

Social Justice in Islam and Human Rights.

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ABSTRACT

Islam has emphasized on numerous principles that organize relationships among members of the society. One of the most important principles is social justice with all important values that it involves like peace, love, brotherhood, and prosperity. Justice in Islam is not only practiced on Muslims. Rather, it is practiced on every human being regardless to his/her beliefs or religion. Justice as a concept refers to equality in giving rights and in abiding by obligations without discriminations for any reason, either for religion, race, color, etc. social justice in Islam comprises three elements i.e., equitable distribution of wealth, provision of social security and protection of the weak against the strong. The first thing that we find in Islam in this connection is that it lays down some rights for man as a human being. In other words, it means that every man whether he belongs to this country or that, whether he is a believer or unbeliever, whether he lives in some forest or is found in some desert, whatever be the case, he has some basic human rights simply because he is a human being, which should be recognized by every Muslim. In fact, it will be his duty to fulfill these obligations. The aim of this paper is also to focus on Basic Human Rights such as the Right to life, the Right to safety of life, Respect for the chastity of women, Individual's right to freedom, Equality of human beings, and the Right to cooperate and not to cooperate.

Key words: -Introduction, Social justice in Islam, Human Rights in Islam, Conclusion

Introduction

The importance of justice is manifested in being one of God's names in Islam. It is considered among the most important values underlined by the Quran and repeated in a number of its verses. God has required justice to be a necessary part of the behavior of every Muslim. It covers every aspect in life and has to be practiced with every person in the world, including rivals and enemies. Social justice means giving each individual what he/she deserves, the distribution of financial benefits in the society, providing equally for basic needs. It is also the egalitarianism in opportunities, i.e. each person has a chance to climb up the social ladder. Social justice is one of the most important aspects of justice in Islam. As was clarified by Dr. Sayed Qotb, in Social Justice in Islam, there are three basic elements of social justice in Islam. These are the absolute freedom of conscience, the complete equality of all men, and the social interdependence among members of the society.

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 honor, 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, color or race. Every human being is thereby related to all others and all become one community of brotherhood in their honorable 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 or at war.

Social justice in Islam

The term social justice is of recent vintage. It first appeared in political debate in the early nineteenth century. It was employed by political thinkers like John Stuart Mill and its use has since become widespread. Social justice implies that overall pattern of distribution in a society ought to be brought into line with principles of justice. There have been two major conceptions of social justice, one embodying the notions of merit and desert, the other those of need and equality. Islam, being religion of nature, understands that human beings are born with varying gifts. As they differ in their bodies and their features so they differ in their mental and other capabilities. Their environment, their circumstances and their hereditary gains also differ. In this situation there can be no possibility of economic equality. Thus the existence of economic inequalities among the human beings is but natural. It is also there because Islam allows individual initiative in earning wealth and gives right of private ownership of property. Moreover, existence of inequalities in economic and social life is a part of Divine scheme whereby God tests and tries the people to know who are good and who are bad.

We have already defined social justice of Islam and have also mentioned that it comprises three elements i.e. equitable distribution of wealth, provision of social security and protection of the weak against the strong. All these elements have been dealt with in detail at proper places in this book. Let us briefly discuss them here.

1. No doubt Islam accepts unequal distribution of wealth as natural and part of Divine Scheme of world order, yet it does not allow existence of wide disparities in distribution of wealth. If distribution of wealth in a community is unfair and inequitable, social peace in that community is always at stake and conflict between the poor and the rich is bound to result in war and class struggle. Islam being religion of peace is against such class conflict. It establishes fraternity and brotherhood in the ranks of the members of Islamic community. Islam believes in well-being of its followers and, therefore, ensures fair and equitable distribution of income and wealth among them.
2. Islamic economic system guarantees basic human needs to all the citizens of the Islamic state. Islam enjoins upon the well-to-do to fulfill the needs of the poor and the destitute. According to Al-Quran, the poor and the needy have share in the wealth of the rich. The Quran says: "And in whose wealth there is a right acknowledged for the poor beggar and the destitute" -(70 : 24-25). To the question as to how much wealth should be spent by the rich for the cause of the poor, the Qur'an replies: "And they ask thee how much they are to spend; say: "What is beyond your needs" -(2:219). Thus the revealed book of Islam expects from the rich to spend all their surplus wealth for their poor brothers if the circumstances so demand.
3. Elimination of economic exploitation of the weak by the strong is another element of Islamic social justice. Many steps have been taken by Islam in this direction. Riba or usury is one of the worst instruments of human exploitation and this has been abolished root and branch. Other means of human exploitation such as bribery, gambling, speculative transactions, fraudulent practices, prostitution, embezzlement, etc. have also been prohibited in Islamic society. Interest of the weaker classes of the society like women, orphans, slaves, laborers, tenants, consumers, etc. have been protected through detailed legislation by Islam.

Human Rights in Islam

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 recognized 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. Basic Human rights in Islam are explained below;

THE RIGHT TO LIFE: -The first and foremost basic right is the right to live and respect for human life. The Holy Quran lays down: “Whosoever kills a human being (without any reason like) manslaughter, or corruption on earth, it is though he had killed all mankind (5:32). In any case, no human being has any right by itself 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. These instructions have been repeated in the Holy Quran in another place saying,” Do not kill a soul which Allah has made sacred expect through the due process of law” (6:151). The Right to Life has been given to man only by Islam.

The Right to the Safety of Life: -Immediately after the verse of the Holy Quran which has been mentioned in connection with the right to life, God has said: “And whoever saves a life it is as though he had saved the lives of all mankind” (5:32). There can be several forms of saving a man from death. A man may be ill or wounded irrespective of his nationality, race or color. If you know that he is need of your help, then it is your duty that you should arrange for his treatment for disease or wound. If he is dying of starvation, then it is your duty to feed him so that he can ward off death. If he is drowning or his life is at stake, then it is your duty to save him.

Respect for the Chastity of Women: -The third important thing that we find in the Charter of Human Rights granted by Islam is that a women’s chastity has to be respected and protected under all circumstances, whether she belongs to our own nation or to the nation of an enemy, whether she find her in the wild forest or in a conquered city; whether she is our core religionist or belongs to some other religion or has no religion at all. A Muslim cannot outrage her under any circumstances. This concept of sanctity of chastity and protection of women cannot be found anywhere else except in Islam. God has established his right over you, which you have to honor as a Muslim.

Individuals Right to Freedom: -Islam has clearly and categorically forbidden the primitive practice of capturing a free man, to make him a slave or to sell him into slavery. On this point the clear and unequivocal words of the Prophet are as follows: “There are three categories of people against whom I shall myself be a plaintiff on the Day of Judgment. Of these three, one is who enslaves a free man, then sells him and eats this money” (Bukhari and Ibn Maja). The words of this tradition of the Prophet are also general, they have not been qualified or made applicable to a particular nation, race, country or followers of a particular region.

The Right to Justice: -This is a very important and valuable right which Islam has given to man as a human being. The Holy Quran has laid down: “Do not let your hatred if a people incite you to aggression” (5:3).” And do not let ill-will towards any folk incite you so that you swere from dealing justly. Be Just; that is nearest to heedfulness” (5:8). Stressing this point, the Quran again says: “You who believe stand steadfast before God as witness for (truth and) fair play” (4:135). This make the point clear that Muslims have to be just not only with ordinary human beings but even with their enemies. Their permanent habit and character should be such that no man should ever fear injustice at their hands, and they should treat every human being everywhere with justice and fairness.

Equality of Human Beings: -Islam not only recognizes absolute equality between men irrespective of any distinction of color, race or nationality, but makes it an important and significant principle, a reality. The Almighty God has laid down in the Holy Quran: “O mankind, we have created you from a male and female”. In other words, all human beings are brothers to one another. They all are the descendants from one father and one mother. “And we set you up as nations and tribes so that you may be able to recognize each other” (49:13). According to Islam God has given man this right of equality as a birth right. Therefore, no man should be discriminated against on the ground of the color of his skin, his place of birth, the race or the nation in which he was born.

The Right to Cooperate and not to Cooperate: -Islam has prescribed a general principle of paramount importance and universal application saying: “Co-operate with one another for virtue and heedfulness and do not co-operate with one another for the purpose of vice and aggression” (5:2). This means that the man who undertakes a noble and righteous work, irrespective of the fact whether he is living at the North Pole or the South Pole, has the right to expect support and active cooperation from the Muslims. On the contrary he who perpetrates deeds of vice and aggression, even if he is our closest relation or neighbor, does not have the right to win our support and help in the name of race, country, language or nationality, nor should he have the expectation that Muslims will cooperate with him or support him.

Conclusion

From the foregoing discussion, it is clear that Islamic law has divinely mandated rights for individuals in their specific roles as spouse, parent, child, relative, neighbor, friend and even foe.

In its distribution of rights and responsibilities, Islam has addressed the social, racial, gender, and sectarian issues plaguing our global society. Indeed, the model of rights and mutual responsibilities enshrined in Islam has a tremendous potential for individual and social reform in the world. Islam has provided all rights which are needed for overdevelopment of human growth and prosperity. It's the religion of peace, tranquility, world brotherhood, mutuality, and cooperation. It has given social, political, economic, cultural, and civic rights to all human beings without consideration of color, caste, family, and birth etc. Islam gave to mankind an ideal code of human rights fourteen centuries ago. These rights aim at conferring honor and dignity on mankind and eliminating exploitation, oppression, and injustice. To say this would not be wrong that Islam is the resistance against barbarism, injustices, and suppression. It had helped always to all who were helpless and weak. If supporting human beings when they are being suppressed by some intolerant tyrant ruler and his forces then Islam will prevent that suppression and this is not terrorism, but its support to humanity.

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