



NORWEGIAN
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Human Rights in The Monotheistic Religions

Justification of Human Rights in the perspective of monotheistic religion
according to Human Rights Theories

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Abstract

The discourse of human rights has been very prominent in the post-world wars which led various international organizations and institutes to generate awareness on this subject and pave a path for implementation of fundamental human rights in the world. Many theories have been coined and proliferated in the world to look the matter more seriously. The question mark on the role of religion in this regard has led the discussion sidelining divinely revealed monotheistic religions. Thus, religions have been investigated and analyzed as very dormant in terms of their active role for ensuring basic human rights in the world. Particular study of religions in the light of modern human rights theories generated confusion about religions on human rights issues.

Present research aims to analyze and justify the nature of human rights in monotheistic religions in comparison with modern human rights theories. The research work engaged dissertation in two structural parts, first the study of human rights theories like, cultural, radical, universal, liberal, political and moral theories of human rights. Jack Donnelly's theories of weak and strong cultural relativism and universal radicalism have been especially highlighted.

The second part explores the nature of human rights in monotheistic religions I.e. Christianity, Judaism and Islam. The part concludes with the exploration and justification of human rights in monotheistic religions as discussed in modern human rights theories. The concepts of freedom of religions, privatization of religions, basic human rights as mentioned in UNHR charters and by modern theorists have been compared through religious texts. The thesis consists of major six chapters with a comprehensive conclusion of chapter seven. Chapter four deals with human rights and Christianity, chapter fifth elaborates the concept of human rights in Judaism and chapter sixth is based on the teachings of Islam in connection with Islam. The thesis concludes that all three monotheistic religions have been justified in terms of their role towards human rights in perspective of modern human rights theories with little disagreement on certain issues. The rights of neighbors, orphans, citizens, freedom of expression, religion etc are fully supported by each monotheistic religion.

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1. Introduction:

Human beings throughout the history have been dependent upon each other for social, economic, cultural, and religious and welfare needs. Social agreements were formed in order to ensure and create a balanced approach to each aspect of their lives and equal opportunities in each walk of life. With the developmental stages in the world when new changes were taking place and new countries were established, social contracts were renewed, constitutions were drafted and many global institutions were shaped, the same concept of human rights took new appearance as mentioned below.

“Thus, both the formulation of human rights norms and human rights education stem from concrete experiences of injustice. These experiences require actors – individuals, groups and movements – to articulate them”.¹

New philosophies, new theories of human rights and new organizations were established to take the subject more formally and seriously. This reached its climax and became the hot button in twentieth century when voices were raised against human rights abuse caused by world wars and national and international geo-political situations. Human rights treaties and conventions with international consensus were implemented. With such organizations, more awareness about basic rights and duties was generated. Debates, seminars and media talk shows and conferences were initiated. Bulk of literature consisted on research, surveys, reports, articles and books remained in political, academic and administrative circle to analyze human rights issues.

In spite of all these efforts, conditions of human rights could not be improved in many parts of the world even after the formation of international organizations and implementation of human rights order.

“The trials were immensely important. The project of reconstruction, the invaluable effort of founding the UN, the UNRRA, which rebuilt the European and Asian states, and the Nuremberg trials – these were the key issues of the time.”²

Is it reality that the concept was hijacked and politicized by the violators of human rights for their vicious agendas? There is a perception that many networking ties became the hindrances

¹ Huhle, Rainer, (2010), *Human Rights and History a Challenge for Education*, Berlin, FATA Morgana Verlag, P. 10

² *ibid*, p 13

in the way of impartial and transparent implementation of rights and the facts and statistics produced is of great worth and require the attention of serious consideration. Much is written on the causes of declined and deteriorating conditions of human rights. The perception becomes more sound when clear violation of human rights in certain parts of the world is observed and consequently, this puzzle leads towards frustration and confusion about the concept of human rights agreed by international bodies. So on one hand efforts made for awareness of human rights worked and fairly improved human rights conditions in one pole of the world with utmost level of perception but on the other side there exist number of countries including developed and developing states that did little on practical grounds of such conditions and less attention is paid by international community to push them working realistically for the betterment of masses. Looking at the matter from only one aspect I, e secular angle and finding the solution from philosophical and social perspective created a big vacuum for theological perspective to be thought about and to be practiced. Bulk of literature on the subject of human rights badly eclipsed the role of religions in connection with their concepts of human rights creating doubts in the minds of general public. What is the stance of religion about the subject? Do the modern theories of human rights are compatible with religious notions of human rights or not. What is the reason that religious literature on human rights issues could not catch the attention of a common reader? This skeptic and ambiguous state becomes stronger when there are no proactive efforts by the religious authorities especially by monotheistic religions.

Some academic analysis on the subject of human rights from religious perspective reveal the fact that religion has not played a positive role for human rights.

“More recently, Christian scholars and activists have played a central and underappreciated role in the burgeoning movement for human rights. They have helped to push human rights from out of the margins of both theology and international politics.”³

The statement needs to be analyzed objectively to find the truth whether or not it is persuasive and based on solid information in terms of religious role about human rights. But it can

³ . Shepherd, Frederick M (2009) *The Political and Theological Evolution of Christianity and Human Rights*, United Kingdom, Lexington Books p, ix.

be better understood if examined in relation with texts from academia with facts without the perception of subjective concerns and biasness to either side.

There is also a point of discussion about whether secular theories or religious philosophies really justify their position on human rights issues. Absolute denial of the concept of human rights in divine religions led the human rights theorists towards another extreme of the view that also needs realistic analysis. Such debates led the intellectuals and theologian towards a tug of war between the two sides and either wants to establish its superiority at the cost of ignoring and criticizing some good and practicable values of the other side. The fact is substantiated in “Does Human Rights Need GOD”? by Elizabeth M. Bucar and Barbra Barnett where they mention that “Religious freedom and other basic human rights are denied in the name of theological truths. In other parts of the world, the threats are from secularist ideologies.”⁴

If one part of the world is supporting religious theory, the other follows secular theory and both are not right stances to be accepted but it is important to sought out the point of reconciliation where both can be accommodated. This debate is found in literature of either side as one says that there is no need of involving Divinity for understanding and identifying about what are rights and duties because collective human wisdom has sufficiently defined such issues with empirical and rational approach. One other perspective of secular voice bids that Natural law can better explain regarding the norms and taboos of justice, dignity, equality and other human values but majority of human community may not agree because of its multiple interpretations. There is another argument that Human beings equipped with intellect, reasoning and logic to judge between good and bad, can better differentiate about the moral and social norms. So human intelligent is a sufficient ground for accepting the truth that what are human rights and what are not. Proponents of natural laws opine that certain moral truths and ethical attributes that are propagated by religion are also grasped by human intellect like killing, theft, robbery, adultery are not appreciated by a

⁴ Elizabeth M. Bucar and Barbra Barnett, *Does Human Rights Need GOD?* William B. Eardmans Publishing Company Grands Rapids, Michigan/ Cambridge .UK pp,143

common human intellect and truth, honesty, trustworthiness, being good and kind to people and generosity are accepted as good by everyone whether he belongs to any religion or not.

On the other hand, those who solicit need of religion for defining human rights have also certain ground and claims. To them, moral truths cannot be identified without revelation and divine guidance. Religion unites the society and gives a collective picture of culture, norms, and moral foundation of human rights. Religion has played a vital part in man's life throughout the centuries. Peaceful co-existence of various human societies in human history seems to be the result of religion and therefore, religion cannot be put aside. The discussion in the coming chapters is aimed to remove misperceptions about religions in terms of their utility for the modern world as a catalyst for human rights and to create the bridge to bring both sides possibly closer to each other. Religions, their contribution and their impact on billions of people is an undeniable fact even in today's ultramodern world and on the other hand, philosophers, theorists and thinkers of human rights also have a credit to contribute in this direction. The problem lies in the fact both sides are in a big oblivion about each other.

The responsibility lies on the shoulders of theologians of monotheistic religions to look into the matter with unbiased approach considering the human rights theories and to correspond the world in context of these theories.

1.1. Statement of the Research Question:

Human rights subject is on the fore front in the world today and bulk of literature is produced highlighting various areas of human right related issues. All disciplines of social sciences have been very particular in describing and substantiating multiple dimensions of human rights. As long as various societies, countries and states are established and various cultures, traditions and languages are integrated to each other, new issues of human rights emerged. Different authors have presented new theories of human rights considering these multiple complicated human rights issues.

My research question is based on the point that (1) what are different aspects of these human rights theories? (2) How these theories are different from each other according to Jack Donnelly's (human rights theorist) perception? (3) How do these theories justify the conception of human rights from the perspective of monotheistic religions?

1.2. Detailed Description:

The literature written on human rights issues has gone a long way in direction of substantiating the developmental stages of the subject, behaviors of states, violations of the human rights in various parts of the world. Theoretical, philosophical, political, social, moral and anthropological perspectives of human rights have been highlighted from time to time by different theorists. Various theories like, cultural, natural, radical etc. introduced new way of thinking in terms of human rights in the modern world. What are these theories? What is the position of monotheistic religions of human rights in the light of these theories? Does a religion justify human rights as discussed in these theories? Which theory of human right is in more proximity with religious teachings? Christianity, Judaism and Islam are three monotheistic religions that have all have billions of adherents in the world who live with integration with each other. They are accepted as the protector of human rights focusing on the dignity of mankind, equality, justice, religious freedom and economic liberty etc. The question is whether or not such and other rights in these religions are testable by these theories. There are points in the theories that may be seen as contradictory when compared with religion. How do religions take such sensitive aspects of theories? My research is going to address such uncovered dimensions of human rights and modern theories. This is significant in a sense that conditions reversed with an extreme reaction against the religions blaming them to be baron in producing effective human rights charters.

There is a historical co-relation between the secular and religious interpretation of human rights. The texts and authentic interpretations and commentaries of religions have identified the roots as they have been explored by modern theories of human rights but are needed to be unearthed again comparing and contrasting with modern theories. There are still a large number of researches conducted by theologians of diverse background to highlight the role of religions on human rights issues. Although good literature and researches have been produced from religious point of view on human rights, but to deal the matter more comprehensively, there remains a place to substantiate the issue together in line with three big monotheistic religions. Judeo-Christian and Muslim traditions of human rights are of great significance to be studied specially in the light of human right theories. Present research aims to establish and prove human rights in monotheistic religions in the light of modern human rights theories comparing and analyzing basic human rights like concept of dignity, equality, justice, religious rights, economic rights and political freedom while applying modern theories and tracing justification from religious perspective.

1.3. Research Objectives:

The main objective of this research is approaching the issue of human rights from new dimension i.e. understanding and justifying human rights from the perspective of monotheistic religions with an application of modern theories.

The research aims to contribute to the body of knowledge in the field of human rights discussing the issue both from monotheistic religions and modern theories providing the reader new realm of study i.e. compatibility of modern theories and monotheistic religions.

To introduce the viability of cross-religious thoughts on human rights helping the reader to understand other religions creating atmosphere for mutual understanding adopting the path of dialogue, love respect and reverence for each other while tracing commonalities.

1.4. Research Methodology:

The method selected for this research and analysis is qualitative method which is commonly used in social sciences research because it deals with the qualitative aspect of the study unlike natural, physical sciences where quantitative method is practiced because these sciences usually deal with statistical and mathematical data. Data is quantified according to the need of the subject. Citation style to be applied is MLA (Modern Language Association). References would be given at the bottom of each page along with in text citation. Further details of qualitative method and MLA style would be discussed in the second chapter. Bibliography would be given at the end of the dissertation. The study would be analytical in nature and content of human rights would be analyzed in relation with modern human rights theories and monotheistic religion. With the help of same analytical and explanatory research design, it would be sought and concluded the core of the theme of present research.

The mode of research and analysis related to modern theories is based on Jack Donnelly's book of modern human rights theories like, liberal, moral, political, universal, radical and cultural relativism. This exploration of theoretical framework will help analyzing the monotheistic contents to justify human rights in context of these theories. All religious content is to be assessed and compared with different aspects of modern theories. Deductive approach is also to be applied which means that research data is to be explored with general and wide manner for extracting specific findings of the research. The specific findings and solution of research are to be accessed

by general description and observation. The methods used for this research are because to ensure that research outcomes are done within the parameters standard research tools.

1.5. Data Collection Method:

The data collection technique used for the research is based on the accessibility of primary and secondary data. The primary sources of religions include basic texts of monotheistic religions like, the holy bible, Talmud and the Quran and Sunnah of the holy prophet whereas primary sources of theories are to be derived by the book written by Jack Donnelly and other related theories. The reliability of these sources would undergo the process of academic testing. The data would be re-designed and reset according to the need of the research. The primary data gathered for the research is based on fundamental texts of all monotheistic religions and some authentic interpretations by the authors. The sources of secondary data include research journals, websites and other research reports.

1.6. Data analysis:

The data collected would be analyzed on the basis of what has been done in the past related to the same subject and what new dimensions are to be explored in connection with human rights. Modern human rights theories would be explained in a way that their important features are highlighted. These aspects would be compared and contrasted with the notion of human rights from religious perspective, thus, reaching the outcomes of the research. This process will enable the researcher to get the desired answers as mentioned in the beginning of the research i.e. presenting the justification of human rights concepts in monotheistic religions in perspective of modern human rights theories. This method will help identifying the factors, reasons and arguments that establish the justification of human rights in monotheistic religions.

1.7. Reliability and validity of research:

Research can never be considered as authentic and reliable as long as it is tested and examined through international set rules. In the same context, present research is to be analyzed, crosschecked in line with primary and secondary resources. The material written on the subject in the past is to be reconsidered and reevaluated with new interpretation. The errors and weaknesses are to be analyzed and drawn more aspects with more additions. The experts who wrote on research methodologies and research designs will be benefitted from. The logical and scientific cohesion

between various themes would also be considered and maintained. The subjective concerns on the subject are very important in order to get individual's point of view but lacking of objectivity can also make the research partial and limited which will result in either no acceptability or limited acceptance of the research. To maintain objectivity is an essential in order to escape the sense of biasness in research.

1.8. Conclusion:

Research methods can be divided into three major forms i.e. qualitative, quantitative and mixed research method. Quantitative method is generally applied in natural and physical sciences where data is to be quantified and qualitative method is usually used in social sciences subjects where research has to be ensured with quality being objective in approach and theoretical framework is opted by the researcher for analysis of his research. Subjective variables are also considered and objective concerns have also to be taken into consideration. Present research is based on qualitative method with a theoretical framework of human rights by Jack Donnelly. Monotheistic perspectives would be analyzed in connection with these theories.

1.9. Theory:

There have been various theories concerning human rights which developed gradually. Many of those theories had not such potential to be accepted and discussed at large scale and neglected with the passage of time. But there are certain others which have invited the attention of serious discussion, therefore, they have been accepted, discussed and applied for discussing different aspects of human rights. Some very prominent theories on the subject like Cultural Relativism, Universalism radicalism, liberal theory and moral theories of human rights are intended to be taken for discussion and analysis when the role of religions is to be determined and debated. Jack Donnelly's coining new and moderate path between radical cultural relativism and radical universalism is the weak universal radicalism and weak cultural relativism. He defines weak cultural relativism as:

“Weak cultural relativism holds that culture may be an important source of the validity of a moral right or rule. In other words, there is a weak presumption of universality, but the relativity of human nature, communities, and rights serves as a check on potential excesses of universalism”⁵

The basic focus is to studying this subject in the light of modern theories presented by human rights activists. It is preferred to adopt and apply Cultural Relativism following its sub branch of weak cultural relativism and few other important ones to establish the justification of human rights in monotheistic religions in these contexts. Cultural relativism is the one which exercises the balance between the two extreme positions of universalism and relativism. Further details of these theories would be discussed in third chapter discussing the arguments of both sides as they are very rational and convincing

4. Cultural Relativism is a human right theory put forward by a renowned scholar Jack Donnelly in twentieth century. This theory emerged as a reaction of two other extremist theories i.e. radical cultural relativism and radical universalism. The former deals with the concept as culture is everything and all moral, social, cultural and ethical norms have to be grown up from this conception whereas the other extreme position led the opposite side negating culture being irrelevant for the formation of moral and social ethics of human society. Moral and social values are universal and culture cannot interfere with this universality. Cultural Relativism is basically a call that leads the way of moderation and mutual harmony that bridges up the two extreme positions. Monotheistic religions have the same concepts i.e. accommodating behavior for rest of the cultures and religions of the world. This theory is placed in order to avoid any clash of culture and universal values making the humanity peaceful and cooperative with each other. It is a call to action in order to liberate the people from the sense of deprivation of their values and cultures and simultaneously a commitment and resolution with human community to hold this theory in order to establish a universal community based on love, mercy, compassion and harmony as do the monotheistic religions. This theory is a model that construct political, religious, moral and ethical harmony working for unity living with diversity.

Cultural Relativism is a new way of thinking that involve new method to be used in order to interpret different situations. Reading religious scriptures and other scholarly works from the

⁵ Donnelly, Jack, (Nov., 1984, *Cultural Relativism and Universal Human Rights*, Published by: The Johns Hopkins University Press, Human Rights Quarterly, Vol. 6, No. 4), pp.

perspective of cultural relativism would enable the reader to understand the role religions for harmony. This is the theory that has roots in major parts of the world and widely accepted by various human societies. Donnelly suggests that a new way of writing and interpreting the religious documents are the need of the time. It is a theory which in spirit has roots in the life of the Church, synagogues, mosques and temples because all religions teach and disseminate the same concept of human harmony and sense of respect for one another. Basic reality of accepting cross-cultural and pluralistic concepts in radical culturalism and radical universalism is ignored that led the human society towards an extremity, prejudice in the state of uncertainty. Cultural Relativist drags this extremity back in the state of normality suggesting due acceptance for cultures, religions and systems of life.

This is the fact that small and marginalized groups have become significant elements for cultural, religious, political, economic diversity and it very hard to put them a side with no consideration. The mainstream cultures, religions, human rights values cannot exist without these small and beautiful cultural diversities. Their rights have also been protected and highlighted. Do all religions also justify and secure their rights is an important question that is to be taken from religious perspective in context of these theories.

Radical cultural and universal theories have also place in religions or not is the realistic approach to consider them for analysis from religious dimension because these theories are being supported by many other social, political and religious theories that give it more strength to flourish.

1.10. Summary:

The chapter begins with an introduction of the subject mentioning the significance of human rights in today's world. A brief history of human rights and its evolution is discussed while describing the stages of its development where they start with human rights organizations, international institutes and conventions for the legislation of human rights. The chapter outlined the research question as what is the need of conducting this research along with its objectives. It states the importance of studying subject of human rights from religious perspective particularly applying modern human rights theories like liberal, moral, cultural and radical theories for analyzing monotheistic religions stances.

The chapter also briefly introduced the books to be studied and quoted for the purpose. The study is not confined only with the books mentioned above but other books that are relevant with the subject would also be added during research when and where needed.

A brief description of human rights theories is also given in the chapter like universal theory of human rights, cultural theory, moral theory, liberal and political theories of human rights.

2. Research Methodologies

Research is classified into many types and forms. This is made because of the difference of Sources, topics, methodologies, objectives, research period, and impacts of research and level of research in different domains of studies. Research methodologies differ from the perspective of research sources, research objectives and subject and there is not standard method to be applied in every research equally. From researchers, it is very essential to identify the methods of research which are relevant and can help achieving their desired set targets as said:

“The essential challenge for researchers is to build better and more comprehensive theories that can explain a target phenomenon better than prior theories.”⁶

The statement substantiates the fact which normally confuses the researcher because he is not well versed about the difference of various research theories and methods. How a researcher should adopt a method which befits his research is the big question, but it would be comprehended once a researcher has a thorough and in depth study of all research methods ultimately he can clearly identify his selection for research. There are generally two research methods one is known as Qualitative and other is Quantitative method. In quantitative method, data which is used for investigation is quantified employing mathematical and statistical tools for quantifying the data to get the desired results. As for as Qualitative method is concerned which is to be applied for this research, it is a bit complicated, complex and sophisticated in a sense that it deals with the qualitative aspect of the theme. It does not only deal with the objective aspect of the research but also deals with subjective concerns. Subjective variables like feelings, particular religious’ sentiments, motivations, social, cultural values difference of opinions and disagreement and preferences about the research carried out possibly become the unit of analysis.

The qualitative research will likely consider these aspects during the research process. Two important tools of qualitative method, content analysis and interpretative methods are very good tools for any good and impartial research which is to be followed during the research process. These tools are intended to extract data from religious texts, books, articles and to compare them with modern theories related to human rights etc. Content analysis is conducted to

⁶ . Bhattacharjee, Anol. (2012), Social Science Research: Principles, Methods, And Practices, Creative Commons Attribution-Non Commercial-ShareAlike 3.0 Unported License, p,14

go beneath the expressed and manifest meanings and extract the hidden and latent meanings of the contents to find the truth because some writings are not as clear as they appear to be and content analysis based on certain critical questions help the research to reach some reasonable conclusion. Contents are of two types one is manifest and visible through the eyes which in the form of written material in the form of books, articles, research reports etc and other is latent or hidden which has to be unearth. In qualitative technique, the content analysis is directed towards subjective information like information about attitudes, motives, political, social and religious affiliation and values, but at the same time when it comes towards the quantitative aspect of the study, it does not concern the subjective information like, sentiments, predisposition, values and motives but will concern with the frequency and duration of the event that how many times a particular word has come in a particular text. The content is also intended (when and where needed) to analyze the frequency of the occurrences of a particular word, sentences, phrases and ideologies, in a text in order to generalize the pattern of the text. And on the basis of that pattern, it can infer the required results done in quantitative mode. So the same text, same unit of analysis and same data can be subjected to both qualitative and quantitative research in terms of content analysis. The analysis will also consider the structure of the text, thematic study, characteristics and objectivity (removing the personal biases and prejudices of the researcher).

So qualitative research is a one that belongs to the type of scientific research not in a pure sense of the term but in general the term focuses of an investigation and exploration of the theme in order to get answers to a question that is mentioned in the statement of the problem in such a systematic way with a predefined set of procedures to address the question statement. It further strengthens the research he collects evidences, information, references and number of solid and authentic material to substantiate the research question more comprehensively possibly bringing all relevant authorities to produce conclusions and findings accepted and applicable in the concerned adding and contributing addition to the body of knowledge in the related subject with less point of weakness or lacunas found and identified by critics. There is another research method which is known as experimental research, and in some subjects it is considered as an excellent method since it is based on surveys, field work with two or three variables as mentioned its importance as under:

“Experimental research, often considered to be the “gold standard” in research designs, is one of the most rigorous of all research designs. In this design, one or more independent variables are manipulated by the researcher (as treatments), subjects are randomly assigned to different treatment levels (random assignment), and the results of the treatments on outcomes (dependent variables) are observed.”⁷

Unlike Quantitative research method, this research design is considerably more effective in social sciences research where data is required to be added for analysis like seeking information about the norms, taboos, thinking, ideologies, perception opinions about different issues of life and social, cultural, economic, religious, national and international behaviors in context of their own particular societal settings.

One more strong point of qualitative research is that it allows the researcher to go for complex textual elaboration and description of texts and cross referencing the point to be established. It provides knowledge and information about individual’s perspective about a particular theme and ideology like contradictions, harmonies, opinions, beliefs on different values, emotions, and the nature of the relationships of the individuals they are based on in the domain of religion. Qualitative method is also useful in a way that it helps identifying some immeasurable factors of a culture, religions, social norms and attitudes like socio-economic status, justice, equality, gender issues, ethnic, religious, civilizational differences and similarities. Qualitative approach is to be applied in the present research to achieve the desired results.

For impartial investigation of writing material, different sources like dictionaries, encyclopedias, books, research articles and other online sources of monotheistic religions would be used when and where needed.

From objective point of view, research is to be divided into two fundamental kinds.

1-Theoretical Research

2-Applied Research

As for as first type is concerned, usually, it is confined with knowledge for the sake of knowledge and it has no special target in terms of its application. Theoretical research is usually,

⁷ ibid, p, 83

conducted in social sciences and humanities like literature, history, philosophy, languages, political sciences and theological sciences that include comparative religions.

Applied research is meant to invent new phenomenon and unearth hidden realities that exist in the universe. The scope of such research covers physical sciences like Physics, Chemistry, Cosmology, Astronomy etc. The methodology to be applied in such cases is experimental method. Other than research laboratories and planetarium it also includes rational, empirical, inference and mathematical methods.

2.1. Books:

The subject contains highly rich and authentic material that it pushes the researcher in a state of what to choose and what to quit. However, it would be preferred to consult Holy Scriptures and relevant books and other literature of all three religions. Research material produced by international Human Rights organizations, human rights activists and Think Tanks would be benefited. The major theoretical frameworks mentioned by Jack Donnelly. (A well-known theorist on human rights) is to be applied on different texts of monotheistic religions like Radical, Moral, Liberal, strong and Weak cultural relativism theories. The brief description of some books is as under:

Universal Human Rights in Theory and Practice: Jack Donnelly

This work is an important component as it acts as the basic and fundamental source of the frameworks chosen for application and analytical study of the texts of monotheistic religions. The theory of cultural relativism and its further division is coined by Jack Donnelly which was adopted by many authors for interpreting human rights books. Donnelly invites the attention of the reader to ponder on certain serious issues of human rights extending the discussion on essential rights controversies, specifically the debate on universality of rights versus cultural relativism giving due weightage to cross-cultural rights. He established his credibility by achieving the trust of eastern and non-Western readership because he admitted and spoke for the practices of human rights and spared due part related to other cultures, religions etc. He got effective and serious response of his interpretation of human rights and debates in the modern world. He goes a long way in order to trace the basis of human rights in other religions and cultures like Hindu, Muslim etc. leading

human communities to respect the cross-cultural notion of human rights, norms and taboos. The research work will focus on human rights understanding from the perspective of theories particularly cultural relativism. This theory is important as it opens an avenue to understand human rights perspectives with the concept of unity with diversity.

Human Rights: Theory, Developments and Ethical Issues: David J. Plevak

Series of wars in different parts of the world specially two world wars led the human community to devise some mechanism where all states should be agreed to act upon, so consequently, UNO was formed in order to resolve the disputes peacefully. Many scholars are on the view that establishment of UNO is the result of long time's philosophical and religious struggle of Christianity and Judaism.

The editor has collected few responses from different contributors in order to analyze the above statement. The book is important in a way that it submits religio-cultural aspects as contributing factors in the united nation human rights charter. The book also contains Islamic, secular and other views apart from Christian and Jewish point of view which seems to have a space to be studied and compared by Donnelly's concept of cultural relativism.

A Jewish Theory of Human Rights: David Novak

This book as reflected by the title is primarily from Jewish perspective and elaborates about the concept of human rights in Jewish religious traditions. The theory is based on tri-dimensional relations and their correlation with each other with the central focus on human beings. Mankind is the essential part of all three. This is relation of divinity and man, inter-human relations and individuals and their nature of relationship with the community around them. This concept is further divided into religious and secular types like natural rights and duties which represent secular perspective of the rights Jewish stance and the rights based on divinely revealed books like Torah and The Bible. The balance is established in the book in regard to Judaism in a way that secular theory of human rights is combined on the basis of commonalities between secularism and Judaism. Religiously driven rights also maintain the tri-dimensional relations of human, God and Community substantially derived from Judaism. The writer suggests that God's laws can only be given to the community that accepts divine laws in their life. These commands cannot be extended to secular community although their moral and human rights perceptions are based on very weak

mild footings because secular concept looks at nature rather than to religion. The book is interesting because it not only takes only Jewish theory but also give a comparative method of studying the subject with secularism. The book is impressively closer to the theory of cultural relativism I,e accommodates other notions, ideologies of human society.

An Introduction to Judaism: Nicholas De Lange

This book is written on Judaism and offers a comprehensive and detailed content about the fundamentals of Jewish faith, culture, beliefs, practices and their customs. This is a relevant work beneficial both for Jews and non-Jews readership in order to have an authentic and systematic study of Jewish creed, philosophy of human rights etc. The journey takes a common reader from the very basic teachings to many important concepts of Judaism. The writer Nicholas de Lange is a Jewish scholar with impressive depth and insights of rituals, tradition, philosophy and faith of Judaism.

Islam and human rights: Muhammad Zafrullah Khan

The author is the ex- president of the UN General Assembly and the International court of Justice. This book is based on comparative study of the concept of human rights in Islam and what is mentioned in UN Human rights declaration. The author goes in details and picks up various important articles of the declaration to bring justification in Islamic teachings. He explains that the concept of human rights in Islam is derived through two primary sources of Islamic law I, e the Quran and the Sunnah. He attempts a comparative study of Islam and The Declaration. The references of Islamic values have been inferred from the Holy Quran and the Sunnah. The writer starts the book with an introduction of some of the basic values of Islamic faith like articles of faith and pillars of Islam.

The references from the Quran and the Sunnah are cited during the discussion of human rights in Islam. He is of the view that Islam fourteen hundred years ago stood up for the rights of the poor, needy, have-nots, and downtrodden people of the society. Killing, theft, backbiting, illiteracy and social disorder were some of the common features of pagan Arab society. He opines that Islamic concept of right and duty is based on mutual agreement. Islam emphasizes much on the fulfillment of duty rather than on the demands of rights. Further, it has introduced such principles of rights and duties that are flexible and have a capacity to be practiced in social, cultural, economic, and religiously different atmosphere. The prophet's character is central to the beliefs

and teachings of Muslim life and he is similarly portrayed as a role model for all moral and human values. The book is a good selection for discussing the concept of human rights from Islamic perspective with comparison of UN human rights charter.

Christianity and Human Rights: Frederick M. Shepherd

This is basically an edited work by Frederick M. Shepherd with a group of the contributors on different aspects of human rights from Christian's cognizance. The contributors are affiliated with different academic circle which made the book more interesting. They have expertise in the subject of Psychology, Politics, Economy, Theology, Legal sciences, Human rights and Philosophy. The subjects covered in this volume focus on a variety of case studies, religious authorities and theologians, and various connecting issues. This diverse background of the contributors is to enrich the conclusion and thesis of human rights and generate an interesting discussion on the issues of human rights from Christian's perspective. This work shall contribute to the main concept of the thesis i.e. justification of human rights in Christian's faith.

Does Human Rights Need God? Barbra Barnett Elizabeth M. Boca

This work critically analyzed the concept of human rights raising questions about different religious concepts which in the sight of secularism look contradictory to their interpretation like the narrow concept of religious freedom where secularism is not accepted as a system of life. Why have religions rejected Atheism? Why are Apostasy and Idolatry forbidden in religions? Similarly, capital punishment on blasphemy mentioned in monotheistic religions criticized as opposing factor to the concept of freedom of expression. This book opens a debate mentioning from various religious stances like Muslim, Christians, Confucian and secular humanists etc. How does this book accommodate modern human rights theories where pluralism, multiculturalism and accepting different ideologies become important features to concentrate?

The constitutional analysis of Pact of Medina:

The book written by renowned Muslim cleric Dr. Muhammad Tahir-ul-Qadri. It is basically based on the Medina charter and its constitutional analysis in the light of modern world constitutions. The book consists of 62 constitutional articles which included the rights and legal

status of religions, political and social entities of the state of Medina. Some of the articles are mentioned as under.

(Sovereignty of Almighty Allah) (State Authority of the Holy Prophet written Constitution, Permanent Constitutional Foundation, Devolution of Powers, Balanced Constitution, Moral Foundation of State, Concept of Constitutional Communities, Concept of Political Unity, Rule of Law, Respect of Local Customs & Law, Concept of Economic Support, Defense Pact, Guarantee of Fundamental Human Rights, Protection of Religious Freedom, Protection of Minorities, Protection of Women's Rights,

Fatwa on Terrorism and Suicide Bombings:

The book is written by the same author and it consists of strong counter narrative against extremist, radical and terroristic narrative that shattered the world peace and violated basic human rights. Terrorist is a mindset that misinterpret certain Islamic ideology like the concept of Jihad, the abode of war and abode of peace and pushes him towards indiscriminate killing of humanity while damaging their right to protection of life through suicide bombings against innocent and peaceful people, belonging to different religions, cultures and destroy their Mosques, shrines, churches, temples, market places, embassies, become the real violation of individual and collective human rights. The book gives conceptual clarity on these issues particularly mentioning the rights of non- Muslim minorities in Islam. The author has comprehensively brought authentic references from Islamic history about peaceful co-existence between the Muslim rulers and non- Muslim minorities.

Islam and the Challenge of Human Rights

There has been good number of discussion on the conception of human rights particularly in twentieth century. Philosophical, religious, non- religious and moral debates have raised number of questions on the subject. The concept of equality as described by UN charter of human Rights has also been viewed with some observations that might look contradictory like absoluteness in the concept of freedom. Some serious and convincing responses were required with full academic depth to the level of satisfaction. This book consists of some solid argument and responses

especially from the perspective of Islam and modern human rights by the author professor Abdul Aziz Sachedine. He shows his observations on the traditional interpretation of Islamic sources related the issues of human rights. The themes of treatment of women, minorities, the notion of human consciousness, political and moral issues have been discussed in the book.

Introduction to Islam:

This is written by a well-known writer and researcher Dr. Hameed Ullah. He lived in France and produced many research oriented books on different aspects Islam and comparative religions. This book consists of introductory aspects of Islam as a religion. The contents include biography of the holy prophet, preservation of sources of Islam, Islamic creed and worships, cultivation of spiritual life, devotional acts of Islam,

The book also includes political, economic, cultural, religious and moral systems of Islam. Some aspects related to human rights like women's position in Islam is mentioned. Muslim's relation with non-Muslim and Muslim's contribution in the field of science and technology are also the topics of the book. The book is useful for the beginners who seek basic conception of Islam from various perspectives.

Islam and Human Rights:

This is another important book written by Ann Elizabeth Mayer. The author has pointed out some of the human rights issues in connection with human rights in Islam. Critical analysis Islamic law and restriction of women's rights is discussed. The author also discussed some Muslim theologians like Maudodi and their conception of women rights and freedom. She also takes UIDHR (Universal Islamic Declaration of Human Rights) from various perspectives. She quotes some of the women rights violations in Pakistan and the reaction of Maudodi on it with her analysis.

Democracy, Human Rights and Law in Islamic Thought:

This book is the work of Mohammed Abed al-Jabri published by I.B. Tauris Publishers in association with The Centre for Arab Unity Studies. The author attends the question of religion and state and their relationship or lack of relationship. He goes on discussing the aspects of Traditionalism (al-salaf^oyah)

Extremism within various denominations of Islam. He also describes the notion of Ijtihad and its importance in order to resolve new emerging social, political, religious, cross-cultural and moral issues of Islam. The book also discusses the idea of why Islamic law is necessary and what is its rationale that Islamic law should be in rule. Islamic penal system and philosophy is also part of this book. The book also contains the notion of democracy in Islam and the position of pagan Arab society in it comparing with the current Arab world stance on democracy. The discussion is also based on particularity and universality of human rights from Islamic perspective. The book is helpful in getting many good ideas of Islam and human rights.

Human Rights in Islam and Common Misconceptions:

Abdul-Rahman al-Sheha is the author of the book. He picks up some important aspects of modern human rights and Islamic response on them. The author describes some individual rights quoting the references from primary sources of the Quran and Sunnah. The author believes that Islam has guaranteed individual rights that make the society an ideal place to live in. The book says that rights are to be derived from divine book of God. The author expresses his firm belief in the truth and justice of the Islamic rights that ensure impartial provision of such rights to the society irrespective of their religion, color, race and other individual identities because they have been protected by the Creator Himself.

He discusses rights of neighbors, orphans, relatives, non-Muslims, widows and friends with references from the Quran and Sunnah. The book is a good addition to know Islamic perspective on such human rights issues.

Human Rights in Judaism: Cultural, Religious, and Political Perspectives:

The book is co-authored by Michael J. Broyde and John Witte Broyde. It consists of five detailed essays. Three essays examine the nature of Jewish law and two others focus on historical perspective of Jewish religion. One of the articles is very much relevant to the subject since it discusses the Jewish approach on human rights issues. The second article deals with harmonizing internal conflicts of human rights issues from religious perspective showing respect to rest of the cultures and traditions. The role of women from human rights perspective in Judaism is also discussed. Some of human rights issues in Israel and the role of NGOs is also part of the book. The role of NGOs has been discussed in more details as to how these NGOs have been protecting

religious liberty, monitoring human rights conditions and at the same promoting hate crime legislation New voices in the modern times that argue about the role of religion in public and political discourse is also part of the discussion. So the book is significant from Jewish perspective.

Judaism and Human Rights:

The book is edited by Milton R. Konvitz containing the themes of human rights from Jewish perspective. The writer describes about the concept of good life in Jewish tradition. He says that for centuries the concept of virtue was considered to renounce the world and worldly lusts and aspirations, women were in slavery and nothing could release them except death. The concept of monasticism in Christianity shackled the man and rich man could get closer to God only when camel would pass through the neck of a needle. The Jewish faith introduced the world that body is not evil, love of this world is not evil and it has not said that poverty is a blessing. Apart from this discussion, it takes the concepts of rights related to justice equality, poor, orphans, neighbors and privacy. The role of the kingship under the judgment of God, democratic ideals in Judaism and the foundation of democracy in Talmud and its religious scriptures is described. The book seems to be interesting in a way that it takes into consideration many important aspects of human rights issues.

The Blackwell Companion of Judaism:

It is an edited work by Jacob Neusner with good description on Judaism. The book covers variety of topics from history to modern day Judaism. Definition and history of Judaism is described in details. How was the religious world of primitive Israel and how it is different from the modern day Jewish culture is part of the book. The picture of Judaism in Hebrew scripture is given. The formation of Rabbinic Judaism and the formative phases of Christian and Judaism is discussed in details. Two chapters that consist of Jewish relations with the Muslim world and Christian kingdom is part of the description. The book provides good material on understanding history, scriptures and Jewish relations a with non- Jewish world.

2.2. Brief Description of the Chapters:

After giving a general description about the concept of human rights as perceived by modern day community and international human rights organizations in chapter one, and mentioning the theories, research methods in second chapter, the next chapters will focus on the monotheistic

religions with quotes the sayings, international conventions, treaties and extracts from the writings of experts and authorities on the subject.

Chapter three

Concept of human rights emerged as a result of great experiences of collective wisdom of mankind and as a result of oppression, violence, persecution, collective killings of humanity during the wars, sense of vulnerability and specifically the strong sense of discrimination in social, political, religious, economic aspects of one's life. Many theories highlighting the concept of human rights emerged during this period that contributed to increase the living conditions of humanity. Religions were separated from practical life of the people and have been tied with in certain boundaries. The agenda of talking about the poor and deprived section of the society became more prominent. Many theories on human rights were coined that deliberated discussion from moral, cultural, religious, liberal and multi-cultural aspects of human society.

Cultural relativism by Jack Donnelly highlights the role of multi-culturalism in our contemporary societies after the rapid change into global world where each culture, tradition and custom is influenced by the other. Contextualizing this notion, the chapter deals with exploring the human rights theories as discussed and elaborated by well reputed international authors.

The discussion of human rights when talk of its origin goes a long way as it has been central to every society. Greeks are known to be the pioneers who recognized basic human rights and exercised in Athens and Sparta. Theory of Greek democratic society presented by Socrates, Plato and other Greek philosophers established this fact. After the Greek period was over, religions became an important factor in state affairs and political states were influenced by religious dominance. Roman Empire is one such example in this regard where religious patronage was in full swing in all affairs of the state including human rights. The cold war between Christianity and new scientific ideas led the thinkers and philosophers towards separation of religion and science where religion has been practically paralyzed and liberal and secular theories replaced the primitive religious notions. After the renaissance period begins, religion was put aside and secular interpretation of everything was emerged. Laws, constitutions, human rights bodies were formed. Many writers presented new theories of human rights from cultural, universal, liberal, moral and religious perspectives where new interpretation of human rights took place.

This is a foundational chapter in a sense that it will describe certain important theories of human rights that prevailed during the last century. Jack Donnelly's Theory of universalism, cultural relativism etc. will be taken into consideration with more details. Before describing these theories, the concept of human rights and its definition from internationally recognized and accepted authorities will be elaborated. There are different views and understandings of human rights by different scholars who think as if basic human rights are indivisible I, e interconnected with each other in such a way that if one is not fulfilled other will suffer. There is another point of view that certain rights are reserved for a particular community and nation. This discrepancy lies in the discussion of human rights is to be taken in the light of these theories too.

Chapter Four:

This is the first major chapter that is specified for the discussion of human rights in the lights of Christianity. This includes chapter a brief introduction of Christian religion, fundamental beliefs and Biblical basis of human rights. Quoting different books written by the Christian scholars, the study will analyze the concept of human rights from Christian perspective. It is also claimed that roots of universal declaration of human rights have been extracted from the Bible. The subject would be compared with UDHR. Christian's faith also believes that human rights precede the state. State is not to create them but to protect them. The chapter will also deal with civil, social, cultural, economic and political rights of an individual. Few selected texts written on human rights from Christian's perspective will be studied and analyzed in context of universal cultural relativist perspective etc. The discussion may include both to theological and political elements concerning human rights, where writers have attempted to discuss both aspect of Christianity.

“Does Human Rights Need God?” By Barbra Barnett, Elizabeth and M. Bucar is one text to be studied from cultural and universal perspective of human rights.

“Christianity and Human rights” by John Witte, JR and Franks Alexander is the second text to be studied. The book is published by Cambridge University Press and it consists of number of discussions related to God, human rights and Christianity.

In some books church still has political role but the relationship of the church and state keep changing depending upon the need of the political powers. Secularists are mainly interested in economic, political and cultural affairs and not much interested in religious one marginalizing the

concept of God as irrelevant in many state affairs. This discussion will lead to solid conclusion considering few aspect of the subject providing justification of human rights from these theoretical perspectives.

Chapter five will substantiate the concept of human rights in the light on Judaism. It will describe the beliefs of Jewish faith like belief on God, the last day, the prophets, etc. followed by the introduction of their basic practices along with an introduction of their major religious sources. The argument that Jewish religion makes it foundation of human rights on the concept of emphasizing duty and obligation rather on demands of rights is to be discussed with logic and reasons. This opinion emerged from some discussion like Professor Yeshayahu Leibowitz who is from apologist school. The teaching of Torah describes the importance of an individual person and equality of all mankind. What is the Jewish history of human rights and what are present day practices in terms of their religious norms is also important to be discussed? How the modern Jewish lawmakers, thinkers and Rabbis describe human rights is also to be taken into consideration during the discussion. A selected reference from the Old Testament and Talmud would be quoted to understand the concept of human rights in Jewish tradition. Findings will be sought on human rights issue and analyzed. David Novak while describing the Jewish theory of human rights states that although there is no such word like human rights in Jewish literature in the pure sense of the term, but one cannot infer that the concept of human rights does not exist in Judaism as a religion. Jewish religion has a long history of facing oppression, tyranny, and insecurity in different parts of the world that definitely led them towards realization of raising voice against human rights abuses.

Novak argues while describing Jewish theory of human rights that can human rights be exercised on individual level only without having a space of collective exercise? If it is possible, then we have to consider that religion can play its part for collective exercise for which a great dialogue is needed. Jewish theory is deeply concerned for the active role of religion in contemporary society in order to maintain political, social and cultural balance in human society.

“Essays on Human Rights: contemporary issues and Jewish Perspectives” by David Sadoski is an important book for studying the phenomenon of human rights from Jewish point of view. The topics reflect broad range of contemporary issues from Jewish perspective with various case studies in different countries.

Jewish theory contains the elements of both religion and politics. To unearth the fact and in order to correlate both aspects, it is necessary to explore the historical evidences to analyze that what type of relationships Jewish religion had with politics and human rights and what is the current role of Judaism in this domain. The chapter will describe all these aspects with analysis from modern human rights theories.

Chapter six will start with the introduction of Islam. Fundamental beliefs like six articles of faith I.e. Oneness, Prophethood, the Resurrection day, Angels, the books and the concept of predestination and decree. Brief elaboration of primary sources of Islam like the Quran six authentic books of prophetic traditions and Sunnah of the prophet and secondary sources like consensus and analogy etc. will be discussed. After this basic information about the religion, perception of human rights in Islam will be discussed. There is a solid question about the concept of human rights in Islam. This is really serious question that whether Islam is intrinsically in lines with human rights or not compatible. A series discussion needs to take place that if human rights are part of Islamic religion then why this notion is not accepted universally because universality of human rights required to be embraced by large number of community. Modern theoretical frameworks would be applied for analyzing the concept of human rights i.e. cultural compatibility, space of diversity, universally accepted behaviors and role of Islam in global context is also to be taken into accounts.

In the light of above outlines one has to look that how Muslims religion looks at human rights conditions and what is the space of flexibility for accommodating liberal, moral, cultural and universal human rights theories. The concept of demands of rights and fulfillment of duties, Islamic teachings about equality, justice, self-respect, right to protection of life, right of security, personal freedom, freedom of religion etc. are some important key themes to be discussed. Likewise, social, cultural, economic, civil and political rights would be taken into consideration.

Chapter Seven will describe the subject with a comparative mode. Modern human rights theories, monotheistic religions and their perspective and space of accommodation of these theories is to be brought forward. The findings on human rights in above three chapters will be analyzed and compared. Similarities and differences will be discussed and traced. Pros and cons of the contents will also be highlighted. Commonalities and differences will be brought together.

Concepts of religious freedom, freedom of expression, civil, and social, economic, individual and political rights will be compared.

The crux and summary of the thesis will be described in the last chapter. The sources consulted for the research like religious texts of monotheistic religions, commentaries and other books consulted for the research will be written with complete reference.

Recommendations for more research on the subject and highlighting new avenues for the researchers will be shared in this chapter. Strengths and weaknesses will be highlighted. Bibliographical details according to the required method would be listed at the end.

2.3. Sources and Material for Research Work:

Since research material for academic purpose is fully dependent on the sources with genuine material because second hand research material cannot be considered as reliable and authentic source. Original and authentic serves as food for concentration and deep contemplation on research dimensions.

For identification of research sources, a researcher is required to be consciously vigilant. If relevant material is not available or ignored, it makes the research outcomes and findings doubtful. It is not only to accumulate the research material but selection of desired material is also significant. A researcher has to be alert, intelligent, determined and committed to his research task in search of chasing highly relevant material which is the demand of any good research. In this connection, following sources would be exploited possibly available.

2.4. Summary:

This chapter has outlined the basic structure of the research that includes research methods and their description and the research techniques to be applied in this research. Two research methods like qualitative and quantitative methods are described. Quantitative method is normally applied in natural sciences like Physics, Chemistry etc. where data is quantified with the help of laboratories experimentation. In qualitative method which is most often used for social sciences research, subjective variables like, attitudes, feelings, likes and dislikes are analyzed. The chapter also mentioned some of the sources to be used for research purpose like online sources, research journals and libraries in major universities of Norway. Some key terms used in research process are also described in the chapter.

Chapter two is also based on the brief introduction of the coming chapters. Brief description of the Chapters starting from chapter three onward are given. Some tentative books to be studied and analyzed in major three chapters are also indicated. How these texts are relevant in the light of the theories selected for analysis. Sources where relevant material is to be traced are also mentioned. This chapter is important in a sense that it provides base of what is to come. The chapter also describes some of the key terms used in research process like, hypothesis, qualitative and quantitative research methods, objective and subjective research etc.

3. Human Rights Theories

“Human rights” is the subject that has found primary significance in human history and has never been eclipsed and ignored throughout for consideration. This is natural that human beings are species who have social instinct and cannot afford solo flight in connection with their day to day life and relationships with others. Living in isolation never serves the purpose of human creation in the concepts of all religions and philosophies of the world. Pluralism is intrinsically inherited in human nature. Man is declared as Social Animal. One may not agree with the term, but this is the fact that human beings are dependent upon each other. This reciprocal relationship of human species required the line of demarcation in terms of their duty and right. Since long, philosophers, thinkers and intellectuals have been describing this phenomenon as to what is duty? What is right? And what is the relationship of duty and right with each other? The shape and formation of primitive age might not be the same as reflects in the present time, but core of the sense existed then and now under the same sensation of human intellect.

“The contrast between the widespread use of the idea of human rights and the intellectual skepticism about its conceptual soundness is not new.”⁸

Concepts of human rights in the present age have been documented and organized because out of the flood of information and bulk of literature written on the subject was important to be documented with systematic study. Present modern time is more important for this organization of knowledge sense when number of theories, definitions and intellectual debates about human rights appeared.

Recognition and acceptance man as basic entity who deserves these rights simply because he belongs to human generation and not to any other specie This is mentioned in the following words.

“The dismissal of human rights is often comprehensive and is aimed against any belief in the existence of rights that people can have unconditionally, simply by virtue of their humanity.”⁹

⁸ Sen, Amartya (2004), *Elements of a Theory of Human Rights*, published by Blackwell, Philosophy & Public Affairs 32, p,315

⁹ *ibid* p, 316, published by Blackwell

The history of human rights in different parts of the world is different. People have been striving for their rights. In Europe, human rights history is discussed by many ways. Different phases of struggle for the attainment and implementation of human rights have been taking place. The shift of powers from monarchical and dictatorial rule towards democracy and freedom of expression paved the path for this cause. Various Political systems when they introduced and ensured in democracy were the beginning of people's consciousness about their rights. This consciousness is not the result of one-day struggle rather has a long walk for freedom and subsequent revolutions also played role for increasing this awareness that cannot be eclipsed. These types of struggles demanded a lot of sacrifices from millions of people and finally they reached on the point of having their fundamental rights.

“The English Revolution (“Civil War”) of 1640 under Oliver Cromwell, which significantly affected Europe as well, the French Revolution of 1789 and the revolutions of 1848 across Europe, all promoted increased political and civic participation.”¹⁰

The revolutions that influenced the conscious of man, influenced every segment of human societies when national unions of human rights were established to knock the sleeping souls who are not thinking of such phenomenon in other parts of the world. Intellectuals, philosophers and academicians started a debate on human rights aspects and presented them in the form of various theories that highlight diversified perspectives of human rights. The description of some theories is given below.

There has been long discussion on different theories of human rights by the intellectuals and scholars. Jack Donnelly mentions some theories on human rights like moral and political theories, Universalism and cultural relativism. The description of these theories primarily based on Donnelly's book on theory and practice of international human rights.

¹⁰ Huhle, Rainer, (2010), *Human Rights and History a Challenge for Education*, Berlin, FATA Morgana Verlag, P. 19

3.1. Moral Theory of Human Rights:

He describes the moral theory of human rights in the following words:

“Right is the moral primitive for deontological theories. We are required to do what is right (follow our duty), period, independent of the effects for good or bad produced by our actions.”¹¹

The concept is also elaborated by Kant (a well-known philosopher who appeared during the last century in the west) while defining moral and ethical theory. The theory explains that right is a right in any case; it should be practiced without any greed, fear and reward for that. This deontological theory is accepted by some people and refuted by some others with the views that it no longer seems to be effective since human beings are not mechanical robots with no feelings, sentiments, emotions, quest for reward and fear of something. Similarly, the concept of good and bad in many societies differ from one to another. There are societies whose values are society – based and keep changing as demanded by the people as in case of most of the western countries, and on the other hand there are societies that are value based societies like many Muslim and eastern societies. So one concept may be considered as good by one society and the same is to be deemed as immoral for other like the concept of modesty and homoerotic relations lawful or unlawful etc. In most countries in the west, people who are considered as sexual minority are getting their rights and still in most of the Asian and all Muslim countries such practices are religiously and morally banned as Donnelly describes in the moral theory of human rights

“Nonetheless, the fact remains that homosexuality is widely considered— by significant segments of society in all countries, and probably still by most people in most countries—to be profoundly immoral”¹² (Donnelly, 281)

This theory has certain drawbacks to be applied universally. According to the proponents of moral theories, international community should accept this fact that all human beings are morally entitled to have their rights but there are certain public morals rights as well that do not allow such minority to hurt the feelings of millions of people belonging to other religions. This substandard

¹¹ Donnelly, Jack, (2013), *Universal Human Rights in Theory and Practice*, Cornell University Press, USA, pp60-61

¹² Ibid. p281

foundation of human rights in connection with moral concepts does not need that even immoral right is to be defined and registered for being valid and acceptable for human society. From religious perspective, if such rights are protected legally, then human society will definitely lose its sanctity in terms of being human or animalistic society. Not recognizing moral obligation does not reduce the value and sanctity of universal moral values that are guided by natural laws even. If international legal bodies do not give protection to such basic human rights this action may not be interpreted that such moral laws are out of the ambit of human rights. This theory mentions that if rights exist then it means that morally they are to be practiced and are to be realized by every individual as binding force.

Human beings despite their cultural, religious and other differences accept and follow these rights in communal ties which give this point of view strength that these rights are not dependent only if they are legally accepted or rejected. Legal concepts stress that if any right is protected by international legal institutes, it becomes obligatory on two parties/states to adhere with the rule as it is mentioned in many of the international treaties and declarations like the right of economic freedom, right of self-respect, right of religious freedom, right of political affiliation etc. are legally protected. States have to comply with the international laws and treaties. The approach of moral theory that one should strive to provide others with happiness, love, prosperity to their fullest and try to abstain from the words that may hurt the feelings of many other people are part of moral theory from religious perspective too. Many factors that brought changes in the world like renaissance, industrial revolution and rampant of number of liberal, secular and other theories have gradually altered the real concepts of morals which still are the core of monotheistic religions of the world. Generosity, sympathy, culture of caring and sharing are badly faded and are taking their last breath can take their rebirth from the religious theory of morality. This theory is now not satisfactory because it just says about some moral dos and don'ts with mentioning and classifying the basic human rights and their procedures of implementation. Moral theory of human rights has not been so effective especially in context of western society after the spread of secular and liberal social theories that have surely influenced traditional social, cultural, economic, religious and moral interpretation.

Critics have also raised question about narrow scope of moral theory. Proponents have just confined its application and consequences to the material world only ignoring the metaphysical

dimensions. This pushed this theory to revolve within a very limited circle and large number of people could not be attracted to follow and practice it if compared with other human rights theories that do not recognize it. Billions of people who belong to monotheistic religions have also weakened their faith influenced by variety of social, cultural and economic variables are not seemed to be attracted. Religion does not accommodate them in its scope and resulted in the form of a failure.

No organization of international repute and any government have spoken positively about this theory which shows the lacunas that it contains. After a strong critique, *The Metaphysics of Morals* was reproduced in order to cater such emerging questions. *Morals for the sake of morals* does not appeal the minds as one can ask why one should not steal or make corruption or killing someone unjustly with conflict of interests i.e. why someone should give up his or her material gains and benefits etc. Moral theory fails to answer such queries and declined its popularity in different circles of human rights activists because it could not elucidate balance between real morals and rational approaches of this materialistic world. Another aspect of discussion of moral theory is that its definition varies from culture to culture and society to society. Societies with secular orientation of social constructs have their own particular views of morals that suit their society and the same definition may not be appreciated in a society with religious orientation that include their concept of morality. Thus, this theory does not have a capacity to be called a universal theory especially with that of Donnelly's concept of universal and cultural relativism. Therefore, terms applied in this theory like 'goodwill', 'duty', 'obligation' are required to be reevaluated in modern paradigm.

The theory is also having weak points about its clarity on human right definition. How an individual is supposed to follow certain human duties and rights if they have just moral obligation. Freedom, equality, social, legal, economic and religious justice and other types of human rights are core in discussion of human rights narrative in the modern world today and moral theory does not have capacity to satisfy this viewpoint. The historical perspective of human rights while defining moral theory is not considered as it is well known that most effective and influential moral theories are the ones that are linked with natural concepts of human rights where all human rights have considerable moral place. This is considered to be the superior one because it ultimately leads towards the moral ends of everything may it be of implicit or explicit in nature. The concept is

more or less vanished with that of modern notions of human rights which is also based on the concept of public demands for individuals and societies substantiated with advanced and progressive concepts of human rights.

Is it possible that this approach may be interpreted that as invalid since it is already included in new theories of human rights with more clarity, with more strong voice, it is more disciplined, organized and systematic in terms of achieving its objectives? Moral theory has this challenging question to answer. Moral theorists have to answer the validity and relevance of their point of view from rational and scientific perspective with empirical method to justify their narratives of morality. However, the present concept of moral theory is to be analyzed in comparison with monotheistic teachings of morality.

3.2. Political Theory of Human Rights:

The moral theory that was in full swing during the eighteen's century was added with some other theory i.e. political theory of human rights. The natural concepts of human rights which were considered to be the most enlightened in eighteen centuries were paralyzed in nineteenth's century. Political theories emerged when new concepts of human rights received the patronage of political powers. Donnelly explains that political states have liberty to protect their supreme national interest but they have to be vigilant in terms of their commitment with international human rights truces and pacts. With the emergence of these international bodies, new terms and concepts of human rights were coined and individual rights of man, rights of women were introduced.

“Humanitarian intervention reintroduces human rights violations and humanitarian crises as legitimate subjects of violent international conflict”¹³(Donnelly, 259)

Human rights were ensured after revolutions in different parts of the world that was based on attractive slogans like equality, justice freedom etc. Bulk of literature on the subjects of human rights was produced and consequently, women, servants, and other strata of human society had a ray of hope to their rights. In this context, political philosophers put forward different theories in order to highlight human rights issue.

¹³ Ibid, pp259

Political theory is different from the moral one because it holds more significance and attraction and receives more appreciation. This theory is defined as:

“When we turn to political theory, however, human rights often become central. For example, in part 1 of Kant’s “Theory and Practice” (1983 [1793]), which deals with individual morality, rights make no significant appearance, but rights (entitlements) become central in part 2, which treats “political right.”¹⁴

The reason of becoming this theory more catching is its systematic and organized scope from merely theoretical towards practical for the general masses.

“It seems to me that natural human capacities for reason and freedom are fundamental to the dignity of human beings--- the dignity that is protected by human rights”¹⁵

Political theory contains its own features and characteristics and this philosophy considers human rights to be ensured not merely from moral aspect but should be part of the constitutions and legislation of the states. Human being deserve their rights but not because it is in their inheritance or gifted by divinity but because human beings are special beings. The theory flourished in most parts of the world focusing mainly on social and economic rights giving it supreme value. Individual’s rights in this theory seem to be illusion alone. Karl Max is the leading figure who propagated it on larger scale which worked initially in Soviet Union and later influenced other countries quite for a good time.

While Marxism fell along with the fall of Communism in Eastern Europe, it was a dominant philosophy in much of the world for many years; in variant forms, Marxism has residual influence, particularly in assigning values to social and economic rights. Human rights concepts like democracy, law, freedom, justice, moral codes were counted from historical perspective the contents and counters were crafted for material gains negating the role of religion. In today’s world where there is much awareness of social, religious and political rights among the international community this notion is not accepted widely. The world shifted from bipolar to multipolar world and political hostility exists in the world so political theory became more

¹⁴ *ibid*, pp, 61

¹⁵ John Witte, Jr and M. Christian Green, (2012), *Religion and Human Rights an Introduction*, Oxford University Press, New York, pp, 138

popular. Intervention in the affairs of other states is restricted by international Security Council for humanitarian purpose. (Donnelly, 260) However, changing perceptions of security and state sovereignty is connected to the growing influence of international rights in many political powers and elites have been forced to accept the safety of life all citizens of various independent states. Marx theory of human rights leaves the individual rights to their domestic jurisdiction which is against the prevalent international standard of human rights conception.

Donnelly however, does not mark the formal i.e. moral theory as defective rather, effective because it paved the way for awareness on political grounds that deals the issue more comprehensively and brought the community on the big consensus which was absent in moral theory.

Moral theory is based on the concept of common universal values and rights to be practiced with positive emotions which is not considered by political theories. In political sense, human rights are discussed in terms of their political gains for international politics and do not compulsorily related with moral foundation. These theories do not give due weightage to the rights that they deserve and are flexible to be interpreted as the world politics demand like rights of being sovereign states and sovereign religion. With the changing circumstances in the world politics, human rights concepts are also equally interpreted befitting the new political situation. The critique to this theory is raised when it badly deteriorates the world peace in many parts of the world under the camouflage of human right slogan under the major theme of supreme national interest. The reason is that in some conditions, states are supposed to protect their interest and not the human rights. Donnelly's appreciation of political theory lies in the fact that it brings justice to everyone especially after being the member of United Nation's member that has declared universal human rights charter for the member states to implement in their respective countries.

To Donnelly, the attractive point in the charter that was emphasized in political theory of human rights is the conception of living standard of the people, freedom of expression and freedom of religion. The political conception of justice and equality ensures equal opportunities to the citizens without any discrimination of color, religion, race and ethnic background. Political theory of human rights also requires that person's individual freedom in terms of his or her choosing good and bad should also be ensured and no sense of supervision from the state be felt because interference from the state in personal, ideology and morality is to be considered the violation of basic human rights.

John Locke and Thomas Jefferson have a different stance on the subject of human rights. They count liberty and freedom as basic element of political philosophy of human rights as mentioned in *“Does Human Rights Need God”*. This is to be maintained through social contract by political powers. Politically, the concept of human rights has become an ideology and it has become the part of constitutions of many countries that ensures the freedom of religion, culture, social norms and taboos.

It also fulfills its commitment about the rule of law, justice, and equality in food, clothing, education, and health facilities for every citizen of the state without any discrimination. Revolt against Religion lies in the fact that no permission was granted by church authority for independent thinking and application of rationality and logic that restricted the community for developing new philosophies and ideologies for a progressive human society. Consequently, Religion became outcast in countries like USA where after a long of struggle, they divorced religion in their political, economic, social and cultural affairs. The notion is to be studied and analyzed in context of political theory in the light of monotheistic religion that religions also justify human rights this perspective.

3.3. Liberal Theory of Human Rights:

Liberalism appeared to be very influential philosophy in the modern world in many parts of the world. It is based on the conception of absolute individual freedom, liberty and autonomy in terms of their decisions of their life. It is perceived in the words as:

“Liberals see individuals as entitled to “govern” their lives to make important life choices for themselves, within limits connected primarily with the mutual recognition of equal liberties and opportunities for others.”¹⁶

The concept of liberalism is based on individual’s liberty. This theory has little concern to the rights of liberty of a society, or any government or other organization working for human rights. The core of the notion is that an individual is fully authorized to decide his or her life decisions without being guided by any other religious, political, and social authority. (Donnelly 65)

Liberal Human rights organizations do not accept religious stance of universal human rights as a foundation for all. This theory is relatively closer or more advanced form of secular concept of freedom where countries, states and other national and international institutes

¹⁶ Donnelly, Jack, (2013), *Universal Human Rights in Theory and Practice*, Cornell University Press, USA, pp67

do not have right to impose religion in public and private life of the people interfering with their privacy. So religious freedom is confined to very limited circle of certain rituals and festivals without allowing it to govern their private and social life. Any law that regulates the moral and social life of the people is considered to be the hindrance in the way of liberalism. Religion and theistic foundation of moral, political, economic and cultural aspect is rolled back by this theory. One feature of the liberal theory is that it practically advocates social, economic, and political injustice benefitting particularly to the elite class with the verbal provision of rights to all. Major focus of this theory lies in the fact that there lies an equal liberty to everyone without any disparity. Liberalism cares more about personal freedom than human rights and if there emerges any conflict between these two concepts, human rights have to be sacrificed instead of liberal concept of personal freedom.

The development of liberal theory in western and European political sphere can be taken as a parallel system for the society and as a gradual revolt against religion as in “Does Human Rights Need God” say about the rebuttal of religious theory as

“Some turn to it because religion is marginal to their lives. They cannot imagine how it really means much to anyone else or to society at large; other segregate their historical and social thoughts from their faith, even if they are personally religious.”¹⁷

The statement mentions the fact how religion is outcast and people turned to liberalism although they have their affiliation with religion but not with deep affinity. Religion interprets the human issues from transcendental perspective connecting their private faith with the public life whereas liberal theory just concentrates on sensual affairs of life. Religious attitude and thinking towards current political, social, and cultural system is also

¹⁷ Elizabeth M. Bucar and Barbra Barnett, (2005) *Does Human Rights Need GOD?* William B. Eerdmans Publishing Company Grand Rapids, Michigan/ Cambridge .UK pp, 26

objectionable by liberalists as they consider a religion a shekel for liberty and free style society.

Liberal theology is consistent with an ideology which should have neutral and liberal views about society, economy and other systems of life. The concerns mentioned in this book are more of public nature than a liberal theology. However, the editors are of the view that the theory has certain pros and cons in terms of its application. Liberal theory gives absolute freedom to individuals to live a life of their own choice without following any ethical code of conduct. This freedom has not been qualified with the rights of others as far as religion is concerned. One is not permitted to hurt the feelings of others without taking care of respect, feelings and sentiments. This is reflected when comes the case of religious freedom where disgrace to holy personals and scriptures of various religions take place.

From monotheistic religions perspective, freedom is a good act unless it does not cross the limits and becomes aggression on others unlike the liberals. The picture of religious and moral theory of human rights is viewed with marginalized perspective and seems to be prejudiced and partial because the objections raised by the liberalists are not supported by many scholars. Bruce and Barbra mention about the liberal theory that all theories differ from each other which is very natural for cultural and intellectual diversity. They are of the opinion that ideology of religion and liberal theorists differ from each other because their sources and authorities are different.

The liberalists don't agree that Supreme Legislator has devised the moral codes for His Creation and human beings while theological point of view is that it incumbent upon man to follow divine code whether the king, leaders, reformers, philosophers and general masses have to follow such moral codes. In liberal ideology, the sources of legislation of human rights are human themselves and human societies. Human institutions have constituted the rules and regulations for their states and are supposed to be practiced according to internationally declared norms for social, cultural and economic life. Liberalists challenged all traditional concepts of religions and take them as opposition to their rights. They raise the point that why it is that religion does not accept the choice of any other religion. Religions also maintain the line of demarcation between secular, religious affairs of life. Religions have their specific point of views about gender issues and blasphemy issues which the liberalists interpret as violation and

discrimination. According to Jack Donnelly, American and European concept of liberalism are both have a commitment to work with in the limitations of recognized basic human rights. This liberalist concept adds to the basic concepts of welfare states in terms of economic and social requirements. (Donnelly, 68)

The concept of equality, toleration, autonomy and neutrality from liberal perspective is also explained by Donnelly that in most of the liberal literature, such concepts have been exaggerated while highlighting some concepts of good and pushing some others away. He defines the concept of neutrality from liberal perspective in the following words:

“Liberal neutrality—neutrality bounded by liberal principles—is an expression of the core liberal values of equality and autonomy in a world without indubitable moral and political foundations”¹⁸

The statement illustrates that major principles of liberal theory of human rights in terms of neutrality does not follow the generally defined and accepted norms of morality and in political world. Similarly, this theory has its own concept of equality and justice it might be contradictory to the basic foundation of equality substantiated by every culture, tradition, religion and philosophy of the world. It says that the more are committed and concerned to provide the rights of an individual the more you can ensure the concept of neutrality, toleration, autonomy and equality to the society. The entire focus in this theory remains on the concept of personal freedom without being interrupted by any moral, political, social and economic principle in their way.

Although there are some values that are embedded in every human society with consensus all around, but liberals go up to an extreme where they denounce such universally accepted truths. Like, in case of universal declaration model, liberalist interpret this consensus differently that UDHR is applicable only when it deals with cross- cultural and cross-philosophical rights. The concept of freedom in the charter is supposed to protect every autonomy without caring related concepts of dignity and respect of human beings.

The universal values like truth, honesty, trustworthiness and others etc. would be questioned and lose their sanctity in human societies if followed by liberal theory that is based on

¹⁸ Donnelly, Jack, (2013), *Universal Human Rights in Theory and Practice*, Cornell University Press, USA, pp68

personal lust and discrimination. Respect to these values is subject to the action of these words. Otherwise, it is possible to make such principles disliked by human rights activists because they are based on the principles of utility and not of the principles on equality for all. The conflicting situations must be interfered with the ones that are considered as concrete and solid and justifying rules that have a capacity to consider the appeal from both sides. The ideal situation remains protected if some rules of high degree are set to tackle the conflicting situations and may not invite arbitrating force to judge in such matters.

3.6 Theory of Cultural Relativism:

Culture is defined as a set of habits, tradition, customs, norms and taboos related to social, religious, economic and moral life of a society. Culture always varies from society to society, region to region and religion to religion. Jack Donnelly introduced a theory in context of cultural diversity that can be divided into radical, universal, strong and weak theories. Human rights are having cultural or relative importance is the subject discussed by Donnelly. He while discussing the nature of a culture and its value writes:

“No particular culture or comprehensive doctrine is by nature either compatible or incompatible with human rights. It is a matter of what particular people and societies make of and do with their cultural resources”¹⁹

He is of the view that historically all cultures have been neglecting human rights whether during the primitive age or middle ages or modern times. When some cultures emphasize on certain human values they claim to be the propagator of human rights in their culture. When mankind faces new challenges in their life pertaining to social and cultural changes they shift their attention towards human rights. He says that culture does not provide logical justification for the subject and practices of human rights and we need to accept the fact that cultures differ from society to society with their own doctrines and ideologies explaining the concept of cultures. One must not be allowed to be judgmental in defining rights and duties on the basis of a particular culture like modern western culture is not the criterion to be followed as standard for human rights.

¹⁹ibid, pp107

This cultural relativism is divided into major two forms i.e. radical cultural relativism and radical universal relativism. As for as radical cultural concept is concerned it is defined as follows:

“Radical cultural relativism would hold that culture is the sole source of the validity of a moral right or rule. Radical universalism would hold that culture is irrelevant to the validity of moral rights and rules, which are universally valid.”²⁰

This theory goes to one extreme as it gives full weightage to culture only without considering other foundations for defining human rights. Culture is the sole criterion being the foundation of rights. The theory is in contradiction with its major stream which says that culture in origin is neutral being compatible or incompatible does not have a capacity to define human rights because there have been many cultures in the past where people have been deprived in their social, religious and cultural rights and it does not appeal to the universal human culture as cultural values vary from country to country and region to region. The word culture has vast implication and connotation which cannot be specified with only one type of definition as the literature does not support this idea neither the classical literature nor the contemporary writings. Religious interpretation and historical understanding of culture vary with no consensus on single definition. Donnelly’s method of treating these two terms is different which make it easy for the reader to accommodate both the concepts. He says that the point raised by radical universalism about the imperialistic designs of moral and cultural theory does not befit in a pluralistic world today. United Nation Human Rights Charter has also protected this freedom of every culture because this forum is determined to preserve variety of local customs and traditions with full commitment. According to Donnelly, strong and weak are not absolute but relative terms that reflect cultural variations.

There are some rights that are universally accepted but they are very few in number. This short list might not be accommodating many other rights that pertain in other parts of the world. Human rights activists and theorists have maintained their balance avoiding to

²⁰ Donnelly, Jack, (Nov., 1984, *Cultural Relativism and Universal Human Rights*, Published by: The Johns Hopkins University Press, Human Rights Quarterly, Vol. 6, No. 4), pp.400

either extreme. They rely on every culture and civilization when they are required to analyze the concept of rights. Although some cultures are very strong and well protected by the people and by states while there are some others that are really weak in a sense that they are about to extinguish and expire but such neglected cultures are taken care of and protected by the concerned states and organization from the perspective of cultural relative and universal human rights theories. The rich cultures have not to engulf them but give them a support to stand on their own feet and grow as other cultures are growing. If human rights are natural and human nature is universal, then how can human nature be relative is a question that is raised by Jack Donnelly in his book of theories. He says that impact of a culture in shaping human personality is organized, systematic and disciplined which have sure effects ultimately creating a cultural variation.

There is no unanimous definition of a culture. Some cultures are based on individual choices and some are deeply linked with religious contexts and some others with staunch traditional background. Donnelly has traced a middle way between the two extremes. Monotheistic religions have their own particular perspective in terms of Radical cultural relativism that may not give space to multi-cultural societies which is helpful to preserve other cultures and civilizations. Demands of metropolitan community are suggested to be prioritized. Absolute negligence and denial of various national and international spaces may lead the theory towards doubtful ends. The reaction of such extremism appears in the form of new theories as in the case of Radical Universalism Theory because it accepts the rights only if they are culturally oriented and neglect the basic human instinct as human beings.

3.4. Radical universalism Theory:

Radical universalism is the other extreme position of recognizing other variables of the society in terms of accepting and giving them space. No human theory is ultimate theory. All states and societies in spite of having their own differences in cultures, styles of governance, patrons of economic and political ideology have agreed on certain international standards set by universal declaration of human rights and international human rights conventions leaving the discussion of practical implementation of these rights in their countries. This shows that universality of human rights is the matter of great concern in every country. Jack Donnelly reconciles and builds a bridge between the two theories that accommodate either side of the two theories. His strong concept of

cultural relativism is that human beings are different and morals are different. They have nothing to match and so are irrelevant. The primitive time of human history did not have such concept of “human being”.

“Radical universalism would hold that culture is irrelevant to the validity of moral rights and rules, which are universally valid”²¹

They were always judged by their group, identity and social status eventually with no culture at all like slavery, caste system had nothing to do with human rights and human being in that society. In today’s world, humanity has been successful and reached the point of agreement that there are certain international norms and rights that have to be protected and recognized in theory if not in practice. The Radical Relativist may not agree with this concept. Jack Donnelly is of the opinion that all big and small civilizations and nations have their own particular conception of human respect, freedom, welfare and system of governance hence, having different attitudes towards various issues of human rights from the societies that might be entirely different about the same issues. Something considered as human right in one society may be treated as the violation of human rights. The theory emphasized the need of cross cultural identities with more stress on universalism in the global setting. The universal radical theory enchanted its voice when it was suppressed by cultural radicalism.

3.5. Weak cultural relativism Theory:

The theory describes that culture is also to be regarded because it validates moral rights of the society with a balanced approach recognizing every culture but gives weightage to universal values that are permanent, unchangeable, accepted and practiced in every part of the world. He terms of strong and weak are relative in terms of defining the values. It is important to note the quality of the values along with quantitative aspects of the rights. It is important to keep the balance between quality and quantity of moral, cultural, economic and social rights.

“Weak cultural relativism holds that culture may be an important source of the validity of a moral right or rule. In other words, there is a weak presumption of universality, but the relativity of human nature, communities, and rights serves as a check on potential excesses of universalism²²”

²¹ Ibid, pp400

²² Ibid, pp401

This theory does not enforce only one aspect of human nature and human liking and disliking but also incorporates cultures where check has been applied by universal values. Present study would consider this theory to analyze monotheistic concepts of human rights. The analysis would count the space religions to every culture but as the same time it would not undermine universally accepted values to be eclipsed.

All these theories have certain drawbacks as well as some positive features like political theory of human rights. There is a certain doubt that lies in the minds of the people that any institute or organization constituted to raise slogan of human rights is fundamentally politically motivated. Political theory of human rights is reciprocally linked with such aims and objectives.

Weak cultural relativism is also important to allow cultural variations living within the parameters of internationally recognized human rights. If we make a list of all universal rights and have a look at complete list without segregating it, then it would also reflect universality with little variation of cultural diversity. If we consider different levels of culturalism with great details, we may find that the issue of cultural relativism and universal human rights cannot be reduced to choice. So such issues must be taken into consideration when the claims of evaluations are taken.

The understanding generates another debate as to how the international organizations and institutes have understood and defined the concept of this basic human phenomenon.

There are several international bodies that defined the concept more effectively and comprehensively after a thorough discussion and deliberation of the subject. It is needed to know about their point of view from their perspective and evaluate it in the light of these theories what they said. It is stated that human nature is universal and if it is true then how human rights can be relative. Some theorists speak that human nature some time is culturally relative. Elaborating this notion, they fetch the science of Biology that if marriage partners are selected on the basis of cultural difference which includes the difference of color, height, weight, pitch of the voice etc.

Culture has its systematic impacts on individual's life and character. This variation in cultural attitudes not only accepts the diverse nature of human being but also required to be accepted as human instinct on the basis of multiculturalism. The primitive notion of dividing mankind on the basis of Helens and barbarian and insider or outsider is no more accepted in context of various national and international human rights agreements particularly in the light of these

theories. More strikingly cross cultural notions of rights should also be accepted like in one culture, if one is punished on certain crime in which is culturally relative but since there is cross cultural consensus in the human rights discussion, it is to be respected and regarded valid by other cultures and societies.

Cross cultural concept of human rights can also be discussed in a way when we divide human rights practices internally and externally. One has to observe that whether any practice of human rights in a specific culture is defensible or not and whether it is aligned with that of universal standards of human rights. And practices that do not match with internationally set standards cannot be defended merely on the basis of culture alone. The conflict and confusion arise when some human rights practices become defensible internally and cannot be defended according to international standards. Discussion of cultural relativism and universal human rights becomes relevant in this connection. This discussion further leads towards the notion of strong and weak cultural relativism.

If certain practices of human rights are more important in some cultures and considered to be vital, there must be strong external vigilance on such practices to keep them compatible with international rules of human rights. Weak cultural relativism cannot maintain its distinction just on its deviation from the main standards of international standards; it has to define the qualitative aspects for the distinction too. The difference between weak cultural relativism and international standards of human rights is also important in terms of the form and interpretation. Like, the right of participation in political activities, electoral and non-electoral forms of participation is one such example. Voting in some cultures is basic human rights while in some others; it is a duty and obligation to cast the vote. But if a dictator is nominated for the seat of a president or prime minister in a specific culture, that may be defensible in regards with international standards. The glory that of traditional village life is often praised by the people who have completely urbanized yet, they recall the tradition of their forefathers who strived hard to preserve and transfer their tradition and culture to next generation. In modern time, we can find examples that along with postmodern period traditional method of justice has never been marginalized as in the case of President Hastings Kamuzu Banda who takes the help of traditional judicial system although there exists proper justice system in his country. Traditional customs in some countries have been made part of their constitution like that of African cultures do. In the light of above discussion where almost

few important theories of human rights have discussed, it would be preferred to evaluate the concepts of human rights from monotheistic perspective.

3.6. Summary:

This chapter is one of the important chapters because it discusses various theoretical frameworks that are applicable when the case of human rights is discussed. The chapter starts with highlighting the concept of human right. Human nature is primarily connected with social atmosphere and he is declared as social animal who is dependent of others for number of needs and requirement. Living the life of isolation is extremely difficult for man. This needs to define some rules and regulation, duty and right to be determined and practiced by all individuals which finally led to the concept of human rights.

Some important theories are discussed in the chapter like moral, political, cultural, liberal and universal theory of human rights.

Moral theory emphasizes on the concept that it is moral obligation of all to adhere to the rights of others but one negative aspect of this theory is that it does not answer some complicated questions raised by the modern world i.e. the definition of morality differs from society to society. Political theory was the new trend which was introduced by political philosophers like Marx, which mentions that States are responsible to protect the rights of their citizens, but some states for the sake of their own hidden agendas have exploited the term of human rights and exercised high degree of violation of human rights.

Radical cultural theory describes the fact that culture is the sole criterion to accept and reject human rights. Multiple cultures exist in different parts of the world that are founded on the basis of various variables. Religions have been completely neglected in this theory that also made this theory as dormant because it does not cater billions of people belonging to different religions who value religio-cultural orientation.

Universalism theory is one that focuses on universal values almost every culture, religion and society.

Weak and Strong cultural relativism theory as discussed by Jack Donnelly seems to be very effective since they do not ignore any religion and culture. The theory says that universally

accepted truths are to be valued as core of human rights but small regional cultures have to be protected in order to maintain justice in the world. This theory gives due representation to each culture, language, region, ethnicity and religious identity which really create balance. This theory is also to be applied while analyzing human rights from three monotheistic religions perspectives.

4. : The understanding Of Human rights in Christianity:

Christianity is the biggest religion of the world. It has influenced major part of the world with its teachings and practices throughout the centuries. The founder of this religion Holy Jesus was the fountain of love, mercy, compassion for the mankind. The spirit of serving humanity is core to the teachings of Christianity. Pope, Bishops and clergyman have been striving hard to inculcate human rights awareness among the followers of this faith. Thousands of research centers, institutes and organizations have been established in order to look for new aspects of Christian faith, its teachings and their relevance with the contemporary world particularly to human rights. Millions of readers, students, research scholars and other keep investigating on theological, social, ethical, cultural, modern and postmodern aspects of this religion. Number of seminars, conferences and debates are held across the world within Christianity and in its relations with other major religions.

The degree of popularity this religion gained and still has in major parts of the world deserved the attention of a researcher and a general reader to be aware of its history, basic beliefs, books and other important aspects specially its stance on human rights. Christians in the world are crossing almost one –third of the world with a colors of cultural and geographical backgrounds like Catholics, Apostles, Copts and Lutherans etc. The question arises that how did this divine religion become so widespread that it influenced lots of people in the world. All divine religions are basically founded on certain characteristics and traits that have core and central values and work as nucleus in all their rituals, religious services and practices. Christianity as a religion has same features that lie in it when spreads its message to the world.

Mission: The word mission is very important to be focused on because it is one of the most common words used in Christian religion. This word catches the attention of a writer, scholar and a researcher too. It is described as:

“The word “mission” comes from the biblical Greek words for «sending.”
Christianity, like Islam, is a “sending” religion. Within its philosophical structure is

the idea of universality – that the message it proclaims about Jesus Christ should be shared with all peoples.’²³

This is the idea that a missionary hold when he travels for sending the message because the followers are required to carry this message to others crossing territorial and geographical boundaries.

4.1. Fundamental Beliefs:

Being divinely revealed religion, Christianity has the same roots of beliefs as other religions i.e. Islam and Judaism like the concept of God, Prophethood, Life hereafter and Dooms day etc. However, there are certain concepts that are particular to this faith and may not be regarded by other religions. But being originated Abrahamic roots, monotheistic religions have basic similarities in connection with faith. The faith of Oneness is based on the concept of trinity which means God is three in one and Jesus is son of God and he is fully God and fully man too and Holy Spirit is also included in God ship as Jesus said to his followers:

“Go therefore and make disciples of all nations, baptizing them in the name of the Father and of the Son and of the Holy Spirit, and teaching them to obey everything that I have commanded you” Matthew 28:19–20).²⁴

The statement elaborates the concept of trinity within Christian faith. Baptism is a ceremony that takes place when is considered to be an adult Christian or someone who converts in Christian faith. He is baptized and proclaims covenant to remain on the same belief for the whole life and would accept Jesus commandments with full spirit.

²³ L. Robert Dana, (2009) Christian Mission: How Christianity Became a World Religion, United Kingdom John Wiley & Sons Ltd, pp, 1

²⁴ibid. pp, 11

“Baptism is a pledge of lifelong acceptance and living out of faith in Christ and active discipleship in the church”²⁵

Sunday Services:

One of the important rituals in Christian faith is Sunday services. This is a weekly gathering of Christians in churches for worship. In many groups the concept of celebrating this service is slightly different like some prefer to have a shared bread and wine along with other religious services while some groups are strictly following the concept of giving central place to the reading and explanation of Jesus message and rarely having bread and wine.

“Those Christian groups who follow the sixteenth-century Reformers would put the reading of scripture and the explanation of that scripture in the central place of community prayer, so much so that the sharing of the bread and wine might not even take place or would take place rarely”²⁶

Meal and Supper Ritual: Although meal has been given a great importance in every religion because it helps the community to get together May they belong to poor, middle, or upper strata of the society. In Christian tradition, Meal and supper are the main rituals of their faith. The traditions are related to Jesus commandment for his followers in order to be connected with each other.

“Jesus identified himself with the bread and wine and distributed both to his followers, instructing them to continue to celebrate this meal in his memory.”²⁷

The tradition is followed by and large, all Christians with a variation of their cultural background but the spirit of the ritual is still alive.

²⁵ . Cooke, Bernard, Macy (2005), *Christian Symbol and Ritual an Introduction*, New York Oxford University Press, pp,47

²⁶ *ibid.*, p 89

²⁷ *ibid.*, p 92

4.2. Theological foundations of Human Rights in Christianity:

Religion teachings of Christianity have always been disseminating the mankind about love, compassion, mercy, sacrifices and taking care of others. The central theme of religious injunctions emphasizes the practices of human services. Needy, poor, helpless, downtrodden and oppressed people always got their problems solved from religious teachings and beliefs. Christianity has its foundation on the teachings Jesus Christ who is universally known to be the symbol of love, mercy, compassion and generosity for all mankind. He is known with a beautiful character of forgiveness and humiliation. He worked for the salvation of mankind. He preached the message of co-existence and tolerance to his followers with everyone. He told the people to take care of other's need and requirement. In the book of Genesis, the verse reveals the fact that God created the man on His own image. This image is a symbol of respect, reverence and dignity accorded to His special creation mankind. Man is supposed to perform his duties likely to next of God. Many powers are delegated to him in order to regulate the moral, ethical, social and economic systems.

“So God created man in his own image, in the image of God he created him; male and female he created them”²⁸

The purpose of human creation is elevated in this verse of this book as he deserves to be created on god's image. The Christian scholar interpreted this verse as a basic concept of human dignity and honor given by the Creator

“According to the Catholic tradition, human dignity is grounded in God's creative decision to bestow upon every human being God's own image. God deserves unconditional respect and dignity and, therefore, so too do the human bearers of God's image.”²⁹

God's image needs to be understood as to what is special feature in biological creation of human being that GOD declared him to be His image. Is it the physical aspect, spiritual, transcendental, psychical, or intellectual aspect of the creation which gave him superiority over

²⁸ *The Holy Bible (Old Testament) 1:27, King James Version, 1611.*

²⁹ Shepherd Frederick M. (2009), *Christianity and Human Rights*, United Kingdom published by Lexington Books, pp, 104

other creature? God's image is interpreted as intellectual man and not a physical or any other aspect of human being. This explanation about the concept of human dignity if analyzed in the light of human right theory of cultural relativism is equally supporting the notion presented by this theory. The theory describes that everyone belongs to any culture has a right to be respected without considering the color, race, religion and any other difference of discrimination. The image of God as substantiated by Christian faith highlights the same notion of human respect and veneration. The interpretation of IMAGE into physical or intellectual also creates a space of respect one might be intellectually or physically paralyzed. Human intellect from Christian perspective is described as:

“Traditionally Roman Catholic reflections argue that it is human intellect and will that constitute the image and likeness of God.”³⁰

So human intellect holds the central position to be respected and revered. The same concept is elaborated in UDHR that is described as a comprehensive document that consists of all aspects of human rights. Scholars and intellectuals believe biblical sources were also consulted and benefited for preparing this document. The top seat of Christianity i.e. Pope's remarks on the commencement of Universal Declaration of Human Rights also reveals not only the support but also a desire to expand it to all circles of human community.

“In his 1995 address to the United Nations, Pope John Paul II celebrated the Universal Declaration on Human Rights as “one of the highest expressions of the human conscience of our time.”³¹

The Pope's remarks about the declaration are very important because this is in fact the voice of Christianity not of any individual. This support and appreciation is accorded because human rights remained no more effective in that era when this declaration was announced. This voice from Christian's top seat is actually the endorsement from religion he represents. This reflects that Christianity as a religion has the same point of view on human rights and is fully determined to include its voice with every forum for this cause.

³⁰ . *ibid.*, p 104

³¹ *ibid.*, p 119

From Christian point of view human rights are most important concepts in the present day world and it is central to Jesus Christ's teachings who contributed tremendously as for as theoretical and practical aspects of human rights are concerned. This faith feels that it is the need of the hour to introduce a major shift in their views concerning human rights like that which exists in the form of united nations human rights charter,

The past history of Christianity also identifies the fact that in late seventies, religious institutions like churches started engaging them in dialogue with other faiths and joined human rights organizations to contribute and promote human rights agenda indiscriminately related to social, cultural and economic aspects of human beings.

Being impressed by biblical teachings many individuals and groups and organizations have been working to liberate human beings from human dominion which can be interpreted as biblical influence. They worked against slavery which is the violation of human rights in set standards of international community. He has choice and freedom to move, live and work and to materialize his life dreams. David Livingst an evangelical Christian scholar is mentioned who served human beings and worked against slavery with the passion that his religion has taught.

“David Livingstone insisted throughout his life that his chief goal was to stop the Portuguese and Arab slave trades. As an evangelical Christian, he believed that values of individual human self-worth under God,”³²

The spirit of serving humanity penetrated by religious beliefs and teachings pushed a person to work for Human rights rather to violate human rights. The problem of human rights violation is not supported by any of human rights theory like radical universal and cultural theories suggest that there exists no other space for any kind of violation on the basis of cultural, ethnic or religious affiliation. Cultural Relativism is sometime considered as part of the wider category of the same universal theory of human rights which expressly talks about human rights in its true spirit. Elizabeth gives a counter narrative to those objections that claim religion is not the solution of human rights issues today. Responding such queries, she says that religion is a broad and comprehensive way of looking to different issues of human rights in depth and combines theories

³² L. Robert Dana, (2009) *Christian Mission: How Christianity Became a World Religion*, United Kingdom John Wiley & Sons Ltd, pp, 85

and practices together. She objectively describes that religions have the capacity of answering the ‘why’ of everything. She does not build new theology but presents a new understanding of religious stance on the issues of human rights. This view if analyzed in the light of weak cultural relativism befits the required aspects of the theory since it accommodates the important aspects of this theory that describes that culture may be regarded as an element but not on the cast of universal human values. Some of the critics are of the opinion that this is not a favorite trend because it can open space of soft corner for religiously motivated rights hence creating hindrance for the progress of mankind in domains of life. Elizabeth suggests that religious point of view is placed on broad based teachings which is adjustable in global set of circumstances of human rights.

4.3. Rights of Parents and Neighbors:

Taking some rights from particular perspective would help in justifying the role of religion in terms of provision of basic human rights that are theoretically expressed in the theories. As for as political theory of human rights is concerned it was propagated during the world revolutions and increasingly it got more popularity after the world wars. Human rights have no single foundations of politics, philosophy, religion or so. Most of the cultures and philosophies and political systems have designed their own conceptions of human rights that are overlapping many a time.

“The increasing political prominence of human rights in recent decades has led more and more adherents of a growing range of comprehensive doctrines to endorse human rights—but only as a political conception of justice.”³³

The political conception of justice is also justified in the teachings of Christianity. Religious teachings as explained by church authorities have been part of their political aspect. But after the renaissance influence, authority of the church was lost and religion has been replaced with secular and liberal philosophies including human rights conceptions were politically dominated. This shift from religion to liberal side gave birth to new opportunities and challenges of modern world where individuals have got more importance. This is also pertinent that religions have also taken into consideration the importance of individual’s rights that are highlighted by political theory from state’s perspective. These individual rights include parents, brothers, neighbors,

³³ Donnelly, Jack, (2013), *Universal Human Rights in Theory and Practice*, Cornell University Press, USA, pp58

friends, teachers, poor, slaves etc. The Bible mentions the rights of parents and commands its followers to abide by these instructions. About the parents, it says:

“Honor thy father and thy mother: that thy days may be long upon the land which the Lord thy God giveth thee.”³⁴

The bible gives injunctions to its followers to serve the parents with the best possible manners because eternal peace lies in their service and denying them become the reason of divine wrath which will definitely lead them towards the path of hellfire. This concept of reward and punishment does not exist in any philosophy except religions. The verse states that respect of the parent results in the long life by God indicating His favors and mercy on him because He becomes pleased with this act of kindness towards parents.

Neighbors have also been given protection. Their right of privacy was confirmed and protected by the religion. The same book commands:

“Thou shalt not covet thy neighbor’s house, thou shalt not covet thy neighbor’s wife, nor his manservant, nor his maidservant, nor his ox, nor his ass, nor any thing that is thy neighbor’s.”³⁵

Again the above quotes best befit the theory of cultural relativism because it is not restricted with a particular faith or culture rather it is universal and plural in its nature which is the core theme of cultural theory. Liberal theory of human rights lays much emphasis on the rights of an individual, his privacy, freedom of choice is guaranteed but the respect of individual neighbor, orphan and parents are neglected. The rights mentioned in connection with individuals are more than what liberal theory describes. The concept of natural rights from religious perspective is not absolute but relative.

Witte, John and Green, M. Christian have described that different Christian sects have different opinions when it comes to the teachings of Christianity and human rights. In their book “Religion and Human Rights: An Introduction” they write,

³⁴ *Exodus 20 v 12 p, 171 KJV*

³⁵ *Exodus 20 v 12 p, 171 KJV (King James Version)*

“What happened in the twentieth century is that large numbers of Christians became hostile to the very idea of natural human rights. Though not absent among Catholics, this hostility was mainly to be found among Protestants. The entire argument in the “Declaration on Religious Liberty” of the Second Vatican Council in 1965 is based on the natural human right to religious liberty.”³⁶

The reason of this opposition and hostility was that natural theory of human rights was propounded by the people who declared themselves as liberal and secular like Hobbes and Locke but the fact of the matter is that this theory is not extended to religious natural rights.

Human beings are naturally inclined toward any religion meaning thereby, that everyone is in search of some super natural power of transcendental world. Locke and Hobbes just have inherited this theory by their Christian theologians. The new shift that emerged in the form of new theories pointing out the nature of rights and philosophies is already dealt in religious teachings and church had taken many steps in order to meet new challenges like the culture of dialogue with other faiths for establishing the atmosphere of co-existence. This concept is advocated by cultural relative and universal theory.

The same stance is projected by Christianity that irrespective of religious, moral, and political resources and affiliations we need to unite with universal human rights. Christianity seems to stand by all modern human rights theories and is fully compatible with some mild differences so all theories are allowed to be discussed in connection with Christian’s faith.

As for an equality, peacefulness and freedom of the people are concerned, in this context, Christianity concentrated more on such concepts with stress and raised voice against subjugation and slavery.

“As peace and freedom are the ideal conditions of man, while war and enmity are his existential and sinful conditions, so freedom and autonomy are the biblical ideal, while subjugation, servitude, and slavery are all too often the existential rule”³⁷

³⁶ John Witte, Jr and M. Christian Green, (2012) *Religion and Human Rights an Introduction*, Oxford University Press, New York, pp,45

³⁷ *The Hebrew Bible: Herbert Chanan Brichto p,221-222*

This above mentioned discussion proves of where Christianity stands on. However, there are certain other scholars who have different opinions when it comes to Christian's conception of human rights. They opine that such interpretations that are aligned with human rights have been introduced during the fifteenth and sixteenth century Christian reforms but these reforms became irrelevant when they appear in seventh century. The British and Spanish theologians and their ideology turned obtuse in the changing circumstances in the present world. Economic, social, political, moral and cultural factors of life have gone hundreds of hundreds of stages of changes in the world today and but they seem to be still relevant as can be seen from above discussion.

“Christianity and Human rights” by John Witte, JR and Franks Alexander is an edited work for the purpose of highlighting the concepts of human rights in Christian's faith. The book is published by Cambridge university press. It contains the substance of human rights in comparison with Christian faith. The book also traces some historical roots of primitive Christianity with references from the bible and Christian history. It says:

“God was also regarded as identical with Reason or Mind, which pervades the cosmos and is also present in gods and human beings”³⁸ (John Witte, JR and Franks Alexander, p82)

The basic belief of God in monotheistic religions is not based on His physical existence. His attributes are exhibited in the micro and macro universe and He can be identified through His attributes when one ponders with deep concentration and contemplation as mentioned in the above quote The writer further explains the concept related to the difference of autonomy and freedom both from ancient Greek and modern western notions of freedom. The theory of weak cultural relativism befits this explanation because Donnelly's theory gives the same ideas as to give space to culture along with the dominance of tradition and religion. Theory of cultural relativism on the above statement brings the reader on the point that humans are also considered from their individualistic nature and have a freedom to think and contemplate and turn out with their individual perspective along with their duty for the benefit of collective group of people.

“Thus, there emerge two different models in this regard one is “individualism-collectivism” or “idocentrism- allocentrism”³⁹

³⁸ John Witte, JR and Franks Alexander, june2008, Christianity and human rights, Cambridge, United Kingdom, p82

³⁹ Ibid,pp82

The former deals with the concept of cultures and latter describes the notion of importance of individuals who are part of this culture. Individual cultures serve as to protect the rights of an individual and thus making them feel good while collective cultures stress on the values that serve the cause of collectivism and controls and subordinate individual cultures. Individual culture is given its due weightage as described by cultural relativist theory but collective sense of culture is also preserved in this model.

Cultural relativist theory's perspective does not validate the views compiled by Chriseen as she argues that in favor of a particular ideology and does not accommodate different perspective of theological aspects in this regards. Donnelly mentions:

“Virtually all states consider internationally recognized human rights to be a firmly established part of international law and politics. Virtually all cultures, regions, and leading worldviews participate in an overlapping consensus on these internationally recognized human rights.”⁴⁰

This is what he discusses is discussed in context of his theory of universality of internationally recognized rights which further narrow downs in the form of cultural relativism. In the light of this theory, when we look “Religion and Human Rights: An Introduction” it is found that the idea of a human right is little complex and confused in the minds of modern western scholarship because they consider rights only which are practiced and declared by UNO as is mentioned in the following quote.

“It's important to note, first of all, that human rights are not to be identified with the rights that human beings have.”⁴¹

There is a big scope of studying this subject especially in context of what major religions of the world say on this issue. She suggests that many countries provide basic necessities to their

⁴⁰ Donnelly, Jack, (2013), *Universal Human Rights in Theory and Practice*, Cornell University Press, USA, , pp94

⁴¹ John Witte, Jr and M. Christian Green, (2012) *Religion and Human Rights an Introduction*, Oxford University Press, New York, pp,45

citizens but these rights have not been identified in the light of religious injunctions. Meaning thereby, religious point of view on right to justice, equality, sustenance, freedom of expression etc are not accepted as rights when they are propagated from religious perspective although they equally ensure the rights and duties of every segment of human society. Donnelly's concept of universally accepted rights is much befitted in context of Christian's faith. Elaborating it further with an example she says that if she has a right to fair amount of money and livelihood in a state of extreme hunger and drought, is it that her circumstances would have up to the point where no other means of sustenance are available.

In such circumstances she would not deserve any right which implies that human rights are universal but relative. But she is of the opinion that certain rights are universal like torture for the sake of pleasing someone is the violation of universal human right. Jack Donnelly emphasizes and strongly refutes this notion while saying that overwhelming consensus of the universality of functional and legal rights is accepted by the modern world. These rights have got legal and constitutional status in many modern states and in the form of six important conventions of Human rights and they are binding on all states. Two Covenants and the conventions on racial discrimination, women's rights, torture, and the rights of the child are amongst them.

When we study The Holy Bible, it mentions the rights of everyone without discrimination of color, race, religion and other identities which gives strength to religious view that Christianity believes and contains sufficient materials on the subject and takes practical steps for their promotion.

The bible is giving protection to neighbor's rights. The verse is dealing so comprehensively with their rights that everything associated with them is granted protection. It may be their servant's male, females, their belongings, animals, and everything. The same is substantiated further by the disciples putting more emphasis about the love and respect of neighbors.

“The novelty of the Christian commandment of love consists in the fact that we are to love our neighbor as ourselves. This is more than putting him on the same level with ourselves,”⁴²

⁴² Florovsky, Georges (1972), *Bible, Church, Tradition: An Eastern Orthodox View*, USA by Nordland Publishing Company, Vol-I p,42

The moral theory of human rights desire that it is ethical duty of every one to love and serve human beings. It is deontological stance of this theory that everyone is required to do whatever is demanded human morality to work for the betterment and happiness of other human beings without being afraid of good or bad results. And even if this obligation is dependent on certain physical or transcendental rewards and punishments. Human beings are supposed to contribute to reduce human sufferings and physical and mental tortures.

The above mentioned statement also justifies moral theory of human rights since it puts forward the same concept that leads human beings towards helping, caring and sharing with each other like neighbors, servants, orphans etc.

4.4. Rights to Freedom of Expression and Speech:

Freedom of expression is a right that human rights theories advocate with full logical arguments. It is accepted as one of the fundamental human rights. Everyone can express his or her feelings, ideology and philosophy with others. Modern scientific advancement is the result of this rights that people speak what they think is good and what they think is bad. As a result, discussions, debates, conversations and dialogue take a start to critically analyze any such notion.

Liberal theory emphasizes much on individual's freedom without any moral, social or religious restrictions. This is the fact that this freedom is not absolute in its nature but conditional and qualified with the right to respect of others. In context of religion, the matter become more sensitive because it does not remain and count on individual level but effects billions of people affiliated with a particular religion. Donnelly goes up to an extent in his description of universality of rights that not to talk of holy personals and scriptures of any religion but it is against morality and legal system and not accepted when done with any great and historical personality, he quotes about the change that took place during the passage of time that was not considered as freedom centuries before.

“Two hundred years ago, however, Tom Paine was prosecuted for sedition because of his pamphleteering and President Adams used the notorious restrictions of the Alien and Sedition Acts against his political adversaries, including Thomas Jefferson.”⁴³

Unlike liberal and secular theory, cultural and universal theories cater this reality. These two theories are not in favor of absolute concept of freedom which is defined by the theological teachings either. Christianity believes that respect of all other faiths and cultures is to be maintained in either case and it must not be compromised on the basis of the concept of freedom of expression because it is to push the humanity in the state of social disorder finally to disintegrate human society. Peaceful model of cultural, social, religious and economic integration is the guaranty of the protection of fundamental human rights.

To talk about peace and providing peace to other is also a basic right. Thus, right of peaceful life and right of freedom are reciprocally linked with each other in such a way that none can be separated from each other. Both are universally and culturally relative. Donnelly’s conception of cultural relativism is also well established in the following lines where concept of absoluteness in freedom is denied and sense of accepting other cultures are also pervaded there. This conditional permission is also discussed and granted by Christian theology as stated below:

Elizabeth in her compilation titled “Does Human Rights Need God” argues that all human rights exist in most of the Christian and Jewish sources. Much of the human rights have been supported by these two important religions and are able to protect historical heritage related to human rights. She affirms that roots of the human rights can definitely be traced in biblical realm. She Quotes,

“Still intellectual honesty demands recognition of the fact that what passes as “secular,” “Western” principles of basic human rights developed nowhere else but out of key stands of the biblically rooted religions.”⁴⁴

⁴³ Donnelly, Jack, Donnelly, Jack, Universal Human Rights in Theory and Practice, Cornell University Press, USA, 2013, pp98

⁴⁴ Elizabeth M. Bucar and Barbra Barnett, Does human Rights Need God? William B. Eardmans Publishing company, Grand Rapids, Michigan/Cambridge.UK, PP33

This shows the fact that intellectuals who are considered to be most modern and progressive and secular theories have their roots in religious traditions creating awareness about the concept of human rights. He says that many other intellectuals and scholars have not only endorsed this fact in their input but also found similar references in their own traditions and scriptures that support and lead the idea of human rights. In this connection, study of The Bible proves these opinions as valid because many instances can be found as some are mentioned above and one related to the rights of subordinates and servants, orphans, oppressed one and other is as under.

4.5. Rights of servants:

To maintain equality in all mankind, it is necessary to be just and impartial in terms of everyone's rights. The most suppressed class in human society is that of servants and subordinates. They depend upon the masters and they fall when their masters are annoyed with them. They are voiceless class with no access to justice. This is the reason that collective human conscious and also religions have taken a great care to the rights of slaves and servants. The study of the Bible also reveals that servants have been considered with good care. The followers are commanded to be soft and kind with their servants. The caption of "The Treatment of Servants" goes a long deal of verses with separate focus on servant's rights. It says:

"Servants should be given authority to exercise their choice of freedom in connection with their parents, sons, daughters and other matter of their life. They should be set free after they reach seven years of their age."⁴⁵

There are countries that are clement of being the champions of everyone's right including servants and subordinates. The rights of servants mentioned here justify all human right's theories I.e. political, moral, universal and cultural relativist theories. No theory of human right denies what is described about the rights of servants from Christian's perspective. Taking care of servants, orphans, widows and other poor strata of human society is an essential part of every culture and religion. The same rights of orphan are mentioned below that is being strengthened by cultural relativist theory.

⁴⁵ Exodus 21 v 1-11

4.6. Rights of Widows and Orphans:

Biblical teachings about the rights of such depressed classes are very clear in connection widows and orphans. They have a right to be treated with humility and kindness. Their needs to be taken into consideration to the fullest. Their feeling not to be hurt. They should be handled with mercy and compassion. The Bible says:

“Ye shall not afflict any widow, or fatherless child. If thou afflict them in any wise, and they cry at all unto me, I will surely hear their cry;”⁴⁶

The reference expressly mentions that those who will not perform their duties in connection with widows and orphans will be held accountable and would be liable of Divine punishment. Thus the Bible protects the rights of this downtrodden class of human society in an excellent manner which is also the demand of moral theory. Many Christian world organizations have been working for the protection of this right considering it as part of their faith. These suppressed people have never been ignored by any religion particularly by with clear injunctions of monotheistic religions. The same divine order is sent for the mankind through His Messengers to follow which will lead towards His proximity and nearness. The service of humanities leads towards the pleasure of the Creator. This is what religion explains its purpose of serving humanities.

The focus on the relativity of the rights in above quoted are correct and accurate because the universality that was defended by Jack Donnelly can be found with high level of timeless and town less concept and its application of such rights. Green Christeen agrees with this concept of human rights deliberated by religion because it is the imitation of God who does everything with generosity.

“Our love of the neighbor is to imitate God’s forgiveness of the sinner. Justice does not require that God forgive the sinner; God’s forgiveness has nothing to do with the requirements of justice.”⁴⁷

The quotation approves the theory of cultural relativism as it considers the facts presented in biblical sources.

⁴⁶ Exodus 23 v 22-23

⁴⁷ John Witte, Jr and M. Christian Gree, (2012) *Religion and Human Rights an Introduction*, Oxford University Press, New York, pp, 46

4.7. Civil, Political, Economic, Social and Cultural Rights:

The Christians perspective of social, political, economic and cultural rights is also emphasized especially in a time when many theories emerged and proliferated in many sectors of human society. These theories highlighted the concepts of social, political, cultural and economic rights of the people. And if we talk of religion in context of political theory, there is a difference of opinions about the role of religions pertaining to such rights. Some are of the view that religions should be cut off while defining such rights. Others describe that religions should have limited role in connection with secular affairs of our life. Church declared that people have freedom of their religion, culture and have the right of peaceful assembly. They have a right of preserving their cultures and traditions. The rights mentioned in Vatican declaration seem to be the imitation of universal declaration of human rights or vice versa. It comprehensively describes the social, cultural, economic and other rights with detailed description.

“All men have the right of free assembly and association, as also the right to structure organizations according to the will of their members in order to achieve their desired objectives”⁴⁸

In modern democracies where secular and liberal theories are followed, such freedom is ensured for everyone to establish any political, social and welfare organizations. The same rights are preserved for all people from Christian’s perspective as declared by Vatican City. The theory is comfortably compatible with religious stance of political, civic and economic rights. Similarly, the rights mentioned about individuals like parents, children and women have rights to education, nourishment and choice of partner is also harmonized with political, moral and universal theories. Women are not to be restricted within the four walls but they have freedom to participate in day to day activities. They can take part in educational, social, cultural and economic contribution. Their role in state affairs can also be recognized if needed.

“Women are entitled to the respect due to the dignity of the human person and must therefore be granted equality with men to participate in the educational, cultural, economic, social and political life of the state;”⁴⁹

⁴⁸ *The Church and Human Rights*, Working Paper No. 1, 2nd Edition, Vatican City 2011 p, 29

⁴⁹ *Ibid* p 30

The church states that everybody has a right of respectful earning and should be given an opportunity to have his or her private property in order to sustain sufficiently about the needs. The opportunities about self-development should be considered as right to everyone. The chapter sufficiently covers all important and fundamental rights from individual sphere of life up to social and collective sphere of our life.

The church deals in giving preference to the rights of the poor, depressed and marginalized of the human society. But it is scared that such freedom may not lead the absolute liberal interpretation of religion. Some of the intellectuals are of the view that liberal concept of religion is found in the teachings of The Bible where such liberal stories are mentioned about prophets and holy personalities.

The subject of human rights kept improving in regular meetings of Vatican council which shows its deep interest for a society that has a value of rights. The Second Vatican Council admitted the fact that human beings are equal in terms of their nature. The nature of everyone desires respect, dignity, equality, justice, brotherhood and freedom of expression since all are the creature of God and God does want all these values to be practiced by His creature. He does not want disparity on the basis of color, creed, region, culture or ethnicity etc. So should human being reflect this divine behavior.

“This equal dignity of persons and groups demands that a more humane and just condition of life be realized, eliminating —excessive economic and social differences between the members of the one human family or population groups⁸⁵ as contrary to the Christian law of brotherhood and love.”⁵⁰

⁵⁰ *ibid.*, p36

This excessive emphasis on one aspect of right loses the balance that and convert into social, economic and religious discrimination. Therefore, it is directed that such inequality should be absolutely eliminated from human society while applying all religious, social, moral and political and other theories when and where needed.

4.8. Gay Sex and Christianity:

There are certain human and public morals and values which are to be kept sacred and pure. These rights have not to be violated since it affects the rights of all public and human society. The structure and social fabric of the society might not be maintained if the concept of absolute freedom is proliferated that can destroy the whole society. It is like the violation of traffic laws that can never be accepted by any modern, well-organized and disciplined society. This freedom will definitely destroy the social structure of whole society and would be a collective damage. From moral and ethical perspective, religions have never considered same sex or homosexuality which is the worst of moral deterioration. Christianity does not approve such types of right in modern society although this is getting rapid in developed world and Associations are formed in order to get them legalized. Gathering and assembly are being conducted by these groups in various countries. Christianity holds conferences on how to restrict such issues and bring the affected people to the normal life style as mentioned below. One such conference was organized titled "Love Won Out" with the aims to help the families getting rid of this plague which is becoming rampant in the society. This is what they claim as if it is the violation of not only of Christian rights but all civilized societies of the world and warn the government to prevent their children in schools from this disease before they morally become bankrupt.

"Love Won Out was founded, its brochure says, to help families, men and women, and especially those plagued by what the movement calls "same-sex attraction,"⁵¹

The book mentions the designs and ambitions of the organizers to pull the people back from this polluted and morally corrupt conditions. Christianity in such cases presents herself as the

⁵¹ . Hiosis, Chris, (2006), *American Fascists the Christian Right and War on America*, USA, Free Press, A Division of Simon & huster, P.92

representative of God and the representative of Jesus who was supposed to eradicate such moral evils from the society. They have to provide every kind of social, spiritual, medical information on the subject to create awareness among the masses.

In the changing atmosphere many ideologies have challenged the church authority may it be religious or political. The emergence of new circumstances compelled the Christian's authorities to change their way of presenting their theological interpretation in order to remain in the hearts of the people as well as with the required demands of the modern society. The new social and political awakening realized the situation especially in context when world is being dragged by so many other philosophies. Vatican paid special attention to these issues as cited above that they have interpreted their teachings in context of modern day world specially the concept of human rights.

Pope's participation in the meetings of UN human rights organization also gives this message because top seat of Christianity also represents the policy of the faith. The question of support from Christian world in many wars specially crusades is replied as the decision of the rulers not the injunctions of Christianity. They have changed early stance and now have open door to have interaction with the world. There is also a perception that Christian's missionary attempt forced conversion which is the violation of human rights. But after occurring power shift Christians have also changed their attitude are now engaged with human rights organization. They also collaborate with other religions and cultures and willingly or unwillingly they are tied in the conditions that they cannot get away from the conditions. Bucar and Barbra in the chapter of "Christians and Human Rights" which is contributed by Nicholas P. Wolterstorff remarks that relationship of Christianity and Human rights are little complex. Christians in twentieth century are not fit with the modern concept of human rights because they express their hostility with a new domain of discussion of human rights that is natural human rights. This hostility is mainly problematic with Protestants and not with the catholic because "The entire argument in this connection is that Christianity also believes in the concept of natural rights but nature always guide the people towards modesty and towards immorality and obscenity although Vatican declaration is based on natural rights as mentioned below:

“Declaration on Religious Liberty” of the Second Vatican Council in 1965 is based on the natural human rights to religious liberty”.⁵²

So the claim that the concept of natural human rights was coined by secular theorist is questionable since the council disseminated this idea in 1965 before Locke and Hobbes etc. The idea was first created during the early middle ages by the Christian authorities and was propagated by every segment of the society including Lawyers, Political theorists of human rights, human rights activists and theologians equally, therefore, the stance stands rejected I view of these facts. Human rights talks have been of central discourse during fifteenth century and so forth. As for the protestant point of view about human rights is concerned, “Agape” which is Greek word and means “Love in the New Testament” has widespread acceptance with in the protestant community interprets that love of the neighbors is not because of justice, equality but with purer concept of the token of generosity and benevolence. The reference highlights the obligation of neighbor’s rights in their Scripture. The contributor of this chapter quotes the reference from The Bible which further substantiates the status of human rights in Christian belief. It is when Jesus was invited in a religious institute for describing the obligation of a Christian towards his fellow human being is as under:

“The Spirit of the Lord is upon me, because he has anointed me to bring good news to the poor. He has sent me to proclaim release to the captives And recovery of sight to the blind, to let the oppressed go free, to proclaim the year of the Lord’s favor (Luke 4:18-19)”⁵³

The quote from The Bible repeats the fact that helping the poor and the needy, standing with the downtrodden and oppressed one striving to liberate humanity from human dominion is

⁵² John Witte, Jr and M. Christian Green, (2012) *Religion and Human Rights an Introduction*, Oxford University Press, New York, pp, 42

⁵³ Ibid pp47

part of Christian perspective of human rights. The Church basically had to face a lot of challenges both from internal and external fronts. Internally, church authorities were unable to strengthen the administrative and organizational setup which was the demand of time because lots of intra-faith issues and corruption took place. This loose and less effective structure led the church towards social isolation. Discussions, debates, and mutual consultation on various social, religious, cultural, and economic changes were left. Pope's powers were shrunked to Roman Catholic system only that made the religion ineffective.

Externally, lots of intellectual discussions with new emerging theories were dominating the minds of new generations because the vacuum was filled by the church. Tug of war between traditional and modern intellectual thoughts left the people in the state where they were pushed by technology and pulled by theology.

Concluding Analysis:

The theologians and writers of the leading Christian faith claim that human rights concepts have their base and birth in Christian tradition. References and quotations from The Holy Bible and other books quoted in above discussion show this fact that Christianity as a religion is vocal on such human rights issues like the rights of poor, slaves, needy, widows, orphans, neighbors and other segment of human society, and at the same time they focus on political, liberal, moral, cultural and universal theories of human rights. What happened that these teachings do not motivate their followers to raise their voice against the violation human rights committed in various parts of the world. The vacuum still remains when it comes to the situation when certain individuals are oppressed, targeted and persecuted on the basis of social, cultural and religious differences. In 1963, Pope John XXIII appreciated the act performed by UNO for the advancement of human rights that ensure liberty, freedom and equality of individual life. As a Christian supreme authority, he supported this action without any concerns and condition His support indeed is appreciable but he could not mention about the repercussion of human rights violation. A strong voice is needed by Christian authority to stand against the violators of human rights may they be some individuals or states committing the act of violence, militancy, terrorism and aggression against human beings. The quotation and arguments mentioned in connection with justification of human rights from the perspective of Christianity established the fact that Christianity is a religion that definitely justifies human rights in the light of modern human rights theories. This is the way where human rights

conditions can be improved in the world. The very term human rights mean to deliver the rights of the people without discrimination and injustice and all theories will remain theories if practical demonstration is not appeared.

4.9. Summary:

To conclude the chapter in the light of above discussion, it is established that Christianity is the biggest monotheistic religion with billions of following across the globe. Fundamental teachings of Christianity emphasize the respect, dignity and veneration of all human beings. Its teachings about forgiveness, tolerance, mutual understanding with other cultures, religions and systems are remarkable. Jesus is the fountain of mercy, love, forgiveness and tolerance.

The above discussion reveals the fact that all modern theories of human rights I,e moral, political, liberal, universal and cultural theories are more or less compatible with Christianity. The concepts mentioned in those theories are compared in the light of biblical teachings and interpretation. Moral theory that is based on the concept of fulfilling duty for the sake of duty or for any reward is found as if it is a Christian belief. Universal and cultural theories mainly attend the idea of accepting every culture, system while living within the boundaries defined by UDHR. Political and liberal theories are based on the concept of individual freedom and autonomy. Secularism and liberalism go up to other extreme that violate basic human and public morality. Christianity as a religion befits with every theory but it does not support the idea of absolute freedom where certain universal human norms are under attack.

Christianity expressly elaborate the rights of an individual like the right of parents, neighbors, widows, orphans etc. and it also takes in to account collective rights like civic, cultural, economic, political freedom etc.

All national and international human rights, as mentioned by international communities and legislative bodies are generally perceived to be the product of modern western thoughts based on secular and liberal ideology, but the fact is that these rights have been protected in a much better way before the modern western theories appeared. Christianity as the biggest religion in the world has tremendously contributed and this contribution can be tested if one applies any modern human right's theory. The above examination of human rights issues from religious perspective especially from Christian's writings proved this assumption failed as religion is the hurdle in the way of human rights. Religion has maintained the balance between this world and the real world that is to come. The chapter analyzed Christian traditions and other texts to examine certain human rights issues and their position in it. Christianity definitely puts a theory of human rights parallel to modern theories of human rights. Religion goes up to an extent that it not only

mentions human rights but also human duties that can contribute for the development and promotion of human rights in various parts of the world.

5. The Understanding of Human Rights in Judaism:

Judaism is one of the important monotheistic religions. It has a long history and is traced back in Abrahamic religion as far as its roots are concerned. Big chain of prophets was raised in Jewish religion namely Jacob, Josef, Solomon and Moses (peace be upon them all). Encyclopedia Britannica defines Judaism as:

“Judaism, monotheistic religion developed among the ancient Hebrews. Judaism is characterized by a belief in one transcendent God who revealed himself to Abraham, Moses, and the Hebrew prophets and by a religious life in accordance with Scriptures and rabbinic traditions.”⁵⁴

5.1. Fundamental Beliefs:

Being monotheistic religion, Judaism also comprised on certain fundamental beliefs and practices. These beliefs and practices have pivotal role in drafting their cultural, social, moral and universal values. The Concept of God in their faith is described and they enchant His name every day and thus made it part of their prayer service.

“Judaism has two clear and concise statements about the existence of God: “In the beginning, God...” (Genesis 1:1) and “Hear O Israel, the Lord is our God, the Lord is One” (Deuteronomy 6:4).”⁵⁵

YHWH is the Hebrew root which means “to be” Jews give name to their God implying the meaning that is everlasting. He was, is and will be there till last. The Bible is also believed to be the book of the Jews namely first five books where God is known and acknowledged as Creator, Redeemer, Law-Giver, and Ruler.

The Chosen People:

The Jews also believe that they are chosen people of God on earth and they are supposed to be the mentor and guide. This sacred duty actually brings them to be the superior in the world.

⁵⁴ www.britannica.com

⁵⁵ Rabbi Wayne Dosick., *Jun 2007 Living Judaism* ,New York USA, HarperCollins Publishers, pp, 7

“The concept of chosen people means not that Jews were chosen for special privilege, but for sacred responsibility: to be or la’goyim, a “light unto the nations” (after Isaiah 42:6, 49:6), a faith community reflecting God’s light of love and Law”⁵⁶

KEDUSHAH is holiness.

“To be a Jew is to strive to be holy”⁵⁷

It is a type of concept which is considered to be sacred by all Jewish community. It is associated with many things if they are affiliated with some holy things like, the holy ark where Bible is placed, holy marriage where woman is made for some specific person now she is like none others. The association makes something holy as the day of Sabbath is none like six other days.

5.2. Holy Books:

The Judaic \Hebrew Bible:

In their religious creed, the Bible is the most important of all Jewish books. All beliefs, practices and laws are derived from the Bible especially from pentatuke the first five books of Old Testament. One of the scholars says:

“The oldest and most highly esteemed of all Jewish books and in a sense the foundation document upon which the whole of Judaism is built and to which it constantly refers.”⁵⁸

The prayer Book:

This is second most important book after The Bible. The book consists of number of prayers that were codified in nineteenth century but certain additions were introduced by modern Jewish scholarship. What was contained early book is mentioned below:

“Whereas the earliest manuscript prayer books tended to encompass prayers for every occasion”⁵⁹

⁵⁶ Ibid.pp19

⁵⁷ Ibid, pp19

⁵⁸ Nicholas De Lange, (2002), *An Introduction to Judaism*, New York, Cambridge University Press, pp, 46

⁵⁹ Ibid. pp,55

The Talmud:

This is another important book of Jewish faith which is divided into two types, i.e. Babylonian and Jerusalem Talmud. This is a very bulky book which generally is not found with every Jew's house because of the number of volumes.

“The Talmud consists of two intertwined text: the Mishnah, a relatively short work composed in Hebrew in Israel in the early phase of rabbinic Judaism (the period of the teachers known as Tannaim), and the Gemara, a much longer work, mainly in Aramaic, presenting the discussions of the later rabbis or Amoraim.”⁶⁰

The book is bilingual in Hebrew and Aramaic languages and not commonly understood by every Jew but special Rabbis and scholars study and understand and teach it to others.

5.3. Judaism and Human Rights:

Jewish faith like Christianity has its foundation in divine guidance. The books mentioned above are comprehensive in nature as they deal with a variety of subjects from worships, beliefs to daily life practices. Basing on this guideline Jews have also devised a system where individual and collective human rights have due weightage. A big number of books concerning human rights from Jewish perspective have been produced. Although their modern human rights theories that talk of different perspectives of man mind but Jews have presented a particular theory and this Jewish theory of human rights is also important to understand their perspective of human rights. Jews believe that the concept of considering everyone as God's creature is religiously oriented idea that is positively highlighted by modern theorists. Michael J. Broyde is of the view that Judaism replaced the concept of demanding right with a concept of fulfillment of duty like education is not a right but a duty, it is not the right of a poor to get food but it is our duty to feed etc.

“ Jewish tradition as each of the chapters in this book has observed, is a duty-based legal system; rights are not the fundamental coin in the realm of Jewish law”⁶¹

⁶⁰ Ibid, pp56

⁶¹ Michael J. Broyde, *Epilogue Human Rights and Human Duties in the Jewish Traditions*, Emory University, pp 273

He says that this is something that is to be stressed by all individuals of Jewish community. Legal system in Jewish religion has very high core values and everyone is commanded to follow them in their daily life. Human duties have also been placed in legal system and every Jew is by law bound to practice them. General instructions about such norms have not been emphasized much. Individuals have been made responsible to answer of what they accept as their duty.

The book further substantiates with examples in the field of education referring Prof. Robert Cover who opines that there are two approaches in this connection. One is Rights –Based approach and other is Duty –based approach. He disagrees with the former as it is based on when and where needed like many movements of civil rights start when there is such requirement. Whereas duty is to be felt every time and everywhere without any demand. This fulfillment of duty rather than emphasis on demands of rights is Jewish concept of right and duty.

He criticizes this notion of merely following the concept of duty not the right because it creates the risks of loss of basic spirit of divinity which is that humans are created on the image of God who not only takes care of rights but He also set certain injunctions to be followed in daily life. The Jewish law is different from that of secular law because it ordains to imitate God and any other theory. Jewish religion holds many other doctrines that are functional for the moral development of an individual. He states that Jewish religion has a clear structure of what is required for the survival of global society and contribute for it.

In the light of moral theory of human rights, the idea seems to be effective and workable because a moral society required such a system where everyone is supposed to recognize his or her moral duty as describes by Kant that duty for the sake of duty without expecting a reward or punishment from that action. The point is to be noted that either this concept is found in their religious teachings or not. What does Talmud say about human rights issues is important if we analyze the above point in that context.

In recent past, some scholars have coined revolutionary theories of human rights in order to create awareness of cross-cultural rights and responsibilities to save all identities. Donnelly's theory of cultural relativism if applied on this notion seems to differ. The theory focuses on the establishment of cross-cultural societies with multiple traditions, cultures and beliefs as key to this theory. In the above mentioned book there seems to growing senses that non-Jewish beliefs,

traditions and cultures have to be dealt with or not? Because main focus of this discussion remains in the domain of Jewish duties which creates ambiguity of what would happen if the same sense of duty irritates a Jewish to kill the non-Jewish and non- western.

Technological advancement and modernization in the current human society where highly influential international human rights institutions are established, human beings are still suffering through a number of human rights dilemmas. Human life has become more precious and every theory is revolving around the concept of globalization where

Human should recognize and cooperate with each other and accept each other's culture and tradition and the above mentioned theory does support and befits perfectly because it is religiously motivated for all such aspects of human rights.

A compiled work by Witte, John, Green, M. Christian.; "Religion and Human Rights: An Introduction" has an article by David Novak who contributed about the Jewish Theory of Human Rights where he explains the rights-talks concept of Jewish faith. He raises discussion on the concept that either right comes first or duty appears to be the first. He writes:

"Hence a right engenders a duty instead of a duty engendering a right. In this way, the priority of a right over a duty serves the rationality of the Law."⁶²

The statement unearths the reality of this notion that it is not accepted by large number of community as such.

The case becomes very clear in context of above quotation that priority is to be given to the rights not to the duty because it is based on rationality and common sense too. A right provides justification for the duty to be performed. He also criticizes this idea referring some Jewish scholars that rights- talk concept has externally been introduced in the Jewish religion. Meaning thereby, Jewish tradition is committed to focus and concentrate on the fulfillment of duty alone.

⁶² John Witte, Jr and M. Christian Green, (2012) *Religion and Human Rights an Introduction*, Oxford University Press, New York, pp,30

Judaism presents the relationship of Human, God relation from three dimensions which is God and human relation, second is Human relations with each other and last is relationship of an individual with a society and community. In either of these relations, Jews incorporated both religious and secular and natural concept of rights and duties. They have inclination for a secular wisdom to be benefited from. God's relation exists in all three dimensions because all these concepts have actually been derived from The Divine. God is direct and indirect source of inspiration for all but this may not be performed in a secular society because they have been commanded by God and none else. (Witte, John, Green, M. Christian (2012).

About interrelations of human society, the religion states that neighbors should be loved and taken care of which also raises questions both from religious and cultural relativist perspective.

“you shall love your neighbor as yourself” (Leviticus 19:18).”⁶³

The question is that neighbors are to be loved but why? Jewish theory responds that because he or she is created on God's image and to love His creation is the duty of a Jew. The cultural theory of human rights analyzes it that if these rights are to be given by God only then why is there no way of choosing such duties by man himself as natural concept of rights and duties.

Human Rights in Judaism is a work co-edited by Michael J. Broyde and John Witte. JR Broyde, the book consists of five long essays. First three chapters' deal with an examination of Jewish law and the remaining two chapters focus from historical perspective of human rights in Judaism. The book says that religion explains legal norms and injunctions for its followers. Religion without legal system is a shallow. All monotheistic religions have this legal system like Halakha in Judaism Canon law in Christianity and Sharia in Islam. He says about the indispensable relation of law and religion as:

“Law and religion, therefore, are two great interlocking systems of values and belief”⁶⁴

He is of the view that both have their own system of authority, traditions values, norms and taboos and sense of celebrating events. They are in line with each in aspects of life like rituals, methods, concepts and habits etc. But this mentioning of law as correlated with religion is

⁶³ Ibid, pp.34

⁶⁴ Michael J. Broyde and John Witte. JR Broyde, *Human Rights in Judaism Jerusalem*, Jason Aronson Inc., xvii

describing what the basic human rights are in Jewish tradition; rather, it is merely a conceptual discussion without clear sense of rights and duty.

What is said above in connection with the concept of duty in Judaism is also mentioned in one of the articles published Purdue University Press cites the same. The author says:

“In his 1976 article entitled "Judaism and Human Rights," Louis Henkin asserted that "Judaism knows no rights but duties, and at bottom, all duties are to God”⁶⁵

The author critically points out that Judaism has no idea of rights in sense of political rights from governmental perspective. For his stance, he quotes a biblical reference I Samuel 8:6-7 which proves his point of view. The reference says that Hebrew Bible does not consider individual human rights because it will cause a resentment of the king who may abuse his subjects interpreting his status as divine support and order.

He says that according to Cohn, Jewish law when he talks of Jewish law he means certain duties not rights, exist separately along with rabbinic interpretation of the theory of education. He says that the basics of this interpretation can be found in Hebrew texts.

The writer basically criticizes certain theories of human rights specially when they are related and compared with biblical and Judaic texts. The duties are not always thought as rights in Bible but are applicable on the people only who are responsible to share the same divine commands in the society.

This concept of emphasizing on the performance of duty is demonstrated in moral theory of human rights that says that it is morally incumbent upon everyone to perform his duty even his own rights are not being taken into consideration.

One other aspect where Judaism is seen as the contributor of human rights in western philosophy is also important because it provides another perspective of human rights. Asher Maoz writes in an article and raises the question that Can Judaism Serve as a Source of Human Rights?

⁶⁵ Richard A. Freund, (1994) *Universal Human Rights in Biblical and Classical Judaism*, Purdue University Press pp,51

To answer this question, he analyses many arguments in favor of his point of view. He establishes his point of view that Judaism has a system of law where humans are expected to serve God. The primary duty of a Jew is concentrate on his duty and not on his rights. Apparently, it seems contradictory with the modern concept of human rights but it serves to contribute for human rights in its spirit, hence it is the most suitable system of human rights in today's world.

62. Richard A. Freund (1994) *Universal Human Rights in Biblical and Classical Judaism*, Purdue University Press pp,51

He suggests that the professional terminology of human rights may not be found in biblical sources, however, if human rights are translated into action, then many instances can be found related to basic human rights as he quotes below:

“No “right to life”, as such, exists in Jewish law, yet the Torah commands us:

“Neither shalt thou stand against the blood of thy neighbor”⁶⁶.

This is a basic human right i.e. the right to protection of life in all political, liberal, universal and cultural theories which is commanded in Judaism for its followers as their duty to perform. The same is supported by Jewish Rabbi that they follow. One such quote is as under:

“Undoubtedly, human life is the supreme value in Jewish Torah – the Halakha – and in the morals of the prophets. The subject is not the life of the Israelite, but the life of all human beings that have been created in the image of God.”⁶⁷

There are many other individual rights covered in this article that are also advocated by modern theorists today like right to education, right of freedom of expression and rights of neighbors etc.

The article also points out that large number of modern western laws especially laws related to human rights have been taken from The Bible and other Judaic sources like the origin of historical bill of rights by the United States of America, United declaration of human rights and many other documents of international human rights institutes.

⁶⁶ Asher Maoz//, (2005) *Can Judaism Serve as a Source of Human Rights*, The Berkeley Electronic Pres pp, 682

⁶⁷ Ibid, pp,685

“Western notions of human rights and democratic values have derived much of their substance from the Old Testament as well as from classic Judaic sources”⁶⁸

The basic concepts of liberties of human being as they are mentioned in the bill of rights or United declaration of human rights have traced their origin in religious scriptures of Jewish faith even some of the scholars went to such an extent they say whole American civilization is based on Judaism. (. Asher Maoz 2005)

Much of the reference have been quoted not only in USA but in other parts of the world where there are roots of Jewish laws like one formal king of England officially implemented Moses laws in his country. These laws are meant primarily for the Jewish community alone except those of moral laws that can be extended to non-Jewish nations too. One contradiction that can be seen in Jewish teachings which even contradict with cultural relativism theory of human rights is the question of implementation of the punishment of the issue of blasphemy in connection with James N a y l e r who had to face his trial before the parliament where he was found guilty of blasphemy. It states:

“Those who were in favor of imposing the death penalty relied on “the law of God ”, as reflected in the Biblical story of “the son of an Israelites woman, whose father was an Egyptian”, who blasphemed the name of the Lord and cursed”⁶⁹

Cultural theory of human rights does not accommodate such idea of human rights where one is punished on the basis of expressing his freedom. The other point in this debate is that if only moral injunctions have to be supplied to non-Jewish community then what is the status of a non-Jew who blasphemes any holy personals. The Jewish laws would take up this violation of right and extend Judaic commands to that also.

Cultural relativism theory if applied here, says that the notion presented by Jewish faith related to punishment in the above discussion is to be aligned with that of international human rights organizations. Modern human rights theories are of the view that the standard of any belief,

⁶⁸ *ibid*, pp. 687

⁶⁹ *ibid*, pp. 689

idea and right is to be checked with reference to international norms of human rights. The conception of right in cultural relativism is not fixed with universality but is also to be taken culturally as required by local culture, traditions etc.

The Jewish conception of blasphemy is to be regarded by cultural relativist's since it represents a culture too. The Jewish presentation of duty based concept best befits almost all human rights theories including cross –cultural elements because there lies an extreme sense of duty in Judaic and Rabbinic teachings.

5.5 Democratic Rights and Judaism:

In modern world, states and countries have accepted the system of democracy for governing their states. The salient features of this system include freedom of speech, freedom of press, equality that surely leads towards the respect of multiculturalism and pluralism. The system also encourages for the application of reasons rather believing on superstitions. Social, cultural, moral and economic progresses are also the outcomes of democracy. Judaism has this nature to be called democratic. Milton R. Konvits mentions this spirit of Judaism in the words:

“As in the case of democracy, it is the deeper motivation, the profounder insights, rather than the superficial aspects, that have kept alive Judaism as a way of life and a philosophy of life”⁷⁰

The writer is of the opinion that although scenes are changed but the plot and characters remain the same. The concept of freedom of speech and equality was there centuries before and today. It is mentioned in the declaration of independence by Jefferson that all men are equal irrespective of their color, wisdom, wealth, religion and culture and this is propagated by Judaism.

Liberal and secular theories of human rights have a core stance on democracy and ensure the rights of individuals and society, rights of speech, freedom of religion and equality. Judaism justifies all the core values of these theories as illustrated above by Milton.

5.4. Right of Privacy:

One of the important human rights in all modern theories is the right of privacy. Universal Charter also cares of this privacy and does not allow anyone to interfere with the private matters

⁷⁰ Milton R. Konvits, John, *Judaism and Human Rights*, USA, Transaction Publishers/ Rutgers University p, 119

of others. As for as monotheistic religions are concerned, they also emphasize on the right of privacy. Judaism terms it as moral and legal duty of all to hold this right in their lives.

“The earliest legislation on privacy goes back to the Bible. In the Halakha’s which underwent its most creative development between 2000 and 1500 years ago, the right of privacy was legally secured in a manner more advanced than that which prevailed until very recently in contemporary constitutional law”⁷¹

The Jewish law has protected this right of privacy in a time when there was no such concept of human right in constitutional form. Modern liberal and cultural theories also solicit the same concept of protection of privacy. Moral theory of human rights also suggests the need of protecting privacy as Judaism does.

5.5. Judaism and the Rights of Poor and Needy:

Poor and downtrodden people are very important segment of human society. All cultures, religions, societies and organizations practically participate for removing the economic deadlock of the poor and needy in a society. Religions have been very particular in this regard and issued number of injunctions to work for the betterment of suffering humanity. It categorically says:

“Since wealth comes from God, it must be used to fulfill God’s purpose. “Give onto Him what is His, you and yours are His”⁷²

Judaism believes that all resources and wealth comes from the Creator and man is supposed to spend it where God has directed to spend. All whatever is in your hands today was in the custody of your previous generations and it will be handed over to those who will become your custodians.

Political theory of human rights is primarily based on the same notion and strives to bring human beings from the economic sufferings of their life. Marxism is entirely focused on the equal distribution of economic resources among different strata of community. The same right is being stressed by Judaism with a lot of many other references.

⁷¹ Ibid, pp.233

⁷² Ibid, pp235

5.6. Judaism and women Rights:

Women in all societies have been central in every aspect of life. All theories support the feminist stance that women have a right to use their potential to contribute for the socio-economic development of the country. There are cultures, societies where women have been facing physical and mental tortures by the male chauvinistic societies. They were tied within the walls of houses. They had no right to get education, employment, choice of life partners and so on.

Religions have taken the rights of women actively and made laws for their protection and opened doors of opportunities in every walk of life. Halacha (Jewish law) described her role in terms of her duties and obligation. Woman in the form of a spouse, mother, and children has certain rights and duties. She is obliged to be respected by her society. The Jewish law and its concept of human rights is based on the notion that all human beings are created on the image of God so everyone deserves to be respected with due prestige. Women are also regarded to be dealt with the same zeal and zest.

Jewish laws expresses men's and women's rights as:

“ In matters of civil or criminal law, men and women are essentially equal, whether they be victims or criminal, thus, Halacha forbids harming a man or a woman, and both are held liable for assault”⁷³

It states that equality in every aspect of life is ensured by Judaism whether men or women.

A crime occurring against the women will hold the doer accountable before the law and in the same manner crime being committed by a woman will also take her before law.

All modern theories present the same concept of freedom related women in every society. Liberal theory, however, goes up to an extreme where women are pushed in the realm of absolute freedom with no concerns of her limitations which is not permitted by Judaism.

⁷³ . Michael J. Broyde, John Witte, Jr,(1998), *Human Rights in Judaism*, New Jersey, Jason Aronson Inc., p 86

5.7. Summary:

The argument that Judaism is a religion of universal human rights with its thesis of defining duties as rights is the central theme of human rights. Jewish teachings from original Judaic Bible and other rabbinic traditions are found to be in this support. Many scholars, Rabbis and philosophers of Judaism believe that the concept of right is not new to Jewish faith which is introduced externally as it is perceived by some of the scholars that Judaism has a strong concept of duty and right with more emphasis on duty rather on demanding rights.

Much emphasis is laid down of associating Judaism as foundation of all modern western thoughts of human rights and it is established through some historical facts and figures. These historical references also strengthen the notion of human rights in Jewish faith traceable centuries before.

The concept of obligation and duty in Jewish faith is admirable since it pushes the followers proactively to fulfill their duty towards others.

The concept of human rights when compared and analyzed with cultural and universal relativist theories is fully supportive and aligned with modern human rights theories, some of the individual rights quoted in above discussion also reveal this fact that Judaism not only secures such individual rights but also project the cause of all modern theories that focus on individual freedom like right of privacy, right of the poor and needy, rights of women etc. All parts of these theories are considered in Jewish law and are well recognized from Judo- Christians perspectives.

The chapter also dealt with their concept of importance of an individual and the collective rights of the society too. One more point to be noted is that infinite freedom to individual has caused trouble for rest of the community as one can kill the whole group if found guilty. The concept of an individual's dignity is also observed in Jewish teachings which are to be practiced but again this practice is confined to the Jewish community alone with no consideration of non-Jewish person.

All modern human rights theories are fully compatible with that of Jewish law of human rights with few exemptions. Cultural, universal, political and moral theories point of commonality lies with the concept of accommodating other cultures, religion, ideologies and eventually lead toward pluralistic and diversified global society. The same point lies in the teachings of Judaism as well.

It can be summarized that Judaism justifies human rights in the light of modern human rights theories.

6. The Understanding of Human Rights In Islam:

Islam is one of the important monotheistic religions of the present world today. Billions of people in various parts of the world including Europe are associated with Islam and Islam is second biggest religion after Christianity. The history of Islam as a religion goes back to fifteen hundred years in the period of prophet Muhammad in Arabic peninsula.

6.1. Fundamental Beliefs:

Being monotheistic religion, Islam also introduced the beliefs that travelled through the chains of previous prophets. Islam propagated the belief of monotheism and oneness, prophet hood, the books, the angels, the dooms day and the concept of predestination and decree.

Muslims believe on oneness of Allah in His existence and attributes as explained in very famous surah of the holy Quran:

“1. (O Esteemed Messenger!) Proclaim: ‘He is Allah, Who is the One. 2. Allah is the Transcendent of all, the Protector and Far-Superior to all. 3. He has not begotten any, nor is He begotten. 4. Nor is there anyone equal to Him.”⁷⁴ <http://www.irfan-ul-quran.com/quran/eng>.

Similarly, all six articles of faith have been derived from the Holy Book and from prophetic traditions. One more reference will comprehensively describe the belief system of Islam that is as under:

“Righteousness is not merely that you turn your faces to the east or the west. But true righteousness is that a person believes in Allah, the Last Day, the angels, the Book (revealed by Allah) and the Messengers.”⁷⁵

6.2. Fundamental Worships:

There are number of obligatory and supergaiter worships which are observed by the Muslims according to their spiritual station and grades. Five pillars of Islam are described as Declaration of

⁷⁴ Al-Quran 112: 1-4

⁷⁵ Al-Quran 2: 177, <http://www.irfan-ul-quran.com/quran/en>.

faith, Prayer, fasting during the month of Ramadan, Payment of Zakat and offering pilgrimage to the holy Kaaba

6.3. Religious Festivals:

There are number of festivals celebrated by Muslims throughout Islamic year but most important of them are 'Eid ul- Fitr, 'Eid ul- Adhha, Celebration of the birthday of the prophet, celebration of martyrdom of Imam Hussain grandson of the prophet. (Hameed Ullah 1970)

6.4. Holy Books:

There are many primary and secondary sources of Islamic law. The holy Quran is believed to be divinely revealed book by Allah on the heart of the prophet which is free from a single major or minor error. The book consists of thirty parts each further divided in to 114 chapters named as surahs.

Hadith and Sunnah are the second most important sources of the law. The hadith or prophetic traditions consist of number of books but most common books known to almost every Muslim are known as Siha Sittah (six authentic books) that contain variety of subjects like, worships, beliefs, transaction and public dealings.

6.5. Perception of Human Rights in Islam:

Islam like Christianity and Judaism believes on human rights and fully ensures their protection for everyone irrespective of their color, creed, custom and linguistic affiliation. One can better evaluate and appreciate the contribution of Islam for protection and projection of human rights in context of the time and in relationship of the time in which it was introduced and prophet of Islam delivered. The circumstances at the birth time of the holy prophet in Arabic peninsula were in worst condition. Moral, social, cultural, religious, political and economic conditions were badly deteriorating. Dignity and respect for women in the society was totally lost, socially they were divided in the strong ties of mastership and servant hood, human life was at stake all around, the concept of helping and culture of sharing and caring was disappeared in the society, moral values like, modesty and humbleness were paralyzed. Each and every aspect from individual sphere up to social and collective sphere of human life was the embodiment of vices and immorality.

The prophet of Islam is born in this context and he is raised as prophet at the age of 40. He stood up for the right of poor, needy, depressed, women. He stood by widows, orphans, and other

neglected segment of human society. Islam advocated for the rights of Non-Muslim minority, for the freedom of speech and expression.

When we compare the concept of human rights in Islam with modern political, moral, cultural and liberal theories of human rights, it is declared that Islam is fully justifying the notions of modern theories and describe its disagreement expressly where it is not supportive.

6.6. Universal Theory of human Rights and Islam:

Many human rights theories have propagated different perspectives of human nature depending upon the intellectual background of the propagators. Jack Donnelly presented discussed many theories like radical universal theory, cultural relative theory, radical cultural theory and moral theory of human rights. Islam like other monotheistic religions justifies human rights in the light of these theories with little exemption where it has its own view point that might be contradictory with modern theories. But as a whole Islam stands side by side with most modern human rights issues rather visualizes and foresee before collective human wisdom and intellect reaches there.

Universal theory deals with the right on universal level. Jack Donnelly explains this concept of universalism in the following words:

“Universality is relative to a particular “universe” of application. For example, universal health care, universal primary education, and universal suffrage, involve making health care, primary education, and voting rights available to all citizens, nationals, or residents of a country”⁷⁶

Universal theory describes that fundamental human rights are to be ensured to every citizen without any discrimination of religion, color and any other affiliation. This notion is fully supported in Islamic teachings as Islam also declared all mankind to be the creature of Allah and deserve equality in rights. The Quran describes this concept in the following verse:

“O people! We created you from a male and a female, and (divided) you into (large) peoples and tribes, so that you might recognize one another” ⁷⁷

⁷⁶ Donnelly, Jack, (2013) Universal Human Rights in Theory and Practice, Cornell University Press, USA, pp93

⁷⁷ Al-Quran 13:49

The verse of the Quran thematically highlights the notion of universality of rights as mentioned in the universal theory. The Quran brings the humanity closer to each other tracing the unity and oneness of their creation. Regional, cultural, linguistic and territorial division is made only to recognize each other. As for as human rights are concerned, everyone is equally entitled of such individual and collective rights as all are part of universal human brotherhood.

Islam extends hands for universal unity and brotherhood highlighting the points of commonalities among different segments of human community.

6.7. Concepts of Basic Human Rights in Islam

6.8. Rights of Non- Muslims

The notion of rights related the non-Muslim is very significant in Islamic teachings. Islam believes and ensures the rights of non-Muslim minorities in Muslim majority countries. The concept of religious freedom is mentioned in the Quran. A full qur'anic sura is based on the concept of this freedom. To mention last verse of al-kafiroon would serve the purpose which says:

“(So) you have your din (religion), and I have my Din (Religion)”⁷⁸

The same concept of freedom was practically transformed and secured in the constitution of Medina, the Islamic state established by the prophet of Islam. The constitution consists of 63 articles and each article is mentioning the duty and right to all citizens towards community and state.

“The Jews of Banu Awaf (non-Muslim minorities) shall be considered a community along with the believers. They shall be guaranteed the right of religious freedom along with the muslims.”⁷⁹

The fact mentioned about the Non- Muslim rights in Muslim states reveals that Islam fully supports and considers the sense of multiculturalism and pluralistic society where all cultures, traditions and ideologies have to be protected.

⁷⁸ . Al-Quran 109:6

⁷⁹ Dr. Tahir-ul- Qadri 1999, *The Constitution of Medina*, Pakistan, Minhaj-ul- Quran Publications, p, 145

Universal relativism theory substantiates the notion of accepting all cultures, religions and ideology with their due rights. The theory describes that states should ensure the protection of the rights of every individual and community. The constitutions and legislations of the states should incorporate the legal status of their citizens. The same is ensured in the constitution of Medina. All major and minor communities were part of this constitution. They included Migrants of Makkah, The Helpers of Medina, Major Jewish Non- Muslim tribes and small tribes who were in political and social alliance with the major Jewish tribes of Medina. They were given constitutional guaranteed protection from the state.

“The aforementioned communities shall formulate a Constitutional Unity as distinct from (other) people.”⁸⁰

The same practice continued during the rightly guided caliphs of Islam after the demise of the prophet that establishes the fact that monotheistic religions have been very careful about the rights of every strata of human community. If any Muslim kills a non-Muslim, he is to be killed in response to that killing because Islam ensures the protection of life of every citizen of the state.

“If a Muslim kills a Christian, he should be killed in retribution.”⁸¹

A written by caliph Umar to the governor of Syria Abu Ubaida shows the fact that Muslim rulers have been very conscious about the rights of non-Muslim minorities and did not allow any Muslim to usurp the wealth, economic resources of non-Muslims under their protection. He said:

“ You must prohibit the Muslims from wronging and harming their non- Muslim citizens and consuming their wealth illegally”⁸²

Modern theories and all international institutions of human rights have emphasized the freedom of religion to every one without being interfered with. The prophet also established a state of Medina on the concept of multiculturalism and plurality which is advocated by political theory of human rights.

⁸⁰ ibid, p, 117

⁸¹ Dr. Tahir-ul- Qadri, (*First, 2010*) *Fatwa on Terrorism and Suicide Bombings*, UK, Minhaj-ul-Quran international, UK, P 154

⁸²ibid, pp,147

6.9. Rights of the Poor and Downtrodden:

Like Christianity and Judaism, Islam also laid down the details of the neglected and have-nots of the society. The Quran which is primary source of Islam has mentioned number of time the teaching and commandments concerning the rights of poor and needy. The Quran states:

“And in their wealth was appointed a due share for the beggars and the destitute (i.e., all the needy)”⁸³

Political theory of human rights describes the same right of economic equality to every citizen. It States:

“Government must not only treat people with concern and respect, but with equal concern and respect. It must not distribute goods or opportunities unequally on the ground that some citizens are entitled to more because they are worthy of more concern”⁸⁴

It is clear from the above statement that political theorists also have great concerns about the need and of the under- privileged class as mentioned by the Quran. The theory makes it obligatory for the rulers to ensure equal distribution of resources to everyone to remove the economic deadlock from the state. This theory is supported by Islam that makes it incumbent upon the state to ensure equality in all aspects of life. There is strong concept of zakat in Islam an annual amount for the needy and poor people of the society. The purpose of this amount is eradicate poverty, hunger, and economic depression of the people as mentioned by Abdul-Rahman al-Sheha

“it revives the mutual social welfare and support among members of the Islamic society. Furthermore, Zakah is used to fulfill the needs of the needy, the destitute, and to pay the debts of those who have debts and are not able to pay their debts due to a sound and legitimate reason.”⁸⁵

⁸³ Al-Quran 51:19

⁸⁴ Donnelly, Jack, (2013) *Universal Human Rights in Theory and Practice*, Cornell University Press, USA, pp62

⁸⁵ Abdul-Rahman al-Sheha, *Human Rights in Islam and Common Misconceptions*, Riyadh, 11535, P.O. Box 59565 p, 80S

6.10. Rights of Neighbors:

Modern discourse of human rights is mainly based on the importance of individuals along with its focus on establishing collective civil society in order to achieve global unity and diversity. Every society, culture and religion gives an equal importance to individuals who ultimately make an ideal society. This primary significance is also accorded to individuals as for as monotheistic religions are concerned. Islam takes individual's rights with great concerns as one is being discussed in terms of neighbor's status in Islamic law. The Quran states:

“And treat the parents with moral excellence and (do good to) relatives, orphans, the needy, the close as well as unacquainted neighbors, and your fellows and the wayfarers and those whom you possess.”⁸⁶

Neighbors have been considered very important in all monotheistic religions because it is connected with so many other rights and duties of mutual interests. The most challengeable situation to the world today is that individuals have been granted unconditional freedom with personal choices that collective shapes of societies seem to be destroyed. In case of liberal theory of human rights, such observations can be found that want to universalize their individualistic styles of livings. Islam takes cares of all neighbor whether Muslim or non- Muslim as it is mentioned in below quotation:

“Abdullah bin Omar, found that his family members had slaughtered a sheep. He immediately asked: ‘Did you offer some of the sheep’s meat as a present to our Jewish neighbor?’ for I heard Allah’s Messenger saying, Angel Jibril continued to advise me to be kind to my neighbor until I thought that he was going to give him a share in inheritance.”⁸⁷

The discussion may be concluded that Islam equally cares of the rights of individual whether they are orphans, parents, children or neighbors.

⁸⁶ Al-Quran 4:36

⁸⁷ Abdul-Rahman al-Sheha, *Human Rights in Islam and Common Misconceptions*, Riyadh, 11535, P.O. Box 59565 p, 74,75

6.11. The Right of Social Security in Islam:

Human beings have been dependent upon each other throughout the centuries. The powerful always had exploited the rights of weak. Cultured civilizations started contributing for the welfare of mankind. Greeks, Egyptians, roman, and Muslim civilizations have a tremendous contribution. New era of human civilizations started with more advanced shapes of institutions and these developmental stages ensured the rights of social security and welfare of everyone living in the state. The concept of social, democratic welfare states in modern human rights theories became more prominent. Islamic society has been emphasizing much on the concept of this social security of the people. Abed al-Jabri writes:

“when the Islamic society had meagre revenue, each member had to pay to the poor and needy whatever exceeded his need in order to establish a balance of livelihood. But when the resources of that society increased through trade, agriculture, cattle-raising, etc., al-zakat replaced the surplus.”⁸⁸

Political theory of human rights suggests that it is the responsibility of a state to ensure the provision of social, economic, cultural rights to everyone under its care.

The idea of social brotherhood in an Islamic state of Medina is the example of this notion which is presented by political theory of human rights by Donnelly.

6.12. Concepts of Other Basic Human Rights in Islam

The concept of human rights in Islam like Judaism and Christianity is primarily based with human values of equality, veneration, respect and spiritual and moral uplift of humanity. The primary source of Islamic law the Quran declared this veneration to all human beings without discrimination of any other identity.

The right to dignity and veneration

The Quran states in chapter Bani Israel about the same values in the following words:

“And We have indeed honored the children of Adam”⁸⁹ (Al-Quran 17:70)

⁸⁸ . Mohammed Abed al-Jabri, (2009), *Democracy, Human Rights and Law in Islamic Thought*, London, I.B. Tauris & Co Ltd p, 246

⁸⁹ Al-Quran 17:70

According to Holy Quran human beings are superior to all other creatures of God in universe. Holy Quran clearly announced superiority of Human being in many holy verses. In another place of the Quran the respect being rendered to human beings is also described while declaring human being as His deputy and representative on earth, the status never given to any other specie of the universe including angels. The Quran says:

“And (recall) when your Lord said to the angels: ‘I am about to place My vicegerent on the earth.’⁹⁰”
(Al-Quran 2:30)

6.12.1. Right of Being equal:

The respect mentioned in the above verses cannot be translated into practice until it is cultivated in the inner self of an individual with a strong sense of equality. The concept of equality is fore most important in Islamic religion and the touch stone of being superior to others is not accepted with the integrity of character. The Quran illustrates this fact in the following verse:

“O people! We created you from a male and a female, and (divided) you into (large) peoples and tribes, so that you might recognize one another. Surely, the most honorable amongst you in the sight of Allah is he who fears Allah the most”⁹¹ (Al-Quran 49:13)

This very basic right was not accepted to everyone in pre-modern societies rather the idea was based on the partiality in terms of respect. The right was not extended to all as Donnelly mentions while explaining the universal theory of human rights. He says:

“In the pre modern world, dignity was seen not as an inherent feature of all humans but as an attribute of the few. Rather than a universal principle of equality, dignity functioned as a particularistic principle of hierarchy”⁹²

The drawbacks highlighted by Donnelly in universal theory of human rights have been taken care of by Islam as a monotheistic religion. This notion of respect was addressed by Immanuel Kant while substantiating political and moral theory of human rights as Donnelly quotes:

⁹⁰ Al-Quran 2:30

⁹¹ Al-Quran 49:13

⁹² Donnelly, Jack, (2013) *Universal Human Rights in Theory and Practice*, Cornell University Press, USA, pp121

“Only with Immanuel Kant (1724–1804) do we finally find a fully formed account of human dignity that is very similar to that of the Universal Declaration and is placed at the center of moral and political theory”⁹³(Donnelly 1984, p 126)

The moral and political theories of dignity by Kant can be better compared with that of Islam and express full justification of Kant’s notion in this regard.

6.12.2. The Right to Freedom of Expression:

Islam encourages the people to be loud and expressive in terms of their thoughts and ideology. It does not allow the believers to be forceful and compelling to others about their beliefs and religion. The Quran states in surah al-Baqarah

“There is no compulsion in Din (Religion)”⁹⁴(Al-Quran 2:256)

Similarly, the freedom of choosing religion and any other way of life is also granted to everyone as everyone can decide what is good and what is evil for him/her.

“And say: ‘(This) truth is from your Lord. So whoever desires may believe and whoever desires may deny”⁹⁵(Al-Quran 18:29)

Modern human rights theories have great concerns about the freedom of speech and it became part of the constitution of many countries. Political and liberal theories have elaborated this concept in considerable details. But this freedom is conditional to a person who is recognized as citizen of commonwealth as Donnelly says:

“Kant insists that this right of freedom comes to him who is a member of the commonwealth as a human being who is in general capable of having rights” (1983 [1793]: 73 [291]).”⁹⁶(Donnelly 1984 p128)

What Kant explains about the limited concept of freedom is extended to everyone in Islam without being recognized by any organization or international forum.

⁹³ Donnelly, Jack, (2013) *Universal Human Rights in Theory and Practice*, Cornell University Press, USA, pp126

⁹⁴ Al-Quran 2:256

⁹⁵ Al-Quran 18:29

⁹⁶ Donnelly, Jack, (2013) *Universal Human Rights in Theory and Practice*, Cornell University Press, USA, pp 128

6.12.3. Quranic Philosophy of Human Rights:

Islam and its teachings are based on the idea of human reformation in totality. It takes care of physical and spiritual aspects of man and tries to bring harmony and balance in spiritual and physical self of man.

The Quran sheds equal light on both these aspects as it states in one of the verses with the following words:

“And by the human soul and by the One Who provided it with an all-dimensional poise, proportion and perfection o Then He inspired it with (discrimination between) vice and virtue”⁹⁷ (Al-Quran 91:7,8)

Islam firmly believes in equality of all fields of human life, Prophet Muhammad P.B.U.H advised such teachings which give guarantee in order to restore maximum balance in private, social, spiritual and moral life of the people. in all life if completely followed. If considered all human rights theories, the core value of each one of them is included in Islamic concept of human rights. Social, political, economic and cultural theories of human rights have emphasized every aspect but spiritual rights seem to be neglected in pure sense of the term.

6.12.4. Demand of Rights & Fulfillment of Duties (Islam, Judaism and Kant).

Islam emphasizes fulfillment of rights rather than demanding of rights. Judaism is having the same concept of Halakha where an adherent is reminded to observe the rights of other people. Fulfillment of duties is primary duty of a Jew. Islam describes the notion of duty and rights with more emphasis on duty rather than demanding the rights. Duties and rights are reciprocally linked with each other that none can be separated from the other. Kant’s deontological and duty based theory is also compatible with Islamic and Jewish concepts of human rights and duties.

⁹⁷ Al-Quran 91:7,8

6.13. Summary:

In the light of above discussions, a deliberation it is established that human rights theories that work for the betterment of human society are fully compatible as for as their social, cultural, political and moral aspects are concerned. Islam is the last of the religions as believed by Muslims. Basic creed of Islam consists of the concept of oneness, prophet hood, angels, the Last day, the concept of predetermination etc.

The system of worships is divided into compulsory and optional forms. This is to attain divine pleasure and proximity. The sources of Islamic legislations are primarily based on the Quran divinely revealed on Muhammad the prophet of Islam. Muslims believe that Islam is a complete code of life as for as individual sphere and social and collective spheres are concerned. Islam is in line with modern human rights theories when it comes to individual, social, cultural, moral and private rights.

The rights of poor, needy, orphans, neighbors, and non- Muslim rights are very core to its values. Islam ensures that all human beings are equal and no one has any superiority over one another on the basis of color, creed, culture, and territorial affiliation but the most honorable is the one who is good in credibility of character. Like, Christianity and Judaism Islam also takes care of minorities under its protection. To illustrate these facts many references from the Quran and from the writings of scholars on Islam from Muslim and non-Muslim academia are quoted. These references prove that Islam as religion justifies human rights mentioned by modern human rights theorists.

7. Comparative Study: (Conclusion)

Human rights concepts discussed in the previous chapters have turned up with very interesting conclusions in a sense that modern theories focusing different dimensions of human rights have been discovered. Political, cultural, moral, economic, liberal, and religious perspective came under deliberations together with monotheistic religions.

These theories are of great significance and have influenced most parts of the world including general masses and intellectuals who followed, practiced and propagated them to their fullest. This resulted in developing awareness about basic human rights and their implementation in many parts of the world where such conceptions were aliens in reality.

As for as religions are concerned, their role in the same has been very significant throughout human history. There have been revealed religions like Christianity, Judaism, and Islam and many non-revealed religions all have one common point and that is love, care, sympathy and generosity and the protection of human rights. They equally propagate love, non-violence and an atmosphere of peaceful co-existence for every one irrespective of their religion, color, race, caste and region. Monotheistic religions are believed to be divinely revealed religions based on the commandments and instructions of God and prophets, have a vital role in terms of ensuring and protecting human rights to their billions of adherents across the globe.

The major theme and research question of this research is based on the identification of such rights in monotheistic religions and their justification from the perspective of modern western human rights. The method adopted for this research is qualitative with explanatory approach of content analysis. Citation style applied here is MLA the description is given in the related chapter. Theoretical frameworks applied while analyzing the texts have been taken from the book written by well-known theorist of human rights Jack Donnelly.

7.1. Comparison of Human Rights Theories:

Major theories applied in the text are mainly taken from Donnelly which are as under:

- Moral theory of human rights
- Political theory of human rights
- Liberal theory of human rights

- Universal theory of human rights
- Cultural theory of human rights

7.2. Moral Theory and Monotheistic Religions:

Moral theory defines human rights as a duty of every individual as discussed by Kant. The theory lays its foundation on the point of deontology where aspiration of reward and punishment is negated and individual is encouraged to perform his duty for the sake of duty. This stance is criticized as the concept of good and bad vary from society to society and culture to culture. The concept of good exist in one society may be regarded as evil in other society. Secondly, there should be some in built mechanism that should work as instrumental for practicing well and abstaining from evil. It says that we should do whatever is right without caring the good and bad consequences of our action. The positive point of this theory is that the culture of care, share, love, sympathy on moral grounds. We are morally supposed to help the downtrodden people of our society. The same concept is given in Judaism which focuses on the importance of fulfillment of duties instead of demanding rights

Hence a right engenders a duty instead of a duty engendering a right. In this way, the priority of a right over a duty serves the rationality of the Law.

The Christian concept that is based on divine image of human being requires a person to be respectful to rest of the mankind reflecting the same divine generosity. Jesus being the fountain of love and mercy for all has always shared and cooperated with his disciples as quoted in the chapter.

“Jesus identified himself with the bread and wine and distributed both to his followers”⁹⁸

Islam has also ordained its followers to concentrate on fulfilling their duties and obligations towards others. The concept of duty and right in Islam based on practicing their duties because rights of one party become duty of the others and vice versa. The Quran states number of such injunctions and commands to its adherents about their obligations towards others. The Quran states:

⁹⁸ Cooke, Bernard, Macy (2005), *Christian Symbol and Ritual an Introduction*, New York Oxford University Press, pp,92

“O believers! Do not ruin your charity donations (later) by taunts of doing favor and hurting feelings like the one who gives charity to show off his wealth to the people and believes in neither Allah nor the Last Day.”⁹⁹ (Al-Quran 2:264)

Similarly, anyone who obeys and who does not obey shall have to be answerable about fulfilling his duties or neglecting his duties.

“On the Day when every soul shall find present (before him) every good that he accomplished and every evil that he perpetrated”¹⁰⁰ (Al-Quran 3:30)

Monotheistic religions emphasized on this concept of duty and rights because this is a reciprocal relationship of rights and duties and nobody remains unattended in terms of his rights and duties.

7.3. Political Theory of Human Rights and Monotheistic Religions:

Political theory weights human rights into the central place unlike moral theory where rights have been left on individual morality. Rights in moral theory make no significant visibility as compared to political theory where they are on the fore front. Political theory considers the rights closer to heartbeat. Political powers are accepted and endorsed only when such basic rights are considerably practiced. Donnelly concludes the value of both the theories in a way that drawbacks of moral theory actually paved the way for political theory where aims of moral theory are also met with utmost satisfaction.

Monotheistic Religions have been very keen about the collective interest of the society that can also be termed as on political grounds. The religions have categorical instructions to the rulers to have strong will to implement the laws in order to ensure societal rights under their rule. Christians having the concept of God’s image on man is associated with His attributes. Dignity and respect have to be ensured for everyone in the society.

Man being the deputy of God is supposed to observe godly traits as the shepherd does to his folk.

⁹⁹ Al-Quran 2:264

¹⁰⁰ Al-Quran 3:30

Judaism also holds the same philosophy of law and its relation with religion. Laws of the states have to monitor the values of the whole society. They may not stand in isolation.

“Law and religion, therefore, are two great interlocking systems of values and belief”

Judaism as religion looks forward for the better future of the society without being nostalgic about the past.

“One of the religio-political goal of reformation of existing order ---geulah, or redemption----- which means that that Jewish political worldview is messianic in orientation, looking towards the better future rather than a golden past”¹⁰¹ (Judaism and world Religion, Norman Solomon, pp109)

This statement clarifies the position of Judaism as what is its nature regarding political stance and how it is closer to political theory of human rights and does not stand opposite to this theory.

Islam also gives central position to the service of humanity and the philosophy of Islamic worships and other rituals lies to achieve this service. This serving may be in the form of charity, zakat or establishing a political system that delivers such collective rights. The prophet Muhammad established an Islamic state of Medina and established the bond of fraternity and brotherhood between Ansaris and Muhajreen. The authority vested in man in the form of executive is trust in reality and he is to administer the justice and equal rights to everyone without any exception. Dr. Hameedullah describes:

“The sovereignty belongs to God, and it is a trust which is administered by man, for the wellbeing of all without exception”¹⁰² (Dr M Hameed Ullah, Introduction to Islam, p.114)

Islam, Judaism and Christianity all three religions have vision of political conception for the rights of the people and are compatible to political theory of human rights.

¹⁰¹ Norman Solomon, (1991) *Judaism and world Religion*, Palgrave, Macmillan, New York USA, pp,109

¹⁰² Dr. M Hameed Ul Allah, (1970) *Introduction to Islam*, Al Maktab ul Islamic publishers Beirut, pp114

7.4. Liberal Theory of Human Rights and Monotheistic Religions:

As for as liberal theory is concerned, it is by nature different from moral theory and some degree of compatibility with political theory i.e. liberty of individuals. Political theory endorses individual freedom but it also ensures collective autonomy. Christian faith accepts individual freedom as necessary part of human rights as the liberal does but unlike freedom in its absoluteness.

“David Livingstone M insisted throughout his life that his chief goal was to stop the Portuguese and Arab slave trades. As an evangelical Christian, he believed that values of individual human self-worth under God,”¹⁰³

The concept of unconditional freedom by liberal theory does not match with that of religions since religions shift rights and duties on an individual in order to maintain balance in public, private, social, cultural and moral life of the community members. Freedom equality and freedom of expression have roots in the Holy Bible.

One the one hand, Christianity advocates freedom and negates the notion of slavery and subservient. As mentioned above, this is not unlimited freedom and it should not work against religions as quoted in the chapter:

Judaism more or less has the same conception of freedom and limitation in freedom. Religious teachings do not allow the adherents for liberal concept of freedom where individual is not responsible before any law as for as his or spiritual and moral life is concerned. In case if someone is wealthy and wants absolute freedom to spend it without following the Judaic Commands Judaism does not permit him to exercise this freedom as the liberalists do.

“Since wealth comes from God, it must be used to fulfill God’s purpose. “Give onto Him what is His, you and yours are His”¹⁰⁴

¹⁰³ L. Robert Dana, (2009) *Christian Mission: How Christianity Became a World Religion*, United Kingdom John Wiley & Sons Ltd, pp, 85

¹⁰⁴ Milton R. Konvits, *Judaism and Human Rights*, USA, Transaction Publishers/ Rutgers University, pp235

Islam also grants individual the freedom of speech, freedom of religion and many other forms of freedoms like, Islam forbids its followers not to coerce anyone for embracing into the ambit of Islam.

“There is no compulsion in Din (Religion)”¹⁰⁵(Al-Quran 2:256)

Individual freedom as well as collective responsibility go hand in hand in Islam unlike liberalism where there is strong compliance with the state laws that improves material, economic and social life. But there exists non-compliance of religious laws that foster spiritual and moral aspects of human life. The liberal theory seems to be defective in terms of its comprehensive nature. In terms of religious freedom, the Quran states:

“(So) you have your din (religion), and I have my Din (Religion).”¹⁰⁶(Al- Quran 109: 06)

Human beings are responsible for what they commit in good and bad. Absolute freedom without any accountability is not adjustable in religions. The Quran mentions this fact in the following verse:

“That was a community which has passed. For them is what they earned and for you is what you will earn”¹⁰⁷ (Al-Quran 2:141)

7.5. Universal and cultural theories and Monotheistic Religions:

The notion of universality in the pre-modern world was interpreted differently because of multiple causatives. The developmental stages of human growth in social, cultural, religious and other aspects changed the notion of universality because of many connecting relative forces. Donnelly traces the same history of universality and space of relativity.

“Talk of relativity immediately calls forth the question “Relative to what?” Something cannot be relative in general but must always be relative to (or dependent on) something else in particular.”¹⁰⁸

(Donnelly 1984, p 94)

¹⁰⁵ Al-Quran 2:256

¹⁰⁶Al- Quran 109: 06

¹⁰⁷ Al-Quran 2:141

¹⁰⁸Donnelly, Jack, (2013) *Universal Human Rights in Theory and Practice*, Cornell University Press,USA,pp,94

There are certain relative things in the world today that have to be taken into consideration before labeling everything as universal. According to Donnelly Universal values have to be accepted along with the protection of cultural relativity.

Religions also give space to other cultures and identities and protect them in true spirit. Donnelly further explains universal and cultural identities in the words:

“Whatever our other religious, moral, legal, and political resources, we all need equal and inalienable universal human rights to protect us from those threats.”¹⁰⁹

Islam justifies the notion mentioned by Donnelly that accommodate all cultures, religions, and ideologies. The Quran states:

“O people! We created you from a male and a female, and (divided) you into (large) peoples and tribes, so that you might recognize one another”¹¹⁰ (Al- Quran 49:13)

Christianity also considers this fact that universal values are important but regional and cultural identities have also to be kept safe. God sent His message to Nuh to care everything on the earth including human beings and other creatures meaning thereby universal and cultural values have to be secured.

“And God blessed Noah and his sons, and said unto them, be fruitful, and multiply, and replenish the earth. And the fear of you and the dread of you shall be upon every beast of the earth, and upon every fowl of the air, upon all that moved upon the earth, and upon all the fishes of the sea; into your hand are they delivered.”¹¹¹ (king James version, Genesis 9 v,1-2)

Being fruitful and caring to everyone is the core of the values of Christianity. Judaism also is very caring about the rights of everyone. They might belong to any part of the world and to any culture

¹⁰⁹ Donnelly, Jack, (2013) Universal Human Rights in Theory and Practice, Cornell University Press, USA, pp97

¹¹⁰ Al- Quran 49:13

¹¹¹ king James version, Genesis 9 v,1-2

or caste. Jewish community is expected to love all and consider then their relative their teachers must be treated with respect whether they are Muslim, Christian or of other faith.

“For all the relatives, one must rend his garments, also for the teacher from whom he received his study. A wise man, however, all are his relatives, all must rend their garments, all must take off their shoes, and all may take part in the funeral meal (which used to be eaten in the street on the return from the cemetery.¹¹²”

<http://www.jewishvirtuallibrary.org/minor-tractate-ebel-rabbati-chapter-9>

To conclude the chapter with a remark that monotheistic religions have long history in the world and have been significant instrumental force for billions of their adherents. This figure become evidence in itself that religion have been and still taking much care of basic human rights.

All modern theories including the ones adopted in this research cultural, universal, moral, and liberal and others have great degree of compatibility with what religions have preached. The disagreement that exists in some aspects of these theories is also part of diversity which should be considered.

¹¹² <http://www.jewishvirtuallibrary.org/minor-tractate-ebel-rabbati-chapter-9>

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