

Perspective of Human Rights in Islam

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Abstract

Islam believes that God is absolute and the sole master of man and the universe. The Almighty has given each human being dignity, honour and has given him His own spirit. Islam also believes that all human beings are equal and also form one universal community that is united in its submission and obedience of God. In Islam human rights have been conferred by God. Therefore no legislative assembly in the world or any Government on earth has the right or authority to make any amendments or changes in these universal rights which are conferred by the Almighty Allah Himself. Thus we can say Islam believes in universal brotherhood and its rights are based on equality, dignity and respect for mankind. The main objective of this paper is to highlight the Human Rights in Islamic Perspective.

Keyword:God,Islam,Muslims,Humanrights,Equality,Justice,Dignity,Respect,Caliphs,Oppression,Mankind ,Zakat,Hujat-ul-wida,Ijtihad.

1.INTRODUCTION

The term human right can be defined as the basic rights and freedoms to which all humans are entitled. These include civil and political rights such as the right to life and liberty, freedom of thought, expression, equality before the law, and economic, social and cultural rights including the rights to participate in culture, right to food, right to work and right to education. The basic rights and freedoms, to which all humans are entitled includes the right to life and property. All human beings are born free and equal in dignity and rights.

So far as the human rights in Islam are concerned Islam believes that God is absolute and the sole master of man and the universe and since He has given each man human dignity and honour, and breathed into him of his own spirit, it follows that all humans are essentially the same. Islam believes that all human beings are equal and form one universal community that is united in its submission and obedience of God. These rights aim at conferring honour and dignity on mankind and eliminating exploitation, oppression and injustice. The life, liberty and prosperity of everybody were honoured and protected in the light of Holy Qur'an not only for Muslims but for Non-Muslims as well.

Therefore, we can say that rights in Islam are granted by Almighty himself and nobody has the right to amend, alter or change them and no one can abrogate or withdraw them as per his will.

2.RIGHT TO LIFE

The first and the foremost basic right is the right to live and respect for human life. the holy Qur'an mentions:

“Whosoever kills a human being (without any reason) manslaughter or corruption on earth, it is though he killed all mankind.”¹

Therefore, it is incumbent on every human being that under no state of affairs should he be guilty of taking a human life, it is as if he has slain the entire human race.

Islam teaches us that insight of Allah, all men are equal however there are differences of abilities, potentials, ambitions, wealth etc but none of these differences can establish superiority of race of one man to other. The only difference which Almighty recognizes is the distinction in piety, goodness and spiritual excellence.

¹ Al-Qur'an (5:32)

The Qur'an states:

"O mankind, verily we have created you from a single (pair) of male and female and have made you into nations and tribes, that you may know each other. Verily the most honoured of you in sight of God is the most righteous".²

Islam states that all men are created by one and the same eternal God, the supreme Lord of all. Islam also states that all mankind belong to the human race and are born from Prophet Adam and Hawa. According to Islam God judges every person on the basis of his own merits and according to his own deeds. He is just and kind to all his creatures. The whole universe is in his dominion and all people are his creatures.

Prophet Muhammad (saw) during his address to the people of Mecca said:

"O people! Your God is one, your father is one, no preference of an Arab neither over non-Arab nor of a non-Arab over an Arab or red over black or black over red except for the most righteous, the most honoured person among you is he, who is more righteous".³

Therefore, we can say that Islam provided the right to life to all humans irrespective of differences in race, colour and status.

3. RIGHT TO SAFETY OF LIFE

The verse of the holy Qur'an which has been mentioned in connection with the right to life, God has said:

"And whosoever saves a life, it is as he has saved the lives of all mankind".⁴

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

him so that he can ward off death. If he is drowning or his life is at stake, then it is your duty to save him.

4. RIGHT TO FREEDOM

Every individual and every person has right to freedom in all its forms whether it is physical, cultural, economic and political. These also include right to freedom of religion, freedom of thought and expression and right to freedom of movement. It provides complete freedom of religion and belief for every human being. Islam does not allow any compulsion in religion. It clearly indicates:

"There is no compulsion in religion-the right way is indeed clearly distinct from error".⁵

Islam does not thrust religion on anybody it states that it is individuals own concern and he has been given choice of adopting any religion.

"Clear proofs have been indeed come to you from your lord, so whoever sees, it is for his own good, an whoever is blind, it is to his own harm. And I am not a keeper over you".⁶

"We have truly shown him the way; he may be thankful or thankful less".⁷

The truth is from your Lord; so let him who pleases believe and let him who pleases disbelieve".⁸

"If you do well, you do good for your own soul. And if you do evil, it is for them".⁹

These Quran verses cancel out the use of compulsion in religion because belief is the mightiest thing that a human possesses.

Islam also allows man's freedom of opinion as well as his freedom of declaring and expressing his point of view peacefully. It encourages the individual to experiment, employ reason and utilize the world around him for the benefit of humanity. The basic teachings of the Islam are

² Al-Qur'an(49:13)

³ Ibid(49:13)

⁴ Ibid(5:32)

⁵ Ibid(2:251)

⁶ Ibid(6:104)

⁷ Ibid(76:3)

⁸ Al-Quran918:29)

⁹ Ibid(17:7)

that every person is under obligation to realize the rights of others in every possible way.

5. RIGHT TO PROPERTY

Islam gives the right to own property to all the citizens without any favouritism. No property can be expropriate except in the public interest and on payment of fair and adequate compensation. Both children and their parents inherit from each other according to a prescribed law of inheritance.

According to Islamic law the three conditions of property rights are:

- The property should not be acquired by illegal means.
- Its acquisition and continuity should not involve any damage to others.
- The acquisition should not invalidate any valid claim and should not establish an invalid one.

Property obtained through cheating, imitation, compulsion will not become his property and he will have no right to transfer it. According to Quranic definition of right to property, it puts it into the proper framework. Qur'an gives clear indication that everything is owned by God.

"Say: O Allah, Lord of all dominion! You give dominion to whom You will, and abase whom you will. In your hand is all good. Surely you are all powerful".¹⁰

Earning of wealth is highly righteous action for a Muslim. In the Qur'an believers are enjoined upon to go into the world and seek the bounty of the Lord, it says:

"And when the prayer is finished, then disperse, you through the land and seek of the bounty of God; and celebrate the praises of God often and without stint, that you may prosper".¹¹

The Holy Prophet installed righteous earnings to the status of a prayer. He said:

"Earning of wealth by honest means is next in importance only to the duty of prayer".¹²

6. RIGHT TO SOCIAL SECURITY

Social security is the fundamental human need. Sickness, death, disease, disability, storm, fire, flood, accidents, drowning and the financial losses caused by them are the reasons of this need. The sufferings from these events take the victim and his dependents towards poverty. In Islam accomplishment of the basic needs of everyone whosoever, is unable to meet the needs was conceived to be the concern of the state Zakat is the first institution of the social security in Islam. Every Muslim has to pay 2.5% of savings as Zakat fund which is fundamental duty of every Muslim.

The social security system of Islam is divine in character and based entirely on the Qur'an and Hadith.

Qur'an says:

"It is righteousness that you turn your faces towards east or west, but it is righteousness, to believe in God and the last day ,and the angles and the Book, and the messengers, to spend of your substance, or of love for Him, for your kin, for orphans, for the needy, for the wayfarers, for those who ask, and for the ransom of slaves, to be steadfast in prayer, and give Zakat, to fulfil the contracts you have made, and to be firm and patient ,in pain and sufferings and adversity, and throughout all periods of panic, such are the people of truth ,the God fearing".¹³

According to the above verse, the Qur'an clearly directs us to offer material help to the needy, poor to help economically depressed people and classes, and to sympathies the creatures of God.

Almighty says in Qur'an:

¹⁰Ibid(3:26)

¹¹Ibid(62:10)

¹² Shiekh Mahmood Ahmad, Economics of Islam, Lahore, Mohd. Ashraf, 1950, p.102

¹³ Al-Qur'an(11:177)

"Whatever you spend, it is for the parents and the near of kin and the orphans and the needy and the wayfarer. And whatever good you do, Allah surely is knower of it".¹⁴

"Those who spend their wealth by night and day, privately and publicly, their reward is with their Lord, And they have no fear, nor shall they grieve".¹⁵

Islam provides the social security for the nourishment and comfort to all the citizens. Every person is held responsible for the welfare of other. Islam gives social attention to the protection of the interests of orphans by their guardians because the properties of orphans are exposed to many risks. Islam also persuades the responsibility of members of the community over those who are living in poverty as Prophet (saw) says: "If somebody in a community sleeps hungry until the next morning, Allah will withdraw his security from the community." In Islam it is the responsibility of the state to provide relief to the people who are in distress, and help people in the natural climates, genetic, abnormality, temporary unemployment, old age, or the natural death of a family guardian. Islam clearly directs the businessman and employees to contribute from their salaries and wages and should have their own Zakat funds. In addition to this state can impose other taxes to raise funds for the social security.

Prophet Muhammad (saw) has said:

"I am the guardian of a person who has no guardian".

"The son of Adam has basic rights for their things, a house to live in, a piece of cloth to cover body and a loaf of bread and water".

The department of social security under the reign of Umer bin Khatab (R.A) the second Caliph not only opened its door to the Muslims but also for the non-Muslims. Stipends were given to the poor from the treasury without any distinction of religion. On seeing an

old Jew begging Umer bin Khatab (R.A) brought him to His house, gives him some cash and ordered the treasury officer that such people who could not earn their living should be given stipends from the public treasury. Umer bin Khatab (R.A) was the first ruler in the world who introduced the system of social security in his government and during that period the social security system has become so strong, that the people wanted to pay Zakat but there was no one to receive it. Even the expenses of nursing and breeding and allowances for the new born child was given from the treasury.

7. RIGHT TO EQUALITY:

Islam is the religion of justice and equality and as such gives its citizens the right to absolute and complete equality in front of the justice. The superiority of one man over another is only on the basis of God consciousness, purity of character and high morals and not colour, race, language or nationality.

Qur'an says:

"O mankind! We have created you from a male and a female, and made you into nations and tribes, that you may know one another. Verily the most honourable of you with Allah is that (believer) who has piety (Al-Taqwa). Verily Allah is knowing, all aware".¹⁶

"People are therefore not justified in assuming airs of superiority over other human beings. Nor do the righteous have any special privileges over others".¹⁷

Prophet Muhammad (SAW) has declared in his speech on Hujat-ul-Wida (farewell Hajj):

"No Arab has any superiority over a non-Arab, nor does a non-Arab have any superiority over an Arab. Nor does a white man any superiority over a black man. You are all children's of Adam and Adam was created from clay".¹⁸

¹⁴ Ibid(2:215)

¹⁵ Ibid(2:274)

¹⁶ Al-Qur'an, Al-Hujarat:13

¹⁷ Nayar Shamas, Human Rights in Islam, p189

¹⁸ Al-Hadith, Muslim Sharief, Kitab ul Hajj

Islam not only recognizes right of equality among men but also between men and women. Qur'an in this context says:

"And from women, are rights over men similar to those for men over women".

Therefore Islam has given man right to equality as a birth right, irrespective of colour, creed, caste, sex or birth.

8. RIGHT TO EXPRESSION

Right to expression has been given an important place in the teachings of Islam. Everyone is endorsed to express himself unless it is harmful or against the teachings of Islam. Islam has given right of freedom of thought and expression to all human beings. But the thought and expression should be based on Truth and should not evil. Almighty says in Qur'an:

"If we give authority to these men on earth they will keep up prayers, and offer welfare due, bid what is proper and forbid what is improper".¹⁹

Again Qur'an says:

"You are the best community which has been brought forth for mankind. You command what is proper and forbid what is improper and you believe in Allah".²⁰

Islam never imposes any restrictions whatsoever on its followers freedom of speech and expression, except of curse, to keep them away from spreading ill-will. Muhammad (SAW) himself patiently listened to all that was talked in his court both formally and informally and same was done by his succeeding Caliphs.

Islam has given right to protest against tyranny and injustice to all human beings.

"One who protests against the tyrant is the greatest crusader".²¹

said by the Prophet of Islam.

Prophet Muhammad (saw) has also said and warned,

"The people who endorse the wrong doings of the rulers after me are not my followers".²²

"Caliphs of Islam Hazrat Abu Bakar (R.A) and Hazrat Umer (R.A) has invited people to criticism in their speeches everywhere and the people criticized them without hesitation".²³

The right of expression in Islam is not theoretical but it is on practical form. This gained great momentum, the personal opinion(Ijtihad) becomes one of the most important source of Islamic jurisprudence.

9. RIGHT TO EDUCATION:

Education and knowledge are mandatory upon men and women in Islam. Every person is entitled to receive education in accordance with his natural capabilities irrespective of sex, and every person is entitled to a free choice of profession and career and to the opportunity for the full development of his personality. In Islam parents are legally responsible to educate their children, take care of them and make them responsible to take care of their parents. The first verse of Qur'an says:

"Read .Read in the name of the Lord who created; He created the human beings from blood clot. Read in the name of Lord who taught by the pen; He taught the human being what he did not know".²⁴

"Those truly fear to God, among the servants, who have knowledge of God is ex-halted in might, of forgiving".²⁵

"He bestows wisdom upon anyone He wishes, and he who is given wisdom is in fact given great wealth, but only those who have common Sense learn lessons from these things".²⁶

Prophet Muhammad (SAW) has said:

¹⁹ Al-Qur'an,Al-Hajj 41

²⁰ Ibid,Al-Imran 110

²¹ Tahir Mahmood(Ed),Human RightS In Islam,p 43

²² Al-Hadith,Muslim Sharief,,Kitab ui Hajj

²³ Tahir Mahmood(Ed),Human Rights in Islam,p 61

²⁴ Al-Qur'an,96:1-5

²⁵ Ibid,35:28

²⁶ Ibid,2:269

- Seek the knowledge from the cradle to grave.
- Seek knowledge even if it is far as China.
- Acquiring of knowledge is obligatory to every Muslim male and female.
- Wisdom is the lost prosperity of the believer, he should take it even if finds it in the *Mushrik*.

Knowledge is identified in Islam as worship. In Islam acquiring of knowledge, reading of Qur'an and pondering upon it, travelling to gain knowledge is worship. It is duty upon every Muslim to gain knowledge which is considered to be a superior act of worship in Islam. It is therefore in Islam both men and women are created with the capacity for learning, understanding and teaching.

CONCLUSION

In the conclusion, we can say the above mentioned some fundamental rights in Islam clearly indicates that these laws are divine in nature, universal in application and not manmade laws. The aim and purpose behind these laws is that, Allah is the creator of this universe wishes human life to be enriched, with quality of purity, beauty, goodness, virtue, success and prosperity. These laws does not restrict or privileges to the geographical limits of its own state, but are by and large applicable to the humanity as a whole as is evident from the history of Islam.

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