

## Human Rights in Islam

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Imagine I was asked to undertake this assignment because of my current association with the Organization of the Islamic Conference, the intergovernmental organization of fifty-seven sovereign states spread across all the geographical regions of the world. I am with you today in my personal capacity, and while I believe that the views I present before you would not be contrary to those of the organization I am serving, these are, nonetheless, my own.

I shall now enter into the substance of our discussion with a brief introduction to Islam, the monotheistic faith which shares common foundations with the two other heavenly religions that preceded it, Christianity and Judaism. Islam recognizes the supremacy of Almighty God, or Allah, the Creator and Master of the Universe. Islam identifies mankind as the chief of all of God's creations, and His viceroy on earth. Islam advocates respect and regard for all of God's Prophets, and their teachings and their books. Islam advocates the equality of all men and women before Almighty God. Islam educates humanity and warns it about the temporary duration of life on earth, and the eternity of life hereafter. And Islam provides, to mankind, guidance towards conducting and regulating worldly life and preparing for the life hereafter, through the holy Qu'ran, which carries the Word of God, and through the teaching of Mohammed, the last Prophet of Almighty God.

It was the mission of the Prophet Mohammed to deliver mankind from the bonds of ignorance and injustice, into which it had fallen after sliding away from the heavenly guidance it had received through a succession of prophets and divine books. When Mohammed was born in 570 A.D., the world was full of oppression. Slavery and serfdom were a way of life. Women were degraded and a female child was regarded as a curse. Human rights, dignity, equality, fraternity and freedom had become extinct. It was in this treacherous environment that Islam, the meaning of which is peace, delivered a message of sanity and social justice. It struck down discrimination based upon color, caste, creed, race, or nationality, and instituted equality, brotherhood, and justice among the pillars of the Islamic State.

The need, therefore, for advocating human rights was never prominent in Islam—those rights had already been integral to the Muslim's life, and to the conduct of the Islamic State, until the time when external influences steered segments of the Islamic society away from their own values and divine prescriptions. I shall come to that a little later in

this presentation. But first let me briefly dwell on what human rights are in Islam. Islam provides humankind with social rules and regulations to lead lives in an environment of equality, security, justice, and fulfillment. Human rights are therefore seen in this context, especially since rights are intended to enable individuals, and units of individuals, to fulfill their respective roles in this world. Rights will be meaningless, even dangerous, if they are not coupled with obligations.

In Islam, rights and responsibilities are mixed with accountability. Rights end where the danger of inflicting harm to others begins. Thus, while industry and trade are not only permitted but actually encouraged in Islam, the making and selling of drugs is not; these are harmful both to individuals and to society at large. While education is not only permitted but mandated by actual Qu'ranic verses, the printing and sale of books and literature that would exploit sex is not; this would corrupt both individuals and society. While financial dealings based on profit and loss are permitted in Islam, usury is not; this would exploit the needy and further enrich the affluent at the expense and peril of the needy. In this scheme of things, Islam has accorded dignity and rights to human beings—Muslims and non-Muslims alike—as ordained by Almighty God in Qu'ranic verse 17: 70, "Surely We accorded dignity to the children of Adam and Eve."

Islamic law invokes rights and duties under the single concept of *hukm*, or law, and then balances its orientation under the general concept of *adl*, or justice. Under this concept, human beings are the *Khulafah*, or viceroys of God on earth, with assigned powers to be exercised during their stay on earth. Being the creations and servants of God, human beings are accorded some inherent rights by their Creator that become inviolable by other human beings. Contrast this to the secular rights given to people today, with great fanfare, that can, and frequently are, taken away at the whims of those that are in power at pretexts that are more subjective than objective.

In the Islamic state, the rights conferred by Almighty God remain inalienable and cannot be suspended or superceded by any state body, nor can they be repealed or amended. God is the Creator and Sustainer of the universe and His authority behind His law guarantees humankind stability in all respects of our lives, because God is all-knowing and does not err in judgment.

Islam has prescribed universal, fundamental rights for humanity as a whole that are to be observed under all cir-

cumstances. Human blood cannot be spilled without justification under the laws of God. No one can be deprived of life, liberty, and rights except under due process of those laws. The oppression of women, children, the aged, the sick, or the wounded is not allowed. Under these laws, non-Muslims living within an Islamic state have full protection of the state, full freedom of conscience and belief, and the liberty to practice their religions and interact in any way within the limits set down by law, morality, and decency. Emphasizing the responsibility to protect the non-Muslim, the Prophet is quoted as having said, "One who hurts a *dhimmi* (non-Muslim), hurts me; and one who hurts me, hurts Allah".

In Islam, there are no divine rights of kings, sheikhs, or amirs. The rights and responsibilities of the *khalifah* (ruler), or *amir* (leader), are purely functional and subject to scrutiny and challenge by everyone. The khalifa's executive authority is invested with power to implement the collective will of the *umma* (the Islamic community). And the authority of state is no more than the extension of power of the individuals delegated to the state which, again, remains subject to scrutiny at all times.

On the issue of security of life and property, the Prophet's instructions in his last sermon are noteworthy: "Your lives and properties are forbidden to one another till you meet your Lord on the Day of Resurrection." On the protection of honor, the Qu'ran prescribes in chapter 49 verses 11 and 12 a command that "You who believe, do not let one (set of) people make fun of another set. Do not defame one another. Do not insult by using nicknames, Do not backbite or speak ill of one another." Deeply implicit in these wordings is the sanctity of the honor of the individual and protection of one's honor from defamation and false allegation by individuals or the state. The right to protest against the tyranny of state is reflected in chapter 4 of the Qu'ran, in verse 148: "God does not love evil talk in public unless it is someone who has been injured thereby."

In Islam, the aggrieved, or injured, has the god-given right to bring forth his grievance and seek redress. In fact, on this point the first Caliph, Abu Bakr, elected after the demise of the Prophet Mohammad, said in his very first (shall we say inaugural?) address, "Cooperate with me when I am right but correct me when I commit error; obey me so long as I follow the commandment of Allah and His Prophet; but turn away from me when I deviate." On the freedom of conscience and conviction, there is a meaningful and subtle injunction in chapter 2, verse 256 of the Qu'ran: "There should be no coercion in the matter of faith."

On the right to basic necessities of life, Qu'ranic verse 19 in Chapter 51 directs the affluent and resourceful to make it a duty to come to the help of the needy and poor. "And in their wealth there is acknowledged right for the needy and

the destitute." Implicit in this verse is also the requirement for public policy to be formulated to provide for the wider sharing of the country's wealth and resources so that nobody, regardless of his station in life, remains deprived of the basic necessities of life.

Regarding the rights of women, and the role of the natural family as the basic and precious social unit of society, let us turn again to the last sermon of Prophet Mohammad, in which he said the following:

O People it is true that you have certain rights with regard to you 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.

Note here that this was said by the Prophet of God in the seventh century A.D., when outside of the fold of Islam, woman's place in society was, with some exceptions, generally lowly, deprived, and degraded. Islam lifted her and made her, in the words of the Prophet, "a partner and a committed helper" to her husband. There are verses in the Qu'ran that accord the woman an equal status in society with the rights to own and inherit property. The recognition of her competence to handle functions of responsibility, not only at home in the family, but also in the world outside the home, is seen in the person of Ayesha, wife of the holy Prophet, who, after the Prophet's demise, became one of the most important authorities to record *hadees*, or accounts of the Prophet's sayings and actions on all affairs of life, including religious and statutory. This speedy change in the treatment of women under Islam was delivered at a time when, as I stated a moment ago, the status of women in general was immeasurably less than equal to man's. The intention, and an electrifying effect it caused, was to lift up women's status in the newly established Islamic Society.

There were, of course, exceptions even at that time. The Prophet's first wife, Khadija, was an exception. She was a rare businesswoman, an entrepreneur, who had employed Mohammad as a manager of her trading caravans. She later married him, and he ascended to prophethood during that marriage. Being Mohammad's employer and with the resources she possessed, Khadija would certainly not have needed the right to be "fed and clothed in kindness," as the greater majority of women in the Arabian society would then have. She had enough material wealth of her own. Here, and in similar situations, the part of the Prophet's guidance that would apply is where he designated the woman to be a "partner and committed helper." In this way, an emancipated status for women was established in Islam for all economic and social eventualities.

Early on in this address, I stated that, human rights being integral to the Muslim's life, the need to advocate those rights was never prominent, until such time as external influences steered segments of the Islamic society away from their social values and Divine prescriptions. Let me now pick up that thread. When this happened, for a variety of historical and socio-political reasons, many elements of the Islamic society, especially those that gradually were being brought under the folds of foreign colonial rule in Asia, Africa, and elsewhere, suffered degeneration of their inherited values. The role and status of women were among the casualties, as were also education, social justice, and human rights. Poverty, illiteracy, and general cultural and moral degenerations were invading Islamic societies the same way that some preceding civilizations had experienced. The Islamic world had fallen prey to situations and circumstances which it was losing the ability to confront or overcome. The result was the state of affairs we see lingering on in several Islamic countries today.

This begs the questions: is the religion of Islam responsible for this state of affairs? In seeking that answer, one would need to turn the focus of scrutiny to some other religions, especially the two that preceded Islam, and inquire whether, for instance, Christianity is to be blamed for some questionable acts of colonization perpetuated in Asia, Africa, and other parts of the world in the eighteenth and nineteenth centuries, acts which violated human rights? Is Christianity to be held responsible for the staging of two world wars in the twentieth century and the resultant loss of lives and heavy damage these inflicted upon humanity? Is the religion of Christianity to be further blamed for the making and dropping of the atomic bombs over Hiroshima and Nagasaki which, among other things, also violated human rights? Did Christianity, the religion, introduce the holocaust in Europe, again grossly affecting human rights? Is Judaism, as a religion, to be blamed for the deviations of the Jewish nation when Moses was in audience with Almighty God at Mount Sinai? And is Judaism, as a religion, to be held responsible for the sufferings which the Palestinian people are undergoing at the hands of the Israeli occupation forces today, in which their human rights are being grossly violated?

The answers are not difficult to find. They are emphatically *no*. The same answer would also apply to holding Islam responsible for such deficiencies in human rights as may have been observed in some Islamic countries today.

The causes of these deficiencies are circumstantial, societal, historical and, to a large extent, embedded in colonial neglect rather than in the practice of Islam. On this point, I have come across two interesting quips that I would like to share with you. First, "Religion doesn't fail. It is the people who fail religion." Second, "Nations and men are much alike. They seldom appeal to God unless they are getting licked." Just as it is important to ensure that national and

international measures that safeguard the world from the return of colonialism, imperialism, communism, and other destructive "isms," now remain in place, and that humanity at large remains protected from the use of weapons of mass destruction, it is equally imperative to assist all countries, including the affected Islamic countries, in their efforts to restore the fullest possible enjoyment of human rights which Almighty God, through His heavenly religions, has bestowed upon humankind.

As I stated in my address to this august forum last year, an important step in this direction was taken by the Organization of the Islamic Conference in August 1990, when it unanimously adopted the Cairo Declaration on Human Rights in Islam. I would like to take the liberty to reiterate some of the Articles of the Declaration, because they are relevant to our discussion today:

Article 1 declares:

- a) All human beings form one family whose members are united by submission to God and take descent from Adam. All men are equal in terms of basic human dignity and basic obligations and responsibilities, without any discrimination on the grounds of race, colour, language, sex, religious belief, political affiliation, social status or other considerations. True faith is the guarantee for enhancing such dignity along the path to human perfection; and
- b) All human beings are God's subjects, and the most loved by Him are those who are most useful to the rest of His subjects, and no one has superiority over another except on the basis of piety and good deeds.

Article 5 states:

- a) The family is the foundation of society, and marriage is the basis of its formation. Men and women have the right to marriage, and no restrictions stemming from race, colour or nationality shall prevent them from enjoying this right; and
- b) The husband is responsible for the support and welfare of the family.

Article 17 states:

- a) Everyone shall have the right to live in a clean environment, away from vice and moral corruption, an environment that would foster his self-development and it is incumbent upon the State and society in general to afford that right;
- b) Everyone shall have the right to medical and social care, and to all public amenities provided by society and the State within the limit of their available resources; and
- c) The State shall ensure the right of the individual to a decent living which will enable him to meet all his requirements and those of his dependents, including food, clothing, housing, education, medical care and all other basic needs.

On the issue of governance and democracy, Article 23 of the Declaration has this to say:

a) Authority is a trust; and abuse or malicious exploitation thereof is absolutely prohibited, so that fundamental human rights may be guaranteed; and

b) Everyone shall have the right to participate, directly or indirectly, in the administration of his country's public affairs. He shall also have the right to assume public office in accordance with the provisions of Shari'ah.

This brings me to the conclusion of this presentation. The Declaration on Human Rights in Islam is the first step in the restoration of the rights and obligations that Almighty God has ordained for human beings, the chief of all His creations on earth. In the face of the realities and constraints surrounding the march in this direction, the adoption of this declaration has meant a few steps forward on this long and arduous road. I believe that these few steps have taken us far enough to know that the journey is worthwhile and must be continued.