

Human Rights - Islamic and Western Approach

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Abstract

“Human rights” is a hot issue of discussion these days. The Western World and the USA has become the champion of the course of human rights now-a-days. The Muslim countries are being showered with the bitter criticism for their disregard of basic human rights and civil liberties. The Muslim world is being blamed for their oppressive attitude towards the citizens and their minorities. Muslims are considered as flagrant violator of fundamental rights of their citizens. This is a matter of great concern that the Muslims are accused of violation of human rights today while their religion was the founder in the history of mankind in granting human rights not only to Muslims but also to non-Muslims and slaves. Even the UNO and the constitutions of modern democratic states do not concede as much rights as Islam has granted to its Muslims and non-Muslims citizens. This paper deals with the basic and different approach of the West and Islam about human rights. It also highlights to bring home to Muslims that their religion has granted innumerable rights and freedom, and they should rise up and discharge their duties in implementing these rights to escape from harsh attitude of developed nations.

Key words: Human rights, Islam, Comparison.

Human rights are the rights and freedom of all human beings. Rights are those conditions of life without which man cannot be at his best that is needed to the adequate development and expression of his personality. A Grammar of Politics holds that “every state is known by the rights it maintains” (Chaudary, 1993). The UNO charter defines human rights as “those rights which are inherent in our nature and without which we cannot live as human beings” (Qureshi, 2004).

The issue of human rights, the treatment of individual and groups of individuals has a longer historical genesis than environmental issues, but its global dimension is of more recent vintage. Before Second World War, relations between a state and the individuals and within the state were largely that of state’s concern. Over the individual, the state had

absolute sovereignty. The people in the West are in the habit of attributing every beneficial development in the world to themselves. For example, it is claimed that the world first derived the concept of basic human rights from the “Magna Carta” of Britain that was drawn up six hundred years after the advent of Islam (Chaudhary, 1993). But the truth is that until seventeenth century, no one dreamt of arguing that “Magna Carta” contained the principles of trial by jury. The West had no concept of human and civic rights before the seventeenth century; and it was not until the end of eighteenth century that the concept took a practical meaning in the constitutions of the West. In the middle of twentieth century, the United Nations, made a Declaration of Universal Human Rights and passed a resolution condemning genocide. But despite all the resolutions of UNO, human rights continue to be violated. It was adopted by UN General Assembly on December 10, 1948 and meant to proclaim a common standard of achievement for the people and all the nations (Parveen, 1990).

It is interesting to study the Islamic and Western approaches towards human rights, and to analyze the real difference. The last address of the Holy Prophet (PBHU) is very important statement regarding Human Rights of Islam which cannot be ignored in the modern world. The Holy Prophet (PBUH) said “Allah created you from one male and female and made you into tribes and nations, so that you are known to one another. Verily in the right of Allah, the most honoured amongst you is the one who is the most God fearing (Qureshi, 2004). Besides, UNO Human rights declaration, statements and analysis of experts at internet or published in newspapers, journals, magazines and books are also very useful. We are living in the age of communication that has brought to us a lot of information. Nevertheless, with all the possible information technology at our disposal, we have not been able to make a breakthrough in understanding human beings around us. We divide human beings based on ethnicity, colour, language, religion and culture. Even in multi-religious and multi cultural communities; we do not try to learn directly from our neighbours about religions, culture and social backgrounds. This lack of understanding on the part of people has often led to misgivings about one another. Some of the recent discussions on human rights of the Muslims have come forwarded in the West. Now-a-days the Muslims are projected as extremist and fundamentalists. Very little efforts are made to

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enquire the Muslims or consult Islamic teachings directly about what they really believe and practice. As for as Islamic religion is concerned, human rights mean those rights granted by God. Rights granted by kings or legislative assemblies can be withdrawn as easily as they are conferred; but no individual and no institution has the authority to withdraw the rights conferred by God. The Charter of UNO cannot be compared with the rights sanctioned by God; the former are not obligatory on anybody, while the latter are an integral part of the Islamic faith. All administrators who claim to be Muslims have to accept, recognize and enforce them. If they fail, the verdict of the Holy Quran is unequivocal. "These who do not judge by what God has sent down are the disbelievers (5:44)" (Mawdoodi, 1998).

An Islamic state may be set up anywhere on the earth. Islam does not seek to restrict human rights or privileges to the boundaries of such a state. Islam has laid down much stress on universal fundamental rights for humanity that are to be observed and respected in all circumstances. For example, human blood is sacred and may not be spilled without strong justification. It is not permissible to oppress women, children, old people, the sick or the wounded; women's honour and chastity must be respected; the hungry must be fed irrespective of whether they belong to the Islamic community or are from amongst its enemies (Mawdoodi, 1998). All these type of provisions have been laid down by Islam as fundamental rights for every man by virtue of his status as a human being. Islam has laid down certain rights for all non-Muslims who may be living within the boundaries of an Islamic state, and rights necessarily form a part of the Islamic constitution. The life, property and honour of non-Muslims are to be respected and protected in exactly the same way as that of a Muslim citizen. There is no difference between a Muslim and a non Muslim citizen in respect of civil or criminal laws. Islam insists on nothing less than brotherhood of man. Quran says, "All men are a single nation" (2:213) (Qureshi, 1989).

The Holy Quran reveals the real definition of a Muslim society very beautifully in the following verse. "Yeh, whoever submits himself entirely to Allah, and he is the doer of good to the other, he has his reward from his Lord" (11:12) (Qureshi, 1989). Islam's concept of human rights is based on the idea of human dignity and equality of mankind. Islam lays so much stress and emphasis on equality of all human beings that no other religion or system has ever excelled Islam in this respect. The Holy Quran says, "O mankind, be careful to your duty to your Lord who created you from a single soul and from it created its mate and from them twain hath spread abroad a multitude of men and women" (4:1)

(Chaudhary, 1993). Islam conferred numerous rights on mankind in religious, moral, legal, economic, social and political fields. Its idea of human rights and liberties is universal and uniform, and transcends all barriers of geography and times. In a true Islamic state, these rights would be enjoyed by all its citizens and cannot be violated by the state or by another individual. No war, no emergency and no crisis can authorize anybody including the state to suspend or abrogate the fundamental rights given by the Holy Quran and the Sunnah to the Muslim and non-Muslim citizens. The Holy Quran says, "God forbids you not, with regards to those who fight you not for (your) faith not drive you out of your homes, from dealing kindly and justly with them: for God loveth those who are just". (9:8) (Qutb, 1995).

Despite all facts, the West is being given credit as the champion of human rights ignoring the fact that Islam has given even more rights some fourteen hundred years ago; while the concept of basic human rights took its present shape only recently in Western countries. No doubt, Islam as well as the West attaches much importance to human rights and fundamental freedom of mankind, yet their approach to the problem of human rights is basically different. The difference lies in the fact that Islamic approach is primarily religious approach that tackles the issue of human rights from an angle of man's relation to God, while Western attitude towards human rights is secular and based upon the relations of man to man and citizen to state. In other words, the difference between the two approaches pertains to their idea of political sovereignty. In Islam, sovereignty belongs to God and his commandments are the supreme law. Position and place of man on earth is that of a Khalifa. On the contrary, in modern democracies, people are regarded as sovereign and the constitutions framed by their representatives are regarded as supreme. In Islam, human rights and civil liberties have been defined, demarcated and granted by God and His Messengers which are sacred and inviolable. These rights in no way can be withdrawn, modified, reduced, amended or suspended. However, the legislatures of Islamic states have power to add or give more rights according to the changed circumstances, provided the additional rights in no way contravene the commandments of the Holy Quran and the Sunnah. On the other hand, rights in the West have been obtained by the people from their rulers after a great tussle and hectic struggle. These rights are withdrawn on one pretext or the other. The scope of the fundamental rights in the modern Western state is very much limited and not universal. Mr. A.K. Brohi, an eminent scholar has differentiated both approaches to human rights in his article. "In the

West, concern for the individual springs from an anthropocentric view of the World in which man is measure of all things. In Islam, the view is the Theocentric: God is supreme and man exists solely to serve Him” (Chaudhary, 1993).

Unfortunately, the Muslims have not been able to practice what they preach and believe. This is the matter of great regret that the Muslims as well as Islam is accused of the violation of human rights today while Islam was the pioneer in the history of mankind in granting human rights and civil liberties. This was all done without any demand or without any struggle on the part of citizens, but in the west people had to fight for their rights. The need of hour is that the Muslims should fortify themselves against the growing strength of Western Orientalism which has traditionally been hostile to the religio-political doctrines of Islam. Its criticism is more dangerous today, because it is not limited to the scholarly circles but it has also penetrated deep into the popular sentiments of the Western masses. In recent years, the Western media devotes a lot of time and talent in instigating built-in religious prejudice of the people against Islam. In these circumstances, it becomes the duty of every true believer to demonstrate by his thoughts and character that Islam has enough vitality to wrestle successfully with the problems of all ages. The best way to do so is to set an example about the practicality of the Islamic principles.

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