

HUMAN RIGHTS IN ISLAM

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Introduction

The first thing that we find in Islam in this connection is that it lays down some rights for man as a human being. In other words it means that every man whether he belongs to this country or that, whether he is a believer or unbeliever, whether he lives in some forest or is found in some desert, whatever be the case, he has some basic human rights simply because he is a human being, which should be recognized by every Muslim. In fact it will be his duty to fulfil these obligations.

Islam presents a complete code of life and it covers all spheres of Life it's not sympathetic only for Human being but it preaches for kindness toward animals as well. Islam is the first religion ever addresses the nobility and dignity of Human being and call Human being the best creation. So, what is true Islam? Islam, an Arabic word whose root is "silm," means peace and protection from danger. Islam is supposed to provide an environment of peace and tranquility for all, Muslims and non-Muslims. It is supposed to protect everyone from external or internal threats and dangers. Since religious tolerance (and respect for other faiths) is among the basic teachings of Islam, it instructs Muslims to fight and to even give their lives, if need be, to protect places of worship of other faiths such as temples, churches and synagogues.

Islam does not teach terrorism under any circumstances. It forbids killing of innocent civilians. The holy Book of Islam, the Qur'an, says: "If anyone murders an innocent person ... it will be as if he had murdered the whole of humanity. So, who is subject to terrorism is not true Muslim and is guilty.

Social Responsibility:

The Fundamental human rights in Islam are well defined. The Holy Qur'an and sayings of Holy Prophet (Peace be upon him) provide exhaustive details about social responsibility of the state with respect to fundamental human rights.

The concept of good life depends upon protection of fundamental liberties. Civil structure of society develops in the environment of freedom. The whole idea of civilizations needs an atmosphere where religious sentiments, life, property and honour of subjects are safe. They should feel protected and honored. An individual finds emotional satisfaction through social acceptance.

1. Sanctity Of Human Life:

Protection of human life is fundamental objective and principle of Islamic teachings. The Holy Qur'an describes sanctity attached to human life in a quite different manner:

"Whoever kills a human being without (any reason like) murder, or corruption on earth, it is as though he had killed all mankind" (5:32)

"Do not take away life, God has wholly prohibited it, except when the law so requires. (17:33)

"The law of retaliation is meant to save life; so that the wise dread homicide in future." (2: 179).

It is responsibility of the state to provide an organizational structure through well-established judicial system, administrative control and a security system necessary for social existence of the citizens.

2. Freedom Of Religion:

Everyone has right to discharge his religious obligations according to his faith and belief. Freedom of religion is an accepted right of every citizen of the state. The Holy Qur'an says:

"There is no compulsion in the matter of religion."(2:256). "Who is more unjust than the one-who forbids glorification of God in the places of worship and tries to disturb the same." (2: 114)

"And that I should recite the Qur'an, then whosoever accepts guidance, accepts it or the good of his own self; and whosoever goes astray, say (to him): I am only one of the warners." (27:92)

"We now best what they say. And you (O Muhammad) are not the one to force them (to belief). But warn by the Qur'an; him who fears my Threat." (50:45)

"So turn away (O Muhammad) from them, you are not blame worthy (as you have conveyed Allah's Message). And remind (them O Muhammad) for verily, the reminding benefits the believers." (51 54, 55).

3. Property Rights:

Individual ownership of property is a trust from Almighty the Creator. No one has right to destroy or take away property belonging to other people. The Holy Qur'an says:

"O ye who believe! Eat up not your property among yourselves in vanities; but let there be amongst your business and trade through mutual agreement." (4:29)

"O believers! Do not betray the trust of God and Prophet, and do not intentionally appropriate, property entrusted to you. (8:27)"

"Believe in Allah and his apostle and spend out of the (substance) whereof he has made you heirs. (57:7)"

"Since Allah Almighty is the real owner of everything therefore we must observe limitations provided by him."

Those who when they spend are not extravagant and not niggardly but hold a just (balance) between those (extremes) (25:67)"

4. Honour And Dignity:

Every person has right to enjoy respect and honour in the society. It is not allowed to defame a person through wrong accusation. Strong punishment is provided for the acts committed against the dignity of person. An accusation not supported by proper evidence invites severe punishment. The Holy Qur'an says:

"Those who accuse chaste women of unchastely, and then are unable to produce four witnesses (in support of their accusation) flog them with eighty stripes and ever after refuse to accept from them any testimony - since it is they that are truly depraved." (24:4)

The high standard of testimony and the number of witnesses to prove the offence of fornication is to discourage mischief mongers to spread corruption on earth through wrong accusation without proper proof and evidence in support of such claim. Rules of Islamic Shariah tend to create a culture of mutual respect and honour in which honour and dignity of citizens is fully protected. The Holy Qur'an warns against evil social practices and says:

"Woe to every scandalmonger and backbiter" (104: 1)

"God does not like that evil be spread." (4:148)

"O believers! A void suspecting each other: In some cases suspicion is an offence, and do not spy on or speak ill of each other in the absence." (49:11)

5. Right To Know:

The Holy Prophet (peace be upon him) said: "It is duty of every Muslim man and woman to acquire knowledge". It is an obligation to recite few verses from the Holy Qur'an during performance of five times prayers in a day; therefore it is duty of every Muslim to learn few chapters from the Holy Qur'an by heart. He is supposed to know about his rights and obligations towards parents, spouse, children and near relatives. All this demands to acquire a minimum level of education. Islamic teachings can be made part of life only through a process of learning by each and every member of the community. It is fundamental right of a Muslim to have facilities and adequate opportunities for learning and acquiring knowledge. The Holy Qur'an says:

"Allah raises up in rank those of you who believe and have been given knowledge." (58: 11)

'O, my Lord! Advance me in knowledge (20: 114)' "That those who have no knowledge are not equal to those who have" (39: 9) "That those who do not observe and understand are worse than cattle (7:PI79)"

"That the meanings of revelation become manifest to those 'who have knowledge' and who have understanding" (6: 97-98)

"That 'whosoever has been knowledge indeed has been given an abundant good" (2: 269)

"That basic qualifications for leadership, knowledge and physical strength" (2:247)

"And that of all things it is by virtue of knowledge that earth" (2:30)

The Holy Prophet (PBUH) said purpose of my prophet hood is teaching mankind.

Demand for acquisition of knowledge is not restricted to religious knowledge only; it covers almost every field of knowledge beneficial to humanity in any way. The Holy Qur'an is a book of knowledge and wisdom it is duty of the state to make adequate arrangements for teaching of the Holy Qur'an at various levels of education right from primary to university.

6. Health Care:

Poverty, ignorance and disease are considered to be the most disturbing factors in human life. It is duty of the state to provide health facilities to entire population of the country, and build infrastructure of small health units and a network of hospitals. Preventive measures play an important role in this regard. Clean and pollution free atmosphere is an essential requirement of healthy life. Cleanliness is part of faith as narrated from the Holy Prophet (peace be upon him). Faith is not complete without observing cleanliness.

Islamic teachings provide a complete code of health care and preventive measures to make a person healthy and active in his daily routine of life. It is obligation of the state to promote these measures and take adequate steps to ensure provision of clean, water and maintain clean atmosphere in living areas. This is the reason that concentration of population is discouraged, and development of new cities is recommended.

7. No Punishment Without Trial:

A person must not be punished without conducting proper judicial proceedings and proving an offence against him. Everyone is innocent unless proved guilty through evidence in the court of law. Caliph Hazrat Umer (*may Allah be pleased with him*) once reprimanded a person by saying that men are born free how he got right to make them slaves. Caliph Umer bin Abd-ul-Aziz issued instructions that accused should not be subjected to coercion. Officials expressed their apprehension. In their view this was the only way to maintain law and order, they tried to justify coercive measures to eliminate offences from the society. The Caliph rejected their concerns and replied: Let it happen, if it was the result of obedience to Allah's Commands.

8. Right To Privacy:

It is right of every citizen that his private and family life should be respected. He must enjoy moments of privacy at his home. The Holy Qur'an says:

"O believers! Do not enter houses of others, without respectfully seeking permission of their occupants; this is the conduct enjoined on you. And if you find none in a house, do not enter it unless directed otherwise. And go back if you are not allowed entry, this is what behooves you; and God knows all that you do. There is nothing wrong on your part, if you enter uninhabited places, if they are of any use to you; but God knows what you express or conceal." (24:27-29)

Sanctity of home life requires that every citizen has right to take residence wherever he feels convenient and desires to reside. Division of localities on the basis of race, color and language is against the fundamental human rights of the people. Town planning and provision of proper housing facilities for the people is an essential function of the government.

9. Freedom Of Conscience:

The Holy Qur'an declares:

"Say to non-believers! I do not worship what you worship; and you do not worship what I worship; neither I shall worship what you have been worshipping; nor will you worship what I worship; for you is your religion and for me mine." (109:1-6)

The concept is further explained as under:

"For every community God has prescribed religious rites, so let them adhere to those rites; there should be no quarrel in this matter, when you call to your Lord; verily you will be on the right path." (22:67)

It is not allowed to adopt insulting behavior or use abusive language against any system of belief, personalities or teaching of their religions.

"Do not insult those (other than Allah) whom they worship; they may, in return, insult Allah in ignorance; God has made good the practices of every community in its sight; all will finally return to their God, they will then know the reality of all that they do." (6:108)

"And had your Lord willed, those on earth would have believed, all of them together. So, will you (O Muhammad) then compel mankind, until they become believers?" (10:99)

"Say: O you mankind! Now truth has come to you from your Lord. So whosoever accepts guidance, he does so for the good of his own self; and whosoever goes astray, he does so to his own loss; and I am not (set) over you as an agent (disposer of affairs to oblige you for guidance)." (10: 108)

"The truth is from your Lord. Then whosoever wills, let him to believe; and whosoever will, let him disbelieve." (18:29)

"So remind them (O Muhammad), for you are but a remembrance. You are not at all a warder over them. Save the one who turns away and disbelieves. Then Allah will punish him with the direst punishment. Verily, to us will be their return; then verily, for us will be their reckoning." (88:21-26)

10. Equality And Equal Protection Of Law:

Everyone is equal before the law. All citizens must be treated equal in law, rich or poor a person of high status or an ordinary person. The Holy Qur'an says:

"O mankind! God has created you from one man and one woman, you are divided into nationalities and communities, only so that you may identify one another; in the sight of God the most pious among you is most respectable among you; verily God is oft-knowing, well acquainted." (49:13)

No one is above the law.

"O believers! Faithfully apply the law as divinely ordained, even though it may go against yourselves, or your parents and relatives, to both the rich and the poor both of whom God maintains; do not be guided by personal considerations, so as to act against justice; if you distort or withhold equal justice, God knows well what you are doing." (4:135)

11. Occupation And Earning Livelihood:

All the people have equal right to conduct business and economic activity according to their choice. They can work for any profession they like. The Holy Qur'an says:

"Do not envy those whom God has given more than you, to every man belongs what he earns; and to every woman belongs what she earns; seek God's grace; verily He knows everything well." (4:32)

"O believers! Do not unlawfully benefit from one another's property, but have trade of goods by mutual consent." (4:29)

12. Freedom Of Movement:

Everyone has right to move from one place to another within territorial limits of a country without unnecessary restrictions imposed by the state authorities beyond the scope of law and rules. The Holy Qur'an says:

"Go around the earth and see the fate of those who denied (the message)." (16:36)

"We have honored the sons of Adam, provided them with the means of transport on land and sea; given them for sustenance pure things and conferred on them special favors." (17:70)

"Travel through the earth, and see how God did originate creation, so will God produce a latter creation for God has power over all things" (29:20)

Here is an open invitation to move around the earth and observe signs of creation learn through the lessons of history.

13. Freedom Of Choice And Action:

Within the scope of law everyone has right to conduct his social, economic and political activities in his daily routine of life. State has no right to provide unnecessary, limitations over the activities of the citizens as regards their right to freedom of choice and action. The Holy Qur'an says:

"Say (O Muhammad): Who has forbidden the beauties of life as adornment from Allah which He has brought forth for those who submit to Him, and blessed them with provisions of life pure and agreeable" (7:32)

What is important about civil rights in Islam is that almighty the law Giver granted those rights and declared Himself the Guarantor, as state has no right to suspend them. Violation of these rights is considered injury to right of Allah.

14. The Right To Justice:

This is a very important and valuable right which Islam has given to man as a human being. The Holy Quran has laid down:

"Do not let your hatred of a people incite you to aggression" (5:2). "And do not let ill-will towards any folk incite you so that you swerve from dealing justly. Be just; that is nearest to heedfulness" (5:8).

Stressing this point the Quran again says:

"You who believe stand steadfast before God as witness for (truth and) fair play" (4:135).

This makes the point clear that Muslims have to be just not only with ordinary human beings but even with their enemies. In other words, the justice to which Islam invites her followers is not limited only to the citizens of their own country, or the people of their own tribe, nation or race, or the Muslim community as a whole, but it is meant for all the human beings of the world. Muslims therefore, cannot be unjust to anyone. Their permanent habit and character should be such that no man should

ever fear injustice at their hands, and they should treat every human being everywhere with justice and fairness.

International Obligations On Human Rights:

Muslims are under obligation to play positive and constructive role among the community of nations. It is their collective responsibility to contribute to the world peace and security. Muslims consider themselves as upholders of values of justice and fairness. At the international level they are duty bound to struggle for promotion of peace and prosperity of nations. The Holy Qur'an provides a universal principle to maintain peaceful relations with the other communities of the world, an open invitation to all the peace loving nations to come to terms and maintain world peace.

"Come to a word common between us and you"(3:64)

It is an invitation to the world communities to agree on those points which are common between the community of Muslims and other nations. Islamic state is required to develop trade and diplomatic ties with all the peace loving nations, to make the world more peaceful happy and prosperous. Discharge obligations towards international organizations, i.e. United Nations and other political, trade and cultural organizations. Cooperate with organs of the United Nations, abide by the mutually agreed upon rules of International law. Take care of international treaties and maintain diplomatic relations with other states.