

# Comparative study of human greatness in Islam law and international documents of human rights

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**ABSTRACT:** Greatness means generosity, nobleness and worth. Considering that human greatness is basis and foundation of many human rights like life right, freedom right, security, growth and flourishing personality in the shadow of education and so on. The concept of human greatness and how to contradict it, is not clear because of harmony in these documents. In this study, we examine human greatness in Islam law and international documents of human rights. Methodology is descriptive - analytical. According to this concept, features and basic elements of greatness and causes of its decline and decadence must be studied. It is necessary to mention that lack of explanation of this important and vital right is necessary in Islam law and international rights. This research has been performed in five chapters. First chapter was about generalities. Second chapter, nature and literature of research studied, third chapter, human greatness in Islam law and international documents of human rights has been proposed, and finally, the conclusions and suggestions have been proposed. The result showed that in key documents of human rights and primary documents of biological morals, human greatness has been regarded as a foundation for respect to rights and basic freedoms. But in international documents, in revolution of biology science in recent decade, greatness has been paid.

**Keywords:** human greatness international documents, Islam rights, human rights.

## INTRODUCTION

Human greatness is very important topic and meaningful word. Greatness originate from position of God caliph, conquering land, worshiped by angels and God says expressly we greatness to human (Jafari, 1992). As said in verse in the same thing today it is expressed as natural, inherent greatness or inherent respect of human and west word understand it after passing the medieval ages and it inserts it in universal dedication of human right.

The other type of greatness is given from greatness creator to obtain ideal mature and final cause of creation and nearness to divinity royal court. reminds Adam children that they don't suffice their inherent greatness that all people have and they near to high greatness phases and climb from ladder to mature by devoutness and piety, what is eliminated from legal documents of human. In this study, it has been tried to study comparative study of human greatness in Islam law and international documents of human rights. Statement of problem or topic.

Inherent greatness is natural and granted right that God places in entity of all humans abundantly and enjoys all humans. This right combines with order and can't transfer and human can't violate it, unless human eliminate it with crimes and faults. This right is accepted in Islam and legal documents and also international documents of human right, beside this right greatness right has entity right that is accomplished by endeavor of human and its destination and ultimate is to reach divine proximity. International documents of human right don't pay attention to it. What is expressed. it the same thing that today it is expressed as natural inherent greatness or inherent respect of human and the west world understand it after passing the medieval ages and it inserts it in universal declaration of human rights.

The other type of greatness is given from greatness creator to obtain ideal perfect and final cause of creation and nearness to divinity royal court. Reminds Adam children that they don't suffice their inherent so on, the purpose is strengthening human greatness. According to above subjects, it is tried to examine comparative study of human greatness in Islam law and international documents of human right.

The importance and necessity of doing research. considering that human greatness is basis foundation of many human rights like life right, freedom right, security, growth and flourishing personality in the shadow of education and

so on the concept of human greatness and how to contradict it, is not clear because of harmony in these documents (Sadeghi, 2006) and also injuries that inter to greatness and human personalities and they have studied from Imam Ali perspective. According to this concept, features and basic elements of greatness and causes of its decline and decadence must be examined. It is necessary to mention that lack of explanation of this important and vital right is necessary in Isla, law and international rights.

### **Analyzing data**

The present research is descriptive. In this research, the purpose of comparative study of human greatness in Islam law and international documents of human rights is to search and educate theory using descriptive method, argumentation, interpretation, inference and comparative method. Also this study examines topic using documentaries method and law, regulations and ideas of lawyers.

### **Research purpose**

#### **The major purpose:**

Comparative study of human greatness in Islam law and international documents of human rights

#### **The Minor purpose**

Explaining the right of human greatness in Islam law and international documents of human rights

### **Research hypotheses**

#### **Main hypotheses**

1. In Islam law it has been attended more to human greatness than international documents

#### **Sub - hypotheses**

1. God will can be one of factors creating human greatness.
2. Human greatness has been created by God in its essence.

## **MATERIALS AND METHODS**

To collect basic data and theoretical foundations, library method is used, reference books, social and penal laws, related articles, information bases and documents about the purpose of comparative study of human greatness in Islam law and international documents of human rights have been indexed.

### **Greatness**

Greatness has technical term that is true and doesn't need to prove it because it's doer doesn't claim about it and it is a fruit that is from branch of habit and miracle. In fact, greatness is extra worked that prophet or Imam and piety and gently human do it and the resean is divine position. If this extra ordinary deed is followed with Nabovat claim is an evidence of prophet and if it is followed with Imamate claim, is an evidence of Imamate and if it isn't followed with non of these claims, it is a kindness that God gives to deserved people of course God is kind to persons that don't misuse.

### **Kinds of human greatness**

According to some thinkers there are three greatness:

1. Heaven greatness that is extra ordinary and relates to angles divine throne, throne carriers and so on.
2. Natural greatness relates to natural creatures. thus, God reminds plants as greatness description and says: Do they not observe the earth- how much of every good kind we cause to grow therein?
3. High human greatness that is obtained from combination of nature and transcendence and true sum of heaven greatness and natural greatness.

Quran divides it into two kinds: In some verses it says about human greatness and human superiority on other creature and in some verses, human has been blamed and even has even been proposed as that from Quran perspective human gas two types of greatness: Inherent greatness or existence - acquired greatness or worth - cognitive

### **The effects of divine greatness:**

Human has divine greatness because of having merits - human desert for divine greatness and certainly, enjoying such high position, will have effects and consequences like:

**A) human is worshiped by angles:**

one of human worthies is that God orders angles to worship human, This verse not only indicates high worth and position but also expresses superiority of human on angles, because if creature hasn't superiority on them it isn't correct that perfect existence.

**B) The world, conqueror of human**

human has such worth and position from Quran perspective which by God command, all creature are conquered by human and God creates human that conquers nature force and benefits of them. It is that human dominates on plants, human and exploits them.

The meaning of conquering creatures for human is that their benefit is for human, all thing is under God will and God gives authority to human to enjoys them. Verses confirms this meaning. The third meaning of conquering is that something aren't belongs to human but human can use them. In fact, human has authority of the work result and their move men , as in verses, this point has been accepted that providing various facilities in earth is to provide human livelihoods

**C) Human, trustee of God**

Quran introduces God as God trustee and this trustee belongs to human of course, human is trust from God and among all creatures, he has just competency to be God trustee, because all creature don't obey except human.

This verse about comparison of human with other creatures, human has capacity and talent that creature don't have it human has high status that mountains earth and skies won't reach it.

**D) Human, God caliph in earth human has all accomplishments and grades in the world and higher movement is beyond angles position. God says in hadith Qhods:**

I was a hidden treasure,

I liked to recognize, I create creatures to recognize.

Threatening factors of human greatness

from Quran perspective, moral decline namely decline of human from human greatness and position depends on various factors some verse of Quran indicate that human lose their greatness because of neglect, lack of using wise and thought and lack of doing its necessities and some verse knows carnal desire and worldliness as cause of decline from human position. According to these verses, disobedience of divine orders cause to lose greatness before God. In narrations of Imams, factors like poverty, bland lish ment and flattery and so on can cause to lose human greatness and personality.

**Inherent greatness in the universal declaration of human right**

Universal declaration of human rights was given to General assembly of national organization on 10 December of 1948. It accepted this right and proclaimed it. It has been proposed in Introduction.... as the cognition of inherent prestige of all family members and their equal rights. a basis of freedom equality and peace in the world. General Assembly proclaims this as a common ideal for all people and all nations and all members of society consider this declaration.

Article one says "all human born free and are equal in right and respect, all have and conscience and behavior and like brother to each other's some part of article 2 expresses" Every one can use of all rights and freedoms in declaration without distinction especially from race, colour, gender, language, religion, political idea or other idea and also nation, social status, richness, birth or other situation. In article 5, it is said "we can't punish or torture people"

The second paragraph of twenty sixth articles says: "Education must be directed such that human personality strengths each one".

And finally, the first paragraph of twenty - ninth article says: "every one is responsible about a society that eases free and perfect growth of his/her personality.

In introduction of international contract of political and civil rights during declaration No. 2200A on 16 Desember 1966 along with international contract of economical, social and cultural rights was approved by general assembly of national organization, it is proposed that "parties of contract considering that principles of united nations have been proclaimed, the cognition of inherent prestige and un transferable freedom, equality and peace in the world - considering that the mentioned rights originate: from inherent respect of human".

Also articles 6, 10, 17 and 19 of the mentioned contract expressed about this topic. International convention of removing racial discrimination was also approved by general assembly of united nation organization on 21 December

1965 and has been performed on 4 January 1969, In introduction, it is expressed convention of prohibiting torture and other un just and degrading punishment and treatments was approved by general assembly of united nation organization on 10 December 1984 and performed on 26 June 1987. It has proposed in its introduction: "considering that the mentioned rights originated from inherent greatness of human

In convention introduction, removing all prejudices against women has been approved by general assembly of united nation organization on 18 December 1979 and implemented on 3 December 1981 considering that united nation prism emphasizes on bounding essential rights of human the position of each person and legal equality of man and woman.

Considering that universal declaration of human rights emphasized on being impermissible dissimulation and proclaims all human born free and are equal from right and position recently constitution of international penal court in crimes against human knows the necessity of compacting these crimes depends on inherent greatness and natural position of human.

### ***B. According - worth or human - divine greatness***

It includes greatness and worth respect that human obtains it by his/her optional effort in purification of the soul and obtaining knowledge and existence and nearness to exalted God that cognition and respect to human greatness is one of necessities. In the other words, inherent greatness that God gives to human is an preliminary step to reach accomplishments and virtues and ladder to reach summits of human greatness and positions and the main purpose of creator is to create human.

The difference of Islam and west perspective (reflected in universal declaration of human right).

Despite there are commons between two perspective and all accepted the principle of human greatness free from its description and analysis - right equality based on it, opposition of non - human behaviors, creation of peace. freedom and justice on human greatness, immunizing human name and dignity from invasion and growth and flourishing human personality and so on. But there are important differences between two perspectives.

1) The main aspect of distinction and difference of two perspectives resulted from acceptance and lack of acceptance of acquired greatness and based on human - diving worthies and difference of schools in existentialism dimension and in law district and social and political issues,

Islam school considered spiritual and physical aspect of human and also paid attention to mental and psychic aspect; the west schools have attend more physical aspect. This difference leads to challenges between two schools in constitution.

As Islam emphasizes on know ledge based, desert and speciality to accept responsibility, it know necessary, pinups based to obtain social, political and so on situations of course but it doesn't disturb rights of other humans and doesn't deprive them from their rights, but as knowledge - based has been accepted as priority among thinkers Islam emphasizes on pious - based as certain priority and according to nable Quran infidels don't have authority right an Muslims (Human greatness in judicial procedure).

This idea of human rights that bases inserted rights in international humanist rules on basic hypothesis of absolute, inherent greatness, never reminds in document level, but is document of international justices and has obtained its high position.

International criminal. Tribunal for the former regoslavia (ICTV), in addition it tried accuser accused of violation of four convention of 1949 Geneva, violation of customary international law, war crimes, crimes against humanity and genocide are the best examples of insult to human greatness in particular as an insult to human greatness as an independent of fence.

For example, the branch dealing with the judgment of the court dated December 10, 1998 stated essence of international humanitarian and human rights system is the protection of human greatness. General principle of respect for human greatness is the basis and philosophy of international humanitarian and human right system.

### ***Conclusion***

Human greatness is natural and granted by God right that the creator of the universe entrusts in the existence of all human and everyone has enjoyed it. This right combined with order and can't cancel or negate or transfer and no one can violate it unless human eliminates it by doing crimes. This right is accepted by Islam and legal document and international document of human right. Along with this right there is worth greatness right that accomplishes in the shadow of human effort and activity and its destination and ultimate is to reach divine revelation and lofty peaks of perfection, something that is in justice international documents of human rights.

Although humans have the same rights in the rights based on inherent greatness and respect, but in the road to obtain values and acquire divine greatness, everyone will benefit of his/her effort.

We must seek the difference and separation of Islam school and west school in attention and lack of attention to worth and acquired greatness and attention and lack of attention to human soul and truth and cognition and lack cognition of human truth and fact.

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