



Human Rights In Islam

Since God is the absolute and sole Master of man and the universe, He is the Sovereign Lord, the Sustainer, the Nourisher, and the Merciful, whose mercy enshrines all beings. Since He has given each man human dignity and honor, and breathed into him of His own spirit, it follows that, and apart from their other human attributes, men are substantially equal and no tangible and actual distinction must be made among them, on account of their accidental differences such as nationality, color or race. Every human being is thereby related to all others and all become one community of brotherhood in their honorable and pleasant servitude to the Lord of the Universe..

Although an Islamic state may be set up in any part of the earth, Islam does not seek to restrict human rights or privileges to the geographical limits of its own state. Islam has laid down some universal fundamental rights for humanity as a whole, which are to be observed and respected under all circumstances whether such a person is resident within the territory of the Islamic state or outside it, whether he is at peace with the state or at war. The Qur'an very clearly states: ***"O believers, be you securers of justice, witnesses for God. Let not detestation for a people move you not to be equitable; be equitable – that is nearer to the God-fearing."*** Quran 5:8

Human blood is sacred in any case and cannot be spilled without justification. And if anyone violates this sanctity of human blood by killing a soul without justification, the Quran equates his act to the killing of entire mankind. ***"Whoso slays a soul not to***

retaliate for a soul slain, nor for corruption done in the land, should be as if he had slain mankind altogether." Quran 5:32

It is not permissible to oppress women, children, old people, the sick or the wounded. Women's honor and chastity are to be respected under all circumstances. The hungry person must be fed, the naked clothed, and the wounded or diseased treated medically, irrespective of whether they belong to the Islamic community or are from among its enemies.

When we speak of human rights in Islam we really mean that these rights have been granted by God; they have not been granted by any king or by any legislative assembly. The rights granted by the kings or legislative assemblies can also be withdrawn in the same manner in which they are conferred. The same in the case with the rights accepted and recognized by the dictators. They can confer them when they please and withdraw them when they wish; and they can openly violate them when they like. But since in Islam human rights have been conferred by God, no one on earth has the right or authority to make any amendment or change in the rights given by Him. No one has the right to abrogate them or withdraw them. Nor should these basic human rights be conferred on paper for the sake of show and exhibition and denied in actual life when the show is over. Nor are they like philosophical concepts which have no sanctions behind them.

The charter and the proclamations and the resolutions of the United Nations cannot be compared to the rights sanctioned by God, because the former is not applicable on anybody while the latter is applicable on every individual. They are a part of the Islamic faith. Every Muslim, or administrators (those) who claim to be Muslim, will have to accept, recognize and enforce them. If they fail to enforce them, and start denying the rights that have been guaranteed by God, or make amendments and changes in them, or practically violate them while paying lip service to them, the verdict of the Quran for such government is clear and unequivocal: ***"Those who do not judge by what Allah has sent down are the disbelievers."*** Quran 5:44

Human Rights in an Islamic State

The Security of Life and Property

In the address which the Prophet delivered on the occasion of the Farewell Hajj, he said: "Your lives and properties are forbidden to one another until you meet your Lord on the Day of Resurrection." The Prophet (PBUH) has also said about the *dhimmis* (non-Muslim citizens of the Muslim state: "He who kills a man under covenant (i.e. *dhimmi*) will not even smell the fragrance of Paradise."

The Protection of Honor

The Quran states in Quran 49:11-12
"You who believe, do not let one make fun of another, do not defame one another, do not insult by using nicknames, do not backbite or speak ill of one another"

Sanctity and Security of Private Life

The Quran has laid down the injunctions:
"Do not spy on one another." Quran 49:12
ii) ***"Do not enter any houses unless you are sure of the occupant's consent."*** Quran 24:27

The Security of Personal Freedom

Islam has laid down the principle that no citizen can be imprisoned unless his guilt has been proven in an open court. To arrest a man only on the basis of suspicion and to throw him into a prison without proper court proceedings and without providing him a reasonable opportunity to produce his defense is not permissible in Islam

The Right to Protest against Tyranny

Among the rights that Islam has conferred on human beings is the right to protest against a government's tyranny. Referring to this, the Quran says: ***"God does not love evil talk in public unless it is by someone who has been injured thereby."*** Quran 4:148

In Islam, as has been argued earlier, all power and authority belongs to God, and with man there is only delegated power which becomes a trust; everyone who becomes a recipient of such a power has to stand in awful reverence before his people towards whom and for whose sake he will be called upon to use these powers. This was acknowledged by Abu Bakr, who said in his very first address as Caliph: "Cooperate with me when I am right, but correct me when I commit an error; obey me so long as I follow the commandments of Allah and His Prophet; but turn away from me when I deviate."

Freedom of Expression

Islam gives the right of freedom of thought and expression to all citizens of the Islamic state on the condition that it should be used for the propagation of virtue and truth and not for spreading evil and wickedness. The Islamic concept of freedom is much superior to the concept prevalent in the West. Under no circumstances would Islam allow evil and wickedness to be propagated. It also does not give anybody the right to use abusive or offensive language in the name of criticism. It was the practice of the Muslims to enquire from the Prophet whether a divine injunction had been revealed to him on any given matter. If he said that he had received no divine injunction, the Muslims freely expressed their opinions on the matter.

Freedom of Association

Islam has also given people the right to freedom of association and formation of parties or organizations. This right is also subject to certain general rules

Freedom of Conscience and Conviction

Islam has laid down the injunction: There should be no coercion in the matter of faith. (2:256). On the contrary, totalitarian societies totally deprive the individuals of their freedom. Indeed, this undue exaltation of the state authority, curiously enough, postulates a sort of servitude, of slavishness on the part of man. At one time, slavery meant total control

over man – now that type of slavery has been legally abolished, but in its place, totalitarian societies impose a similar sort of control over individuals.

Protection of Religious Sentiments

Along with the freedom of conviction and freedom of conscience, Islam dictates that all individuals' religious sentiments should be given due respect and that nothing would be said or done which may encroach upon their right.

Protection from Arbitrary Imprisonment

Islam also recognizes the right of the individuals not to be arrested or imprisoned for the offenses of others. The Quran states clearly: "**No bearer of burdens shall be made to bear the burden of another.**" Quran 35:18

The Right to Basic Necessities of Life

Islam has recognized the right of the needy people for help and assistance to be provided for: "**And in their wealth there is acknowledged right for the needy and destitute.**" Quran 51:19

Equality before the Law

Islam gives its citizens the right to absolute and complete equality in the eyes of the law.

Accountability of Rulers to the Law

A woman belonging to a high and noble family was arrested in connection with theft. The case was brought to the Prophet, and it was recommended that she might be spared the punishment of theft. The Prophet (PBUH) replied, "The nations that lived before you were destroyed by Allah because they punished the common man for their offenses, and let their dignitaries go unpunished for their crimes. I swear by Him Who holds my life in His hand that even if Fatimah, daughter of Muhammad, had committed this crime, I would have amputated her hand."

The Right to Participate in the Affairs of the State

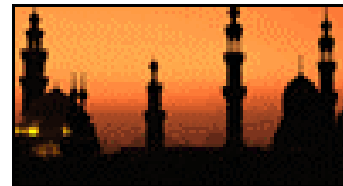
"And their business is (conducted) through consultation among themselves." Quran 42:38

The *Shura* or the legislative assembly has no meaning other than that: the executive head of the government. The members of the assembly should be elected by the free and independent choice of the people.

Lastly, it is to be made clear that Islam tries to achieve the above mentioned human rights and many others not only by providing certain legal safeguards, but mainly by inviting mankind to transcend the lower level of animal life to be able to go beyond the mere ties fostered by the kinship of blood, racial superiority, and economic privileges. It invites mankind to move on to a plane of existence where, by virtue of his inner excellence, man can realize the ideal of the Brotherhood of man.

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