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Reconceptualising Justice and Equality in Public Appointments: An Equity- Based holistic framework through the Integration of Universal Declaration of Human Rights (UDHR) 1948, and Seerah al- Nabiﷺ

Muhammad Shakeel¹

PhD Scholar Department of Islamic Studies Abdul Wali khan University Mardan

Email: muhammadshakil371@gmail.com

Dr. Muhammad Zubair²

Assistant Professor, Department of Islamic Studies Abdul wali khan University Mardan

Email: zubair@awkum.edu.pk

Abstract

Justice, equality, trust and competence in public appointments are the foundation of effective governance and public trust in any state. When appointments are made on the basis of nepotism, personal relationships, political affiliation or other unfair factors rather than merit, it results in institutional weakness, corruption, incompetence, public distrust and violation of justice. That is why both modern international law and Islamic teachings consider justice and equality as fundamental principles for appointments to public positions. This research paper presents a comparative analysis of the Universal Declaration of Human Rights (1948) and Seerah al-Nabiﷺ in order to clarify the principles, commonalities and differences of the two systems with regard to public appointments. The main objective of this research to explore what extent the principles of equality and equal access to public service exists in the Universal Declaration are compatible with the Seerah of the Prophet, and what additional moral and spiritual principles the Seerah of the Prophet provides in this field. The study based on qualitative and comparative research method. The primary sources include the Holy Quran, the Hadiths of the Prophetﷺ, the books of Seerah, and the relevant provisions of the Universal Declaration of Human Rights, while the secondary sources include academic books and research articles. The study shows that the UDHR provides the principle of equality, non-discrimination, and equal access to public services for all individuals, but it does not detail internal motivations such as moral training, accountability, piety, trustworthiness, and accountability. On the contrary, the Seerah of Prophet ﷺ considers justice and equality as well as competence, honesty, piety, trustworthiness, consultation, accountability, and prohibition of nepotism as an integral part of public appointments. This comprehensiveness provides not only legal but also moral and spiritual foundations for the International laws.

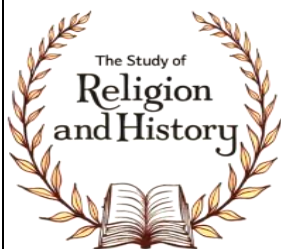
Keywords: Prophetic governance, Justice, equality, public appointments, nepotism, merit, human rights, trust, UDHR Provisions.

Introduction to Universal Declaration of Human Rights (UDHR) 1948: Articles Public Appointments

After the Second World War, the United Nations General Assembly adopted the Universal Declaration of Human Rights (UDHR) on 10 December 1948 to protect human dignity, equality and fundamental rights. Although it is not a treaty but a declaration, it provided the basis for the international human rights system and influenced many subsequent international agreements and national constitutions. Several of its articles set out principles that prohibit nepotism, discrimination and unfair public appointments and ensure justice and equity in hiring, promotion and appointments in public institutions.

➤ Article 1: Human dignity and equality

"All human beings are born free and equal in dignity and rights."¹



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This demonstrates the fundamental principle that all persons are equal, and that no person shall be deprived of public office on the basis of race, family, tribe, political affiliation or social status. This principle provides the basis for equal opportunity in appointments in public as well as in private institutions globally.

➤ **Article 2: Non-Discrimination**

"Everyone is entitled the rights and freedoms... without distinction of any kind."²

According to this article, no one may be discriminated on the basis of race, color, sex, language, religion, political affiliation as well as family connections. This principle ensures that every candidate is given equal opportunities in public appointments.

➤ **Article 7: Equality before the law**

"All are equal before the law."

This article emphasizes that the law is the same for everyone. No ruler, minister or high-ranking civil servant has the power to grant public office to his relatives or friends, beyond the law.

➤ **Article 21(2): Equal access to public services**

"Everyone has the right of equal access to public service in his country."³

According to this article every citizen has an equal right to public service, appointments should be impartial. There should be no discrimination, nepotism should be discouraged and preference should be given to merit.

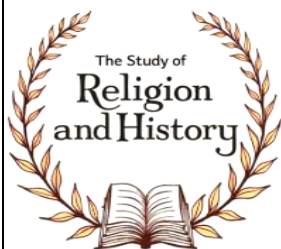
Critical and Analytical Study of (UDHR) Articles and Seerah al Nabi ﷺ

Justice and equality are the fundamental values of every civilized society and successful state. The performance of public institutions, state stability and public confidence depend upon the procedure of hiring, promotion and appointments and how public positions are made transparently, fairly and on the basis of merit. When nepotism, personal interests or political affiliation are given priority in appointments, the value, jurisdiction and the capacity of state institutions are badly affected that contribute corruption and misuse of power. The Universal Declaration of Human Rights (1948) has declared equal status for all human beings and equal access to public services as a fundamental right. The provisions of the Declaration emphasize that everyone should have access to public services and public positions without discrimination. On the other hand, fourteen centuries ago, Islam introduced a system of appointments based on justice, equality and merit, the practical example of which is prominently present in the life of the Prophet Muhammad ﷺ. He ﷺ never made lineage, tribe, wealth or personal relationships the basis of public responsibilities, but always preferred trust, piety, honesty and ability.

Allah Almighty says:

إِنَّ اللَّهَ يَأْمُرُكُمْ أَنْ تُؤَدُّوا الْأَمَانَاتِ إِلَىٰ أَهْلِهَا وَإِذَا حَكَمْتُمْ بَيْنَ النَّاسِ أَنْ تَحْكُمُوا بِالْعَدْلِ⁴

Indeed, Allah commands you to render back trusts to those to whom they deserves, and when you judge between people, to judge with justice."Holy



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Quran sets out two basic principles for public appointments such as competence and justice.

Similarly, the Messenger of Allah (ﷺ) said:

إِذَا وَبِدَ الْأَمْرُ إِلَى غَيْرِ أَهْلِهِ فَانْتَظِرِ السَّاعَةَ⁵

When responsibility is given to unskilled people, then await the Hour. Hadith of Prophet Muhammad ﷺ highlights the fact that the appointment of incompetent persons is not only an administrative weakness but also a cause of social destruction. Islam has made justice and equality not only a legal principle but also a religious duty.

Hazrat Abu Dharr (RA) once asked for a government position. He (ﷺ) said:

يَا أَبَا ذَرٍّ، إِنَّكَ ضَعِيفٌ، وَإِنَّهَا أَمَانَةٌ، وَإِنَّهَا يَوْمَ الْقِيَامَةِ جُزْئِي وَنَدَامَةٌ⁶

"O Abu Dharr! You are weak, and this responsibility is a trust and in the Day of Judgment Allah ask me about it" This Hadith proves that being a worshipper is not enough, but administrative ability is also necessary. Hadith further investigates that whoever gives a responsibility to someone merely on the basis of kinship or acquaintance, while there is someone more qualified than him, has betrayed Allah, His Messenger and the Muslims.

The Messenger of Allah (ﷺ) said in the Farewell Pilgrimage:

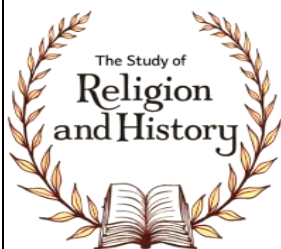
لَا فَضْلَ لِعَرَبٍ عَلَى عَجَمٍ.....أَسْوَدَ، وَلَا لِأَسْوَدَ عَلَى أَحْمَرَ، إِلَّا بِالتَّقْوَى⁷

"There is no superiority of an Arab over a non-Arab, nor a non-Arab over an Arab, nor a red over a black, and a black over a red, except for piety." This declaration is considered one of the first egalitarian manifestos in the world. Preliminary focus on equal rights, equal access, appointment of qualified persons, non-discrimination, justice, piety and sincerity, legal equality, moral and spiritual equality and legal responsibility as well as accountability in the world and the Hereafter.

It can be said that UDHR provides a strong legal framework for equality, non-discrimination and equal access to public services for public appointments, but its focus is primarily limited to rights and state responsibilities. In contrast, the Seerat-e-Nabvi ﷺ, while maintaining the same principles, also includes elements such as competence, trustworthiness, piety, moral character, accountability and accountability to Allah for appointment. This comprehensiveness makes the Islamic model a moral and spiritual system of governance rather than a mere legal system.

Case Studies of Justice, Equality and Merit in Public Appointments in the Life of the Prophet (ﷺ)

The life of the Messenger of Allah (ﷺ) provides the best practical example of justice, equality, trustworthiness and competence in public appointments. He (ﷺ) never made family ties, clan, wealth or personal interest the basis for appointments, but always preferred piety, ability, honesty and the ability to fulfill responsibilities.



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➤ **Appointment of Hazrat Bilal (RA)**

Hazrat Bilal (RA) was an Abyssinian by birth and a former slave, but after accepting Islam, the Messenger of Allah (ﷺ) selected him as the first Muezzin of Islam based on his honesty, sincerity and excellent voice. This appointment is a clear proof that in Islam, lineage, color or social status are not the criteria, but competence and character as well as the rejection of racial discrimination. The supremacy of merit, equal opportunities, and respect for human dignity is the integral part of Prophetic appointments, hiring and promotions.

➤ **The military leadership of Hazrat Zaid bin Haritha (RA)**

Hazrat Zaid bin Haritha (RA) was a former slave, but the Messenger of Allah (ﷺ) appointed him as the commander of several military campaigns. This decision was based solely on ability and leadership potential, unlike the tribal system of Arab society. This makes it clear that the standard of leadership in the Islamic state is not family background but ability.

➤ **The military leadership of Hazrat Usama bin Zaid (RA)**

Before his departure, the Messenger of Allah (ﷺ) appointed the young Hazrat Usama (RA) as the commander of a large army, although there were great companions like Hazrat Abu Bakr (RA) and Hazrat Umar (RA) in that army. When some people objected to his young age.

The Messenger of Allah (ﷺ) said:

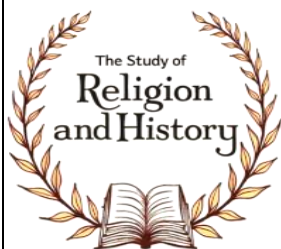
إِنْ تَطْعَمُوا فِي إِمَارَتِهِ فَقَدْ كُنْتُمْ تَطْعَمُونَ فِي إِمَارَةِ أَبِيهِ مِنْ قَبْلُ⁸

"If you object to his commanding, then you also objected to his father's leadership, although he was eligible, and he is also worthy for this position. Age is not the criterion, but competence, leadership qualities should be given on merit as well as justice should be preferred over public pressure.

➤ **Departure of Hazrat Mu'adh bin Jabal (RA) to Yemen**

The Messenger of Allah (ﷺ) appointed Hazrat Mu'adh bin Jabal (RA) as the governor, judge and teacher of Yemen. At the time of his departure, the Messenger of Allah (ﷺ) asked "According to whom will you make decisions?"

He said according to the Book of Allah, then according to the Sunnah of the Messenger of Allah (ﷺ), and if not found, then I will make my own opinion." This incident explore that decisions in societies should be based on strong principles and justice. Those who assume the responsibility of government, the judiciary or leadership must prioritize truth and justice above personal desires and interests. A good leader is one who has the ability to understand problems, obtain accurate information and make decisions with wisdom. The world today need peoples who fulfill their responsibilities with honesty, competence and moral values. Incident teaches the world communities that laws are essential for the stability of



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society. When people adhere to justice, honesty and moral principles, peace and trust are build. Resolving differences through reason and justice rather than prejudice and force is a sign of a developed society.

➤ **Governorship of Hazrat Uthab bin Usayd (RA)**

After the conquest of Mecca, the Messenger of Allah (ﷺ) appointed Hazrat Uthab bin Usayd (RA) as the governor of Mecca. This appointment shows that in Islam, faith, character and administrative ability are given priority over political loyalty or tribal power.

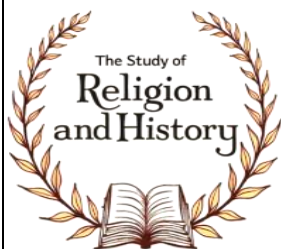
➤ **Appointment of Hazrat Amr bin Hazm (RA)**

The Messenger of Allah (ﷺ) appointed Hazrat Amr bin Hazm (RA) as the governor and judge of Najran and issued written instructions for him, which emphasized justice, honesty, zakat, public rights and adherence to the Shariah injunctions.

From the above incidents and decisions of Prophet Muhammad (ﷺ) it is concluded that public appointments in the Islamic system of governance are not merely an administrative process but a Sharia trust. Prophet (ﷺ) proved through his practical decisions that positions should not be given on the basis of personal relationships, tribal affiliation or family interest but on the basis of competence, trust, character and public interest. These same principles are also of fundamental importance for transparent, effective and accountable governance in the modern era. Furthermore, the example of Hazrat Mu'adh bin Jabal (R.A) makes us feel responsible. Authority and position are a trust that must be exercised with complete integrity. Every person, whether a ruler, teacher, judge, or ordinary citizen, must have a sense of accountability in their roles and decisions. Scholarly competence, legal insight, moral responsibility and accountability are the only criteria for leadership instead of family affiliation, connection and bonds.

An Equity- Based holistic framework for Public Appointments through the Integration of (UDHR) 1948, and Seerah al- Nabiﷺ

Public appointments are an important part of any state system because they are used to deliver governance, justice, administrative decisions and public services. If appointments are not based on the principles of merit, justice and equality, injustice, mistrust and deprivation arise in society. A fair and equitable public appointment system should not be limited to legal principles but should also incorporate ethical, social and human values. The (UDHR) 1948 provides the basis for equality, human dignity, non-discrimination and the right to participate in public affairs in the world. On the other hand, the Seerat-un-Nabiﷺ offers a practical model in which justice, trust, competence, consultation, accountability and public welfare are declared as the basic principles of governance. By integrating these two systems, a “Seerat-un-Nabiﷺ -based equitable framework for public appointments” can be formed, which provides a comprehensive theoretical and practical model for the modern world. The basic theory of this framework is that “Public office is a trust and responsibility, not a personal privilege or privilege; therefore, appointments should be



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based on equal opportunity, competence, character, fairness and public interest.” The UDHR provides the fundamental equality of all human beings, respect for human dignity, freedom from discrimination, right to participate in public affairs, and equality before the law that provide the legal and institutional basis for public appointments. The Prophet’s ﷺ biography is the reflection of justice, trustworthiness, eligibility, advice, accountability, and service to humanity. These principles ensure that public office is entrusted to qualified, honest and responsible individuals.

➤ **Human Dignity and Equal Opportunity**

The first principle of the public appointment system is that every human being deserves respect and dignity. In Seerah al Nabi ﷺ perspective, everyone should have equal opportunities without discrimination. No person can be deprived of public service opportunities on the basis of race, language, gender, religion, social status or economic background. The Messenger of Allah ﷺ gave honor and responsibilities to people in society who were considered skilled, eligible and competent rather than family or political pressure and affiliation. He ﷺ practically implemented a transparent system for fair and impartial transparent system which is the reflection of His decisions against discriminatory policies and equal access to Public opportunities.

➤ **Merit and Competence-Based Appointment**

For an effective successful state system, it is necessary that important responsibilities are given to qualified people.

The Holy Quran says:

قُلْ هَلْ يَسْتَوِي الَّذِينَ يَعْلَمُونَ وَالَّذِينَ لَا يَعْلَمُونَ⁹

"Say: Are those who know (literate) and those who do not know (illiterate) equal?" This verse emphasizes the importance of knowledge and ability. Giving preference to those who are qualified and knowledgeable in public responsibilities is consistent with this principle.

Allah Almighty says:

اعْدِلُوا هُوَ أَقْرَبُ لِلتَّقْوَى¹⁰

Do justice that is nearer to piety.

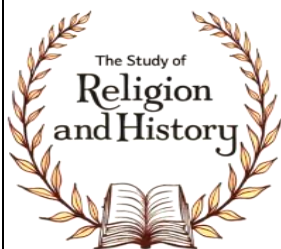
Appointment decisions should be based on fairness and clear criteria and not on the basis of personal preference, relationships or bias.

The Holy Quran describes:

وَقَالَ لَهُمْ نَبِيُّهُمْ إِنَّ اللَّهَ قَدْ بَعَثَ لَكُمْ طَالُوتَ مَلِكًا

And his Prophet said to them, "Allah has sent you Talut as a king."

The people objected that Talut did not have much wealth, so he is the king because we are wealthier than him so He replied "Allah has given him vast knowledge (wisdom) in and physical strength." This shows that the quality



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of leadership is not wealth, family or social status but knowledge, ability and leadership ability.

Prophet Muhammad ﷺ said:

مَنْ اسْتَعْمَلَ رَجُلًا عَلَى عَصَابَةٍ.... فَقَدْ خَانَ اللَّهَ وَرَسُولَهُ وَالْمُؤْمِنِينَ¹¹

“Whoever appoints a person if there is someone better than him, then he has betrayed Allah, His Messenger and the believers.

Hadith of Prophet ﷺ provides a strong moral foundation for merit, transparency and the prohibition of nepotism. In the biography of the Prophet ﷺ, responsibilities were also assigned on the basis of the ability, knowledge, character, and trustworthiness of individuals. Seerah of Prophet Muhammad ﷺ set clear and well-defined criteria for the hiring, promotion and appointments in positions. So therefore if the international community practically implemented the prophetic principles regarding recruitments then everywhere there will be merit and equitable distribution of public resources. Open and competitive selection, education and experience assessment, and testing of abilities are the key elements for meritocracy, transparency, justice, equality and public welfare.

➤ **Integrity-Based Governance**

Ability alone is not enough moral character is also essential for public office. In the biography of the Prophet ﷺ, honesty, trustworthiness, and accountability were the basic qualities for officials.

Prophet said:

كُلُّكُمْ رَاعٍ وَكُلُّكُمْ مَسْئُولٌ عَنْ رَعِيَّتِهِ¹²

Every person among you is a guardian and will be asked regarding his responsibility." Public office is not an authority but an accountable responsibility. A public representative or officer should have the qualities integrity, sense of responsibility, passion for public service, financial and administrative transparency. So practical measures such as ethical review system, prevention of conflict of interest, independent monitoring against corruption

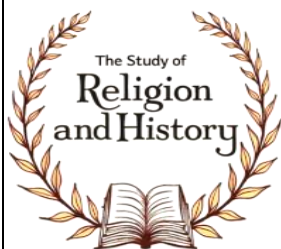
➤ **Inclusive Equity**

True equality does not mean just treating everyone the same but also removing the barriers that deprive some groups of opportunities.

Prophet ﷺ said:

إِنَّ اللَّهَ لَا يَنْظُرُ إِلَى صُورِكُمْ وَأَمْوَالِكُمْ، وَلَكِنْ يَنْظُرُ إِلَى قُلُوبِكُمْ وَأَعْمَالِكُمْ¹³

Indeed, Allah does not value your appearances or your wealth, but He looks at your hearts and your deeds". According to Seerat-un-Nabi ﷺ, people of different races, tribes and social backgrounds were given an important role in society. Practical application is more important than theoretical so, equal



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opportunities for both sex, inclusion of minorities, facilities for vulnerable groups and easy access for people with disabilities.

He^ﷺ said:

وَأَيْمُ اللَّهِ، لَوْ أَنَّ فَاطِمَةَ بِنْتَ مُحَمَّدٍ سَرَقَتْ، لَقَطَعْتُ يَدَهُ¹⁴

"By Allah! If Fatima, the daughter of Muhammad^ﷺ, caught stealing, I would have cut off her hand too."

This hadith was narrated when a woman from a prominent family had stolen, and some people wanted to intercede so that she would not be punished. Prophet^ﷺ made it clear that no one's kinship, wealth or social status could be given priority in the implementation of Allah's law. He^ﷺ gave the example of his most beloved daughter, Hazrat Fatima (R.A), to show that the law is equal for everyone. The real criteria in the eyes of Allah are faith, intention and good deeds, not outward status. Justice among people should be without discrimination. A Muslim should focus on his character, sincerity, and justice, because these are the means of success in this world and the hereafter.

➤ **Justice and Transparency**

Justice is the foundation of a public as well as private system. The UDHR emphasizes equality before the law, while in the Seerat-un-Nabi^ﷺ, justice is declared as a fundamental principle of governance. Prophet^ﷺ practically implemented the independent appointment bodies, clear selection criteria, explanation of decisions and a grievance redressal system that reduce the undue influence of powerful individuals.

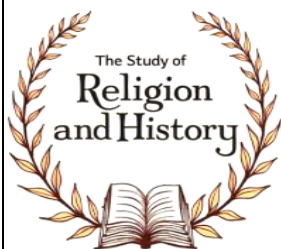
➤ **Shurah and collective decision-making**

Consultation has an important place in the Seerat-un-Nabi^ﷺ because it creates balance and justice in decisions. This principle can be implemented in public appointments as expert selection committees, community review, institutional oversight, protection from personal bias and practical Implementation framework.

Major Findings of the Research

Following are the major findings of this research:

Both the UDHR and the Seerat-e-Nabi^ﷺ support equality and non-discrimination in public appointments. Seerat-e-Nabi^ﷺ considers merit, trustworthiness and moral character as essential criteria for appointments. Nepotism is contrary to trust and justice according to Islamic teachings. The practical appointments of the Prophet (peace be upon him) are evidence that lineage, color, wealth or tribe are not criteria for appointments in Islam. Prophet Muhammad^ﷺ demonstrated through his words and actions that public responsibilities should be entrusted only to those who are competent, trustworthy, honest and fair. These same principles guide modern states in establishing transparent governance, building effective institutions, eliminating corruption and restoring public trust.



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It can therefore be said that the UDHR provides a framework for legal equality, while the Prophet's life ﷺ provides moral, spiritual and practical guidance along with legal equality. The combination of the positive aspects of both can create a system of governance that meets the highest standards of justice, equality, transparency and human dignity.

Suggestions and Recommendations with practical Steps

The Integrated Seerah-Based Equity Framework is a comprehensive theoretical and practical model for public appointments that integrates the human rights principles of the UDHR 1948 with the ethical and administrative principles of the Seerat-un-Nabi ﷺ. The UDHR provides legal equality and fundamental rights to man, while the Seerat-un-Nabi ﷺ provides a moral framework of justice, trust, competence, and service to humanity for the implementation of these rights.

➤ **Step 1: Policy formulation**

The state or institution should formulate an appointment policy that includes the principles of equal opportunities, merit, integrity, transparency, public interest

➤ **Step 2: Independent appointing authority**

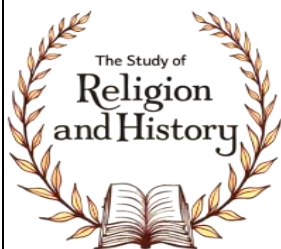
An independent body should be established to monitor the recruitment process, review discrimination complaints, ensure merit, and maintain transparency

➤ **Step 3: Character-based selection process**

A comprehensive selection method such as advertisement of the position, equal access for all individuals, evaluation of educational and professional qualifications, testing of character and integrity, consultative decision-making, appointment and subsequent accountability

Summary

The main message of this framework is that public office is a trust, appointment should be based on merit, power should be exercised with justice, and the purpose of governance should be to serve the people. This model can help create institutions that are more just, transparent, accountable, and provide equal opportunities for all people. An Equity-Based Public Appointment Framework is a system that combines the principles of human equality of the UDHR 1948 and the principles of justice, trust and competence of the Prophet Muhammad ﷺ to provide a transparent and fair way of making appointments. The Universal Declaration of Human Rights (UDHR) and the Seerat-e-Nabi (ﷺ) both emphasize justice, equality, and non-discrimination in public appointments, but there are significant differences in their theoretical sources, ethical foundations, and implementation methods. The UDHR is an international human rights document based on human dignity, equality, and fundamental freedoms. In contrast, the principles of public appointments in the Seerat-e-Nabi (ﷺ) are derived from divine revelation, the Holy Quran, and the Sunnah of the Prophet (ﷺ), where legal requirements are accompanied by moral, spiritual, and afterlife accountability. Although the UDHR provides principles of equality and equal access to public services, it does not specify clear criteria of Merit, Integrity, Trustworthiness, Accountability and moral character for appointment to public offices.



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That is why, despite constitutional equality, nepotism, political favoritism, group interests and corruption persist in many countries. In contrast, the Seerat-e-Nabi ﷺ is not limited to legal equality but also emphasizes the moral training of individuals, piety, trust, honesty, consultation and accountability. These elements make public appointments more effective, transparent and sustainable. From an Islamic perspective, public office is not an honor but a trust, and every responsible person is accountable to Allah Almighty for his decisions. It is this sense of accountability that discourages nepotism and abuse of power.

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