorporated in practical approaches to foster and encourage tolerance among individuals.

Objectives:

This study aims to analyze the human rights principles outlined in the Asfar Khamsa of the Torah and to compare them with the corresponding rights in the Islamic religion. This research seeks to identify similarities and differences between the two religious texts regarding their respective orders of human rights. The present discourse incorporates excerpts from the Torah, Talmud, Qur'an, and Sunnah, which serve as the fundamental sources of both religions. Supplementary sources have also been consulted where deemed appropriate.

Methodology:

The research under consideration is narrative and comparative, and it has used sources such as the Qur'an and Hadith and secondary sources as necessary. The Chicago Manual, which is currently in use, is followed for creating references after the study. There is a summary, findings, and recommendations given at the end for further research. Various challenging and divergent legislative institutions have contributed to the notion of human rights.

1. The first organization to define human rights:

The establishment of this institution took place in Europe during the 18th and 19th century. It has since become a prominent gathering place for contemporary constitutional law jurists in European jurisprudence. Notably, the institution played a pivotal role in the development of the modern American theory of human rights. Moreover, it has actively disseminated the definition of rights, specifically emphasizing their association with overarching liberties.²

2. Another philosophical school:

The human rights school of thought, which emerged after World War II, opposes the school of thought that equates the theory of freedom with human rights. Its proponent argues that the amalgamation of general freedom and human rights should be fought because the margin is sufficient. It consistently presents itself as the capacity to perform a task, the ability to abstain from accepting responsibility for an action, or simply as a term for being adamant about neglecting a duty. It implies that human rights and freedom should go hand in hand. By doing this, the person who enjoys freedom becomes subject to the law in certain

situations that the government decides. For this reason, it is said that general liberties do not exist as they belong to the state rather than to every individual. Based on the philosophy of human rights (al-Haq), competition is for experience, and a request is more than just freedom.³

The debate above highlights that scholars frequently disagree with the formal definition of human rights found in Western dictionaries, citing varying national priorities within the rights chapter as the cause of the discrepancy. All countries and nations do not necessarily have to embrace the 1948 United Nations Declaration of Human Rights. This proclamation of human rights has been the subject of extensive research.

The significance of human rights:

Realizing that moral boundaries and restrictions are necessary for a society to be secure, tranquil, and to foster an environment of kindness, justice, and equity for all people is crucial.

"Human rights express ultimate moral concerns: persons have a moral duty to respect human rights, which doesn't derive from a more general moral obligation to comply with national or international legal instruments. Second, human rights express weighty ethical concerns, which normally override other normative considerations. Third, these moral concerns are focused on human beings as they all have human rights and the special moral status associated with them. Fourth, concerning these ethical concerns, all human beings have equal status. They have the same human rights,

and the moral significance of these rights and their fulfilment doesn't vary with whose human rights are at stake".⁴

Another author provides a thorough yet broad overview of the application of human rights and its outcomes, saying:

"There is a need for such a complete system of life which protects all the material and spiritual rights of man and is a guarantor of all his needs in every time and place, whose freedoms are safe from moral restraints and within the constraints of which there is full freedom for the development and emergence of man's cultural potential, whose education and training should enable each Engage in doing good with your practical struggle on Saleh's map, and let this small circle serve as a model for your belief, unity, moral behaviour, mutual behaviour, compassion, and organizing."⁵

Human Rights in the West: A Historical Overview:

A historical examination demonstrates that the journey of human rights in the West is divided into three stages. The struggle is as old as its official recognition. Magna Carta is the first recognized human rights document. On June 15, 1215, around 700 years ago, in the thirteenth century AD, an official agreement establishing the rights of such and such was written. There are, so-and-so has certain rights, and this regulation has been formally established."⁶

The 18th century AD saw the second significant advancement in human rights, as Syed Abul Ala Maududi details:

"From 1737 until 1809, Tom Paine's⁷ treatise Human Rights had a profoundly revolutionary impact on Western thought, and his pamphlet (1791) helped popularize the idea of human rights in Western nations. Although, at the time, this person was not

persuaded by heavenly religion, There was a time when people rebelled against the inspired faiths. Consequently, the populace realized that the inspired belief did not mention human rights."⁸

"The French Revolution occurred in 1789; the people overthrew the monarchy and the powerful feudal lords, destroyed the Church, took control of the parliament, and established the framework for a democratic future. As a result, the French Revolution is considered the origin of democracy. Following this revolution, the monarchy and feudalism were declared to be permanently abolished, along with the Church. The Church's meddling in local affairs was forever outlawed and restricted to questions of faith."⁹

During this historical epoch, a novel philosophical movement arose in the Western hemisphere known as humanism and secularism.

The United Nations released the Declaration of Human Rights, an irreversible statement of every person's rights, on December 10, 1948. Its primary goals are to achieve justice, freedom, and peace globally. Thirty additional clauses address other human rights. Based on the United Nations Charter of Human Rights, it is the third largest document after the French Revolution. There are thirty clauses in this Charter of Human Rights. Its primary objective is the establishment of equality, freedom, and peace. This proclamation has been released in 360 different languages thus far. The following summarizes the decisions adopted per this Declaration:

"The liberties and rights enumerated in the Charter were subsequently split into two sections: the first listed civil and state rights, and the second listed economic, social, and cultural rights. The General Assembly approved these two charters in 1966 and left it to the discretion of the member states to sign these charters if the country voluntarily recognizes these rights. The United Nations Commission on Human Rights conducted additional research in this context. It released two declarations: one on children's rights in 1959 and the other on the prohibition of racial discrimination in 1963. In 1957, I enacted several statements and resolutions supporting women's political rights, including those about the nationality of married women, the complete prevention and abolition of slavery, and the end of racial discrimination in South Africa in 1965."¹⁰

Based on what is said above, it is clear that although official recognition of human rights has only been granted recently, the history of human rights struggle in the Western region dates back many years. This background makes it evident that the intellectuals and leaders in this region have tried to save their nations and societies from exploitation and tyranny. Furthermore, this manifesto was officially accepted at the legal level and made public to free societies from exploitation and oppression and advance them toward a path of justice, peace, and tranquility.

Numerous additions have been introduced to the approved Declaration of Human Rights

over the past five centuries. These revisions, although only briefly described here due to some limitations, have played a significant role in shaping the evolution of this document.

Human Rights Legislation

Amendment Bill 2022:

"Introduced with the Religious Discrimination Bill 2021 and Religious Discrimination (Consequential Amendment) Bill 2021, the bill amends the Age Discrimination Act 2004, Disability Discrimination Act 1992, Sex Discrimination Act 1984 and Racial Discrimination Act 1975 to insert object clauses to provide that in giving effect to the objects of each Act, and regard must be had to the indivisibility and Universality of human rights and their equal status in international law, and the principle that every person is free and equal in their dignity and rights, Charities Act 2013 to provide that otherwise charitable entities that engage in lawful activities promoting a traditional view of marriage are undertaking those activities for the public benefit and not contrary to public policy; and marriage Act 1961 to allow religious, educational institutions to refuse to provide facilities, goods or services concerning the solemnization of a marriage by their religious beliefs".¹¹

This Declaration of Human Rights is regularly modified due to modern challenges and must be applied immediately.

Human Rights Crucial Role in Judaism:

In contrast to the conventional understanding of human rights, the Jewish perspective posits that it encompasses the obligations incumbent upon all individuals, whereby the fulfillment of these duties results in the

realization of the rights of fellow human beings.

"It might seem surprising that Jewish law, a religious legal system, incorporates human rights principles. Prima facie, such values, and principles contradict a religious normative system in which the ultimate of the individual is to serve God. This is especially so since Judaism does not propound a concept of rights but adheres to a concept of duties, not only in the relationship between man and God but also between man and man. Indeed, even the term "human rights" is absent in Jewish classic texts, as is the term rights in general."¹²

The text of the book of Exodus serves as the foundation for human rights in Judaism, which are based on the lofty status and qualities that man has been bestowed with by his Creator:

הָאָדָם נִבְרָא בְצֶלֶם אֱלֹהִים¹³

"Man is created in God's image."

The excerpt from the book of Exodus serves as the foundation for recognizing and providing human rights, elucidating the position of humanity and its inherent dignity. The courts within the state of Israel rely on this chapter to make rulings in numerous situations about justice. If a member of the Israeli Cabinet or Knesset demonstrates bias, their membership is subject to termination per the provisions outlined in this paragraph. A brief history of Judaism is required to understand the present roots of human rights laws and their propagation throughout its history. Following the final Roman invasion in 70 AD, the Jews were driven from Palestine for several hundred years. Both their rules and their sacred text were thus lost.

They lived without a written or oral constitution outlining their rights and obligations for many years, nor did they have a nation. They were enslaved in their life. The French Revolution gave them a sense of self during the seventeenth and eighteenth centuries, gave them bravery, and inspired them to join the human rights movement.

"The French Revolution brought legal equality to the Jews who dwelt in territories that France directly annexed. In addition to its operation in the papal possessions, Avignon and Comtat Venaissin, which were reunited with France in September 1791, just a few days before the final decree of emancipation for all French Jewry, this legislation was applied to such border territories as Nice, which was conquered in 1792".¹⁴

Nevertheless, during the 19th century, a deliberate and official effort was made to achieve liberation from domination, driven by the objective of escaping a regressive state of political deterioration. The development above is often regarded as a significant advancement in the ongoing pursuit of rights within the contemporary historical context of Judaism.

"Since the early 19th century, "emancipation" has been the catchphrase used to designate the release of Jews from an inferior political status through the acquisition of equal rights.¹⁵"

"Emancipation involved virtually every aspect of Jewish life: occupations, education, religion, and communal solidarity. It had its enthusiastic

proponents, who saw it as the messianic end of diasporic Jewish inferiority, and antagonists, who saw it as a threat to the existence of Judaism or Jews. While emancipation has been studied as a local, municipal, regional, national, and continent-wide development, there is no established consensus about a basic issue as chronology. Some scholars who employ a narrow definition of equality date the process from the creation of modern citizenship during the French Revolution (1790–1791) (Dubnow) or write of a "long century" of emancipation extending from the American and French Revolutions to the Russian Revolution.¹⁶"

The Jews underwent numerous social and political transformations due to their journey toward modernity and enlightenment, which led to the creation of multiple institutions such as the contemporary educational system, Jewish culture, and the restoration of the Hebrew language and culture through the construction of synagogues. It gained important positions in the global economic system by assimilating into the contemporary financial system. Radical Jews, who opposed innovation in Jewish culture, fiercely fought the reformers' push towards modernity, yet they remained committed to their objectives during these earlier eras. Among these reformers are several well-known names: Baruch Spinoza-1632-1677, Moses Mendelssohn-1729-1786, Israel Jacobson-1768-1828 Jewish literature and the Torah regularly depict human rights in these words. These laws are; preserve life, obey parents, and

support orphans and widows. There are clear declarations regarding decent behaviour toward strangers, respect for neighbours, property protection, and good and poor morals, which are peaceful and damaging to human affairs and the environment:

The inclusion of human rights in the Ten Commandments:

כבד את אביך ואת אמך למען יאריך ימיך בארץ
אשר ה' נותן לך.
איך לדמם.
אז אל תנאוף.
אז אל תגנוב
אז אל תעיד עדות שקר נגד רעך.
לא תחמוד את בית רעך, ואת בית רעך ואת עבדו ואת
שפחתו¹⁷ ואת שורו ואת חמורו לא תחמוד, ולא
תחמוד דבר מרעך."

"Honor your parents to live long in the country the Lord is giving you.

Avoid bleeding.

Stay away from adultery.

So don't steal.

Do not falsely accuse your neighbour.

You may not covet your neighbour's house, slave, maidservant, ox, or donkey. "

Likewise, within the realm of human society, a solemn declaration has been uttered to address the conduct of wayward offspring who exhibit disobedience towards either one of their parents:

אם בנו העקשן או העקשן של אדם לא ישמע לאביו או " לאמו ולא ישמע לאזהרתם, הוריו צריכים לתפוס אותו ולהוציאו אל זקני העיר הזאת אל שערי המקום הזה. קחו אותו. ותאמר לזקני עירו כי זהו בנו העיקש והעקשן להסיר רעה כזו מקרבנו, אז ישמעו כל בני ישראל¹⁸. ויפחדו

"The parents of a stubborn son should seize him and take him to the gates of this town, where the elders of this city await him if the son disregards their advice and disregards their warnings. Take him away and inform his city's leaders that this is our recalcitrant, neck-breaking son then all the people of his city should stone him to death, to purge such evil from our midst. When they hear that, all the Israelites will become terrified."

In addition, the Knesset officially passed the following laws about the preservation of life, property, and honour in the State of Israel's current legal system:

"Preservation of life, body, and dignity

2. no violation of any person's life, body, or dignity shall exist.

Protection of property

3. There shall be no violation of the property of a person.

Protection of life, body, and dignity

4. All persons are entitled to the protection of their life, body, and dignity"¹⁹.

The right to life is the most fundamental of all rights, and as such, it has been underlined that Bani Israel's right to life is protected, as the Holy Quran also affirms:

مِنْ أَجْلِ ذَلِكَ كَتَبْنَا عَلَىٰ بَنِي إِسْرَائِيلَ أَنَّهُ مَنْ قَتَلَ نَفْسًا بِغَيْرِ نَفْسٍ أَوْ فَسَادٍ فِي الْأَرْضِ فَكَأَنَّمَا قَتَلَ النَّاسَ جَمِيعًا وَمَنْ أَحْيَاهَا فَكَأَنَّمَا أَحْيَا النَّاسَ جَمِيعًا²⁰

We inscribed on the children of Israel for this reason: whoever murders a life without making recompensating or creates trouble in

the land, it is as though he has killed all the people; whoever preserves a life, it is as though he has maintained a life for all people. Likewise, the Torah also mentions the rights of travelers, orphans, and the poor:

ואל תרדוף את הנוסע ואל תדכא אותו כי גם אתה היית נוסע בארץ מצרים.

אל תפגע באלמנה או בנער יתום אם תפגע בהם בכל דרך והם יזעקו אליי בודאי אשמע את זעקתם ותעלה חמתי וארצה אותך בחרב ואת אלמנות נשותיך. ילדים יהפכו ליתומים.

אם תשאל דבר לאיש נזקק מקרב עמי היושב איתך, אל תתייחס אליו כאל נושה ואל תיקח ממנו ריבית.

אם אי פעם תשכן את הבגדים של השכן שלך, עליך להחזיר אותם עד שהשמש שוקעת.

אז אל תקלל את אלוהים ואל תקלל את מנהיג עמך²¹

"And do not persecute the traveler or oppress him because you were also a traveler in the country of Egypt.

Avoid hurting widows and orphans. If you break them and they cry to me, I will hear them and be furious and murder you and your women with the sword. Your children will be orphans.

My folks who live with you should not be treated like creditors or charged interest if they borrow money.

Return your neighbour's clothes by sunset if you pawn them.

Therefore, do not curse God or your leader. "

Inclusion of the Rights of Non-Jewish Individuals:

ואל תעשוק את הנכרי כי אתה יודע את לב הנכר כי אתה עצמך היית נכרי בארץ מצרים²²

"And do not oppress the foreigner because you know the heart of the foreigner because you were a foreigner in the land of Egypt."

Torah's laws preserve human dignity, safeguard human rights and hence making amends for any harm done is necessary.

"ומי שהורג אדם, יש להרוג."

ואם יגרום איש לרשו פגום, יעשה כפי שעשה, דהיינו "אבר לאבר ועין בעין וישן בשן" זה נעשה. נעשה באותו

אופן. מי שהורג בעל חיים צריך לשלם פיצויים, אבל רוצה בן אדם צריך להרוג. צריך שיהיה לך אותו חוק גם לילידים וגם לזרים²³

" And whoever kills a man must be put to death."

"And if a man causes his neighbour to be defective, let him do as he has done, that is, limb for limb, an eye for an eye, and a tooth for a tooth." The murderer of a human being needs to be executed, while the person who murders an animal ought to make amends. The laws should apply to outsiders and residents equally."

Similarly, the concept of Qisas is also present:

לא יהרגו אבות לבנים ולא בנים לאבות כל אחד ייהרג על חטאו²⁴

" Neither sons nor dads should be slain for their sons. Everybody will die for their sins." It has also been mandated to establish human justice in legal matters:

כשאתם שומעים את המקרים של אחיכם, בין אם מדובר בתיק של אב ובין אם מדובר בתיק של נכרי, צריך לשפוט אותם בצדק. אין להפלות איש. כשם שאתם מקשיבים לדברי זקן, גם אתם צריכים להקשיב. לצעירה יותר.²⁵

"You should evaluate your brothers' cases fairly when you hear them, whether they are the cases of your brethren or foreigners. You ought to treat everyone equally. Pay attention to a younger person in the same way as you would to an older one."

Penalties for enslaving an Israelite brother:

As stated in this scripture, the Torah prohibits anybody from enslaving an Israelite brother because freedom is his fundamental right.

אם נתפס אדם בגניבה מתוך כוונה לשעבד או למכור את אחד מבני ישראל, יש להרוג את הגנב ההוא²⁶

If someone is found stealing to sell or enslave an Israelite, they ought to be put to death.

Regarding usury, the Torah has also given different instructions for both immigrants and natives:

או אל תלווה לאחיק בריבית בין ריבית ברופי ובין ריבית על תבואה או ריבית על כל דבר שניתן בריבית אל תלווה פן יברך אותך ה' אלוקיד בכל מעשיך בארץ. אתה הולך להחזיק.²⁷

"Thus, don't lend money to your brother on interest, not for interest on grains, not for interest on rupees, and not for interest on anything else. So if you give a loan to a foreigner on interest, then do not lend to your brother on interest" However, refrain from lending to get blessings from the Lord, your God, in all your endeavours in the new land you will live in."

The preceding two judgments make this point apparent that due to particular terms of Asfar Khamsa, Jews have been given priority over non-Jews in various circumstances, and their rights have been emphasized.

Human rights are mentioned in the Talmud:

"One person was created to teach us the importance of the actions of every individual, for we should treat the world as half good and half bad so that if we do one good deed, it will tip the whole world to the side of goodness."²⁸

"Thus says the Lord:

Let not the wise person take pride in his wisdom;

Neither let the mighty person take pride in his might;

Let not the rich person take pride in his riches;

But let him that takes pride take pride in this:

That he understands and knows Me,
That I am the Lord who exercises mercy,
justice, and righteousness,
on the earth;

For in these things I delight, says the Lord."²⁹

The prominent philosopher and Jewish physicist Musa Ibn Maimon, who lived in the

twelfth century AD and later became a Torah scholar, strongly emphasized humanity, beliefs, and the Torah in his life. With reference to the Holy book of Jamarah he explains the passage in the following way:

"Like God in one's actions." According to Rabbi Heschel, Maimonides originally considered the highest human goal to be contemplation of God's essence, but later came to believe that one's ultimate purpose is to emulate God's traits of kindness, justice, and righteousness".³⁰

Regarding deeds of charity toward non-Jews:

"Jew and non-Jew are to be treated alike. If a (Jewish) vendor knows that his merchandise is defective, he must inform the purchaser (whatever their religion)."³¹

Religious Freedom:

In dealing with questions of religious freedom, as well as other human rights, the courts have also resorted to the Universal Declaration of Human Rights and the International Covenant on Political and Civil Rights, which reflect "the basic principles of equality, freedom, and justice which are the heritage of all modern enlightened states."³²

Likewise, religious freedom falls under the umbrella of human dignity:

Religious freedom is also a component of human dignity. "In the past, freedom of worship and religion did not enjoy a suprallegal constitutional status," Justice Aharon Barak observed. Human dignity is implicitly recognized in the passing of the Basic Law: Human Dignity and Liberty."³³

Freedom of thought and action:

As numerous rabbis state in this passage, Jewish writers believe freedom should not be

conflated with the contemporary definition of freedom.

"In like fashion, the terms *herut* (liberty) and *ḥofesh* (freedom) bear several different meanings in different contexts, which in any case are not identical to the modern term "freedom." On the contrary: according to different sources in Jewish law, man's "freedom" does not express the fact that he is free of all obligations and responsibilities, but rather that he is subject to a system of obligations and precepts. is evident in the Mishnah, which states, "No one is free but one who studies Torah." In like fashion, Rabbi Judah Halevi, one of the great Jewish poets of medieval Spain, writes in one of his poems that "Slaves of time are under the greatest servitude; only the servant of God alone is free." An echo of this approach is found in the rabbinic dictum that man is not at all free in this world because he is subject to commandments of "you shall" and "you shall not" and that only in death does one become free because when a person is dead, he is free, in the sense of being exempt of the obligation of the commandments."³⁴

The approved laws of the contemporary state of Israel cover rights/violation of law, personal freedom, property protection, and life, property, and honour protection.³⁵

Every Israeli citizen, regardless of faith or belief, is entitled to vote, and women enjoy the same rights as males under Israeli legislation. Any Israeli citizen can sum up

internal and exterior laws in this way. He is free to leave the country, but only Jews are eligible to apply for Israeli state citizenship. This is the rationale behind the law's obstruction of efforts to resolve the Palestinian issue.

Torah and ethics:

Treating debtors with courtesy:

כאשר אתה משאיל משהו לאחיד, אל תיכנס לביתו לקחת את דבר הגורו, אלא תעמוד בחוץ ותן למי שאתה משאיל להביא את דבר הגורו בחוץ אליך. ואם הוא עני, אז אל תלך אליו. לישון עם הדבר של הגורו לידו, במקום זאת, כשהשמש מתחילה לשקוע, סובב את הדבר שלו אליו כך שהוא ישן עם הכיסוי שלו ויתפלל אליך.³⁶
 "When you lend something to your brother, wait outside for them to bring the item from the Guru to you rather than going inside to take it from him. Additionally, should he be poor? Avoid sleeping with your Guru's object next to you. Instead, turn his item to him so that he sleeps with his cover on and prays to you as the sun sets."

The Torah prescribes the following hierarchy of proper conduct toward employees, servants, and subordinates:

אז אל תדכא את עבדך העני והנוזקק, בין שהוא אחד מאחיד ובין מהגרים היושבים בערייך בתוך ארצך, כי עני הוא ולבו עמל.³⁷

"Therefore, refrain from subjecting your poor and needy servant to oppression, regardless of whether he is a member of your own family or a sojourner residing in your nations' towns." The following day, before sunset, remunerate him with compensation." To give because he is poor and his heart is in labour."

An affirmation of the worth and defence of blood ties:

ארור המבזה את אביו או אמו וכולם אומרים אמן ארור המסיר את סימון הגבול של חברו וכולם אומרים אמן ארור המוליך עיוורים מהדרך וכולם אומרים אמן ארור המקלקל. מקרה של נכרי יתום ואלמנה וכל האנשים אומרים אמן ארור מי שישב עם אשת אביו כי חושף את

אשת אביו וכל האנשים אומרים אמן ארור מי שישב עם אחותו בין אם היא של אביו בת או של אמה, וכולם אומרים אמן ארור מי שמתניחם לחמותו וכולם אומרים אמן תהרוג וכולם אומרים אמן ארור מי שלוקח שכר על הריגת חף מפשע וכולם אומרים אמן³⁸

"Cursed be he who despises his father or mother and all people say Amen. Cursed be he who removes his neighbor's boundary marker and all people say Amen. Cursed be he who leads the blind from the path and all people Say Amen. Cursed be he who spoils the case of the foreigner, the orphan and the widow and all say Amen. Cursed be he who has intercourse with his father's wife because he exposes his father's wife and all say Amen. Cursed is he who has intercourse with his sister, whether she is his father's daughter or mothers, and all people say Amen. Cursed is he who has intercourse with his mother-in-law, and everyone says Amen. I kill and all say Amen. Cursed be he who takes a reward for killing an innocent and all say Amen."

It appears again in the Book of Istisna:

אסור לאדם לשאת את אשת אביו ולא לפתוח את חצאית אביו.³⁹

It is improper for a person to open his father's skirt or marry his father's wife.

It seems as though Jews are forbidden from engaging in any form of immoral behaviour, including adultery, in partnerships that are either mahram or not.

Asfar Khamsa's advice on appropriate conduct in both broad and particular societal matters:

ואל תקטוף גרגירי כרמך ואל תאסוף את גרגירי כרמך, אסוף אותם לעניים ולנוסעים.

אז אל לא תגנוב, ולא תרמה, ולא תשקר אחד לשני תדכא את רעך ואל תשדוד אותו, אל תיתן שכר הפועל אצלך כל הלילה עד הבוקר.

אז אל תקלל את החרשים ואל תעמיד אבן נגף בפני עיוור, אלא תירא את אלוהיך.

לא תעשה עוול במשפטך, לא תעדיף את העני, ולא תכבד את האדם הגדול, אלא תעשה צדק לרעך בצדק.

אז אל תשמור טינה על אחיך בלבך ותמשיך להעיר לרעך כדי שלא תרגיש אשמה בגלל זה.

אז אל תנקום ואל תשמור טינה לאומה שלך, אלא אהבת לרעך כמוך⁴⁰

"And do not gather the dropped grains from your vineyard or pluck its grain. Gather them for the needy and road warriors.

You are forbidden to steal, cheat, or lie to one another.

Therefore, don't mistreat or rob your neighbour. Don't let the worker's pay accompany you from dusk to dawn.

Therefore, fear your God instead of cursing the deaf and placing a stumbling block in front of the blind.

You shall not be unjust in your judgment, neither favoring the poor, nor respecting the great man, but do justice to your neighbor with justice.

Therefore, to avoid guilt, continue chastising your neighbour and not harbour resentment toward your brother.

Therefore, love your neighbour as yourself and refrain from seeking revenge or harbouring grudges against members of your race."

The passage above unequivocally states that social ethics are included in the Torah and that compassion for the vulnerable and impoverished in society is a notion. In a similar way, caring for society's visually and hearing disabled members is stressed. As if there were a concept of Nahi-an al-Mankar, a worker's wages is a timely payment order, and for the reformation of the society, it has been commanded to punish the neighbours for wrongdoing. The Torah contains numerous references to the amount of neighbours' rights.

Human Rights from an Islamic Perspective:

The Qur'an and Sunnah's usage of the term's truth and human:

Right is the antithesis of wrong and the sum of all liberties.⁴¹

ولا تلبسوا الحق بالباطل⁴²

It is said that an agreement is Haq al-Amr when it becomes obligatory, proven, and so transparent that there is no room for doubt; this is mentioned eighty-two times in the Qur'an, in the context of the commands of Allah Ta'ala from Surah Al-Baqarah to Surah Asr. The term "right" has been inserted beneath (H, Q, Q).⁴³

Similarly, the term truth appears in Surah Asr:

وتواصوا بالحق وتواصوا بالصبر⁴⁴

When defining human rights, Sayyid Abul Ala Maududi outlines a highly distinct and distinct status for them:

"When we speak of human rights in Islam, we mean that God has granted these rights; any legislative assembly or king has not granted them. The rights granted by the kings or the legislative assemblies can be withdrawn in the same manner they are conferred. The same is the case of rights accepted and recognized by the dictators. They can confer them when they please, withdraw them when they wish, and openly violate them when they like. In Islam, human rights have been conferred by God; no legislative assembly in the world or any government on the earth has the right or authority to make any amendment or change in the rights conferred by God."⁴⁵

Islam mentions both general and particular human rights:

"Some human rights are fundamental and are shared by all classes, while others are for a specific class or situation because they are determined by the needs of the people and their needs." Shariah defines the rights of children, the elderly, and women, and incremental concessions have been made for

patients and travellers, giving them extra privileges. What obligations do Muslims have when they live in non-Muslim nations? What are their rights and responsibilities in the future? And in nations where Muslims predominate, what rights do non-Muslim minorities have? In the same vein, what obligations do Muslims have to refugees from other countries? Given that they are human beings with a documented offence or charge against them, what rights are imposed upon these prisoners?⁴⁶

The Categorization of Human Rights in Islam:

"Human rights are not described hierarchically in any religion except Islam. Between humans and animals, there is no distinction. For instance, the moral teachings of the Buddha make a distinction between humans and animals. However, within the human population, the nation or country, no differentiation is made between clan and family, nor is there any reference to kinship or relationships. Similarly, according to Hindu law, murdering a human and an animal has the same status, and because of an animal's benefits, it also has the position of a mother. Only the parents are named in Judaism and Christianity, and their greater right of obedience is acknowledged, omitting all other relations. However, there is no room for additional cousins or concerns to be among them. Islam has naturally addressed this matter in great depth."⁴⁷

The religion of Islam extensively addresses the fundamental rights of human beings, a consensus shared by all Muslim scholars. These essential human rights were elaborated upon by the Messenger of Allah ﷺ in the sermon of Hijjat al-Wadaa, providing a detailed account.

Human rights in Islam are an integral part of the overall Islamic order, and all Muslim

governments must implement them within their framework; also, in non-Islamic governments, the heads of the Muslim societies have to implement the framework. In Islam, the last sermon of Prophet Muhammad (Peace & blessings be upon him) is considered as the Charter of human rights, which are the **right to life, right to freedom, right to own property, right to social security, right to education, right to protection against torture** and are considered the most important factors for a human.⁴⁸

In the hierarchical description of rights, moral, social and economic rights of human beings come after fundamental rights, which are explained as follows:

Every human being must live in society, and while inside this fence, certain rights and responsibilities are enforced. Right etc. More details of this will be explained later.

An analysis of Asfar Khamsa's human rights provisions in the context of Islamic teachings:

The right to life is the first of Islam's fundamental human rights. Islam forbids anyone from taking another person's life and ensures everyone's right to life. It's equivalent to eradicating humanity as a whole.

مَنْ أَجَلَ ذَلِكَ كَتَبْنَا عَلَى بَنِي إِسْرَائِيلَ أَنَّهُ مَنْ قَتَلَ نَفْسًا بِغَيْرِ نَفْسٍ أَوْ فَسَادٍ فِي الْأَرْضِ فَكَأَنَّمَا قَتَلَ النَّاسَ جَمِيعًا وَمَنْ أَحْيَاهَا فَكَأَنَّمَا أَحْيَا النَّاسَ جَمِيعًا⁴⁹

Likewise, in a hadith, Allah's Messenger (ﷺ) stated:

أَوَّلُ مَا يُفْضَى بَيْنَ النَّاسِ يَوْمَ الْقِيَامَةِ فِي الدِّمَاءِ⁵⁰

The first judgement to be delivered amongst humans on the Day of Judgement will be bloodshed.

Life protection (a sensitive subject in Islam): Six instances in Islamic law justify killing:

1. Taking revenge on the person who killed someone on purpose

2. Fighting those who oppose religion in jihad;
3. Punishing those who attempt to topple the Islamic political system;
4. Punishing those who commit adultery with a married woman or man.
5. Apostasy is the consequence of apostasy
6. Penalties for theft on the roadway, etc.⁵¹

وَكَتَبْنَا عَلَيْهِمْ فِيهَا أَنَّ النَّفْسَ بِالنَّفْسِ وَالْعَيْنَ بِالْعَيْنِ وَالْأَنْفَ بِالْأَنْفِ وَالْأُذُنَ بِالْأُذُنِ وَالسِّنَّ بِالسِّنِّ وَالْجُرُوحَ قِصَاصًا فَمَنْ تَصَدَّقَ بِهِ فَهُوَ كَفَّارَةٌ لَهُ وَمَنْ لَمْ يَحْكَمْ بِمَا أَنْزَلَ اللَّهُ فَأُولَئِكَ هُمُ الظَّالِمُونَ⁵²

"In Madinah, there were two Jewish tribes: the Banu Nazir and the Banu Qurayzah. Even though both Banu Nazir and Banu Qurayza were Jewish, Banu Nazir's population was wealthier than Banu Qurayza's. Because of their vulnerability, a brutal law was imposed upon them: if a member of the Banu Nazir tribe kills a member of the Banu Qurayzah tribe, the killer will not face life in prison but will be put to death. He will provide a stream of seventy palm dates. When a man from Banu Quraiza kills a member of Banu Nazir, not only will the murderer be killed in Qisas (Wasq was a measurement of approximately five minutes), but his blood will also be taken. was evident when the Holy Prophet (PBUH) arrived in Madinah, as a Quraizan man had killed a Banu Nazir man, and the Banu Nazir had demanded both Qisas and bloodshed by their prior agreement. Because they knew that the Holy Prophet followed a religion of justice, the people of Quraiza declared it against the judge and suggested that the Prophet make the judgement. When the Quraizan people persisted more, Banu Nazir sent a group of hypocrites to discreetly seek the Holy Prophet (PBUH) for his opinion. If the Prophet's answer supported Banu Nazir, then Banu Nazir would choose. Don't pass judgement; this verse indicates that the Torah has made it clear that life should be taken for life, so Banu Nazir's

demand is both utterly cruel and against the law."⁵³

The imperative to safeguard human life is underscored in both Judaism and Islam, as both religions regard human life as a valuable entity that warrants preservation. The Qur'an, a religious text, contains statements corroborated and substantiated in this context.

Islam grants the entitlement to life not only to an individual after their birth but also to the fetus within the maternal uterus. Nevertheless, the prohibition of abortion during a viable pregnancy has been deemed a transgression by Islamic thinkers.⁵⁴

وَلَقَدْ كَرَّمْنَا بَنِي آدَمَ وَحَمَلْنَاهُمْ فِي الْبَرِّ وَالْبَحْرِ وَرَزَقْنَاهُمْ
مِنَ الطَّيِّبَاتِ وَفَضَّلْنَاهُمْ عَلَى كَثِيرٍ مِمَّنْ خَلَقْنَا تَفْضِيلًا⁵⁵
لَقَدْ خَلَقْنَا الْإِنْسَانَ فِي أَحْسَنِ تَقْوِيمٍ⁵⁶
عَلَّمَ الْإِنْسَانَ مَا لَمْ يَعْلَمُ⁵⁷

الرَّحْمَنُ، عَلَّمَ الْقُرْآنَ، خَلَقَ الْإِنْسَانَ، عَلَّمَهُ الْبَيَانَ⁵⁸

As a creation, man possesses superior adjustment and proportion bestowed upon him by his divine Creator. Despite the multitude of disobediences and deficiencies exhibited by man, he occupies the most elevated place within the cosmos, equipped with exceptional faculties such as knowledge, consciousness, and intelligence. He endowed him with distinct and significant attributes in terms of bodily, mental, and spiritual aspects. He mandated that any harm inflicted upon him, including the loss of a limb, be regarded as a substantial loss.

Neighbours right:

وَاعْبُدُوا اللَّهَ وَلَا تُشْرِكُوا بِهِ شَيْئًا وَبِالْوَالِدَيْنِ إِحْسَانًا وَبِذِي
الْقُرْبَىٰ وَالْيَتَامَىٰ وَالْمَسَاكِينِ وَالْجَارِ ذِي الْقُرْبَىٰ وَالْجَارِ
الْجُنُبِ⁵⁹

According to Hazrat Aisha Siddiqi (RA), the Prophet (PBUH) stated:

"I thought the neighbor would soon be declared the heir, but Hazrat Jibreel (peace be upon him) kept giving me strict orders about the equal neighbor."

وَعَنْ أَبِي هُرَيْرَةَ قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ:
«وَاللَّهِ لَا يُؤْمِنُ وَاللَّهُ لَا يُؤْمِنُ وَاللَّهُ لَا يُؤْمِنُ» . قِيلَ: مَنْ يَا
رَسُولَ اللَّهِ؟ قَالَ: «الَّذِي لَا يَأْمَنُ جَارُهُ بَوَائِقَهُ»⁶⁰

According to Hazrat Abu Hurairah Radiyallahu Anhu, the Prophet ﷺ said:

والله لا يؤمن والله لا يؤمن والله لا يؤمن قالوا وما ذلك يا
رسول الله قال جاز لا يؤمن جاره بوائقه قالوا يا رسول الله
وما بوائقه قال شره⁶¹

The rights of the neighbour and their sanctity are often stated in the teachings of Asfar Khamsa; however, in Islam, they are a little more specific. Three categories of neighbours exist in Islam: Muslims, Muslim relatives, and unbelievers. He is entitled to the greatest degree if he is a Muslim neighbour or family.

Adultery:

وَالَّذِينَ لَا يَدْعُونَ مَعَ اللَّهِ إِلَهًا آخَرَ وَلَا يَقْتُلُونَ النَّفْسَ الَّتِي
حَرَّمَ اللَّهُ إِلَّا بِالْحَقِّ وَلَا يَزْنُونَ وَمَنْ يَفْعَلْ ذَلِكَ يَلْقَ أَثَامًا⁶²
الرَّائِيَةَ وَالزَّانِيَ فَاجْلِدُوا كُلَّ وَاحِدٍ مِّنْهُمَا مِائَةَ جَلْدَةٍ وَلَا
تَأْخُذْكُمْ بِهِمَا رَأْفَةٌ فِي دِينِ اللَّهِ إِنْ كُنْتُمْ تُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ
الْآخِرِ وَلَيْسَ لَهُمَا طَائِفَةٌ مِنَ الْمُؤْمِنِينَ⁶³

Perhaps more than any other crime, adultery has repercussions that are just as terrible as those of the global system and will ultimately kill humanity:

1. Laying hands on a person's daughter, sister, or wife is equivalent to his death. It is not as difficult for a noble person to sacrifice all his possessions and possessions as it is to lay hands on the innocence of his harem. This is the reason why these incidents are happening daily in the world that: the people who the harem has touched are being killed by the adulterer without caring for their lives. This zeal for revenge goes on for generations, and families are being destroyed.
2. In a country where infidelity is rampant, no one's ancestry is kept protected. It is forbidden to marry one's mother, sister, daughter, etc., but if these connections end, one's daughter or sister may marry, which is a more serious offense than adultery.

3. If one were to study it, women are more often the cause of unrest and mischief than riches are. World peace can be ensured by enacting laws that properly protect women and money, preventing them from exceeding their designated boundaries.

Penalties for Larceny:

وَالسَّارِقُ وَالسَّارِقَةُ فَاقْطَعُوا أَيْدِيَهُمَا جِزَاءً بِمَا كَسَبَا نَكَالًا
مِّنَ اللَّهِ وَاللَّهُ عَزِيزٌ حَكِيمٌ⁶⁴

As said in Hadith

عَنْ عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا أَنَّ فَرِيشًا أَهَمَّهُمْ شَأْنُ الْمَرْأَةِ
الْمَخْزُومِيَّةِ الَّتِي سَرَقَتْ، فَقَالَ: وَمَنْ يُكَلِّمُ فِيهَا رَسُولَ اللَّهِ
صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، فَقَالُوا: وَمَنْ يَجْتَرِئُ عَلَيْهِ إِلَّا أُسَامَةُ
بْنُ زَيْدٍ جَبَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَكَلَّمَهُ أُسَامَةُ،
فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: " أَتَشْفَعُ فِي حَدِّ مَنْ
حُدُودَ اللَّهِ ثُمَّ قَامَ فَأَخْتَطَبَ ثُمَّ قَالَ: إِنَّمَا أَهْلَكَ الَّذِينَ قَبَلَكُمْ
أَنْهُمْ كَانُوا إِذَا سَرَقَ فِيهِمُ الشَّرِيفُ تَرَكَوهُ وَإِذَا سَرَقَ فِيهِمُ
الضَّعِيفُ أَقَامُوا عَلَيْهِ الْحَدَّ وَإِيمَ اللَّهُ لَوْ أَنَّ فَاطِمَةَ بِنْتَ مُحَمَّدٍ
سَرَقَتْ لَقَطَعْتُ يَدَهَا"⁶⁵

The splendour of the disclosure: Walsaraq and Sara fatwa idihama: "The Sahihin and Musnad of Imam Ahmad bin Hanbal, etc., tell the narrative of this woman to whom these words were revealed at the time of the occurrence of robbery of the Makhzoomi woman. The Quraish suggested Hazrat Osama bin Zayd to ask the Holy Prophet to be lenient, since the woman came from a wealthy and aristocratic family, making it impossible for them to cut off her hand. When the Holy Prophet heard this advice, he became enraged. You said there may be some control over divine punishments through the intercession of the servants. He gave the order to amputate this woman's hand because Fatimah, the daughter of Muhammad ﷺ, would lose her hand if she stole. He added that it will also be accepted, so it is as though your mother gave birth to you today. Reluctance to cut off the hand about the quantity of stolen property: The poet Abu Al-Ala objected to the Baghdadi jurists' amount of stolen goods. Dayat is valued at five

hundred dinars, equivalent to three or ten dirhams. If someone steals from someone, their hand is severed. Answer: Before engaging in theft, he was virtuous and innocent in Allah's eyes, making him precious. However, after becoming tainted by the dirt of stealing, he lost all dignity and value in Allah's eyes, which is why his price dropped. Some gentlemen have responded that since the Shariat's laws are designed to deter evil deeds, thieves should be discouraged to the point where they fear having their hands severed for three dirhams. Similarly, those who instigate unrest or cause bloodshed should be stopped to the point where chopping off someone's hand will result in a fine of five hundred ashrafias.⁶⁶

Theft Punishment and its Curriculum:

حَدَّثَنَا عِمْرَانُ بْنُ مَيْسَرَةَ، حَدَّثَنَا عَبْدُ الْوَارِثِ، حَدَّثَنَا
الْحُسَيْنُ، عَنْ يَحْيَى بْنِ أَبِي كَثِيرٍ، عَنْ مُحَمَّدِ بْنِ عَبْدِ الرَّحْمَنِ
الْأَنْصَارِيِّ، عَنْ عَمْرَةَ بِنْتِ عَبْدِ الرَّحْمَنِ حَدَّثَتْهُ، أَنَّ عَائِشَةَ
رَضِيَ اللَّهُ عَنْهَا، حَدَّثَتْهُمْ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ،
قَالَ: " تُقَطَّعُ الْيَدُ فِي رُبْعِ دِينَارٍ"⁶⁷

There is a reference to another Hadith:

حَدَّثَنِي يُوسُفُ بْنُ مُوسَى، حَدَّثَنَا أَبُو أُسَامَةَ، قَالَ هِشَامُ بْنُ
عُرْوَةَ أَخْبَرَنَا، عَنْ أَبِيهِ، عَنْ عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا،
قَالَتْ: " لَمْ تُقَطَّعْ يَدُ سَارِقٍ عَلَى عَهْدِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ
وَسَلَّمَ، فِي أَدْنَى مِنْ ثَمَنِ الْمَجَنِّ ثُرْسٍ، أَوْ حَجْفَةٍ، وَكَانَ كُلُّ
وَاجِدٍ مِنْهُمَا ذَا ثَمَنِ"⁶⁸

Yusuf bin Musa related the account to me, Abu Usamah connected it from us, Hisham bin Urwah reported it from his father (Urwah bin Zubair), and Urwah bin Zubair reported it from Aisha. May Allah have mercy on her. At the time of the Holy Prophet (Peace and blessings of Allah be upon him), it was reported that a thief's hand could not be severed for less than the cost of a shield. Both the wooden leather shield and the conventional shield possessed intrinsic worth.

The larceny rate is three dirhams or a quarter of a dinar. Theft occurring in the amount

below this threshold will not result in legal repercussions.

Advantages and problems:

1. Dirhams were dinars in the days of the Prophet Muhammad (Peace and blessings of Allah be upon him). Dinars were gold coins, and dirhams were silver. Twelve dirhams were equivalent to one dinar, as these two hadiths demonstrate.
2. Should the worth of the stolen item be less than the sum mentioned above, the thief will still face punishment in the form of a fine or beating rather than having their hand severed.
3. A fourth of a dinar (one Masha, one ratti, or around one gram of gold) or anything of that value should be punished by amputation because paper money is now considered an equivalent to gold.⁶⁹

While respecting human life, Judaism and Islam also consider the killing of a person without cause to be the murder of all of humanity. Additionally, both religions forbid lying and adultery as sins that undermine societal harmony. Some of these rights infractions, such as murder without cause, adultery, theft, etc., are regarded as boundaries by the Islamic faith. A society never upholds human rights if it experiences violations of these boundaries. Restrictions will, therefore, be implemented as a punishment for disobeying specific heavenly commands.

Just as it was encouraged in Judaism when discussing human rights to take care of the weak members of society, i.e., widows, orphans, and other vulnerable individuals, the faith of Islam has given a reward for doing so:

«السَّاعِي عَلَى الْأَرْمَلَةِ وَالْمَسْكِينِ، كَالْمُجَاهِدِ فِي سَبِيلِ اللَّهِ». وَأَحْسَبُهُ قَالَ: «وَالْقَانِمِ الَّذِي لَا يَفْتَنُ، وَكَالصَّانِمِ الَّذِي لَا يُفْطَرُ»⁷⁰

Islam's specific beliefs on the rights of orphans are as follows:

وَلَا تَقْرَبُوا مَالَ الْيَتِيمِ إِلَّا بِالَّتِي هِيَ أَحْسَنُ حَتَّىٰ يَبْلُغَ أَشُدَّهُ
وَأَوْفُوا الْكَيْلَ وَالْمِيزَانَ بِالْقِسْطِ لَا تَكْلَفُ نَفْسًا إِلَّا وُسْعَهَا وَإِذَا
قُلْتُمْ فَأَعْدِلُوا وَلَوْ كَانَ ذَا قُرْبَىٰ وَبِعَهْدِ اللَّهِ أَوْفُوا ذَلِكُمْ وَصَاكُم
بِهِ لَعَلَّكُمْ تَتَّقُونَ⁷¹

The Messenger of Allah ﷺ said:

أَنَا وَكَافِلُ الْيَتِيمِ فِي الْجَنَّةِ هَكَذَا، وَقَالَ بِاصْبِعِيهِ السَّبَابَةَ
وَالْوَسْطَىٰ⁷²

Assistance to the poor and needy:

وَفِي أَمْوَالِهِمْ حَقٌّ لِّلسَّائِلِ وَالْمَحْرُومِ⁷³

A person who communicates his needs and raises his hand to assist himself is called a beggar; a person who does not raise his hand despite being bereft of necessities of existence is called a destitute. There will be individuals among them who will admit their need and beg for assistance, and others will choose not to reveal their poverty and ask for help. The government must end their starvation and deprivation so that they can all partake in the prosperity of believers.⁷⁴

Minority / Dhimmi / Gentile Rights in Islam:

"Ahl-e-dhimma, or Dhimmi, is the Islamic word for the non-Muslim members of the Muslim society. Al-Zumma is a word that signifies security, vow, and guarantee. These people got their name because Allah, via his Messenger ﷺ, and Muslims came to an agreement that ensures they would have a secure and happy life in an Islamic community under the protection of Islam. Non-Muslims are granted nearly the same privileges under the agreement as in the modern state. The same obligations are placed on citizens when they are granted citizenship.⁷⁵

أَلَا مَنْ ظَلَمَ مَعَاهِدًا أَوْ انْتَقَصَهُ أَوْ كَلَفَهُ فَوْقَ طَاقَتِهِ أَوْ أَخَذَ
مِنْهُ شَيْئًا بِغَيْرِ طَيْبِ نَفْسٍ فَاِنَّا حَاجِبِيهِ يَوْمَ الْقِيَامَةِ⁷⁶

عن عبد الله بن عمرو رضي الله عنهما عن النبي صلى الله عليه وسلم قال من قتل معاهدا لم يرح رائحة الجنة وإن ريحها توجد من مسيرة أربعين عاما⁷⁷

Non-Muslim rights are protected by clear principles:

- Non-Muslims can dwell permanently in the Islamic state.
- It is obligatory for the Islamic administration to defend the life property, honor and reputation of these non-Muslims.
- Non-Muslims will be permitted to adhere to their faith; they will not be persecuted or hindered in their places of worship and other religious regions.
- Non-Muslims will obtain control of their property, and their ownership will be handed to their heirs.⁷⁸

Justice:

يَا أَيُّهَا الَّذِينَ ءَامَنُوا كُونُوا قَوِّمِينَ لِلَّهِ شُهَدَاءَ بِالْقِسْطِ وَلَا يَجْرِمَنَّكُمْ شَنَاٰنُ قَوْمٍ عَلَىٰ ءَلَّا تَعْدِلُوا ۗ ءَعْدِلُوا هُوَ أَقْرَبُ لِلتَّقْوَىٰ ۗ وَاتَّقُوا اللَّهَ ۚ إِنَّ اللَّهَ خَبِيرٌ بِمَا تَعْمَلُونَ⁷⁹

The preceding Islamic instruction resembles the Torah's order of justice, which commands its adherents to act without delay and administer justice without distinguishing between the rich and the poor.

It is imperative that the court properly create justice because without it, determining punishment would be unfair. Regarding this, Hazrat Umar Farooq (RA) states:

والله لا يوسر رجل في الاسلام بغير العدل⁸⁰

And deliver its substitution within the appropriate timeframe:

The literal meaning of a loan is to cut because the lender gives some part of his property to the borrower; that is why it is called a loan. The Islamic meaning of a loan is to give one's property to someone so that he can benefit

from it. And return its replacement in due time.⁸¹

مَنْ دَا الَّذِي يُقْرِضُ اللَّهَ قَرْضًا حَسَنًا فَيُضَاعِفَهُ لَهُ أَضْعَافًا كَثِيرَةً وَاللَّهُ يَقْبِضُ وَيَبْسُطُ وَإِلَيْهِ تُرْجَعُونَ⁸²

The reward of a loan is high since the Muslim is justified in taking it out, according to Imam Al-Qurtubi.⁸³

وَإِنْ كُنْتُمْ عَلَىٰ سَفَرٍ وَلَمْ تَجِدُوا كَاتِبًا فَرِهَانًا مَّقْبُوضَةً فَإِنْ مِنْ بَعْضِكُمْ بَعْضًا فُلْيُودِ الَّذِي أُوتِمِنَ ءَامَانَتَهُ وَلِيَتَّقِ اللَّهَ رَبَّهُ وَلَا تَكْتُمُوا الشَّهَادَةَ وَمَنْ يَكْتُمْهَا فَإِنَّهُ آثِمٌ قَلْبُهُ وَاللَّهُ بِمَا تَعْمَلُونَ عَلِيمٌ⁸⁴

An alternative to a mortgage is a mortgage:

وَإِنْ كُنْتُمْ عَلَىٰ سَفَرٍ وَلَمْ تَجِدُوا كَاتِبًا فَرِهَانًا مَّقْبُوضَةً⁸⁵

According to the narration of Abu Hurairah, a companion of Prophet Muhammad (peace be upon him), he reported that the Messenger of God (peace be upon him) made the following statement:

مَنْ أَنْظَرَ مُعْسِرًا، أَوْ وَضَعْ لَهُ، أَظْلَمَهُ اللَّهُ يَوْمَ الْقِيَامَةِ تَحْتَ ظِلِّ عَرْشِهِ يَوْمَ لَا ظِلَّ إِلَّا ظِلُّهُ⁸⁶

Those who provide relief to others in need or alleviate their financial burdens will be granted a position in the shade of Allah's Throne on the Day of Judgement. This day will be characterized by the absence of any shade other than that of Allah.

كل قرض جر منفعة فهو وجه من وجوه الربا⁸⁷

Islam's View of Labour Rights:

«أَعْطُوا الْأَجِيرَ أَجْرَهُ، قَبْلَ أَنْ يَجِفَّ عَرَقُهُ»⁸⁸
مطل الغني ظلم⁸⁹

A parallel exists between the teachings of Asfar Khamsa and the doctrines of both religions in their prohibition and admonishment of a labourer who defers the payment for their work.

Harvesting the Rights of the Poor:

وَهُوَ الَّذِي أَنْشَأَ جَنَّاتٍ مَعْرُوشَاتٍ وَغَيْرَ مَعْرُوشَاتٍ وَالنَّخْلَ وَالزَّرْعَ مُخْتَلِفًا أَكْلُهُ وَالزَّيْتُونَ وَالرُّمَانَ مُتَشَابِهًا وَغَيْرَ مُتَشَابِهٍ كُلُوا مِنْ ثَمَرِهِ إِذَا أَثْمَرَ وَآتُوا حَقَّهُ يَوْمَ حَصَادِهِ وَلَا تُسْرِفُوا إِنَّهُ لَا يُحِبُّ الْمُسْرِفِينَ⁹⁰

The command was issued (verse) "وَأْتُوا حَقَّهُ" and "وَأْتُوا يَوْمَ حَصَادِهِ" is defined as "the time of harvesting or plucking of fruits," and the pronoun حَقَّهُ refers to all food items. Atwa means "bring" or "pay." This previously mentioned says that although you should eat and drink all of these things, remember that when you harvest a field or gather fruit, you should also pay the proper price. The right price represents the impoverished, and charity should be given to the disadvantaged.⁹¹

The Torah also commands that no grain or ear of Harvest be taken; instead, it must be given to the needy.

Lying is forbidden:

وَاجْتَنِبُوا قَوْلَ الزُّورِ⁹²
وَالَّذِينَ لَا يَشْهَدُونَ الزُّورَ وَإِذَا مَرُّوا بِاللَّغْوِ مَرُّوا كِرَامًا⁹³

Falsity and falsity include anything contrary to the truth, whether a false belief, polytheism, disbelief, or lying in issues and evidence. Muslims, like Jews, are forbidden by Allah (swt) from speaking lies and bearing false witness.

The rule against evil and the hierarchy of grace:

وَلْتَكُنْ مِنْكُمْ أُمَّةٌ يَدْعُونَ إِلَى الْخَيْرِ وَيَأْمُرُونَ بِالْمَعْرُوفِ وَيَنْهَوْنَ عَنِ الْمُنْكَرِ وَأُولَئِكَ هُمُ الْمُفْلِحُونَ⁹⁴
وَالْمُؤْمِنُونَ وَالْمُؤْمِنَاتُ بَعْضُهُمْ أَوْلِيَاءُ بَعْضٍ يَأْمُرُونَ بِالْمَعْرُوفِ وَيَنْهَوْنَ عَنِ الْمُنْكَرِ وَيُقِيمُونَ الصَّلَاةَ وَيُؤْتُونَ الزَّكَاةَ وَيُطِيعُونَ اللَّهَ وَرَسُولَهُ أُولَئِكَ سَيَرْحَمُهُمُ اللَّهُ إِنَّ اللَّهَ عَزِيزٌ حَكِيمٌ⁹⁵

Islamic teachings emphasize the importance of individuals within the Ummah who actively promote virtuous conduct and discourage immoral behaviour and activities. The notion of Amr bi al-Mruf wa Nahi an al-Munkar, although not extensively elucidated in Asfar Khamsa, is briefly referenced. However, the incident of Ashab al-Sabbath highlighted in the Holy Qur'an distinctly emphasizes the Jewish community. Within

certain social collectives, a directive was established to adhere to morally upright actions and abstain from engaging in ethically objectionable behaviours. The mention of Surah Al-Baqarah is articulated in the following manner:

وَاسْأَلْهُمْ عَنِ الْقَرْيَةِ الَّتِي كَانَتْ حَاضِرَةَ الْبَحْرِ إِذْ يَعْدُونَ فِي السَّبْتِ إِذْ تَأْتِيهِمْ حِيتَانُهُمْ يَوْمَ سَبْتِهِمْ شُرَّعًا وَيَوْمَ لَا يَسْبِتُونَ لَا تَأْتِيهِمْ كَذَلِكَ نَبِّئُهُمْ بِمَا كَانُوا يَفْسُقُونَ () وَإِذْ قَالَتْ أُمَّةٌ مِنْهُمْ لِمَ تَعِظُونَ قَوْمًا اللَّهُ مُهْلِكُهُمْ أَوْ مُعَذِّبُهُمْ عَذَابًا شَدِيدًا قَالُوا مَعْذِرَةً إِلَى رَبِّكُم وَلَعَلَّهُمْ يَتَّقُونَ () فَلَمَّا نَسُوا مَا ذُكِّرُوا بِهِ أَنْجَيْنَا الَّذِينَ يَنْهَوْنَ عَنِ السُّوءِ وَأَخَذْنَا الَّذِينَ ظَلَمُوا بِعَذَابٍ بَئِيسٍ بِمَا كَانُوا يَفْسُقُونَ⁹⁶

Within this context, it is evident that among the three factions under consideration, there exists a distinct group that consistently advocated for the cessation of Sabbath transgressions. This group emphasized the importance of adhering to this injunction to attain absolution at their eventual encounter with the divine entity. Consequently, they urged their counterparts to desist from engaging in this vicious act, as it contradicted the explicit directive issued by their supreme deity.

Religious Freedom:

لَا إِكْرَاهَ فِي الدِّينِ⁹⁷

If someone identifies as a Christian, they will continue to identify as such. Individuals who maintain their Jewish identity, according to legal principles, are protected from coercion. A perspective argues for compulsory adherence to Islam, suggesting that once an individual embraces the religion and becomes aware of its virtues, they should not be permitted to renounce their faith or apostatize while residing in Dar ul Salam. If an individual opts for apostasy, it will imply their inclination towards disrupting society. Consequently, responding to such disruption would likely involve measures prohibiting its continuation.⁹⁸

Modern human rights believe everyone has the right to freedom of thought and action. However, Islam places several limitations on this right, such as the following:

1. When expressing thoughts, one should respect others' right to self-respect, act with honour and decency, and avoid attempting to bring them down.
2. It shall not be permitted to broadcast immorality or obscenity in the guise of free speech. A society aware of morality, civilization, and decency cannot, under any circumstances, justify the teaching or printing of immorality, and she will sternly end any attempt at such activity.
3. It will never be acceptable to sow discord and fear throughout the state, encourage lawlessness, and endanger the country's interests.⁹⁹

Before the advent of Islam, the widespread practice of enslaving individuals and utilizing them as a source of labour was prevalent across various religious and ethnic communities, encompassing Christians, Jews, Hindus, and other non-Muslim factions. The utilization of this technique was also commonplace among the Arab population. Before the commencement of the Prophet's mission, it was a common practice among individuals to engage in the enslavement of others through several techniques.

1. Enslaved people were created from prisoners of war.
2. Due to poverty or the pressure of debt, people would sell themselves or their children to someone and become enslaved people.
3. People used to enslave the loser or the offender in cases of crime or gambling loss.

4. Nevertheless, they would abduct a person and compel them to become an enslaved person, enslaved person, etc.

Islam abolished all forms of slavery, leaving only one. That is, only those infidel women who are seized during combat are considered prisoners or enslaved people by the Muslim ruler, who retains the authority to do so if doing so would be more advantageous to his political and practical goals.

The truth is that Islam has never proclaimed the "abolition" of concubines and enslaved people, and all of the Hadith and Qur'anic prohibitions against them are "applicable" today, just as they were during the early Islamic eras.

The taking of a free man and selling him as an enslaved person is something that Islam strictly prohibits.¹⁰⁰

Pardon:

خُذِ الْعَفْوَ وَأْمُرْ بِالْعُرْفِ وَأَعْرِضْ عَنِ الْجَاهِلِينَ¹⁰¹

This verse consists of three words, which include the laws of Shariat in Mamorat and Manhiyat. So the statement of Almighty Allah: Forgiveness comprises having mercy on those who sever ties, accepting forgiveness from sinners and forgiving them, treating kindly with believers, and in addition, the morality of those who obey are included. And Qul Bari Ta'ala: Verse: Wamar al-A'raf comprises being kind to family, fearing Allah Ta'ala in matters of halal and haram, keeping the eyes downcast, and preparing for the Hereafter. And the words of the Most High: Verse: Wa'ara' an al-Jahlin contains urging to build a relationship with knowledge, refraining from oppressors, refraining from stupid quarrels, avoiding the equality of the dull-minded and uninformed, and other excellent morals and smart acts are included.¹⁰²

قَالَ عَبْدُ اللَّهِ بْنُ بَرَادٍ: حَدَّثَنَا أَبُو أُسَامَةَ، حَدَّثَنَا هِشَامٌ، عَنْ أَبِيهِ، عَنْ عَبْدِ اللَّهِ بْنِ الزُّبَيْرِ، قَالَ: أَمَرَ اللَّهُ نَبِيَّهُ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنْ يَأْخُذَ الْعَفْوَ مِنْ أَخْلَاقِ النَّاسِ أَوْ كَمَا قَالَ¹⁰³

Summary and Discussion of the Findings:

The explanation above makes several points clear. For instance, in the contemporary era, human rights were acknowledged in the West through this important United Nations proclamation adopted in 1948. There are thirty points in this proclamation. Western nations must take several actions to get to this point and had to go through different phases. The Jews started their social, economic, and political collapse throughout the early decades of their exile, which paved the way for their eventual rise to modernity as soon as the French Revolution got underway. "Haskala, Emancipation, Reform Judaism." These movements organized the Jews politically and socially and finally started the campaign for their rights.

The research under evaluation makes it evident that the texts of the holy literature of both inspired religions declare that there are forceful directives in the chapter on human rights that are needed for a constructive and positive society. It is obvious from this discussion that the members of the ancient inspired religion, Bani Israel, got clear and unmistakable instructions from their Lord through revelation, which underlined the necessity of human rights obligations and declared stern promises against their disregard. Although these orders are extensive, they have a recurrence and emphasis that indicates their sensitivity.

In both religions, there are more commonalities in the commands about human rights, but there are also discrepancies that are fewer than the similarities.

From the comparison, it became obvious that the core sources of Islam, the human rights outlined in the Qur'an and the Sunnah, are

described in great detail, which provides a firm foundation for legislation. It is a source of instruction for Judaism, in which the basic human rights and the rights of all relationships are outlined in order. But there is not the same severity in the promise; the call to pay these rights and obligations has been given in sweet words, and the obedient ones have been pronounced deserving of an infinite compensation for their payment. Similarly, in Islam, the personal notion of equality seems to prevail in social, economic, and societal problems and issues.

Recommendations:

Indeed, no procedure achievable by human hands is truly finished; there is always the opportunity for additional study on a particular subject and research projects. In light of this, we provide the following recommendations:

1. They were translating this kind of research in the context of the original human rights sources, particularly religious ones, for instance, solving the topic under discussion into Arabic, English, and Hebrew and making it widely known so that their adherents could readily comprehend and accomplish the true aim.
2. They are holding these discussions on these subjects within our capacity to spread these uplifting ideas to the public and among the adherents of the faiths mentioned above, Jews and Muslims, employing invitation and reiteration of the Creator's teachings. Encouraging mutual tolerance between them can lessen their conflicts and the exploitation of one another's rights and create a constructive society. This establishment is especially crucial and urgently needed in communities

where the majority population is either Muslim or Jewish—being a minority or having one person reign over the other.

3. It is also proposed that research be done on the parallels and discrepancies between the teachings

of Islam and other hidden faiths, such as Buddhism and Islam's conception of human rights, Hinduism and Islam's regard for humanity, etc.

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