

Since God is the absolute and the sole master of men and the universe, He is the sovereign Lord, the sustainer and Nourisher, the Merciful, Whose mercy enshrines all beings; and since He has given each man human dignity and honour, and breathed into him of His own spirit, it follows that, united in Him and through Him, and apart from their other human attributes, men are substantially the same and no tangible and actual distinction can be made among them, on account of their accidental differences such as nationality, colour or race.

Every human-being is thereby related to all others and all become one community of brotherhood in their honourable and pleasant servitude to the most compassionate Lord of the Universe. In such a heavenly atmosphere the Islamic confession of the oneness of God stands dominant and central, and necessarily entails the concept of the oneness of humanity and the brotherhood of mankind. Although an Islamic state may be set up in any part of the earth, Islam does not seek to restrict human rights or privileges to the geographical limits of its own state. Islam has laid down some universal fundamental rights for humanity as a whole, which are to be observed and respected under all circumstances whether such a person is resident within the territory of the Islamic state or outside it, whether he is at peace with the state or at war.

The Qur'an very clearly states: **{ O ye who believe! Stand out firmly for Allah, as witnesses to fair dealing, and let not there be hatred of others to make you swerve to wrong and depart from Justice. Be just: that is next to Piety: and Fear Allah. For Allah is well -acquainted with all that you do }** (Quran 5:80)

Human blood is sacred in any case and cannot be spilled without justification. And if anyone violates this sanctity of human blood by killing a soul without justification, the Qur'an equates it to the killing of entire mankind: **{ Whoso slays a soul not to retaliate for a soul slain, nor for corruption done in the land, should be as if he had slain mankind altogether }**

It is not permissible to oppress women, children, old people, the sick or the wounded. Women's honour and chastity are to be respected under all circumstances. The hungry person must be fed, the naked clothed and the wounded or diseased treated medically irrespective of whether they belong to the Islamic community or are from amongst its enemies.

When we speak of human rights in Islam we really mean that these rights have been granted by God; they have not been granted by any king or by any legislative assembly. The rights granted by the kings or the legislative assemblies, can also be withdrawn in the same manner in which they are conferred. The same is the case with the rights accepted and recognised by the dictators. They can confer them when they please and withdraw them when they wish; and they can openly violate them when they like. But since in Islam human rights have been conferred by God, no legislative assembly in the world or any government on earth has the right or authority to make any amendment or change in the rights conferred

by God. No one has the right to abrogate them or withdraw them. Nor are they basic human rights which are conferred on paper for the sake of show and exhibition and denied in actual life when the show is over. Nor are they like philosophical concepts which have no sanctions behind them.

The charter and the proclamations and the resolutions of the United Nations cannot be compared with the rights sanctioned by God; because the former is not applicable on anybody while the latter is applicable on every believer. They are a part and parcel of the Islamic Faith. Every Muslim or administrator who claim themselves to be Muslims, will have to accept, recognise and enforce them. If they fail to enforce them, and start denying the rights that have been guaranteed by God or make amendments and changes in them, or practically violate them while paying lip service to them, the verdict of the Holy Qur'an for such government is clear and unequivocal: **{ Those who do not judge by what God has sent down are the disbelievers }** (5:44).

Human Rights in an Islamic State :

1. **The Security of Life and Property:** In the address which the Prophet delivered on the occasion of the Farewell Hajj, he said: "Your lives and properties are forbidden to one another till you meet your Lord on the Day of Resurrection". The Prophet has also said about the dhimmis (the non-Muslim citizens of the Muslim state): "One who kills a man under covenant (i.e., Dhimmi) will not even smell the fragrance of Paradise".
2. **The Protection of Honour:** The Holy Qur'an lays down-
 - 1) **{You who believe, do not let one (set of) people make fun of another set}**
 - 2) **{Do not defame one another}**
 - 3) **{Do not insult by using nickname}**
 - 4) **{Do not backbite or speak ill of one another}**
3. **Sanctity and Security of Private Life:** The Qur'an has laid down the injunction-
 - 1) **{Do not spy on one another}**
 - 2) **{Do not enter any houses unless you are sure of their occupant's consent}**
4. **The Security of Personal Freedom:** Islam has laid down the principle that no citizen can be imprisoned unless his guilt has been proved in an open court. To arrest a man only on the basis of suspicion and to throw him into a prison without proper court proceedings and without providing him a reasonable opportunity to produce his defence is not permissible in Islam.
5. **The Right to Protest Against Tyranny:** Amongst the rights that Islam has conferred on human beings is the right to protest against government's tyranny. Referring to it the Qur'an says. **"God does not love evil talk in public unless it is by some one who has been injured thereby"**. In Islam, as has been argued earlier, all power and authority belongs to God, and with man there is only delegated power which becomes a trust; everyone who becomes a recipient or a donee of such a power has to stand in awful reverence before his people towards whom and for whose sake he

will be called upon to use these powers. This was acknowledged by Abu Bakr who said in his very first address: "Cooperate with me when I am right but correct me when I commit error; obey me so long as I follow the commandments of Allah and His prophet; but turn away from me when I deviate".

- 6. Freedom of Expression:** Islam gives the right of freedom of thought and expression to all citizens of the Islamic state on the condition that it should be used for the propagation of virtue and truth and not for spreading evil and wickedness. The Islamic concept of freedom of expression is much superior to the concept prevalent in the West. Under no circumstances would Islam allow evil and wickedness to be propagated. It also does not give anybody the right to use abusive or offensive language in the name of criticism. It was the practice of the Muslims to enquire from the Holy Prophet (P.B.U.H.) whether on a certain matter a divine injunction had been revealed to him. If he said that he had received no divine injunction, the Muslims freely expressed their opinion on the matter.
- 7. Freedom of Association:** Islam has also given people the right to freedom of association and formation of parties or organisations. This right is also subject to certain general rules.
- 8. Freedom of Conscience and Conviction:** Islam has laid down the injunction: There should be no coercion in the matter of faith.
On the contrary totalitarian societies totally deprive the individuals of their freedom. Indeed this undue exaltation of the state authority curiously enough postulates a sort of servitude, of slavishness on the part of man. At one time slavery meant total control of man over man - now that type of slavery has been legally abolished but in its place totalitarian societies impose a similar sort of control over individuals.
- 9. Protection of Religious Sentiments:** Along with freedom of conviction and freedom of conscience Islam has given the right to the individual that his religious sentiments will be given due respect and nothing will be said or done which may encroach upon his right.
- 10. Protection from Arbitrary Imprisonment:** Islam also recognises the right of the individual that he will not be arrested or imprisoned for the offences of others. The Holy Qur'an has laid down this principle clearly: {No bearer of burdens shall be made to bear the burden of another}
- 11. The Right to Basic Necessities of Life:** Islam has recognised the right of the needy people that help and assistance will be provided to them: And in their wealth there is acknowledged right for the needy and the destitute.
- 12. Equality Before Law:** Islam gives its citizens the right to absolute and complete equality in the eyes of the law.
- 13. Rulers Not Above the Law:** A woman belonging to a high and noble family was arrested in connection with theft. The case was brought to the Prophet, and it was recommended that she might be spared the punishment of theft. The Prophet

replied, "The nations that lived before you were destroyed by God because they punished the common-man for their offences and let their dignitaries go unpunished for their crimes; I swear by Him Who holds my life in His hand that even if Fatima, the daughter of Muhammad, had committed this crime, I would have amputated her hand".

14. The Right to Participate in the Affairs of State: {And their business is (conducted) through consultation among themselves} (42:38).

The shura or the legislative assembly has no other meaning except that: The executive head of the government and the members of the assembly should be elected by free and independent choice of the people.

Lastly, it is to be made clear that Islam tries to achieve the above-mentioned human rights and many others not only by providing certain legal safeguards but mainly by inviting mankind to transcend the lower level of animal life to be able to go beyond the mere ties fostered by the kinship of blood, racial superiority, linguistic arrogance, and economic privileges. It invites mankind to move on to a plane of existence where, by reason of his inner excellence, man can realise the ideal of the Brotherhood of man.