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The Islamic Origins of Human Rights: Alignments with Bangladesh's Legal Framework and Policy Suggestions for Legislators

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ABSTRACT

Islamic source of human rights is one of the most basic sources. Throughout the paper researchers tried to focus on the basic aspects of human rights along with the three generation rights. Islam has fairly mentioned about Human Rights that, Islam is interrelated with humanity through Islamic Sharia. Universal Declaration of Human Rights has a great significance in recent times because it is the first document of human rights together. Right to life, right to freedom, right to justice, equality of human beings has been interpreted with the law of human rights. Human rights have also been resembled with Bangladesh legal system and it includes the law of crimes, Code of Civil Procedure, Code of Criminal Procedure and Constitutional law as well. Without the law of human rights it might not be possible to protect our human dignity and human life as well. The researchers also tried to explore the parallels between Islamic principles and Bangladesh's legislative framework regarding human rights, and to provide actionable recommendations for policymakers to integrate these principles effectively into policy-making processes, ensuring a harmonious alignment between religious values and legal norms.

Keywords: Human Rights, Islamic source, Universal Declaration of Human Rights, Intergenerational equity, Bangladesh's Law

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1. INTRODUCTION: ISLAMIC SOURCE

Among some crucial sources of human rights law, Islamic source is an important source. Through different observations and surveys it has been found that Quran has all the solutions that we want. Islam contains more knowledge about the values of human rights. As a Muslim community, following the Holy Quran is a must as it has mentioned about all the necessaries and necessities, which we need for living. It also shows the path to follow. In the Quran, all rights that a community is entitled to have by birth have been mentioned. These rights are actually granted by Allah [translation: God]. No one has the power to abrogate these rights. According to Prophet Muhammad[PBUH], *"Whoever seizes the rights of a Muslim, then he has the right to go to hell and unlawful to enter haven"* (Taimia, 2005).[1]

Quran has mentioned fairly about human rights, interpreting that Islam is interrelated with humanity through Islamic Sharia. Islamic Human Rights basically contained the core principles of equality, freedom and respect for all human beings. The Constitution of Medina, also known as the Charter of Medina[2], was drafted by Prophet Muhammad[PBUH] in 622 AD (Islamiyati, 2017). It constituted a formal agreement between Prophet Muhammad[PBUH] and all of the significant tribes and families of Yathrib (later known as Medina), including Muslims, Jews, and pagans[3] (Komen, 2012).

In recent years, there has been a growing diversity in Islamic political movements and ideologies, ranging from moderate reformist groups to more conservative or radical factions. The rise of political Islam has led to increased participation of Islamic parties and movements in electoral politics across various Muslim-majority countries, with some achieving significant success in gaining political power or influencing policy agendas (Ayoob, 2007). However, Islamic politics also faces challenges, including internal divisions, tensions between secular and religious forces, and external pressures from global powers (Guilain, 2002). Issues such as governance, human rights, and the interpretation of Islamic law continue to be central to debates within Islamic political discourse. Additionally, the impact of globalization, technological advancements, and social media has reshaped the dynamics of Islamic politics, influencing the mobilization of grassroots movements and the dissemination of ideas (Hosseini et al., 2014).

Furthermore, Islam enhanced the way of life and established human rights with the parallel technique of teaching Muslims to create peace. In addition, there is lack of comprehensive studies assessing the potential conflicts or tensions between sacred principles and universal human rights standards within the context of Bangladesh's legal system (Kirazli, 2024). However, Muslims perspective on human rights is included in their life and social, political and economic activities. Islam raised the voice over violence, entitled the interpretation through laws, and promoted human rights in multitude contexts (Almahfali & Avery, 2023).

The development of Islamic politics in Bangladesh has unfolded against the backdrop of the country's post-independence history, witnessing the emergence and evolution of various Islamic political parties and movements since 1971. This trajectory has been marked by constitutional amendments affirming Islam as the state religion and the rise of Islamist organizations advocating for the implementation of Shariah law (Hossain, 2012). Whereas Islamic parties have participated in electoral politics, their influence has fluctuated amidst tensions with secular forces and periodic clashes over issues such as religious freedom and the role of Islam in governance. The role of Jamaat-e-Islami in the development of Islamic politics in Bangladesh has been significant, albeit controversial (Jahan & Shahan, 2013). Founded in 1941 by Maulana Abul Ala Maududi, Jamaat-e-Islami initially aimed to establish an Islamic state based on Shariah law. In Bangladesh, the party emerged as a major political force advocating for Islamization of society and governance following the country's independence in 1971 (Islam, 2021). During the 1970s and 1980s, Jamaat-e-Islami was part of ruling coalition and played a prominent role in shaping government policies. Civil society organizations have played a crucial role in advocating for secularism and minority rights, while international factors have also shaped Bangladesh's Islamic politics, reflecting broader global debates on Islam and democracy (Jahan & Shahan, 2013).

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1 Hadith: *Whoever seizes the right of a Muslim by taking a false oath, Allah will condemn him to Hell and will forbid Paradise for him.* Encyclopaedia of Translated Prophetic Hadiths (n.d.), https://hadeethenc.com/en/browse/hadith/5430

2 The "Constitution" of Medina: Translation, commentary, and meaning today. (2021), Yaqeen Institute for Islamic Research. https://yaqeeninstitute.org/read/paper/the-constitution-of-medina-translation-commentary-and-meaning-today.

3 Definition of Pagan. (n.d.). Merriam-Webster: America's Most Trusted Dictionary. https://www.merriam-webster.com/dictionary/pagan

2. HUMAN RIGHTS FROM ISLAMIC PERSPECTIVE

Islam guarantees the protection and security for the existence of the individual assets, which also includes the rights to enjoy one's property. Islam also guarantees other human rights. Those are discussed below:

2.1 Right to Life

Right to life is the first and foremost human right among all the rights. This is a recognized Islamic right. It has been mentioned in the Holy Quran that:

> *"Whoever kills a human being without any reason, manslaughter or corruption on earth, it is as though he killed all mankind…."* (Verse 5:32)[4] means killing an innocent person seems to kill all humans. It has been also mentioned in the Quran that,

Right to life is one of the most important fundamental rights provided by the Constitution of Bangladesh. In Bangladesh, fundamental principles cannot be enforced judicially in general but when the principles are connected with our fundamental rights, then the principles may get enforceability. Such as, the right to have a good environment is the fundamental principle. Though it's very important for us to have a good environment, if it's violated we can't go before court and the reason behind this is that the principle is not enforceable. But when the principle can be interpreted with the right to life, which is a fundamental right, citizens may have the enforceability of the principle. In the case of Ratlam Municipality vs. Vardichand[5], it was held that "decency and dignity are non-negotiable facets of human rights and are a first charge on local self-governing bodies." Court treated a healthy environment as a part ofthe right to life (Ratlam Municipality vs. Vardichand, 1980).

2.2 Right to Freedom

Islam has also clarified about the right to freedom. Islam has strongly prohibited the slavery custom. Freeing a slave by one's own free will was declared to be an act of great merit, so much so that it was stated that every limb of the man who manumits a slave will be protected from hell fire in lieu of the limb of the slave freed by him. Prophet Muhammad [PBUH] has mentioned that- *"There are three categories of people against whom I shall myself be a plaintiff on the Day of Judgment and among those one is he who enslaves a free man, then sells him and eats his money."* (Al-Bukhari)[6] (Social identity western, synergetic Islam, practical realistic law)

Bangladesh also prohibits the custom of slavery through different local and international legislation. In most of the cases by the way of trafficking of human beings, people are used in slavery or forced labour. But Anti-Slavery International prohibits such kind of slavery with the help of different provisions of the International Labour Organization (ILO) including the Abolition of Forced Labour. Bangladesh ratified ILO Convention Number 29 and 105 of the Abolition of Forced Labour. Alongside, the state is also having the application of the Repression of Women and Children Act, 2000 (Amended in 2003) where human trafficking is strictly prohibited.

2.3 Right to Justice

Islam has also mentioned the right to have fair justice. Right to have fair justice is one of the basic rights provided by Islam. The justice to which Islam invites does not have any limitations. All the tribes, all the citizens of other countries are all entitled to have justice along with the Muslims. In the Quran, it has been mentioned that *"You who believe stand steadfast before God as witness for truth and fair play."* (Verse 4:135)[7]

Access to justice in an adversarial system is restricted by many factors. Participants in an adversarial system, which is resource based, can never be equal in terms of capability. Menon emphasized access to justice becomes meaningful "only when the law is equal and offers equal protection irrespective of statutes of individuals in society (Menon, 2006)." Access to justice is the primary concern of our state and the highest law 'Constitution of Bangladesh' also refers to the access to justice through its different

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4 *Surah Al-Ma'idah - 32* (n.d.). Retrieved from: https://quran.com/5/32?translations=18,19,85,17,20,95

5 Municipal Council, Ratlam v. ShriVardhichand & Others, 1980 AIR (n.d.). Retrieved from: https://www.escr-net.org/caselaw/2019/municipal-council-ratlam-v-shri-vardhichand-others-1980-air-1622-1981-scr-1-97

6 Sahih al-Bukhari 2270 - Hiring - Sayings and Teachings of Prophet Muhammad (n.d.). Retrieved from: https://sunnah.com/bukhari:2270

7 *Surah Al-Ma'idah - 8* - (n.d.). Retrieved from: https://quran.com/5:8?font=v1&translations=149%2C167%2C203%2C131%2C17%2C95%2C19%2C22%2C206%2C207

provisions i.e., article 19 (1), 27 and 33 (1). Bangladesh Legal Aid and Service Trust (BLAST) is one of the most concerned authorities who is dealing with access to justice.

In the case of BLAST and others vs. Bangladesh and others[8], it was argued that access to justice has been denied and some fundamental rights also violated. A set of orders has been passed by the honourable court here in this case which is basically considered as the safeguard guidelines for every individual who seeks justice (BLAST and others vs. Bangladesh and others, 2003).

2.4 Equality of Human Being

Islam not only recognizes absolute equality between men irrespective of any distinction for colour, race, nationality, but makes it an important and significant principle which is a reality. The Almighty has mentioned in the Holy Quran that *"O mankind, verily we created you from men and women"*,[9] which means there is no question of discrimination as we are considered as brothers and sisters to one another.

The Islamic jurist must agree that Prophet Muhammad [PBUH] preached against what he saw as the social evils of his day, and that Islamic social reforms in areas such as social security, family structure, slavery, and the rights of women and ethnic minorities improved on what was present in existing Arab society at the time (Shiman, 1993). For example, according to Bernard Lewis (Lewis, 2011), Islam "from the first denounced aristocratic privilege, rejected hierarchy, and adopted a formula of the career open to the talents." John Esposito sees Prophet Muhammad [PBUH] as a reformer who condemned the Pagan Arabs' practices, such as female infanticide, exploitation of the poor, murder, false contracts, and theft (Jawad, 1998). Bernard Lewis believes that the egalitarian nature of Islam "represented a very considerable advance on the practice of both the Greco-Roman and the ancient Persian world (Lewis, 2011)." Prophet Muhammad [PBUH] also incorporated Arabic and Mosaic laws and customs of the time into his divine revelations (Machiavelli, 2018).

So it can be said that, Quran is the complete source of human beings which includes all the pros and cons of our life and that contains the responsibilities and rights of a person inherent to all from the very beginning. Article 27 of the Constitution of Bangladesh secures the provision of equality before law. It can be interpreted that every individual must have the equal opportunities before law. Article 28 articulated that the state shall not make any discrimination between any individual citizens on the ground of religion, caste, sex and place of birth.

2.5 Freedom of Thought and Religion

Notably, Islam provides and ensures the freedom of thought and expression to every devotee and its followers including the other individuals. Islam creates a strong emphasis on peace in interactions with both Muslims and non-Muslims in every society, and supports keeping away from violence and conflict on the aspects of freedom of speech.

Article 18 of Universal Declaration of Human Rights (UDHR) has articulated freedom of thought, which has created the scope of thinking as of their personalities. Subsequently, Article 41 of the Constitution of Bangladesh provides the Freedom of religion that urges every citizen to have the right to profess, practice or propagate any religion.

3. CAIRO DECLARATION ON HUMAN RIGHTS AND OIC

The Cairo Declaration on Human Rights and its relevance within the Organization of Islamic Cooperation (OIC) have significantly shaped the discourse on human rights within Muslim-majority nations. Formulated in response to perceived deficiencies in the Universal Declaration of Human Rights (UDHR), particularly its neglect of religious considerations, the Cairo Declaration underscores the importance of Islamic principles in guiding human rights discourse. This article aims to examine the parallels between Islamic principles of human rights as articulated in the Cairo Declaration and Bangladesh's legislative framework. Furthermore, it seeks to provide recommendations for policymakers based on these comparisons.

The Cairo Declaration on Human Rights emerged in 1990 under the auspices of the Organization of Islamic Cooperation (OIC), addressing perceived gaps in the UDHR's recognition of religious values.

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[8] SCOB [2015] AD BLAST & Others vs. Bangladesh & Others (Surendra Kumar Sinha, CJ) (n.d.). Supreme Court of Bangladesh. Retrieved from https://www.supremecourt.gov.bd/resources/bulletin/1.1_SCOB_AD_1.pdf.

[9] The Quranic Arabic Corpus - Translation (n.d.). https://corpus.quran.com/translation.jsp?chapter=49&verse=13

It emphasizes the significance of Islam in guiding human behavior and upholding fundamental rights. Unlike the UDHR, which is criticized for its secular approach, the Cairo Declaration asserts the inseparable connection between Islamic principles and human rights. It highlights that adherence to Islamic teachings is essential for the protection of human dignity and rights.

Moreover, the Cairo Declaration asserts that Islamic values encompass essential human rights, thereby emphasizing the importance of respecting these rights as divine commands. The Organization of Islamic Cooperation (OIC) serves as a platform for advocating and defending human rights within the Islamic context. It prioritizes the preservation of Islamic social and economic values while promoting human rights principles.In relation to the Cairo Declaration with the OIC, and Islamic human rights lies in shared goal for promoting human rights within the framework of Islam, assistance for the recognition of Islamic perspectives on human rights, and fostering discussion and cooperation among Muslim-majority countries to address human rights challenges in the global world. At the same time as the Cairo Declaration and Islamic human rights discourse provide specific articulations of human rights from an Islamic perspective, the OIC serves as a platform for collective action and assistance on human rights issues affecting Muslim communities globally.

Comparatively, Bangladesh's legislative framework reflects a similar commitment to upholding human rights within the context of Islamic principles. The Constitution of Bangladesh recognizes the importance of religion in shaping the country's legal system and guarantees the protection of fundamental rights while respecting religious values. Various laws and regulations in Bangladesh align with Islamic principles of justice, equality, and social welfare.

4. IMPORTANCE OF UDHR

UDHR has a great significance in recent times because it is the first document of human rights together. Islamic aspects or the other religious aspects of human rights are obeyed by their own religious tribes but UDHR is the only documentary declaration, which has been bound to all the states in one rope. After fifty years since the adoption of the Universal Declaration of Human Rights, it is legitimate to ask whether the UDHR is at the root of all the positive international action in the last five decades. At the root of these developments were, of course, the suffering and the struggles of people. But, the UDHR was a breakthrough and a revolution in international relations and has remained a continuing source of inspiration since 1948. It is a living document in United Nations practiced now as part of international customary law (Ananthavinayagan, 2020). The UDHR enshrines universal principles of human rights that are applicable to all individuals, regardless of their religion, ethnicity, or nationality. Even as this article is focusing on Islamic sources of human rights and it can acknowledge the universality of certain human rights principles as articulated in the UDHR. This gratitude underscores the significance of upholding the fundamental rights and freedoms for all individuals, including those within Islamic societies. Furthermore, the article is recognizing the compatibility between Islamic principles and the UDHR which may also facilitate cooperation on human rights issues. By highlighting the common values shared by Islam and universal human rights, the article has constructed to encourage the collaboration between Muslim-majority countries like Bangladesh and the broader international community in advancing human rights goals.

Throughout its existence, the United Nations (UN) has consistently reinforced the principles articulated in the Universal Declaration of Human Rights (UDHR), holding nations accountable to its exacting standards, regardless of their membership status within the UN. This steadfast commitment serves a multifaceted role in shaping international relations and promoting human dignity. Some features are explained as under:

4.1 Facilitating Diplomatic Relations

The UDHR serves as a common platform for nations that have ratified it, fostering a shared understanding of human rights principles among signatory countries. By adhering to these principles, nations can establish a basis for mutual respect and cooperation, bolstering diplomatic relations and paving the way for constructive dialogue on a range of global issues.

4.2 Ensuring Rights for All

An essential aspect of the UDHR is its universality. Regardless of cultural, social, or geographical differences, the declaration affirms that all individuals, including members of Indigenous peoples and marginalized communities, are entitled to the same fundamental human rights. This inclusivity helps to empower vulnerable populations, ensuring that their voices are heard and their rights protected on the global stage.

4.3 Promoting Fundamental Values

At its core, the UDHR embodies a set of fundamental values that are indispensable for the establishment of just and equitable societies. These values include dignity, fairness, equality, and respect for all individuals, regardless of their background or circumstances. By upholding these principles, nations can foster environments conducive to peace, stability, and prosperity for all members of society.

4.4 Enforcing Accountability

One of the key functions of the UDHR is to provide a framework for holding governments and other actors accountable for human rights violations. By codifying human rights standards, the declaration empowers individuals, civil society organizations, and international bodies to demand accountability from those responsible for abuses. This accountability mechanism helps to deter future violations and promote a culture of respect for human rights at all levels of society.

4.5 Enhancing Access to Justice

The UDHR serves as a cornerstone for legal systems around the world, providing a framework for the development of laws and policies that protect and promote human rights. By incorporating the principles of the UDHR into their legal frameworks, nations can ensure that all individuals have access to justice and effective remedies in cases of human rights violations. This enhances the rule of law and strengthens the legitimacy of legal institutions, thereby promoting social cohesion and stability.

4.6 Upholding International Norms

By adhering to the UDHR, nations contribute to the maintenance and reinforcement of internationally accepted norms regarding human rights. This not only strengthens the global human rights regime but also fosters a sense of solidarity and shared responsibility among nations to uphold these principles. By upholding international norms, nations can build trust and cooperation on the international stage, leading to greater stability and security for all.

4.7 Harmonizing with Religious Values

The principles enshrined in the UDHR resonate with the teachings of many religious traditions, including Islam. By emphasizing values such as justice, compassion, and respect for human dignity, the UDHR aligns with the ethical teachings of Islam and other religions. This compatibility enables nations to integrate human rights principles into legal frameworks that are consistent with diverse cultural and religious traditions, thereby promoting social cohesion and inclusivity.

4.8 Addressing Contemporary Challenges

In today's complex and rapidly changing world, the UDHR provides a vital framework for addressing contemporary challenges to human rights. From ongoing conflicts and humanitarian crises to emerging issues such as climate change and technological advancements, the principles of the UDHR offer guidance on how to navigate these challenges while upholding fundamental freedoms and dignity for all individuals. By applying the principles of the UDHR to these pressing issues, nations can work together to find sustainable and inclusive solutions that promotes human rights and advances the well-being of all members of society.

After considering the previous and recent application of human rights, it may be assumed that the above mentioned particulars can create a great impact on society and it also indicates the importance of having UDHR as a signatory state.

5. CLASSIFICATION: THREE GENERATIONS RIGHT

Historically, Human Rights motioned as the generations. Besides that, Human Rights can be classified into three generations. The notion of three generations of rights categorizes human rights into three broad categories based on their focus and development over time. First-generation rights, also known as civil and political rights, emphasize individual freedoms and liberties such as the right to life, freedom of speech, and religion, protecting individuals from government interference. Second-generation rights, termed economic, social, and cultural rights, encompass rights related to socio-economic well-being, including education, healthcare, and housing, aiming to address socio-economic inequalities and promote social justice. And, third-generation rights, known as collective or solidarity rights focus on the rights of groups and communities, such as self-determination, peace, and a healthy environment, highlighting the importance of global cooperation and collective well-being. These three generations of rights have evolved over time to address the changing needs and challenges of society, shaping the discourse on human rights and influencing legal frameworks worldwide. By connecting the three generations of rights outlined in the UDHR with the discussion of Islamic sources of human rights in Bangladesh's legislation, this article can provide a comprehensive analysis of how religious principles intersect with contemporary legal frameworks to promote a more comprehensive and rights-based civilization. It determines the significance of addressing varied dimensions of human rights to ensure the holistic well-being of individuals and communities within Bangladesh and beyond. The concept of human rights is often analyzed through the lens of three distinct generations, each representing a different aspect of rights and freedoms that individuals and communities are entitled to.

5.1 First Generation Rights (Civil and Political Rights)

These rights are primarily concerned with protecting individuals from state interference in their personal and political lives. They encompass traditional liberties and freedoms that are essential for the functioning of democratic societies. Examples include:

a) The right to life: Protection against arbitrary deprivation of life.
b) The right to liberty and security of person: Safeguarding against arbitrary arrest or detention.
c) Freedom of expression: The right to freely express opinions and ideas without censorship or restraint.
d) Freedom of religion: The right to practice one's religion freely, without discrimination or persecution.
e) Right to a fair trial: Ensuring access to justice and due process in legal proceedings.

5.2 Second Generation Rights (Economic, Social, and Cultural Rights)

These rights go beyond individual liberties to address broader socio-economic inequalities and injustices. They require governments to take proactive measures to ensure the well-being and prosperity of their citizens. Examples include:

a) The right to education: Guaranteeing access to quality education for all individuals, regardless of socio-economic background.
b) The right to health care: Ensuring access to affordable and quality health services for everyone.
c) The right to work: Ensuring access to decent and productive employment opportunities, as well as fair wages and working conditions.
d) The right to housing: Ensuring access to adequate and affordable housing for all.
e) The right to social security: Providing a safety net for those who are unable to support themselves due to factors such as unemployment, disability, or old age.

5.3 Third Generation Rights (Collective or Development Rights)

These rights emerged in response to the evolving needs of societies and the recognition of the interconnectedness of rights across communities and generations. They often focus on issues of collective well-being, sustainability, and cultural preservation. Examples include:

a) Group and collective rights: Protecting the rights of specific groups or communities, such as indigenous peoples or ethnic minorities, to preserve their cultures and identities.

b) Right to self-determination: Affirming the rights of peoples to freely determine their political status and pursue their economic, social, and cultural development.
c) Right to a healthy environment: Ensuring access to clean air, water, and natural resources, as well as protection from environmental degradation and pollution.
d) Right to communicate and communication rights: Guaranteeing freedom of expression, access to information, and the ability to participate in public discourse and decision-making processes.
e) Right to participate in cultural heritage: Promoting cultural diversity and ensuring the rights of individuals to participate in and contribute to cultural life.
f) Right to intergenerational equity and sustainability: Ensuring that present and future generations have equitable access to resources and opportunities, and that development is pursued in a sustainable manner that preserves resources for future use.

These generations of rights reflect the evolving understanding of human rights and the recognition of the diverse needs and aspirations of individuals and communities around the world. They underscore the importance of addressing not only political and civil liberties but also socio-economic inequalities, cultural preservation, and environmental sustainability in the pursuit of human dignity and justice. Implementation of such rights primarily depends significantly on international cooperation and not merely the local legal and constitutional measures. Difference between these three sets of rights follows historical struggle for them, the appearance of the separate international instruments that protect them, the philosophical arguments concerning their status and the methodological matters surrounding their measurements (Faruque, 2012).

6. IMPORTANCE OF THREE GENERATION RIGHTS

These rights are creating an important impact for surviving in the world safely. At first, it should be enlighten that without a healthy environment, people cannot live in the world harmlessly. Natural resources are also very important for the environment and also for the economy of a country. Interrelation between other states is important as well. Without intergenerational equity, we cannot ensure a good environment or other resources for our next generation. They will get nothing, if the present generation doesn't apply the intergenerational equity appropriately. Third generation human rights are interred connected with the first generation and second generation of human rights. In the recent period, these rights cannot be differentiated at all.

Nevertheless, there lies general agreement for these areas which must require further exploration and attention from the international community. Some collective rights have already been recognized under the African Charter on Human and Peoples' Rights and the Declaration on the Rights of Indigenous Peoples. The UDHR itself includes the right to self-determination and a human right to development, which was codified in a 1986 UN General Assembly Declaration ("OHCHR | Declaration on the Right to Development").

The right to development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized. The Universal Declaration of Human Rights (UDHR)[10] holds immense importance in the realm of international law, diplomacy, and human rights, such as:

1. *Foundation of International Human Rights Law:* The UDHR serves as the cornerstone of modern international human rights law. Adopted by the United Nations General Assembly in 1948, it was the first global declaration to set out fundamental human rights to be universally protected. It laid the groundwork for subsequent human rights treaties and conventions, forming the basis of a comprehensive framework for the promotion and protection of human rights worldwide.
2. *Universal Standards and Values:* The UDHR establishes universal standards of human rights applicable to all individuals, regardless of nationality, ethnicity, religion, gender, or any other distinction. It articulates fundamental rights and freedoms that are inherent to all human beings, such as the right to life, liberty, and security, freedom from torture and slavery, and the

[10] OHCHR | Declaration on the Right to Development. Retrieved 30 July 2021, from https://www.ohchr.org/EN/ProfessionalInterest/Pages/RightToDevelopment.aspx.

right to education and work. By emphasizing the universality of human rights, the UDHR underscores the inherent dignity and worth of every person.

3. *Guiding Principles for State Action:* The UDHR outlines the responsibilities of governments to respect, protect, and fulfill the human rights of their citizens. It serves as a guide for states in the formulation of laws, policies, and practices that uphold human rights standards. Governments are expected to align their domestic legislation and institutions with the principles of the UDHR, ensuring the promotion of human dignity, equality, and justice within their respective jurisdictions.
4. *Framework for Accountability and Justice:* The UDHR provides a framework for holding governments and other actors accountable for human rights violations. It empowers individuals, civil society organizations, and international bodies to challenge and address abuses through legal mechanisms, advocacy efforts, and public awareness campaigns. By establishing clear standards of conduct, the UDHR facilitates accountability and contributes to the prevention and redress of human rights violations.
5. *Promotion of Peace and Stability:* Respect for human rights is essential for fostering peaceful and stable societies. The UDHR emphasizes the importance of promoting tolerance, understanding, and cooperation among individuals and communities. By addressing root causes of conflict, such as discrimination, inequality, and injustice, the UDHR contributes to the promotion of peace, reconciliation, and social cohesion at the national and international levels.
6. *Inspiration for Human Rights Advocacy:* The UDHR has inspired generations of human rights activists, advocates, and organizations around the world. It serves as a rallying cry for those fighting against oppression, discrimination, and injustice. The principles and values enshrined in the UDHR have mobilized diverse movements for social change, leading to the advancement of human rights agendas and the expansion of rights protections in various contexts.
7. *Framework for International Cooperation:* The UDHR underscores the importance of international cooperation in the promotion and protection of human rights. It encourages states to work together, as well as with civil society organizations, international institutions, and other stakeholders, to address global challenges and ensure the realization of human rights for all. Through dialogue, collaboration, and mutual support, the UDHR promotes solidarity and shared responsibility in advancing the human rights agenda worldwide.

Overall, the UDHR remains a vital instrument for promoting human dignity, equality, and justice in a rapidly changing world. Its enduring relevance underscores the ongoing commitment of the international community to uphold the principles of human rights and work towards a more just and inclusive society for all.

7. HUMAN RIGHTS: RESEMBLING WITH BANGLADESH'S LEGISLATION

The Constitution serves as the foundational legal document in Bangladesh, guiding the legal system and ensuring the protection of rights and freedoms. Universal Declaration of Human Rights (UDHR) and the Constitution of Bangladesh, along with other laws that protect human rights:

7.1 Equality Before Law

Both UDHR Article 7[11] and Constitution Article 27[12] affirm the principle of equality before the law. This ensures that all individuals, regardless of their background, are entitled to equal treatment and protection under the legal system. It prohibits discrimination and ensures that justice is administered impartially.By recognizing and upholding this principle, both international and national legal frameworks strive to ensure justice, fairness, and the protection of individual rights for all members of society, thereby promoting the rule of law and fostering a more just and equitable society.

[11] Universal Declaration of Human Rights | United Nations (n.d.). United Nations. https://www.un.org/en/about-us/universal-declaration-of-human-rights.
[12] Constitution of Bangladesh (n.d.). Laws of Bangladesh. Retrieved from: http://bdlaws.minlaw.gov.bd/act-details-367.

7.2 Protection Against Arbitrary Arrest

UDHR Article 9[13] and Constitution Article 33[14] provide essential safeguards against arbitrary arrest and detention. They stipulate that individuals cannot be arrested or detained arbitrarily but must be afforded due process of law. This includes the right to be informed of the reasons for arrest, the right to legal representation, and the right to challenge the legality of detention.By enshrining these safeguards, both international and national legal frameworks seek to uphold the principles of justice, rule of law, and respect for human dignity, thereby safeguarding individual rights and promoting a society based on fairness, accountability, and the protection of fundamental freedoms.

7.3 Right to Fair Trial

UDHR Article 10[15] and Constitution Article 35[16] both uphold the right to a fair and public hearing in criminal proceedings. They ensure that individuals accused of crimes are provided with adequate legal representation, have the opportunity to present evidence and witnesses in their defense, and are judged by impartial tribunals. These provisions are essential for protecting individuals from miscarriages of justice and ensuring the rule of law[17]. By enshrining these safeguards, both international and national legal frameworks seek to prevent miscarriages of justice, protect individual rights, and uphold the rule of law, thereby promoting confidence in the legal system and ensuring the integrity of criminal proceedings.

7.4 Right to Property

UDHR Article 17[18] and Constitution Article 42[19] recognize and protect the right to property. They guarantee that individuals have the right to own, use, and dispose of property without arbitrary interference. These provisions are crucial for promoting economic stability, encouraging investment, and protecting individuals from unlawful deprivation of their assets.Both international and national legal frameworks aim to safeguard individual autonomy, promote economic stability, and ensure the equitable distribution of wealth within society.

7.5 Freedom of Thought and Religion

Both UDHR Article 18[20] and Constitution Article 39[21] safeguard the freedom of thought, conscience, and religion. They ensure that individuals have the right to hold and express their beliefs freely, without coercion or discrimination. These provisions are essential for promoting diversity, tolerance, and pluralism within society.

7.6 Freedom of Assembly and Association

UDHR Article 20[22] and Constitution Article 37[23] protect the freedom of peaceful assembly and association. They guarantee that individuals have the right to assemble and form associations for lawful purposes, without interference from the state. These provisions are crucial for promoting civic engagement, political participation, and the free exchange of ideas.

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13 Universal Declaration of Human Rights | United Nations (n.d.). United Nations. https://www.un.org/en/about-us/universal-declaration-of-human-rights.
14 Constitution of Bangladesh (n.d.). Laws of Bangladesh. Retrieved from: http://bdlaws.minlaw.gov.bd/act-details-367.
15 Universal Declaration of Human Rights | United Nations (n.d.). United Nations. https://www.un.org/en/about-us/universal-declaration-of-human-rights.
16 Constitution of Bangladesh (n.d.). Laws of Bangladesh. Retrieved from: http://bdlaws.minlaw.gov.bd/act-details-367.
17 BLAST and others vs. Bangladesh and others (2003) 55 DLR 363 (BD).
18 Universal Declaration of Human Rights | United Nations (n.d.). United Nations. https://www.un.org/en/about-us/universal-declaration-of-human-rights.
19 Constitution of Bangladesh (n.d.). Laws of Bangladesh. Retrieved from: http://bdlaws.minlaw.gov.bd/act-details-367.
20 Universal Declaration of Human Rights | United Nations (n.d.). United Nations. https://www.un.org/en/about-us/universal-declaration-of-human-rights.
21 Constitution of Bangladesh (n.d.). Laws of Bangladesh. Retrieved from: http://bdlaws.minlaw.gov.bd/act-details-367.
22 Universal Declaration of Human Rights | United Nations (n.d.). United Nations. https://www.un.org/en/about-us/universal-declaration-of-human-rights.
23 Constitution of Bangladesh (n.d.). Laws of Bangladesh. Retrieved from: http://bdlaws.minlaw.gov.bd/act-details-367.

7.8 Non-Discrimination

UDHR Article 2[24] and Constitution Article 28[25] prohibit discrimination on various grounds, including religion, race, caste, sex, or place of birth. They ensure that all individuals are treated equally before the law and are afforded equal protection of their rights. These provisions are essential for promoting social cohesion, inclusivity, and equality of opportunity.

7.9 Freedom of Religion

Both UDHR Article 18[26] and Constitution Article 41[27] guarantee the freedom of religion. They ensure that individuals have the right to practice, profess, and propagate their religion freely, without fear of persecution or discrimination. These provisions are fundamental for respecting religious diversity and promoting religious harmony within society.

7.10 Freedom of Movement

UDHR Article 13[28] and Constitution Article 36[29] safeguard the freedom of movement. They ensure that individuals have the right to move freely within the country and to travel abroad, subject only to reasonable restrictions necessary for public safety, national security, or the protection of the rights and freedoms of others.

In addition to these constitutional provisions, human rights are protected by various laws in Bangladesh:

a) *Penal Code, 1860*: Several provisions of the Penal Code align with the principles of the UDHR, providing legal remedies and punishments for offenses that violate human rights, such as murder (Section 300)[30]. However, it's important to note that certain provisions, such as the retention of the death penalty, may be considered inconsistent with the UDHR's principles.The article could analyze how Section 300 aligns with Islamic principles of qisas (retaliation) and diyat (blood money) in cases of homicide. These principles offer avenues for justice and reconciliation in accordance with Islamic law, supplementing the legal provisions outlined in the Penal Code and it provides an opportunity to explore the intersection of Islamic principles, human rights, and legal frameworks in Bangladesh, highlighting areas of convergence and potential areas for improvement in policy and legislation.

b) *Code of Civil Procedure, 1908*: This code ensures fair and equitable resolution of civil disputes, aligning with the UDHR's principles of justice and due process[31]. The CPC establishes procedures for conducting trials in civil cases, including principles of due process, evidence, and fairness. These provisions are consistent with Islamic principles of justice, which require that legal proceedings be conducted fairly and impartially. Ensuring a fair trial is essential for upholding the rights of litigants and promoting confidence in the legal system. The CPC, 1908, contributes to the realization of Islamic principles of justice, fairness, and the protection of rights within the context of civil litigation in Bangladesh. While not explicitly based on Islamic sources, the CPC aligns with fundamental principles of Islamic law and supports the promotion and protection of human rights within the legal framework of Bangladesh.

c) *Code of Criminal Procedure, 1898*: Sections of this code address arrest, detention, and fair trial rights, aligning with the UDHR principles. For example, Section 41, 42, 54, and 151 provide safeguards regarding arrest and detention, while Section 526 ensures the right to a fair trial[32]. Islamic law encourages the principles of restorative justice, which emphasize reconciliation, forgiveness, and rehabilitation. While the CrPC is primarily focused on the punitive aspects of criminal justice, it also provides opportunities for the resolution of disputes through alternative

[24] Universal Declaration of Human Rights | United Nations (n.d.). United Nations. https://www.un.org/en/about-us/universal-declaration-of-human-rights.
[25] Constitution of Bangladesh (n.d.). Laws of Bangladesh. Retrieved from: http://bdlaws.minlaw.gov.bd/act-details-367.
[26] Universal Declaration of Human Rights | United Nations (n.d.). United Nations. https://www.un.org/en/about-us/universal-declaration-of-human-rights.
[27] Constitution of Bangladesh (n.d.). Laws of Bangladesh. Retrieved from: http://bdlaws.minlaw.gov.bd/act-details-367.
[28] Universal Declaration of Human Rights | United Nations (n.d.). United Nations. https://www.un.org/en/about-us/universal-declaration-of-human-rights.
[29] Constitution of Bangladesh (n.d.). Laws of Bangladesh. Retrieved from: http://bdlaws.minlaw.gov.bd/act-details-367.
[30] Penal Code, 1860 (n.d.). Laws of Bangladesh. Retrieved from: http://bdlaws.minlaw.gov.bd/act-11.html.
[31] Code of Civil Procedure, 1908 (n.d.). Laws of Bangladesh. Retrieved from: http://bdlaws.minlaw.gov.bd/act-86.html.
[32] Code of Criminal Procedure, 1898 (n.d.). Laws of Bangladesh. Retrieved from: http://bdlaws.minlaw.gov.bd/act-75.html.

dispute resolution mechanisms, such as mediation and plea bargaining. These mechanisms can be aligned with Islamic principles of resolving conflicts amicably and promoting social harmony. Furthermore, Islamic law emphasizes the principles of justice, equity, and the rule of law. The CrPC aligns with these principles by providing procedural mechanisms for the investigation and prosecution of criminal offenses, ensuring that justice is administered impartially and in accordance with the law. The CrPC also includes provisions for the protection of the rights of victims and witnesses, reflecting Islamic values of compassion and fairness in the administration of justice.

d) *Special Laws*: The UDHR's principles are incorporated into special laws and have applicability in the Supreme Court of Bangladesh. These laws provide additional legal avenues for the protection of human rights and ensure that individuals who violate the rights of others can be held accountable and punished.

Overall, these constitutional provisions and legal frameworks collectively ensure that Bangladesh's legal system upholds the principles of dignity, equality, and justice for all its citizens, in alignment with the Universal Declaration of Human Rights.

Case comments:

i. *BNWLA vs. Government of Bangladesh and others*[33]: In this case, the court has voluntarily declared that "Our courts will not enforce any Covenants as Treaties and Conventions even if it is ratified by the state. It can only be enforced when these are incorporated in the local legislations." As our state has incorporated UDHR in legal legislation, it is enforceable by the court[34].

ii. *Ershad vs. Bangladesh and others*[35]: The court added that there was full application of Article 13 of the UDHR to the facts of the present case. Through the judgment it was reaffirmed that the right to leave a country is a fundamental human right and also consistent with the right to freedom of movement which is guaranteed by both the constitution and the Universal Declaration of Human Rights[36].

iii. Bangladesh vs. Metropolitan Police Commissioner[37]: Court held that the Universal human rights norms contained in international instruments could be enforceable when the provisions were incorporated into the local law and the courts also cannot ignore the international obligations which have been undertaken by a state[38].

iv. Chaudhury and Kendra vs. Bangladesh and others[39]: It has been observed that when there is no application of national legislation to solve a particular issue, in that case international treaties and protocols can be taken under consideration directly and there will be no bar on that application. Indeed, the guidelines which will be provided by the court contained significant value in the case[40].

8. RECOMMENDATIONS

Therefore, many human rights set forth in the international instruments are not really absolute and may be limited by the various factors. Basically there are three determining factors which have limited the enjoyment of human rights. Firstly, there must be some basic and primary restrictions

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33 BNWLA vs. Government of Bangladesh and others (2009) 14 BLC 703

34 Supreme Court of Bangladesh, BNWLA v. Government of Bangladesh, 14 May 2009, Petition No. 5916 of 2008 — Compendium of Court Decisions. (n.d.). https://compendium.itcilo.org/en/compendium-decisions/supreme-court-of-bangladesh-bnwla-vs.-government-of-bangladesh-14-may-2009-petition-no.-5916-of-2008.

35 Ershad vs. Bangladesh and others (2001) (AD) 21 BLD (BD)

36 Ershad v Bangladesh, Appeal, 21 BLD (AD) (2001) 69, ILDC 476 (BD 2000), 16th August 2000, Bangladesh; Supreme Court; Appellate Division (n.d.). Oxford Public International Law. https://opil.ouplaw.com/display/10.1093/law:ildc/476bd00.case.1/law-ildc-476bd00.

37 Bangladesh vs. Metropolitan Police Commissioner 60 DLR 660 (BD)

38 State v. Metropolitan Police Commissioner, Khulna and Others | CRIN (n.d.). https://archive.crin.org/en/library/legal-database/state-v-metropolitan-police-commissioner-khulna-and-others.html.

39 Chaudhury and Kendra vs. Bangladesh and others (2009) (HCD) 29 BLD (BD)

40 Chaudhury and Kendra v Bangladesh and ors, Writ petition, No 7977 of 2008, 29 BLD (HCD) 2009, ILDC 1515 (BD 2009), 19th January 2009, Bangladesh; Supreme Court; High Court Division (n.d.). Oxford Public International Law. https://opil.ouplaw.com/display/10.1093/law:ildc/1515bd09.case.1/law-ildc-1515bd09.

imposed on civil and political rights on the basis of national security, public order, public safety, morals, privacy, public health, interest of justice, etc. Secondly, through reservations which are made by the States of human rights treaties can curtail the enjoyment rights. Finally, as treaties and are essentially consensual in nature, states may accept or decline the obligations there under at their discretion (Faruque, 2012). After considering such matters, some recommendations has provided by the researchers:

8.1 Effective Charters: OIC should need to have some effective charters concerning human rights to prevent the western world from making any kind of interference in the internal issues of different states as a preventive method and they should also have enough protection and promotions under the pretence of human rights.

8.2 Death Penalty: There are still some states who are the signatory countries of the Universal Declaration of Human Rights but they are not obeying the rules and protocols of the UN charter. Some of the states are applying the approach of death penalty including Bangladesh, which is going against the protocols of human rights. To ensure human rights, states must ensure the applicability of the UN human rights protocols accordingly.

8.3 Signatory States: Many of the states are not the signatory parties of UDHR. In many aspects they are violating their internal human rights. To give protection to those victims, the United Nation must take proper steps to ensure some rules and international protocols.

8.4 Crimes Against Humanity: All the criminal activities which are inhuman and against human rights should be monitored by the superiors who are having the power to control the crime against humanity.

8.5 Access to Justice: Every citizen should have the access to justice if there is any violation of human rights against the citizens of a state. All the issues regarding crime against humanity should be examined by the local authority in the first instance and afterwards, it will be taken under consideration of the higher authorities if necessary.

8.6 Integration of Islamic Principles into National Human Rights Legislation: Policymakers should consider incorporating Islamic values into existing human rights laws to ensure alignment with the Cairo Declaration and OIC standards.

8.7 Strengthening Collaboration with OIC: Bangladesh can enhance its engagement with the OIC to exchange best practices and promote a common understanding of human rights within the Islamic context.

8.8 Promotion of Religious Tolerance and Inclusivity: Policymakers should strive to foster an environment of religious tolerance and inclusivity, ensuring that the rights of religious minorities are protected in line with Islamic principles.

These are some recommendations to have control over the crime against humanity in every individual state including Bangladesh. As a state, Bangladesh is a developing country and this is the high time to ensure the security of the general people and peace among the citizens. Implementation of proper legal provisions at the right time can make the state a more developed and zero crime rated country.

9. CONCLUDING REMARKS

Human rights law now extends to human life. Human rights has had a remarkable influence over the further development of the human rights law at the international stage. From the very beginning of 1948, the UDHR has been referred to in many important recommendations and declarations which are adopted by the United Nations General Assembly. The declaration is also often employed by the court of international courts and tribunals and including this national judiciary are also applying it with different local legislations.

Without the law of human rights it might not be possible to protect our human dignity and human life as well. The researcher has tried to focus on the elementary concept of human rights with Islamic Source of human rights, Universal Declaration of Human Rights and how it has been resembled with Bangladeshi legal system. Bangladesh is now a member of different human right treaties and conventions. Along with this, human rights activists are doing a great job in the field to ensure justice to the victims and spreading awareness all over the country. The most recent UN instrument on trafficking is the protocol to prevent, suppress and punish trafficking in persons, especially Women and Children, 2000 was the supplement of the UN Convention against Transnational Organized Crime, 2000 (Faruque, 2012).

Indeed, the existing local laws and provisions of the Universal Declaration of Human Rights are working collaterally to ensure justice and humanity to every citizen.

10. REFERENCES

Almahfali, M., & Avery, H. (2023). Human Rights from an Islamic Perspective: A Critical Review of Arabic Peer-Reviewed Articles. *Social Sciences*. Retrieved from: https://www.researchgate.net/publication/368544873_Human_Rights_from_an_Islamic_Perspective_A_Critical_Review_of_Arabic_Peer-Reviewed_Articles.

Ananthavinayagan, D. (2020). A Reason to Celebrate? Third World Approaches to the Human Rights Day 2020 and the UN at 75. International Law Blog. https://internationallaw.blog/2020/12/10/a-reason-to-celebrate-third-world-approaches-to-the-human-rights-day-2020-and-the-un-at-75.

Ayoob, M. (2007). The Many Faces of Political Islam: Religion and Politics in the Muslim World. Bibliovault OAI Repository, the University of Chicago Press. https://www.researchgate.net/publication/37704363_The_Many_Faces_of_Political_Islam_Religion_and_Politics_in_the_Muslim_World.

Faruque, A. (2012). International Human Rights Law: Protection Mechanism and Contemporary Issues (2nd ed.). Bangladesh: New Warsi Book Corporation.

Guilain, D. (2002). The forgotten SWAMP: Navigating political Islam. *Middle East Policy*, *9*, 56-81. http://doi.org/1111/1475-4967.00057.

Hossain, A. (2012). Islamic Resurgence in Bangladesh's Culture and Politics: Origins, Dynamics and Implications. *Journal of Islamic Studies*, *23*(2), 165-198.

Jahan, F., & Shahan, A. (2013). Power and Influence of Islam-Based Political Parties in Bangladesh: Perception versus Reality. *Journal of Asian and African Studies*, *49*(4), 1-16. http://dx.doi.org/10.1177/0021909613488350.

Hosseini, S. E., Ramchahi, A., Jamilah, R., & Yusuf, R. (2014). The Impact of Information Technology on Islamic Behaviour. J*ournal of Multidisciplinary Engineering Science and Technology*, *1*(5), 20. Retrieved from: https://www.researchgate.net/publication/270272110.

Kirazli, H.S. (2024). Conceptual and Theoretical Framework of Islamic Conflict Resolution and Peacemaking. In: Harris Sadik Kirazli (ed.), *Conflict Resolution and Peacemaking in Islam*. *Palgrave Series in Islamic Theology, Law, and History*. Cham: Palgrave Macmillan. https://doi.org/10.1007/978-3-031-53927-5_4.

Islam, M. (2021). Political Islam in South Asia: A critical appraisal of the Bangladesh Jamaat-e-Islami. International Area Studies Review, *24*(25), 223386592110183. http://dx.doi.org/10.1177/22338659211018320.

Islamiyati, D. (2017). Islamic View of Human Rights. *International Journal of Islamic Business Ethics*, *2*, 238. https://doi.org/10.30659/ijibe.2.1.238-244.

Jawad, H. A. (1998). *The rights of women in Islam*. Springer. Retrieved from: https://link.springer.com/book/10.1057/9780230503311.

Komen, T. (2012). The Constitution of Medina. Pembekal Rempah Ratus Warisan. Retrieved on 9 June 2021 from: https://rempahratuswarisan.wordpress.com/2012/09/24/the-constitution-of-medina.

Lewis, B. (2011). *Islam in history: Ideas, people, and events in the Middle East*. Open Court. Retrieved from: https://books.google.com.bd/books/about/Islam_in_History.html?id=RcGcb6PIky0C&redir_esc=y.

Machiavelli, B. (2018). Notes on European Islam and the West. Google Books. Retrieved on 10 June 2021 from: https://books.google.com.au/books?id=RixlDwAAQBAJ.

Madhava, M. N. R. (2006). Access to Justice and the Role of Legal Education. In: 'Access to Justice: A shift from Letter of Law to Spirit of Law', Proceedings of the Commonwealth Legal Education Conference, New Delhi, July 28-30, 2006, p.3.

Shiman, D. (1993). A Short History of Human Rights. Retrieved on 10 May 2024 from http://hrlibrary.umn.edu/edumat/hreduseries/hereandnow/Part-1/short-history.htm.

Taimia, I. (2005). Enjoining Right and Forbidding Wrong - By Ibn Taimia. Retrieved on 9 May 2024 from: https://www.iium.edu.my/deed/articles/alhisba.html.

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Authors' Contributions (in accordance with ICMJE criteria for authorship)

Contribution	Author 1	Author 2	Author 3
Conceived and designed the research or analysis	Yes	Yes	Yes
Collected the data	Yes	Yes	Yes
Contributed to data analysis & interpretation	Yes	Yes	Yes
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The author(s) solemnly declare(s) that this research has not involved any human subject (body or organs) for experimentation. It was not a clinical research. The contexts of human population/participation were only indirectly covered through literature review. Therefore, an Ethical Clearance (from a Committee or Authority) or ethical obligation of Helsinki Declaration does not apply in cases of this study or written work.

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