



Islam and Human rights

Dr. Badshah Rehman Assistant Professor Department of Islamic Studies University of Malakand Ckakdara Dir Lower

Dr. Aftab Ahmad Assistant Professor Department Islamic Studies Shaheed Benazir Bhutto University Sheringal Dir Upper

Dr. Muhammad Ifzal Mehmood HOD & Assistant Professor Department of Law SBB University Sheringal Dir Upper

Islam is such a perfect religion which covers all the areas of life in which respect for humans, human social, educational, cultural, national and economic needs and requirements have been fully respected. Islam has given such a big importance to human rights if one human did not paid a right of other human in this world he will be punished for this at the Day of Judgment.

In comparison to Islam the concept of human rights presented by the west is very poor and outdated; it is not wide enough to cover different areas of life.

A human cannot live alone in this world, rather he is forced to live with others, he must need the support of other human beings to meet his needs and alleviate disaster and sufferings, in this case it is the intellectual and physical right of every human to be helped by others, to respect his rights and duties.

The present study is an attempt to provide an epilogue on human rights given in the Qur'an and Sunnah. It is an in-depth analysis of Human Rights and dignity of person, encompassing its various dimensions. The study is an attempt to understand the true philosophy of human rights in Islam. It aims at providing an ethical and legal basis for the realization of implementation of human rights in the world states in general and in the Muslim states in particular.

The concept of Human rights in Islam:

The Arabic word Huquq is used for human rights. Huquq is plural of Haqq. In Arabic one says: 'Hathihi haqqi' (this is my right).¹

In Sufi usage "Haqq means the absolute".²

The term haqq occurs frequently in the Qur'an to imply the aforementioned meanings of 'adl', 'qist', 'ma'ruf' and other related ones'. In the sense of the specific due, Quran says:

”وَفِي أَمْوَالِهِمْ حَقٌّ لِّلسَّائِلِ وَالْمَحْرُومِ“³

“And those in whose property there is a right for the indigent and the deprived”

The Messenger of Allah (peace be upon him) said:

”وَلِكِ الْحَمْدُ أَنْتَ الْحَقُّ“⁴

O, Allah , All praise to you, you are the Truth”

The Arabs use the word haqq (right) interchangeably to denote both right and duty.⁵

Ibn Nujaym defines haqq as: “...the entitlement of a person to a thing”.⁶

Allah Almighty has created man as the noblest of creatures, along with the creation of the noblest creatures, Allah has ordained for them rights, some of which belong to each other which is called “Rights of Humans” and some belong to Allah Almighty which is called “Rights of Allah Almighty”. In Islam the realm of human rights revolves around these two fundamental rights. The following hadith of our Holy prophet Muhammad (peace be upon him) emphasizes the relationship between the rights of Allah and the rights of human:

”عن معاذ بن جبل قال قال رسول الله صل الله عليه وسلم يَا مُعَاذُ! أَتَدْرِي مَا حَقُّ اللَّهِ عَلَى الْعِبَادِ وَمَا حَقُّ الْعِبَادِ عَلَى اللَّهِ؟ قَالَ قُلْتُ: اللَّهُ وَرَسُولُهُ أَعْلَمُ. قَالَ: «فَإِنَّ حَقَّ اللَّهِ عَلَى الْعِبَادِ أَنْ يُعْبُدُوا اللَّهَ وَلَا يُشْرِكُوا بِهِ شَيْئًا. وَحَقُّ الْعِبَادِ عَلَى اللَّهِ عَزَّ وَجَلَّ أَنْ لَا يُعَذِّبَ مَنْ لَا يُشْرِكُ بِهِ شَيْئًا»⁷

“ Maaz bin Jabal (RA) narrates that the holy prophet Muhammad (SAW) said, O Maaz! Do you know what is Allah rights over humans and what is the right of human over Allah? He said, I said Allah and his messenger know best, he (prophet Muhammad SAW) said “the rights of Allah over humans is that they worship Allah and not associate anything with him and the rights of human over Allah is not to torment the one who does not associate anything with him”

Rights of Allah:

The rights of Allah Almighty do not mean that they are for Allah own benefit because Allah Almighty is free from all necessities and he is the creator of all the things, Allah Almighty does not need any of our good or bad deeds.

The basic rights of Allah can be divided into the following category:

- Acts of Worship
- Islamic crimes and punishments
- Atonement
- Tex on Muslims
- Tex on Non Muslims

The detail of these rights are written below:

- **Acts of Worship:**

The fundamental features of acts of worship are as follow:

Five pillars of islam:

The pillars of Islam in the light of Hadith:

عن ابن عمر، رضي الله عنهما قال: قال رسول الله صلى الله عليه وسلم: "بني الإسلام على خمس: شهادة أن لا إله إلا الله وأن محمداً رسول الله، وإقام الصلاة، وإيتاء الزكاة، والحج، وصوم رمضان".⁸

➤ **Shahada (Declaration of faith):**

The shahada is the fundamental statement of faith and commitment made by muslims:

"لا إله إلا الله وأن محمداً رسولُ الله"

"There is no God but Allah and Muhammad is his messenger".

It distinguishes Muslims from those of other faiths.

Only reciting kalmae shahada is not enough to become a Muslim, faithing (ايمان) is a name of Iqrar ul Lesaan (اقرار السان) and Tasdeeq ul Qalb (تصديق القلب).

➤ **Salah (prayer):**

Salah is the ritual prayer of Islam through which all Muslims conform to the will of Allah. Prayer is performed in the direction of Mecca five times a day.

There are 80 verses in Quraan about prayers in which Muslim have been ordered to offer prayers. One of them are as follow:

"وَأَقِيمُوا الصَّلَاةَ وَآتُوا الزَّكَاةَ وَارْكَعُوا مَعَ الرَّاكِعِينَ".⁹

"Performsalah and pay zakat and bow with those who bow"

Salah is a deed which distinguishes a Muslim from those of other faith:

عن عبد الله بن بريدة، قال: قال رسول الله صلى الله عليه وسلم: "إن العهد الذي بيننا وبينهم الصلاة، فمن تركها فقد كفر".¹⁰

"Abdullah bin Umer said, the messenger of Allah (PBUH) said: the covenant between us (Muslims) and them (Non-Muslims) is prayer so who ever abandons it has committed disbelief"

➤ **Zakat:**

Zakat is a 3rd pillar of Islam, the term Zakat refers to the obligatory donations of a portion of a Muslims surplus wealth, zakat is not obligatory on every single Muslim there are some condition which make zakat obligated which are as follow:

- To be Muslim (مسلمان ہونا)
- To be an adult (بالغ ہونا)
- To be wise (عاقل ہونا)
- To be free (آزاد ہونا)
- Be able to pay (مالک نصاب ہونا)

Not everyone can receive zakat rather Allah Almighty has mentioned in the Quran those who are able to receive zakat, the verse of the Quran are as follow:

"إِنَّمَا الصَّدَقَاتُ لِلْفُقَرَاءِ وَالْمَسْكِينِ وَالْعَامِلِينَ عَلَيْهَا وَالْمُؤَلَّفَةِ قُلُوبُهُمْ وَفِي الرِّقَابِ وَالْغَارِمِينَ وَفِي سَبِيلِ اللَّهِ وَابْنِ السَّبِيلِ ۗ فَرِيضَةً مِّنَ اللَّهِ ۗ وَاللَّهُ عَلِيمٌ حَكِيمٌ" 11

"Zakat is for the poor and for the needy and for those employed to collect (Zakat). And for those whose hearts will be brought together (for Islam) and for slaves and for those in debt and for (those) on the Way of Allah and for the travelers - an obligation by Allah. And Allah is All-Knowing, All-Wise"

➤ Hajj:

Completing the Hajj, the pilgrimage to Mecca, is a duty that every Muslim should perform during their lifetime. All pilgrims should be in good physical and spiritual health before they make the journey. Whilst in Mecca, they complete a series of individual and collective actions on the various days of their visit, following a pattern set by Muhammad (SAW).

The obligation of hajj is mentioned in the following verse of the quran:

"وَلِلَّهِ عَلَى النَّاسِ حِجُّ الْبَيْتِ مَنِ اسْتَطَاعَ إِلَيْهِ سَبِيلًا وَمَن كَفَرَ فَإِنَّ اللَّهَ غَنِيٌّ عَنِ الْعَالَمِينَ" 12

"And pilgrimage to the House is (incumbent) upon the men for the sake of Allah, (upon) every one who is able to undertake the journey (fulfill pilgrimage) to it; and whoever disbelieves, then surely Allah is not in need of the worlds (does not need anything)".

➤ Fasting (sawm):

Muslims are expected to fast during Ramadan, the ninth month in the Islamic calendar. During daylight hours (which vary depending on the time of year in which Ramadan falls), they abstain from food and drink, sexual activity and smoking, breaking the fast with a meal after sunset. Those who are elderly, ill, pregnant or breast-feeding are exempt, and children are not required to participate.

The following verse indicates the time of fasting and the obligation of fasting:

"وَكُلُوا وَاشْرَبُوا حَتَّى يَتَبَيَّنَ لَكُمُ الْخَيْطُ الْأَبْيَضُ مِنَ الْخَيْطِ الْأَسْوَدِ مِنَ الْفَجْرِ ثُمَّ أَتَمُوا الصِّيَامَ إِلَى اللَّيْلِ"

"Eat and drink until the white thread becomes distinct from the black thread of the dawn, then complete the fast till nightfall"

Our holy prophet Muhammad peace be upon him said, fasting is the expiation of past sins, the words of prophet Muhammad (SAW) are as follow:

عن ابي هريرة، قال: قال رسول الله صلى الله عليه وسلم: " من صام رمضان إيماناً واحتساباً غفر له ما تقدم من ذنبه" 13.

○ Islamic Crimes and Punishment:

Penalties is the 2nd right in the rights of Allah Almighty.

The Islamic panel system describes three types of punishments:

1. Prescribe punishments (Hudud)

2. Retribution (Qisas)
3. Discretionary punishments (Taziraat)

➤ **Prescribe punishments (Hudud):**

Hudud (Plural of Hadd, meaning boundary) are crimes whose punishments are expressly determined by the holy legislator in the Quran or Sunna. These crimes are: adultery, sapphism, procuring (Qawadi), sexual slander (Qazf) (falsely accusing somebody of adultery or sodomy), drinking alcohol, rebellion and corruption on earth (Muhariba), and burglary (special kind of theft).

Whipping is the Hadd punishment for adultery, sapphism, procuring, sexual defamation and drinking alcohol. Maximum amount of Hadd lashes is 100, some offences receive 80 lashes and the minimum amount is 75 lashes.

➤ **Retribution (Qisas):**

According to the law of Qisas (retaliation) prescribed in Shari'a, a murderer may be executed (retaliated) by the heirs of the victim if they wish so. Qisas is another type of punishment which is divinely stipulated by God in the Quran. The Quran states that:

"ياأيها الذين آمنوا كتب عليكم القصاص في القتلى الحر بالحر والعبد بالعبد والأنثى بالأنثى فمن عفي له من أخيه شيء فاتباع بالمعروف وأداء إليه بإحسان ذلك تخفيف من ربكم ورحمة فمن اعتدى بعد ذلك فله عذاب أليم () ولكم في القصاص حياة يا أولي الألباب لعلكم تتقون" 14

Qisas is punishment for murder and battery. Therefore, it may be enforced in two types: life Qisas and limb Qisas. If the intentional injurious act of the criminal causes the death of the victim, the heirs of the victim may take revenge and ask the judge for Qisas (death penalty). They may also commute the revengeful reaction and ask for Diya. When the intentional injurious act does not cause the death of the victim, but rather the loss of a limb or its proper function, the victim, herself/himself, may take revenge or ask for Diya.

Diya is blood money which is given to the injured victim or heirs of the murdered victim. The amount of Diya received for a murdered person and injury of different parts of body is determined in Fiqh books; the Islamic jurisprudence compiled in books of different Islamic jurists.

➤ **Discretionary punishments (Taziraat):**

Taazirat (plural form of Taazir, meaning chastisement) constitute the third form of punishments that are not determined in the Quran and Sunna. In classical Shari'a these punishments are left to the Hakim's (Islamic judge) discretion. He may determine the quality and quantity of the punishment for emerging forms of

crimes or for Islamic forbidden behaviors whose punishments are not prescribed in holy sources. The only limit for discretionary Taazir punishment is that it may not exceed the Hadd punishment in quantity. This limitation has been interpreted to be viable only in whipping.¹⁵

○ **Atonement:**

Atonement is the 3rd right in the rights of Allah Almighty, atonement (kaffarah) is a way of worship, after paying kaffarah Allah ignore sins and cover them.

Following are the type of atonement in Islam:

➤ **Atonement of breaking oath:**

In the light of Quraan, who break his/her oath shall pay the following expiation: feeding of ten needy out of the middling you feed your families with, or their clothing or the freeing of a slave. But whosoever cannot find these, should fast for three days.

The verse of the Quraan is:

"لَا يُؤَاخِذُكُمُ اللَّهُ بِاللَّغْوِ فِي أَيْمَانِكُمْ وَلَكِنْ يُؤَاخِذُكُمْ بِمَا عَقَّدْتُمُ الْأَيْمَانَ فَكَفَّارَتُهُ إِطْعَامُ عَشْرَةِ مَسَاكِينَ مِنْ أَوْسَطِ مَا تُطْعَمُونَ أَوْ كِسْوَتُهُمْ أَوْ تَحْرِيرُ رَقَبَةٍ فَمَنْ لَمْ يَجِدْ فَصِيَامُ ثَلَاثَةِ أَيَّامٍ ذَلِكَ كَفَّارَةُ أَيْمَانِكُمْ إِذَا حَلَفْتُمْ وَاحْفَظُوا أَيْمَانَكُمْ كَذَلِكَ يُبَيِّنُ اللَّهُ لَكُمْ آيَاتِهِ لَعَلَّكُمْ تَشْكُرُونَ."¹⁶

➤ **Atonement of fasting:**

Atonement for one who breaking fast without a valid reason that accredited in sharia or by non-observing the fast from the inception or by sexual intercourse, has to release a slave if it is not possible he should fast for two months continuously if the 2nd solution is also impossible for him/her, then he/she must feed sixty poor persons.¹⁷

➤ **Atonement of zihar:**

Zihar is a kind of divorce, if a husband says "you are like my mother" to his wife then she is not lawful to live with him unless he pay kaffarah. The following verse will explain the kaffarah of zihar:

"And those who make unlawful to them (their wives) (by Az-Zihar) and wish to free themselves from what they uttered, (the penalty) in that case (is) the freeing of a slave before they touch each other. That is an admonition to you (so that you may not return to such an ill thing). And Allah is All-Aware of what you do.

And he who finds not (the money for freeing a slave) must fast two successive months before they both touch each other. And for him who is unable to do so, he

should feed sixty of Miskin (poor). That is in order that you may have perfect Faith in Allah and His Messenger. These are the limits set by Allah. And for disbelievers, there is a painful torment.”¹⁸

➤ **Atonement of Hajj:**

If anyone who violates ihram restrictions by hunting animal he have to pay the following kaffarah:

”يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَقْتُلُوا الصَّيْدَ وَأَنْتُمْ حُرْمٌ وَمَنْ قَتَلَهُ مِنْكُمْ مُتَعَمِّدًا فَجَزَاءٌ مِثْلُ مَا قَتَلَ مِنَ النَّعَمِ يَحْكُمُ بِهِ ذَوَا عَدْلٍ مِّنكُمْ هَدْيًا بَالِغَ الْكَعْبَةِ أَوْ كَفَّارَةٌ طَعَامُ مَسَاكِينَ أَوْ عَدْلٌ ذَلِكُمْ صِيَامًا”¹⁹

“O you who believe! Do not kill wild game while you are in Ihram. And whoever among you shall kill it intentionally; the compensation is the like of what he killed, from the cattle, as two just persons among you shall judge. An offering to be brought to the Kaaba or the expiation is the feeding of the poor or the equivalent of it in fasting”

➤ **Atonement of unintentional Murder:**

The kaffarah in the Quranic verse for one who has murdered someone unintentionally is:

”وَمَا كَانَ لِلْمُؤْمِنِ أَنْ يَقْتُلَ مُؤْمِنًا إِلَّا خَطَاً وَمَنْ قَتَلَ مُؤْمِنًا خَطَاً فَتَحْرِيرُ رَقَبَةٍ مُؤْمِنَةٍ وَدِيَةٌ مُسَلَّمَةٌ إِلَىٰ أَهْلِهِ إِلَّا أَنْ يَصَدَّقُوا فَإِنْ كَانَ مِنَ قَوْمٍ عَدُوٍّ لَكُمْ وَهُوَ مُؤْمِنٌ فَتَحْرِيرُ رَقَبَةٍ مُؤْمِنَةٍ وَإِنْ كَانَ مِنَ قَوْمٍ بَيْنَكُمْ وَبَيْنَهُمْ مِيثَاقٌ فِدْيَةٌ مُسَلَّمَةٌ إِلَىٰ أَهْلِهِ وَتَحْرِيرُ رَقَبَةٍ مُؤْمِنَةٍ فَمَنْ لَمْ يَجِدْ فَصِيَامًا شَهْرَيْنِ مُتَتَابِعَيْنِ تَوْبَةً مِّنَ اللَّهِ وَكَانَ اللَّهُ عَلِيمًا حَكِيمًا”²⁰

“It is not (permissible) for a believer to kill a believer except by mistake; and whoever kills a believer by mistake, he should set free a believing slave and compensation payment should be given to the family of the slain, unless they remit the compensation payment as alms. But if he (who killed a man by mistake) is from a tribe hostile to you and he is a believer, shall free a believing slave; and if he is from a tribe between whom and you there is a covenant, the compensation should be paid to his people along with the freeing of a believing slave; but he who can not fulfill these should fast for two months successively in order to seek repentance from Allah. And Allah is All-Knowing, All-Wise.”

○ **Tax on Muslims:**

Tax on Muslim includes Zakat and usher.

- Zakat is one of the five pillars of Islam which is obligated on Muslims, it is generally described as a 2.5% tax on saving, which is donated to Muslims poor and needy.

- Usher is obligated on all the things that is grown by the land for example wheat, corn, sugarcane, chickpea, cotton, and different types of vegetables and fruits.

According to jurists, if a field has to bear a burden of irrigation then it is obligatory to pay nisf usher 20% of the products, and if a land is rain watered then the tax will be usher 10%.²¹

- **Tax on Non-Muslims:**

Tex on Non-Muslims includes Jazya and kharaj.

- Jazya is a per yearly tax paid by all those Non-Muslims who permanently residing on Muslims land, the tax paying Non-Muslim are called zimmi, after paying jazya they can independently live in Muslim country and their safety will be on Islamic government, the tax excluded Women's, children's, ill and poor.
- Kharaj was a tax levied on arable land own by non-Muslims conquered and rule by the Islamic state, kharaj was firstly introduced by caliph Umar ibn Al-Khatib after conquering rich agricultural countries such as Iraq and Egypt. "when Umar (RA) imposed the kharaj (land tax) on the sawad (Arabian land of Iraq) he charged the rate of the qafiz and one dirham per jaraib"²²

Rights of Human:

When Muslims speak about human rights in Islam, they mean rights which are bestowed by Allah in the Holy Quran; rights which are divine, eternal, universal and absolute; rights which are guaranteed and protected through the Shariah. The rights which are not subject to any alterations or modifications, and there is no scope for any change or abrogation.²³

Before Islam Arab society suffered from different type of social defects, as a result of these social defects daughters were buried alive after their birth, women faced different type of atrocities, slaves were treated worse than animals, but after the arrival of messenger of Allah the ignorant society of Arab began to present the scene of the ascension of human civilization. The following are some of its aspects:

- The Right of Life
- Respect for humanity
- Rights of women
- Right of freedom
- Protection of property and honour
- Humans brotherhood and equality
- The rights of different classes of society
- Freedom of speech and expression

- Rights of non Muslims

The detail of all these rights are as follow:

➤ **The Right to Life:**

The first and the foremost basic right is the right to live and respect human life. The Holy Quran lays down:

"مَنْ قَتَلَ نَفْسًا بِغَيْرِ نَفْسٍ أَوْ فَسَادٍ فِي الْأَرْضِ فَكَأَنَّمَا قَتَلَ النَّاسَ جَمِيعًا وَمَنْ أَحْيَاهَا فَكَأَنَّمَا أَحْيَا النَّاسَ جَمِيعًا"²⁴

“whoever kills a human being for other than manslaughter or for mischief in the earth, it is as though he had killed all mankind. And whoever saves the life of one, it shall be as if he had saved the life of all mankind”

As far as the question of taking life in retaliation for murder or the question of punishment for spreading corruption on this earth is concerned, it can be decided only by a proper and competent court of law. If there is any war with any nation or country, it can be decided only by a properly established government. In any case, no human being has any right by himself to take human life in retaliation or for causing mischief on this earth. Therefore it is incumbent on every human being that under no circumstances should he be guilty of taking a human life. If anyone has murdered a human being, it is as if he has slain the entire human race. These instructions have been repeated in the Holy Quran in another place saying:

"وَلَا تَقْتُلُوا النَّفْسَ الَّتِي حَرَّمَ اللَّهُ إِلَّا بِالْحَقِّ ذَلِكُمْ وَصَّاكُمْ بِهِ لَعَلَّكُمْ تَعْقِلُونَ"²⁵

“Do not kill which Allah has forbidden except for a just cause. This He has enjoined you with that you may be mindful.”

➤ **Respect for humanity:**

The prophet Muhammad peace be upon him bestowed the concept of human dignity, on one hand, made the concept of human dignity and honour in all creatures and on the other hand, all standard based on colour, caste, language and nationality were declared meaningless. In the Quraan Allah Almighty said:

"وَلَقَدْ كَرَّمْنَا بَنِي آدَمَ وَحَمَلْنَاهُمْ فِي الْبَرِّ وَالْبَحْرِ وَرَزَقْنَاهُمْ مِنَ الطَّيِّبَاتِ وَفَضَّلْنَاهُمْ عَلَى كَثِيرٍ مِمَّنْ خَلَقْنَا تَفْضِيلًا"²⁶

“And We have honored the Children of Adam. We carried them in the land and the sea, and We have given them as sustenance of the permissible things, and We have made them to excel by an appropriate excellence over most of those whom We have created” The holy prophet at the time of the last sermon said:

“All mankind is from Adam and Eve, an Arab has no superiority over a non-Arab nor a non-Arab has any superiority over an Arab; also a White has no superiority over a Black nor a Black has any superiority over a White except by piety and good action”²⁷

➤ **Rights of women:**

As creation of Allah, women are accorded spiritual equality with men. They are rewarded for prayers and charitable acts, and likewise held accountable for their actions, good or bad, while on earth. The glorious Quraan says:

"وَمَنْ يَعْمَلْ مِنَ الصَّالِحَاتِ مِنْ ذَكَرٍ أَوْ أُنْثَىٰ وَهُوَ مُؤْمِنٌ فَأُولَٰئِكَ يَدْخُلُونَ الْجَنَّةَ وَلَا يُظْلَمُونَ نَقِيرًا"²⁸

“And whoever does ameliorating deeds (cleansing of the soul’s heart) whether male or female as a believer; these shall enter Heaven and they shall not be wronged even to the size of a speck on the back of a date seed.”

Both men and women have responsibilities toward their families and society as is clear from the following verse:

"وَالْمُؤْمِنُونَ وَالْمُؤْمِنَاتُ بَعْضُهُمْ أَوْلِيَاءُ بَعْضٍ يَأْمُرُونَ بِالْمَعْرُوفِ وَيَنْهَوْنَ عَنِ الْمُنْكَرِ وَيُقِيمُونَ الصَّلَاةَ وَيُؤْتُونَ الزَّكَاةَ وَيُطِيعُونَ اللَّهَ وَرَسُولَهُ أُولَٰئِكَ سَيَرْحَمُهُمُ اللَّهُ إِنَّ اللَّهَ عَزِيزٌ حَكِيمٌ"²⁹

“And the believing men and the believing women, they are friends of each other. They enjoin Al-Ma’rûf and forbid from Al-Munkar and keep up the prayer and give alms (the Zakât) and obey Allah and His Messenger. These, Allah will show mercy to them. Surely Allah is All-Mighty, All-Wise”

Under the laws of Islam, women have the right to own property and businesses, engage in financial transactions, vote, receive inheritance, obtain an education and participate in legal and political affairs, even Islam has given women all kind of freedom to a certain extent.

The holy prophet Muhammad peace be upon him at last sermon of hajj said:

"O People it is true that you have certain rights with regard to your women but they also have rights over you. Remember that you have taken them as your wives only under Allah's trust and with His permission. If they abide by your right then to them belongs the right to be fed and clothed in kindness. Do treat your women well and be kind to them for they are your partners and committed helpers. And it is your right that they do not make friends with any one of whom you do not approve, as well never to be unchaste."³⁰

➤ **Right of freedom:**

The prophet Muhammad peace be upon him taught humanity the oneness of Allah and freed humanity from all form of slavery forever, everyone in Islamic society worships Allah Almighty so no one has the right to become the God of another, an Islamic society person has given full freedom of his right in order that his freedom does not affect the rights of any other member of the society.

➤ **Protection of property and honour:**

The protection of property and honour is the most important right of every citizen, the property of one Muslim is haram for another Muslim, in the glorious Quraan Allah Almighty said:

"وَلَا تَأْكُلُوا أَمْوَالَكُمْ بَيْنَكُمْ بِالْبَاطِلِ وَتُدْلُوا بِهَا إِلَى الْحُكَّامِ لِتَأْكُلُوا فَرِيقًا مِّنْ أَمْوَالِ النَّاسِ بِالْإِثْمِ وَأَنْتُمْ تَعْلَمُونَ"³¹

“Do not eat up one another’s property among yourselves by false means (unjustly) nor give bribery to the judges so that you may knowingly eat up a part of the property of others sinfully”

The Quraan did not only prohibit the life and property of the Muslims to one another, but also any encroachment upon their honour, respect and chastity were forbidden to one another. The Holy Quran clearly lays down:

"يَا أَيُّهَا الَّذِينَ آمَنُوا لَا يَسْخَر قَوْمٌ مِّن قَوْمٍ عَسَى أَن يَكُونُوا خَيْرًا مِنْهُمْ وَلَا نِسَاءٌ مِّن نِّسَاءِ عَسَى أَن يَكُنَّ خَيْرًا مِنْهُنَّ وَلَا تَلْمِزُوا أَنْفُسَكُمْ وَلَا تَنَابَزُوا بِالْأَلْقَابِ بِئْسَ الإِسْمُ الْفُسُوقُ بَعْدَ الإِيمَانِ وَمَن لَّمْ يَتُبْ فَأُولَئِكَ هُمُ الظَّالِمُونَ"³²

“O you who believe (who are âmenû)! Let not one people mock at (another) people. Maybe they (the mocked) are better than the others, and nor women (mock) at other women, may be they (the others) are better than themselves. And do not defame one another, nor call one another by nicknames. Evil is transgressed names after the Faith, and whoever does not repent, then such are indeed the wrong-doers”

➤ **Humans brotherhood and equality:**

Islam teaches brotherhood and equality, every person in Islamic society is equal and a brother of another Muslim there is no superiority of colour, language, and nationality in the holy Quran Allah Almighty says:

"يَا أَيُّهَا النَّاسُ إِنَّا خَلَقْنَاكُمْ مِّن ذَكَرٍ وَأُنثَىٰ وَجَعَلْنَاكُمْ شُعُوبًا وَقَبَائِلَ لِتَعَارَفُوا إِنَّ أَكْرَمَكُمْ عِنْدَ اللَّهِ أَتْقَاكُمْ إِنَّ اللَّهَ عَلِيمٌ خَبِيرٌ"³³

“O mankind! Surely We have created you from a male and a female, and made you nations and tribes, that you may get acquainted with one another (your lineage). Surely the most honorable of you in the Presence of Allah is he who is the most pious of you (not by your race or lineage). Surely Allah is All-Knowing, All-Aware.”

And the following hadith of the holy prophet Muhammad peace be upon him also teaches the lesson of equality:

“All mankind is from Adam and Eve, an Arab has no superiority over a non-Arab nor a non-Arab has any superiority over an Arab; also a White has no superiority over a Black nor a Black has any superiority over a White except by piety and good action”³⁴

➤ **The rights of different classes of society:**

There are different classes in society:

- The right of parents

- The right of children
- The right of slaves
- The right of orphans

- **Rights of parents:**

Parental rights are very important in Islam which the Quran has described with these words:

"وَقَضَىٰ رَبُّكَ أَلَّا تَعْبُدُوا إِلَّا إِيَّاهُ وَبِالْوَالِدَيْنِ إِحْسَانًا إِمَّا يَبُلُغَنَّ عِنْدَكَ الْكِبَرَ أَحَدُهُمَا أَوْ كِلَاهُمَا فَلَا تَقُلْ لَهُمَا أُفٍّ وَلَا تَنْهَرْهُمَا وَقُلْ لَهُمَا قَوْلًا كَرِيمًا ﴿١٧﴾ وَأَخْفِضْ لَهُمَا جَنَاحَ الذَّلِيلِ مِنَ الرَّحْمَةِ وَقُلْ رَبِّ ارْحَمْهُمَا كَمَا رَبَّيَانِي صَغِيرًا" ³⁵

“And your Lord has decreed that you shall not serve any but Him, and that you show kindness to your parents. If either or both of them live with you, do not say to them “Uff” nor rebuke them, and speak to them a generous word. And lower unto them the wing of humility through mercy, and say: “My Lord! Bestow on them Your Mercy as they did bring me up”

- Children rights:

Islam teaches to treat children with love and compassion, the holy prophet Muhammad (SAW) said:

"عن عبد الله بن عمرو قال: قال رسول الله صلى الله عليه وسلم: «لَيْسَ مِنَّا مَنْ لَمْ يَرْحَمْ صَغِيرَنَا وَيَعْرِفْ شَرَفَ كِبِيرِنَا» ³⁶

Abdullah bin Umar said: the prophet of Allah peace be upon him said: “he is not one of us who does not show mercy to our young and do not respect our elders”.

Similarly Islam has placed great emphasis on god training of children’s and their education

- The right of slaves:

Before Islam slaves were treated very badly and were considered more inferior than animals, but the position and nature of slavery in Islam is: Islam tried to solve the problem of the slaves that were in Arabia by encouraging the people in different ways to set their slaves free. The Muslims were ordered that in expiation of some of their sins (atonement of fasting, zihar, unintentional murder) they should set their slaves free. Freeing a slave by one's own free will was declared to be an act of great merit.

Our holy prophet Muhammad (SAW) said about the slave that feed them what you eat yourself and wear them whatever you wear, the words of the hadith are as follow:

"مَنْ لَاءَمَكُمْ مِنْ خَدَمِكُمْ فَأَطْعِمُوهُمْ مِمَّا تَأْكُلُونَ ، وَ أَلْبَسُوهُمْ مِمَّا تَلْبَسُونَ ، وَ مَنْ لَا يُلَائِمُكُمْ مِنْ خَدَمِكُمْ فَبِعُوا ، فَبِعُوا ، وَ لَا تُعَدِّبُوا خَلْقَ اللَّهِ عَزَّ وَجَلَّ" ³⁷

- The right of orphans:

In Islamic term, an orphan is one whose father has died. Before Islam orphans were oppressed, they were deprived of their property, but Islam established the rights of orphans, ordered the protection of their property, and those who wronged them with severe punishment, the verse of the glorious Quran is:

"إِنَّ الَّذِينَ يَأْكُلُونَ أَمْوَالَ الْيَتَامَىٰ ظُلْمًا إِنَّمَا يَأْكُلُونَ فِي بُطُونِهِمْ نَارًا وَسَيَصْلُونَ سَعِيرًا" ³⁸

"Verily, those who unjustly eat up the property of the orphans, they eat up only fire into their bellies, and they soon shall be put into the Blazing Fire!"

The other verse which is about the safety of property of orphan is:

"وَلَا تَقْرُبُوا مَالَ الْيَتِيمِ إِلَّا بِالَّتِي هِيَ أَحْسَنُ حَتَّىٰ يَبْلُغَ أَشُدَّهُ" ³⁹

"And do not approach the property of the orphan except in the best manner until he attains the age of full strength"

➤ Freedom of speech and expression:

In Islamic society, everyone has the right to freedom of opinion and expression, the verse of the Quran is:

"يَا أَيُّهَا الَّذِينَ آمَنُوا أَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ وَأُولِي الْأَمْرِ مِنْكُمْ فَإِن تَنَازَعْتُمْ فِي شَيْءٍ فَرُدُّوهُ إِلَى اللَّهِ وَالرَّسُولِ إِن كُنتُمْ تُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ ذَلِكَ خَيْرٌ وَأَحْسَنُ تَأْوِيلًا" ⁴⁰

"O you who believe! Obey Allah and obey the Messenger and those of you who are in authority (who are authorized to give orders) from among you, then if you dispute about anything, refer it to Allah and His Messenger, if you believe in Allah and the Last Day. This is better and is the best in respect of interpretation."

Every person has the right to express his thoughts and beliefs so long as he remains within the limits prescribed by the Law. No one, however, is entitled to disseminate falsehood or to circulate reports which may outrage public decency, or to indulge in slander, innuendo or to cast defamatory aspersions on other persons.

➤ Rights of non Muslims:

Contrary to popular misconceptions, a Islamic state is obligated to not only permit but respect diversity, thus non Muslims in Islamic state is allowed to worship in accordance with their religion

"لَكُمْ دِينُكُمْ وَلِيَ دِينِ" ⁴¹

"To you be your religion, and to me my Religion"

Islam is a religion of peace, did not force anyone to become a Muslim, however preaching and invitation is necessary.

Islam not only guarantees human rights and fundamental freedoms to the Muslims and non-Muslims but, at the same time, provides' remedies for the infringement of

these rights and freedoms. In Shariah, it is the legal obligation and duty of people in power to look after and protect the rights of the people.

From the above discussion, it is abundantly clear that the rights proclaimed in the Quran and the appeal made by the) about more than 1400 years ago in his Messenger of Allah (Farewell Sermon with respect to human rights is much more appropriate and comprehensive as compared to the rights proclaimed and guaranteed by the West and Human world organizations.

REFERENCES:

- ¹ Rashid Ahmad Jullundhri, Islam and Current Issues, Institute of Islamic Culture, Lahore, 1st Edition, 1998, Pp.78
- ²Tahānawī, Muhammad 'Alī ibn Muhammad Hamid al-. Istilāhāth al-Funūn, Dār Kutub al- 'Ilmiyyah, Beirut,,Kashshāf 1418- 19 AH/1998 CE; Sarakhsi,Abu Bakr Muhammad ibn Abi Sahl Ahmad, Usul al- Sarakhsi Vol.2, Matbaat al Saadah, Cairo, Egypt, 1954, p. 332-40
- ³Surah Adh-Dariyat:19
- ⁴Sahih Muslim:4118
- ⁵ Imam Ibn al-Qayyim al-Jawziyyah, Alaam al-Muwaqqiin an Rabbil-Aalamin, Vol. 1, edited by Muhammad M. al Damashqi, Idarat al-Tiba`ah al-Muniriyah, Cairo, Egypt, 1390/1970
- ⁶16 Zayn al-Din b. Ibrahim Ibn Nujaym (d. 970/1563), al-Bahr alra'iq sharh Kanz al-daqa'iq, Vol.18, al Matba'ah al 'Ilmiyah, Cairo, Egypt, 1311/1
- ⁷Sahihl Bukhari, kitab u tawheed, hadith no 7373.
- ⁸Sahih Bukhari,1:6
- ⁹ Surah al Baqra:43
- ¹⁰Sunan e tarmizzi, bab ul imaan , hadith no:2621.
- ¹¹Surah Tuba :60
- ¹²Surah al Imran:97
- ¹³Sahih bukhari, kitab u sawm, hadith no:38
- ¹⁴Surah Baqra:178, 179
- ¹⁵<http://link.spring.com>
- ¹⁶Surah Maidah :89
- ¹⁷ Al-Tusi, Muhammad ibn Hasan (2008). [Concise Description of Islamic Law and Legal Opinions](#). Islamic College for Advanced Studie
- ¹⁸Surah Mujadilah:02,03
- ¹⁹Surah Maidah:95
- ²⁰ Surah Nissa:92

-
- ²¹Fatawa alamgiria, vol:1,174
- ²² Al Mawardi,2000:164
- ²³Muhammad Shafiq, Islamic Concept of a Modern State: A Case Study of Pakistan, Islamic Book Foundation, Lahore, 1st Edition, 1987, Pp.152; Zafarullah Khan, Human Rights, Pakistan Law House, Karachi, 2001, p.10-12
- ²⁴Surah Maidah :32
- ²⁵Surah An'am:151
- ²⁶ Surah Isra: 70
- ²⁷ Masnud Ahmad bin Hanbal vol:5, haduth no 411
- ²⁸Surah Nissa:124
- ²⁹Surah Tuba:71
- ³⁰Last sermon of hajj
- ³¹Surah Baqra:188
- ³²Surah Hujrat:11
- ³³Surah Hujrat:13
- ³⁴ Masnud Ahmad bin Hunbal vol:5, hadith no:411
- ³⁵Surah Isra:23,24
- ³⁶Masnud Ahmad bin Hunble vol:2, hadith no:222
- ³⁷Sunan abi dawood: 5161
- ³⁸Surah Nissa:10
- ³⁹Surah al Anam:152
- ⁴⁰Surah Nissa:59
- ⁴¹Surah Kafiron:06