

Islamic Concept of Human Rights

by Shaykh-ul-Islam Dr Muhammad Tahir-ul-Qadri

Thanks to some developments across the globe for last few years, the universal values of great religion, Islam, have come in for denunciation. By invoking the actions of a few individual Muslims to typify the character and conduct of millions of adherents of this divine faith, efforts have been made to equate Islam with bigotry and obscurantism. This is most unfortunate at a time when the need for inter-faith dialogue and harmony could not be over-emphasized in order to bridge the gulf between Islam and West. The proponents of 'clash of civilizations' and their counterparts in the Islamic world are bent upon creating differences aimed at spreading confusion and misunderstanding about the teachings of Islam. In view of these circumstances, it is all the more necessary to bring the Islamic teachings in correct perspective to serve the cause of co-existence Islam so emphatically lays its stress on.

Let me start with concept of human rights in Islam. At the outset, it is to be understood very clearly that the basic concept of Islam in regard to the human rights is based upon equality, dignity and respect for humankind. As is clear from the Holy Quran, Allah Almighty has endowed on human beings the status of being superior to all other creations. The holy Quran has described the position enjoyed by the human beings in a great detail that at the time of creation of Huzrat Adam (RA), Allah Almighty enjoined upon the angels to bow before Huzrat Adam (RA).

It was for the first time in the history of mankind that Islam did away with all biases and discriminations on the basis of wealth, clan and tribe, language, sex, colour and caste etc and termed all human beings equal in status whether one is poor or rich, black or white, woman or man or does one belong to this or that region or race. What greater example of human equality can there be that the people belonging to various countries, languages and races gather at the precincts of the holy Kabaa for worship and wear the same dress.

After laying the foundation of respect and equality of man, Islam prescribed a complete charter of rights for humanity ranging from moral rights to religious, economic, social and political rights. Islamic concept of human rights and freedoms is uniform and of universal character, which is independent of historical and regional boundaries of time and space. The Islamic concept of human rights originates from the commandments of Allah Almighty, which were conveyed to the Ummah through the Holy Prophet (PBUH).

The rights given by Allah are in the form of blessings and there is no role of any human effort in their acquirement. Contrary to the violable nature of rights given by the earthly law-makers, these rights are permanent, unchangeable, inviolable and sacred. Since Divine intent underlines them, therefore, they can not be suspended, amended or changed. In a real Islamic state, these rights are to be enjoyed by every citizen. Neither can any state nor an individual violate them.

Another unique feature of Islamic concept is that here rights and duties are interdependent and complement each other. That is why obligations and duties have equally been stressed upon as rights.

It is regrettable that while terming West torch-bearer of human rights, the contribution of Islam in ordaining these rights is ignored. The fact remains that the concept of human rights in the Western world in its present shape is not an old phenomenon. It dates back only to 16th and 17th centuries when political thinkers and legal experts presented the concepts of basic rights and civil freedoms.

The thoughts of these thinkers and philosophers in the West created unending conflict between the rulers and the ruled that led to struggle and clash between the imperialist forces and common people for achieving these freedoms and rights. A great advance was made in the realm of human rights when people of Great Britain got their rights through a series of legal documents namely Magna Carta (1215), Petition of Rights (1628) and Bill of Rights (1689). The people of France won their freedoms through Declaration of Rights right after the French Revolution in 1789. The USA got its freedom through war of independence in 1776. Its people achieved basic rights in 1791 in the form of Bill of Rights, which laid the foundation of first ten amendments in the American constitution. The modern nation-states have made the basic human rights the part of their respective constitutions under the influence of various UN conventions and Declarations.

Islam teaches moderation and balance in life. The teachings of the Holy Prophet (PBUH) provide a guarantee to create balance in life. This basic principle of Islam characterizes all of its teachings and commandments. The human rights granted by Islam bear the same stamp. No other social and political system can match that of Islam in its practicality, moral outlook and result-orientedness. The Islamic concept of rights is different from the philosophies of other systems in the following ways:

- Islam preaches fulfillment of rights rather than demand of rights. The basic teaching of Islam is that every person is under obligation to realize the rights of others in every possible way. The society will become an ideal society where duty of one individual is the right of other. When people are engaged in the fulfillment of their rights with this consciousness, such societies become the paragon of respect for rule of law and human rights.
- The Holy Prophet (PBUH) has presented such a system of human rights, which has reciprocal relationship and proportionality between rights and duties. That means that no person will be justified in demanding his rights unless he performs his obligations. Since the main stress is laid on the performance of duties, therefore, no individual can raise his voice for rights as long as he does not perform his duties. Thus the rights stand fulfilled automatically in the process of performance of duties.
- The Islamic concept of human rights is comprehensive and compact in that it has proportion and balance between rights and duties. The lack of understanding of this basic concept has given rise to many confusions and misunderstandings.
- Islam has termed some matters to be duties not rights keeping in view their legal and social importance whose non-performance has been held as punishable act. For example bearing witness is obligatory on males. The transparent and effective system of evidence is a necessary element for the establishment of the rule of law in society. That is why our religion has held men

responsible for bearing witness, while the women have been absolved of this responsibility owing to their natural biological difference. Now it is their right not duty.

There is no doubt about the fact that Islam and West attach great importance to basic freedoms and human rights but their perspectives are basically different on the issue of human rights. The difference is explained in terms of their basic varying outlooks. Islam looks at human rights in the perspective of man's total obedience to Allah Almighty whereas the Western concept of human rights is totally secular, which is based on man's relations with the state as a citizen.

If analyzed broadly, the real difference is that in Islam, source of all powers is Allah Almighty, Who is the founder of all worlds. His commandments are the supreme law. Man is vicegerent of Allah on this earth. People are not repository of absolute powers. Rather they exercise these powers through their elected representatives within the limits set by Allah. The exercise of these powers is regarded as trust. Contrary to this, people are considered as source of all powers in secular, democratic societies of the West. The constitutions so framed by the representatives of people are accepted as supreme law of the land.

It is on the basis of this difference on the source of absolute powers that there are different perspectives of Islam and West on human rights. Islam makes a clear and comprehensive statement of civil freedoms and rights, which are inviolable and sacred. However law-making institutions of the Islamic state enjoy the rights of making amendments in these rights keeping in view the demands of the changing social, political and economic circumstances provided these modifications are in consonance with the spirit of the holy Quran, Sunnah and the Islamic law. Another important feature of these rights is that they have universal character and can be enjoyed both by Muslim and non-Muslim citizens.

On the other hand, the people in West have been able to achieve these rights after undertaking great protracted struggles. Moreover their successes on this front are a recent phenomenon and stand the chance of being reversed on this or that reason. In the third world countries, these rights do not enjoy any respect as they are only found in the statute books and not implemented. Here in these modern democratic countries, the scope of basic rights is limited not universal. The Vienna Declaration adopted at the International Conference on Human Rights in June 1993 stated:

"All human rights are universal, indivisible and interdependent and interrelated."

Various Declarations and Conventions adopted by the United Nations are no doubt universal but their implementation is not bound by any legal sanction.

To conclude it can be said that it is wrong to pick isolated example and incidents to typify the character of Islam. Islamic teachings and values are universal without any discrimination and biases of caste, creed, colour and religion.

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