



# Human Caliph between two Rights-Based Systems

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Human rights have always been the focus of philosophical, religious, and legal debate, where visions have differed regarding the foundations, nature, and objectives of these rights. While the Western legal system is based on a secular perspective, based on the individual as the central focus of the universe, the Islamic perspective offers a unique approach, viewing man as Allah's successor [caliph] on earth, where he is responsible for its development, according to a divine approach, achieving a balance between rights and duties. This duality in perception raises the question: How are human rights formed according to the Western view? How does this differ from the Islamic view based on the principle of Caliphate?

What are the fundamental differences between the two systems? In modern Western philosophy, rights are based on "rational" and empirical foundations, as they have evolved through main historical milestones, such as:

- The British Declaration of Rights (1689).
- The Declaration of Independence of the United States (1776).
- The French Declaration of the Rights of Man and Citizen (1789).
- The Universal Declaration of Human Rights (1948).

Jean-Jacques Rousseau, for example, believes that man is born free, but society binds him with controls imposed by laws and traditions.<sup>(1)</sup>

According to John Locke, the main human rights include the right to life, liberty, and property, which are rights prior to the state, and are not granted by political authority.<sup>(2)</sup>

Immanuel Kant also asserts that ethics should be based on reason alone, without

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1 - Jean-Jacques Rousseau, *The Social Contract*, translated by: Abdel Aziz Labib, Dar Al Tanweer, Beirut, 2nd ed. - 2019, p. 54.

2 - John Locke, *Two Treatises Civil Government*, translated by: Haidar Haj Ismail, Dar Al-Kitab Al-Arabi, Beirut, 1st ed. - 2005, p. 98.

the need for any religious authority; because "the moral law is within me, not in an external text".<sup>(3)</sup>

The West has promoted individual freedoms, but this system suffers from fundamental problems, such as:

- The imbalance between rights and duties, where individual rights are emphasized without corresponding responsibilities.
- The tendency towards moral relativism, where there is no fixed standard to determine right and wrong.
- The gradual exclusion of religion as an ethical reference, leading to dismantle social values in some Western societies.<sup>(4)</sup>

In contrast to the Western perspective, the Islamic concept of human rights is based on the concept of the caliphate; since humankind is a being who is not independent of the cosmic system, but rather he is charged with implementing justice according to divine rulings.

The Holy Qur'an confirms that humankind is not just a free individual, but also a caliph who tasked for achieving justice on earth. Allah Almighty said: {when your Lord said to the angels, "Indeed, I will make upon the earth a successive authority"} [Al-Baqarah, verse: 30]. Allah, Almighty, also honored humankind with a special honor, as He said: {And We have certainly honored the children of Adam} [Al-Isra, verse: 70].

In the midst of this philosophical and legal theorizing, the Holy Qur'an stands out as a unique source in its presentation of the concept of rights. It does not view rights as a system of laws that can be changed according to whims, but rather as part of an integrated divine law that is linked to justice, duty, and responsibility. The Holy Qur'an deals with human rights based on its fundamental honoring of humankind as Allah's caliph on earth. Allah Almighty said: {And We have certainly honored the children of Adam and carried them on the land and sea and provided for them of the good things and preferred them over much of what We have created} [Al-Isra, verse: 70]. This divine honor makes rights in the Qur'anic conception not a human gift, but rather part of the origin of human formation, which makes them fixed rights that cannot be cancelled, or diminished under no circumstances. The positive legislation changes with the change of eras and societies, but the Qur'anic values remain a constant reference that reflects sound human innate nature.

The Holy Qur'an does not present human rights as abstract legal concepts, but rather presents them in an integrated context that links rights to duties, and individual practice to social responsibility. Among the basic rights affirmed by the Holy Qur'an:

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3 - Immanuel Kant, Critique of Practical Reason, translated by: Fouad Zakaria, Dar Al Nahda, Beirut, 1st ed. - 2017, p. 176.

4 - John Rawls, Theory of Justice, translated by: Ali Sharaf Al-Din, Dar Al-Tanweer, Beirut, 3rd ed. - 2019, p. 203.

1- The right of life and security: Allah Almighty said: {And do not kill the soul, which Allah has forbidden, except by right.} [Al-Isra, verse: 33]. This verse establishes the principle of the sanctity of human life and the rejection of any aggression against the soul, except within the framework of just legislation.

2- The right of dignity and equality: The Qur'an confirms that distinction between people can only be based on piety and good deeds. Allah Almighty said: {The most noble of you in the sight of Allah is the most righteous of you.} [Al-Hujurat, verse: 13]. This means that equality is not just a social slogan, but also an authentic Qur'anic rule that eliminates all forms of racial, class, or sexual discrimination.

3- Freedom of belief and thought: Allah Almighty said: {There shall be no compulsion in acceptance of the religion.} [Al-Baqarah, verse: 256]. He stressed that intellectual and religious freedom is a right guaranteed to every human being, and faith cannot be imposed by force. Moreover, the dialogue in the Qur'an is based on logic and argument, not on oppression and coercion; as Allah, Almighty, addressed His Prophet saying: {And argue with them in a way that is best} [Al-Nahl, verse: 125].

4- Social and economic justice: The Qur'an confirms the necessity of achieving justice in the distribution of resources, and preventing monopoly and economic injustice. Allah Almighty said: {So that it will not be a perpetual distribution among the rich from among you.} [Al-Hashr, verse: 7] This establishes the principle of equal opportunities and combating social and economic injustice.

5- Women's right to dignity and participation: The Qur'an guarantees women's rights to inheritance, education, work, and social participation. Allah, Almighty said: {And due to the wives is similar to what is expected of them, according to what is reasonable.} [Al-Baqarah, verse: 228]. The Qur'an also confirmed women's legal and financial independence, thus contradicting the pre-Islamic customs that deprived them of these rights.

One of the fundamental issues raised by the Qur'an is the relationship between rights and duties. Humankind is not viewed as a passive beneficiary of rights only, but also as a being responsible for practicing them, within moral and societal controls, as follows:

1- Freedom is not absolute without restrictions: Allah, Almighty, says: {And do not pursue that of which you have no knowledge.} [Al-Isra, verse: 36]. This confirms that freedom must be enjoyed within a framework of responsibility and awareness.

2- Justice does not mean chaos: The Qur'an CONFIRMS the necessity of achieving justice without disrupting the social order. Allah, Almighty, says: {And when you judge between people to judge with justice.}[Al-Nisa, verse: 58].

Thus, the Qur'an presents a unique model that combines individual rights and collective responsibility, freedom and controls, and equality and justice.

This is a comparison between the two legal systems:

Aspect	The Islamic System	The Western System
Source	Divine revelation and legal assignment	Human reason and positive legislation
Basic	Humankind as a caliph and responsible person	The individual and his absolute rights
Freedom	Freedom restricted by divine values	Absolute, without moral restrictions
Equality	Based on justice and piety	Based on individual liberalism
Relationship between rights and duties	Every Right is Corresponded to a Duty and a Responsibility	Affirmation of rights without clear obligations

Thus, while the Western system focuses on individual rights, without linking them to higher values, the Islamic system presents a balanced vision that makes rights moral responsibilities that are in harmony with the cosmic system. Hence, any global approach to human rights must take into account the spiritual and moral aspects; so that humankind is not just an individual demanding his rights, but also a caliph responsible for achieving justice on earth. However, studying human rights in the Holy Qur'an is not just a theoretical contemplation, but also a call to restore the authentic Qur'anic concepts in building society. Therefore, in a world witnessing increasing violations of human rights, and the dominance of material concepts over moral values, the Qur'an presents a balanced vision that combines spiritual values and social justice.

Based on the above, the management of "Tabyin" magazine chose the topic of human rights in the Holy Qur'an as the focus of this issue, to reveal in detail the Qur'anic vision of human rights, and to show its uniqueness, characteristics and distinction from the Western vision of humankind and his rights. This is through a group

of researches and studies that dealt with the general principles and values, on which this vision is based, and its vision of humankind and his role. Then, it made a detailed disclosure of the legal system, based on the Holy Qur'an, where it addressed the rights of: parents, women, children, and religious opponent, in addition to discussing the objective interpretation in the research and studies section, and reading the book "Human Rights According to Imam Ali (peace be upon him)."

We hope that this issue will contribute to enriching the discussion on this important topic, at a time when the Western legal system has begun to struggle with the crisis of double standards in legal application and implementation, as it has fallen into a state of instability and continuous change, which made it clash with human nature itself.

Allah is the Grantor of success.