

## Human Rights in Islam

### (part 1 of 3): Rights for all of Humankind



Just what exactly are human rights? Is it just the right to life? Alternatively, is it the right to freedom, liberty, and justice? Do human rights include having the right to security, and a safe haven? Since the end of World War 2, Western international politics appears to have focused on securing human rights; however, the reality is that the line between securing such rights and maintaining state sovereignty has become blurred. The growing power and politics involved in human rights advocacy tends to favor Western ideals, but these are not necessarily universal ideals. Many would claim that the human rights doctrine has become an accessory to spread Western moral imperialism.

While nobody denies that there are certain inalienable human rights, just what those rights are is often subject to fierce debate. While some cultures focus on individual rights and freedoms, others are more concerned with rights that ensure the survival of communities. The world is populated by diverse nations and tribes so it makes sense that laws and declarations made by human beings are not going to be universally accepted no matter how morally upstanding they are.

God says in the Quran:

**“O mankind, indeed We have created you from male and female and made you peoples and tribes that you may know one another.” (Quran 49:13)**

From this, we see that interaction between nations is normal and desirable. However, it is part of the nature of humankind to be jealous and at times self-serving. Islam takes into account these vagaries of human nature, and therefore looks to the supreme Creator for guidance. Human rights and responsibilities are enshrined in Islam; they are the foundation for the Sharia (Jurisprudential law).

There is no doubt that around the world, abuses of human rights are being perpetrated, often in the name of religion and sadly sometimes in the name of

Islam. However, it is important to recognise that just because a country is known as Islamic, this does not mean that it automatically follows the laws sent down by God. It is also important to realise that not all Muslims understand and follow their religion. Culture often dictates action. Of course, the same can be said of all religions. Throughout history, humankind has used the name of God to justify unspeakable acts.

The planet earth stumbled into the 21<sup>st</sup> century beset by wars, famines and great social unrest, therefore today's catch phrases espouse the supposed remedy; freedom, democracy, and reconciliation. Human rights have understandably become paramount. Governments, non Government organizations, and religious and charity groups have all spoken about equality and inalienable rights. The United Nations was formed to stand as a beacon of hope for understanding and joint initiatives but in actuality it is a toothless tiger, unable to reach agreement on most resolutions and unable to enforce the resolutions that do pass.

More than 1400 years ago, God sent down the Quran, a book of guidance for all of humankind. He also chose Muhammad as the final Prophet; he was the human being capable of leading humankind into a new era of tolerance, respect, and justice. The words of Quran and the authentic traditions of Prophet Muhammad contain rights and responsibilities granted by God to humankind. They are not subject to the whims and desires of men or women and they do not change as borders or governments shift and settle, sometimes unrelentingly.

The United Nations proclaimed the Declaration of Human Rights in 1948. It set out, in 30 articles, the fundamental rights to be universally protected and described them as, designed to promote, “*universal respect for and observance of human rights and fundamental freedoms*”<sup>[1]</sup>. The United Nations Office of the High Commissioner for Human Rights went on to describe these rights as inherent to all human beings regardless of sex, race, creed, or colour and declared them indivisible, interdependent, and interrelated. In the following 60 years other declarations, treaties, and committees have come into existence, all focusing their efforts on ensuring the rights of various groups within varied societies.

The tenants of Islam include a basic set of rules designed to protect individual rights and freedoms, however the rights of individuals are not permitted to infringe upon the rights of communities. Islam is a doctrine concerned with respect, tolerance, justice, and equality and the Islamic concepts of freedom and human rights are imbedded in the faith in the One God. If humankind is to live in peace and security, he or she must obey the commands of God..

Muslims believe that God is the sole Creator and Sustainer of humankind and the universe. He has given each human being dignity and honour and the human rights and privileges we enjoy are granted by Him. The rights granted by God are designed for everybody. One person is not more worthy of

protection than another is. Each person is entitled to sustenance, shelter, and security and if some people are denied their God given rights, it is the responsibility of the rest of humankind to restore those rights.

**“O you who believe! Stand out firmly for God, be just witnesses, and let not the enmity and hatred of others make you avoid justice. Be just: that is nearer to piety, and fear God. Verily, God is well acquainted with what you do.”**  
**(Quran 5:8)**

Power and authority narratives have become entrenched in human rights advocacy. Legislation and unenforceable treaties cannot protect the downtrodden and oppressed. However, Islam proclaims that God treats all human beings equally and true human rights can only be achieved by obedience to Him. In the following series of articles, we will examine the 30 articles of the Declaration of Human Rights and compare them to the Islamic standpoint and the reality of life in the 21<sup>st</sup> century.

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#### Footnotes:

[1] (<http://www.un.org/en/documents/udhr/>)

### **(part 2 of 3): Articles 1, 2 & 3**

Islam is the religion revealed for all of humankind. It is not exclusively for Arabs or Asians, men, or women, the wealth or the downtrodden. Islam is the religion and way of life that assures that humankind is able to access all of their rights. It makes sense to think that the One Who created us knows what is best for us, and He (God) has given us access to all the knowledge we need in order to live happy secure lives.

Muslims believe that this knowledge is accessible through the Quran and the authentic traditions of Prophet Muhammad, may the mercy and blessings of God be upon him, and that it is guaranteed by the *Sharia* (Islamic Law). Islam establishes a legal framework, and embodies a code of ethics, designed to protect the rights of an individual including his or her right to live in a secure society.

Prophet Muhammad said, **“Whosoever wakes up (in the morning) feeling that he is secure in his community, free from ailments and diseases in his body, and has enough provision for a single day, it is as if he owns the entire world.”** (*Tirmidhi*)

The *Sharia* is concerned with preserving five basic rights: the right to practice religion, the protection of life, the safeguarding of the mind or intellect, the preservation of honour and family, and the sanctity of his wealth and property. A unified community establishes a moral and ethical base in

which individual rights are upheld. Although the rights of individuals are of great concern, they are not permitted to overshadow the rights of the community.

The Universal Declaration of Human Rights contains 30 articles. They strive to secure life, liberty, and security for all men, women, and children.

There is no doubt that the preservation of this declaration is a righteous act however each article has been adequately addressed in the past by the words of God in Quran and the traditions of Prophet Muhammad.

## Article 1 & 2

**All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.**

**Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional, or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.**

## Quran & Traditions

There are many verses in Quran that point to the dignity, equality, and brotherhood of humankind. Furthermore, God makes it clear that rights and freedoms are granted to all, regardless of race, gender, social origin, nationality, language, colour, or status.

**“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 God is that (believer) who has God consciousness (including piety and righteousness). Verily, God is All Knowing, All-Aware.”**

God created humankind to act as vicegerent upon the earth; human beings were set above the animals, birds, and fish and given a task of great responsibility..

**“See you not (O men) that God has subjected for you whatsoever is in the heavens and whatsoever is in the earth, and has completed and perfected His Graces upon you, (both) apparent and hidden.” (Quran 31:20)**

The first man Adam, the father of humankind was honoured and treated with due respect and dignity. God blew man’s soul into him, He fashioned him

with His own hands and He ordered the Angels to bow down before him. By honouring Adam God assured that all of humankind are worthy of dignity and respect. Islam also makes it clear that all mankind is descended from Adam and as such are brothers and sisters to one another.

**“And (remember) when your Lord said to the angels: ‘I am going to create a human (Adam) from sounding clay of altered black smooth mud. So when I have fashioned him and breathed into him (his) soul created by Me, then you fall down prostrate to him.’ (Quran 38:71-72)**

God said in Quran (49:10) that believers are nothing less than brothers to one another and Prophet Muhammad constantly reinforced the necessity of maintaining the ties of brotherhood. He said that no person would attain true piety until he wished for his brother (or sister) what he wished for himself.<sup>[1]</sup>

When Prophet Muhammad realised he would soon be returning to his beloved God, he addressed all of humanity with profound and beautiful words that became known as the Farewell Sermon. He gazed down upon more than 100,000 thousand followers standing on the plains of *Arafat*, and said, “All mankind is from Adam and Eve, an Arab has no superiority over a non-Arab, nor does a non-Arab have any superiority over an Arab. A white has no superiority over black nor does a black have any superiority over white except by piety and good action. Learn that every Muslim is a brother to every Muslim and that the Muslims constitute one brotherhood.”<sup>[2]</sup>

### Article 3

**Everyone has the right to life, liberty, and security of person.**

### Quran & Traditions

**“We ordained ...that if anyone killed a person not in retaliation of murder, or (and) to spread mischief in the land - it would be as if he killed all mankind, and if anyone saved a life, it would be as if he saved the life of all mankind.” (Quran 5:32)**

God makes it clear in Quran that human life is sacred. Blood cannot be spilled or life taken without justification. The right to life is inherent in the tenants of Islam and it is given by God, in equal measure to every single human being that has inhabited or will inhabit this planet earth. Life and the integral honour and dignity it entails is considered the greatest gift. It is given to us by our Creator as a trust. We are obligated to care for each other and ourselves. Suicide out of despair of God’s mercy or for any other reason is strictly forbidden. The sanctity of the body is inviolable and the bodies of the deceased must be handled with care and fitting solemnity.

**“Say (O Muhammad): ‘Come, I will recite what your Lord has prohibited you from: Join not anything in worship with Him; be good and dutiful to your parents; kill not your children because of poverty - We provide sustenance for you and for them; come not near to shameful sins whether committed openly or secretly, and kill not anyone whom God has forbidden, except for a just cause (according to Islamic law). This He has commanded you that you may understand.’” (Quran 6:151)**

In his Farewell Sermon Prophet Muhammad reminded us of the importance of human rights in Islam, he said, **“So regard the life and property as a sacred trust. Return the goods entrusted to you to their rightful owners. Hurt no one so that no one may hurt you. Remember that you will indeed meet your Lord and that He will indeed reckon your deeds.”**

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#### **Footnotes:**

[1] *Saheeh Al-Bukhari*

[2] The text of the Farewell Sermon can be found in *Saheeh Al-Bukhari* and *Saheeh Muslim*, and in the books of At Tirmidhi and Imam Ahmad.

### **(part 3 of 3): Slavery and Torture**

The Universal Declaration of Human Rights deals with many issues. It attempts to ensure humankind treat each other with respect and dignity. Islam is a religion that holds respect, dignity and tolerance in very high esteem and the rights and responsibilities inherent in Islam are a declaration of human rights.

One of the most important principles in Islam is that God created humankind to be fully accountable for his actions. Each human being has certain rights and responsibilities and no human being has the right to restrict the freedom of another. Anyone who dares to take away the God given rights inherent in Islam, including the right to human dignity, is called a wrongdoer or an oppressor. God calls on those who obey Him to stand up for the rights of the oppressed.

**“And what is wrong with you that you fight not in the cause of God, and for those weak, ill treated, and oppressed among men, women, and children, whose cry is: "Our Lord! Rescue us from this town, whose people are oppressors; and raise for us from you one who will protect; and raise for us from you one who will help!"” (Quran 4:75)**

In article four of the Universal Declaration of Human Rights it states that *no one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms*. More than 1400 years ago Islam also tackled the issue of slavery.

In the 7<sup>th</sup> century CE, slavery was entrenched in Arabian society, just as it was in other societies and systems of law. Slaves were acquired easily via, warfare, debt, kidnapping and poverty; thus, prohibiting slavery outright would have been as useless as trying to outlaw poverty itself. Therefore, Islam placed restrictions and regulations on slavery designed to bring about its eventual abolishment.

There are no texts in the Quran, or in the traditions of Prophet Muhammad, may the mercy and blessings of God be upon him, that enjoin the taking of slaves but there are countless texts calling for their freedom, including Muhammad's simple yet deeply profound words, "**Visit the ill, feed the hungry and release the slaves**". [1] Islamic law recognized slavery as an institution but restricted the sources of acquisition to one method only, captured prisoners of war and their families. Muslim leaders were encouraged to free prisoners of war or exchange them for ransom.

The principle of dealing with slaves in early Islam was a combination of justice, kindness, and compassion. Muslims pay a small portion of their yearly, accumulated income in compulsory charity and one of the lawful ways this money may be used is to free slaves. Freeing slaves is also the expiation for many sins, including breaking vows and accidental killings.

Over the past 200 years, Western culture has slowly abolished slavery but the trade of human beings has not abated. National Geographic estimates worldwide that there are 27 million men, women, and children who are currently enslaved. Although man made declarations and treaties have denounced slavery, ironically, on the open market, a slave is worth less today than he was 200 years ago.

Modern day "slaves" who are physically confined or restrained, or forced to work, or controlled through violence have no legal way to purchase their own freedom nor is there any legal body to oversee their treatment. Slavery exists under the radar and is usually associated with drugs, prostitution, and other illegal activities.

The restrictions imposed by Islam gave slaves rights and protection from ill treatment. The act of freeing a slave is a very virtuous act that will bless a person in this life and in the next. Islam has the inherent ability to recognise and regulate the undesirable characteristics of human nature.

Slavery and servitude will not be successfully abolished until humankind recognizes that God's laws are the true embodiment of human rights. The same can be said of torture, and cruel and inhuman punishments. These detestable actions will not cease to exist until humankind as a whole realizes

that there is a God and the worship of Him goes beyond coveting the life of this world. Torture exists today even though treaties and declarations including article five of the Universal Declaration of Human rights, call for the abandonment of such ill treatment.

Cruelty, including excessive punishment is forbidden in Islam. Each member of the human race is treated with due respect and dignity, regardless of race, colour creed, or nationality. Prophet Muhammad expressly prohibited cruel and unusual punishments even in times of war. He made it clear that no one should be burned alive or tortured with fire, and that wounded soldiers should not be attacked and prisoners of war should not be killed. He said to his followers, **“you are neither hard hearted nor fierce of character”**,<sup>[2]</sup> and he warned his people of being unjust, **“for injustice shall be darkness on the Day of Requital.”** <sup>[3]</sup>

Even prisoners of war in early Islamic history spoke highly of their captors. Blessings be on the men of Medina', said one of these prisoners in later days, 'they made us ride while they themselves walked; they gave us wheaten bread to eat when there was little of it, contenting themselves with dates.' <sup>[4]</sup> The second Caliph of Islam, Omar Ibn Al Khattab said, **“A person would not be held responsible for his confession, if you inflicted pain upon him or scared him or imprisoned him [to obtain the confession].”**<sup>[5]</sup>

The Cairo Declaration of Human Rights in Islam states in article 20 that “No one is to be arrested or his freedom restricted, exiled, or punished without adequate legal action. Individuals must not be subjected to physical or psychological torment or any other humiliating treatment.”

The enforcement of human rights in Islam is linked inextricably to the implementation of Islamic law. Islam promises that those who follow God’s rules and regulations will be rewarded with His guarantee of eternal Paradise. However choosing to restrict or take away rights given to humankind by God is a punishable offence. **“On the Day of Requital, rights will be given to those to whom they are due** (and wrongs will be redressed)...”<sup>[6]</sup>

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#### Footnotes:

<sup>[1]</sup> *Saheeh Al-Bukhari*

<sup>[2]</sup> *Saheeh Al-Bukhari*

<sup>[3]</sup> Ibid.

<sup>[4]</sup> From the works of Orientalist writer Sir William Muir (1819-1905)

<sup>[5]</sup> Reported by Abu Yusuf in the book *Al Kharaj*

<sup>[6]</sup> *Saheeh Muslim*