

Subjective Type Questions with Answers

Q1. Write a note on Objective Resolution.

Answer

Pakistan is the first nation in the world, whose creation was based on the religious motives. It was because of this reason that the popular and famous slogan of "Pakistan ka Matlab Kiya? La Illaha Illallah" was the main basis of the demand of Pakistan. But at a very outset of its establishment, it had no Islamic constitution of its own, so according to the Independence Act of 1947, the government of India Act 1935, with certain amendments was adopted by Pakistan. However, a new constitution was to be framed for the country since the old Act of 1935 did not contain everything required for an independent Islamic state.

First Constituent Assembly

In order to establish a society based on the Islamic principles, a constituent assembly was formed in 1947 with Quaid-e-Azam as its leader. The responsibility of making a constitution of Pakistan rested on Constituent Assembly.

However, with the death of Quaid-e-Azam on September 11, 1948 the responsibility of framing the constitution fell onto the shoulders of the first Prime Minister, Liaquat Ali Khan.

Objective Resolution

The First Constituent Assembly passed this resolution in March 1949 under the leadership of Liaquat Ali Khan. It contained those objectives on which the future constitution was to be based as stated by the founder of the nation, Quaid-e-

Azam in February 1948, said: "The constitution of Pakistan will be democratic and based on the fundamental laws of Islam..... Islam and its ideology have taught us the lesson of democracy."

Salient Features of Objective Resolution

- Sovereignty belongs to Allah
- Federal system of Government
- Golden Principles of Islam
- Supreme Authority of the People
- Formation of Islamic Way of Life
- Safeguard of Minority Rights
- Equal Rights to Citizens Rights
- Developments of Under Developed Areas
- Indus Feudal Judiciary

The salient features of the Objective Resolution are as follows:

Sovereignty Belongs to Allah

The resolution clearly laid down that sovereignty over the entire Universe belongs to Almighty Allah alone and the authorities to be exercised by the people of Pakistan are a sacred trust.

Federal System

Federal System of Government will be introduced in Pakistan.

Golden Principles of Islam

Principles of democracy, equality, freedom and social justice as laid down by Islam shall be fully observed.

Supreme Authority of the People

The sovereignty of the state will be established through the elected representative of the people. Power to rule has been delegated by Allah to the people of Pakistan. It is a sacred trust and the people of Pakistan shall exercise this authority strictly in accordance with injunctions.

Promotion of the Islamic Way of Life

The Muslims shall be provided with opportunity to order their lives in accordance with the teachings and requirements of Islam. Facilities will be provided to the Muslims in order to enable them to model their lives in accordance with the teachings of the Holy Quran and Sunnah, i.e. the model sent by Prophet Muhammad (PBUH).

Safeguard of Minority Rights

The rights and interests of the minorities to freely profess and practice their religion will be protected.

Equal Rights to Citizens

All citizens will enjoy their rights on the principle of equality.

Safeguard of Fundamental Human Rights

All fundamental rights of the citizens like freedom, equality, ownership of property, faith, worship and formation of association shall be safeguarded.

Development of Under Developed Areas

All efforts will be made for the development and progress of the under developed areas.

Independent Judiciary

Judiciary will be independent.

Objective Resolution and Liaquat Ali Khan

While introducing the resolution in the Constituent Assembly, Liaquat Ali Khan said:

"The ideals that promised the demand for Pakistan should form the corner stone of the state. When we use the word 'Democracy' in the Islamic sense. It pervades all aspects of life. It related to the system of government and to our society with equal validity because one of the greatest contributions of Islam has been the equality of all men"

Basic Principles of Committee

After passing the Objective Resolution, the Constituent Assembly of Pakistan set up a 'Basic Principle Committee" to spell out proposals for the Constitution in accordance with guidelines contained in the Objective Resolution.

Conclusion

All the above-mentioned principles were presented in the Objective Resolution that is why this resolution is considered an important event in the constitutional history of the country. All classes of people accepted it. It consisted of such principles which revealed that character of constitution shall be Islamic.

Q2. Give an account of the Islamic provisions of the 1956 constitution of Pakistan.

Answer

The 1956 constitution is the first constitution of Pakistan. The manuscript of this constitution had 334 articles and six appendices. This constitution was implemented on March 23, 1956.

The Islamic provisions of 1956 constitution

Objective Resolution a Preamble

Objective resolution was incorporated in the preamble of the constitution of 1956.

The Islamic Provisions of the 1956 Constitution

The Islamic provisions of the 1956 constitution were:

- Sovereignty of Allah
- Islamic Republic
- Muslim Head of the State
- Implementation of Islamic law
- Promotion of Islamic Law
- Relations with the Muslim Countries
- Equal Rights to Citizens
- Supremacy of Islamic Law
- Building a Progressive Welfare Society
- The Islamic Advisory Council'

Sovereignty of Allah

The resolution clearly laid down that sovereignty over the entire universe belongs to Almighty Allah alone and the authorities to be exercised by the people of Pakistan are a sacred trust.

Islamic Republic

In 1956 constitution, the state was first time proclaimed as Islamic Republic and it was given the name of "Islamic Republic of Pakistan".

Muslim Head of the State

It was proclaimed in the constitution, that only a Muslim could be the head of the state.

Democracy, Justice, Liberty, Equality, Fraternity

All fundamental rights of the citizens like freedom, equality, ownership of property, freedom of expression, faith, worship and formation of association shall be safeguarded and no citizens shall be claimed any of these rights.

Implementation of the Islamic law

Article 98 of the constitution provides that no law repugnant to the spirit of Islam shall be enacted. Existing laws shall be brought in conformity with the spirit of the Quran and Sunnah.

Promotion of Islamic Values

The Muslims shall be provided with opportunity to order their lives in accordance with the teachings and requirements of Islam. Facilities will be provided to the Muslims in order to enable them to model their lives in accordance with the teachings of the Holy Quran and Sunnah (i.e. the model sent by Prophet Muhammad (PBUH)). Directive Principles of state policy provided for the preservation and promotion of Islamic values. It was said that:

- Illiteracy would be eliminated
- Working conditions shall be improved.
- Gambling, drinking and prostitution shall be eliminated.
- The government shall try to ensure that all the citizens are provided food, shelter, clothing and basic health facilities.
- Guarding principles of state policy laid great stress on the improvement of Pakistan's relations with the Muslim countries of the world.

Equal Rights to Citizens

All citizens will enjoy their rights on the principle of equality.

Safeguard of Fundamental Human Rights

All fundamental rights of the citizens like freedom, equality, ownership of property, freedom of expression, faith, worship and formation of association shall be safeguarded and no citizens shall be claimed any of these rights.

Supremacy of Islamic Institution

Existing laws should be amended in the light of Islamic principles, and it will be ensured that all laws passed in future conform to the tenets of Islamic Shariah.

Safeguard of Islamic Institution

The constitution promised that the Islamic institutions like Zakat, Awaqaf, and Masjid shall be organized by the states and that the real Islamic spirit character of these institutions shall be preserved and promoted.

Building a Progressive Welfare Society

The constitution made a vow to make Pakistan a progressive welfare state.

The Rights of the minorities

The constitution provided that the minorities should be provided religious liberty according to the Islamic spirit of tolerance.

Establishment of Islamic Research Institute

Islamic Research Institute was established to confirm the norms of the modern era with the true spirit of Islam.

The Islamic Advisory Council

In order to assist the president and the legislative assemblies in the process of making new laws in accordance with the Islamic tenets and for the Islamization of the existing laws, the constitution provided the establishment of the Islamic advisory council.

Conclusion

All the above-mentioned Islamic provisions were presented in the constitution of 1956. That is why this constitution is considered an important event in the constitutional history of the country. All classes of people accepted it. It provided a guideline for the future constitutions of Pakistan, which were passed in 1962 and 1973.

Q3. Give an account of the Islamic provisions of the 1962 constitution of Pakistan.

Answer

Background

With the aim of investigating the reasons of failure of the parliamentary system in Pakistan, and to make recommendations for the new constitution, Ayub Khan appointed a constitution Commission under the supervision of Justice Shahab-ud Din. After a number of considerations, the Commission submitted its report on May 6, 1961. Ayub Khan was not satisfied with the report and had it processed through various committees. As a result, the Constitution, which was promulgated on March 1, and enforced on June 8, 1962, was entirely different from the one recommended by the Sahab-ul-Din Commission.

The Constitution of 1962

The constitutions of 1962 consisted of 250 Articles, which were divided into 12 parts and three schedules.

The Islamic Provision of the 1962 Constitution

The following are the Islamic provisions of 1962 constitution based on the principles of the Holy Quran and Sunnah

- Islamic Republic of Pakistan
- Sovereignty Belongs to Allah
- A Muslim to be a President and Prime Minister
- Islamic Way of life
- Promotion of Social Justice and Eradication of Social Evils
- Safeguard of Islamic Institutions
- Building of a Welfare Progressive Society
- Establishment of Islamic Research Institute

- The Islamic Advisory Council

Islamic Republic of Pakistan

The official name of Pakistan shall be "Islamic Republic of Pakistan".

Sovereignty Belongs to Allah

Sovereignty over the entire universe belongs to Almighty Allah and the authority bestowed by him or men is a sacred trust, which the people of Pakistan will exercise with the limits prescribed by the Holy Quran and Sunnah.

A Muslim to be a President and Prime Minister

The constitution lay down that only Muslims should be elected President and Prime Minister of Pakistan. No Non-Muslim could hold these offices.

Islamic Way of Life

Step shall be given to enable the Muslims of Pakistan to order the lives in accordance with the fundamental principles and basic concepts of Islam.

Promotion of Social Justice and Eradication of Social Evils

The state shall take necessary steps for prosecution of social justice and eradication of social evils and shall prevent prostitution, gambling and taking of injurious drugs, printing, publication circulation and display of obscene literature and advertisements.

Safeguard of Islamic Institutions

The constitution promised that the state and the real Islamic spirit shall organize the Islamic institutions like Zakat, Aquaf, and Masajid and character of these institutions shall be preserved and promoted.

Building of a Welfare Progressive Society

The constitution made a vow to make Pakistan a progressive welfare state.

Establishment of Islamic Research Institute

Islamic research institute shall be established to research on Islamic issues.

The Islamic Advisory Council

Islamic advisory council would be established to assist the president and the legislative assemblies. This council would help the legislative assemblies in making Islamic law.

This council would also be involved in the Islamization of the existing laws and would be comprised of eminent jurists, religious scholars and academics.

Safeguard the Rights of the Minorities

The rights of the minorities would be safeguarded under the constitution.

Conclusion

The 1962 provides for the protection, propagation and enforcement of Islamic Ideology.

Q4. What happens if the balance between the duties and rights is not maintained? Discuss

Answer

Right

A right is an entitlement. On this analysis what are commonly called rights to employment, welfare etc are not rights. A right to employment is meaningless because there is no reason who is under a duty to employ. Welfare is not a right. It is a privilege, which is given to certain persons.

Duty-centered Society

A duty-centered society is preferable to a right-centered society. If individuals are concerned about their duties, responsibilities and obligations, they cannot but be concerned about the rights and freedom of others. A right centered society is one in which individuals assert their rights. They are encouraged by the

Human Rights Commission and like Commonwealth and State bodies, to demand rights, with no consideration for the effect of those demands on other people, e.g. the right to protest and demonstrate conflicts with the right of pedestrians and motorists to use the public roads for the purpose for which roads are built.

Rights and Duties are Co-related

Whether one agrees with this analysis or not, it is undeniable that at the commonsense level a right involves a duty in another person or institution. As an essential commonsense corollary, it must also involve an acceptance of that duty by the person who is subject to it. It is ironic in society today that while more and more people are demanding rights, fewer and fewer people are concerned about duties, least of all those who are most vocal in the assertion of rights. Governments, the Human Rights Commission and many other government agencies provide doubtful leadership in this regard. They are educating people about their rights and are attempting to make more and more rights available with no reference to logic and commonsense. But they seem unconcerned about the need to educate people about duties and the importance of a sense of responsibility.

There cannot be a right without a duty. An endless cacophony of demands by interest groups for rights has become a dominant feature of the modern state. At the same time there is a defining silence on the question of individual responsibility. The time has come to realize and to emphasize that rights, whether material or political, depend on the discharge of duties. Wealth and prosperity are created by effort.

Conclusion

History has continually demonstrated that the greatest of civilizations decline and fall when they succumb to indulgence at the expense of discipline and endeavor. The fall of Egyptian and Roman civilizations is prime example. It is not

too early for Western Civilization to heed the supreme lesson of human experience.

Q5. Give an account of the obstacles in the way of Islamization and show, in your opinion these can be removed?

Answer

Pakistan is an Islamic state but the dream of Islamization in Pakistan is still to be realized. We have 55 years of independence but mentally we still are slaves. The reason behind this mental and psychological slavery is that we have not implemented the system of Islamization in our country. The following are the obstacles in the way of Islamization in Pakistan:

- Shortcoming in the Strategy of Islamization
- Autocracy of the religious extremists
- Lack of Democratic Thinking
- Amguous Conception of the Religion
- Lack of the People who are really involved with the Islamization of the Country
- Ignorance of the People
- Foreign Lobby
- The Bad Image of the Muslims
- Economic Dependence

Shortcomings in the Strategy of Islamization

No proper steps have been taken in regarding the task of Islamization in the country. Always wrong strategies have been used for this purpose.

Autocracy of the Religious Extremists

The extremists of the religious autocrats are the greatest obstacle in the way of Islamization in the country. These autocrats believe in enforcing religion upon

the people. They do not know that love and not pressure is the key to heart. People may surrender to pressure and coercion but they cannot be true Muslims until they feel the message of truth penetrating in their hearts.

Lack of Democratic Thinking

The godfathers of religion lack democratic attitude. They cannot tolerate negation of their own standpoint. This lack of democratic thinking gives a rise to self-righteousness and eats away the process of Islamization in the country.

Ambiguous conception of the religion

Islam is a complete code of life. But the autocratic people have enclosed it in just a number of ceremonies and rites. The completion of these ceremonies and rites is necessary no doubt. But Islam is not only a set of ceremonies. Rather its span spreads over the whole life of a man.

Lack of the people who are really involved with the Islamization of the country

Our history bears a testimony to the fact that the authorities, the government and even the religious godfathers treated the term 'Islamization of Pakistan' as a mere cliché. They used his term to win either political or personal gains. This lack of sincerity towards the process of Islamization did much wreck to the mission.

Ignorance of the people

The masses of Pakistan are ignorant. They do not know what is Islam. They are just hereditarily Muslims. Islam is just their legacy, which their parents have left to them. Since the people of the country are more than ignorant, the process of Islamization just remains a paper work, a lip service.

Foreign Lobby

The biggest obstacle in the implementation of Islamization in Pakistan is the external lobby. The Titan countries are afraid of the might of Islam. They fear that Islamization would dwindle their monopoly. So they engage themselves in

breaking rumors against Islam so that the dream of Islamization cannot be realized.

The Bad Image of the Muslims

The Muslims themselves had made their image tattered in the eyes of the foreign countries. It is a harsh reality that the majority of the international terrorists in the present era are comprised of the Muslims.

Economic Dependence

Pakistan is dependent on the foreign. This economic dependence is the major obstacle in the way of Islamization of Pakistan.

Q6. Enlist the salient features of UN charter of human rights.

Answer

Background

Human Rights

The concept of Human rights was first given by the Holy Prophet (PBUH) fourteen hundred years ago. The last sermon of the Holy Prophet (PBUH) was a charter of Human rights. It laid the foundations of fundamental of Human rights. The west adopted the concept of Human rights very later on in the 20th century.

The Human Rights declaration 1948

The United Nations constituted a Human Rights Commission to prepare a draft of the basic Human rights and to present it before the General Assembly. The commission presented and got approved the draft on December 10, 1948. This draft of the Human rights was later on called "Human Rights Declaration 1948".

Salient Features of UN Human Charter

The salient features of the declaration are:

- Right Equality
- Discrimination to be Abolished
- Right of Self-preservation
- Prohibition of Slavery
- Prohibition of Inhuman Treatment
- Equality before law
- Rights of legal defence
- Rights to family and private life
- Right to free movement and residence
- Right to property and ownership
- Right to freedom of thought, conscience and religion
- Right to peaceful assembly
- Political rights
- Rights to get employment
- Right to social security
- Right to leisure and rest
- Right to basic necessities
- Right to education

Right of Equality

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Discrimination to be abolished

Everyone is entitled to all rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, color, sex, language, religion, political or any other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political,

jurisdictional or international status of the country or territory to which a person belongs.

Right of self-preservation

Everyone has the right to life, liberty and security of person.

Prohibition of Slavery

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Prohibition of Inhuman Treatment

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Equality before Law

All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such Discrimination.

Right of Legal Defense

1. Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he had all the guaranteed necessary for his defence.
2. No one shall be held guilty of any penal offence on account of any act or omission, which did not constitute a penal offence, under national or international law, at the time when it was committed.

Rights to Family and Private Life

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honor and reputation. Everyone has the right to the protection of the law against such interference or attacks.

Right of Free Movement and Residence

1. Everyone has the right to freedom of movement and residence within the borders of each state.
2. Everyone has the right to leave any country. Including his own, and to return to his country.

Right to Family Life

1. Marriage shall be entered into only with the free and full consent of the intending spouses.
2. The family is the natural and fundamental group unit of society and is entitled to protection by society and the state.

Right of Property and Ownership

1. Everyone has the right to own property alone as well as in association with others.
2. No one shall be arbitrarily deprived of his property.

Right to Freedom of Thought, Conscience and Religion

Everyone has the right to freedom of thought, conscience and religion, this right included freedom to change his religion or belief, and freedom, either alone or in community with other and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Right to Peaceful Assembly

1. Everyone has the right to freedom of peaceful assembly and association.
2. No one may be compelled to belong to an association.

Political Rights

1. Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.

2. Everyone has the right of equal access to public service in his country.

Right to Social Security

Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international cooperation and in accordance with the organization and resources of each state, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

Right to get Employment

1. Everyone has the right to work, to free choice of employment, to just and favorable conditions of work and to protection against unemployment
2. Everyone, without any discrimination, has the right to equal pay for equal work.
3. Everyone has the right to form and to join trade unions for the protection of his interests.

Right to Leisure and Rest

Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

Right to Basic Necessities

1. Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.
2. Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

Right to Education

1. Everyone has the right to education, Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory, Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.
2. Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all the nations, racial or religious groups, and shall further the activities of the United Nation for the maintenance of people.
3. Parents have a prior right to choose the kind of education that shall be given to their children.

Q7. Define rights and duties. Explain their relationship to each other.

Answer

Rights

English word 'Right' has numerous meanings but when used in a specific sense as a concept of social sciences. It implies the power to do or enjoy something which is approved or recognized by other members of the society. According to Laski, an eminent philosopher 'right' means

Those conditions of social life without which no man can seek in general to be his best self.

Duties

Duty is the term used very commonly in social sciences. It implies an individual's responsibility toward other members of the society.

Duty has been defined as:

Something that one does either because it is a part of one's job or because it is morally or legally right that one should do it.

A right is an entitlement. On the analysis what are commonly called rights to employment, welfare etc, are not rights. A right to employment is meaningless because there is no person who is under a duty to employ. Welfare is not a right. It is a privilege, which is given to certain persons.

A duty-centered society is preferable to a right-centered society. If individuals are concerned about their duties, responsibilities and obligations, they cannot but be concerned about the rights and freedom of others. A right-centered society is one in which individuals assert their rights. They are encouraged by the Human Rights Commission and like Commonwealth and State bodies, to demand rights, with no consideration for the effect of those demands on other people, e.g. the right to protest and demonstrate conflicts with the right of pedestrians and motorists to use the public roads for the purpose for which roads are built.

There is no end to the so-called rights, which can be demanded. A right-conscious society, in effect, recognizes a few rights and neglects many others. The rights that are recognized are those, which are demanded by the powerful, the aggressive and the nasty.

Whether one agrees with the analysis or not, it is undeniable that at the commonsense level a right involves a duty in another person or institution. As an essential commonsense corollary, it must also involve an acceptance of that duty by the person who is subject to it. They are educating people about their rights and are attempting to make more and more rights available with no reference to logic and commonsense. But they seem unconcerned about the need to educate people about duties and the importance of a sense of responsibility.

There cannot be a right without a duty. An endless cacophony of demands by interest groups for rights has become a dominant feature of the modern Australian State (fed by legislation which encourages these demands.) At the same time there is a deafening silence on the question of individual responsibility. The time has come to realize and to emphasize that rights, whether material or political, depend on the discharge of duties. Wealth and prosperity are created by effort. Only continuing effort can sustain them. Western societies through effort have achieved a level prosperity unparalleled in history.

History has continually demonstrated that the greatest of civilizations decile and fall when they succumb to indulgence at the expense of discipline and endeavor. It is not too early for Western Civilization to heed the supreme lesson of human experience.

Conclusion

Every relationship is reciprocal in nature. If the citizens receive some benefits namely rights from the state, they also owe it some duties. They qualify for their rights only if they fulfil their duties.

Q8. Enumerate important human rights.

Answer

Human Rights

The concept of Human rights was first given by the Holy Prophet (PBUH) fourteen hundred years ago. The last sermon of the Holy Prophet (PBUH) was a charter of Human Rights. It laid the foundations of fundamental of Human rights. The west adopted the concept of Human rights very later on in the 20th century.

The Human Rights Declaration 1948

The United Nations constituted a Human Rights Commission prepares a draft of the basic Human rights and to present it before the General Assembly. The commission presented and got approved the draft on December 10, 1948. This draft of the Human rights was later on called "Human Rights Declaration 1948"

Important Clauses of Human Rights Declaration

The important clauses of the human rights declaration are:

- Right of Equality
- Discrimination to be Abolished
- Right of Self-preservation
- Prohibition of Slavery
- Prohibition of Inhuman Treatment
- Equality before law
- Rights of legal defence
- Rights to family and private life
- Right to free movement and residence
- Right to property and ownership
- Right to freedom of thought, conscience and religion
- Right to peaceful assembly
- Political rights
- Right to get employment
- Right to social security
- Right to leisure and rest
- Right to basic necessities
- Right to education

Right of Equality

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brother hood.

Discrimination to be abolished

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it is independent, trust, non-self-governing or under any other limitation of sovereignty.

Right of self-preservation

Everyone has the right to life, liberty and security of person.

Prohibition of Slavery

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Prohibition of Inhuman Treatment

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Right of Legal Defence

1. Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.
2. No one shall be held guilty of any penal offence on account of any act or omission, which did not constitute a penal offence, under national or international law, at the time when it was committed.

Rights to Family and Private Life

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honor and reputation. Everyone has the right to the protection of the law against such interference or attacks\

Right of Free Movement and Residence

1. Everyone has the right to freedom of movement and residence within the borders of each state.
2. Everyone has the right to leave any country, including his own, and return to his country.

Right to Family Life

1. Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and its dissolution.
2. Marriage shall be entered into only with the free and full consent of the intending spouses.
3. The family is the natural and fundamental group unit of society and is entitled to protection by society and the state.

Right of Property and Ownership

1. Everyone has the right to freedom of peaceful assembly and association.
2. No one may be compelled to belong to an association.

Political Right

1. Everyone has the right to take part in the government of his country, directly or through freely chooses representatives.
2. Everyone has the right of equal access to public service in his country.
3. The will of the people shall be the basic of the authority of government; this will shall be expressed in periodic and genuine elections, which shall

be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

Right to Social Security

Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international cooperation in accordance with the organization and resources of each state, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

Right to get Employment

1. Everyone has the right to work, to free choice of employment, to just and favorable conditions of work and to protection against unemployment.
2. Everyone, without any discrimination, has the right to equal pay for equal work.
3. Everyone who works has the right to just and favorable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.
4. Everyone has the right to form and to join trade unions for the protection of his interests.

Right to Basic Necessities

1. Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.
2. Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

Right to Education

1. Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.
2. Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms.
3. Parents have a prior right to choose the kind of education that shall be given to their children.

Q9. Khutba-e-Hajjat-ul-Wida is the most comprehensive charter of human rights. Discuss.

Answer

Human Rights

The Holy Prophet (PBUH) initially gave the concept of Human rights. He came up with notion of human rights some fourteen hundred years ago. His last sermon, Khutba-e-Hajat-ul-Wida, was the charter of Human rights. The western world adopted the concept of Human rights in the very later era- not earlier than 20th century.

Khutba-e-Hajat-ul-Wida

In the plan of Arafat, near the Jablur Rehman, the Holy Prophet (PBUH) delivered his last sermon. This sermon was the first charter of the Human rights. In this sermon, the Holy Prophet (PBUH) highlighted human rights. In this sermon, the Holy Prophet (PBUH) highlighted Human rights. In this sermon, the Holy Prophet clarified many things. The important points of Khutba-e-Hajjat-ul-Wida were:

Sovereignty belongs to Allah. He said:

- People listen to my words, for I do not know I shall be in our midst after this year. Remember that you shall have to appear before your lord, who will demand from the account of your actions.
- All the people are children of Adam and, therefore equal to one another. No one is superior to others. He said

O people listen to my words and remember that all Muslim are brothers unto one another. All Muslims are equal to one another. No Arab has an edge over the non-Arab; no white is superior to the black. The only mark of superiority is piety.

- He (PBUH) declared the sacredness of lives, property and honor of everyone. No one can take life property or honor of the other.

O people listen to my words and remember that all Muslims are brother unto one another. As you are one in brotherhood you will not take your brother's belongings, which he will not give you out of goodwill. Guard yourself against committing injustice.

- He (PBUH) raised the status of slaves and made them equal in matter of food and clothing with their masters.

And feed your slaves as you feed yourselves and clothe your servants as you clothe yourselves. If they commit any mistake, which you are unwilling to forgive, then sell them for they are the servant of Allah and not to be harshly treated.

- He (PBUH) gave equal status to all the people irrespective of their color or race.

Conclusion

Keeping in mind these facts, we can say that Khutba-e-Hajjat-ul-Wida is a comprehensive charter of Human rights. In this charter, all people were made

equal and all types of distinctions were eliminated between the slaves and the masters, and between the rich and the poor

