

Islam, human rights and rights of minorities assignment

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BUSTER**

ISLAM, HUMAN RIGHTS AND RIGHTS OF MINORITIES Dr. Kamran Rafique (Lecturer, Nawaz Sharif Medical College, University of Gujrat) (“ O People, just as you regard this month, this day and this city as Sacred, so regard the life and property of every Muslim as a sacred trust”. “ Return the goods entrusted to you to their rightful owners”. “ O People, it is true that you have certain rights with regard to your women, but they also have rights over you”. “ Do treat your women well and be kind to them for they are your partners and committed helpers”. 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 black nor does a black have any superiority over white except by piety and good action. ” “ Nothing shall be legitimate to a Muslim which belongs to a fellow Muslim unless it was given freely and willingly. “) (Few extracts from the Last Sermon of Prophet Muhammad SALLALAHU ELAIHE WA AALE HI WASALLAM. delivered on 9th Day of Zil Haj, 09th Hijra at Arafat, Mekkah). History of mankind is replete with the examples of human atrocities in all times.

We can have the flashbacks of killing of sons in the era of Pharaoh of Egypt, burial of newly born daughters in Arab, polyandry in different parts of the world, selling of slaves in open markets, exchange of women in peace treaties, refusal of the right of women to inherit the property, discrimination in Law between the rich and deprived, humiliating laws for the prisoners, throwing of alive slaves in front of wild beasts at the time of royal festivals to satisfy the barbarian nature of monarchs etc. In the early seventh century a light of hope appeared for the weak and deprived.

It was in the form of teachings of Islam that were conveyed by Prophet Muhammad SAWW He, in the guidance of Divine revelations told the mankind that all human being are equal, they deserve respect and kindness in all circumstances. This is reinforced by following verse of Holy Quran “ O mankind! We created you from a single (pair) of a male and a female, and made you into nations and tribes, that ye may know each other (not that ye may despise (each other)). Verily the most honored of you in the sight of Allah is (he who is) the most righteous of you. And Allah has full knowledge and is well acquainted (with all things)”. Al-Hujurat , Verse No. 13) Islam raised the sanctity of human life regardless of the socioeconomic standing of any person. On one hand Islam taught that, to save one life is just like to save all humanity and to kill one person is as to eradicate all humanity and on the other hand, Islam provided a strict Law that beautifully protects the interests of Human life. Apparently, to some Human Rights activists, Islamic Law is extraordinarily strict and violates Human Rights especially the clause referring to an Eye for an Eye, a Hand for a Hand and a life for a life.

But this law has three outstanding characteristics; First of which is that, it equates the loss suffered by the victim that naturally satisfies the grief of sufferer, secondly: if it is applied in true spirit, then it sends a clear message to whole society to be very careful while going for the violation of sanctity of any body's life that directly decreases the crime rate in whole society and finally it is equally applicable on all the socioeconomic classes.

Following words of Prophet SAWW while giving the verdict of a case of theft are very much pertinent in this regard, “ If Fatima Binte Muhammad had

committed this, she would have also suffered the same punishment” are hallmark of equality and justice in Islamic Law. Islam has asserted on the human rights in all aspects i. e. parents, children, siblings, relatives, women, neighbors, slaves, prisoners, orphans and needy and minorities etc. Islam is considered as the fastest growing religion of the world, which had spread to more than half of the world within first 40 years of its emergence.

The most distinguished feature of its teachings was the obvious emphasis on Huqooq- ul ??? Ebad (Human rights). It was strictly preached that Allah Almighty may ignore any flaws in the execution of worship to Allah, but there is no forgiveness in the case of any negligence in the human rights. Islam revised the status and responsibilities of almost every character of daily life. But, in this writing only those aspects will be highlighted which are directly related to human rights. If we read the pre Islamic era, we find a few groups of human beings which were facing the complete deprivation of Human rights.

These groups mainly comprised of women in all relationships, slaves, prisoners, poor, disables, orphans, blacks, strangers and any minority group on the basis of race, religion, complexion and ethnicity. Islam honored each one of the above mentioned with the gift of equality. Women were honored in all four possible relations of being a Daughter, Sister, Wife and Mother. Adultery and trade of women was strictly banned and made punishable. Allah promised the highest rewards for all those who treat women in all these relations respectfully and honorably.

Allah liked the characteristic of being kind and affectionate to Slaves, poor, orphans and all the deprived classes of society. Islamic history is full of the examples of its revolution in protection of Human Rights. In the following lines the references from different books of Hadith are given which reflect the Islamic teachings for the protection of rights of different classes of human race. In respect of Parents, Once a person came to Holy Prophet and asked, “ O messenger of Allah, what are the rights of parents on their children? ” He replied, ‘ For you they can be heaven or hell. For Mothers, “- Heaven is beneath the feet of your mother. ” For Children, -“ No father has given his child anything better than good manners”. For Daughters, -“ The man who brings up two daughters so that they attain maturity, will appear at my side on the Day of Judgment as close as my two adjacent fingers”. For Family, “ When a man spends on his family members with the intention of God’s pleasure, then his spending becomes an act of charity. ” For wives, “ Feed her when you take your food, give her clothes to wear when you wear clothes, refrain from giving her a slap on the face or abusing her, and do not separate from your wife, except within the house. ” For husbands, -When the Prophet (SAWW) was asked who was the best of all women, he replied, “ The women whose husband feels pleased to see her, who obeys her when her husband commands, and who does not take a stand about her or her wealth which is displeasing to her husband. ” For servants, “ Once a man asked Holy Prophet that for how many times should he forgive his servant in a day. ‘ Seventy times. ” For poor, orphans and needy, “ The best Muslim house is that in which is an orphan who is well treated and the worst Muslim house is that in which is an orphan ill treated. ” “ Associate with poor and show them

affection” As demanded in the subject of this essay, the issue of Rights of minorities in Islam is being discussed in detail. Islam seeks to establish such a society where all citizens of the state enjoy equal rights and religion does not become the basis for any discrimination. Islamic law holds both Muslims and non-Muslims equal and no superiority or privilege is given to the Muslims on any ground.

The history of Islam is replete with such examples. Once, a Muslim, who was accused of killing a non-Muslim, was presented in the court of Hazrat Ali (ra). The evidence supported the accusation. When Hazrat Ali ordered the Muslim to be killed by way of qisas, the relatives of the murderer made the brother of the killed forgive by paying him the compensation money. When the Caliph came to know of it, he asked, “ Perhaps these people may have coerced you into saying so. ” To this, he replied in the negative, saying that the killing would not bring his brother back.

Since they were paying him blood money, it would help the family financially to some extent. The Caliph agreed to the deal but added that the principle underlying the functioning of his government was “ the blood of those of our non-Muslim subjects is equal to our blood and his blood money is like our blood money. ” (Abu Yusuf, Kitab-ul-Khiraj, p. 187) Secondly, every member of an Islamic society is entitled to privacy and personal life. No one can be allowed to enter his house or interfere in his matters without his consent. The minorities enjoy similar rights in an Islamic state as the Muslims do.

It is the fundamental principle of Islamic law that it enjoins the similar rights and duties on both Muslim and non-Muslim citizens without any

discrimination. Thirdly, Islam ordains people to worship Allah Almighty but it does not coerce followers of other religions to accept Islam and change their creed. Invitation to truth and use of coercion are mutually exclusive realities. The Holy Quran has communicated the Islamic message of truth in these words: “(O Glorious Messenger!) Invite towards the path of your Lord with strategic wisdom and refined exhortation and (also) argue with them in a most decent manner.

Surely your Lord knows him well who strayed away from His path and He also knows well the rightly guided. ” (16: 125) Islam has strictly disallowed the adoption of such method of invitation, which affects the religious independence of the other party. Allah Almighty says at another place: “ There is no coercion in religion. Verily, guidance has manifestly been distinguished from error. ” (2: 256) Fourthly, the non-Muslim minorities are free to undertake any business enterprise or profession in an Islamic state like their Muslim counterparts and no restriction can be imposed upon them in this regard.

However, those businesses, which are collectively injurious for the society, would be completely prohibited both for the Muslims as well as the non-Muslims. The minorities are also free to adopt any profession they like. They would also be subject to same trade-related taxation as the Muslims. Fifthly, as it is the responsibility of the Islamic state to provide for the disabled or the poor or the destitute or the old, in the same way, it is also under obligation to pay for the maintenance of a member of the minority community in case of his disability, old age or poverty.

Minorities enjoy equal rights in terms of collective maintenance in an Islamic state. According to a tradition reported by Abu ' Ubaid in Kitab-ul-Amwal, " The Holy Prophet (SAWW) gave a donation to a Jewish family and it continued to be delivered even after (the Holy Prophet's departure from this world). " Sixthly, Islamic state is responsible for the protection and security of minorities. If it has entered into an agreement with another nation, the protection and security of the latter also falls under its domain of responsibility.

One of the conditions that defined the agreements between Muslims and the conquered non-Muslim minorities was that the Islamic government would be responsible for provision of basic necessities and security of lives of the minorities. The Peace Agreement, which was struck with the residents of the Heera had the following written in it: " A non-Muslim who grows old and cannot work or becomes disabled due to a natural calamity or he was previously rich but has become poor due to some untoward happening, the government would not charge any tax from such calamity-stricken people.

Rather these people and their families would be provided with the maintenance allowance out of official treasury. " (Ibn Rushd, Badiyat-ul-Mujtahid, vol. 2, p. 310) The minorities cannot be compelled to render defence services. Rather, it is the responsibility of the Islamic state to defend them. Since the Islamic state is responsible for the protection of lives, honor and property of the minorities and they do not have any other obligation with regard to defence, they are liable to contribute financially to the Islamic state in the form of a tax called Jizya.

Even then, Islam has taught about justice and good manners when it comes to the imposition of Jizya on the minorities. Due to space constraint, I cannot delve deeper into the Islamic history to prove empirically how minorities were treated in an Islamic state. However it is proved that Islam is a complete code of conduct in every aspect of human life and no doubt it gives the best charter of Human Rights and Rights of Minorities.