

## Imam Ali (A.S): The Protector Of Human Dignity and Human Rights

"Our words can be understood only by the honest hearts and the far-sighted intellects"

(Imam Ali)

### Editorial Note:

This essay draws on an address of Mr. Ghulam Rasool Dehlvi, which he delivered at Jamia Arifia founded by Sheikh Abu Saeed Shah Ehsanullah Mohammadi Safawi, Sufi master and rector of Khanqah-e-Arifia, Saiyid Sarawan, Allahabad (Prayagraj). Mr. Dehlvi was invited to address the students on the occasion of the 21th night of Jumada al-Akhir—the sixth month of the Hijri calendar—which is marked as *Mehfil-e- Maula-e-Kainat* at Khanqah-e-Arifia, Allahabad, U.P, India.



By Ghulam Rasool Dehlvi

The topic of 'Human Rights' has become commonplace today. Nearly every institution of the world, every welfare organization, and every NGO in India and abroad has given it paramount importance for decades. But ironically, people who do not respect the human rights of others, and themselves deprive other people of their basic rights and continue to usurp them, also keep harping on this topic. While they themselves violate the rights of their own people, depriving them of the equal opportunities, freedom, and other benefits, they repeatedly talk of 'human rights' of the oppressed people of the world such as the religious and ethnic minorities, indigenous peoples, African-Americans, Native Americans, Red Indians, women, LGBTQs, and other minority groups who have all been oppressed by prejudice and unfair laws. But in their own communities and countries, they do not get tired of giving away the rights of similar oppressed sections of the society.

Hence, on this auspicious occasion of *Mehfil-e- Maula-e-Kainat* Imam Ali (A.S), we will try to understand how Hazrat Ali (May Allah bless him and grant him peace) conceptualised the 'human rights'? And how helpful are his teachings today as contrasted to the current Human Rights Narratives? How have we Muslims demonstrated them ourselves? And how should we follow them in letter and spirit today?

### **Emergence of 'Human Rights' Narrative**

The term 'Human Rights' originally came from the West. It has been around for about five hundred years, but has gained momentum in the last hundred years. It has a historical background. In the Middle Ages, there was no concept of 'citizenship rights'; the citizens were deprived of all human rights. Whoever had the power in his hands, used to do all kinds of arbitrariness, giving whatever rights he wanted to his people. They did whatever they wanted. No one was going to stop them.

In the seventeenth century, the concept of 'citizenship rights' emerged with the notion that the state does not have the right to arbitrariness, and that the parliament should come into existence; the people should have a government, and the people should participate in its formation and administration. Thus, in the last three hundred years, peoples of different nations began to get their rights one by one. It is not that we got all the human rights mentioned in the United Nations Charter at once. From a historical point of view, in 1679 Britain was the first to pass the law of 'arbitrary imprisonment', meaning that no person can be arrested without any evidence or without a conviction.

Then in 1689, the 'Bill of Rights' was approved in Great Britain. That is, it was clarified that the King does not have absolute rights, but his rights are limited and will have to be approved by Parliament. In 1776, the American state of Virginia guaranteed some rights to its citizens including the Freedom of Press, Freedom of Religion and Belief, and the right to judicial appeal. In the same year, the Declaration of Independence of the United States was approved in which citizens were granted the right to equality, protection of life and liberty. Similarly, in 1868, when the 14<sup>th</sup> amendment was made to the US Constitution, many civil rights were added to it. In the 20<sup>th</sup> century, in France and Japan in 1946 and in Italy in 1947, some rights were included in the constitution under the name of 'Fundamental Rights'.

Finally, in 1946, the Charter of Human Rights was approved by the United Nations, which is called the Universal Declaration of Human Rights (UDHR) in the modern UN terminology as per the Office of the High Commissioner for Human Rights (OHCHR). It mainly includes 30 provisions in which the right to freedom, fundamental rights of citizens, right to private life and other social rights have been approved. According to the OHCHR, the Universal Declaration of Human Rights (UDHR) is a milestone document in the history of human rights. Drafted by representatives with different legal and cultural backgrounds from all regions of the world, it set out, for the first time, fundamental human rights to be universally protected.

In summary, the concept of 'Human Rights' has emerged in the West after a long period of public struggle and as a result of various protests and demonstrations which were held in innumerable movements across the world. But behind all this, it was not the hard work of a single individual or group, but rather member states of the United Nations which have greatly contributed to the UDHR and ratified it after great scrutiny.

Two crucial points emerge from all this: First, the human rights were basically not granted willingly. The states did not approve these rights for the welfare of their people, but as the people became stronger, they protested, held demonstrations, expressed their power, thus they got each fundamental right in a gradual way. The Human Rights guaranteed by the United Nations, are not rights that the various governments which comply with the UDHR today, willingly gave to their people.

Secondly, these rights are still not enjoyed by all the people of the world, because they were initially based on the concept of nationalism. The West clearly declared that these rights were only for them, not for others. Those who are not within the scope of their nationality were deprived of these rights. When the fundamental rights were included in the French constitution, their privileges was given only to the citizens of France. Likewise, the British constitution specified the rights that were denied to the people living in the British colonies at that time.



### **Imam Ali's Letter to Malik al-Ashtar: A Manifesto of Human Rights**

The 7th century letter of Imam Ali (A.S) to Malik al-Ashtar, his governor in Egypt, which he wrote to advise him as to how justly he should treat the people of Egypt has come to be seen as a model or manifesto of Human Rights. The Universal Declaration of Human Rights was written in 1946 AD. When the United Nations Human Rights Commission (UNHRC) was created, the rights experts of the world were united for the purpose of creating universal human rights, and these people

sat for days and weeks and then came up with their version of human rights manifesto.

But Imam Ali (A.S), alone and in a very short period of time, wrote the most comprehensive manifesto of human rights in the form of a letter addressed to Malik al-Ashtar. This is the manifesto that has the ability to govern and guide the whole world in the real sense. This is precisely why UN Secretariat, the Committee of Human Rights in New York under the chairmanship of the Secretary General Kofi Annan issued this historic resolution in 2002: "The Caliph Ali Bin Abi Talib is considered the fairest governor who appeared during human history (After the Prophet Muhammed)". Furthermore, the United Nations advised Arab countries to emulate Imam Ali (A.S) as an example in reforming their regimes based on justice and democracy. The United Nations Development Programme (UNDP) in its 2002 Arab Human Development Report, distributed around the world, listed six significant sayings of Imam Ali (A.S). "Most regional countries are still far behind other nations in democracy, wide political representation, women's participation, development and knowledge", the UNDP stated in its report which exhorted the Arab countries to comply with Imam Ali's teachings on treating the citizens with fairness and protecting their human rights. It emphasised the letter to Malik al-Ashtar with a special reference to 'consultation between the ruler and the ruled', 'ensuring justice to all', 'eradicating corruption' and achieving domestic development.

In the Arab Human Development Report 2002, the UNDP quoted the following as referenced in 'Good Governance Early Muslim Style' by Patricia Lee Sharpe:

1. "He who has appointed himself an Imam (ruler) of the people must begin by teaching himself before teaching others. His teaching of others must be first by setting an example rather than with his words, for he who begins by teaching and educating himself is more worthy of respect than he who teaches and educates others."
2. "Your concern with developing the land should be greater than your concern for collecting taxes, for the latter can only be obtained by developing; whereas he who seeks revenue without development destroys the country and the people."
3. "Seek the company of the learned and the wise in search of solving the problems of your country and the righteousness of your people."
4. "No good can come out in keeping silent to the government or in speaking out of ignorance."
5. "The righteous are men of virtue, whose logic is straightforward, whose dress is un-ostentatious, whose path is modest, whose actions are many and who are undeterred by difficulties."
6. "Choose the best among your people to administer justice among them. Choose someone who does not easily give up, who is unruffled by enmities, someone who will not persist in wrong doings, who will not hesitate to pursue right once he knows it, someone whose heart knows no greed, who will not be satisfied with a minimum of explanation without seeking the maximum of understanding, who will be the most

steadfast when doubt is cast, who will be the least impatient in correcting the opponent, the most patient in pursuing the truth, the most stern in meting out judgment, someone who is unaffected by flattery and not swayed by temptation and these are but few."

Regrettably, the Muslim countries which were particularly called upon to follow the model of just governance as envisaged by Imam Ali (A.S) are known today for the violation of human rights, particularly pertaining to the religious minorities. Some of them are still inflaming the fire of sectarian war to widen the Sunni-Shia divide. More deplorably, many member states of the UNHRC and the numerous nations of the world which gathered hundreds of international law experts and wrote the UDHR, have never followed it in letter and spirit. Though it was reinforced by the 1993 Vienna Declaration and Program of Action, International Covenant on Economic, Social and Cultural Rights, the 1979 Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), and the Committee on the Rights of the Child (CRC), the full implementation of these human rights conventions is still a mirage. The only reason is that the claimants of human rights themselves are busy fanning the flames of war in the world, as it is patently clear from the current Russian-Ukraine crisis. One of my mentors and a renowned critical-traditionalist Islamic scholar, Ebrahim Moosa has weighed in on this phenomenon from a historical point of view in his erudite and scholarly paper titled as 'Colonialism and Islamic Law' (*Islam and Modernity: Key Issues and Debates* edited by Muhammad Khalid Masud, Armando Salvatore and Martin van Bruinessen). It is indeed important to understand how imperialist countries have been violating the human rights of citizens in their occupied territories. "Law is not only part of the ideological apparatus of states; it is also part of a cultural matrix. Apart from mobilising multiple forms of power—military, political and economic—colonial rule also relied on a complex apparatus of cultural technologies to assert itself.....", writes Ebrahim Moosa.

Thousands of books have been written about the laws that Hazrat Ali has formulated as the fourth rightly guided Caliph of Islam and *Amirul Momineen* (chief of the believers). As time goes by, the greatness of this unique governance system is being revealed. Whoever studies his life and virtues, realizes that something new has become available to us through his just and humane system of governance, particularly in the protection of civil rights. Therefore, his principles of governance and legal theories as contained in *Nahj al-Balagha* serve as a source of inspiration for humanity at large.

**It was the famous Shia scholar of Baghdad, Adib Sayyid Razi (d: 406 AH) compiled the sermons, letters and sayings of Imam Ali (AS) into a book entitled "Nahj al-Balagha" in the 5th century AH. Notably, the first and the best known commentary on *Nahj al-Balagha* titled as 'Sharh Nahj al-Balagha' was written by a Mutazilite scholar and a middle-ages writer in the 7th century Hijri. 'Izz al-Dīn Abdul Hameed ibn Abi al-Hadīd al Mutazilī al-Mada'ini, popularly known as Ibn Abi al-Hadid Mu'tazili belonged to Mada'in, Iraq and was a famous historian and chronicler of the last period of the Abbasid Caliphate. The Abbasid government**

until the fall of Baghdad and the Abbasid Caliph Mustansar Ballah (d: 624 AH) held him in high esteem.



This commentary namely *Sharh Ibn Abi Al-Hadid* is available in Arabic language in 20 volumes. It is the major reason of fame for Ibn Abi al-Hadid. However, Sunnis generally label Ibn Abi al-Hadid as a "Shia" Mu'tazili. Of late, *Nahj al-Balagha* was researched by prominent intellectuals and was consulted by great rulers and officials in different countries. In the Arab world as well as in the West, many modern commentaries (Sharhs) have been written on it. Two most striking commentaries that I have recently studied include: (1) "Al-Ra'i wa Al-Ra'i" by Tawfiq al-Fikiki which is a commentary on the instructions given by Imam Ali to Malik al-Ashtar. It offers a focused and special study of his ideal of government. (2) Another important book is: "Al-Imam Ali, Saut al-Adalah wal-Insaniyyah" (The Voice of Human Justice). Originally written in Arabic (صوت العدالة الإنسانية) by George Jordac—a Christian author from Lebanon—the book is basically a biography of Hazrat Ali with the contents largely drawn from the *Nahj al-Balagha*.

An important document that is a source of pride for not only the world of Islam but the mankind, is the *Ahadnama* of Amirul Momineen Imam Ali which he gave to his governor, Mr. Malik Ashtar, which is the most reliable declaration of human rights for almost fourteen hundred years. The sentences and texts of this pledge address different bodies and various sectors of the government, taking care of each section of the society and highlighting various important angles of governance system in order to ensure the rule of law and human dignity. Today, it serves as an ideal manifesto of human rights from the UNO to the representatives of all the human rights organizations of the world. It is nothing short of a miracle, George Jordan avers.

Jordan writes at the very outset of his book: I have studied the life of Imam Ali (a.s.) a lot and found the fact that in today's developed world, the principles that are

acceptable, agreed upon by nations and states, and are seen as the guarantors of human life and inclusive development, were put forward by Imam Ali alone. But the scholars of Islam have neither paid attention to it nor interpreted it properly. He further writes:

By God! I admit the truth myself before any evidence is given against me. Ali formulated such firm rules and presented such solid views for the rights of the human beings and the welfare of the human society, that their roots penetrate into the depths of the earth and their branches extend upto the heavens. All the social sciences which are prevalent at present mostly confirm these views and principles. Although these modern social sciences may be given many names, and may be presented in various forms, their object is one and one only that the human being should be protected from oppression and there should be formed a society which should protect human rights in a better way - a society in which human dignity should be respected and the freedom of word and action should be safe to such an extent that none should be hurt.

**George Jordac continues:**

The second feature of Imam Ali's concept of rights is the 'reciprocal rights'; the rights of the ruler and that the ruler respects the rights of the ruled, the truth gets powerful between them, ... life becomes enjoyable, the stability of the state is guaranteed, and the enemies become hopeless'.

Ali enjoys a very high position in the history of human rights. His views were linked with the thinking of Islam. The central point of his views was that despotism should come to an end, and class discrimination should be eliminated from amongst the people. Whoever has recognized Ali and heard his remarks and understood his beliefs and views about human brotherhood knows that he was a sword drawn on the necks of the tyrants. His entire attention was directed towards the enforcement of the rules of equity and justice.

**George concludes:**

His thoughts and manners and his government and polities were all dedicated to the achievement of this purpose. Whenever any oppressor encroached upon the rights of the people or treated the weak in a humiliating manner or ignored their welfare and threw his own burden on their weak shoulders, Ali gave him a tough fight. Ali elevated man and always remained ready to protect him. His government was the best specimen of administration during that period. It was a government which was just and the protector of human rights, and one, which achieved its end by all possible means.

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