

## **IN the name of Allah**

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- Whosoever follows a path to seek knowledge therein, God will make easy for him a path to paradise. Education is not only the right, but the duty of every Muslim, male or female. The best gift from a father to his child is education and upbringing. Knowledge cannot be acquired with sloth. The Importance Of Education, According To Sayings Of Prophet Muhammad (SAW) Prophet Muhammad (SAW) spent his life teaching the principles of Islam and the law laid down by Allah Almighty to the people around him.
- Peace and Blessings of Allah be upon His Messenger, Muhammad, his Family, Companions and those who follow their guidance up to the Last Hour. The message of Islam brought by the Prophet (s.a.w.) came along with different strategies for peace and security in society. It has a complete set of laws for peaceful co-existence between members of different beliefs in a community. These strategies are clearly explained in the Qur'an and exemplified in the life of the Prophet (s.a.w.) both in Makkah and in Madina. One of such strategies is when the Makkans were trying to fix the black stone at its right position at the ka'bah, there was a serious dispute on the responsibility of placing it among the various clans in Makkah. It was agreed that anybody who arrived first would take the credit. Fortunately, the prophet (s.a.w.) arrived first, he was therefore given that responsibility. Strategically, the prophet (s.a.w.) spread his blanket, put the black stone and asked the representative of each clan to hold the edge of the blanket and carry it close to the Ka'bah, the prophet (s.a.w.) then used his hand and placed it on its right position, thereby settling the dispute. With this episode, Muhammad (s.a.w.) got the title of Al-Amin (The trustworthy). This episode was before his Prophethood, at the time of his Prophethood, immediately he arrived in Madina, he demonstrated the practical application of peace and security strategies by drafting Madinan constitution which brought peaceful co-existence between Muslims, Christians, Jews and followers of other religions in

Madina. This paper identifies a number of such strategies applied by the prophet (s.a.w.) in bringing peace and security in the Arabian society which could be a model for the Nigerian society.

- **Human Rights according to quran and sunnah**

The first thing that we find in Islam in this connection is that it lays down some rights for man as a human being. In other words it means that every man whether he belongs to this country or that, whether he is a believer or unbeliever, whether he lives in some forest or is found in some desert, whatever be the case, he has some basic human rights simply because he is a human being, which should be recognized by every Muslim. In fact it will be his duty to fulfil these obligations. The Right to Life

The first and the foremost basic right is the right to live and respect human life. The Holy Quran lays down:

Whosoever kills a human being without (any reason like) man slaughter, or corruption on earth, it is as though he had killed all mankind ... (5:32). As far as the question of taking life in retaliation for murder or the question of punishment for spreading corruption on this earth is concerned, it can be decided only by a proper and competent court of law. If there is any war with any nation or country, it can be decided only by a properly established government. In any case, no human being has any right by himself to take human life in retaliation or for causing mischief on this earth. Therefore it is incumbent on every human being that under no circumstances should he be guilty of taking a human life. If anyone has murdered a human being, it is as if he has slain the entire human race. These instructions have been repeated in the Holy Quran in another place saying:

Do not kill a soul which Allah has made sacred except through the due process of law ... (6:151)

Here also homicide has been distinguished from destruction of life carried out in pursuit of justice. Only a proper and competent court will be able to decide whether or not an individual has forfeited his right to life by disregarding the right to life and peace of other human beings. The Prophet, may God's blessings be on him, has declared homicide as the greatest sin only next to polytheism. The Tradition of the Prophet reads: "The greatest sins are to associate something with God and to kill human beings."

In all these verses of the Quran and the Traditions of the Prophet the word 'soul' (nafs) has been used in general terms without any distinction or particularization which might have lent itself to the elucidation that the persons belonging to one's nation, the citizens of one's country, the people

of a particular race or religion should not be killed. The injunction applies to all human beings and the destruction of human life in itself has been 'The Right to Life' has been given to man only by Islam. You will observe that the people who talk about human rights if they have ever mentioned them in their Constitutions or Declarations, then it is clearly implied in them that these rights are applicable only to their citizens or they have been framed for the white race alone. This can clearly be gleaned by the fact that human beings were hunted down like animals in Australia and the land was cleared of the aborigines for the white man. Similarly the aboriginal population of America was systematically destroyed and the Red Indians who somehow survived this genocide were confined to specified areas called Reservations.

They also penetrated into Africa and hunted down human beings like wild animals. All these instances go to prove that they have no respect for human life as such and if they have, it is only on the basis of their nationality, colour or race. Contrary to this, Islam recognizes this right for all human beings. If a man belongs to a primitive or savage tribe, even then Islam regards him as a human being.

**The Right to the Safety of Life**  
Immediately after the verse of the Holy Quran which has been mentioned in connection with the right to life, God has said:

"And whoever saves a life it is as though he had saved the lives of all mankind" (5:32).

There can be several forms of saving man from death. A man may be ill or wounded, irrespective of his nationality, race or colour. If you know that he is in need of your help, then it is your duty that you should arrange for his treatment for disease or wound. If he is dying of starvation, then it is your duty to feed him so that he can ward off death. If he is drowning or his life is at stake, then it is your duty to save him.

- You will be surprised to hear that the Talmud, the religious book of the Jews, contains a verse of similar nature, but records it in altogether different form. It says: "Whoever destroyed a life of the Israelite, in the eyes of the Scripture, it is as if he destroyed the whole world. And whoever protected and saved one life of the Israelite, in the light of the Scripture, it is as if he saved the whole world." Talmud also contains the view that if a non-Israelite is drowning and you tried to save him then you are a sinner. Can it be given a name other than racialism?

We regard it as our duty to save every human life, because it is thus that we have been enjoined in the Holy Quran. On the other hand, if they regard it necessary to save the life of a human being at all, it should be the life of an Israelite. As far as other people are concerned, according to this view,

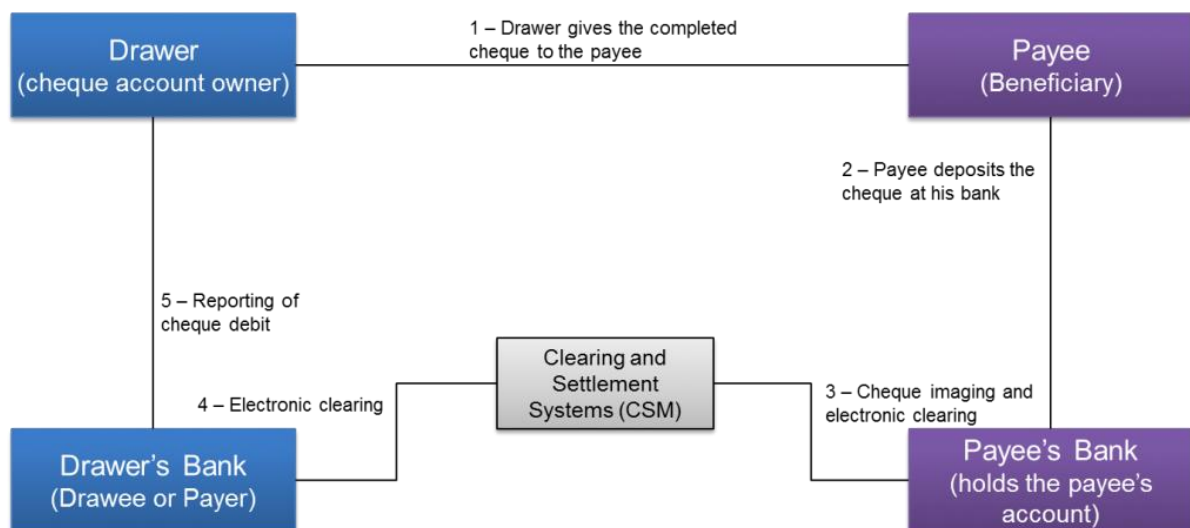
they do not seem to be human enough to deserve protection of their persons. In their literature the concept of 'Goyim' for which the English word 'Gentile' and the Arabic word ummi (illiterate) is used, is that they enjoy no human rights; human rights are reserved only for the children of Israel.

- **Negotiable instruments**

Negotiable instruments are a type of document that guarantees the payment of a particular amount of money at a set time or on-demand and the payer's name is generally mentioned on the document and its most common types are checks, promissory notes, bills of exchange, customer receipts, delivery orders. You can think of a negotiable instrument (such as a promissory note) as one that can be transferred from its holder to a third party. Non-negotiable instruments are governed by applicable common law. Most significantly, a non-negotiable instrument typically cannot be transferred from its holder to a third party

- **Cheque**

In case of Cheque payment The person who has a bank account and draw/write a cheque is the Drawer and his bank is the Drawee and to whom it is payable is the Payee. In case of self cheque the Drawer himself is the Payee



- **Bill exchange And Promissory**

1. Bill of exchange is an instrument ordering the debtor to pay a certain amount within a stipulated period of time. Bill of exchange needs to be accepted in order to call it valid or applicable. And the bill of exchange is issued by the creditor.
2. Promissory note, on the other hand, is a promise to pay a certain amount of money within a stipulated period of time. And the promissory note is issued by the debtor.

The basic difference between bill of exchange and promissory note is that the former need to be accepted before the payment is made, but the latter doesn't need to be accepted.

- **Functions of labor court**

- 1) Introduction:

To settle the Industrial disputes, the Industrial Disputes Act, 1947 provides three kinds of Courts - Labour Court, Industrial Tribunal and National Tribunal or National Industrial Tribunal. The appropriate government may constitute one or more labor Courts for the purpose of adjudicating on the matter referred to it.

- 2) Labour Court :

According to Section 7 of the Industrial Dispute Act, 1947 The appropriate Government has been empowered to constitute Labour Court. The appropriate government, by notification, in the official gazette, may constitute one or more

labor Courts for adjudication of industrial dispute specified in the second schedule. It consisted of one person, appointed by the government. He is called the presiding officer

(A) Qualification for the appointment of a Presiding Officer of the Court :

(i) He is or has been a judge of high court

(ii) He has for a period of not less than 3 years, been a district judge or an additional judge

(iii) He has held any judicial office in India for not less than 7 years

(iv) He has been the presiding officer of labor Court constituted under any Provision Act for not less than 5 years

(B) Disqualifications:

Section 7-C of the Industrial Dispute Act, 1947 prescribes Disqualifications for the presiding officer to be appointed to the Labor Court. It provides that no person shall be appointed to or continue in office if:

(a) He is not an independent person; or

(b) he has attained the age of 65 years

Under Section 8 of the industrial dispute Act, 1947 the appropriate government is vested with the powers to fill up the vacancy in the Labor Court caused for any reason.

3) Jurisdiction of the Labour Court:

A limited jurisdiction has been made available to the Labor Court which is circumscribed by the Section itself and the matter enumerated in the second schedule (E.g., Dismissal, Retrenchment, Strike, Lockout etc) Labour court is not a Tribunal within the meaning of section 7A(3)(b) read with Section 2(R) and hence not bound by the rules of evidence and natural justice as is the case with Industrial Tribunal..