

Freedom Of Religion and Belief And Its Legal Aspect in Beihagi History

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ABSTRACT

Freedom of religion and belief is one of the legal aspects that hereafter humans could live together in peace with own religions and believing system. For perfection of man and substantiating of his talents he should think about anything freely, since human being is a creature that could think and the dignity of mankind relies on freedom of thinking. This article aims to investigate freedom of religion and beliefs and its legal aspects in the Beihagi history and also analyze the findings according to the measures of the Universal Declaration of Human Rights. It seems that at that time, the people could not express their beliefs freely though Quran and Islamic thoughts emphasize on liberty as the natural and innate right of mankind.

Key words: human rights, Beihagi history, freedom, religion, belief, Persian literature

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INTRODUCTION

As human tends to eat food and drink and gain knowledge innately tendency toward freedom is rooted in his essence. Quran says that there is no compulsion in accepting the religions since any religion should be accepted based on reason and analysis so it is obvious that the almighty God respects mankind and his will and dignity in this regard.

Beihagi history was written by Abulfazl Beihagi. This book is about the governance of Ghaznavids, sultan Mahmud and sultan Masoud and their conquests in ten volumes. Unfortunately, only six volumes have been remained. In addition to historical value, it is significant work in Persian literature from literary point of view.

By survey on the Beihagi history and legal system of that period it is clarified that the governors had divested the people from their rights in choosing religion and beliefs and they governed the people with demonic ideologies without considering dignity and respect of mankind.

Freedom of religion and belief

"Belief is sum of viewpoints and accounts of any person about society, history, human, religion, culture and etc. The person insists on his beliefs and acts honestly according to his beliefs while it is probable that the people think his opinion is incorrect and false [5].

"Religion is a believing system and sum of theoretical viewpoints about man, world, moral teachings and practical rules that by these rules the believer reaches to eternal happiness based on his faith and act the teachings taught by the prophet" (ibid).

"Freedom of belief is right of selection and insistence on the belief and also right of thinking, believing, expression, teaching and learning and acting based on the beliefs whenever that the person conducts do not divest others from their rights and do not cause imbalance in the public order and morality" (ibid).

"Freedom of religion is right of choosing of any religion and also faithfulness, expression the religion and religious beliefs, doing religious rituals, teaching the children and believers the religious affairs, invitation, propagation of the religion in the public, construction of temples and shrines, leaving religion, religious affairs whenever that religious acts do not divest the others from their rights and do not cause imbalance in the public order and morality. Freedom of religion is proved to be true when religion is not considered crime and it does not cause to divesting of others from personal and social rights" (ibid).

"Religion invites the people to brotherhood and sympathy but it does not mean that the other religions followers could not live freely. For example, in crusades the a believer tore out the body of the person who converted his religion or different groups of a religion kill members of other groups" [9]

The main international documents of Human Rights concerning to freedom of religion and belief are articles 2, 18, 19, 26 (paragraphs 2 and 3), 29 (paragraph 2) of Universal Declaration of Human Rights and articles 2 (paragraph 1), 18, 19 and 20 of International Convention of Civic and Political Law.

The rational of freedom of religion and belief

“Belief and religion are willful affairs that a man chooses and leaves them freely. Freedom of religion and beliefs function of reasons and preliminaries that by proving their truth they are accepted or they are rejected by divesting the preliminaries and reasons. If there are reasons and preliminaries no one can change the belief by force and in other case no one can dictate the believing system. The result of force is apparent religion”[5]

“It is obvious that all religions and beliefs do not have the same status for humans. Undoubtedly, some groups and religions are false but their followers believe firmly in their religions. The best way to change and amendment of these groups is to convincing them in liberal conditions”(ibid:192).

Freedom of religion and belief in Islam

Quran in seven groups of the miracles introduces religion and the true faith and multiplicity of religions and religious groups and emphasizes on the freedom of religions and prohibits compulsion on the accepting religion and there is no worldly punishment for choosing a religion and false belief although warns on the deniers of God.

There is no compulsion in religion. Verily, the Right Path has become distinct from the wrong path. Whoever disbelieves in *Taghut* and believes in Allah, and then he has grasped the most trustworthy handhold that will never break. And Allah is All-Hearer, All-Knower (Al-Baqara: 256)[1].

And had your Lord willed, those on earth would have believed, all of them together. So, will you (O Muhammad) then compel mankind, until they become believers (Yunus,99)[1].

Imam Ali in his letter to Malek Ashtar invites him to kindness with people without attention to their religions.

“Be kind with people and behave friendly with them. Never be like an animal and kill them; since the people are two groups, the first one is your religious brothers and the other group is people that their creation is like you”(Nahjolbalaghe, letter 53)[7].

The duty of the prophet; announcement not compulsion

Quran specifies the duty of the prophet concerning to the people religion. The prophet was commissioned to inform the message of God not compulsion in acceptance of religion:

So remind them (O Muhammad), you are only a one who reminds. You are not a dictator over them (Ghashyeh, 21-22)[1].

According to this miracle and similar miracles it is obvious that where the prophet does not right to convert the people religion compulsory, the believers cannot be superior to the prophet.

Freedom of religion and belief in Universal Declaration of Human Rights

“Universal Declaration of Human Rights emphasizes on freedom of thought, conscientious and religion. Article 18 of the Universal Declaration of Human Rights writes: “Everybody has right to have freedom of thought, conscientious and religion. This right assures freedom of converting religion and belief and also freedom of speech and it covers religious teachings and religious rituals. Everybody could have this individually and collectively.

So, not only the individuals are free in religion and belief but also they can convert their religions and beliefs and do their religious ceremonies and act their religious teachings”[3].

Nations rights and other religions

“While, Islam suggests propagandize as the duty of the Muslims but never forces any person to convert his religion and Islam respects on the minorities’ rights. When the Christians came to see the prophet he invited them to sit with him”[2].

“Imam Ali ordered to the Caliph to sit beside a Jew in the court and it was a splendorous show of the power and justice in Islam world”(ibid:361).

“The prophet emphasized on human rights in agreements signed with the followers of other religions and the terms of these agreements were written so that the next governors had to observe them. It can be referred to the agreement signed between the prophet and the Christians. The terms of this agreement were as follows:

In the name of God: this agreement is signed between Mohammad, the prophet (peace be upon him) and the people of Najran. The people are the owner of their properties and they are free in their religion, temples and no priest and monk are resigned and they have not to pay any blood money for the persons killed in the past and they are not exiled and they live in peace in their territory. Their claims will be investigated in just way and they will not be oppressed”(ibid:142-144).

Freedom of religion in Beihagi history

“Ghaznavids were fanatical Sunni and like most of the Muslims they had specific historical, religious and political tendencies; while their Shiite neighbors, “Al-e- Buyeh” lacked such features”[11].

Although we know that the religiosity of this group was a tool for attraction of the people and satisfaction of the Bagdad caliphs. Since at that time the sultans were recognized by Bagdad caliphs and being Qarmati was the best reason for killing of the people. Many wars were happened for abolishment of the Qarmatians. After death of Algader Bellah the Abbasid caliph his son, Almotasem Bellah was succeeded him. So it was necessary that the Caliph to send a new treaty to Masoud. In this treaty Masoud demanded the caliph to let him to abolish the Qarmatians and expand his territory and attack on Kerman and Oman[6].

One of the examples is sentence of Hasanak Vizier due to accusation of being Qaramti. Bosahl captured him and tried to receive the verdict of his execution from Masoud. The sultan asked him a reason; since the people of Neishabur supported him and it was impossible to execute him. So, Bosahl said the sultan that Hasanak is from Qaramatian and reminded the sultan the order of the caliph”(ibid:228).

Then, for deceive of the people, Bosahl sent two persons as the messengers of the caliph to the place of the execution in order to prevent the protest of the people”(ibid:233).

Although Bosahl had experienced this accusation at the time of sultan Mahmud but his dislike caused him to accuse of Hasanak. At the time of Mahmud the advocates of Mohammad plotted against Bosahl and captured him in a fort since he was respected by Masoud”(ibid:21).

As before said most of the wars of sultan Mahmud and Masoud were apparently religious. They attacked on the neighbors for expansion of Islam, the religion that never accepts compulsion in accepting in religion. One of the wars of that period was attack of sultan Mahmud on India. His goal was to plunder the treasures of the Indian temples and he destroyed the Indian temples and constructed mosques instead of them. Saboktekin fought in India and destructed the temples and constructed mosques there”[10].

The other example of lack of freedom of religion in Beihagi history is the story of Bozorgmehr. The Iran king imprisoned him for conversion of his religion and he was imprisoned for two years in the worst conditions in order to return to his religion and finally he was killed and his body was torn up.

“I read that when Bozorgmehr converted his religion to Christianity. The king was informed and imprisoned him”(ibid:472).

“He was brought to the square of the city. The king ordered them to bring him with closed hands. The king asked him about the reason for conversion of your fathers’ religion. Why you said the people that the king and his army and the people are not faithful. Your goal was to rebel and I will kill you if you did not repent and return to your former religion. He replied I passed the darkness and came to light and I never return to darkness. At first, the king ordered to behead him but then he ordered to imprison in a dark jail and every day he ate a little bread, salt and drank some water. He was in the jail for two years and finally, he was executed and his body was torn up”[6].

CONCLUSION

When the government of a country is dictatorship it is natural that the opinions and benefits of a person are considered. In such government the affairs are controlled by supervision of the ruler and reasoning and thinking is valueless. In Beihagi history we confront with dictatorship of Masoud and the ministers and officers accept only the sultan orders due to fear of losing their position and life. It is natural that in these systems human and moral principles and human rights particularly creativity, liberty and freedom of beliefs are ignored.

By study the history books particularly Beihagi history we see that the people obeyed dictators due to unawareness of their rights and lack of rules that all people acted accordingly. The people had to accept the orders of the rulers and these rulers imposed their viewpoints and the person who did not obey he punished. In such governments the governors introduced themselves as the messengers of the divinity and protest against them was considered as protest against God. When they could not find any excuse for killing a person they resorted to religion and it was the best reason for killing a person.

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