

Application of “Protection of Honor” in Societal Relations and Media from Islamic Perspective

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ABSTRACT

No society allows an individual to dishonor a fellow human being, thus it is important in itself to think rightly about the "concept of honor" that what actually HONOR is. 'Islam' has prearranged the particular guiding principles and valuable strategies about this genuine and earnest matter that ought to concern every individual prudently. The research focuses on the correct understanding of Islamic teachings in the process of preserving/protecting human personal honor and dignity. Islam teaches us that if people are being dishonored we should defend their honor. Human honor and dignity is reexamined in this research from two major perspectives. Human honor and dignity in media and in societal relations. Both aspects are elaborated extensively and the conclusions are drawn to show that honor and dignity is for all humans whether big or small, good or bad, rich or poor, literate or illiterate, our dear ones or strangers. Islam does not permit one's honor to be abused. Everyone is equally honorable and above from all other creations on earth.

Keywords: Protection, Honor, Media, Relations.

Introduction

The English word, “*dignity*” is originated from “*dingus*”, a 'Latin word' which denotes; “due a certain admiration, with substantial reputation, praiseworthy of respectand *honor*”.¹Literally, “*dignity*” refers to, “veneration; high self-respect, *honor* and high position, title, befitting, merit, to receive rank and proper pride.” (*Webster New World Dictionary*).Technically it is, “a mark or quality of being praiseworthiness - of esteem or honor that insures lofty position of stateliness, manner and appearance.” According to Christopher McCrudden different denotations are used for “*dignity*”, such as: (i) self-esteem, and (ii) decency, non-degradation.² In altogether, dignity is the 'autonomy' in addition to having the right to make a decision for an individual.³“*Honor*” is the estimation and value of one's own worth, the acknowledgment of the right to claim pride and his distinction supposed in his own eyes and by the society as well. It is about “not only being respected, but also about being worthy of respect”. Thus, Honor is a “*reputation worthy of respect and admiration*”.⁴ “*Dignity*” and “*Honor*” is the words, only used for human beings, and not used for demons or angels.⁵

“*Maqasid*” means purposes/objectives and “*Shariah*” means Islamic law. The *Shari'ah* is set up on sagacity and it ensures people's welfare in this world and the world hereafter. It deals with justice, leniency, good and acumen. Generally the *Shari'ah*is constructed on assistances and welfare of the general public, also it

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Date of Receipt: 26-12-2013

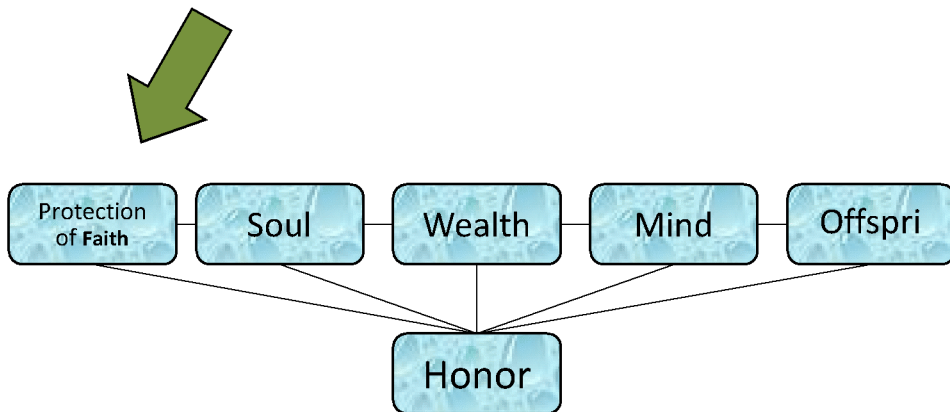
aimed at protecting these social reliefs of mankind.⁶ Thus, whichever rulings that alternate common good with mischief, fairness with unfairness, wisdom with nonsense, or mercy with brutality, are the rulings which do not fits appropriately in to *Shari'ah*.⁷ *Maqasid al-Shari'ah* aims at looking the need for a contemporary reformulation of the *Shari'ah*.⁸ Objectives of Islamic Law, mainly refer to the “general aims” related to the human life that Islamic Law endeavors to achieve as well as the “specific aims” to utilize particular legal injunctions to attain *maqasid al-Shari'ah*, which are evidently imperative but slightly neglected subject of the *Shari'ah*.⁹

Therefore, *Maqasid al-Shari'ah* are confidentially classified into two broader types: (i) General Objectives and (ii) Specific Objectives. “General Objectives” aims at recognizing the general wellbeing and prosperity, in this world and the hereafter attained through the implementation of legal injunctions given by *Shari'ah* While, the “Specific Objectives” search for a slighter dominion of human commotions such as political, economic or family life attained through specific legislation that seeks to aim at directing particular issues.¹⁰ The *Shariah's* teachings and rulings regarding those five objectives are categorized into three levels:

- Necessities (*dharuriyyat*)
- Needs/convenience (*hajiyyat*) and
- Refinements (*tahsiniyyat* or *kamaliyyat*).¹¹

Fig: 1





Further, "*Necessities*" are restricted into the preservation of one's belief, life, wealth, intellect and dignity whereas, a few jurists of Islamic Law joined "preservation of honor" into these five extensively popular necessities. All these necessities or objectives of *Shari'ah* are essential substances of human life that can be enumerated at six, namely; Faith, Soul, Mind, Property, Lineage and Honor. Thus whatever that improves the conservation of these six basic essentials, is deliberated as "beneficial", and that fails to preserve these objectives, is deliberated as "corruption".¹²

For the purpose of this research the prime concentration is on "*Protection of human honor and dignity*" the fifth or sixth Objective (near some '*ulema*') of the *Shari'ah*. It must be noted here that the list of Maqasid al-Shari'ah is not encyclopedic or all-inclusive because several jurists have incorporated "Honor" as the sixth crucial necessity of life.

I- Protection of Human Honor& Dignity and Print and Electronic Media

This part draws concentration to 'honor' and 'dignity' as ultimate values, both resolutely entrenched at the core of collective remits and lawful structures in the contemporary Islamic and western world all the way through media.

"The media" plays an extremely significant role for the preservation of human rights. They depict natural human rights contraventions and propose a dome for contrasting modulations to be noted in general civic dissertation.¹³ That's why the media is usually termed as the "Fourth Estate" - a crucial addition to the influence of the supervisory, the administration and the tribunal.¹⁴ It appears that media unjustly and unnecessarily abuses the integrity and privacy of individuals through sensationalism and impulsive recklessness and in that way, for no good purpose they causes extensive harm to them.

The Honor and the Social Media

In a contemporary situation, concept of dignity and honor can build up as a porch of enlightenment-era concepts of inherent, in alienable rights.¹⁵ Western-speakers frequently employ the word "*dignity*" in a parochial ways. In political affairs it can be used to assess critically the cure of subjugated and exposed individuals,

but it also has been functional cultural traditions and in sub-cultures devotional beliefs and religious attitude, to natural world applied for foodstuff or to investigate. "Dignity" also contains expressive meanings referring toward human merit. In broader sense, depending on the context, the term has a range of functions and interpretations.¹⁶

Every being has a native right to be respected, valued and to receive fair behavior. The Media era of satellite, television, computer and cinema has made information more accessible and this world becomes much handy. Till the social media has ascended it's became easier for people to defame someone because through social media services like Twitter, Facebook, Flickr, Instagram, you tube, Foursquare etc., anyone can 'easily publish' a declaration against someone instantly that reaches thousands of people immediately. At present, anyone can say online defamatory statements at any time through derogatory blog posts, are treated in more identical way then traditional forms.¹⁷

The Media and Defamation

The term "*defamation*" is an all-inclusive expression that covers any declaration or statement that injures individual's reputation.¹⁸ Defamation is not considered a crime and the government did not punish someone for making an abusive or defamatory statement. Rather, it is treated as a tort or a civil wrong. "Truth" is the sole military protection to defamation. There must be a subtle symmetry between one being's right to freedom of speech and another's right to guard their reputation. It is complex to recognize which personal statements are appropriate and which run a filthy of defamation law (see defamation¹⁹ law: the Basics on Find Law-Free Legal Website).²⁰ Under defamation law, the victim or a person who undergoes through a defamatory statement can claim against the person who made the statement because it inclusively injures the honor and reputation of victim.

Defamation law has far long been existed in the United States in order to protect public rights and to avoid defamation. On one hand, if someone say something mean, but true, about others then under the laws freedom of expression, freedom of privacy and freedom of speech and such other laws, people are free to talk about their understandings in an honest and truthful manner without any fear of prosecution. And on the other hand, people have a right to not to say something false that damages their reputation. Honest and open Discourse is essential for a better and free society.²¹

Freedom of Media and Human Right of Honor

The protection of human dignity and honor is one of the bases of media regulation and also a foundation of common European legal order.²² According to McCrudden (2008), the conception of honor and dignity has a particular importance in verdict on cases regarding human rights. It varies in different legal systems. Occasionally in similar legal systems the results are unusual.²³

Pakistan is one of the countries that faced issues associated to the protection of human honor and dignity. When the freedom of expression, sovereignty of the

press and the protection of human dignity and honor, in terms of legislation and the application of the law are in conflict then it becomes complicated to formulate decisions. All communities try to protect human dignity and honor in media regulations through the prevention of repugnance words against others, good reputation and the general right to protection of honor. Yet, it's not the single probable mode to go.²⁴ Here a question arises, a meaning to the right "*to protect human personal honor and dignity*" is whether different from the provisions guaranteeing the general protection of privacy or not. Because mostly a piece of media legislation explicitly names 'dignity' and we assume that its implication is diverse from that of the substance of the right to protect honor and good reputation, which both in most cases also are named.²⁵

Freedom of Expression and Human Right of Honor

Freedom of expression is considered as an essential and important right, which helps to protect other freedoms and rights. It has required an effective means of contact or communication. At the same time Freedom of expression is not a fixed right. It can be constrained to protect the rights of others for example by prohibiting loathing speech that incites hatred or violence against someone; or to protect the honor and reputation of persons from false accusations. The customary practice for such limitations is to be scarcely defined and only functional by the courts where there is an apparent public concern in doing so.²⁶

In the broader sense the "*freedom of expression*" does not support the innovation of reality. It grants every person a right, to speak what they wish for, how and when they desire, within barely definite authorized limits. They have the right to be decent or indecent, honest or dishonest, fair or biased.²⁷ It is the right to be "self-regarding", in the words of philosopher Onora O'Neill.²⁸

The Officially Authorized Conception of Human Honor and Dignity

In many countries, the protection of human personal honor and dignity is a fraction of media conventions/regulations. It is trait of these conventions that they contain the security of human dignity as the substitute to the desecration of status, honor and reputation. They choose dissimilar methodologies which regulate the issues of character transgressions stanch in the print and electronic media as branch of the common individuality protection imperative (criminal and civil code), and it doesn't slot in the protection of individual's personal rights in the media convention.²⁹ 'The right to human personal honor and dignity' is the "mother right" of all human rights, together with the right to life. As this is mentioned in the decision No. 8/1990 (IV. 23) AB – Hungarian Constitutional Court,³⁰

*"Human dignity is the principal constitutional guiding principle for the creation and application of all laws and the actual foundation of the system of constitutional fundamental rights, values and obligations."*³¹

Human honor and dignity, as one of the responsibilities of the rights to protect them is basically "to guarantee self-sufficiency". This ensures that a man exist as a unique and matchless creation that does not turn out to be as an object or instrument.³²

The other responsibility of the rights to protect human honor and dignity is "to guarantee equality among the members of a community" by making certain that everyone has possessed an equal and identical right of respect. In relation to the AB's construal, it also persuaded by the nature of 'birth right' that honor and dignity of any person is: "asuch subsidiary right that both *Hungarian Constitutional Court* and other courts may entreat it, as self-sufficiency (autonomy) for the protection of beings if none of the concrete, specific fundamental rights can be applied to the specific facts of the given case".³³

Codes of Ethics, Proficient Strategy and Guidelines

One of the ethics of broadcasting is to "protect human personal honor and dignity". At present the views, reports and opinions are telecast all the way through the world with power, sound and color. No doubt this has been abused and used in equivalent appraise as it has benefited and harmed us in equal percentage.³⁴ The Media shapes civic attitudes of world and covers realities and public opinion by their censorship. Thus, today the mass media are used as a significant weapon.

A professional self-regulation is the 'proficient strategy' implemented by the media unions as an issue of perspective guiding principle. Possibly the paramount example of this is an assortment of procedure adopted by the BBC which are intended to preside over its output. The over shadowing agenda of the BBC guidelines is a proclamation of morals and values:³⁵

"We must therefore balance our presumption of freedom of expression with our responsibilities, for example to respect privacy, to be fair, to avoid unjustifiable offence and to provide appropriate protection for our audiences from harm".

Here, it can perceive a conscious sense of balance and stability between responsibility and freedom, in order to operate independently of supervision and to organize a perception that the freedom of the media has to meet in conjunction with some responsibilities in the implementation of that freedom. There is 'proficient strategy' and comprehensive guidelines that cover up controversy affairs such as privacy, accuracy, justice, neutrality, the harm, conflicts of interest, the incumbency of media during elections, and the exposure of sensitive issues such as religion, conflict, crime, young people and sexuality.³⁶

The Islamic thinkers and Philosophers underscore the point that human beings are equally symbiotic and interdependent for their carnal needs such as nutrition, accommodation, and defense or protection from peripheral dangers. The *Quranic* vision of social relations and anarcho-syndicalism has fortified various Islamic thinkers to offer them philosophically discuss human society or collectivism; it becomes unavoidable upon them to reside the impression of reciprocal interdependence, as the foundation of collective institute.³⁷ Therefore mutual collaboration is essential for the survival of humans. Even though the very thought of social relations and anarcho-syndicalism, prop up the society at different stages specially specific and combined configurationally models.³⁸

Thus, it is essential to be attentive about these complications in the social pyramid that are pertinent to root opposition and eventually may exaggerate into a major social disturbance by focusing on the foremost issue of human honor and dignity. At this time the standard for evaluating the worth of a religious-human theory³⁹ is its insolence headed for human beings and its understanding throughout the world, namely; human personal honor and dignity.

II- Application of "Protection of Human Honor and Dignity" in Societal Relations

The conception of the protection of human honor and dignity is considered as an icon of society in which societal acts and roles are persistent and well organized, and such acts and roles present the point of allusions not only for the 'acknowledgment of social status'⁴⁰ but also for the 'normative ideals of personal behavior'.⁴¹ There are many aspects⁴² of the conception of human honor and dignity, but for the development of defamation law the most important form of honor that may be illustrate as a form of reputation was mandatory, in which a person individually analyzes with the normative features of a especial social role and in response personally takes regard and estimation from the society.⁴³ A man cannot earn this kind of honor and dignity all the way through labor or effort; "he asserts it his natural right by the morality and virtue of the position or 'status' in society".⁴⁴

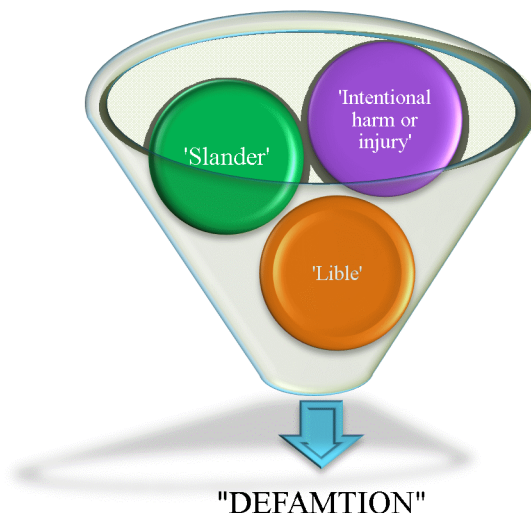
Defamation - Honor and the Society

Islam is a religion of love and peace. In Islam malicious gossips, backbiting, vulnerable doubt, slander, and lies, are totally oblivious. Indeed they are 'the most caustic and critical of major sins'. This is so because these sinful evils rupture the honor and reputation of others and propagate hatred, enmity, conflicts and hostilities among each other which lead towards destruction. In Islamic societies the theory of "honor and dignity" is considered a noble principle, fiercely rooted in cultural tradition.⁴⁵ In the society One's honor and dignity represents his or her decent behavior and concluded his ethical and social position.⁴⁶

Slander and Libel

It is stated earlier that the term "*defamation*" is an all-inclusive expression that covers any declaration or statement that injures individual's reputation. If the hurtful declaration is contrived in published and writing, the defamation is called "*libel*" and if the statement is contrived in then spoken defamation is called "*slander*".⁴⁷ Libel generally is considered to include any form of communication, together with television and radio that has the probably destructive traits normal of words in written.⁴⁸ The universal law of 'libel' and 'slander' is intended to achieve society's "strong and prevalent concern in redressing and avoiding attacks upon personal status and reputation".⁴⁹ However, Reputation is obscure and an unexplained thing. As a rule, the common law has "not visibly attempted to describe reputation".⁵⁰ Hence, the ingredients of defamation "u/s 499 PPC" are as following:⁵¹

1. Through language, signs or evident representation
2. Publish or script any imputation
3. Intentional harm or injury to the personal honor and reputation of any person

Fig: 6

Malicious Gossip

Malicious gossip or '*Nameemah*' means "telling one person what another said in order to cause trouble between them". Usually people persuade to seek out and expose the errors and faults of others. And when they are made cautioned, they not take it even they argued repeating the same mistake with claiming that they just tell the truth.⁵² Actually it might only seem an inconsequential and a petty thing, but when it seen on a larger continuum, it harms the honor and causes defame, which in any case, another individual ought to protect.

Backbiting

Backbiting or '*Ghiebah*' means "talking ill of a person in his or her absence.it may be in the form of a verbal or written statement or a disgusted gesture".⁵³ It results from the Unnecessary, empty talk and habit of seeking faults of others. It is well-known that a gossip and backbiter consign two sins: first, violation of Allah's right, as he commits something that Allah, The Exalted forbids human beings to do. "To repent and regret" is the expiation for such sin. Second, violation of man's right, as the honor of the backbitten person is injured.⁵⁴ And the one who backbites against someone then he should ask for forgiveness to him for his act of backbiting.

Difference between Backbiting and Slander

The Noble Prophet Muhammad (ﷺ) once asked to the companions; "*Do you know what backbiting is?*" They answered, "Allah (S.W.T) and His Prophet know the best". Then the Beloved and Blessed Prophet explained, "*Backbiting is that you talk about your brother in a manner which he would dislike*". Someone then asked, "What if that (fault) is present in him?" He (ﷺ) replied; "*If the statement you are making (about his fault) is present in him, you have in fact*

*committed backbiting against him; whereas if that (fault) is not in him, then you have slandered him".*⁵⁵

Mufti Ahmad Yar Khan, the renowned commentator of the *Quran* has stated, "Backbiting is to make disparaging remarks that are true and slander is to lay false allegations and make remarks that are untrue. Backbiting is speaking the truth; however, it is *Haram* (not allowed at all)". The conclusion is that "*backbiting is a sin and slander is two sins*".⁵⁶

Cyber Bullying

"*Bullying*" is intrusive, superfluous, and aggressive behavior mostly among teenagers. In bullying, actions such as spreading rumors, defame to harm others, attacking someone verbally or physically, or making threats on purpose are includes. And "*Cyber bullying*" is the bullying, that account through electronic technology. "Electronic technology" includes social media sites text messages, chat, websites as well as apparatus, devices, or communication tools such as computers, cell phones, and tablets etc. Examples of cyber bullying take in rumors posted on social networking sites, or mingy emails and text messages, and embarrassing websites, pictures, fake profiles and videos.⁵⁷

Honor Killings

"*Honor killing*" is a cultural tradition in which a clan or members of family attacked on women by shooting, stabbing, beating or stoning, with the purpose to defame and slay her for leading dishonor⁵⁸ to her family's reputation. This practice is entrenched in male superiority,⁵⁹ dominance and control of 'patriarchal norms'. Such dishonor usually is the end result to offend 'sexual taboos' and a so called honorable man killed the woman in question by virtue of refurbishing that honor of his family.⁶⁰

Probably in Pakistan honor killings report for multitudes of female losses.⁶¹ For instance, in the vast rural areas of Pakistan, Crimes related to honor and reputation in the name of '*gairat*' are rarely fetch in the '*jirgas*' (tribal courts). And "the regime generally does not denounce these activities nor take any action against them".⁶² Sometimes women face humiliating attacks because of the transgressions of some other members of their families. It is common in tribal arias. In 2002 a case of illegal affiliation of a young boy with a woman of another tribe was presented before Pakistani Tribal Council. The council ordered to disgrace a woman from the boy's family. So his sister was gang raped by the members of the rival tribe before the very eyes of a huge crowd and she was sent back home naked.⁶³

Acid Attacks

In addition, "*Acid throwing*" is one of the instances to harm women, to reinstate the integrity and honor or to take revenge from someone.⁶⁴ This method in relation to honor and human dignity is elucidated by purpose to put into practice: "*to change the appearance of a woman by maiming or burning her, or to sexually assault her or kill her, devalues her worth to the family and dishonors*

the family".⁶⁵ Acid attack and honor killings are often referred to as a "crime of passion" fuelled by jealousy and revenge in order "to permanently brand someone and make them feel ashamed".

Defamation Law and the Society

"Defamation law" functions differently in different societies. Like in respectful and deference society it operates in another way than a market society. In one hand, reputation is purely a private dominion; it is gained through personal attempt and reputation is always important for those who have made efforts to create it.⁶⁶ Reputation always claims for officially authorized security and protection equal to the other public protection private goods of same nature. And on the other hand, the preservation of human honor and dignity demands more in a deference society than the protection of purely individual wellbeing. Though honor would not be created by individual effort or labor, yet instead by sharing a social discernment that goes beyond the conduct of any specific individuals, honor is a public good, not merely a private possession". For example defamation or an insult to the emperor does not associate injury only to the emperor's personal concerns, but also injure the social status and reputation with which the society has devoted the role of supremacy.⁶⁷ Thus, in need of protection, accepting the wisdom of human honor and dignity as for a public good is obligatory for the peace of society because good reputation is always a public interest.

Lastly, it is ratified that "*Human Honor and dignity*" is a part of one's status and reputation in the society which is based upon the social mutual "vision" of human beings. In general honor is considered a suppressed quality. Mostly people notice it when it's not present.⁶⁸ If honor is absent in a person then others gave it much consideration; its absence stands out as a weakness prominently in character. In all its precedent, for any honorable and respectful person to endure dishonor is like to be disgraced.⁶⁹ Dishonored People shamed experience scorned and rejected, embarrassed and humiliated. They may become hopeless; may undergo into isolation in order to stay away from disreputable eyes and thoughts of others about them. Therefore, people always desire to maintain their status and reputations in their society more than anything else in the world.⁷⁰ The "harm or injury to honor" is not escorted only thru disgrace, humiliation or defamation, but also it is accompanied by the loss of reputation and dignity.

ANALYSIS

The subject of 'human dignity and personal honor' raises a batch of queries in the locale of justice and equality. Generally acknowledged principles and societal norms are affected by the subject of 'dignity and honor'. The denotation of 'honor' and 'dignity' according to the *Quranic* and prophetic perspective is emphasized. In its nucleus, Islam endows with 'Human honor and Dignity' to all man and woman and provides direction and guidelines to all mankind so that they protect the rights of each other and admire the respect and honor of humans. It is demonstrated that protection of honor and dignity is a significant objective of life. But sadly its dimensional appearance is very poor in this contemporary era.

Today 'the defamation' and 'dishonoring' others is the most commonly and casually performed act in our society.

Undoubtedly, the *Maqasid al-Shari'ah* (**Objective/purpose of Islamic Law**) are enclosed in Islamic traditions. They primarily focused at the common way of life and intents. *Maqasid al-Shari'ah* are finally the focal point or necessitate for a contemporary reformulation of the *Shari'ah*. The knowledge of *Maqasid*, thus provides its meaningful doctrine and theoretical structure in order to understand the wider outlines of *Shari'ah* and objectives of life. Generally, *Shari'ah* is the revelation that Prophet Muhammad (ﷺ) had received from Allah (W.S.T) and had practiced it as the mission and message of his natural life i.e., the *Quran* and the Prophetic *Sunnah*. Therefore Islamic Law has always built on the assistances of humankind. And *Shariah's* rules are always aimed to preserve the mutual benefits of objectives of Islamic Law/*Maqasid al-Shari'ah*.

Maqasid al-Shari'ah are generally classified into three categories by Jurists, which are *Daruriyat* (essentials), *Hajiyat* (needs) and *Tahsiniyat* (embellishments). These necessities are most important substances for human life. Behind *deen* Islam and any revealed law, a 'sole purpose' is the conservation of these essential matters of human life. First group '*daruriyat*' is considered very essential for the welfare and comfort of human beings in all worlds. These Essentials are further sub-divided into five or six categories, which aims to protect Religion or faith (*al-din*), soul or life (*al-nafs*), intellect or mind (*al-'aql*), wealth or property (*al-mal*), lineage (*al-'ird*) or dignity and honor (*al-'izzah*). All these essentials mentioned by jurists are not exhaustive. Some '*ulemah* have included protection of lineage/Dignity and honor in the same category and some jurists have included protection of honor in the different category as the sixth essential need. The *Daruriyat* are primary and basic than *Hajiyat* and *Tahsiniyat* because negligence in *daruriyah* brings frailty and deficiency to the *hajiyah* and *tahsiniyah* in an unchallenging manner. Disregard in this facet, will lead toward disturbance and total disorder in human lives. Therefore to sustain the *hajiyah* and *tahsiniyah*, the proper protection or preservation of *daruriyah* is desirable.

ALLAH, The Exalted, in the Holy *Quran*, take account of all the humans to be worthy of respect and honor because human beings alone are trustworthy to prefer the "trust" of liberty of the free will [*Quran* 17: 70 and 33:72]. And human beings are distinguished from other creatures on the earth and they are blessed with the persuasive aptitude by Allah (S.W.T) [*Quran* 2:30–34]. *Quran* declares that human beings are blessed with intellect or mind to meditate, they are blessed with the ability to differentiate between truth and untruth thus Allah had made them "in the best of molds" [*Quran* 95:46].

In the preservation of human personal honor, dignity and other rights, 'the Mass Media' is used as a significant weapon and play an important role. For that reason the "Fourth Estate; The Media is a crucial addition to the influence of supervisory, the administration and the tribunal. It shapes civic attitude of world

and covers realities and public opinion by their censorship". Thus, in general public discourses, 'the media' propose a dome for contrasting modulations of natural human rights conflicts. At the same time it also appears that media superfluously abuses the integrity and privacy of people for no good purpose, through impulsive recklessness and sensationalism and in that way, they causes extensive harm to others. At this moment in time, the news's are telecast through the power of the rigorous shade, sound and color whole over the world. Certainly this has benefited us and also harmed us in equivalent percentage.

Nowadays, online defamatory statements are treated in more indistinguishable way then customary forms through the derogatory blog posts like Facebook, Flicker, Twitter, Foursquare, Instagram, YouTube, etc. One can easily make public a 'declaration' against anyone instantly. That 'declaration' immediately goes viral and reaches thousands of people. Thus, it has become easier for people to defame someone with the rise up of media.

"Defamation" is the hurtful declaration against someone, which is contrived in spoken or in writing. The published defamation is called "libel" and then spoken defamation is called "slander". It is treated as a "tort" or "civil wrong". Instead, it is not considered a crime and the government did not punish someone for making an abusive or defamatory statement. "Defamation law" functions differently in different societies. "*Law of Defamation*" is the western law and "*Protection of human honor and dignity*" is the law of Islam, indeed Islamic law is much better and superior than the Western Law as the preservation of human honor and dignity is one of objectives in Islamic law. In the western law of defamation if the offender attacked the honor of someone then he may get his punishment only when the victim proved himself innocence, an honorable and a respectful person in front of court. While According to the Islamic Law whether the victim proved himself innocence, an honorable and a respectful person or not, the victim will definitely get his overdue punishment.

In the 'Western Law of Defamation' that the victim, who is disgraced and dishonored by someone, gets more disgrace when he tried to gain help through law and he knocked the door of the court. In case if the victim succeeded in producing witnesses and proved in the court that he is honorable or the culprit made defamatory accusations him, then the accused stands disgraced in the eyes of others. But in Islamic law if the culprit says something bad which, in consistent with realism, impaired the honor and reputation of the applicant. This is fair enough for the culprit to be acknowledged responsible of insult. Therefore both these laws cannot be compared at all with each other because Islamic law is the divine law.

Indisputably, the notion of "honor and dignity" is a noble principle, sternly embedded in our societal relations and cultural tradition. "Honor and dignity" corresponds to the straight and decent behavior that concluded one's ethical and social position in the society. When the honor of a person is assaulted, naturally that person responds negatively to it which results in hatred and disunity among

each other and in the members living in society. Therefore, a person must always abstain from defaming others by all means, no matter how justified it seems. Thus, dishonoring others is not permissible under any pretense. And for mankind it is important to realize the graveness of the act of dishonoring and defamation.

Conclusion

Islam is a religion that aims to establish, and strengthen the honor and dignity of mankind. **One of the Maqasid of Shari'ah (Objective/purpose of Islamic Law) is the "Protection of human's personal honor and dignity".** Shari'ah is always established generally on the welfare of the humanity. *Maqasid al-Shari'ah* thus preserves the life, belief, wealth, mind, health, lineage, sex or gender, status, and as well as honor. Our relations with each other must be based on 'responsibility' and 'sincerity'. **'HONOR' is a most reputable word for human dignity and reputation and an aggregation of all optimistic actions and delighted venture of human beings. Humankind is honored by the grace of Allah Almighty; The Supreme Creator. And they admit their Character with moral and highly regarded manner. All Shari'ah objectives and other moral and ethical standards of life can only be achieved through 'honor'.**

REFERENCES

1. M. Novak, "The Judeo-Christian foundation of human dignity, personal liberty, and the concept of the person". Journal of Markets & Morality, 1(2), (October 1998), p. 110. See also: Sayyid Mohammad HasanLavasani and Sayed Mohammad Kalantarkousheh, "The Roots of Human Dignity according to Quranic Verses". Australian Journal of Basic and Applied Sciences, 7(10): (2013), p. 393.
2. Ibid. Christopher McCrudden FBA is Professor of Equality and Human Rights Law, Queen's University Belfast; William W Cook Global Professor of Law at University of Michigan Law School; and a member of Blackstone Chambers.
3. Christopher McCrudden, "Human dignity and judicial interpretation of human rights". European Journal of international Law: 19(4) (2008), p. 655-724. See also Carozza, Paolo G., "Human Dignity and Judicial Interpretation of Human Rights: A Reply", **Journal Articles:** 683(2008). Available at: http://scholarship.law.nd.edu/law_faculty_scholarship/683
4. **Brett Manly Honor: 'Part I — What Is Honor? A Man's Life, On Manhood'. (October 1, 2012). At: <http://www.artofmanliness.com/2012/10/01/manly-honor-part-i-what-is-honor/>**
5. Christopher McCrudden, "Human dignity and judicial interpretation of human rights". European Journal of international Law: 19(4) (2008), p. 655-724. See also: Carozza, Paolo G., "Human Dignity and Judicial Interpretation of Human Rights: A Reply", **Journal Articles:** 683 (2008). Available at: http://scholarship.law.nd.edu/law_faculty_scholarship/683. And also see: Sayyid Mohammad HasanLavasani and Seyed Mohammad Kalantarkousheh, "The Roots of Human Dignity according to Quranic Verses". Australian Journal of Basic and Applied Sciences, 7(10): (2013), p. 393.
6. Muhammad Hashim Kamali, *Maqasid Al-Shariah Made Simple*, (Occasional Papers series 13, London-Washington: International Institute of Islamic Thought, 2014) p. 01.
7. Jasser Auda, *Maqasid Al-Shariah; An Introductory Guide*, (London-Washington: International Institute of Islamic Thought, 2008) p. 03.
8. Mohammad al-Tahir Ibn Ashur, *-Treatise on Maqasid Al-Shariah*, trans. Mohamed El-Tahir El-Mesawi, vol. 1st (London-Washington: International Institute of Islamic Thought IIIT, (2006), p. 2.
9. Jasser Auda, *Maqasid Al-Shariah; An Introductory Guide*, (London-Washington: International Institute of Islamic Thought, 2008), p. 29.
10. Professor Mohammad Akram Laldin and Dr. Hafas Furqani, ISRA, *The Objective of The Shari'ah In Islamic Finance: Identifying The Ends And The Means*. (Academic Article New Horizon, Jamatul Thani - Sha'ban 1434), p. 1.
11. Al-ShatibT, *Al-Muwafaqat*, vol. 2, p. 8. . Also see: Jasser Auda, *Maqasid Al-Shariah; An Introductory Guide*, (London-Washington: International Institute of Islamic Thought, 2008), p. 27. And see also: Mohammad al-Tahir Ibn Ashur, *-Treatise on Maqasid Al-Shariah*, trans. Mohamed El-Tahir El-Mesawi, vol. 1st (London-Washington: International Institute of Islamic Thought IIIT, (2006), p. 9.

12. Muhammad Hashim Kamali, *Maqasid Al-Shariah Made Simple*, (Occasional Papers series 13, London-Washington: International Institute of Islamic Thought, 2014) p. 04.' See also: Jasser Auda, *Maqasid Al-Shariah; An Introductory Guide*, (London-Washington: International Institute of Islamic Thought, 2008), p.13.
13. Yuval Goldfus, "Law, Society and Film: *Unforgiven's* Call to Substitute Honor with Dignity", 4 Law and Society Review 193, (2006). From: <https://en.wikipedia.org/wiki/Dignity> and <http://www.oritkamir.org> See also: Aidan White, *Ethical Journalism and Human Rights*, Issue discussion paper (original & updated version) Strasbourg, CommDH/Issue Paper 40(2011), p.04.
14. Aidan White, *Ethical Journalism and Human Rights*, Issue discussion paper (original & updated version) Strasbourg, CommDH/Issue Paper 40(2011), p.04.
15. Peter Jones, *Rights*. Palgrave Macmillan (1994), p. 73.
16. Doron Shultziner, "Human Dignity – Functions and Meanings". *Global Jurist*, 3(3): (2003), p.1–21.
17. Emily Doskow and Attorney on Nolo.com, "Social Media and Online Defamation - Understand key legal issues related to potential defamation on Facebook, blogs, Twitter, and elsewhere". Available at: <http://www.nolo.com/legal-encyclopedia/social-media-online-defamation.html>
18. Emily Doskow and Attorney, 'Defamation Law Made Simple', (*Learn the basics of slander and libel -- the rules about who can say what without getting into legal hot water*). From: <http://www.nolo.com/legal-encyclopedia/defamation-law-made-simple-29718.html>. See also: Melinda J. Branscomb, *Liability and Damages in Libel and Slander Law*, Seattle University School of Law Digital Commons, 47 Tenn. L. Rev. 814 (1980), p. 815. Available At: <http://digitalcommons.law.seattleu.edu/faculty/699>.
19. FindLaw.com (website), "Defamation Law: The Basics", p. 01. See also: Emily Doskow and Attorney, 'Defamation Law Made Simple'. From: <http://www.nolo.com/legal-encyclopedia/defamation-law-made-simple-29718.html>
20. FindLaw.com is the leading and largest online resource for legal information. For basic legal issues to more complex ones, one can find thousands of helpful articles, a legal community to get answers to specific questions, an attorney directory, blogs, news, DIY forms, and much more. Available at: http://files.findlaw.com/pdf/injury/injury.findlaw.com_torts-and-personal-injuries_defamation-law-the-basics.pdf
21. Ibid, p. 2-3.
22. P. Keller, *European and International Media Law. Liberal Democracy, Trade and the New Media* (2011), p. 135 – 139.
23. Christopher McCrudden, "Human Dignity and Judicial Interpretation of Human Rights", 19 European Journal of International Law (2008), p. 655.
24. Andras Koltay, *The Protection of Human Dignity in Hungarian Media Regulation*, Peter Pazmany Catholic University; Hungarian Academy of Sciences (September 1, 2012), p. 01. Available at SSRN: <https://ssrn.com/abstract=2155558> or <http://dx.doi.org/10.2139/ssrn.2155558>
25. Ibid.
26. Andrew Puddephatt, *The Importance of Self-Regulation of the Media in upholding freedom of expression (Communication and Information)*, CI Debates (February 2011), p. 11.
27. Onora O'Neill, "A right to offend in media topics." The Guardian, (13 February 2006). From: <http://www.guardian.co.uk/media/2006/feb/13/mondaymediasection7>
28. Onora O'Neill is professor of philosophy in Cambridge and principal of Newnham College. His decision by a Danish newspaper to print cartoons of the prophet Muhammad provoked protests around the world and a debate about freedom of speech.
29. This is how the French (Article 1 of the Freedom of Communication Act no. 86-1067), Luxembourgish (Article 1(2)(c) of act of 27 July 1991 on Electronic Media), Italian (Legislative Decree 31 July 2005, no. 177; Articles 3–4 of the Audiovisual Media and Radio Services Code), Portuguese (Law no. 27/2007 of July 30; Article 27 of the Television and On-Demand Audiovisual Services Law, Law no. 54/2010 of December 24; Articles 30 and 32 of the Radio Law), Slovakian (Article 19 of Act no. 308/2000 Coll. on Broadcasting and Retransmission), Slovenian (Article 6 of Media Act no 35/2001), Cypriot (Article 33(1) of the Radio and Television Stations Law of 1998) and Romanian (Law no. 504/July 11th, 2002; Article 9 of the Audiovisual Law) law regulate the issue with respect to media services and the Italian (Id.) and Slovenian (Id.) with respect to press products. (The title of foreign laws and regulation are used in every case in English.)
30. Decision No. 8/1990 (IV. 23) AB. The first number of the decisions' notation stands for its line number, the second for the year in which it was brought. In brackets, the month and the day of its publication appear.

31. Decision No. 37/2011 (V.10) AB. Zsuzsanna Balog, “*Fundamental Rights Tests in the Jurisprudence of the Constitutional Court*”, in: G. Halmai (ed.), [*Constitution Found? The First Nine Years of Hungarian Fundamental Rights Jurisprudence*]. (2000), p. 124.
32. Decision No. 8/1990 (IV. 23) AB.
33. Ibid.
34. Islam and Media, At: <http://www.calltoprayer.info/id29.html>
35. Andrew Puddephatt, *The Importance of Self-Regulation of the Media in upholding freedom of expression (Communication and Information)*. CI Debates, (February 2011), p. 14.
36. Article 19 [*Guidelines for Election Broadcasting In Transitional Democracies*, August 1994 (Reprinted April 1997), p. 15-17. from: <https://www.article19.org/data/files/pdfs/tools/electionbroadcastingtrans.pdf>
37. John Macquarrie, *Existentialism: An Introduction, Guide and Assessment*, New York: Pelican Books. (1973). Available at: <https://www.amazon.com/Existentialism-Introduction-Assessment-Macquarrie-1973-09-30/dp/B01LP40WM0>
38. N. Ahmad, *The Concept of Collectivism in Relation to Islamic and Contemporary Jurisprudence*. (Open Law Journal, 4(2011), p. 15-20.
39. Lavasani and S.M. Kalantarkousheh, “*The Provisions of Human Dignity in Implementing the Islamic Penalty on Theft*”. European Journal of Scientific Research, 67(2): (2012), 170-175.
40. Ralph Linton, *The Study Of Man – An Introduction*, Appleton Century Crofts, INC. New York, (1936), p. 113-31.
41. Julian Pitt-Rivers, ‘*Honour and Social Status*’, in *Honour and Shame: The Values of the Mediterranean*, 35 (J.G. Peristiany ed. 1966), p. 22. See also: J.K. Campbell, ‘*Honour and the Devil*’, in *Honour and Shame: the Values of the Mediterranean*. Supra note 51, p.149.
42. Julian Pitt-River, ‘*Honor*’, in 6 Int'l Encyclopedia Soc. Sci. 503, (1968), p. 503-11.
See also: Robert C. Post, “*The Social Foundations of Defamation Law: Reputation and the Constitution*”, Yale Law School Legal Scholarship Repository and Faculty Scholarship Series. Paper 217, (1986), p. 699. From: http://digitalcommons.law.yale.edu/fss_papers/217
43. M. Weber, a discussion on *relationship between the concept of honor and the nature of status groups*, supra note 20, p. 186-88.
44. Julian Pitt-Rivers, ‘*Honour and Social Status*’, in *Honour and Shame: The Values of the Mediterranean*, 35 (J.G. Peristiany ed. 1966), p. 21-22. See also Robert C. Post, “*The Social Foundations of Defamation Law: Reputation and the Constitution*”, Yale Law School Legal Scholarship Repository and Faculty Scholarship Series. Paper 217, (1986), p. 700. From: http://digitalcommons.law.yale.edu/fss_papers/217
45. Dale Radtke, ‘*Defining a Core Zone of Protection in Asylum Law: Refocusing the Analysis of Membership in a Particular Social Group to Utilize Both the Social Visibility and Group Immutability Component Approaches*’, 10 J.L. & Soc. CHALLENGES 22, 51 (2008) (noting that “honor” originated in pre-Islamic eras in the ancient cultures of desert tribes); Hussain, supra note 5, at 227. And see also: Ferris K. Nesheiwat, *Honor Crimes in Jordan: Their Treatment Under Islamic and Jordanian Criminal Laws*, 23 Penn St. Int'l L. Rev. 251, 253 n.6 (2004)(Citing Raphael Patai, *The Arab Mind*, (1973), p.120-21.
46. Shira T. Shapiro, ‘*She Can Do No Wrong: Recent Failures In America's Immigration Courts To Provide Women Asylum From "Honor Crimes" Abroad*’, (Annual Law Student Writing Competition on Domestic Violence and the Law, sponsored by the American Bar Association's Commission on Domestic Violence). American University Journal of Gender, Social Policy & the Law, Vol. 18, No. 2, (2009), p. 296. See also: Catherine Warrick, *The Vanishing Victim: Criminal Law and Gender in Jordan* (Observing that Muslim men have a fight and duty to defend their ‘*sharaf*’ and that certain conduct or immoral behavior by a man's female relatives “would impugn the honor of the entire family”) 39 LAW & SOC'Y REV. (2005), p. 315-322.
47. Emily Daskow and Attorney, ‘*Defamation Law Made Simple*’, (*Learn the basics of slander and libel - the rules about who can say what without getting into legal hot water*). From: <http://www.nolo.com/legal-encyclopedia/defamation-law-made-simple-29718.html> . See also: Melinda J. Branscomb, *Liability and Damages in Libel and Slander Law*, Seattle University School of Law Digital Commons, 47 Tenn. L. Rev. 814 (1980), p. 815. Available At: <http://digitalcommons.law.seattleu.edu/faculty/699>. And Also see: *Restatement (Second) Of Torts* § 559 (1977). From: <http://www.columbia.edu/~mr2651/ecommerce3/2nd/statutes/RestatementTorts.pdf>
48. Melinda J. Branscomb, *Liability and Damages in Libel and Slander Law*, Seattle University School of Law Digital Commons, 47 Tenn. L. Rev. 814 (1980), p. 815. At: <http://digitalcommons.law.seattleu.edu/faculty/699> And see: ‘*First Independent Baptist Church of Arab v. Southerland*’, Supreme

- Court of Alabama, 373 So. 2d, 647 (Ala. 1979) (church sermon broadcast by radio); *Restatement (Second) Of Torts* § 568A (1977). From: <https://www.courtlistener.com/opinion/1944585/first-independent-baptist-church-of-arab-v-southerland/>. See also Melinda, J. Branscomb. *Liability and Damages in Libel and Slander Law*, Seattle University School of Law Digital Commons, 47 *Tem. L. Rev.* 814 (1980). From: <http://digitalcommons.law.seattleu.edu/faculty/699>
49. Robert C. Post, "The Social Foundations of Defamation Law: Reputation and the Constitution", Yale Law School Legal Scholarship Repository, Faculty Scholarship Series. Paper 217, (1986), p. 691. From: http://digitalcommons.law.yale.edu/fss_papers/217
 50. Harvard Law Review Association, 'Developments in the Law-Defamation'. *Harv. L. Rev.* (Journal Article), Vol. 69, No. 5 (Mar., 1956), p. 875-877. Available at: https://www.jstor.org/stable/1337584?seq=1#page_scan_tab_contents. See also: Robert C. Post, "The Social Foundations of Defamation Law: Reputation and the Constitution", 74 *California Law Review* Volume 74, Issue 3, Article 2(May 1986), p. 691. Available at: <http://scholarship.law.berkeley.edu/californialawreview/vol74/iss3/2>
 51. *Defamation Laws in Pakistan - Punishment in PPC*, posted on April 9, 2015. Available at: <http://www.lawsofpakistan.com/defamation-laws-in-pakistan-punishment-in-ppc/>
 52. Father Belet, "Sins of the Tongue: The Backbiting Tongue Paperback" (pdf). Create Space Independent Publishing Platform (2015), p. 17.
 53. *QuraanTutor.com*, "Backbiting – The Verdict Of Quraan And Hadith", posted on December 30, 2014. From: <http://www.Quraantutor.com/blog/backbiting-the-verdict-of-Quraan-and-hadith/>. See also: Bahar-e-Shari'at, vol. 16, pp. 175. And also See: Muhammad Ilyas Attar QadiriRazavi, *BACKBITING - A Cancer in our Society (GhibatkiTabahKariyan)*. Maktaba-tul-Madinah, Translated into English by Majlis-e-Tarajim (Dawat-e-Islami) (June 2015), p. 5-6.
 54. Tariq Rasheed, *Backbiting: An Islamic perspective Paperback* (pdf). KAZI Publications [distributor] (1997), p. 22.
 55. [Ṣaḥīḥ Muslim, pp. 1397, Ḥadīth no. 2589]
 56. Muhammad Ilyas Attar QadiriRazavi, "Backbiting - A Cancer in our Society (GhibatkiTabahKariyan)". Maktaba-tul-Madinah, Translated into English by Majlis-e-Tarajim (Dawat-e-Islami) (June 2015), p. 5-6. See also: Mirat-ul-Manajih, vol. 6, pp. 456.
 57. *Cyber Bullying*. At: Stopbullying.gov. From: <https://www.stopbullying.gov/cyberbullying/what-is-it/index.html> and <https://www.stopbullying.gov/what-is-bullying/definition/index.html>
 58. PervizatLeyla, *In the Name of Honor*, Human Rights Dialogue, fall; 10 (2003), p. 30.
 59. Copelon Rhonda. "International Human Rights Dimensions of Intimate Violence: Another Strand in the Dialectic of Feminist Lawmaking." *American University Journal of Gender Social Policy and Law* 11, no. 2 (2003), p. 865-876.
 60. Megan O'Toole, 'Honour Killing' Cases Spark Debates Over Religion, Racism; Practice Dates Back Centuries to Rural Pakistan, *Nat'l Post (Can.)*, (24 July 2009).
 61. Salman Masood, *Pakistan Begins Inquiry into Deaths of 5 Women amid Dispute over Honor Killings*, *N.Y. Times*, (2008), at A6. See also Peter Worthington, *No 'Honour' in Killings*, *Toronto Sun*, (Aug. 5, 2009), at 18 ("A conservative estimate has three women per day subjected to honor killings in Pakistan").
 62. See: Shah, *supra* note 11, at 1179 (discussing the power and authority afforded the *jirgas*).
 63. Castetter, *supra* note 20, at 544.see also John Alan Cohan. *Honor Killings and the Cultural Defense*, *California Western International Law Journal*, Vol. 40, No.2, Art.2, (2009), p.198. Or see Christina A. Madek, *Killing Dishonor: Effective Eradication of Honor Killing*, 29 *Suffolk Transnational Law Review* 53, (2005).
 64. John Alan Cohan, *Honor Killings And The Cultural Defense*, *California Western International Law Journal*, Vol. 40, No.2, Art.2, (2009), p.198.
 65. Wendy M. Gonzalez, 'Karo Kari: Honor Killing', 9 *Buff. Women's L.J.* 22, 23 (2000-2001). See also: Patel S. and Gadit AM, 'Karo Kari: A form of Honor Killing in Pakistan', *TranscultPsychiatry*45 (4), (2008), p.683-94. From: <https://www.ncbi.nlm.nih.gov/pubmed/19091732>
 66. Robert N. Bellah, *The Meaning of Reputation in American Society*, 74 *CALIF. L. REV.* 743(1986), p. 745. Available at: <http://scholarship.law.berkeley.edu/californialawreview/vol74/iss3/3>
 67. *Ibid.*
 68. C. A. Harwell Wells, "The End of the Affair? Anti-Dueling Laws and Social Norms in Antebellum America", 54 *V and. L. Rev.* 1805, 1809 (2001).
 69. John Alan Cohan. *Honor Killings and the Cultural Defense*, *California Western International Law Journal*, Vol. 40, No.2, Art.2, (2009), p.183.
 70. Van VechtenVeeder, *The History and Theory of the Law of Defamation*, 4 *Colum. L. Rev.* 33(1904), p.33.