



مركز أصول العالميين  
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# HUMAN RIGHTS IN ISLAM

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In the name of Allah, the  
Beneficent, the Merciful.

# FOREWORD

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All praise be to God, the Lord of all the worlds, the Creator of the heavens and earth and all creatures living in them. May God grant peace and blessings to Prophet Muhammad, God's final Messenger, whose

message brought mercy to all mankind. May He also give His blessings to all the prophets and messengers whom He sent to guide mankind out of darkness and into light.

At the Osoul International Centre for Islamic Advocacy, every new release that we produce gives us a great opportunity to interact with our readers. All our releases have the same overall objective; to present Islam to mankind, as it truly is. We aim to make people aware of Islam's fine aspects and profound teachings and to show clearly that it is the only faith that provides practical and effective solutions to all the problems faced by humanity. Islam gives clear and solid answers to all of the questions that have troubled people over many generations, such as: How did we come into existence and why do we exist? Where do we go from here? Furthermore, Islam is the only religion that requires its followers to love and respect all the prophets God sent, particularly Moses and Jesus (peace be upon them both).

We take great care to provide solid and rational proofs for our arguments, so as to give our readers the reassurance they need, and our releases also refute the accusations levelled against Islam and provide clarification to people's misunderstandings of Islamic teachings.

By God's grace, Islam is the fastest growing religion in our time, as confirmed by a study undertaken by the Pew Research Center<sup>1</sup>, and our motive is to make this great divine faith known to all people.

This book, *Human Rights in Islam*, sheds ample light on the question of human rights in Islam. These rights, as outlined in the Qur'an and the teachings of Prophet Muhammad (peace be upon him), aim to teach man to lead a life of compassion and dignity, so that he acquires good qualities and deals with others in the best manner. These are the rights stated by God, the wise Creator who knows all that is good for man, and their implementation is certain to bring happiness to mankind.

The author explains all human rights and the freedoms Islam ensures at the different levels. He then clarifies the misconceptions that are often expressed regarding the different aspects of freedom. The author maintains a gentle approach and replies to criticism in a calm and objective way, supporting his argument with evidence from the Qur'an and the Sunnah.

We hope that readers will find this book useful in adding to their knowledge and understanding of Islam.

**Basil ibn Abdullah al-Fawzan**  
Executive Director

<sup>1</sup> "The Future of the Global Muslim Population", Pew Research Center, 27 January 2011, Available at <http://goo.gl/k0FJ8Y>



## Dear Reader,

Islam is a complete and integral Divine religion and way of life. It has a complete code of ethics for a happy life, and peaceful, tranquil life after death.

Islam is pure from all imperfections, defects and blemishing effects. It is a perfect way of life.

Any deviant or abnormal behavior observed in a Muslim should have no bearing on Islam, non what so ever. The reason for such a deviation or bad behavior is due to ill knowledge of the faith itself, or due to a weak faith that led to such deviant acts.

It is unjust and unreasonable for Islam to be assessed or evaluated based on any individuals' behavior and attitudes, with the exception of the Prophet Muhammad who is the example and role-model.



## INTRODUCTION

## 01

## INTRODUCTION

ALL Praise is due to God and may God exalt the mention of His Prophet and render him and his household, his Companions, and those who follow their way safe from every evil, and grant them security on the Day of Resurrection.

Every society must ensure for its citizens the rights that guarantee for them their basic needs and security, and enable them to feel a sense of belonging and attachment to the larger social group. Individuals need to feel secure and have a sense of belonging in order to perform their tasks and duties in a satisfactory manner.

Presently, three distinct trends are discernible in our global society. The first trend exaggerates the right of the individual over the society. This trend gives the individual full freedom to do as he pleases with minimal restrictions. Unfortunately this leads to a chaotic social situation because when unlimited freedom is granted to the individual, selfish desires predominate which bring harm to the community. The entire society suffers from this greed and selfishness. This trend is found in liberal, democratic, capitalist societies.

The second trend, contrary to the above, advocates the rights of the society over the individual. The latter is stripped of his individual rights. Only rights that serve the ruling regime are granted to the individuals, according to the dominant ideology of the ruling class or group. This trend is prevalent in communist and totalitarian societies.

The third trend, ideally, neither emphasizes the right of the society over the individual, nor the right of the individual over the society. Each is given its due right in an equal balance. The rights and obligations of both the community and the individual are governed and controlled by clear rules and conditions. In this trend, the public interest is given priority over the interest of an individual only in case of a serious conflict. Sadly, this

Both the Glorious Qur'an and the Sunnah aim to produce an ideal individual in an ideal society



The rights enumerated by modern international organizations are characterized by deficiencies in conceptualization, flaws in formulation, and injustices in application

system is rare in history, but among the societies that adopted it was the government of the Prophet Muhammad and his immediate followers, called the Rightly Guided Caliphs.

In this booklet we shall address human rights in the light of the perfectly balanced system of Islamic law. These rights are based on revelations from the Divine Book of Muslims, the Qur'an and from the Sunnah, the practice of God's Messenger ﷺ, the two main sources of Islamic life and jurisprudence. Both the Qur'an and the Sunnah aim to produce an ideal individual in an ideal society. All elements in such a system should interact with one another to create harmony between the individual and God their Lord and Creator, themselves, others within the society at large, and other societies all over the globe.

We firmly believe that the application of the individual and social principles of the third system, when guided by the perfect revealed laws from God in the Qur'an and Sunnah, will definitely make humanity happier and more prosperous. The application of these principles will enable the society to achieve peace and security. These social rights and principles are not a result of previous experiences, social ideologies, temporary and immediate needs and/or political drives and motives; rather they are from the All-Knowing Creator who revealed them for man's progress to happiness in this life and salvation in the Hereafter

Our firm belief in the truth and justice of Islamic rights and principles is due to the fact that God, the Most Merciful and only Creator of man, reveals them. He knows well what suits His creation at all times, what benefits or harms man, what makes him happy or sad, what makes him successful or miserable. By His knowledge and beneficence, He has legislated what suits best and fulfills the essential needs of all His creatures on earth and makes their lives successful, secure and joyful.

The Qur'an, which was revealed and sent down unto Muhammad ﷺ in the seventh century CE, is the everlasting miracle that contains the basics of these essential rules. The Sunnah, the recorded practices of God's Messenger ﷺ and the second source of Islamic law, contains detailed revealed guidance. These rules and principles were set forth by God's Messenger ﷺ in the best form and manner and will remain relevant forever. Both the Qur'an and Sunnah honor man and his individual rights in the society. At the same time, these sources of

Islam calls for the protection, defense and the support of oppressed people of the world, by the removal of the root causes of oppression and exploitation.



we observe that many Muslims all over the world are not true representatives of Islam because they commit grievous mistakes and have many serious deficiencies in belief and practice

Islamic law did not overlook the needs and rights of the society and public interest. In fact, Almighty God states in the Qur'an: (And We have certainly honored the children of Adam and carried them on the land and sea and provided for them of the good things and preferred them over much of what We have created, with [definite] preference.) [17:70]

Man will only gain this honor and these privileges when he fulfills his obligations and gives the rights due to their owners.

In order to execute the role of this special place on earth, there is a need for specific tasks to be performed by specific individuals. This concept is illustrated by the Almighty God in the Qur'an: (And it is He who has made you successors upon the earth and has raised some of you above others in degrees [of rank] that He may try you through what He has given you. Indeed, your Lord is swift in penalty; but indeed, He is Forgiving and Merciful.) [6:165]

Some nations and international organizations, call loudly to principles that seek to guarantee human rights. Islam established within its enlightened Shari'ah (legal system) many of these human rights some fourteen centuries ago. The rights enumerated by modern international organizations are characterized by deficiencies in conceptualization, flaws in formulation, and injustices in application. They are subject to political agendas, economic pressure and culturally biased viewpoints. They frequently carry the residues of colonialism and imperialism. Such rights are often enumerated and established not for the interests of all humans, rather, for the benefit of certain organizations and powerful special interest groups.

This becomes more evident when, as we see all over the world, many of our fellow humans suffering from the worst atrocities, and yet, there is no organization to truly defend the poor and the weak. Glaring inequalities and abuse between nations and within nations are growing worse and worse even before our

eyes, and the prescriptions for aid and development mire them deeper into misery as if they were meant to perpetuate their misery and servitude.

It may be that some of the humanitarian organizations cannot come to the aid of some oppressed persons for political and economic reasons. Some sincere organizations have been barred from engaging in humanitarian efforts, while others have been allowed because they promote agendas and call to the sectarian ideals, or special interest groups, more acceptable to the dominant powers. Some organizations raise slogans like "Do not interfere in the internal affairs of our countries" or "We must remain confined to political realities" etc. Islam calls for the protection, defense and the support of oppressed people of the world, by removal of root causes of oppression and exploitation. Islamic law is structured to remove any oppression and exploitation according to rules of enjoining the right, forbidding the wrong, and struggling in the path of God the Exalted.

Almighty God states in the Glorious Qur'an: (And what is [the matter] with you that you fight not in the cause of God and [for] the oppressed among men, women, and children who say, "Our Lord, take us out of this city of oppressive people and appoint for us from Yourself a protector and appoint for us from Yourself a helper?") [4:75]

It is important to point out here that enforcement of the laws about human rights in a Muslim society is linked inextricably with the sincere commitment to the implementation of Islamic laws and principles in letter and spirit. Some people take only what serves their own interests. Others may just pretend that they are implementing some Islamic teachings and principles but, in reality, are trying to destroy or distort and manipulate Islam from within, and hamper just implementation of Islamic laws. They are not examples of the defense of the human rights in Islam. Therefore, we point out here the obligation that those who would like to study Islam objectively, should do so by studying it on its own merits, as a fully developed system, and not be affected by the malpractices of some claiming to be Muslims, or those countries calling themselves "Muslim countries".

The deviant behavior and action of certain individuals, groups, people, or governments must not influence a person's ultimate judgment. The implementation of Islamic principles and Islamic law vary according to the commitment to Islam



and the practical ability to apply them to the local circumstances. Even though a system is good, there may be shortcomings and faults in perception and application. If we notice, for example, lying, cheating, breaching of contracts, deception and corruption in a person, we must not accuse the system for it. Since Islam categorically forbids these evils, one must rebuke the person himself for his crimes, but not the system. We should thoroughly examine the system itself and consider its merits.

A simple example may be given here: if a person needs bread, he would go to the bakery, or at least to a place where bread may be sold, such as a grocery shop or a supermarket. If a person in need of bread goes to a butcher or a fruit shop, he would not be able to find bread there. There is a general statement in the Qur'an explaining such a case. Almighty God states in the Qur'an: (And if you obey most of those upon the earth, they will mislead you from the way of God. They follow not except assumption, and they are not but falsifying. [6:116])

Regretfully, we observe that many Muslims all over the world are not true representatives of Islam because they commit grievous mistakes and have many serious deficiencies in belief and practice. We mention this unfortunate situation to warn those who study Islam, about being influenced or deceived by the attitudes and vices of any Muslims that misrepresent Islam. Serious students should not despair; rather they should look to representative upright Muslims and the core teachings of Islam. We encourage Muslims to maintain the best practices and the correct application of their faith in every aspect of life. We call non-Muslims to examine Islam and understand its principles with an unbiased approach.

There is the famous story of a new Muslim convert who, upon visiting a Muslim country, was shocked to witness the horrendous situation of Muslims in that society, noting how far removed they were from the ideal teachings and principles of Islam. He said: 'I thank God the Almighty for enabling me to accept Islam prior to coming to this country. If I had come here before I accepted Islam, I would never have thought of becoming a Muslim!' He made this assertion because he saw firsthand the rampant malpractices of some Muslims. This is indeed a very unfortunate situation for which we strive to correct. The first steps of correction are awareness and education.



## **ISLAM AND THE PRESERVATION OF THE FIVE ESSENTIAL NECESSITIES OF LIFE**

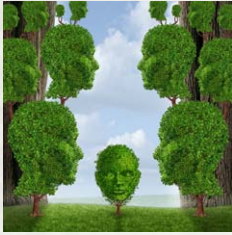
- 1. Introduction
- 2. Equality In Islam



## 01

## INTRODUCTION

Islam does not tolerate false pride in lineage and social status.



Islam aims to establish by its principles, a legal framework, a code of ethics, and an ideal society with a balance between protecting the rights of the individual and the rights of the society collectively.

Islam, as the last and perfect message from God to mankind, aims to establish by its principles, a legal framework, a code of ethics, and an ideal society with a balance between protecting the rights of the individual and the rights of the society collectively. One way of achieving this goal is by providing the essential necessities that ensure for individuals their full rights without damage to the public good. If all members of the society enjoy their legal rights to peace, tranquility, freedom, and the general availability of all the basic human requirements, balanced with public welfare, they will all have the opportunity to live a fruitful life of fulfillment and contentment.

This contentment is defined by the Messenger of God when he stated: “Whosoever wakes up (in the morning) feeling that he is secure in his community, free from ailments and diseases in his body, and has enough provision for a single day, it is as if he owns the entire world.”<sup>1</sup>

Islam formulates a unique system of rights and obligations that provides for and preserves the following five basic necessities of human existence:

- A** Preservation of the Divine Religion
- B** Preservation of the Self
- C** Preservation of the Mind
- D** Preservation of Honor and Lineage
- E** Preservation of Wealth

All human societies have devised their own systems to preserve these basic human necessities, and we will highlight the unique aspects of the Islamic system. Before we discuss these basic necessities in more detail, we will make some general observations about the often-misunderstood term “equality.”

<sup>1</sup> Reported by Tirmidhi and verified as good.



## 02

## EQUALITY IN ISLAM

Pride of race and class are rampant in some societies. For example, some Jews and Christians have considered themselves of a higher status



The differentiation between individuals in the Sight of Allah is based on their levels of piety, righteousness, and compliance to the Commands of Allah

Men and women are created equal in their basic humanity, and both are honored with the dignity of being God's creation privileged over the other creatures of His creation. Discrimination due to race, sex, color, ethnicity, class, region or language is vehemently prohibited in Islam to avoid the artificial barriers between the privileged and underprivileged. Equality does not mean that all are exactly alike since there is no denial about natural differences. The two genders complement and complete each other. God the Exalted says in the Qur'an:

(O mankind, fear your Lord, who created you from one soul and created from it its mate and dispersed from both of the m many men and women. And fear God , through whom you ask one another, and the wombs. Indeed God is ever, over you, an Observer.) [4:1]

The Messenger of God ﷺ said:

“O Mankind! Your Lord is One. Your father is one. All of you belong to Adam. And Adam was created of soil. Truly, the most honorable person in the Sight of Your Lord, Almighty God, is the most pious among you. There is no superiority for an Arab over a non-Arab. There is no superiority for a non-Arab over an Arab. There is no superiority for a red person over a white person. Likewise, there is no superiority of a white over a red (race) person, except for piety and God consciousness.”<sup>2</sup>

All humanity, according to Islam, with all its races, has one original source, so how can some exploit others claiming superiority or special privilege? Islam does not tolerate false pride in lineage and social status. The Messenger of God ﷺ said:

“Almighty God has removed the false pride which was practiced

<sup>2</sup> Reported by Ahmad no. 411.

in the pre-Islamic period wherein individuals took false pride in their ancestors. All mankind belongs to Adam. And Adam is created of soil.”<sup>3</sup>

Pride of race and class are rampant in some societies. For example, some Jews and Christians have considered themselves of a higher status, breed, race or class of people. God the Exalted and Almighty has exposed the truth of this arrogance, as He states in the Qur'an:

(But the Jews and the Christians say, "We are the children of God and His beloved." Say, "Then why does He punish you for your sins?" Rather, you are human beings from among those He has created. He forgives whom He wills, and He punishes whom He wills. And to God belongs the dominion of the heavens and the earth and whatever is between them, and to Him is the [final] destination.) [5:18]

The laws of Islam eradicate any misguided basis of racism. For instance, one of the companions of God's Messenger ﷺ Abu Dharr once said to a black slave, 'O son of a black lady!' Upon hearing this, the Messenger of God ﷺ turned to Abu Dharr, and said to him:

“Are you insulting this man with his mother? Truly, you possess some of the qualities of the era of Ignorance (pre-Islamic times). That time is finished and over. There is no virtue or merit for the son of a white woman over the son of a black woman, except through piety and righteousness, or by good deeds and actions.”<sup>4</sup>

It is reported that Abu Dharr upon hearing the comment of the Prophet ﷺ, put his head down on the ground in humility for the slave to come and step on his head with his foot, as an expiation for his misdeed, although the Prophet ﷺ did not command him to do so. Abu Dharr wanted to discipline himself by self-humiliation so that he would never repeat such a sin in the future saying, “This head will not rise from here until the blessed feet of Bilal tread on the face of the foolish, impolite Abu Dharr.” But Bilal, the slave whom he had insulted, wouldn't allow that. Instead, he responded by saying, “That face deserves to be kissed, not trodden upon”, and he forgave Abu Dharr.

All people in Islam should be viewed as completely alike and equal in terms

<sup>3</sup> Reported by Abu Dawood no. 5116.

<sup>4</sup> Reported by Ahmad 4:145.

of the obligation to perform various acts of worship to God. The rich and the poor, the leader and the peasant, the white and the black, the one of dignified means and the one of lower means; all are alike and equal as humans before God. The most noble is the most righteous and most sincere person regardless of outer features. As the Prophet said ﷺ: “God does not look at your bodies and your colors but at your acts and your hearts (outward deeds and inward intentions and sincerity respectively).”<sup>5</sup>

All commands of obligation and prohibition are applicable to all without any distinction because of class, social status or race. God states in the Qur’an: (Whoever does righteousness – it is for his [own] soul; and whoever does evil [does so] against it. And your Lord is not ever unjust to [His] servants.) [41:46]

The differentiation between individuals in the sight of God is based on their levels of piety, righteousness, and compliance to the Commands of God, the Most Beneficent. God the Almighty states in the Qur’an:

(O mankind, indeed We have created you from male and female and made you peoples and tribes that you may know one another. Indeed, the most noble of you in the sight of God is the most righteous of you. Indeed, God is Knowing and Acquainted.) [49:13]

All individuals are equal before the Islamic code of law and the appointed Muslim judge. The penalties, judgments and legal sentences are applicable to all races and classes of people without any distinction and without any privileged person acquiring immunity. One outstanding example will be cited here. A’isha reported that the Quraish were deeply concerned when a noble woman of the Makhzum clan stole,

5 Reported by Muslim no.2564.

and God’s Messenger ﷺ wanted to apply the due punishment in her case. The Quraish consulted among themselves and said: ‘The best person to talk to the Prophet ﷺ about the Makhzumi woman thief is his beloved companion (and the son of his beloved companion) Usamah ibn Zaid.’ Therefore they sent Usamah to speak to the Prophet ﷺ to intercede on behalf of this Makhzumi woman. Upon listening to Usamah, God’s Messenger ﷺ said, “O Usamah! Are you coming to intercede concerning a punishment set by God?” God’s Messenger ﷺ stood up, as soon as he ﷺ finished his conversation with Usamah and delivered a speech saying: ‘The nations before you were destroyed due to the fact that when a noble person among them would steal, they let him go unpunished, but if a poor, weak and insignificant person among them stole, they would apply the punishment on him. By God! If Fatimah, the daughter of Muhammad ﷺ stole, I would punish her myself.’<sup>6</sup>

Furthermore, none has the right to monopolize, abuse or appropriate national resources for his personal interests. All members of the nation have the right to benefit from the national resources, each according to just and equitable rights and obligations. However, they will not be equal in terms of the work and the benefit they contribute for the public good. The Islamic government must exert every effort to secure job opportunities for its constituents and organize the proper utilization of national resources.

Islam declares all people equal in terms of human values yet every individual is rewarded according to what he presents to his society and community. The only distinction between people is on the basis of service that they offer. For instance, Islam does not look at a hardworking individual and a sluggish individual on equal footing in terms of pay and financial rewards. The Almighty states in the Qur’an:

(And for all are degrees from what they have done. And your Lord is not unaware of what they do.) [6:132]

6 Reported by Bukhari no. 6406 and Muslim no. 9.

All individuals are equal before the Islamic code of law and the appointed Muslim judge.



The penalties, judgments and legal sentences are applicable to all races and classes of people without any distinction and without any privileged person acquiring immunity.



## ISLAM AND BASIC ESSENTIAL NEEDS

We will now proceed to elaborate on the basic human necessities that Islam guarantees in its divine and unique legal system.

1. Preservation of the Divine Religion
2. Preservation of Self
3. Preservation of Mind
4. Preservation of Honor, Family and Lineage
5. Preservation of Wealth

## 01

## PRESERVATION OF THE DIVINE RELIGION

the Islamic concept of Jihad refers to governmentally sanctioned fighting that is allowed for protection against aggression



Jihad is legislated not to force people against their own will to join Islam, but rather as a tool and mechanism to help maintain the peace

Islam is the complete and perfect Divine Revelation from God Almighty to mankind to ensure their prosperity and salvation. All the previous prophets of God, like Noah, Abraham, Moses and Jesus were Muslims – those who submitted to God –sent to their respective peoples with the general precepts of Islam – worship God without partner – and the specific code of laws suitable for their peoples.

God, the Exalted says:

(And We sent not before you any messenger except that We revealed to him that, "There is nothing worthy of worship except Me, so worship Me.") [21:25]

Muhammad ﷺ is the final Prophet and Messenger of God. He has been sent to all mankind with the Islamic code of Laws legislated by God, the most Wise and Omniscient.

God, the Exalted says:

(Muhammad is not the father of any man among you; but he is the Messenger of God and the last of the Prophets.) [33:40]

And God the Exalted says:

(This day I have perfected your religion for you, and completed my favor upon you, and have chosen for you Islam as your religion.) [5:3]

And He says:

(Truly, the religion in the sight of God is Islam.) [3:19]

And He says:

(And whoever desires other than Islam as religion – never will it be accepted from him, and he, in the Hereafter, will be among the losers.) [3:85]

The Messenger of God ﷺ explained his similitude in respect to the previous Prophets of God saying:

“My example and the example of the Prophets who preceded

me, is like that of a person who built a beautiful house. The house was perfect and magnificent except for the place of a single brick in one corner. People who saw that house admired it but wondered, why did not the owner install the missing brick? I am that missing brick. I am the final Prophet (for mankind on the earth).”<sup>1</sup>

All humanity agrees upon the general principle that truth, justice and goodness must be upheld and defended in the face of attack by the forces of falsehood, tyranny and evil. Muslims take this obligation very seriously, and are obligated to strive to promote truth, justice and goodness by all legal means available. For secular societies, religion is considered purely a private affair. Public life legally must be guided by secular principles and institutions and never by religion or religious law. We must remember that the development of secularism itself was a reaction to the extravagances and conflicts between the Christian Churches and various Kings in Europe.

This introduces the sensitive subject of “Jihad” (struggle, exertion), which is a terribly misused and often abused word. The following verse of the Qur’an, read in its fuller context, gives a general rule about Jihad:

(Fight in the way of Allah those who fight you but do not transgress. Indeed. Allah does not like transgressors.) [2:190]

In summary, the Islamic concept of Jihad refers to governmentally sanctioned fighting that is allowed for protection against aggression, exploitation and suppression, while at the same time prohibiting all forms of transgression. The Arabic root for Jihad means to struggle, and it includes not only fighting against oppressors and tyrants but also struggling generally to promote good and combat evil. By Jihad the religion of Islam with its ultimate truth, justice and goodness is protected, and the Muslims themselves are defended from those that wish them harm. It is an obligation on all Muslims to believe in and practice Jihad to some degree: greater obligations exist for those with greater abilities, but even the poor and disabled give their moral support and supplications for success.

Jihad was practiced in the previous faiths as well – the Catholic Just War Doctrine being just one example. Since evil appears all over the world and throughout human history, Jihad was ordained in order to stop tyranny and injustice. It is also to prohibit people from worshiping false deities and demigods, and to introduce them to the reality of the worship of God alone, who has no son,

<sup>1</sup> Reported by Bukhari no.3341 and Muslim, no. 2287.

partners or associates. Jihad is legislated to remove injustices and to introduce man to the mercy, justice and peace of Islam as a way of life, for the interest of man's benefit on earth, and not for the interest of specific groups of Arabs or other national groups of Muslims, since Islam is universal and has no geographic or limited borders. As the tradition states, the Messenger of God ﷺ said:

"Help your brother, whether he is an oppressor or is oppressed." A man enquired: "O Messenger of God! I understand how to help him when he is oppressed, but how can I help him when he is an oppressor?" He ﷺ said: "You can keep him from committing oppression. That will be your help to him." (Bukhari)

The message and invitation of Islam is international and universal for all humanity, with a comprehensive code of beliefs, morals and ethics for every walk of life. Islam laid down the principles of justice, fairness, equality, freedom, prosperity, success and truthfulness for man on earth. Jihad is legislated not to force people against their own will to join Islam, but rather as a tool and mechanism to help maintain the peace that allows for the peaceful sharing of the religion of monotheism, justice and equality to the entire world and to protect it against attack. After people receive the message, it is up to them to accept Islam or choose otherwise; and no harm is to come to them if they choose not to accept it. The essential purpose of Jihad is to open the way for peaceful sharing of the Message of Islam to people. Almighty God states in the Qur'an:

(There shall be no compulsion in [acceptance of] the religion. The right course has become clear from the wrong. So whoever disbelieves in idolatry and believes in Allah has grasped the most trustworthy handhold with no break in it. And Allah is Hearing and Knowing.) [2:256]

The principle cementing relationships between governments and their people is based on justice and peace since there can be no lasting peace without justice. Jihad is not a "Holy

The essential purpose of Jihad is to open the way for peaceful propagation of the Message of Islam to people



The principle cementing relationships between governments and people is based on justice and peace since there can be no lasting peace without justice

War" as described in the Western media, but it is an honorable "struggle" and resistance against oppressors and those who oppose the peaceful spread of God's word and faith in Him and His religion. "War" most often begins as a drive for personal or national interests – for land, resources, or other political or economic reasons. Islam prohibits these reasons for waging war and allows for Jihad only in the three situations, namely:

**01** Defense of Life, Property and National Boundaries, without transgression

God says in the Qur'an:

(Fight in the way of Allah those who fight you but do not transgress. Indeed, Allah does not like transgressors.) [2:190]

**02** Removing oppression and championing the just rights of oppressed people.

The obligation of countering oppression and tyranny is mentioned in the verse of the Qur'an:

(And what is [the matter] with you that you fight not in the cause of Allah and [for] the oppressed among men, women, and children who say, "Our Lord, help us out of this city of oppressive people and appoint for us from Yourself a protector and appoint for us from Yourself a helper?") [4:75]

The Prophet of God ﷺ said:

"The best Jihad is a word of truth before a tyrannical unjust ruler."<sup>2</sup>

**03** Defense of Faith and Religion.

God, the Exalted, says in the Qur'an:

(And fight them until there is no more tumult or oppression, and there prevails justice and faith in God altogether and everywhere; but if they cease, verily God does see all that they do.) [8:39]

A "Mujahid" (Muslim fighter for the cause of God) must purify his intention to please God alone. He must have a clear understanding that Jihad is only for just reasons: to protect Islam and the Muslims, and to allow for the spread of the message and word of God. If the enemies of Islam who are fighting the Muslims cease their attack, and accept terms for a just peace, the Muslim fighters are commanded to cease hostilities.

<sup>2</sup> Reported by Ahmad no.18850, Abu Dawood no.4344, Tirmidhi no.2174 and verified as authentic.

God also says: (But if they incline to peace, then incline to it also, and (put your) trust in God. Indeed, it is He who is the Hearing, the Knowing.) [8:61]

And He Most Exalted said:

(Therefore if they withdraw from you and cease fighting, and send you (guarantees of) peace, then God has left no way for you (to war against them).) [4:90]

Islam has permitted fighting only for the above specified reasons and has laid down strict rules of conduct in “warfare.” All other reasons for “war” are totally prohibited in Islam. For instance, war for land expansion, colonial interests and revenge, etc. are entirely prohibited. Islam does not allow fighters to kill haphazardly, but only permits them to kill those directly involved in the fighting. Islam does not permit, accept or condone the killing of elderly people, children, women, those under medical treatment, medical staff, and monks who have secluded themselves for the worship of God. Islam forbids mutilating the bodies of the deceased enemy fighters. Islam also forbids the killing of cattle or any type of animal of the enemies, the destruction of peoples' homes and the pollution of potable water resources, including rivers, lakes, springs and wells of water of the fighting enemies. These concepts are based on the many verses of the Qur’an, including this verse:

(But seek, through that which Allah has given you, the home of the Hereafter; and [yet], do not forget your share of the world. And do good as Allah has done good to you. And desire not corruption in the land. Indeed, Allah does not like corrupters.) [28:77]

It is also based on many sayings of Messenger of God ﷺ, for instance his statement:

“Fight for the Cause of God and in His Name, against those who reject God. Fight them, but do not breach your contracts or truces, do not mutilate, and do not kill a newly born baby...”<sup>3</sup>

And he ﷺ said:

“...do not kill a woman, or a slave.”<sup>4</sup>

3 Reported by Muslim, no. 1731.

4 Reported by Abu Dawood and Ibn Majah and verified as sound.

Islam forbids the killing of cattle or any type of animal of the enemies, the destruction of peoples' homes and the pollution of potable water resources



The prisoners of war are not to be tortured, humiliated, or mutilated.

This is also in compliance with the directions and the recommendation of the first Caliph, Abu Bakr to his military leaders upon commissioning them for Jihad. It was narrated that he said, “Listen and obey the following ten commands and instructions: Do not betray any one (if you give a pledge). Do not steal from the spoils of war. Do not breach your pledge of allegiance. Do not mutilate the body of the killed enemy fighters or the deceased. Do not kill a child or a minor. Do not kill an elderly person. Do not kill a woman. Do not uproot a date palm tree (or any other trees) and do not burn them either. Do not cut or destroy a fruit tree. Do not slaughter a female sheep, a cow or a camel except for your (required) food. You surely will pass by some people who isolate themselves and are secluded for the worship of God as monks and else, thus leave them alone and do not disturb them. You will, surely, stop at some people on the road, who will bring forth for you all types of food dishes. Whenever you eat their food, recite the name of God each time you eat....”

The prisoners of war are not to be tortured, humiliated, or mutilated. They are not to be imprisoned in tight claustrophobic prison cells without adequate food and drink thus causing them to die. The Qur’an states: (And they feed, for the love of God, the indigent, the orphan, and the captive, (saying), “We feed you only for the countenance of Allah . We wish not from you reward or gratitude.”) [76:8]

The Islamic government has the right either to set free such POWs with no ransom at all, or for an agreed ransom, or exchange them for Muslim POWs. This is based on the verse of the Glorious Qur’an:

(... when you have thoroughly subdued them, bind a firm bond (on them): thereafter (is the time for) either for generosity or ransom: until the war lays down its burdens. Thus are you commanded: but if it had been God’s Will, He could certainly have exacted retribution from them Himself; but He lets you fight in order to test you, some with others. But those who are slain in the way of God, He will never let their deeds be lost.) [47:4]

The conquered people who comprise the non-Muslim residents of an Islamic state and their families, possessions and estates are entitled protection by Islamic law from any violation. No one has a right to seize the possession or the wealth of the non-Muslim residents, or humiliate them or encroach upon their honor. No one has the right to unjustly attack them. The belief and religious practices of the non-Muslim residents in an Islamic state are respected to the legal limit. For instance

God says in the Qur'an:

([And they are] those who, if We give them authority in the land, establish prayer and give charitably and enjoin what is right and forbid what is wrong. And to Allah belongs the outcome of [all] matters.) [22:41]

The non-Muslim residents of an Islamic state are required to pay a minimal tax called "Jizyah" which is a specific type of head-tax collected from individuals who are not Muslim and desire to keep their religion while living in an Islamic state and under Islamic rule.

The Jizyah is a very commonly misunderstood concept due primarily to the willful distortion of the term by those who seek to misrepresent Islam; calling it an oppressive "non-Muslim" tax. Though the tax is indeed levied upon those who are not Muslim, the Jizyah is collected in return for the protection of the non-Muslim residents of an Islamic State and their wealth, and not because they refused to join the faith. The Muslim leader and commander, General Khalid bin al-Waleed once made a pledge to the non-Muslim residents of the Islamic state at the time and said, 'I offer you my pledge of allegiance to fully protect you against the head-tax collected from you. If we provide the necessary protection, we are entitled for the head-tax. Otherwise, you are not required to pay it.' Then, when the Muslims forces had to vacate the area for battle elsewhere they returned the Jizyah they had taken since they were not able to provide the security stipulated.<sup>5</sup>

Another important point to keep in mind is that since Islam is a complete system, to include a governmental system, all earners – regardless of religion – have to pay some form of a tax. For instance, in the early Islamic States while Muslims were paying 2.5% of their accumulated wealth, non-Muslim residents paid Jizyah according to their social status as represented in three categories: the rich and wealthy class paid an equivalent to the sum of (48) forty-eight Dirhams<sup>6</sup> a year; the middle or average

5 This is a famous incident in Islamic history: see for instance Baladhuri, *Futuh al-Buldan, in the conquest of Sham (Greater Syria)*

6 A Dirham is an Islamic coin equivalent in value to 2.28 grams of silver. The name "Dirham" is still used in some Islamic and Arab countries but shares only the name with the older currency.

The non-Muslim residents of an Islamic state are required to pay a minimal tax called "Jizyah"



the Jizyah is not applicable to every non-Muslim resident of an Islamic state; rather, it is to be taken only from those who earn.

class, such as merchants, traders and farmers, paid an equivalent to the sum of (24) twenty-four Dirhams a year; and finally, the working class, such as bakers, carpenters, plumbers and the like, paid an equivalent to the sum of (12) twelve Dirhams a year. The reality is that, in almost all cases, the Jizyah was cheaper to pay than the zakat required of the Muslim and thus not at all oppressive to the non-Muslim citizen of the Islamic nation.

Furthermore, the Jizyah is not applicable to every non-Muslim resident of an Islamic state; rather, it is to be taken only from those who earn. Many categories of people are exempt from paying this Jizyah including the poor, minors, women, monks, blind people, and the disabled individuals. Islam made it obligatory on the Islamic government to provide the full protection to these categories of people as well as to offer them suitable living allowances and welfare provisions. In fact, the pledge given by General Khalid bin al-Waleed to the non-Muslim residents of the town called 'Heerah' in Iraq, under the Islamic rule, stated the following:

'Any elderly person, disabled worker, terminally ill person or a rich person who went bankrupt, and based on that deserve charity from the fellow religious people, will not be required to pay head-tax. Furthermore, each one will become entitled for suitable allowances from the Islamic Treasury for himself and his dependents.'<sup>7</sup>

Another example is when the second Caliph, Omar bin al-Khattab, once passed by an elderly Jewish man who was begging. Omar asked about him and was informed that he was a non-Muslim resident of the Islamic state. Omar immediately said, 'We have not been fair to you! We've collected head-tax from you while you were young and capable and neglected you in your old age!' Omar took the old Jew to his own home and offered him whatever he found of foodstuff and clothes. Later, Omar instructed those in charge of the treasury, saying:

'Follow up, monitor and observe the situations of similar people. Offer them assistance that suffices them and their family members from the Islamic Treasury.'

God states in the Qur'an at the beginning of the famous verse on Zakah (obligatory charity):

(Alms are for the poor and the needy...) [9:60]

In one interpretation of this verse, the poor are the Muslims and the needy are the non-Muslim residents of an Islamic state.<sup>8</sup>

7 Abu Yousuf, *al-Kharaj*, p.144.

8 *Ibid*, p.126.



## 02

## THE PRESERVATION OF SELF

### Physical Security and Protection:

Human life is sacred and a gift from God, the Creator. For the protection of human life, Islam has legislated capital and corporal punishments and retribution unto those transgressing criminals who murder and physically harm others. Killing falls into three types: intentional or premeditated murder, manslaughter (killing without premeditation or an evil intention prior), and accidental killing. Islam commands the execution of anyone who commits premeditated murder of an innocent person, seeking to place as strong a deterrent as possible to eradicate the temptation of intentional murder.

Manslaughter and accidental killings are separate categories with separate, lesser sentences and blood money is paid to the close relatives of the victim. The family or the heirs of the killed victim are given a Diyyah – blood money – unless they choose to forgive the killer. The killer must repent to God and make atonement by the freeing of a Muslim slave, and if this is not possible, by fasting for two consecutive months.

All such penalties are mandated for the preservation of life. No one has the right to tamper with people's lives, possessions or estate without legitimate cause. All oppressors or abusers must be warned against unjust killing, victimizing or harassing other innocent members of the Islamic society, and these strict punishments should be made clear. If the retaliation is not equal in degree to the crime itself, criminals become emboldened in their criminal activities. All other corporal punishments have the same rationale, wherein the punishment is proportionate to the crime with specific measurements of retribution predetermined to stop all arguments and confusion. All capital and corporal punishments are designed for the preservation of human life

No one has the right to tamper with people's lives, possessions or estate without legitimate cause



Islam has imposed certain specific duties on everyone in respect to protection of human life.

and property in an Islamic society. God, the Exalted, states in the Qur'an: (And there is for you in legal retribution [saving of] life, O you [people] of understanding, that you may become righteous.) [2:179]

The penalty of the Hereafter for the intentional murderer who does not repent will be the Wrath of God. God, the Exalted, states in the Glorious Qur'an:

(But whoever kills a believer intentionally – his recompense is Hell, wherein he will abide eternally, and Allah has become angry with him and has cursed him and has prepared for him a great punishment.) [4:93]

Islam has imposed certain specific duties on everyone in respect to the protection of human life. The following are some of these duties:

**01** Man does not own his soul or his own body: rather it is a sacred entity entrusted to him on a temporary basis. It is not allowed for anyone to intentionally torture or harm himself, or carry-out any type of suicidal crime or reckless act leading to his destruction. God, the Exalted, states in the Qur'an: (O you who have believed, do not consume one another's wealth unjustly but only [in lawful] business by mutual consent. And do not kill yourselves [or one another]. Indeed, Allah is to you ever Merciful!) [4:29]

**02** Man must maintain proper nutritional care to satisfy the minimum requirements essential for decent health. He is not allowed to deprive himself of permissible food, drink, clothing, marriage and proper care under any pretexts, if that causes him harm. God, the Exalted, states in the Qur'an: (Say, "Who has forbidden the adornment of Allah which He has produced for His servants and the good [lawful] things of provision?" Say, "They are for those who believe during the worldly life [but] exclusively for them on the Day of Resurrection." Thus do We detail the verses for a people who know..) [7:32]

God, the Exalted, admonished the Prophet ﷺ when he abstained from eating honey in order to please one of his wives, and this became an eternal lesson for all Muslims. God states in the Qur'an: (O Prophet, why do you prohibit [yourself from] what Allah has made lawful for you, seeking the approval of your wives? And Allah is Forgiving and Merciful.) [66:1]

Moderation is between stinginess and extravagance. Man may enjoy the lawful bounties offered by God to man on earth in moderation within the limits of the

Islamic laws and without waste. God, the Exalted, states in the Qur'an:

(O Children of Adam! Wear your beautiful apparel at every time and place of prayer: eat and drink: but waste not by excess, for God loves not the wasters.) [7:31]

It is forbidden to neglect the physical needs of the body and cause harm through negligence or self-torture. God, the Exalted, states in the Qur'an:

(Allah does not charge a soul except [with that within] its capacity. It will have the consequence of what good it has gained, and it will bear the consequence of what evil it has earned....) [2:286]

It is reported that Anas bin Malik said that, 'Three men came to the Prophet's ﷺ wives' houses to inquire about the worship of the Prophet ﷺ. When they were informed, they considered their worship insignificant and said: "Where are we in comparison with the Prophet ﷺ while God has forgiven his past sins and future sins". One of them said: "As for me, I shall offer prayer all night long." Another said: "I shall fast continuously and shall not break it". The third one said: "I shall abstain from women and shall never marry". The Prophet ﷺ came to them and said, "Are you the people who said such and such things? By God, I fear God more than you do, and I am the most obedient and dutiful among you to Him, but still I observe fasting and break it; perform prayers and still sleep at night and I marry women. So whoever turns away from my way does not belong to me."<sup>1</sup>

Peace and security:

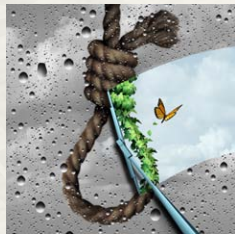
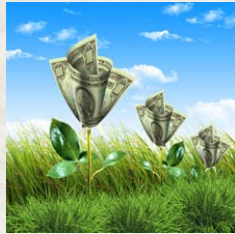
The right of security and protection to a person and all his family is the most basic of all human rights. All citizens in the Muslim society legally must not be frightened or threatened by either words, actions or weapons of any type. The tradition of Messenger of God ﷺ states:

"It is not allowed for a Muslim to frighten another Muslim."<sup>2</sup>

<sup>1</sup> Reported by Bukhari and Muslim (al-Lulu wal-Marjan no.884).

<sup>2</sup> Reported by Abu Dawood no.5004, Imam Ahmad and others, and verified as correct.

Man may enjoy the lawful bounties offered by Allah to man on earth in moderation within the limits of the Islamic laws and without wastage



It is forbidden to neglect the physical needs of the body and cause harm through negligence or self-torture.



Feeling secure enables individuals of a society to have freedom of mobility in order to work and earn an honest living. Corporal and capital punishment have been laid down and established in order to impose strict penalties on those who attempt to cause disruption to the peace, security and stability of a Muslim society. God's Messenger ﷺ stated in his farewell speech, 'Truly, your lives, honor, and your wealth are sacred. They are unlawful to tamper with in the same manner that it is unlawful to tamper with this honorable and sacred Day (the Day of 'Arafah during Hajj), in this Sacred Month (the month of pilgrimage), and in this Sacred Town (the city of Makkah).'<sup>3</sup>

Sustenance and wholesome food and drink for all:

Wholesome sustenance is to be secured for all people in an Islamic society by availing decent and suitable work opportunities for the work force in the society. Availability of suitable opportunities of trades and work is crucial for people in order to satisfy their basic needs. Those who cannot work due to old age, disabilities, chronic disease, or the lack of a bread-earner in the family, become entitled to public aid from the Islamic

<sup>3</sup> Reported by Bukhari, no. 6043.



government. Zakah, (obligatory alms and charity) given by the wealthier people of the society is to be made available to the needy that cannot earn a decent income because of legitimate reasons. Zakah is an obligatory charity that is taken from the rich and given to specific categories of the society. This is based on the Hadith of God's Messenger ﷺ in his advice to his companion Muaadth bin Jabal while sending him on the mission to call to Islam in Yemen saying, "Tell the people of Yemen that Almighty God has prescribed a certain percentage of their wealth as Zakah (obligatory charity) to be taken from the rich members among them and given to the poor and needy ones."<sup>4</sup>

Other voluntary donations, gifts, financial commitments and the like are given in good cause to please God, and extended willingly to the poor and needy members without any distinction. This is also based on many scriptures including the Hadith of God's Messenger ﷺ, "One is not a believer who satisfies himself while his neighbor is hungry."<sup>5</sup>

These poor and needy people are also entitled to a fair right and share of the Islamic Treasury. This is also based on the Hadith of God's Messenger ﷺ, "Whosoever leaves behind a legacy (wealth and estates) it will become the right of his heirs. As for the person who leaves behind poor and needy members of his family, God, and His Messenger ﷺ will take care of them."<sup>6</sup>

Proper and adequate health facilities:

Islam prohibits all such reasons that may cause detrimental effect to public health. Islam bans all types of harmful drugs and intoxicants. Islam bans eating blood, carrion, unclean animals, and all their byproducts. Islam bans all immoral acts such as fornication, adultery, and homosexual activities. Islam imposes a quarantine in the time of plague for both incoming and outgoing traffic of people in order to make sure that no epidemic or harmful diseases are spread in the wider community. God's Messenger ﷺ said, "If you hear about an epidemic in a country, do not enter it, and if you are in a place that has an epidemic disease, do not leave it."<sup>7</sup>

And he ﷺ said,

"A sick person must not be brought to visit a recovering person."<sup>8</sup>

<sup>4</sup> Reported by Muslim no. 29.

<sup>5</sup> Reported by Bukhari in al-Adab al-Mufrad no. 112 and others and verified as sound.

<sup>6</sup> Reported by Bukhari no. 2268 & 2269.

<sup>7</sup> Reported by Ahmad no. 15435

<sup>8</sup> Reported by Bukhari no. 5437 and Muslim no. 104.

## 03

## THE PRESERVATION OF MIND

Alcohol and other drugs are one of the major causes of heinous crime with disastrous results in the society.



Islam forbids the manufacture and sale of all kinds of alcoholic beverages and intoxicants

Intelligence is the basis of all meaningful and responsible actions and accountability. Islam prohibits intoxicants that impair the activity of the mind and degrade man. The word for wine and intoxicants in Arabic is “Khamr”, meaning that which “covers” the brain. Alcohol and other drugs are one of the major causes of heinous crime with disastrous results in the society. The penalty in Islamic law for public intoxication is flogging to eradicate the vice, and as a warning to others. Almighty God states in the Qur’an:

(O you who have believed, indeed, intoxicants, gambling, [sacrificing on] stone alters [to other than Allah], and divining arrows are but defilement from the work of Satan, so avoid it that you may be successful. Satan only wants to cause between you animosity and hatred through intoxicants and gambling and to avert you from the remembrance of Allah and from prayer. So will you not desist?) [5:90-91]

Islam forbids the manufacture and sale of all kinds of alcoholic beverages and intoxicants. It even prohibits the promotion of such alcoholic beverages in the society, even if the promoter or salesperson himself does not drink it or use it. This prohibition is based on the Hadith of God’s Messenger ﷺ,

“The curse of God falls on ten groups of people who deal with Khamr (all intoxicants). The one who squeezes it (or distills it), the one for whom it is squeezed, the one who sells it, the one who buys it, the one who transports it, the one to whom it is transported, the one who utilizes the money from it, the one who drinks it, and the one who serves it.”<sup>1</sup>

1 Reported by Abu Dawood, At-Tirmidhi no.1295, an-Nisa’e, Ibn Majah no. 3423 and al-Haakim, and verified by Al-Albani.

Basic education for all:

God the Exalted, says in the Glorious Qur’an:

(Say: Are those equal who know and those who do not know? It is those who are given understanding that receive admonition.) [39:9]

And He says:

(O you who have believed, when you are told, "Space yourselves" in assemblies, then make space; Allah will make space for you. And when you are told, "Arise," then arise; Allah will raise those who have believed among you and those who were given knowledge, by degrees. And Allah is Acquainted with what you do.) [58:11]

Education in the Islamic society is a right for all individuals and a required moral duty of every capable person. All capable, intelligent and skilled individuals in the Islamic society are required to educate themselves in the basics of their religion and in necessary worldly affairs. The government is required to provide to the best of their ability all means that help promote adequate education. The Messenger of God ﷺ, said: “Seeking knowledge is obligatory on every Muslim (male and female).”<sup>2</sup>

He also stated ﷺ:

“He who travels to seek any (beneficial) knowledge is considered as a person who is struggling for the cause of God I until he returns (home).”<sup>3</sup>

Another tradition of this meaning is the saying of God’s Messenger ﷺ:

“Whosoever takes a path seeking knowledge, God will pave a path for him to Paradise.”<sup>4</sup>

It is unlawful for a scholar to withhold useful knowledge as the Messenger of God ﷺ said:

‘Whosoever withholds knowledge will have a harness of fire placed on him on the Day of Judgment.’<sup>5</sup>

2 Reported by Ibn Majah no. 337.

3 Reported by Tirmidhi, no. 2785.

4 Reported by Abu Dawood 3:317 and Tirmidhi, no. 2785.

5 Reported by Ibn Hibban, no. 296.

## 04

## THE PRESERVATION OF HONOR, FAMILY AND LINEAGE

The family unit is the basis of a healthy society and this can only be maintained by upholding the sanctity of marriage



As for the married male or female who commits adultery while being married or after divorcing one's spouse, the penalty for such a criminal is like in the Torah scriptures: stoning to death.

The family unit is the basis of a healthy society and this can only be maintained by upholding the sanctity of marriage. For the preservation of moral purity among all men, women and children in the society, Islam strictly prohibits adultery, fornication and homosexuality. Islam concurs with previous divine religions in this prohibition but goes further by banning many acts that may lead to committing this sin, like immodest dress and free mixing of the sexes in public or private quarters. These manners and precautions cut the avenues towards temptations. God the Almighty says in the Glorious Qur'an: (And do not approach unlawful sexual intercourse. Indeed, it is ever an immorality and is evil as a way.) [17:32]

And He, the Exalted says:

(Say, "Come, I will recite what your Lord has prohibited to you. [He commands] that you not associate anything with Him, and to parents, good treatment, and do not kill your children out of poverty; We will provide for you and them. And do not approach immoralities – what is apparent of them and what is concealed. And do not kill the soul which Allah has forbidden [to be killed] except by [legal] right. This has He instructed you that you may use reason.) [6:151]

Abdullah ibn Mas'ood relates that he said: O Messenger of God, which sin is gravest to God? He said: "That you make others to be equal to God in worship even though (He alone) has created you." I then asked: And then what? He said: "To kill your child fearing that he will share your food (meaning that you think you cannot afford the child)." I then said: And then what? He said: "To fornicate or have adultery with your neighbor's wife." Then the Messenger of God ﷺ recited the following portion of the Qur'an (reaffirming what he just said): (And those who do not invoke with Allah another deity or kill

the soul which Allah has forbidden [to be killed], except by right, and do not commit unlawful sexual intercourse. And whoever should do that will meet a penalty. Multiplied for him is the punishment on the Day of Resurrection, and he will abide therein humiliated. Except for those who repent, believe and do righteous work. For them Allah will replace their evil deeds with good. And ever is Allah Forgiving and Merciful.) [25:68-70]<sup>1</sup>

The punishment of flogging is legislated for a previously unwed male or female who commit fornication. God, the Exalted, states in the Glorious Qur'an:

(The [unmarried] woman or [unmarried] man found guilty of sexual intercourse – lash each one of them with a hundred lashes, and do not be taken by pity for them in the religion of Allah, if you should believe in Allah and the Last Day. And let a group of the believers witness their punishment.) [24:2]

As for the married male or female who commits adultery while being married or after divorcing one's spouse, the penalty for such a criminal is exactly the same as in the Torah scriptures; stoning to death. To apply this punishment, the judge must either have the full confession, or the testimony of four trustworthy eyewitnesses who testify that they clearly saw sexual penetration.

Confession means that the crime is confessed openly by the adulterer before the Muslim Judge or ruler. The confession must be repeated four times to remove any doubt. In the case of testimony, four trustworthy, honest and sound people must report to the Muslim judge or ruler seeing the actual sexual penetration of the adulterers, a scenario that is very rare, some may say even impossible, under normal circumstances.

The early history of Islam recorded a few instances of confession of the crime of adultery wherein the individuals openly confessed their crime because their strong faith in God propelled them to seek sincere repentance and purification. As the traditions make clear, God will not punish someone twice for the same crime, and they wanted to be protected from having the punishment in the Hereafter. It should be noted that if sexual penetration does not take place – if a person, for instance only kisses, hugs or touches – then there is no application of the castigatory punishment.

The penalty of false accusation for those who do not produce evidence to

<sup>1</sup> Reported by Bukhari no.4207 and Muslim no.86.

support their claims and accusations is eighty lashes, and a further punishment is that their testimony is thereafter rejected. As God says in the Qur'an

(And those who accuse chaste women and then do not produce four witnesses – lash them with eighty lashes and do not accept from them testimony ever after. And those are the defiantly disobedient.) [24:4]

Mockery, derogatory words and deeds that violate the honor, dignity and respect of others in the community are strictly prohibited, as God says in the Qur'an:

(O you who have believed, let not a people ridicule [another] people; perhaps they may be better than them; nor let women ridicule [other] women; perhaps they may be better than them. And do not insult one another and do not call each other by [offensive] nicknames. Wretched is the name of disobedience after [one's] faith. And whoever does not repent - then it is those who are the wrongdoers. O you who have believed, avoid much [negative] assumption. Indeed, some assumption is sin. And do not spy or backbite each other. Would one of you like to eat the flesh of his brother when dead? You would detest it. And fear Allah; indeed, Allah is Accepting of repentance and Merciful.) [49:11-12]

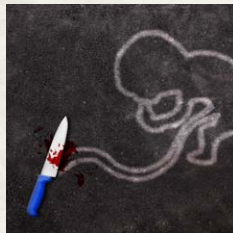
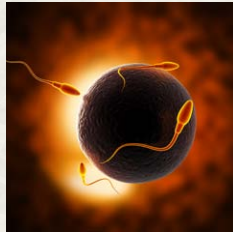
Another verse of the Qur'an states:

(But whoever earns an offense or a sin and then blames it on an innocent [person] has taken upon himself a slander and manifest sin.) [4:112]

Islam safeguards the sanctity of reproduction for the maintenance of the human race on earth. The human race is entrusted with the guardianship of the entire earth and the representation of divine wisdom on earth. Destroying the means of reproduction by any means or tampering with it in any way for no legitimate reason is an unlawful practice according to Islam. The Almighty God states in the Glorious Qur'an:

(When he turns away his aim is to spread mischief everywhere through the earth and destroy crops and cattle. But God loves not mischief.) [2:205]

Islam safeguards the sanctity of reproduction for the maintenance of the human race on earth.



Islam considers deliberate abortion of the fetus after four months a premeditated act of murder tantamount to infanticide that entitles punishment for all who participate

Islam considers deliberate abortion of the fetus after forty days a premeditated act of murder tantamount to infanticide that entitles punishment for all who participate. Unintentional abortion may require blood-money substitution for the aborted fetus and fasting for two consecutive months in repentance to God, if caused by accident or manslaughter.

Many hadith recommend a Muslim to get married and seek offspring. God's Messenger ﷺ said,

“Marry a woman who is loving and can bear many children, for verily I will display your outnumbering of the other nations on the Day of Judgment (due to the large number of my followers).”<sup>2</sup>

Islam places special value on strong family bonds and good relations among relatives. Since the family is the basis and the foundation of the society, many rules help protect this family against break up and disintegration. Relatives have obligations and rights. One must recognize the rights of kith and kin and consequently satisfy the rights of each relative in the most appropriate fashion.

Mixing between the male and female members of the family (who are permitted to marry one another lawfully) may lead to many family social problems. To avoid any unwanted situation, Islam commands segregation between the male and female members of the family who are allowed to marry each other. A woman is allowed to appear without her outer garments only before the following men: father, brothers, uncles, grandfathers, father-in-law and sons.

In the pre-Islamic days of Jahiliyyah (Ignorance), the family system was corrupted and decadent. Islam initiated decisive reformations and annihilated all existent malpractice. Some of the institutions banned by Islam will be mentioned as examples.

Islam prohibits the kind of legal adoption whereby a child takes the family name of the adopting father or parents and will be entitled to all rights and duties of a blood child. Of course taking care of orphans and neglected children is strongly encouraged, and this form of charity has special merit. The Qur'an says:

(God has not made for man two hearts in his interior. And He has not made your wives, whom you declare unlawful, your mothers. And he has not made your adopted sons your [true] sons. That is [merely] your saying by your mouths, but Allah says the truth, and He guides to the [right] way.

<sup>2</sup> Reported by Abu Dawood, no. 2050.

Call them by [the names of] their fathers; it is more just in the sight of Allah . But if you do not know their fathers - then they are [still] your brothers in religion and those entrusted to you. And there is no blame upon you for that in which you have erred but [only for] what your hearts intended. And ever is Allah Forgiving and Merciful.) [33:4-5]

Islam bans ascribing a child to a man as a son without the man's admission to be the father because such a claim jeopardizes marital relationships as well as family life. A woman is to be protected from false accusations that blemish her honor and dignity of illegitimate sexual activities with a man other than her husband. Moreover, such a false claim of a man may create doubts and in turn a rift between the rest of the children of the family, not knowing legitimate from illegitimate. Any child born who is a legitimate product of a marriage contract is attributed to the father with no need of any further proof or denial. A husband of a woman needs not to announce that the child is his. This practice is based on the statement of God's Messenger ﷺ, "The child (born as a result of a lawful marriage) belongs to the (bed of) his father."<sup>3</sup>

The only exception to this rule is when it is proved, beyond a doubt, that the wife has betrayed her husband and is pregnant from other than her husband. In such a case, specific rules of disowning the child will apply. After disowning, he will become as a total stranger in relation to the husband. This means that if the disowned child is female, she must not appear before such a man at her leisure, travel with him, live with him or deal freely with him.

A Muslim woman, after marriage keeps her maiden name according to Islamic jurisprudence. According to Islamic teachings and law, it is unlawful for a woman to bear the family name of her husband after marriage. Looking at this closely one can comprehend the great honor, dignity and respect granted

3 Reported by Bukhari no.2105 and Muslim no.1457.

Islam honors the elderly members in the Islamic society and mandates their respect and assistance.



Allah addressed the preservation of the rights of the innocent children whose parents might commit a crime against them due to poverty and total ignorance by killing them

to the woman in Islam. This practice preserves the equality and equal right of a Muslim woman to the Muslim man of the right of carrying her own independent name, especially in the event of divorce.

h Preserving and honoring the rights of the weak and the disabled: Islam honors the elderly members in the Islamic society and mandates their respect and assistance. The Messenger of God ﷺ said: "He is not considered among us Muslims, who does not show mercy to our young and respect to our elders."<sup>4</sup>

Islamic law obligates assistance to orphans, as God the Most Merciful says in the Glorious Qur'an:

(Therefore treat not the orphan with harshness.) [93:9]

And He, the Exalted, says:

(And do not approach the property of an orphan, except in the way that is best, until he reaches maturity. And fulfill [every] commitment. Indeed, the commitment is ever [that about which one will be] questioned.) [17:34]

And He says:

(Indeed, those who devour the property of orphans unjustly are only consuming into their bellies fire. And they will be burned in a Blaze.) [4:10]

God addressed the preservation of the rights of the innocent children whose parents might commit a crime against them due to poverty and total ignorance by killing them. God states in the Glorious Qur'an:

(Say, "Come, I will recite what your Lord has prohibited to you. [He commands] that you not associate anything with Him, and to parents, good treatment, and do not kill your children out of poverty; We will provide for you and them. And do not approach immoralities – what is apparent of them and what is concealed. And do not kill the soul which Allah has forbidden [to be killed] except by [legal] right. This has He instructed you that you may use reason.") [6:151]

In this fashion we can see the utmost respect and preservation afforded to the weak, and less affluent and ailing people in the Islamic society.

4 Reported by Abu Dawood no. 1984 and Tirmidhi no. 2091.

## 05

## THE PRESERVATION OF WEALTH

Islam protects personal wealth and imposes very strict penalties against banditry, robbery, and thievery,



Islamic law demands that the oppressor must return the amount he unjustly confiscated from other Muslims' land or property, or alternatively he is forced to pay the value of such unjustly confiscated property

Private wealth and property are the basis of the economy and of the livelihood of the members of the society. Islam protects personal wealth and imposes very strict penalties against banditry, robbery, and any violations against the sanctity of property. Cheating, embezzlement, monopoly, hoarding and many other harmful practices are also prohibited. This is done with the intention of ensuring protection to the wealth and personal assets of individuals. Islamic law imposes the corporal punishment of cutting off the hand of the thief who steals the property of others, in accordance with strict requirements and due process of law. God, the Almighty, states in the Qur'an: ([As for] the thief, the male and the female, amputate their hand in recompense for what they committed as a deterrent [punishment] from Allah. And Allah is Exalted in Might and Wise.) [5:38]

It must be noted that the process of amputating the hand of a thief is only implemented with strict conditions, which include the following:

hThe stolen items or valuables must be in a sealed area requiring the thief to have to trespass. If a thief steals an item that is left outside negligently or not cared for, there is no punishment by amputation. The thief in this case may be subjected to the penalty of snatching, wherein the authorities determine the appropriate penalty or "Ta'zeer."

hThe theft committed must not involve food for survival from hunger. The second Caliph Omar bin al-Khattab during the famine of the "Ramadah Year" did not apply the punishment for stealing due to the conditions of widespread hunger.

hThe value of the stolen items must be above the range of the value set for stealing that obligates amputation of the hand; in other words it must be larceny and not petty theft.

These physical punishments are not to be carried out unless there is irrefutable evidence (i.e. no doubt that the crime has been committed) and that it is punishable by Islamic law. Islamic jurisprudence, however, in cases where it expiates corporal punishment for a crime he committed, will substitute it with another type of disciplinary punishment. Disciplinary punishment is usually less than the corporal punishment and is determined by the Muslim judge according to the type, level, category and severity of the crime and the criminal himself and his criminal record. Disciplinary punishment may be imprisonment, flogging in public, reprimanding him or imposing a fine for his crime.

Other than thievery, Islam has banned all types of transgression against private possessions, estate and land ownership. This is based on the statement in the Qur'an: (And do not consume one another's wealth unjustly or send it [in bribery] to the rulers in order that [they might aid] you [to] consume a portion of the wealth of the people unlawfully, while you know [it is unlawful].) [2:188]

Therefore, the transgressor will be subjected to a tremendous and severe penalty on the Day of Judgment. This is based on the statement of God's Messenger ﷺ: "Whosoever unjustly takes any money or the wealth of another Muslim without a due right, God will meet such a person in a state of anger."<sup>1</sup>

Another statement of God's Messenger ﷺ is:

"Whosoever usurps a hand span of land, God will have this oppressor wear seven earths (around his neck) on the Day of Judgment."<sup>2</sup>

Islamic law demands that the oppressor must return the amount he unjustly confiscated from other Muslims' land or property, or alternatively he is forced to pay the value of such unjustly confiscated property. Furthermore, the oppressor in such a situation is subjected to a lashing penalty determined by the Muslim judge. Islam entitles the owner of wealth to defend all that he owns, even to the point of killing the aggressor, if that is the only means of stopping the aggression. If the owner kills the aggressor he is not to be killed for killing him, if he can prove that he killed him while defending his property. If the aggressor, on the other hand, killed the defending owner, the owner is a martyr and the attacker a murderer. This is based on the statement of God's Messenger ﷺ, "Whosoever is killed defending his wealth is a martyr."<sup>3</sup>

<sup>1</sup> Reported by Ahmad no. 3946.

<sup>2</sup> Ibid. no. 9588.

<sup>3</sup> Reported by Bukhari no 2348.



Note on the preservation of the national resources:

Reserved national resources are public property and the income generated from these natural resources must be placed in the Public Treasury to finance the needs of the public. Such resources are not to be owned privately by a specific group or class of people or individuals for any specific merit. The revenue of such resources is solely to be used for public welfare. It becomes a collective responsibility of the Islamic society to be vigilant against any intruder or aggressor against this property. Any unlawful exploitation of common natural resources is banned according to Islamic teachings and principles. God, the Almighty, states in the Qur'an: (...and do not act corruptly, making mischief on the earth.) [2:60]

Furthermore, this is based on the statement of God's Messenger ﷺ, "Muslims are partners in three (natural resources): water, grazing grass and fire."<sup>4</sup>

Note on public and private rights in Islam:

Islam endeavors to strengthen the social ties among the members of the Islamic society. Islam addressed the rights of the immediate members of the family first, then the kindred who have obligations and rights towards each other according to their closeness. The value and the importance of such rights vary according to the kind and degree of relationship. God, the Almighty, states in the Qur'an:

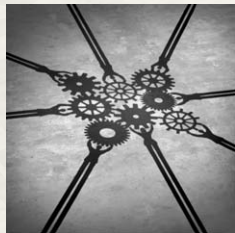
(O mankind, fear your Lord, who created you from one soul and created from it its mate and dispersed from both of them many men and women. And fear Allah, through whom you ask one another, and the wombs. Indeed Allah is ever, over you, an Observer.) [4:1]

And God says in the context of inheritance rules:

(You know not which of them, whether your parents or your children, are nearest to you in benefit, these fixed shares are ordained by God. And God is Ever All-Knower, All-Wise.) [4:11]

4 Reported by Abu Dawood no.3477.

Any unlawful exploitation of common natural resources is banned according to Islamic teachings and principles



Islam endeavors to strengthen the social ties among the members of the Islamic society

Other relationships were not neglected in Islam either since they are all part of the network that joins people making them closer to each other personally and socially. People who are more distant to each other also need a type of bond that brings them together in order to build a cohesive society. God, the Almighty, states in the Qur'an:

([And they are] those who, if We give them authority in the land, establish prayer and give the obligated charity and enjoin what is right and forbid what is wrong. And to Allah belongs the outcome of [all] matters.) [22:41]

Strengthening of relationships is also guided by the statement of God's Messenger ﷺ,

"Do not envy one another; do not inflate prices on one another; do not hate one another; do not turn away from one another; and do not undercut one another, but be you, O servants of God, brothers. A Muslim is the brother of a Muslim; he neither oppresses him nor does he fail him, he neither lies to him nor does he hold him in contempt. Piety is right here – and he pointed to his chest three times. It is evil enough for a man to hold his Muslim brother in contempt. A Muslim to another Muslim is sacred; his life, his property, and his honor."<sup>5</sup>

And he ﷺ said:

"The example of believers in love, affection, cooperation and sympathy is like that of one body. If one organ of the body aches, the entire body will support the aching body part by wakefulness and fever."<sup>6</sup>



5 Reported by Muslim no. 2564.

6 Reported by Bukhari no. 2238 and Muslim no. 2586.



## RIGHTS AND OBLIGATIONS IN ISLAM

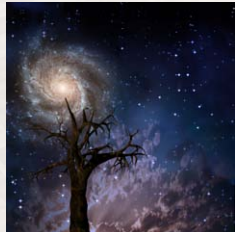
There are well-established public and private rights in the Islamic society. In the section below we will highlight the most important public and private rights in the Islamic law and teachings:

1. Rights of Almighty God
2. Rights of the Prophet Muhammad ﷺ
3. Rights of other Prophets and Messengers
4. Rights of Parents
5. Rights of Husband towards His Wife
6. Rights of Wife towards Her Husband
7. Rights of Children
8. Rights of Relatives

## 01

## THE RIGHTS TOWARDS GOD, THE ALMIGHTY

The eternal truth of all existence is that LA ILAHA ILAL-ALLAH "There is no god worthy of being worshipped except Allah".



Allah alone deserves to be worshiped and obeyed in an absolute sense. None has the right to be worshipped along with or besides Him.

The essential right of man towards God is to worship Him alone, setting up no rivals or partners with Him, nor attributing any sons or daughters to Him. The eternal truth of all existence is that LA ILAHA ILLA-ALLAH - "There is nothing worthy of being worshipped except God," meaning that there is no so-called "god" or deity or entity worthy of worship and absolute obedience except for the One Creator. This is the testimony of faith of a Muslim that involves the following requirements:

**01** God alone deserves to be worshiped and obeyed in an absolute sense. None has the right to be worshiped along with or besides Him. All statements, acts and hidden intentions must agree with what the Almighty has designated. All actions of man must be performed for the Pleasure of the Almighty. The Almighty states in the Qur'an:

(And your Lord says, "Call upon Me; I will respond to you." Indeed, those who disdain My worship will enter Hell [rendered] contemptible.) [40:60]

**02** A Muslim is required to believe in the "Names and Attributes" that God has given Himself, or those attributed to Him through revelation by His Prophet and Messenger ﷺ. No one may attribute any name or quality by speculation to God that neither God nor His Prophet and Messenger have attributed to Him. He must not offer any undue explanation or similitude or to express an opinion concerning these Names and Attributes of God. God the Exalted says in the Glorious Qur'an:

(There is nothing like unto Him, and He is the All-Hearer, the All-Seer.) [42:11]

**03** Man must submit himself to God in faith with total and sincere belief, declaring with his tongue, accepting with his heart and showing with his actions the truth of the statement

that God, the Almighty, states in the Qur'an:

(So know, [O Muhammad], that there is no deity except Allah and ask forgiveness for your sin and for the believing men and believing women. And Allah knows of your movement and your resting place.) [47:19]

**04** Human beings are obligated to give full and total submission to the Will of God. This is based on the instruction of the verse of the Qur'an:

(It is not for a believing man or a believing woman, when Allah and His Messenger have decided a matter, that they should [thereafter] have any choice about their affair. And whoever disobeys Allah and His Messenger has certainly strayed into clear error.) [33:36]

**05** A Muslim must have pure love of God as well as His Prophet and Messenger ﷺ. This love should dominate the love of other beings and his own self. God the Exalted says in the Qur'an:

(Say: [O Muhammad], "If your fathers, your sons, your brothers, your wives, your relatives, wealth which you have obtained, commerce wherein you fear decline, and dwellings with which you are pleased are more beloved to you than Allah and His Messenger and jihad in His cause, then wait until Allah executes His command. And Allah does not guide the defiantly disobedient people.) [9:24]

**06** Man must worship God only in the manner and form legislated by God through his Messenger and Prophet ﷺ. It is not allowed to invent an act of worship through speculation and then ascribe it to the true religion. All the worship should be in line with the revealed religion of Islam. For example to offer the prayer. One of the fruits of offering and maintaining such prayer is that it helps to enjoin good and stop all evil acts. God, the Almighty, states in the Qur'an:

(Recite [O Muhammad] what has been revealed to you of the Book and establish prayer. Indeed, prayer prohibits immorality and wrongdoing, and the remembrance of Allah is greater. And Allah knows that which you do.) [29:45]

The payment of Zakah (obligatory charity) to the destitute and needy generates self-purification and elimination of miserliness, as well as alleviating the pains and trials of the less fortunate. God, the Almighty, states in the Qur'an:

(He who spends his wealth for increase in self-purification. And who has in mind no favor from anyone to be paid back. Except to seek the Countenance of his Lord, the Most High. He surely will be pleased.) [92:18-21]

Observing fasting enables man to have better control and self-discipline over temptations and passions. Man becomes more pious and God-fearing, and becomes more conscious of the needs of the poor and less fortunate. Almighty God states in the Qur'an:

(O you who believe, fasting is prescribed for you as it was prescribed for those before you, that you may achieve piety.) [2:183]

Hajj (pilgrimage) also has many benefits, as God, the Almighty, states in the Qur'an:

(That they may witness benefits for themselves and mention the name of Allah on known days over what He has provided for them of [sacrificial] animals. So eat of them and feed the downtrodden and poor.) [22:28]

All these and other acts of worship in Islam are meant for man's own benefit. There is never undue hardship when performed under normal circumstances. God, the Almighty, states in the Qur'an:

(God intends for you ease and He does not want to make things difficult for you.) [2:185]

The Messenger of God ﷺ said in support of this concept: "If I command you to do anything, do as much as you can."<sup>1</sup>

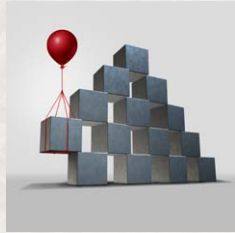
And he ﷺ said: "Religion is easy..."<sup>2</sup>

In the event of sickness and other legitimate hardships, acts of worship are either completely exempted or lessened with some concessions. For instance, standing is required to perform the daily-prescribed prayer, but if one is unable to stand he may offer it sitting down, and if that is not possible, by lying down on the side of the body or on his back, or in any other way that is suitable and comfortable to his situation. If a worshipper is not able to maintain his prayer in any of the above situations, he may pray by the motions of his hands or even eyes.

1 Bukhari, Hadith No. 1337.

2 Bukhari, Hadith No. 39.

An old person who is unable to observe fasting, and a sick person who also cannot observe fasting are conveniently exempted from fasting



The Hajj is not obligatory on any person who is incapable due to physical inability or financial constraints since the person intending Hajj must have sufficient funds to satisfy himself and his family's needs beyond the expenses of pilgrimage

It is incumbent to perform ablution prior to offering a prayer but this requirement is waived if a Muslim cannot find water or there is some harm in its use. In place of water, he performs dry ablution instead and offers his prayer exactly as if he had performed ablution with water.

A woman in her menstrual period or one who is experiencing post-natal bleeding is exempted from both fasting and performing prayer until her bleeding completely stops, and she is not required to make up the prayers she missed later.

A Muslim, male or female, who does not possess Nisab (the requisite minimal amount on the basis of which it is obligatory to pay the obligated charity of Zakah), is not required to pay any Zakah.

An old person who is unable to observe fasting, and a sick person who also cannot observe fasting are exempted from fasting. They have to pay its atonement if they are able. Atonement is to feed a needy person one meal for each day not fasted. Similarly, a traveler may break his fast while traveling, as traveling involves hardship and fatigue.

The Hajj is not obligatory on any person who is incapable due to physical inability or financial constraints since the person intending Hajj must have sufficient funds to satisfy himself and his family's needs beyond the expenses of pilgrimage. God, the Exalted, says in the Qur'an:

(In [the House of worship in Makkah] are manifest signs [such as] the Station of Abraham; whosoever enters it, he attains security. And the pilgrimage to the House is a duty that mankind owes to God, those who can afford the expenses; and whoever disbelieves, then God stands not in need of any of His creatures.) [3:97]

Another example of the mitigation of hardships in Islam is when a person faces the shortage of lawful food and is on the brink of death; in this case, he is allowed to eat even unlawful food items like blood and meat of dead animals, enough to keep him alive. This rule is also based upon the instructions of the Qur'an:

([God] has forbidden you only the dead animals, and blood, and the flesh of swine, and that which is slaughtered as a sacrifice for others than God. But if one is forced by necessity without willful disobedience nor transgressing due limits, then there is no sin on him. Truly, God is Oft-Forgiving, Most Merciful.) [2:173]

## 02

## THE RIGHTS TOWARDS PROPHET MUHAMMAD

Belief that Prophet Muhammad is the final Prophet and Messenger of Allah to mankind, and that no Prophet or Messenger will come after him.



Belief in the universality of the Message of Prophet Muhammad to all humanity. Islam is not designated for a specific category of people, as it was the case with previous Prophets and Messengers.

God sent His Messenger to guide mankind and if man believes in, and obeys, him giving him all his due rights, God has promised that person success in this life and the Hereafter as a reward. These rights are summarized in the following testimony along with the above testimony [There is nothing worthy of being worshipped except God and Muhammad ﷺ is the slave and Messenger of God]. This declaration requires the following:

\* A Believer must comply with the commands of the Prophet ﷺ and must strive to avoid acts of disobedience as God, the Exalted, says in the Qur'an:

(So take whatsoever the Messenger gives you, and abstain from that which he forbids you. And fear God, verily God is severe in Punishment.) [59:7]

\* A Muslim must follow the authentic traditions of the Sunnah (way of the Prophet) to the best of their ability. No one has any authority to alter, add or omit any of the Sunnah traditions of the Messenger of God ﷺ. God, the Exalted, says in the Qur'an:

(Say: 'If you really love God, follow me: God will love you and forgive you your sins. And God is Oft-Forgiving, Most Merciful.) [3:31]

\* A Believer must honor the special status and dignity bestowed by God to His Prophet ﷺ. No one must go to extremes either by exaggerating or degrading this status. The Prophet ﷺ said:

"Do not exaggerate in praising me as the Christians exaggerated in their praise of [Jesus] the son of Mary; (as) I am no more than a servant (of God). So say: God's servant and His Messenger." <sup>3</sup>

And he ﷺ said:

"O people! Say what you have to say, and do not allow yourselves

<sup>3</sup> Reported by Bukhari, Hadith No. 2330.

to be seduced by Satan. I am Muhammad, the servnt and Messenger of God. I do not like you to elevate me above the status assigned to me by God the Almighty." <sup>4</sup>

And he ﷺ is reported to have said:

"Do not praise me more than I deserve. God created me as a slave before calling me a Prophet and Messenger." <sup>5</sup>

\* A Muslim must show acceptance and satisfaction of any verdict passed by the Prophet of God ﷺ as God, the Exalted, says in the Qur'an: (But no, by Your Lord, they can have no (real) Faith, until they make you judge in all disputes between them, and find in their souls no resistance against your decisions and accept them with full submission.) [4:65]

\* Belief in the universality of the Message of Prophet Muhammad to all humanity. Islam is not designated for a specific category of people, as it was the case with previous Prophets and Messengers ﷺ. This is derived from the Qur'an: (Say: [O Muhammad], "O mankind, indeed I am the Messenger of Allah to you all, [from Him] to whom belongs the dominion of the heavens and the earth. There is no deity except Him; He gives life and causes death." So believe in Allah and His Messenger, the unlettered prophet, who believes in Allah and His words, and follow him that you may be guided.) [7:158]

\* Belief that God's Messenger and Prophet, Muhammad ﷺ has been protected by God against possible human errors in relation to his mission to mankind. This includes the belief that the Prophet ﷺ never omitted or added anything to the complete Message of God. This is based on the following statement from the Qur'an: (Nor does he speak of his own desire) [53:3]

\* Belief that the Prophet Muhammad ﷺ is the final Prophet and Messenger of God to mankind, and that no Prophet or Messenger will come after him ﷺ. God says in the Qur'an:

(Muhammad is not the father of any of your men, but (he is) the Messenger of God, and the Last of the Prophets.) [33:40]

And the Messenger of God ﷺ said:

"... and there is no prophet after me." <sup>6</sup>

<sup>4</sup> Reported by An-Nisa'e and verified as good.

<sup>5</sup> Tabarane.

<sup>6</sup> Reported by Bukhari no. 4416, and Muslim no. 2404, and others.

\* Belief that the religious duties and divine commands God sent to mankind are complete, and that the Prophet ﷺ has delivered the Message of God in its entirety, and gave the best advice to his community and the best guidance to do all good and to avoid all evil. This is based on the verse of the Glorious Qur'an: (This day those who disbelieve have despaired of [defeating] your religion; so fear them not, but fear Me. This day I have perfected for you your religion and completed My favor upon you and have approved for you Islam as religion.) [5:3]

\* Belief that the laws legislated in Islam are approved by God, and that all the various types of worship are based upon and revolve around these divine laws. Independent human actions will not be accepted, unless and until they are in conformity with these divine laws. This is based on the statement of the Qur'an: (And whoever seeks a religion other than Islam, never will it be accepted of him, and in the Hereafter he will be among the losers.) [3:85]

\* A Muslim must offer the proper greeting to God's Prophet and Messenger ﷺ when his name is mentioned as a form of respect, as instructed in the Qur'an: (Indeed, Allah confers praise upon the Prophet, and His angels [ask Him to do so]. O you who have believed, ask [Allah to confer] praise upon him and ask [Allah to grant him] peace.) [33:56]

\* A Believer must have true love and affection for the Prophet and Messenger of God ﷺ above the love of all others. As all the information and practices of the true religion of God, the only true means of salvation, were delivered to us through the relentless efforts of the Prophet, we should love him dearly. And we can neither forget the many blessings that the Prophet ﷺ brought as guidance. This is based on the instruction of the Qur'an: (Say: [O Muhammad], "If your fathers, your sons, your brothers, your wives, your relatives, wealth which you have obtained, commerce wherein you fear decline, and dwellings with which you are pleased are more beloved to you than Allah and His Messenger and jihad in His cause, then wait until Allah executes

A Muslim must offer the proper greeting to God's Prophet and Messenger when his name is mentioned as a form of respect, as instructed in the Qur'an



Muslims are required to deliver the Message of Islam to others, but never to force or compel others to accept it.

His command. And Allah does not guide the defiantly disobedient people.") [9:24]

\* A Muslim must devote every possible effort and opportunity available to him to call, with wisdom and patience, all others to the Message of Muhammad ﷺ. He should strive to inform those who are unaware and misinformed and strengthen the faith of people with weak, wavering faith. As God, the Most Wise, says in the Qur'an:

(Invite (all) to the Way of your Lord with wisdom and beautiful preaching; and dialogue with them in a way that is better and most gracious. Truly, your Lord knows best who has gone astray from His Path, and He is the Most Aware of those who are guided.) [16:125]

This is also based on the statement of God's Prophet and Messenger ﷺ,

"Share with others, on my behalf, even oneverse."<sup>7</sup>

## 03 RIGHTS TOWARDS OTHER PROPHETS AND MESSENGERS

A Muslim's belief in Islam is not complete or acceptable unless he declares belief in the truth of all the previous Prophets and Messengers of God. A Muslim must believe that all the previous Prophets and Messengers were sent for specific groups of people during a specific time, whereas the Message of Islam is universal and for all times and places until the Day of Judgment. God says in the Qur'an:

(The Messenger has believed in what was revealed to him from his Lord, and [so have] the believers. All of them have believed in Allah and His angels and His books and His messengers, [saying], "We make no distinction between any of His messengers." And they say, "We hear and we obey. [We seek] Your forgiveness, our Lord, and to You is the [final] destination.") [2:285]

Muslims are required to deliver the Message of Islam to others, but never to force or compel others to accept it, as God, the Exalted, says in the Qur'an: (Let there be no compulsion in religion.) [2:256]

<sup>7</sup> Bukhari, Hadith No. 3461 and Tirmidhi, Hadith No. 2669.

## 04

## THE RIGHTS OF PARENTS

Patience and perseverance are required when serving parents, no matter what the circumstances.



The rights of parents include respect, love and obedience. This obedience is conditional in that it does not contradict obedience to the commands of God and His Messenger. It involves care and kindness to both parents, and provision of necessities for elder parents. Humility and respect to both parents equally is an obligation, and any arrogance or insolence is forbidden. Patience and perseverance are required when serving parents, no matter what the circumstances. God says in the Qur'an: (And your Lord has decreed that you worship none but Him, and that you be kind to your parents. Whether one or both of them attain old age in your life, say not to them even the mildest word of disrespect, nor abuse them; and address them with kind words.) [17:23]

The Messenger of God ﷺ instructed us saying: "God's Pleasure (on someone) is based on the pleasure of his parents. The Wrath of God is based upon the anger of his parents."<sup>8</sup>

Both parents are entitled to this right even if they are not Muslims, so long as they do not command their children to do any act of disobedience to God. Asmaa – the daughter of Abu Bakr – said: 'My mother came to visit me while still not a Muslim. I asked God's Prophet ﷺ concerning her visit (and how to treat her while visiting me) and said, My mother is eager to visit with me. Should I (or should I not) extend my courtesy (as a host) to her? He ﷺ said: "Yes, extend her your courtesy."<sup>9</sup>

The mother must be given priority in terms of kindness, sympathy, good feelings, love and affection as mentioned by God's Prophet ﷺ: "A man came to God's Prophet ﷺ and asked him, 'O Prophet of God! Who is the most worthy and deserving person of my good treatment and companionship?

<sup>8</sup> Tirmidhi, Hadith No. 1962.

<sup>9</sup> Muslim, Hadith no. 1003



The rights of parents include respect, love and obedience. This obedience is conditional in that it does not contradict obedience to the commands of Allah and His Messenger

He ﷺ replied, "Your mother." The man asked, 'who is next worthy person of my companionship?' God's Messenger replied, 'your mother.' The man asked 'who is next?' God's Messenger replied, 'your mother'. The man asked 'who is next?' God's Messenger replied, "your father." And in another version there is the ending: "...your father, and then the next nearest and next nearest."<sup>10</sup>

God's Messenger ﷺ assigned the mother with a three-fold portion of the right of companionship. The father, in comparison, receives only one share. This is due to the fact that mothers suffer more hardships during pregnancy and during the delivery and care of their children. God says in the Qur'an: (And we have enjoined on man kindness to his parents. His mother carried him with hardship and gave birth to him with hardship...) [46:15]

This in no way demeans the rights of the father, since the Prophet ﷺ said: "No son can repay (the right of his father) unless he finds him a slave, buys him and then emancipates him."<sup>11</sup>

## 05

## THE RIGHTS OF HUSBAND TOWARDS HIS WIFE

A husband has the right of ultimate authority of the home management since he is responsible for the family and is accountable for all aspects of their maintenance. His leadership should be with justice, patience and wisdom. As God says in the Glorious Qur'an:

(Men are the protectors and maintainers of women, because God has given one more than the other, and because they spend (to support them) from their means.) [4:34]

The main reason for this added degree of responsibility is that men are given a higher portion of the inheritance as a result of their financial obligations. A wife is required to obey the commands and instructions of her husband as long as these do not involve any act of disobedience to God's command and the Prophet's instructions. Aishah, the wife of the Prophet ﷺ questioned him: "Whose right is the greatest on a woman? He ﷺ replied, 'That of her husband.'

<sup>10</sup> Bukhari, Hadith no. 2227 and Muslim, Hadith no. 2584.

<sup>11</sup> Reported by Muslim no.1510.

The Messenger ﷺ was asked: 'whose right is the greatest on a man?' He ﷺ replied, 'That of his mother'.<sup>12</sup>

A wife must not demand from her husband things that he cannot afford, that he is not capable to produce, or tasks beyond his ability. A wife is required to protect the children and the reputation of her husband by protecting herself and being completely chaste. She should be a trustworthy guardian of his wealth. She should not leave her husband's home without his prior knowledge, nor allow any person who her husband dislikes to enter his home. This is to protect the honor and harmony of the family, as instructed by the Messenger of God ﷺ:

"The best of women is the one, who, if you look at her you will be pleased with her, if you request her [to perform any lawful action] she will obey you, and if you are absent she will protect and preserve your wealth and honor."<sup>13</sup>

## THE RIGHTS OF WIFE TOWARDS HER HUSBAND

The rights of wives concerning their husbands are many and may be summarized as follows:

**Dowry:** A wife is entitled to receive a dowry from her husband at the time of marriage, and a marriage contract is void without it. The dowry is not to be forfeited but after the completion of a marriage contract she may forfeit her right as God says in the Qur'an: (And give women [upon marriage] their dowry graciously. But if they give up willingly to you anything of it, then take it in satisfaction and ease.) [4:4]

**Financial Support:** A husband is required to provide, within his means and limits, all the essential and basic requirements of his wife, children and entire household. God, the Exalted,

<sup>12</sup> Al-Haakem no.7244.

<sup>13</sup> Ibn Majah, Hadith no. 1862.

says in the Qur'an:

(Let a man of wealth spend from his wealth, and he whose provision is restricted – let him spend from what Allah has given him. Allah does not charge a soul except [according to] what He has given it. Allah will bring about, after hardship, ease.) [65:7]

To encourage generosity towards the wives, Islam has considered this financial support as charity which is rewarded greatly by God. The Prophet ﷺ said to Sa'ad ibn Abi Waqas:

"No amount you spend on your family seeking reward from God but that He will reward you, even if it is a bite of food that you put in your wife's mouth"<sup>14</sup>

A wife has a right to take the required amount from her husband's property for herself and her children without her husband's knowledge if he spends miserly on them according to the hadith wherein Hind bint 'Utbah said: O Messenger of God: verily Abu Sufyan is a miser and doesn't give me enough for myself and my child except what I take from his wealth without his knowledge, so he ﷺ said:

"Take what is reasonably enough for you and your son"<sup>15</sup>.

**Companionship and intimate relationship:** One of the most important rights of a wife is to secure from her husband a satisfactory level of intimate relationship and a fair amount of time with him. This right of the wife and family members must be fully maintained since a wife needs an affectionate husband to take care of her and fulfill her basic needs. As stated by the Prophet ﷺ "The best of you are those who are the best to their wives."<sup>16</sup>

**Protection of all the secrets of the wife:** A husband must not disclose any of his wife's deficiencies or shortcomings, keeping all what he sees and hears from his wife as a secret that should not ever be disclosed. The intimate relationship between a husband and wife in Islam is cherished and protected. Marital relationships are sacred relationships according to Islam, as we read in the instructions of God's Messenger ﷺ:

"One of the worst circumstances in the sight of God on the Day of Judgment is that of a man who will have an intimate relationship with his wife, and then spread the secrets of his spouse to the public."<sup>17</sup>

<sup>14</sup> Bukhari, Hadith no. 3721.

<sup>15</sup> Bukhari, Hadith no. 5049.

<sup>16</sup> Tirmidhi, verified as authentic.

<sup>17</sup> Muslim, Hadith no. 1437.

The husband who is married to more than one wife must provide equally to all of his wives, offering them the same, or comparable, housing, conditions, and clothing.



A husband must not disclose any of his wife's deficiencies or shortcomings, keeping all what he sees and hears from his wife as a secret that should not ever be disclosed



**Equality and Fairness:** The husband who is married to more than one wife must provide equally to all of his wives, offering them the same or comparable housing conditions and clothing. He is to spend equal time with each one of them. Any injustice in this regard is strictly prohibited as the Messenger of God ﷺ said: “He who has two wives and does not treat them both equally will appear on the Day of Judgment while he is half paralyzed.”<sup>18</sup>

**Fair and kind treatment:** A husband must extend just treatment to his wife and household. A husband must demonstrate care, kindness and solve any problem within his means, while being gentle and forgiving with his wife, seeking the Pleasure of God in both worlds. A good Muslim husband should consult with his wife concerning their life and future needs and plans. He is required to secure and provide for his wife and household all means of a peaceful environment at home and outside. The Messenger ﷺ of God said:

“Those believers who have the most complete faith who possess the best of character, and the best among you are those who are the best to their wives.”<sup>(3)</sup>

**Protection and Preservation:** By all the abilities available, a husband must not place or expose his wife or family members to any immoral situation or evil environment. This is based on the instructions of the verse of the Glorious Qur’an,:

(O you who believe! Save yourselves and your families from a Fire whose fuel is Men and Stones, over which are appointed angels stern and severe, who flinch not from executing the Commands they receive from God, but do precisely what they are commanded.) [66:6]

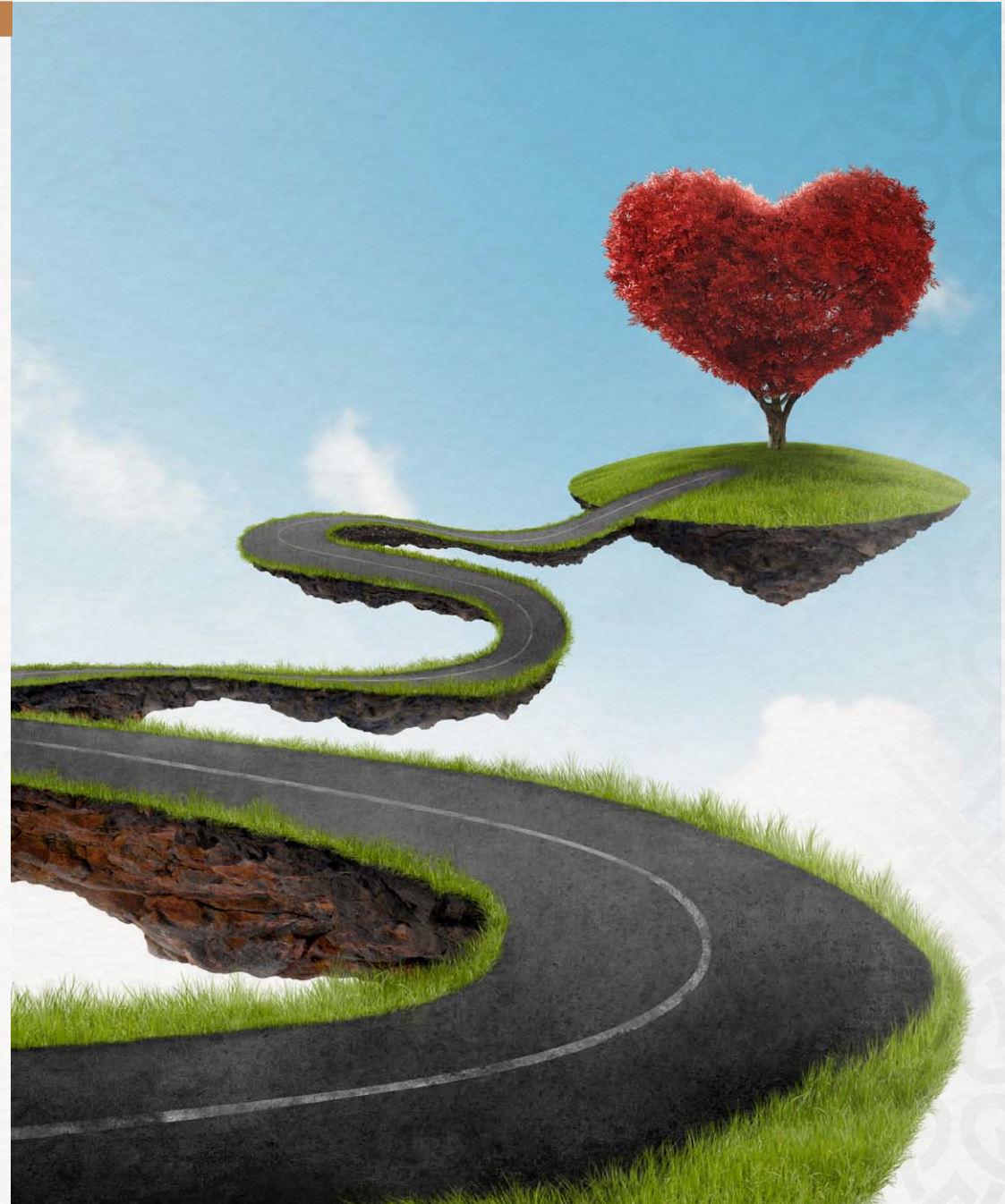
He must protect the private wealth and property of his wife and must not use any of her personal funds or possessions without her prior approval. He must not engage in any transaction concerning his wife’s finances, without her consent.

<sup>18</sup> Nisa’i, 7:63.

The rights of the children are numerous, beginning with the entitlement to be given honorable names.



Children are entitled to receive just and equal treatment without being preferred one over another in terms of dealings and treatment, gifts, grants, inheritance, etc.



## 07

## THE RIGHTS OF CHILDREN

Children are entitled to receive just and equal treatment without being preferred one over another in terms of dealings and treatment, gifts, grants, inheritance, etc.



A Muslim supports his brothers and relatives in times of need and shares their concerns.

The rights of the children are numerous, beginning with the entitlement to be given honorable names. The Prophet ﷺ said:

“Verily you will be called by your names and your fathers’ names on the Day of Judgment, so give yourselves good names”.<sup>19</sup>

Their rights include provision of all the necessities of life like affordable housing, lawful food, beneficial education and proper upbringing. The Messenger of God ﷺ said, “It is a sufficient sin to lose and waste those whom you are obligated to support [i.e. by not providing proper care and upbringing].”<sup>20</sup>

Parents should teach them good moral behavior and protect them against bad habits such as lying, cheating, deception, selfishness, etc. The Messenger of God ﷺ said: “Each one of you is a shepherd and is responsible for those under his care.”<sup>21</sup>

Children are entitled to receive just and equal treatment without being preferred one over another in terms of dealings and treatment, gifts, grants, inheritance etc. Unfair treatment to the children may result in bad behavior towards either or both parents and the other siblings.

Nu’mān b. Basheer said that my father offered me a gift from his wealth so my mother Umrah bint Rawah said: I would not agree to that until the Messenger of God ﷺ witnesses it. So my father went and asked him to witness my gift. The Messenger of God ﷺ asked: “Did you offer the same to all of your children?” The man replied, ‘No!’ God’s Messenger ﷺ said to him: “Fear God and be just in dealing with your children.” So my father returned and placed back that gift.<sup>22</sup>

<sup>19</sup> Abu Dawood, no. 4948.

<sup>20</sup> Abu Dawood, no. 1692.

<sup>21</sup> Bukhari, no. 853 and Muslim, no. 1829.

<sup>22</sup> Muslim, Hadith no. 1623.



## 08

## THE RIGHTS TOWARDS RELATIVES

Relatives have specific rights entitling them to special attention, visits and support. A wealthier Muslim is obliged to assist his or her relatives, with priority given to the nearest in kin, and then in order of nearness in relationship. A Muslim supports his siblings and relatives in times of need and shares their concerns. In the Qur’an, we find the saying of God the Almighty:

(O Mankind! Be dutiful to your Lord, Who created you from a single person, and from him He created his wife; and from them He created many men and women; and fear God through Whom you demand your mutual rights and do not cut the family ties. Surely God is ever an All-Watcher over you.) [4:1]

Islam encourages a Muslim to be kind to his relatives even when they are unkind to him, and asks him to continue his relations even when they cut them off. Boycotting relatives and family members falls into the category of a major sin in Islam, as God says in the Glorious Qur’an

(So would you perhaps, if you turned away, cause corruption on earth and sever your [ties of] relationship? Such are the men whom God has cursed, so He deafened them and blinded their vision.) [47:22-23]



05

## A WORD ON PUBLIC RIGHTS AND DUTIES

- 0. introduction
- 1. Rights of a Ruler
- 2. Rights of the People towards the Government
- 3. Rights of Neighbors
- 4. Rights of Friends
- 5. Rights of the Poor
- 6. Rights of Employees/Laborers
- 7. Rights of Employers
- 8. Rights of other Creatures
- 9. Other Rights

## INTRODUCTION

Islam instructs a believer to share the concerns and the trials of his Muslim brethren all over the world and assist them according to his ability. The Messenger of God ﷺ said: “A Believer to another believer is like the bricks of one building: each one strengthens the other.” Upon saying this, the Messenger of God ﷺ intertwined his fingers .<sup>1</sup>

Islam teaches a Muslim to respect the reputation of a fellow Muslim and avoid undue suspicion. The Messenger of God ﷺ said: “Avoid suspicion. Suspicion is the worst lie. Do not follow the bad news, shortcomings and deficiencies of your Muslim brethren. Do not spy upon your Muslim brethren. Do not compete [with evil minds and intentions] against your Muslim brethren. Do not hate your Muslim brethren. Do not turn away from your Muslim brethren [when they are in need of your help and assistance]. O servants of God! Be brethren to one another, as He commanded you to be. A Muslim is a brother to another Muslim. A Muslim must be just to his Muslim brother. A Muslim must not let his brother down and forsake him. A Muslim must not expose his Muslim brother (\*unless his crime impacts upon others). Everything that a Muslim possesses is unlawful for other Muslims to use [without prior approval of the owner] or abuse [for no due right]. Piety [and righteousness] is here, pointing out to his chest [i.e. the heart]. Piety is here. It is a sufficient evil for a Muslim to expose the private sins of his Muslim brother. Everything that a Muslim owns or possesses is unlawful for another Muslim [to tamper with]; his life, his protected items [in terms of dignity, honor and family members], and his wealth or possessions. Truly, God does not look at your exterior, but rather He is concerned with your hearts and actions.”<sup>2</sup>

Another guideline for this is contained in the words of God’s Messenger ﷺ: “A Muslim will not become a true believer until he likes for his Muslim brother what he likes for himself.”<sup>3</sup>

- 1 Bukhari, Hadith no. 5680 and Muslim, Hadith no. 2585.
- 2 Muslim, Hadith no. 2563.
- 3 Bukhari, Hadith no. 13.

Islam instructs a believer to share the concerns and the trials of his Muslim brethren all over the world and assist them according to his ability.



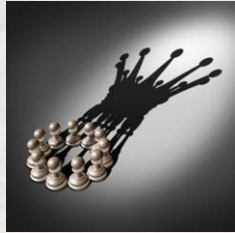
Islam teaches a Muslim to respect the reputation of a fellow Muslim and to avoid undue suspicion.



## 01

## THE RIGHTS OF A RULER TOWARDS THE PUBLIC

Obedience to a Muslim ruler who is acting in accordance with the Divine Book of Allah is an extension to the obedience of Allah, and vice versa.



No individual, class or category of people, or section of the society must be given any priority or preference over the others.

This right is simply based on the contents of the Qur'an:

(O you who believe! Obey God, and obey the Messenger, and those charged with authority among you.) [4:59]

The following are some of the directives required for a Muslim to observe:

**01** Obedience to the ruler in that which is not forbidden. This is based on the instructions of God's Messenger ﷺ: "Listen and obey, even if a slave has been appointed [as a ruler] so long as he acts according to the Book of God."<sup>4</sup>

**02** Obedience of a Muslim ruler who is acting in accordance with the Divine Book of God is an extension to the obedience of God, and vice versa. Any act of disobedience to the commands of a ruler who is acting in accordance with the Book of God is, in reality, an act of disobedience to God.

**03** A Muslim leader must be offered sincere advice, that benefits him, the community and the entire nation. A Muslim ruler must be reminded of his duties and exhorted to remain faithful to his pledge. This is based on the directives in the Qur'an:

(But speak to him gently; perhaps he may take warning or fear God.) [20:44]

And the Prophet ﷺ said: "The Religion is sincerity and advice." We said: For who? He said: "[Sincerity] to God and for His Book and [sincerity and advice] to His Prophet and for the leaders of the Muslims and for their public". (Muslim)

The followers must support a Muslim ruler during crises. Muslims are commanded to comply with their leader and not forsake him or provoke people against him in order to instigate

<sup>4</sup> Muslim, Hadith no. 1838.

troubles and evil. This is based on the instruction of God's Messenger ﷺ, "If a person comes to you, while a single leader is leading you, attempting to split your unity, he should be executed (by the government)."<sup>5</sup>

## 02

## RIGHTS OF THE PEOPLE TOWARDS THE GOVERNMENT

Muslims in an Islamic state have certain rights they should expect from their government. These rights may be summarized as follows:

**Justice:** This entails that every person is to be given his fair treatment in the Islamic society. All individuals who are entitled for specific rights must be given their due rights. All individuals who are required to perform certain duties must be treated fairly and without any bias. Responsibilities among individuals must also be distributed justly and fairly. No individual, class or category of people must be given any priority or preference over the others. God says in the Qur'an:

(O you who have believed, be persistently standing firm in justice, witnesses for Allah, even if it be against yourselves or parents and relatives. Whether one is rich or poor, Allah is more worthy of both. So follow not [personal] inclination, lest you not be just. And if you distort [your testimony] or refuse [to give it], then indeed Allah is ever, with what you do, Acquainted.) [4:135]

And God's Messenger ﷺ said:

"The most beloved to God on the Day of Judgment, and the closest to Him is a just ruler. And the most hateful to God, and the most distant from Him, is an unjust and tyrannical ruler."<sup>6</sup>

**Consultation:** People have the right to be consulted on issues that concern their economic and social affairs. This process of consultation should be done in an ordinary form. The public must be given the opportunity to express their viewpoints and ideas concerning issues related to the Islamic community and society. Such viewpoints may be accepted if they serve the general public

<sup>5</sup> Muslim, Hadith no. 1852.

<sup>6</sup> Tirmidhi, Hadith no. 1329.

interest. God says in the Qur'an: (So by mercy from Allah, [O Muhammad], you were lenient with them. And if you had been rude [in speech] and harsh in heart, they would have disbanded from about you. So pardon them and ask forgiveness for them and consult them in the matter. And when you have decided, then rely upon Allah . Indeed, Allah loves those who rely [upon Him].) [3:159]

On many occasions, God's Messenger ﷺ followed the advice of his companions. During the Battle of Badr one of his Companions suggested to change the site of the Muslims' fighting camp. One of the Muslims asked the Messenger during the Battle, 'O Prophet of God! Is this a place that God commanded you to camp at, and we have no choice of changing it, or is it a war strategy and plan? God's Messenger ﷺ replied promptly, 'No. Rather it is my war strategy.' The man who asked, suggested, ' O Prophet of God! This is not the right choice of place for the fighting camp. Let us search for the closest water reservoir to our enemies and camp there. We should block all other water resources then build a basin or a water reservoir for our party. When the battle starts we will have access to water but our enemies will not. Thus we'll be able to drink and use the available water while our enemies would not; God's Messenger ﷺ commented, "You have certainly given the best advice." <sup>7</sup>

Islamic ruling: The basis for the Islamic ruling and legal judgment system is called Shari'ah; Islamic law. The constitution of a Muslim State must be based on the Qur'an and Sunnah, which are the agreed upon Islamic judicial sources. There should be no room for personal opinion if an authenticated text is available. Islamic law is a comprehensive system of jurisprudence including personal and family law, criminal law, national and international law, which fulfills all requirements of man in the most upright

<sup>7</sup> Ibn Hisham Biography of the Prophet ﷺ.

People have the right to be consulted on issues that concern their economic and social affairs.



A Muslim ruler must be kind and merciful to his people, never overburdening them beyond their abilities.

manner since it is based upon the revelations from God to His Messenger for the guidance of man.

Open door policy: A Muslim ruler must not be aloof and distant from his people nor assign middle-men who are partial permitting some to see the ruler, while preventing others. This is based on the instructions of God's Messenger ﷺ:

"Whosoever is entrusted with leadership over the affairs of the Muslims, yet hides away from them and does not respond to their needs, God would not respond to the supplications of such a governor on the Day of Judgment, causing him to suffer from his own poverty and need." <sup>8</sup>

Mercy for people: merciful to his people never overburdening them beyond their abilities. He must facilitate all means for his people to live and survive in the society in the best possible manner. A Muslim governor must treat an elder man like a father, a youngster like a son and a person of equal age as a brother. A Muslim governor must be respectful to the elders, kind, merciful to the young, and considerate to individuals of his age group. The Qur'an informs us about the characteristics of God's Messenger who was the first leader of the Muslim Nation:

(Verily, there has come unto you a Messenger (Muhammad ﷺ) from amongst yourselves. It grieves him that you should receive any injury or difficulty. He is deeply concerned about you, and to the believers is kind and merciful.) [9:128]

God's Messenger ﷺ, also advised:

"Those who are merciful [and kind to one another], may God be Merciful [and kind] to them. Be merciful to people on earth, God will be merciful to you." <sup>9</sup>

Omar bin al Khattab the second Muslim Caliph, was so concerned about his responsibility before God that once he said, 'By God! Had a mule tripped in Iraq, I would be afraid that I would be asked about it by God [on the Day of Judgment]...' " O Omar! Why did you not pave the way for the mule."

<sup>8</sup> Abu Dawood, Hadith no. 2948.

<sup>9</sup> Abu Dawood, Hadith no. 4941 and Tirmidhi, Hadith no. 1924.

## 03 RIGHTS OF THE NEIGHBORS

God ordained in the Glorious Qur'an: (Worship God and join none with Him in worship, and do good to parents, kinsfolk, orphans, the poor, the neighbor who is near of kin, the neighbor who is a stranger, the companion by your side, the wayfarer (you meet), and those whom your right hands possess. Verily, God does not like such as are proud and boastful.) [4:36]

Islam classifies neighbors into three categories, which are as follows:

A neighbor who is a relative and also Muslim. This type of neighbor has three rights over you: the right of kin, the right of neighbors and the right of Islam.

A Muslim neighbor has two rights: the right of a neighbor and the right of Islam.

A non-Muslim neighbor enjoys the right of being a neighbor.

Abdullah bin Omar, came home once and found that his family members had slaughtered a sheep. He immediately asked: 'Did you offer some of the sheep's meat as a present to our Jewish neighbor?' for I heard God's Messenger ﷺ saying, "Angel Gabriel continued to advise me to be kind to my neighbor until I thought that he was going to give him a share in the inheritance."<sup>10</sup>

Causing inconvenience to the neighbor is against Islam. The Prophet ﷺ said: "By God he does not believe, by God he does not believe, by God he does not believe!" It was said: Who O Messenger of God? He said: "The one whose neighbor is not safe from his harm".<sup>11</sup>

<sup>10</sup> Tirmidhi, Hadith no. 2007.

<sup>11</sup> Bukhari, Hadith no. 5670.

It is reported that God's Messenger ﷺ illustrated the rights of a neighbor as follows: "Do you know what are the rights of a neighbor? [They are as follows], If a neighbor seeks your help, extend it to him. If a neighbor asks you for a loan, lend him [if you have it.] If your neighbor becomes poor, then help him financially and attend to his poverty if you can. If your neighbor becomes ill, then visit him [checking on his health and well-being.] If your neighbor is happy, then congratulate him. If your neighbor is suffering a calamity, then offer him condolences. If your neighbor dies, then attend his funeral [if you can.] Do not raise your building over his building, so that he would have no sun exposure or wind passage. Do not bother your neighbor with the smell of your cooking, unless you intend to offer him some of the cooked food."<sup>12</sup>

Even when the neighbor causes harm, good behavior is advised. A man complained to Abdullah ibn 'Abbaas: "My neighbor harms me and curses me!" So he said to him: "He disobeyed God in your affair, so go and obey God in his affair".

## 04 RIGHTS OF THE FRIENDS

Friends enjoy certain rights according to Islam. This is based on the guiding directives of God's Messenger ﷺ,

"The best companions in the sight of God are the ones who are best to their companions and the best of neighbors in the sight of God are the ones who are best to their neighbors."<sup>13</sup>

## 05 RIGHTS OF THE GUESTS

A host is obliged to honor his guest in Islam. The Prophet ﷺ said: "Whoever believes in God and the Last Day, he shall honor his neighbor. And

<sup>12</sup> Tabarani, Hadith no. 1014.

<sup>13</sup> Tirmidhi no.1944 and Sahih Ibn Khuzaimah, Hadith no. 2539.

A neighbor potentially has three rights over you: the right of kin, the right of neighbors and the right of Islam.



Friends enjoy certain rights according to Islam.

whoever believes in God and the Last Day, he shall honor his guest according to his right”.

The man asked: “And what is his right O Messenger of God?”

He said:

“One day and one night and hospitality for three days and whatever is more than that, then it is charity on the host’s part. And whoever believes in God and the Last Day, he shall speak good or stay quiet”.<sup>14</sup>

The manners of honoring the guests include giving a warm welcome with a happy face. Similarly it is obligatory on the guest to be considerate about the host’s condition and not to overburden him as the Prophet ﷺ said:

“It is not allowed for a Muslim to stay with his brother until he causes him to sin”.

They said: O Messenger of God! And how does he cause him to sin? He said:

“He stays with him and he does not have anything to offer”.<sup>15</sup>

## RIGHTS OF THE POOR AND NEEDY

God praises those who spend for His cause in order to help the poor and the needy in the Islamic society. This is based on the instructions of the Qur’an:

(And in their wealth is a recognized right. For the (needy) who asks and the one who is deprived.) [70:24-25]

As a matter of fact, Islam regards the charity given to the poor and the needy as one of the most virtuous deeds. Moreover, Islam warns those who conceal and save up their wealth and do not spend for the cause of God. God says in the Qur’an:

<sup>14</sup> Bukhari, Hadith no. 5673.

<sup>15</sup> Muslim, Hadith no. 48.

(It is not righteousness that you turn your faces towards East or West. But righteousness is to believe in God and the Last Day, and the Angels, and the Book, and the Prophets, and to give of your wealth out of love for Him, to your kin and orphans and the needy and the wayfarer and those who ask, and for the ransom of slaves...) [2:177]

The ones who accumulate the wealth without giving the due right of the poor and needy as commanded by God, are promised by God that they will receive a severe punishment on the Day of Judgment. God says in the Qur’an:

(...And those who hoard up gold and silver and do not spend in the Path of God then warn them of a painful torment.) [9:34]

For this reason, the charity of Zakah was prescribed as one of the basic tenets of Islam. Zakah is a set percentage (2.5%) of the accumulated wealth over a period of one year. Muslims willingly offer the due amount in obedience to God’s Commands. They pay it to the poor and the needy. Zakah is obligatory upon those who possess the appropriate amount on which Zakah is due. God states in the Qur’an:

(And they were commanded not except to worship God, offering Him alone sincere devotion, being true (in faith); to establish regular Prayer; and to give calculated Charity; and that is the right Religion.) [98:5]

Zakah is prescribed with the following principles and conditions:

**01** The person to pay Zakah must possess ‘Nisab’ (the minimum financial threshold beyond which one becomes liable for paying zakah).

**02** A period of one-year must pass while the owner maintains this amount in his possession. If less than a year passes, Zakah will not be required.

Islam defines the types of people who are entitled to receive Zakah. This is based on the statement in the Qur’an:

(Zakah expenditures are only for the poor and for the needy and for those employed to collect [zakah] and for bringing hearts together [for Islam] and for freeing captives [or slaves] and for those in debt and for the cause of Allah and for the [stranded] traveler - an obligation [imposed] by Allah . And Allah is Knowing and Wise.) [9:60]

Islam imposes Zakah in order to uproot poverty from the Islamic society, treat

The manners of honoring the guests include a warm welcome with a happy face.



06



the resulting problems stemming from poverty such as: theft, murder, attacking people and taking their property unjustly. In addition, it revives the mutual social welfare and support among members of the Islamic society.

Furthermore, Zakah is used to fulfill the needs of the needy, the destitute, and to pay the debts of those who have debts and are not able to pay their debts due to a sound and legitimate reason. Moreover, the payment of Zakah purifies one's heart, soul and wealth as well. An owner of a wealth will become less selfish and greedy when they pay this charity with a pure heart. The Almighty states in the Qur'an:

(And those saved from the covetousness of their own souls; they are the ones that achieve prosperity.) [64:16]

Zakah purifies the hearts of those who are less affluent since they will have less hatred, jealousy and bitterness against the rich and wealthy class of people of the society because they see that they are paying their just dues and the rights to their poorer brethren.

Almighty God warns those who refuse to pay their due Zakah against a severe punishment. He states in the Qur'an: (And let not those who [greedily] withhold what Allah has given them of His bounty ever think that it is better for them. Rather, it is worse for them. Their necks will be encircled by what they withheld on the Day of Resurrection. And to Allah belongs the heritage of the heavens and the earth. And Allah , with what you do, is [fully] Acquainted.) [3:180]

## 07 RIGHTS OF THE EMPLOYEES/ LABORERS

Islam has also defined a set of rules on labor and the labor force. An employer, according to Islamic teachings, must establish a just and cordial relationship with his employees and

Islam requires an employer to declare the wages to the worker before the worker embarks on the required work.



Allah's Messenger has instructed the employer to pay the wages of his worker before his sweat dries out

labor force. Such a relationship must be based on equality, goodwill and the brotherhood of Islam. This is based on the Hadith of God's Messenger ﷺ: 'Your workers and servants are your brothers whom God has placed under you. Whosoever has one under him should feed him of what he eats, clothe him of what he clothes himself, and must not burden him over their ability. But if you must burden them, then help them.'<sup>16</sup>

Furthermore, Islam upholds the honor and the dignity of the workers. God's Messenger ﷺ is reported to have said, "The best of income is that which results from honest labor."<sup>17</sup>

Moreover, Islam requires an employer to declare the wages to the worker before the worker embarks on the required work."<sup>18</sup>

God's Messenger ﷺ has assured the rights of the worker and the wages he is going to receive. God's Messenger ﷺ is reported to have said, "I am the adversary of three people on the Day of Judgment: one who gave in my name and then was treacherous, one who enslaved a free man and consumed the price and a man who employs a worker but does not pay him his rightful wages."<sup>19</sup>

God's Messenger ﷺ has even instructed the employer to pay the wages of his worker before their sweat dries."<sup>20</sup>

## 08 RIGHTS OF THE EMPLOYERS

Islam equally requires workers to maintain good relations with their employer. Islam requires workers to fulfill their duties towards their employer to the best of their abilities and talent. Workers must not neglect or harm their employer or his work in any way. God's Messenger ﷺ is reported to have said, "God likes a worker to excel in his work."<sup>21</sup>

16 Bukhari, Hadith no. 5702.

17 Musnad Ahmad, Hadith no. 8419.

18 Baihaqi and Abdul Razzaq in al-Musannaf.

19 Bukhari, Hadith no. 2114.

20 Ibn Majah, Hadith no. 2468.

21 Abu Ya'la Hadith no.4386. and Baihaqi in al-Shu'ab Hadith no.5312.

In order to encourage sincerity in work and to protect one's dignity, Islam made the earning of a laborer the best of all earnings if he were sincere in his work. The Prophet ﷺ said: "The best earning is what is earned with the labor of the hand in sincerity".<sup>22</sup>

## 09 RIGHTS OF ANIMALS

All pet animals must be well fed, decently cared for and kindly treated. God's Messenger ﷺ is reported to have said, "A woman was made to enter the Hell-fire because of a cat which she locked up until it died. The woman did not feed the cat, nor did she offer it water to drink, nor did she permit it to roam to eat from the insects of the earth."<sup>23</sup>

Animals must not be over-loaded when hauling goods (on their backs) in such a manner that they cannot bear the load. Animals must not be tortured, hurt or beaten for any reason. God's Messenger ﷺ is reported to have said, "God curses a person who burns an animal for marking and tattooing"<sup>24</sup>

Islam prohibits people to use an animal as a live target. It is reported that Ibn Omar passed by a group of young-men who used a bird as an aiming target. Ibn Omar asked about the person who did so and then commented, "God curses the person who does so."<sup>25</sup>

Islam condemns people who mutilate animals after killing them.<sup>26</sup>

Islam also forbids abusing or harming animals as mentioned in the Hadith reported by Ibn Mas'ood: 'We were traveling in

<sup>22</sup> Ahmad, Hadith no.8393.

<sup>23</sup> Bukhari, Hadith no. 5702 and Muslim, Hadith no. 1661.

<sup>24</sup> Bukhari, Hadith no. 2236 and Muslim, Hadith no. 2110.

<sup>25</sup> Bukhari, Hadith no. 5196 and Muslim, Hadith no. 1958

<sup>26</sup> Bukhari, Hadith no. 5196.

the company of God's Messenger ﷺ. He ﷺ went away to answer the call of nature. While he was away, we saw a female bird along with its two little babies. We took the little birds so the mother bird started flying over us. When God's Messenger ﷺ returned back, he noticed what we had done. He ﷺ asked, "Who has agitated this (bird) by taking its babies? Immediately return its babies to it!" And he saw a colony of ants we had burnt so he said: "Who burnt these? We said: We did. He said: "Verily nobody should torment with the fire except the Lord of the Fire".<sup>27</sup>

Islam, furthermore, commands mercy while slaughtering animals for eating. It is not allowed to sharpen the knife in front of the animal to be slaughtered or in the presence of other animals. Nor is it permitted to kill them by breaking their necks, striking them or electrocuting, or to start skinning them before they are completely dead. The Prophet ﷺ said: "Verily God ordains that you be kind to everything. So if you kill, kill in a good manner, and if you slaughter, slaughter in a good manner. So sharpen your knife to make the slaughtering process easy and fast."<sup>28</sup>

At the same time Islam commands us to kill dangerous and harmful animals and/or insects in order to protect humans from the harm of the animals because man's life is sacred in the Sight of God as God has made him the most honorable creature on the earth. Therefore, if the animals' rights are important in the Sight of God, the rights of the human beings are more so! Almighty God states in the Qur'an:

(We have honored the sons of Adam; provided them with transport on land and sea; given them for sustenance things good and pure; and preferred them over much of what We have created, with [definite] preference.) [17:70]

Not only is this kind and just treatment ordered to protect the animals from any cruelty, but it also expiates the sins of a Muslim and becomes a reason for him being admitted into Jannah (Heavenly Gardens). God's Messenger ﷺ is reported to have said:

"While a man was on his way, he suffered from tremendous thirst. So he found a well and descended down the well, drank his fill and came back up. At the top of the well he saw a dog panting and licking the dirt out of severe thirst.

<sup>27</sup> Abu Dawood, Hadith no. 5268.

<sup>28</sup> Muslim, Hadith no. 1955.

Islam condemns people who mutilate animals after killing them



Islam commands us to kill dangerous and harmful animals and/or insects in order to protect humans

The man thought to himself, ‘this dog must be suffering from the same thirst I suffered from. So he descended down the well again, filled his shoe with water and holding the shoe with his mouth climbed back up and had the dog drink the water. God, the Exalted, praised him and accepted his deed (for this act of mercy) and forgave him his sins.’ They asked: O Messenger of God! Are we rewarded for what we do for animals?’ He ﷺ replied: “Yes, indeed. In kindness to every living soul there is reward.”<sup>29</sup>

# 10

## RIGHTS OF PLANTS & TREES

Islam permits benefiting from the fruits of trees but forbids cutting them or breaking their branches without a genuine reason



Islam permits benefiting from the fruits of trees but forbids cutting them or breaking their branches without a genuine reason. On the contrary, Islam commands us to preserve trees and encourages any reproduction process or activities which help in growing more trees. God’s Messenger ﷺ said, “If the Hour [of the Last Day] took place while one of you is holding a palm-tree seedling [to plant in the dirt], then if he can plant it before standing up, he should do it.”<sup>30</sup>

Islam considers planting of useful plants and beneficial trees as charity for which a Muslim is rewarded. God’s Messenger ﷺ said:

“Never a Muslim plants something or cultivates it, of which birds, human beings or animals eat, but a reward is given to him for this charity.”<sup>31</sup>

# 11

## MISCELLANEOUS RIGHTS

Islam regulates certain rights for roadside and public passages.

God’s Messenger ﷺ is reported to have said: ‘Avoid sitting on roadsides [or sidewalks].’

<sup>29</sup> Bukhari, Hadith no. 5663.

<sup>30</sup> Musnad Ahmad, Hadith no. 12901.

<sup>31</sup> Muslim, Hadith no. 2195.

The Companions who were present at the time commented, ‘O Messenger of God! Roadsides are outlets for us where we can sit, enjoy and talk.’ Upon hearing this comment God’s Messenger ﷺ replied, ‘If you cannot avoid sitting on sidewalks then give the sidewalks their due rights.’ The Companions then inquired, ‘O Messenger of God! What are the rights of the sidewalks?’ God’s Messenger ﷺ replied, “Lowering your gaze [when a female crosses or passes by], clearing the path from harmful things, returning the salaam [Islamic greetings], enjoying good and forbidding evil.”<sup>32</sup>

God’s Messenger ﷺ is reported to also have said, “Removing any harmful items of the road is a charitable act [which is rewarded and cherished by God].”<sup>33</sup>

Besides this, God’s Messenger ﷺ is reported to have instructed, ‘Fear the two acts that cause you to be cursed.’ The Companions, who were present at the time, inquired: ‘O Messenger of God! What are those acts that are the cause to be cursed?’ God’s Messenger ﷺ replied:

“The person who answers the call of nature on the public passages or in the shades where people seek rest”<sup>34</sup>

In general, Islam makes it obligatory on Muslims to be considerate and caring with each other, no matter where they are. The Prophet ﷺ said:

“The similitude of the believers in their mutual care, love and kindness to one another is like one human body: if one organ aches, this prompts the entire body to become feverish and to remain awake.”<sup>35</sup>

And he ordered Muslims to work towards the betterment of their brother Muslims:

“None of you is a true believer until he loves for his Muslim brother what he loves for himself.”<sup>36</sup>

In the times of need, the Prophet ﷺ said:

The believers, one to another, are like a firm structure, each brick supporting the other.” He then intertwined his fingers.<sup>37</sup>

<sup>32</sup> Bukhari, Hadith no. 2121 and Muslim Hadith no. 2333.

<sup>33</sup> Bukhari, Hadith no. 2827.

<sup>34</sup> Muslim, Hadith no. 269.

<sup>35</sup> Bukhari, Hadith no. 5665.

<sup>36</sup> Bukhari, Hadith no. 13.

<sup>37</sup> Bukhari, Hadith no. 5680.

Muslims are prohibited to abandon each other, as the Prophet ﷺ said:

“Anyone who does not support another Muslim when his sacred rights are attacked and his honor is demeaned; God will forsake him at a time when he needs His help. No one helps a Muslim when his honor is demeaned and his sacred rights are attacked except that God will help him when he would need His help”.<sup>38</sup>

However, if these rules or rights were not enforced, they would have remained ideals and dreams only in the minds of people. If there is no authority to enforce, they will remain only utopian ideals. It is reported that God’s Messenger ﷺ said, “You should stop an ignorant person from doing evil. You should force such an ignorant person to enjoin good, or else, God shall soon expedite a speedy punishment against you.”<sup>39</sup>

Almighty God therefore, in order to preserve and maintain such human rights in the Islamic society, has revealed unto His Messenger pertinent commandments. God commands not to exceed these limits and sets punishments and laws, which are known as Hudood (prescribed punishments) or capital punishments. He may also impose a specific punishment in the Hereafter.

We will list below only a few of the commandments of “Do’s” and “Don’ts” that Islam has ordained:

Islam bans killing or murdering any human being. Islam categorizes such an act as one of the major sins. This is based on the verse in the Glorious Qur’an:

(And do not kill the soul which Allah has forbidden, except by right. And whoever is killed unjustly - We have given his heir authority, but let him not exceed limits in [the matter of] taking life. Indeed, he has been supported [by the law].) [17:33]

38 Abu Dawood, Hadith no. 4884.

39 Abu Dawood, no.4336 and Tirmidhi no.2169.

Islam bans killing or murdering any human being. Islam categorizes such an act as one of the major sins



Allah prohibits all types of aggression against the wealth and property of others

Islam prohibits all acts of aggression against the honor, dignity and privacy of people. In fact, such acts of aggression are known as major sins in Islam. Almighty God states in the Qur’an:

(Say, "Come, I will recite what your Lord has prohibited to you. [He commands] that you not associate anything with Him, and to parents, good treatment, and do not kill your children out of fear of poverty; We will provide for you and them. And do not approach immoralities – what is apparent of them and what is concealed. And do not kill the soul which Allah has forbidden [to be killed] except by [legal] right. This has He instructed you that you may use reason.") [6:151]

Islam, further, bans all types of actions that are categorized as shameful acts, or a means to promote indecency in a society. Therefore, all acts that lead to indecent acts are also banned in Islam. God, the Exalted, states in the Qur’an:

(And come not near to unlawful sex. Verily it is a great sin, and an evil way.) [17:32]

God prohibits all types of aggression against the wealth and property of others. Therefore, all forms of theft and cheating etc. are banned in Islam. This is based on the Hadith of God’s Messenger ﷺ:

“Whosoever cheats us is not one of us.”<sup>40</sup>

Usury and all monetary interest is banned in Islam for the injustice it spreads in the economic system harming all, especially the poor. God, the Exalted, states in the Qur’an:

(That is because they say: "Trade is like usury," but God has permitted trade and forbidden usury.) [2:275]

God forbids all kinds of deception and betrayals. God states in the Qur'an: (O you who believe! Betray not the trust of God and the Messenger, nor misappropriate knowingly things entrusted to you.) [8:27]

Islam forbids monopoly. God’s Messenger ﷺ said: “No one monopolizes except a wrongdoer.”<sup>41</sup>

Islam bans all types of bribery and kickbacks. As the Hadith of God’s Messenger ﷺ tells us:

“May God curse those who pay out bribes and the ones who receive it.”<sup>42</sup>

40 Muslim, Hadith no. 164.

41 This Hadith is reported by Muslim no.1605.

42 Abu Dawood, no.3580 and Tirmidhi, no.1336.

Similar prohibitions are imposed on the devious and illegal means through which money is taken. God states in the Glorious Qur'an:

(And do not consume one another's wealth unjustly or send it [in bribery] to the rulers in order that [they might aid] you [to] consume a portion of the wealth of the people in sin, while you know [it is unlawful].) [2:188]

Islam bans all types of bribery and kickbacks



Islam condemns the abuse of power, position and authority to obtain personal gains. In fact, Islam empowers the ruler to reclaim all assets taken through abusive means and deposit them into the Islamic treasury. God's Messenger ﷺ appointed a man called Ibn-ul-Lutbiyyah as a Zakah collector. When the collector brought the Zakah amount, he said: This amount is for the Islamic Treasury, but this other amount has been given to me as gifts. God's Messenger ﷺ became very upset upon hearing this from the collector. God's Messenger ﷺ said:

"Were he sitting in his father's or mother's house, would he have received any of these gifts? By Him in Whose hands is my soul, nobody would take anything from this except that he would be carrying it on his neck on the Day of Resurrection ..." Then he raised his hands until we saw the whiteness of his armpits and said: "O God! Bear witness that I have conveyed the Message" three times."<sup>43</sup>

Islam prohibits all forms of intoxicants that cloud the mind or judgment. It is commanded in the Qur'an:

(O you who have believed, indeed, intoxicants, gambling, [sacrificing on] stone alters, and divining arrows are but defilement from the work of Satan, so avoid it that you may be successful.) [5:90]

All types of injuries to a person or animal such as beating and other vices such as backbiting, false testimony, gossip and so forth are also prohibited. The Qur'an warns:

43 Bukhari, Hadith no. 6772 and Muslim, Hadith no. 1832.

(O you who believe! Avoid much suspicion, indeed some suspicions are sins, and spy not, nor backbite one another. Would any of you like to eat the flesh of his dead brother? No, you would abhor it. And fear God, for God is Oft-Returning, Most-Merciful.) [49:12]

Islam upholds the dignity and honor of others and forbids slandering them. Almighty God states in the Qur'an:

(And those who harm believing men and believing women for [something] other than what they have earned have certainly born upon themselves a slander and manifest sin.) [33:58]

In Islam, great importance is given to the privacy of a person and any type of intrusion is prohibited. God states in the Qur'an:

(If you find none in the house, enter not until permission is given to you; if you are asked to go back, go back: that makes for greater purity for yourselves and God knows all that you do.) [24:27]

Justice is one of the basics of the Religion of Islam. It is not allowed to be unjust with anyone, even to one's own self. God commands in the Qur'an:

(God commands justice, the doing of good and liberality to kith and kin, and He forbids immorality and bad conduct and oppression. He admonishes you that perhaps you will be reminded. And fulfill the covenant of Allah when you have taken it, [O believers], and do not break oaths after their confirmation while you have made Allah, over you, a witness. Indeed, Allah knows what you do.) [16:90-91]

In addition, in a Hadith Qudsi, God says,

"O My slaves! I have banned injustice for Myself and I have declared injustice unlawful among you. Therefore, do not do any act of injustice to one another."<sup>44</sup>

In fact, God disapproves injustice done even to those who differ with Muslims in faith. God has demanded Muslims to be kind and fair to non-Muslim residents in an Islamic State. God states in the Qur'an:

(God does not forbid you from those who do not fight you because of religion and do not expel you from your homes – from being righteous toward them and acting justly toward them. Indeed, God loves those who act justly.) [60:8]

44 Muslim, Hadith no. 2577.

Islam condemns the abuse of power, position and authority to obtain personal gains



Islam forbids abusing the beliefs of non-Muslims, for it provokes the other party to respond with reciprocal abuse. God says: (And do not insult those they invoke other than Allah, lest they insult Allah in enmity without knowledge.) [6:108]

Instead, God instructed Muslims to use a fair and well-matured dialogue with such people: God says:

(Say: "O People of the Book! Come to common terms between us and you: that we worship none but God; that we associate no partners with Him; that we take not, from among ourselves, Lords and patrons other than God. If then they turn back, say you: 'Bear witness that we are Muslims (submitting to God's Will).') [3:64]

Islam, further, bans all types of social, political and moral corruption and mischief. It is commanded in the Qur'an: (And cause not corruption upon the earth after its reformation. And invoke Him in fear and aspiration. Indeed, the mercy of Allah is near to the doers of good.) [7:56]

Islam forbids the conversion of non-Muslims to Islam by force. God states in the Glorious Qur'an: (If it had been your Lord's Will, they would all have believed, all who are on earth! Will you then compel mankind against their will to believe!) [10:99]

This does not mean that Muslims should not call others to join the Islamic monotheistic faith by delivering the Message of God to people, but instead indicates that Muslims should call to Islam in a wise, kind and comely manner. Islam has an international mission and it is neither a regional nor an ethnic call. But the guidance is in the Hands of God alone and not in the hands of people.

Islam commands people to run their governments with consultation. The principle of consultation is operative in situations where there are no clear scriptures from the Qur'an and Sunnah. God states in the Glorious Qur'an: (...their affairs are conducted by mutual consultation...) [42:38]

Islam forbids the conversion of non-Muslims to Islam by force



Islam commands people to assist an oppressed person even with the use of force when necessary

Islam commands that all relative rights be given to their deserving people. Islam also calls for full justice among people. Almighty God states in the Qur'an: (God does command you to render back your Trusts to those to whom they are due; and when you judge between others, that you judge with justice: verily how excellent is the teaching which He gives you! For God is He Who hears and sees all things.) [4:58]

Islam commands people to assist an oppressed person even with the use of force when necessary. This is based on the verse in the Glorious Qur'an, the meaning of which is translated as:

(And why should you not fight in the cause of God and of those who, being weak, are ill-treated (and oppressed)? Men, women, and children, whose cry is: Our Lord! Rescue us from this town, whose people are oppressors; and raise for us from You one who will protect; and raise for us from You one who will help!) [4:75]

Islam establishes an executive system or authority for the common good. In light of the fact that there are certain categories of people, as pointed out earlier, who will never be good without applying force against their criminal activities... this system works to assure that all individuals are enjoying their relative rights. It also works to monitor and govern the execution of such rights, to prevent any aggression, and to apply appropriate punishment against violators of the laws. The following is a summary of some of the various Islamic systems that are the components of the overall executive system:





## THE JUDICIAL SYSTEM IN ISLAM

- 0. Introduction
- 1. Hisbah, Accountability in Islam
- 2. Islamic Declaration on Human Rights

## INTRODUCTION

The judiciary is an independent administrative system in the Islamic government designed to resolve all types of legal disputes among various claimants. The system is structured to assure the establishment of justice among people, stop oppression, and punish the oppressors. The Islamic system follows the directives of God and the Prophet ﷺ from the Qur'an and the Sunnah (traditions).

There are specific criteria for a judge applying for a position in the Islamic judicial system. The applicant must be mature, sane, mentally capable and healthy in order to surmount the difficulties and challenges of this job. He must be well educated and informed about the Shari'ah (Islamic rulings and the principles of lawful and unlawful in Islam), as well as be well aware of mundane affairs so as not to be deceived or misinformed. He should have the ability to give verdicts in both worldly and religious spheres. He must be honorable, dignified, honest and with high moral character. He should be a man of upright conduct so that his judgments are well accepted by the parties in dispute.

Islam prescribes a specific code of conduct for judges that should be observed. The following letter sent by the second Caliph, Omar bin al-Khattab to one of the assigned judges provides the guidelines for all Muslim judges:

“From the second Caliph, Omar bin al-Khattab, the slave of God to Abdullah bin Qais:

Assalamu Alaikum. Judgment among [disputing] people is a precise and obligatory act that should be followed and executed properly. You should [try your best to] understand the people present before you. Furthermore, none will benefit from a right that is not executed.

Give equal consideration and seating arrangements to people

in your court so as an influential person may not think to take advantage because of his status. Moreover, a weak person will not lose hope of justice in your court.

The plaintiff must present a proof of evidence. A defendant must take an oath if he rejected and denied the claim of the plaintiff. Disputing people may choose to compromise between one another. However, no compromise is acceptable if it renders an unlawful item lawful or vice versa.

If you pass a judgment one day, but upon reviewing it on the next, you discover that you made a mistake and the right sentence is not what you passed as a verdict, then [reopen the case] and pass the right sentence. You should realize that returning to the right sentence and judgment is [much] better than indulging deeper in falsehood.

Try to understand the confusing matters that have no text of scripture to support them either from the Qur'an or the Sunnah (way of the Prophet ﷺ) and study the resembling rulings, sentences and cases, and after obtaining the proper knowledge, assess your cases. Then choose the most beloved judgment to God and closest to the truth in your eyes.

Offer a chance to a plaintiff who claims a matter that is not currently present by setting a definite time for him to prove it. If such a plaintiff produces his proof of evidence, adjudicate the case in his favor. If not, then judge against his case. All Muslims are trustworthy insofar as the testimony is concerned, except for a person who has been lashed for committing any shameful act in the Islamic society, or a person who is known for false testimonies, or a person who is either a relative or distantly related to the plaintiff.

God takes care of all hidden secrets of people and helps you [to judge] by providing evidence. Furthermore, you must not worry, become intolerant, or complain about disputing people in the rightful matters where God rewards you for being patient and is pleased with the results. If a person has a good and pure soul with God, God will [surely] improve the relations of that man with the public.”<sup>1</sup>

<sup>1</sup> Tirmidhi, Hadith no. 3472.

Every individual in the Islamic society, regardless of his faith or religious affiliation, position or social status, has certain immutable rights



The judiciary is an independent administrative system in the Islamic government designed to resolve all types of legal disputes among various claimants.



Every individual in the Islamic society, regardless of his faith or religious affiliation, position or social status, has certain immutable rights, which include the following:

**01** The right to seek judgment against oppressors. An individual may sue his oppressor in the judicial court.

**02** The right to have an equal hearing before the judge. This is based on the Hadith of God's Messenger ﷺ, instructing Ali when he commissioned him as a judge, saying: "Surely, God shall guide your heart and fasten your tongue [to the truth]. When the plaintiff and the defendant sit before you, do not issue a verdict for one until you hear the statement of the other as you heard the first."<sup>2</sup>

**03** The right to be considered innocent unless and until proven guilty. The Messenger of God ﷺ said: "If people are given [judgments] based on their claims, you will see people claiming for the blood of others and their wealth. However, the defendant must offer an oath."<sup>3</sup>

And in Baihaqi's version of the tradition, it ends: 'The evidence must be produced by the plaintiff and an oath must be offered by the defendant.'

**04** The right that mere suspicion does not deprive the suspect from his due process of law and specific rights. For instance, a suspect must not be tortured by any means, nor subjected to violence, cruelty or hardship in order to force him to give any confession. God's Messenger ﷺ forbade this, by extension, when he said:

"God absolves my Ummah [nation] from the following: error, forgetfulness and whatever they are forced to do."<sup>4</sup>

The second caliph, Omar bin al-Khattab stated, "A person would not be responsible for his confession, if you inflicted pain upon him or scared him or imprisoned him [to obtain the confession]."<sup>5</sup>

2 Abu Dawood, Hadith no. 3582.

3 Bukhari, Hadith no. 1711 and Muslim, Hadith no. 4277.

4 Ibn Majah, Hadith no. 2053.

5 This statement is reported by Abu Yusuf in his book al-Kharaj

a suspect must not be tortured by any means, nor subjected to violence, cruelty or hardship in order to force him to give any confession



Hisbah is the voluntary accountability system in Islam whereby a Muslim enjoins good and forbids evil to enforce the laws of Shari'ah and to discipline those who publicly commit sins

**05** The right that only the guilty will be punished for what is within their personal responsibility. This means that no one is to be held responsible for the faults of others. Accusation, suspicion, and punishment must be confined to the guilty person and not extended to his family members.

God, the Just, says in the Qur'an:

(Whoever does righteous deed, benefits his own self and whoever does evil, it is against his own self and Your Lord is never unjust to His servants.) [41:46]

God's Messenger ﷺ said:

"No one should be taken [guilty] for the wrong doing of his brother or father."<sup>6</sup>

## 01 (HISBAH) ACCOUNTABILITY SYSTEM IN ISLAM

Hisbah is the voluntary accountability system in Islam whereby a Muslim enjoins good and forbids evil to enforce the laws of Shari'ah and to discipline those who publicly commit sins, do shameful acts and practice immoral activities, such as selling, promoting, and trading illegal items, monopolization of basic needs of the people, cheating and many other illegal activities. This is done to implement the command of God in the Qur'an:

(You are the best nation produced [as an example] for mankind. You enjoin what is right and forbid what is wrong and believe in Allah.) [3:110]

According to this system, investigators monitor voluntarily the public law and order situation and the maintenance of public facilities to protect individuals against physical injuries in public places.

A Muslim should fear accountability and the punishment of God. Many examples of those who proceeded before us are mentioned in the Qur'an:

(Cursed were those who disbelieved among the Children of Israel by the tongue of David and of Jesus, the son of Mary. That was because they disobeyed and [habitually] transgressed. They did not forbid one another from the iniquity: evil indeed were the deeds which they did.) [5:78-79]

6 Nisa'i, 8:53.

In the light of the hadith of the Messenger of God ﷺ, every individual in the Islamic society is required to take an active role in the duty of Hisbah according to his abilities. The Messenger of God ﷺ said:

“Whosoever from among you sees an evil act, must stop it with his hand. If he cannot, he should stop it with his tongue. If he cannot, then he should abhor it in his heart, and that is the weakest [level] of faith.”<sup>7</sup>

Correcting any criminal act or vice is not allowed if this causes more harm than good and amounts to making the situation worse. One must use wisdom and discretion in enjoining good and forbidding evil.

The Messenger of God, Muhammad ﷺ articulates human rights in a single eloquent sentence:

“Truly, your lives, your wealth and your honor are sacred to one another like this sacred Day, in this sacred month and in this sacred town.”<sup>8</sup>

Most of the human rights mentioned in declarations fall under the above statement, which was delivered in the Farewell Pilgrimage speech of the Messenger of God ﷺ to the largest gathering of Muslims at that time. The laws and regulations of Islam were legislated to preserve and defend the rights and deal sternly with violators.

every individual in the Islamic society is required to take an active role in the duty of Hisbah according to his abilities



The laws and regulations of Islam were legislated to preserve and defend the rights and deal sternly with violators.

## 02 ISLAMIC DECLARATION ON HUMAN RIGHTS<sup>9</sup>

The following is a Declaration issued in Cairo about Human Rights in Islam. It is worth pointing out that the rights listed in this Declaration are only guidelines and general rules, since obligations and rights, according to Islam, are interconnected with one another as rings that support one another. The general

<sup>7</sup> Muslim, Hadith no. 78.

<sup>8</sup> Bukhari, Hadith no. 105.

<sup>9</sup> Dr. Muhammad al-Zuhaili, Human Rights in Islam, p. 400.

principles and the rules of the human rights in Islam are divided into different categories and further into sub-categories. Therefore, we will only summarize, since elaborating upon the details would require a lengthy discourse. It is safe to say though that ‘Islam came to preserve all human rights and to make human beings happier in this life as well as in the Hereafter.’

I begin with the Name of God, the Beneficent, Most Merciful

God states in the Glorious Qur'an:

(O mankind, indeed We have created you from male and female and made you peoples and tribes that you may know one another. Indeed, the most noble of you in the sight of Allah is the most righteous of you. Indeed, Allah is Knowing and Acquainted.) [49:13]

The member countries of the Islamic Congress Organization, have full faith in God the Creator of all beings, the Grantor of all Bounties, He Who created man in the best form and shape and honored him. God has entrusted man to build, reform and maintain the land He created. God entrusted man to abide by the Divine teachings and obligations and employed everything in the heaven and on the earth for the service of man.

Believing in the Message of Muhammad ﷺ who was commissioned with the Guidance and the True religion as a Mercy to mankind, a liberator for all enslaved people, a destroyer of all tyrants and arrogant people. God's Messenger ﷺ declared real equality among all types of people. There is no preference for a person over another person except due to piety. God's Messenger ﷺ abolished all differences between people whom the Almighty created from a single soul.

Based on the pure monotheistic faith on which Islam is built, where all mankind is called and invited to worship none besides God, not to associate anything else with God's worship, and not to set up rivals other than God to be worshiped; that monotheistic belief is the one that built the real foundations of people's freedom, dignity and integrity and declared the freedom of man from the slavery of another man.

Based on what the eternal Islamic Shari'ah brought forth for man in terms of the preservation of the faith, religion, soul, mind, honor and progeny, and based on the comprehensiveness and moderation of the Islamic Shari'ah in all rulings, verdicts and sentences, where the soul and material matter are miraculously harmonized and the heart [emotions] and the mind [intelligence] are both respected and honored.

We believe, according to Islam, that basic rights and public freedoms are an integral part of the Islamic belief and religion. None has the right, initially, to prevent them fully or partially. We also believe that none has the right either to violate these rights or ignore them. These basic rights are divine and heavenly, having been revealed to the Prophets of God in all Scriptures. In fact, God commissioned the last of His Prophets to mankind, Muhammad ﷺ who completed the missions and the Message of all previous Prophets and Messengers, with these essential rights as well. Observing these essential rights is a type of worship while neglecting such rights or infringing upon them is an evil act, according to Islam. Every individual is responsible, individually, to adhere to these rights. The Ummah (nation) collectively is also responsible for these rights.

Based on the above, the member countries of the Islamic Congress Organization declare the following:

### ARTICLE ONE

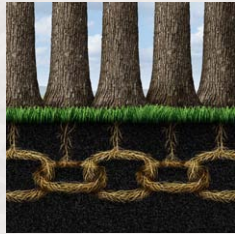
All of humanity is, in essence, one big family. They are united under the banner of all being servants to God and they are the children of the Prophet Adam. All people are equal in terms of human dignity and honor. All people are also equal in terms of responsibility. No race, color, language, sex, religious belief, political affiliation, social status or any other grouping serves as a factor that differentiates them. The true and sound belief is the only assurance and guarantees to ensure the growth of this human integrity for human integration.

The best humans are those who are the best to all others. There is no preference for one over the other except for piety [righteousness] and good deeds.

### ARTICLE TWO

Life is a gift from God. It is protected for every human being. All members of the society, and all states and countries, must act to protect this right against all types of aggression. No life shall be claimed without a due legal reason.

Allah's Messenger declared real equality among all types of people. There is no preference for a person over another person except with piety



Allah's Messenger abolished all differences between people whom the Almighty Allah created from a single soul.

It is unlawful to use methods and tools that have the potential to wipe out the human race.

Maintaining and preserving human life is a legal obligation.

Man's physical safety is respected. None has the right to attack his safety. Furthermore, none has the right to touch this safety without a legal reason. The state must assure this right.

### ARTICLE THREE

While using force, or in the event of armed conflict, it is illegal [unlawful] to kill those who do not have an active role in the actual fighting. Elderly people, women, children, wounded persons and the sick all have the right to be treated [and protected]. [Prisoners of war] have the right to be fed, sheltered and clothed. It is illegal to mutilate the bodies of the dead war victims. Prisoners of war must be exchanged. Families that are separated due to wars are entitled to be reunited.

It is forbidden to cut [or pull] trees, destroy the crops and dairy animals, and destroy buildings and other civil facilities for the enemies by shelling or blowing them up, etc.

### ARTICLE FOUR

Every human being is entitled to his integrity, honor and reputation, during his life and after his death. The State and society must protect the remains and the burial places [cemeteries] of the deceased.

### ARTICLE FIVE

The family is the basic unit in the society. Marriage is the basis for building and forming a family. Men and women are entitled to marriage. No restrictions should be set to restrict them from marriage based on race, color or nationality.

The society and the state must act to remove all barriers for marriage. Further, they should attempt to make it easy, as well as to protect and care for the family unit.

### ARTICLE SIX

Men and women are equal in terms of human integrity and honor. She is entitled for equal rights and duties. She is entitled for her own civil personality, financial independence and she has the right to maintain her name and surname.

Men must take care of all financial needs of their families and must provide all possible care and protection.

### Article SEVEN

Every child born has the right upon his parents, society and the state, of: custody, upbringing, material care, educational care and moral attention. The fetus and the mother must also be provided special care.

Parents and guardians have the right to choose the type of upbringing they like [or prefer] for their children. However, the interest and the future of the children must be taken into consideration in the light of moral and Shari'ah values and principles.

Parents have their own rights towards their children. Relatives also have their own rights among themselves in accordance with the Shari'ah laws and principles.

### Article EIGHT

Every individual has the right to practice his full rights in terms of all commitments. If the individual is no longer qualified to practice his rights, fully or partially, a Wali [guardian] must be assigned instead.

### Article NINE

Education is an entitlement afforded to all and seeking it is a duty. Offering and providing education is a duty that is incumbent on the society and the state. The state must secure the means of delivering education and assure a variety of educational media to serve the interest and the welfare of the members of the society. Education should also enable man to learn about Islam (as a religion and way of life) the universe and how to utilize materialistic means for the benefit and welfare of humanity.

Every human being is entitled to education from the various educational organizations such as the family, school, universities, the media etc. They shall offer the suitable worldly

Men must take care of all financial needs of their families and must provide all possible care and protection



The state must secure the means of education and ensure a variety of educational media to serve the interest and the welfare of the members of the society.

and religious education and training in an integrated and balanced fashion that strengthens his personality and his faith in Almighty God and his respect to rights and duties of man.

### Article TEN

Man must follow and obey Islam (submission to God) which is the natural innate religion (revealed to all messengers of God). Therefore, no one has a right to force others or compel them to do anything against their nature. Furthermore, no one has the right to exploit one's poverty, weakness or illiteracy to change his religion or to become atheist.

### Article ELEVEN

Man is born free. None has the right to enslave, humiliate, conquer or exploit him. There should be no slavery other than the slavery to Almighty God. All types of colonization and imperialism are fully banned. Colonization is the worst type of slavery. Suffering people have the right to liberate themselves from colonization. Such people have the right to determine their own destiny. All other people must support the fair and just cause of fighting against all types of colonization and occupation of all types. All people have the right to preserve their independent state and personality and have the control over all natural resources.

### Article TWELVE

Every human being has the right to move about freely by choosing the suitable residence for himself within his own country or state, or even outside his country. However, if a man is unsafe [in his country] he has the right to seek asylum to another country. The country that is providing asylum must protect such a person unless the reason of this asylum involves a punishable crime.

### Article THIRTEEN

The state and society must ensure work for every capable person. Every individual must enjoy the freedom to choose the most suitable job that guarantees his interest, and the interest of the society. A worker must enjoy his right in safety and security, and all social welfare insurance and guarantees. A worker must not be assigned to do what he is unable to do. A worker must not be forced against his will to do certain things. A worker must not be exploited or harmed. A worker, male or female, without any distinction, is entitled to fair

wages. No delays should be made in the payment of wages. A worker must enjoy [annual] vacation, promotions, incentives and other monetary items he is entitled to receive. A worker is obliged to devote his time and effort with perfection to his job. If a dispute between the worker and the employer arises, the state must intervene to resolve such dispute, remove the oppression, do justice, and force the disputing parties to take and accept the just judgment without any bias.

### Article FOURTEEN

Each individual has the right to an honest and lawful income. No monopolization of goods, cheating or any act of deception, harming himself or others and usury are allowed. In fact, all above items are legally forbidden.

### Article FIFTEEN

Each individual is entitled to lawful ownership. In addition, an individual is allowed to enjoy the rights of ownership provided no harm is caused to one's own soul or others or the society at large. [Private] Ownership is not to be removed except for public interest and for an instant and fair substitution. No wealth [or ownership] confiscation is done without a legal and lawful reason.

### Article SIXTEEN

Each individual is entitled to benefit from his actual material production, literal production, artistic production or technical production. Also, each individual is entitled to protect his literary or financial interests resulting from his production, provided that this production does not contradict the laws of Shari'ah.

### Article SEVENTEEN

Each individual is entitled to live in a clean environment in terms of pollution and moral corruption. Such environment must permit the individual to morally build his character. Both the society and the state must ensure and provide this right to the individuals.

The society and the state must provide every individual with

Each individual has the right to an honest and lawful income. No monopolization of goods, cheating or any act of deception, harming himself or others



The society and the state must provide every individual with [suitable and necessary] health care and social care by availing all public facilities, within the available means.

[suitable and necessary] health care and social care by availing all public facilities, within the available means.

The state must ensure decent living conditions for the individuals and their dependents. This right encompasses boarding, decent and proper clothing, proper education, medical care and all other essential or basic needs.

### Article EIGHTEEN

Each individual is entitled to life and security in the society as relates to his self, religion and faith, family honor, dignity and family members and his financial belonging.

Each individual has the right to be independent with his own affairs in terms of housing, family, finance and communications. No spying or surveillance may be maintained against anyone. No defaming is allowed to anyone. In addition, others must protect individuals against all unlawful inferences.

The privacy of houses and dwellings are insured. Entry to private homes must be with consent of their occupants. Private housing should not be demolished, confiscated or their tenants evicted without any legal reason.

### Article NINETEEN

All individuals – the ruler and the ruled – should enjoy equal legal rights.

All individuals have access to seek judicial judgment for their complaints.

Crime and punishment are based on Shari'ah injunctions.

Every accused is innocent until proven guilty. A fair trial is necessary where all assurances are given for full defense.

### Article TWENTY

No one is to be arrested or his freedom be restricted, exiled or punished without adequate legal action. Individuals must not be subjected to physical or psychological torment or any other humiliating treatment. No one may be subjected for medical experimentation without his consent, provided that it does not amount to the detriment of his health. Furthermore, it is not permitted to empower executive authority to issue exceptional laws.

### Article TWENTY-ONE

It is forbidden to take any person as a hostage for any purpose and in any form.

## Article TWENTY-TWO

Each individual is entitled to express his opinion, if it does not contradict Shari'ah laws and principles.

Each individual is entitled to enjoy good and forbid evil in agreement with Shari'ah laws and principles.

Media and information are vital for the society. Media must not be exploited, or abused or used attack the dignity of the Prophets of God, or to practice any immoral or corrupt deeds. In addition, all issues that cause disunity within the society, moral decay, danger or disbelief are also banned.

It is not allowed to generate national hatred or sectarianism or any other type of discrimination.

## Article TWENTY-THREE

Guardianship is a trust that must not be betrayed. This is fully forbidden to ensure the basic human rights.

Each individual is entitled to participate in the public administration of his country, either directly or indirectly. Similarly, all individuals are entitled for public offices based on Shari'ah laws and regulations.

## Article TWENTY-FOUR

All rights and freedoms listed in this Declaration are comprehensible within the framework of Shari'ah laws and principles.

## Article TWENTY-FIVE

Shari'ah laws and principles are the only source for the interpretation or clarification for any article of this Declaration.

Cairo, 5/8/1990

Accepting and determining the above stated rights is the correct path to build a true Islamic society that maybe described as follows: <sup>10</sup>

<sup>10</sup> The following are adapted from The Islamic International Declaration for Human Rights.

Every accused is innocent until proven guilty. A fair trial is necessary where all assurances are given for full self-defense.



Each individual is entitled to express his opinion, if it does not contradict Shari'ah laws and principles.

A society which is developed on the concept of justice, where no one is superior on the basis of origin, race, color or language. Man must be safe against suppression, oppression, humiliation and slavery. God, the Creator of all the creation has honored man over all his creation:

(And We have certainly honored the children of Adam and carried them on the land and sea and provided for them of the good things and preferred them over much of what We have created, with [definite] preference.) [17:70]

A strong family system is the basis of society. It provides stability and progress. God says in the Qur'an:

(O people, verily we created you from a male and a female....) [49:13]

A society where the governor and the governed are equal before Shari'ah (Islamic jurisprudence). Since the Shari'ah is divinely ordained, no discrimination is allowed in such a society.

A society in which authority and power are a trust, and where the ruler attains goals within the framework of Shari'ah.

A society in which every individual believes that Almighty God is the true Owner of the entire creation, and that everything in His creation is employed for the benefit of His creatures. Everything that we have is a gift from God. The Almighty states in the Qur'an:

(And He has subjected to you whatever is in the heavens and whatever is on the earth – all from Him. Indeed in that are signs for a people who give thought.) [45:13]

A society in which all policies governing public affairs are based on the principle of consultation. The Almighty states in the Qur'an:

(Those who have responded to their lord and established prayer and whose affair is [determined by] consultation among themselves, and from what We have provided them, they spend.) [42:38]

A society which grants equal opportunities to all individuals according to their skills and potential. Such individuals will be accountable before their community about their performance in this world and before their Creator in the Hereafter. God's Messenger ﷺ said:

“Each one of you is a shepherd and each is responsible for those under his care. A leader is a shepherd, and is responsible for his citizens. A man is a shepherd of his

family, and he is responsible for them. A woman is a shepherd in her husband's home, and she is responsible for whatever is under her care. A servant is a shepherd of his master's wealth, and he is responsible for whatever is under his care. Each one of you is a shepherd and each one of you is responsible for whatever is under his care."<sup>11</sup>

It is a society in which both the ruler and the ruled stand equally in judicial courts during the judicial procedures.

It is a society where every person reflects the consciousness of the community. Each individual has a right to file a legal suit against any criminal who committed a crime against the general population. He may also solicit the support of others in this process and it is an obligation on all the witnesses of the crime to help him and not to shy away during the proceedings for justice.

The characteristics of human rights in Shari'ah (Islamic Jurisprudence) are as follows:

**01** Human rights according to Islamic Shari'ah are Divine. These do not stem from other human beings who are influenced by whims, desires, interests and personal ambitions.

**02** Human rights are correlated with the Islamic faith and belief. They are protected and preserved by Divine judgment. Therefore, any violation of these rights is, in the first place, a violation against the Divine Will of God, and entails punishment in the Hereafter, as well as worldly punishment.

**03** These human rights are comprehensive and commensurate to the nature of human beings. They agree with human innateness and coincide with his weakness, power, poverty or richness, dignity and humiliation.

**04** These human rights are applicable to each person under the Islamic jurisdiction, regardless of color, race, religion, language or social status.

<sup>11</sup> Bukhari, Hadith no. 853 and Muslim, Hadith no. 1829

These human rights are comprehensive and commensurate to the nature of human beings.



These human rights are constant. These are not adaptable at any time or place and under any condition or circumstances.

**05** These human rights are constant. These are not adaptable at any time or place and under any condition or circumstances. Neither individuals nor society can alter these human rights.

**06** These rights are sufficient to establish a society that grants its individuals a decent and honorable life. These rights are a mercy from Almighty God, the Lord of all worlds and they are for the entire humanity at large. Human rights also serve to preserve political, social, moral and economic rights of humanity.

**07** Human rights, however, are restricted and not absolute. These rights are compatible with the basic Shari'ah laws and principles. They are not detrimental to the interest of the society and its welfare. For instance, the freedom of opinion and speech is guaranteed for every individual. All individuals are entitled to speak out saying the truth without hesitation. All have the right to provide and offer reasonable advice to others, so long as this advice is in the public's interests. Advice may be given in the spheres of worldly affairs or religious affairs alike. There are certain restrictions, however, that must not be exceeded...otherwise it will result in a chaotic situation in the society. The following are some of these restrictions:

- This freedom of objective dialogue should be based on wisdom and good advice. Almighty God states in the Qur'an:
- (Invite to the way of your Lord with wisdom and good instruction, and dialogue with them in a way that is best. Indeed, your Lord is most knowing of who has strayed from His way, and He is most knowing of who is [rightly] guided.) [16:125]
- Adhere at all cost to the essential principles of the Islamic faith such as the belief in the existence of God, the reality of the Message of God's Messenger ﷺ and all other related issues.
- Avoiding the use of such freedom in any way that is offensive to others... regardless whether the offense is worldly or religious, such as defaming people, scandalizing them and revealing their secrets. Such unlawful acts will spread harm and evil among people in the Islamic society or any other society. Almighty God states in the Qur'an: (Indeed, those who like that immorality should be spread [or publicized] among those who have believed will have a painful punishment in this world and the Hereafter. And Allah knows and you do not know.) [24:19]



**MISCONCEPTIONS ON  
HUMAN RIGHTS IN ISLAM**



## INTRODUCTION

The following are some of the noteworthy misconceptions about the religion of Islam and its principles of human rights. One should note that most of the accusations against Islam could equally be directed to Judaism, Christianity and other religions as well, since they have religious codes that are deemed unacceptable by modern secular systems of life. Our clarification here is only of Islamic principles, since Islam is free from the falsehoods and injustices perpetrated in the name of other religions that have played a major role in the backlash leading to modern secularism. There has never been, for example, any conflict in Islam between religion and rational science.

### FIRST MISCONCEPTION:

Some claim that the Islamic Law is restrictive of essential liberties and incompatible with the advanced civilizations of the world and modern concepts of human rights.

Part of this widely propagated misconception has been addressed in the foreword. We note here that Muslims believe that the Islamic Law is a complete and comprehensive code of life, fully adaptable and suitable in its principles and laws for every age, location and people. True liberty is liberty from subservience to oppression whether it comes from one's own selfish desires or of a ruling oligarchy. The worst subservience is to worship others besides the One Lord, Creator and Sustainer of man. Islam does not accept the liberty of the libertine who thinks he may do whatever he desires no matter what. Islam is not only a religion of the spiritual bond between a person and his Lord and Creator, but includes temporal and worldly commandments from God, the Wise, for all aspects of life. Islam organizes the relationship between man and His Creator as well as the relationships between man and his society and other nations. Unlike Judaism, Islam is universal and is not

limited for a specific nation of people. Although Christians claim universality, they apparently have digressed from the path which was revealed unto Jesus who said, as recorded in the Bible:

"I am sent only to the lost sheep of the house of Israel."<sup>1</sup>

Jesus also is reported to have said to his twelve disciples, who were selected to match the twelve Jewish tribes,

"To these twelve, Jesus sent forth, and commanded them, saying, go not into the way of the Gentiles, and into any city of the Samaritans enter not. But go rather to the lost sheep of the house of Israel."<sup>2</sup>

The Prophet of Islam ﷺ has been sent as a mercy for all mankind. God, the Exalted, states in the Qur'an:

(We have sent you as a mercy for all the worlds.) [21:107]

The Islamic Shari'ah has two aspects. One aspect includes faith, belief, various acts of worship and the laws that are constant, never subject to any change, regardless of differences of time or place. For instance, prayer in Islam is a ritual that has standard specifications, whether in Nigeria or Arabia or Indonesia. Similarly, Zakah (obligatory charity) has standardized and unalterable rates and amounts for various categories of wealth. Laws of inheritance are set and no one in the society has the right to modify them for any reason. These permanent laws reinforce the underlying equality between all men since they are basically the same wherever they live.

The second aspect of the Islamic Shari'ah are laws, especially those that regulate the relationship of man with his fellow man and other nations, which are in a general form wherein the details are left to be adapted according to the needs that arise in the constantly changing conditions of the society. Such rules and regulations may be amended, altered and adapted within a general framework. These changes or modifications, however, are to be supervised by specialists and jurists who understand well the principles of Islamic law and all developments in the current society. The principle of consultation (Shura), is one example. This principle is mentioned in the Qur'an in a general form without giving detail to the mechanics. No binding information was given in

<sup>1</sup> Matthew 15:24.

<sup>2</sup> Matthew 10:5-6.

Islamic Law is a complete and comprehensive code of life, fully adaptable and suitable in its principles and laws for every age, location and people.



Islamic Shari'ah are laws, especially those that regulate the relationship of man with his fellow man and other people and nations

Both the Qur'an and the Sunnah, (prophetic traditions of the Prophet) illustrate that freedom of religion is available to members of the society under Islamic Shari'ah



Muslims must deal justly with all other humans who have not begun any hostilities with the Muslims

the Qur'an that explains exactly how to apply, execute and implement Shura in the Islamic society, although the Sunnah (Way) of the Prophet ﷺ does give some guidance. This trait of adaptability allows the Islamic scholars to interpret the details of Shura to serve the requirements of every age and place. What is applicable for one generation or society can be made applicable for another with minor alterations according to the needs of the time. This flexibility illustrates the validity, comprehensiveness, and universal scope of Islam.

## SECOND MISCONCEPTION:

Some who do not know basic truths about Islam; whether, pseudo-scholars, Orientalists or enemies of Islam, claim that Islam does not respect the legal rights of non-Muslims in the Islamic State.

The Islamic Shari'ah provides a different set of obligations and rights for non-Muslim residents in the Islamic society. It may be sufficient in rebuttal of this misconception to quote the general ruling mentioned in the books of Islamic jurisprudence: "The non-Muslims are entitled to that which Muslims are entitled. They are also obligated to do that which Muslims are obligated."

This is the general rule and from it emanates the just and equitable laws giving non-Muslim residents in an Islamic State their rights to security, private property, religious observance, etc.

Islam permits religious discussions and dialogues with non-Muslims, commanding Muslims to adhere to the best methodology in any discussions with the non-Muslims. God, the Exalted and Majestic, states in the Qur'an:

(And do not argue with the People of the Scripture except in a way that is best, except for those who commit injustice among them, and say, "We believe in that which has been revealed to us and revealed to you. And our God and your God is one; and we are Muslims [in submission] to Him.") [29:46]

God addresses those of other faiths and religions, saying in the Qur'an: (Say: [O Muhammad], "Have you considered that which you invoke besides Allah? Show me what they have created of the earth; or did they have partnership in the [creation of] the heavens? Bring me a scripture [revealed] before this or a [remaining] trace of knowledge, if you should be truthful.") [46:8]

Islam forbids forceful measures to convert people from other faiths, as stated in the verse of the Qur'an:

(If it had been your Lord's will, they would all have believed, all who are on earth! Will you then compel mankind, against their will, to believe?) [10:99]

Both the Qur'an and the Sunnah [traditions of the Prophet ﷺ] illustrate that freedom of religion is available to members of the society under Islamic Shari'ah. Muslim history has numerous examples of the tolerance shown to non-Muslim subjects, while many other societies were intolerant towards Muslims and even their own people.

Muslims must deal justly with all other humans who have not begun any hostilities with the Muslims. God states in the Qur'an:

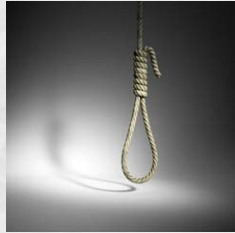
(God forbids you not, with regard to those who fight you not for (your) Faith nor drive you out of your homes, from dealing kindly and justly with them: for God loves those who are just.) [60:8]

Those who wage war against Islam, show enmity and force the Muslims into exile, have a different treatment according to Islam. God the Exalted states in the Glorious Qur'an:

(It is only as regards those who fought against you on account of religion, and have driven you out of your homes, and helped to drive you out, that God forbids you to befriend them. And whosoever will befriend them, then such are the wrongdoers.) [60:9]

Interactions between Muslims and non-Muslims are based on cordial and just manners. Commercial transactions are permitted with resident and non-resident non-Muslims of the Islamic society. A Muslim may eat the food of Jews and Christians. A male Muslim may marry a Jewish or a Christian woman as will be explained below. We must remember that Islam gives special attention and importance on raising a family. God, the Sublime, states in the Qur'an: (This day are all things good and pure made lawful unto you. The food of the

the system of criminal punishments in Islam is part of the entire just and equitable Islamic system of life, which allows equal opportunity and provides for the welfare of all the citizens



The rules in application of the Hudood, (capital and corporal punishments) of the Islamic Shari'ah are to ensure justice

People of the Book is lawful unto you and yours is lawful unto them. Lawful unto you in marriage are not only chaste women who are Believers, but chaste women among the People of the Book, revealed before your time, when you give them their due dowry, and desire chastity, not lewdness, nor secret intrigues. If anyone rejects faith, fruitless is his work, and in the Hereafter he will be among the losers.) [5:5]

### THIRD MISCONCEPTION:

Some claim that the Islamic punishments (Hudood) are cruel and barbaric, and transgress human rights.

All societies have a system of punishment for serious criminal offenses. The modern system uses prolonged prison terms, but many criminal and social science experts have observed that jail time is not a successful deterrent, and that it most often leaves a sense of loss and uselessness for the criminal, and general maliciousness towards the system perceived as unjust. Also the victims often do not believe that true justice has been served. Many controversies exist about appropriate terms and sentencing. Not to mention the expenses of maintaining a huge system of prisons and related facilities.

To begin, we must mention that the system of criminal punishments in Islam is part of the entire just and equitable Islamic system of life, which allows equal opportunity and provides for the welfare of all the citizens, not leaving any pretext for criminal activity.

Crime in Islam is divided into two categories:

**01** Crimes that have prescribed punishments according to Shari'ah laws. These crimes include murder and manslaughter, assault, fornication and adultery, robbery, theft, drinking alcohol and intoxicants, false accusation of adultery or other immoral acts, and terrorism or aggression against people.

**02** Crimes that do not have a definite punishment according to Shari'ah laws. The legal authority sets the punishments for such crimes according to the public interest of Muslims and the Islamic society. These types of punishments are known as "Ta'zeer" (reprimands).

Crimes that have a definite punishment according to Shari'ah laws are further divisible into two categories. The first category refers to that which involves the victim's personal rights, such as murder, manslaughter, assault and slander. The punishments of these offenses maybe reduced if the plaintiff drops the charges, or he may accept the blood money in cases of murder, manslaughter, and assault. The second category refers to punishments for violating the Commands of God and other prescribed Shari'ah injunctions. These crimes include drinking alcohol, fornication and theft. Penalties for such crimes once brought before the authorities and confirmed, cannot be dropped even if the plaintiff drops the charges.

The rules in application of the Hudood, (capital and corporal punishments) of the Islamic Shari'ah are to ensure justice. For instance, these punishments are applicable only for crimes seriously violating the five essential necessities of human life (religion, life, mind, honor/progeny and wealth). They are only applicable upon a competent and sane adult confirmed by confession or trustworthy and competent testimony. The punishments may be dropped in case of suspicion or insufficient evidence of the crime, as it is reported from the traditions: "Stop the Hudood, punishment when there are suspicions (about evidence and mitigating circumstances)." <sup>3</sup>

The objective of executing these harsh punishments is to teach exemplary lessons to the criminal elements of the society. They act as proven and successful deterrents against the temptations towards committing criminal acts, and therefore protect the rights of all individuals; the entire society enjoys peace and security. For example, if someone knows that he may be struck with the same force as he used, cutting the skin and breaking the bone, in return for his crime – would he be inclined to go ahead with his assault?

In addition to the worldly temporal penalties, criminals are also advised to beware of the eternal punishment of God in the Hereafter for committing crimes. All

<sup>3</sup> Reported by Dhahabi and others with an unreliable chain of narrators, and more probably it is the saying of Abdullah ibn Mas'ood as al-Baihaqi mentioned.

individuals in the Islamic society who break the laws and Islamic regulations would be subjected to such severe penalties. There are certain individuals in every human society who would not be disciplined except with corporeal punishments. We notice that Islam determines a suitable penalty for every crime because God, the Wise and Omniscient, knows intimately all realities about the human soul and various types of His creatures.

Hiraabah includes highway robbery, killing as a result of robbery, breaking into residential or commercial areas with weapons, intimidating innocent residents with weapons and terrorism. It literally means waging warfare within the society.

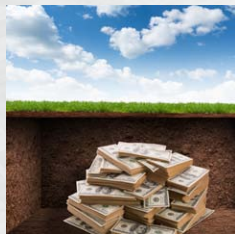
The stipulated punishment for Hiraabah is based on the statement of the Qur'an:

(The punishment of those who wage war against God and His Messenger, and strive with might for mischief through the land is: execution or crucifixion, or the cutting off of hands and feet from opposite sides, or exile from the land: that is their disgrace in this world, and a grievous punishment is theirs in the Hereafter; Except for those who repent before you apprehend them. In that case, know that God is Oft-Forgiving, Most Merciful.) [5:33-34]

This punishment is applied variously according to the nature and intensity of the crime, with leeway for the authority to apply the punishment to suit the crime. If the terrorist kills and steals money, the punishment may be killing and crucifixion. If he takes money and threatens but does not kill or assault, the punishment may be amputation of his hand and leg. If he kills the victim but does not take his money, he may be executed as in murder. If he frightens innocent residents but does not kill any of them, he may be exiled, which is actually imprisonment according to some scholars.

**01** Murder and manslaughter: The punishment of Qisas (execution) is legislated for premeditated murder as a just and

There are certain individuals in every human society who would not be disciplined except with corporeal punishments.



Theft is a very serious crime which if left without proper punishment may become a widespread phenomenon threatening the social and economic life of the community.

suitable penalty for taking life unjustly. Qisas acts as a successful deterrent to prevent murder. God, the Exalted, says in the Qur'an: (O you who have believed, prescribed for you is legal retribution for those murdered – the free for the free, the slave for the slave, and the female for the female....) [2:178]

If the family of the victim pardons the killer, the capital punishment will be dropped. If they accept the blood money, the punishment is also dropped. God says in the Qur'an:

(But whoever overlooks from his brother anything, then there should be a suitable follow-up and payment to him with good conduct. This is an alleviation from your Lord and a mercy. But whoever transgresses after that will have a painful punishment.) [2:178]

**02** Robbery and Theft: God set the penalty of cutting the hand as a penalty for theft. This is based on the Qur'an:

(As for the thief, the male and the female, amputate the hand of each in recompense for what they committed as a deterrent [punishment] from Allah. And Allah is Exalted in Might and Wise.) [5:38]

The amputation of the hand is based on very specific conditions and circumstances. First, the item stolen must be over a set limit of value. Second, the stolen item must be under proper protection. Third, if the accusation of theft is only a suspicion, or if the reason for theft is hunger due to acute poverty, in such a case the hand of the thief will not be amputated and his case for welfare and assistance will be assessed. Theft is a very serious crime which if left without proper punishment may become a widespread phenomenon threatening the social and economic life of the community. Thieves may confront resistance, prompting them to commit other crimes like manslaughter and assault. If a thief realizes that his hand would be cut off because of his theft, he will definitely hesitate or desist from his crime

Fornication and adultery: Islam prescribes the punishment of flogging for those that have never been previously married and are guilty of fornication. God commands in the Qur'an:

(The woman and the man guilty of fornication flog each of them with a hundred lashes: let not compassion move you in their case in a matter prescribed by

God, if you believe in God and the Last Day: and let a party of the believers witness their punishment.) [24:2]

As for the previously married male or female who commit adultery, the punishment applied to them is stoning. This punishment is only applicable and executed when specific conditions are met. A married male or female is stoned to death in either of the following two cases: confession or the testimony of four eyewitnesses. Open and clear confession entails that no compulsion or force is exerted to obtain a confession. The sentence is not executed after the first admission of guilt. The confession will become effective only if it is repeated four times or in four different meetings or court sessions. The judge may say something to the effect, 'It could be that you just kissed, hugged and touched without penetration. This is to leave the door wide open for withdrawal of the original confession. This practice is based on the Sunnah of the Prophet ﷺ when the various confessors insisted repeatedly that they had actually committed adultery, and when one was proved pregnant as a result.

The second situation requires four just witnesses. These four just and fair witnesses must be known as truthful in their statements and conduct. The four witnesses must confirm observation of the actual intercourse directly, meaning that the four witnesses testify that they actually saw penetration of the male's penis into the female's vagina. Such a situation is truly rare and only observed when the two parties are openly committing such an illegal act of indulgence, showing no respect to the law or honor and dignity of the society.

Adultery and fornication (from a purely Islamic perspective) are not considered, as in secular law, to be merely a personal prerogative and private affair. It is considered an infringement on the rights of the society because there are many harmful effects and consequences. It demoralizes the social values and principles of the society in general. It leads to the spread of venereal diseases. It leads to abortion. It leads to illegitimate

For previously married male or female who commit adultery, the punishment applied to them is stoning. This punishment is only applicable and executed when specific conditions are met.



All types of intoxicants are prohibited since not only do they harm the person's body, mind and family, but they also harm the moral fabric of the society at large.

children without proper care from parents. Mixing of the lineage occurs when a child is attributed to a person other than his real father. A child may be deprived of the honor of being attributed to his real father. It causes problems in inheritance whereby those who are not entitled to inheritance may become heirs and those who are entitled may not get any of the inheritance. Furthermore, a person may even marry out of ignorance someone related to him, such as a sister or a niece. It is truly a crime to these innocent children to deprive them of the guardianship of parents and family as well as an honorable identity, which may lead to physiological and social illness and instability. For a child, a mother and father are essential for peace of mind, shelter, security, support and happiness.

Slander: Public flogging is the prescribed punishment for false accusation of fornication or adultery. God, the Almighty, states in the Qur'an: (And those who slander chaste women, and produce not four witnesses (to support their allegations), flog them with eighty lashes; and reject their evidence ever after: such are wicked transgressors.) [24:4]

The purpose of establishing and executing this punishment is to protect the honor and reputation of the innocent. Unpunished false accusation is a vice that generates retaliatory behavior, vengeance and even assault or murder. The Islamic Shari'ah prescribes this severe punishment against the offender if he does not produce confirmed evidence as a proven deterrent to eradicate this from the society. Islam does not stop at the physical punishment for this crime but requires that the future testimony of someone confirmed for false accusation is not to be accepted since he or she is a confirmed liar. If the slanderer fully repents to God and improves his entire behavior, then the situation may be reviewed.

Intoxicants Man is free to eat and drink of the wholesome legal food and drink within the confines set forth by God. All types of intoxicants are prohibited since not only do they harm the person's body, mind and family but also harm the moral fabric of the society at large.

Intoxicants are called, 'the root of all evil or vice' because they lead to other sins. Islam sets the punishment of flogging for public intoxication and traffickers. Lashing is the prescribed punishment in Islam in order to eradicate the use of such harmful substances and ensure the protection of wealth, and mental and physical health.

A general ruling in Shari'ah is that the punishments should be commensurate to the size and type of the sin.



Islam does not aim to retaliate from a sinner nor imposes severe punishment just for the sake of being harsh and severe

Some of the negative effects and the consequences resulting from the abuse of alcohol and drugs include the tendency towards other crimes like murder, assault, fornication, adultery, rape and incest under the influence of the abused substances. An alcoholic or drug addict becomes a useless member in the society, unable to hold productive employment. An addict may do any immoral act to get the illegal drug he needs. Serious health hazards and epidemics may be caused by alcohol and drug addiction, as substantiated by medical and labor studies. Much wealth, resources and time is wasted with serious harm to the community and the society in general. Since the alcoholic or addict temporarily loses his mind, under the influence, he may become criminally dangerous, a situation Islam does not tolerate.

All the above punishments in Islam are to preserve human rights and the dignity of law-abiding citizens and they are a demonstration and illustration of the absolute divine wisdom and justice. A general ruling in Shari'ah is that the punishments should be commensurate to the size and nature of the sin. For instance God states in the Qur'an:

(The recompense for an injury is an injury equal thereto (in degree).) [42:40]

God also states in the Qur'an:

(And if you punish then punish them with the like of that with which you were afflicted. But if you endure patiently, verily, it is better for the patient ones.) [16:126]

The just punishment of the crime is an equal measure, but as a mercy, Islam leaves the door open for either acceptance of blood money as a compensation or pardon and forgiveness insofar as personal rights and injuries are concerned. God explains in the Qur'an:

(And We ordained for them therein a life for a life, an eye for an eye, a nose for a nose, an ear for an ear, a tooth for a tooth, and for wounds is legal retribution. But whoever gives [up his right as] charity, it is an expiation for him. And whoever does not judge by what Allah has revealed – then it is those who are the wrongdoers.) [5:45]

Pardoning is encouraged as God the Most Merciful states in the Qur'an in one case: (Let them forgive and overlook, do you not wish that God should forgive you? For God is Oft-Forgiving, Most Merciful.) [24:22]

And God the Most Forgiving says in the Glorious Qur'an:

(But if a person forgives and makes reconciliation, his reward is due from God.) [42:40]

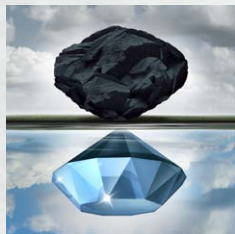
Islam does not aim to retaliate from a sinner nor imposes severe punishment just for the sake of being harsh and severe. The objective of the punishment is to protect human rights and preserve respect for law and order through strict justice and exemplary deterrents. The overall aim is to maintain peace and to cause everyone to think twice before they commit a crime. If a murderer realizes that he will be killed for killing a person, and a thief realizes that his hand is going to be cut off for his theft, they will think seriously before they commit their intended crimes. The fear of the punishment holds the perpetrator back from the crime and consequently the society becomes safe, respectful and peaceful. God states in the Qur'an:

(And there is saving of life for you in Al-Qisâs (legal retribution), O men of understanding, that you may become pious.) [2:179]

The answer to the objection that these stipulated punishments in Islam are exceptionally cruel is simple. Since all agree that crimes are extremely harmful to the society, that strict measures must be taken to counter them, and that the people who commit them must be punished – the only problem remains is determining the best, most just and effective punishments for reducing the crime rate. This entails a comparison between Islamic law and man-made secular laws; between the punishments mentioned above and the system of lengthy terms of imprisonment with all their negative consequences on the victims, criminals and the society in general.

Islamic punishments are just, easy, universal, practical and logical when examined closely because they give the criminal the exact taste of the pain he inflicted on the victim and against the moral basis of the society. God knows best His creation and what is truly the just punishment and effective deterrent to crime. Logic and justice demand more recognition of the rights of the victims. Their rights should not be made insignificant through being lenient to the criminals. A cancerous organ must be removed if it cannot be cured.

Throughout Islamic history, the instances where the punishments of execution, stoning to death, and amputation were recorded and applied are remarkably few in number.



Rejecting Islam as a way of life after its acceptance can sometimes be followed by malicious propaganda against Islam.

It should be noted that all too often the media propagates a distorted image about Islam, Muslim society, and the Shari'ah law. By this propaganda, one may think that Islamic punishments are applied and executed on a daily basis. The truth is that throughout the Islamic history the instances where the punishment of execution, stoning to death and amputation, were recorded and applied are actually quite few.

For instance, cases of stoning are rare and the vast majority of them were based on sinners who confessed their crimes and expressed their desire to receive the punishment in order to purify themselves from the sin and meet God sinless in the Hereafter. The case with the other punishments is similar.

#### FOURTH MISCONCEPTION:

Many claim that the punishment prescribed in Islam for apostasy is a violation against human rights. The modern concept of human rights ensures freedom of religion to all people. This punishment, they claim, contradicts what God, the Exalted and Almighty, said in the Glorious Qur'an:

(Let there be no compulsion in religion.) [2:256]

The well known tradition of the Prophet ﷺ states,

"The blood of a Muslim may not be legally spilled except in one of three (instances): the married person who commits adultery; a life for a life; and one who forsakes his religion (of Islam) and abandons the community."<sup>4</sup>

The Prophet ﷺ also said:

"Whosoever changes his religion (of Islam), execute him."<sup>5</sup>

Without a doubt, this is a very contentious issue within the Muslim community and a matter of disagreement between the

<sup>4</sup> Reported by Bukhari no. 6935 and Muslim no. 6524.

<sup>5</sup> Reported by Bukhari no.2854.

scholars. The reasons for this disagreement are as follows:

- 01** There is no capital punishment for apostasy mentioned in the Qur'an.
- 02** The aforementioned hadith only provide part of the picture and they are not definitive in their meanings.
- 03** The Prophet Muhammad ﷺ is our example in Islam and yet there are clear evidences of people leaving Islam in his lifetime, but he did not order their execution. So there is missing historical context.

If we look deeper into the hadith, we find that there is an equally authentic report that clarifies the hadith mentioned first above:

'Aisha, the Prophet's wife, narrated that the Messenger of God ﷺ said "The blood of a Muslim, who confesses that none has the right to be worshipped but Allah and that I am His Messenger, cannot be shed except in three cases: a married man who commits adultery – he is to be stoned; and a man who went out fighting against God and his Messenger – he is to be killed or crucified or exiled from the land and a man who murders another person – he is to be killed on account of it."<sup>6</sup>

This authentic version of the statement of the Prophet ﷺ sheds more light on the issue. Specifically that it isn't the action of apostasy alone that mandates capital punishment, but the typical consequence of apostasy – fighting against the community of the believers in conjunction with the apostasy that leads to the punishment.

Thus, we can understand the Islamic verdict regarding apostasy as follows:

- 01** If a person abandons the religion, and leaves the community without fighting them or attacking them, then they are left to live their lives and no harm comes to them. This is how the Prophet ﷺ managed such cases as seen in his history (Seerah).
- 02** If a person abandons the religion, and then joins the enemies of the community to fight them, then the Islamic government has the option to execute or jail the person, depending on what it sees fit. This is consistent with the hadith of Aisha mentioned above.

<sup>6</sup> Reported by Abu Dawood, verified as authentic by Al-Albani

**03** If a person abandons the religion, but doesn't leave the community or fight against them, then his case is referred to the scholars and counselors of the Islamic government who will try to assess why he made this decision and if he may have been deceived, or if he is not sane. If he is found to be sane and understands but persists in his apostasy, then he is exiled.

It is important to add that regardless of the situation, the issue of execution is an executive decision to be made only by the government and never a matter to be taken into the hands of the public.

If such a person though confines his disbelief and apostasy to himself, and does not proclaim and propagate it, he is left to God and the punishments of the hereafter. God knows best who believes and who rejects faith, who is sincere and who is a hypocrite. Muslim authorities only base their judgments and sentences upon open external matters and leave the internal realities to God.

### FIFTH MISCONCEPTION:

Some claim that the prohibition of a female Muslim to marry a non-Muslim is an infringement against her human rights and her personal freedom, which is permitted in the modern secular law; any individual may marry whomsoever they desire. It is important to note here that the Muslim male is also prohibited from marrying a polytheist such as a Hindu or Buddhist women. Is this then an infringement against his human rights and personal freedom? Clearly the answer to this question and the aforementioned misconception is that these prohibitions do not in any way infringe on the human rights of either the male or the female in Islam, as will be explained below; rather it is to ensure the harmony of the marriage.

Islam does not treat rejection of the faith as a personal matter but rather a rejection that harms the entire system



Islam bans the marriage of a non-Muslim man with a Muslim female because a Jew, Christian or polytheist denies the Message of Muhammad and his prophet-hood.

### Reply to the Misconception about Marriage to a non-Muslim<sup>7</sup>

The Islamic rationale behind this restriction is for her protection and for the preservation of family values. Most modern secular laws permit any and all sexual relations between consenting adults, even homosexuality. All this is unacceptable in Islam since sexual relations are only allowed through legal and honorable marriage between a male and a female. Since Islam seeks all means to protect the morality of the human race and guard the family unit against dissolution by divorce, the potential spouse is encouraged to seek harmony, security, and compatibility with the one chosen for marriage. This ensures personal happiness and the success of the future family. Anything that would be a cause for serious potential conflict would be a reason for not allowing the marriage. Differences in religion between the two spouses is naturally a known potential cause. The following three possible cases exist:

**1<sup>st</sup> Case:** A Muslim male is prohibited from marrying a polytheist, idolater or atheist female because the Islamic Faith does not condone or respect polytheism, blasphemy and idolatry. Islam prohibits the marriage where a spouse will not show consideration to the primary principles of the other spouse. The entire family in this case would be in continuous dispute and confusion. Such a problematic marriage most likely would end up in divorce leading to the dissolution of an existing family, affecting the children of the family the most.

**2<sup>nd</sup> Case:** A male Muslim is allowed to marry a chaste Christian or Jewess because Islam accepts Moses and Jesus, may God exalt their mention and render them safe from every derogatory thing, as true Prophets and Messengers from God. Regardless of certain differences in some principles of faith, belief and religion, the marriage does not have the problematic nature mentioned above, and may continue and prosper if all other factors are satisfactory between the two spouses, God willing.

**3<sup>rd</sup> Case:** Islam bans the marriage of a non-Muslim man with a Muslim female because a Jew, Christian or polytheist denies the Message of Muhammad ﷺ and his prophethood. By natural and historical precedent, men typically dominate women. A non-Muslim husband may possibly take advantage of his strength and dominance, and demonstrate in the private confines of the

<sup>7</sup> Quoted with paraphrasing from Symposium on Islamic Shari'ah and Human Rights in Islam, Beirut, Dar-al-Kitab-al-Lebnani, 1973.



home disrespect to the wife's Islamic faith and principles. He may talk with derogatory language about the Prophet ﷺ and Islam, a situation that would cause intense hatred and problems between the two spouses. Naturally this will lead to a dispute between the two spouses, or tempt her from her faith. If she defends her faith vigorously, this may lead to unjust subjugation and physical violence against her person. As the physically weaker gender, she may accept this dire situation of maltreatment and suffering to protect herself and her children. Islam bans this kind of marriage that inevitably leads to maltreatment, conflict, severe trials, or near certain divorce for those concerned, similar to the first case. This third case, in summary, is the worst-case scenario for potential conflict, and therefore prohibited.

### SIXTH MISCONCEPTION:

The system of slavery in Islam contradicts Islamic concepts of equality and full personal freedom. This, too, is an encroachment upon human rights.

The slavery system among Muslims in many aspects was different from other societies, and what many people envision about slavery according to practices among the Greeks, Romans and European colonialists. Islam initially accepted the slavery system because it was an accepted and necessary part of the economic and social conditions in those times. The system of slavery was a worldwide phenomenon with many vital sectors of livelihood dependent on slave labor. Slavery was accepted and recognized in the previous religions. As it is stated in the Bible:

“10. When you come neigh unto a city to fight against it, then proclaim peace unto it. 11. And it shall be, if it make thee answer of peace, and open unto thee, then it shall be, that all the people that is found therein shall be tributaries unto thee, and they shall serve thee. 12. And if it will make no peace with thee, but it will

The system of slavery in Islam contradicts Islamic concepts of equality and full personal freedom. This, too, is an encroachment upon human rights.



Islamic law followed a long-term and gradual plan to eliminate slavery from society.

make war against thee, then thou shall besiege it. 13. And when the Lord Thy God has delivered it into thine hands, thou shall smite every male thereof with the edge of the sword. 14. But the women, and the little ones, and the cattle, and all that in the city, even all the spoil thereof, shall you take unto yourself, and you shall eat the spoil of thine enemies, which the Lord thy God has given thee. 15. Thus shall you do unto all the cities which are very far off from thee, which are not of the cities of these nations. 16. But of the cities of these people, which the Lord thy God does give you for an inheritance, you shall save alive that breathes. 17. But you shall utterly destroy them.” [Deuteronomy 20:10-17]

And a master in the Judaic Law could even beat his slave to death as this next text states:

“And if a man smites his servant, or his maid, with a rod, and he die under his hand; he shall be surely punished. Notwithstanding, if he [the slave] continues [to live] a day or two, he [the slave owner] shall not be punished: for he [the slave] is his money [property].” [King James Version Exodus 21:20-21]

Nowhere are there any indications in the Bible about the prohibition of slavery and this lead many to boldly proclaim, as Jefferson Davis the president of the Confederate States of America said:

“[Slavery] was established by decree of Almighty God...it is sanctioned in the Bible, in both Testaments, from Genesis to Revelation...it has existed in all ages, has been found among the people of the highest civilization, and in nations of the highest proficiency in the arts.”<sup>8</sup>

Considering this world environment, Islamic law followed a long-term and gradual plan to eliminate slavery from society. We do not find any direct command to abruptly stop all dealings with slavery but, rather wisely, the sources of slavery were gradually restricted and diminished and emancipation of slaves encouraged. Moreover, strict rules of fair and honorable conduct were applied in dealing with slaves and allowing them to buy their own freedom. The first stage was liberating themselves from within their hearts and minds. They were instructed to feel strong, healthy and capable within, and discouraged

<sup>8</sup> [Dunbar Rowland quoting Jefferson Davis, in “Jefferson Davis”, Volume 1, Page 286, see also Jefferson Davis's «Inaugural Address as Provisional President of the Confederacy, Montgomery, AL, 1861-FEB-18, Confederate States of America, Congressional Journal, 1:64-66. Available at: <http://funnelweb.utcc.utk.edu/~hoemann/jdinaug.html>]

from feeling weak and inferior. Islam reconstructed the human feeling and integrity in the hearts and minds of the slaves by calling them brethren to their masters and owners. God's Messenger ﷺ said,

“Your servants are your brethren. Almighty God placed them under you [for your services]. Whosoever has one [of his brethren] under him [working for him], he must feed him of what he eats, clothe him of what he clothes himself and do not assign them to do what they cannot do. If you do, then help them.”<sup>9</sup>

Slaves have established rights. The commandments of the Qur'an and Sunnah order Muslims to be kind and good to their male slaves and maiden servants. Almighty God states in the Qur'an: (Worship God, and join not any partners with Him; and do good to parents, kinsfolk, orphans, those in need, neighbors who are your kin, neighbors who are strangers, the companion by your side, the wayfarer (you meet) and slaves that your right hands possess, for God loves not the arrogant, the vainglorious.) [4:36]

The Prophet's longstanding concern about slaves is evidence by the fact that on his deathbed, the Messenger of God ﷺ ordered the Muslims as a dying request to guard their prayers and the rights of the slaves.

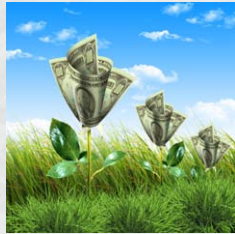
He ﷺ is also reported to have said: “Whosoever castrated a slave, we will castrate him.”<sup>10</sup>

Slavery, according to Islamic teachings, is limited to physical slavery only and there are no forced conversions to the way of the master. A slave has the right to maintain his own faith. Islam sets forth the best example in human equality by making the superiority based on piety and righteousness. Islam made brotherhood or unity of ties between slaves and their masters by the excellent example of God's Messenger ﷺ when he offered in marriage his cousin, Zainab bint Jahsh a noble Quraishi lady,

<sup>9</sup> Bukhari no.2406 and Muslim no.1661.

<sup>10</sup> Mustadrak al-Haakim 4/409 no. 8100.

A person could sell his own freedom against payment of a certain sum



The freeing of slaves was declared one of the most beloved charitable acts of worship in the Sight of Allah

to his freed slave, Zaid bin Harithah. The latter was also designated as a leader of the army that consisted of some leading and well-known Companions of God's Messenger ﷺ.

Islam followed two main methods to eliminate slavery from the Islamic society to avoid any confusion or chaos in the society. These methods did not create animosity or hatred between various classes of the Islamic society, or cause detriment to the prevailing socio-economic situations.

The first method: Eliminating and restricting the sources of slavery, which were historically very vast. The sources of slavery before Islam were many and included warfare whereby the defeated fighters were captured and consequently enslaved. Piracy, kidnapping and abducting people was another common source wherein the kidnapped people were taken and sold like slaves. If a person was in financial debt he could become a slave to the debtor. Another source was the practice of fathers selling their children, male or female, into slavery. A person could sell his own freedom against payment of a certain sum. Many crimes were punishable by imposing slavery on the accused. The criminal person would become a slave to the victim or his family members or heirs. Reproduction of slaves, even if the father was a freeman, was another source of slaves

Islam blocked these sources with only two exceptions as legitimate sources of slaves, which was entirely logical given the circumstances of the times.

**P1** War captives, or prisoners of lawfully declared wars by a Muslim ruler: Notice that not all such prisoners of war were declared as slaves, some were set free while others were allowed to pay ransom. This is based on the Qur'an: (Therefore, when you meet the unbelievers in war strike at their necks. When you have thoroughly subdued them, bind a bond firmly on them: thereafter is the time for either generosity or ransom: until the war lays down its burdens. Thus are you commanded: but if it had been God's Will, He could certainly have exacted retribution from them (Himself); but He lets you fight in order to test you, some with others. But those who are slain in the way of God, He will never let their deeds be lost.) [47:4]

The enemies of Islam used all means to stop progress and the spread of Islam in the early era. Non-Muslims at that time held Muslims as prisoners-of-war, and thus the Muslims in retribution did the same.

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**Atonement for sins:** The atonement for killing by mistake was set to be the liberation of a believing, faithful Muslim slave, in addition to the blood money to be given to the affected family.

**02** An inherited slave born from two slave parents. Such a child is considered a slave as well. However, if the master of a slave girl took her as a legal concubine, the product of this relation is a free child who is also attached in lineage to his free father. In such case, the slave-girl is called “a mother of a child” who cannot be sold and cannot be given as a gift and must be freed upon the death of her master.

The second method of eliminating slavery involved encouraging and expanding the ways of liberation of slaves. Originally the only way for freedom was the will of the master to free the slave. Prior to the advent of Islam, a slave was considered a slave throughout his life and the master who liberated his slave sometimes had to pay a fine. Islam introduced the practice of self-liberation of slaves, whereby they could pay their masters a contracted amount to purchase their freedom. The master was also given the latitude to liberate his slave at any time and without any obligation or financial fine. Some of the prescribed means for liberating the slaves are mentioned below:

**01** Atonement for sins: The atonement for killing by mistake was set to be the liberation of a believing, faithful Muslim slave, in addition to the blood money to be given to the affected family. This is found in the Qur'an:

(And never is it for a believer to kill a believer except by mistake. And whoever kills a believer by mistake - then the freeing of a believing slave and a compensation payment presented to the deceased's family [is required] unless they give [up their right as] charity. But if the deceased was from a people at war with you and he was a believer - then [only] the freeing of a believing slave; and if he was from a people with whom you have a treaty - then a compensation payment presented to his family and the freeing of a believing slave.) [4:92]

**02** Atonement for Dhihaar oath:<sup>11</sup> This is from the Qur'an:

(But those who divorce their wives by Dhihaar, then wish to go back on the words they uttered, (it is ordained that they) should free a slave before they touch each other: this is an admonition to you: and God is well-acquainted with (all) that you do.) [5:83]

**03** Atonement for breaking an oath: This is from the Qur'an:

(God will not impose blame upon you for what is meaningless in your oaths, but He will impose blame upon you for [breaking] what you intended of oaths. So its expiation is the feeding of ten needy people from the average of that which you feed your [own] families or clothing them or the freeing of a slave. But whoever cannot find [or afford it] - then a fast of three days [is required]. That is the expiation for oaths when you have sworn. But guard your oaths. Thus does God make clear to you His verses that you may be grateful..) [5:89]

**04** Atonement for breaking the fast during the month of Ramadan. An example of this is the incident of the man who came to God's Messenger ﷺ telling him:

'O Prophet of God! I have destroyed myself!' God's Messenger ﷺ asked the man, 'Why?' The man informed God's Messenger ﷺ that he had intercourse with his wife during the fasting hours of the day of Ramadan. God's Messenger ﷺ asked the man, 'Do you have a slave to free?' The man answered negatively. God's Messenger ﷺ asked the man again, 'Do you have the means to feed sixty poor people?' The man replied negatively. While the man and the rest of the people were sitting, God's Messenger ﷺ was presented with an amount of fresh dates. God's Messenger ﷺ asked about the man who committed that sin, and he came forward. God's Messenger ﷺ said to the man, 'Take these dates and give them to the poor in charity [atonement for your sin].' The man replied, 'O Prophet of God! By God! There is no poorer family in the entire city of Madinah than my family.' Upon hearing this, God's Messenger ﷺ smiled in such a way that his cuspid teeth appeared, saying, 'Then, take the dates and feed your family.'<sup>12</sup>

<sup>11</sup> Dhihaar is a type of oath where a person used to say to his wife, 'You are unlawful for me to touch, like the back of my mother'. This was a practice during the pre-Islamic era and Islam banned it.

<sup>12</sup> Bukhari, Hadith No. 1834.

A person who is required to pay atonement for his sin and is financially capable and does not possess a slave to liberate can purchase a slave, if possible, and liberate it in atonement for his sin.

**05** Liberating of slaves was declared one of the most beloved charitable acts of worship in the Sight of God: God, the Exalted, says in the Qur'an

(But he has made no haste on the path that is steep. And what will explain to you the path that is steep? It is freeing a slave.)

[90:11-13]

Moreover, the statements of God's Messenger ﷺ along with his actions, in this regard, encouraged people to liberate slaves for the cause of God. God's Messenger ﷺ said, "Whosoever frees a Muslim slave, God will free every organ of his body from the hell-fire against every organ of the freed slave...."<sup>13</sup>

In addition, God's Messenger ﷺ is reported to have said, "Visit the ill, feed the hungry and release the slave."<sup>14</sup>

**06** Liberating a slave by a will: One of the means of liberating a slave is through the death-will. The will may be written, announced verbally, or the like. If a master declares in any form that his slave will be a freeman upon the master's death, the slave has secured his freedom after the death of the master. As a precautionary measure, Islam bans selling or giving away of such a slave after this declaration. If a slave-girl is given such a promise and the owner takes her as a concubine, the child who is a product of that cohabiting is born as a freeman also. Similarly, the slave girl, in such a case, is not to be sold or given away as a gift to a third party, but rather liberated as well.

<sup>13</sup> Bukhari, Hadith No. 6337 and Muslim, Hadith No. 1509.

<sup>14</sup> Bukhari, Hadith No. 2881.

The freeing of slaves was declared one of the most beloved charitable acts of worship in the Sight of Allah



Islam requires freeing a slave if the slave master beats or slaps his slave on the face

**07** Slave liberation is one of the proposed channels of Zakah: This is based on the statement in the Qur'an:

(Zakah expenditures are only for the poor and for the needy and for those employed to collect [zakah] and for bringing hearts together [for Islam] and for freeing captives [or slaves] and for those in debt and for the cause of Allah and for the [stranded] traveler – an obligation [imposed] by Allah. And Allah is Knowing and Wise.) [9:60]

**08** Atonement for undue beating and slapping of the slave on the face: Islam requires freeing a slave if the slave master beats or slaps his slave on the face. This is based on the Hadith of God's Messenger ﷺ:

"Whosoever slaps his slave or hits them on the face must pay an atonement by freeing them."<sup>15</sup>

**09** Contracting freedom by a slave: This involves a situation when a slave requests his master to buy his freedom for a sum of money they both agree upon. If a slave requests his master to issue him such a liberation contract, it becomes binding on the master to grant the slave such a contract. In such a case the slave will have the liberty to buy, sell, trade, own and work in order to accumulate the needed money against his freedom contract. Even working for his master will be for a specific wage against his labor.

In fact, Islam went a step further by asking donations, assistance and support for such people from the wealthy people in the Islamic society. Even the master is urged to discount some of the money agreed upon, or to give him some easier payment facilities to help obtain his freedom. This is based on the statement in the Qur'an:

(And those who seek a contract [for eventual emancipation] from those among whom your right hands possess – then make a contract with them if you know there is within them goodness and give them from the wealth of Allah which He has given you.) [24:33]

In brief, we can say that Islam did not legalize and encourage slavery, but rather established laws and regulations that contributed significantly and effectively to help restrict the sources of slavery and emancipate slaves once and for all.

<sup>15</sup> Muslim, Hadith no. 1657.



## **CONCLUSION**

This booklet is an introductory discourse on the subject of human rights in Islam. I hope and pray that this discussion will open avenues for those who are keen to know more about the truth of Islam



As for the divine reward in the Hereafter, we Muslims believe that there are two permanent abodes in the Hereafter, without a third: either Jannah, full of bliss and eternal happiness, or else the Hellfire of eternal torture.

In closing, we will cite an incident from recent history. The Ministry of Justice in Kingdom of Saudi Arabia held three symposiums during the Islamic month of Safar in 1982. The Minister of Justice and eminent scholars and university professors attended along with four eminent European canonists and scholars: the ex-Foreign Affairs Minister of Ireland and the Secretary of the European Legislation Committee; a well-known scholar of Oriental and Islamic Studies Professor; an eminent professor of Law and the Director of a Human Rights Magazine published in France.

The Muslim scholars in attendance explained the concept of Islam as a way of life in comparison with other competing concepts, illustrating the main rules of Islam and the Shari'ah and the details of such general rules and principles. They explained the value, benefits and effectiveness of the Islamic capital punishments that are prescribed against serious crimes committed against innocent people and society. They explained in detail that such capital punishments are rational penalties that preserve the peace, safety and security of the society at large.

The Europeans expressed their admiration of the detailed explanations given by the Muslim scholars on these types of punishments and admired the concept of the human rights in Islam. Mr. McBride the head of the European delegation, declared: "From this place, and from this Islamic country, human rights must be declared and announced to people all over the world. Muslim scholars must declare these unknown human rights to the international community. In fact, due to the ignorance about these human rights and lack of proper knowledge about them, the reputation of Islam and the Islamic ruling and governing is distorted in the eyes of the rest of the world."<sup>1</sup>

This booklet is an introductory discourse on the subject of human rights in Islam. I hope and pray that this discussion will

<sup>1</sup> Taken from 'Islam and Human Rights' by Abdullah b. Abdul-Muhsin at-Turki.



open avenues for those who are keen to know more about the truth of Islam that has been deliberately and severely misconstrued and misinterpreted by various media outlets over the years.

I urge readers to explore more about Islam as a way of life, through reliable and sound sources, without any preconceived notions. We are obliged to offer any assistance to those who are keen to learn and know more about Islam as a way of life.

Muslims calling others to Islam should be sincere in their intention, seeking only the pleasure of Almighty God in this life, and in the Hereafter, to enjoy the permanent abode in Jannah, and purifying their motives from any personal gains. One of the Companions of God's Messenger ﷺ once said when he was asked about the reason for his participation in the fight for the cause of God: 'Allah, the Exalted, has sent us to deliver you from worshipping the creation to worshipping the Creator of the creation; and to deliver you from the constriction of this world to the vastness of the after-life and from the oppression of the religions to the justice of Islam.'

As for the divine reward in the Hereafter, we Muslims believe that there are two permanent abodes in the Hereafter, without a third: either Jannah, full of bliss and eternal happiness, or else the Hellfire of eternal torture. Jannah is the graceful reward from God to those who obeyed His Commands. Almighty God states in the Qur'an:



(If anyone desires a religion other than Islam (submission to God), never will it be accepted of him; and in the Hereafter he will be in the ranks of the losers.) [3:85]

This is also based on the statement of the Qur'an:

(As to those who believe and work righteous deeds, they have, for their entertainment, the Gardens of Jannah, Wherein they shall dwell (forever): no change will they wish for themselves.) [18:107-108]

Furthermore, the Almighty promised Hellfire to those who disobey His commands and associate partners with Him in worship. He states in the Qur'an:

(Indeed, God does not forgive association with Him, but He forgives what is less than that for whom He wills. And he who associates in worship others with God has certainly fabricated a tremendous sin.) [4:48]

Since the advent of Islam, the enemies of Islam have waged wars against Islam, and the wars continue till today. The anti-Islamic elements have exploited all possible means in this war. People with sanity and maturity will remain unaffected since they successfully differentiate between truth and falsehood. Eminent religious people from other Faiths continue, increasingly, to join Islam as a way of life, and this in itself is an evidence to prove the magnificence of Islam as a religion and way of life. The Almighty assured us that He will preserve His religion of Islam for mankind. He states in the Qur'an:

(Indeed, it is We who sent down the revelation and indeed, We will be its guardian.) [15:9]

Let us end our booklet with a beautiful quote from God's Messenger ﷺ, 'The most beloved people to Allah are those who are most beneficial to the people. The most beloved deed to Allah is to make a Muslim happy, or to remove one of his troubles, or to forgive his debt, or to feed his hunger. That I walk with a brother regarding a need is more beloved to me than that I seclude myself in this mosque in Medina for a month. Whoever swallows his anger, then Allah will conceal his faults. Whoever suppresses his rage, even though he could fulfill his anger if he wished, then Allah will secure his heart on the Day of Resurrection. Whoever walks with his brother regarding a need until he secures it for him, then Allah the Exalted will make his footing firm across the bridge on the day when the footings are shaken.'<sup>2</sup>

<sup>2</sup> Reported by Tabarani and ibn Abi-Dunya, and al-Albani declared it sound in Sahih al-Jam'i.

### THE MESSENGER OF GOD MUHAMMAD

An account of the life of Prophet Muhammad (peace be upon him), the book introduces us to the Prophet's noble character, his humble life and his conduct with his family at home, his companions and all people in society. It tells us how he strove to fulfill the task God assigned to him and contemplates how he dealt with his enemies, the exceptional magnanimity he showed to all and his simple, but highly effective, method of advocating his message.



### THE KEY TO UNDERSTANDING ISLAM

This book explains how Islam is a code of living that covers all aspects of life. It comprises a set of acts of worship which play important roles in placing morality on a solid foundation and strengthening good qualities in people so that they are keen to follow the right path. The book cites many examples and speaks about the importance Islam attaches to knowledge. It mentions a number of recent scientific discoveries that the Qur'an has referred to 12 centuries ago.



### MESSAGE OF ISLAM

The Message of Islam begins by reminding the reader that Islam, its worship, the rules governing people's transactions and all its teachings have always remained the same as they were taught by Prophet Muhammad (peace be upon him). No change or alteration has been introduced into the religion, though some Muslims have changed. The book discusses and sheds light on a number of rights to which Islam attaches great importance.



### ROMANCE IN ISLAM

This book highlights the great importance Islam attaches to love. It shows that the love of God is the best and most noble love and when it is rooted in a person's heart, it sets that person's behaviour on the right footing, elevates his emotions and feelings and removes selfishness. A person who truly loves God extends feelings of love and compassion to all creatures.



### ISLAMIC PERSPECTIVE ON SEX

This book discusses the Islamic approach to sex and how to satisfy the sexual desire in the proper and beneficial way. The proper way to satisfy sexual desire is within marriage and according to Islam, marriage is a necessity for the individual to achieve personal fulfillment. For society, marriage is the way to progress, development and stability.



### JESUS IN THE QURAN

After first discussing people's need to receive the divine message through prophets, this book relates the story of Jesus, son of Mary (peace be upon him), starting well before his birth then speaking about his message and the opposition he had to endure. The book also discusses the Qur'anic account of Jesus, which makes clear that he enjoys a very high position with God Almighty.



### ISLAM IS THE RELIGION OF PEACE

Islam: the Religion of Peace, shows with perfect clarity that Islam is the religion of peace and that the spread of Islam means the spread of peace throughout the world. Muslims must always be true to their promises and covenants and treat others with justice and compassion.



### EASE AND TOLERANCE IN ISLAM

This book explains that Islam admits no rigidity and making things easy is a general feature of all aspects of the Islamic faith.. It is a religion God revealed that can be implemented by people with different failings, feelings and abilities. Islamic law takes all this into account and addresses human nature and appeals to it. God says: "He has laid no hardship on you in anything that pertains to religion." (٥٨ :11)



### HUMAN RIGHTS IN ISLAM

Human rights in Islam are outlined in the Qur'an and the teachings of Prophet Muhammad (peace be upon him) and aim at making man lead a life of compassion and dignity, so that he acquires all good qualities and deals with others in the best manner. The book clarifies the misconceptions that are often expressed regarding the different aspects of freedom and responds to criticism in a calm and objective way.



### GLAD TIDINGS

Good News explains the nature of Islam and clarifies the error of people who rely for information on suspect sources. The book highlights the main features of Islam and tells everyone who embraces Islam that God erases all their past sins and errors. As the Prophet makes clear: "Islam wipes off all past actions."



### MY FIRST STEPS IN ISLAM

This book explains for non-Muslim readers how to embrace Islam and shows that this does not require much effort. To new Muslims the book explains the essential elements of Islam and outlines the character of Prophet Muhammad, his qualities and the message he delivered to mankind, and goes on to discuss the various acts of worship Muslims are required to offer, their purposes and significance.



### THE PURITY

Under Islam, the concept of purification is not limited to personal and physical purity, it includes purifying oneself of sin and all disobedience of God. This book discusses the detailed rules of physical purification, including ablution, grand ablution, the removal of impurity, dry ablution, etc. We trust that you will enjoy reading this book and we will be happy to receive your comments and observations.



### BILAL THE ABYSSINIAN

This book tells the history of Bilal ibn Rabah, a former slave who became a companion of the Prophet. The book expounds Islam's attitude to racial discrimination, highlighting significant events that show the Prophet took care of many of those who were persecuted, protected them and gave them their rightful status in the Muslim community.



### THE PATH TO HAPPINESS

The Way to Happiness explains that the way of life Islam provides for its followers is divine and intended to ensure that people enjoy real happiness in this present life and in the life to come. Islam establishes the concept of true and everlasting happiness, which makes Muslims aspire to the sublime through obedience of God and earning His pleasure.



### WOMEN IN ISLAM

This book discusses the status of women prior to Islam and how women were ill-treated and humiliated in many cultures. It explains how Islam put an end to all this injustice, established women's rights and gave women their rightful status.



### HISN AL-MU'MIN

A Believer's Refuge speaks of the causes of reversals and misfortunes that people encounter. It highlights how one can ensure the protection and preservation of God's favours and blessings, as well as preventing harm and reducing the effects of personal tragedies and calamities. The book teaches the ways and means to fortify oneself against the effect of such tragedies, the most important being remembrance of God and glorifying Him at all times and explains the best forms of such remembrance and glorification.



### THE BEGINNING AND THE END

Questions of the creation, existence and progress of the universe have been raised by communities throughout the ages. Yet from its earliest days Islam addressed these questions in a most direct and clear way. This book explains that the ultimate objective of creation is for all creatures to submit themselves to God and worship Him alone. All aspects of life in the universe inevitably end in death then will be brought back to life on the Day of Resurrection when they receive due recompense for their actions.



### EVERY RELIGIOUS INNOVATION

This book defines and explains the various types of deviation from the essence of Islam and its true teachings. It reveals the negative consequences of deviation on Muslims and their life and how deviation is bound to give non-Muslims a distorted view of Islam. Finally the book describes the role of Muslims in discarding all deviation, according to their abilities.







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