

Islam, Human Rights and Democracy

By:

Dr. Abida Shams *

Islam is balanced, broad and universal religion which preserves human rights. Islam teaches that killing a person unjustly is a crime against humanity.¹

Allah saying:

﴿ مِنْ أَجْلِ ذَلِكَ كَتَبْنَا عَلَىٰ بَنِي إِسْرَائِيلَ أَنَّهُ مَن قَتَلَ نَفْسًا
بِغَيْرِ نَفْسٍ أَوْ فَسَادٍ فِي الْأَرْضِ فَكَأَنَّمَا قَتَلَ النَّاسَ جَمِيعًا وَمَنْ
أَحْيَاهَا فَكَأَنَّمَا أَحْيَا النَّاسَ جَمِيعًا وَلَقَدْ جَاءَتْهُمْ رُسُلُنَا بِالْبَيِّنَاتِ
ثُمَّ إِن كَثِيرًا مِّنْهُمْ بَعْدَ ذَلِكَ فِي الْأَرْضِ لَمُسْرِفُونَ ﴾

This teaching cannot be found in any other religion or modern system and such a big principle has never given to humanity by any human rights commission or organization. Islam advocate the killing of one person as killing of all humanity.

Islam preaches peace and submission and respect to human being. Muhammad (peace be upon him) in his description of Muslims says "A Muslim is one whose follow

* Asstt. Professor Sheikh Zayed Islamic Centre, University of Karachi

¹. Al Quran 5:32

Islam, Human Rights & Democracy

brothers are safe from the harm of his tongue and hands".¹ Islam constitutes the foundation of nonviolent action in the tradition. Prophet Muhammad (peace be upon him) says " لا يضرر ولا يضرر La Dharar wa la Dharar" meaning "not to harm and not to be harmed".² Prophet Muhammad (peace be upon him) life is an example of peace and nonviolence. He prohibited violence against all creatures. He defended him self when he and his followers were attacked by nonbelievers, but he mode peace dominate, even at the risk of his own life, as soon as it was possible. The Treaty of Hydaybiyyah حديبية is the best example, when he accepted the conditions of his opponents for the sake of peace. He disarmed himself and enter the city of Macca, and put him self and his followers at great risk, enabling them to perform pilgrimage peacefully. Prophet Muhammad (peace be upon him) message of peace was based on the Quranic verse saying "peace is better".³

﴿ وَالصُّلْحُ خَيْرٌ ﴾

This verse refers to family peace and stresses that peace is superior in all aspects of life. Prophet Muhammad (peace be upon him) encouraged action towards peace even in the midst of war "if the enemy inclines toward peace"⁴.

Allah saying:

﴿ وَإِنْ جَنَحُوا لِلسَّلْمِ فَاجْنَحْ لَهَا وَتَوَكَّلْ عَلَى اللَّهِ إِنَّهُ هُوَ

السَّمِيعُ الْعَلِيمُ ﴾

The Quran ask the Prophet to accept it and trust in God. In another verse the Quran says, "Be fearful of God and make

¹. Al – Bulchri, Book 11 (Belief), Hadith No.10.

². Al Buhri, Book X L1 x (subject Peacemaking)

³. Al Quran 4:128

⁴. Al Quran 8: 61

Islam, Human Rights & Democracy

peace among your selves" and "if two groups of believers fight against one another, make peace among them".¹

Qura'an said:

﴿ وَإِنْ طَائِفَتَانِ مِنَ الْمُؤْمِنِينَ اقْتَتَلُوا فَأَصْلِحُوا بَيْنَهُمَا ۖ فَإِنْ بَغَتْ إِحْدَاهُمَا عَلَى الْأُخْرَىٰ فَقَاتِلُوا الَّتِي تَبْغِي حَتَّىٰ تَفِيءَ إِلَىٰ أَمْرِ اللَّهِ ۚ فَإِنْ فَاءَتْ فَأَصْلِحُوا بَيْنَهُمَا بِالْعَدْلِ وَأَقْسِطُوا ۗ إِنَّ اللَّهَ يُحِبُّ الْمُقْسِطِينَ ﴾

Prophet Muhammad (peace be upon him) advocate peace and tolerance in relation ship at an individual and collective level. Prophet Muhammad (peace be upon him) was sincere and balance in his love and compassion.

The term right (HaQQ حَق) is derived from a name of God. Who is Al-HaQQ حَق, meaning Truth and Reality, Thus, HaQQ حَق means the duty and right, obligation as well as claim, law and justice. It means what is due to each thing and what makes a thing be true. HaQQ حَق means both responsibilities to God and rights. Rights not only belong to human being but to all creatures created by God. Rights (HaQQ حَق) means to give each thing, including ourselves as human being its due right (HaQQ حَق). Human rights are directly belong to the responsibilities we have accepted as God's obedient and followers of Prophets in the world. These rights include personal, social legal, political, social and religious right. The rights to human being are linked with immortal souls. Human beings have the right to seek. The salvation of their sauls. The right to practice Islam stressed that "No human being is killed unjustly, but a part of responsibility for the crime is laid on the first son of Adam who invented tradition of killing on the earth".² This event is explained in the holy Book.

1. Al-Quran 49.9

2. Bukhari, "Diyat" 6, Enbiya 1, Muslim, Kasame," 27.

Islam, Human Rights & Democracy

“Explain truth fully to them the news of Adam’s two sons: when they each presented a sacrificial lamb, and one was accepted and the other rejected. He said “I swear I am going to kill you.” The other said: “God will only accept from those who are pious”. He added; “I swear that even if you reach out your hand to kill me, a will not reach out my hand to kill you. I fear God, the God of the words”.¹

Allah Said:

﴿وَاتْلُ عَلَيْهِمْ نَبَأَ ابْنَيْ آدَمَ بِالْحَقِّ إِذْ قَرَّبَا قُرْبَانًا فَتُقْبِلَ مِنْ أَحَدِهِمَا وَلَمْ يُتَقَبَّلْ مِنَ الْآخَرَ قَالَ لَأُقْتُلَنَّكَ قَالَ إِنَّمَا يَتَقَبَّلُ اللَّهُ مِنَ الْمُتَّقِينَ (27) لَئِن بَسَطْتَ إِلَيَّ يَدَكَ لِتَقْتُلَنِي مَا أَنَا بِبَاسٍ فِي يَدَيْكَ لِأَقْتُلَنَّكَ إِنَّي أَخَافُ اللَّهَ رَبَّ الْعَالَمِينَ﴾

Prophet Muhammad (peace be upon him) stressed this and mention “those who are kill defending their defending their blood are considered martyrs. Those who are killed defending their family are considered martyrs.”² These values are protected as guiding principles in Islamic legal system. Islam approaches human rights from the basic principles. Islam is the religion which preaches humanity and allows humanity the opportunity to intervene with things with respect to freedom with all human being.

Islam is the first comprehensive system of life, which pronounced the notion of group life (jamaat) and commands the practice of ideals of Islam for the welfare of human being. Islam is regarded as fountain of basic law for the guidance of Islam government. Islam stands for the realization of the noble ideal of human welfare both in this world and the next.

Democracy is literally derived from two Greek words: Demus meaning the people and Kratein meaning to rule.

¹. Al Quran, 5: 27-28

².Tiridhi, “Diyat” 22, Abu Dawud, “Sunna”, 32.

Islam, Human Rights & Democracy

Democracy is popular sovereignty or rule by the people and is form of government distinguished from "rule by monarchy, rule by hereditary aristocracy, rule by the most educated, rule by the elders and rule by the religious and other elite."¹

It is said that democracy means rule by the people, however does not reveal enough about the meaning of democracy. There are three of the principal uses of the term 'democracy, participatory democracy, representative democracy and economic democracy'.²

Participatory democracy is a form of direct democracy, which emphasizes on popular participation majority rule and political equality. Participatory democracy is possible in small communities. With the emergence over the past few centuries of political communities containing diverse ethnic, religious and racial groups, larger numbers of people, and more sophisticated economics, a different kind of democracy has developed as representative democracy.

A representative democracy or indirect democracy possesses some of the features of direct democracy but is different in some important ways. Characteristics that are somewhat similar are popular participation, political equality, and majority rule. Representative democracy is different from direct democracy in that it is a system of representative government based on free elections and a system of limitations on state activity.

Participatory democracy and representative democracy are referred to a political democracy. "The basic premise about political democracy is that government can do whatever it wishes and remain democratic so long as its duty elected officials act in accordance with approved methods."³

¹.Arablaster, Antony, Democracy Milton Keynes (England: Open University Press),PP 10-12

². Ibid PP 13-15

³. Levine, Herbert M. Political Issue, New Jersey: (Prentice Hall) 1990, PP 36-40

Islam, Human Rights & Democracy

In principal, at least in the minds of some supporters of democracy in its political form, all that democracy signifies is a method by which "majorities make decisions affecting public policy."¹

Islam emphasizes the Islamic ideals of "human community" (Ummat-i-Wahidah *أمة واحدة*), "Human Worth" (Taqwa *تقوى*), "justice" (Adl) and "Trusteeship" (Amanat *أمانت*).²

Political ideals apart democracy as a form of government has also varied in the west, there is constitutional monarchy with a parliamentary sovereignty in Britain and a presidential type of government in the United States of America. Modern democracy has not however, lived up to the noble ideals of Islam and consequently a number of evils have crept in the body politic.

In modern representative democracies the principles of political equality remains, but various devices have been used to prevent a complete realization of this goal. In many countries, Britain and United States being examples, representation has at various times been based on a geographic region rather than population.

In England a system of "rotten boroughs"³ developed in which possible for one Member of Parliament to represent a few hundred people. While another member represented hundred of thousand of people. Democracy is based on the principle of popular sovereignty. Although modern representative democracy requires popular participation, the scope and form of that participation are different from Athenian democratic practices in two ways.

¹. Ibid, P 40

². Iqbal, Sir Mohammad, The Reconstruction of Religious Thoughts in Islam (Lahore-Sh. Sulaman Ali and Sons. 1954) P 180-81

³. Levine, Op eit, P 38

Islam, Human Rights & Democracy

First the number, the number of people included in the political community is larger. Representative democracies in modern times claim maximum popular participation and have extended the right to vote to include everyone except criminals, youth, the insane and non-citizens. "Modern representative democracies, are characterized by pluralism; the existence of a variety of associations that are autonomous or independent from government diminution."¹

In democracy must citizens play no direct role in making laws, with the exception of engaging in such practices as deciding on referenda and initiatives, other forms of political participation are permitted. Some citizen `joins interest groups for the purpose of influencing elected officials and appointed bureaucrats to act in particular ways.

Citizens also work in political campaign in order to support candidates who favor their views. They conduct meetings, write pamphlets an article, take out newspaper advertisement and hold peaceful demonstrations- all with the goal of influencing policy.

Thus we see that in democracy voting power is not a sufficient democratic resource of people, participation in politics has a positive impact on the personality of the participants and consequently on the stability of the democratic systems, and greater participation will produce better laws. "Prospective and democracy that minimize popular participation of policies favorable to more affluent members of society."²

The fact of a large non-voting population in Western democratic, particularly the United States, signifies than a sickness of democracy. Democracy has in fact displayed its

¹. Ibid

².Schatts chneider, E.E, *The Semi Sovereign People: A Realistic View of Democracy in America*" (New York: Holt, Reinhard & Winston) 1960, P96

Islam, Human Rights & Democracy

own inherent defects in its working, yet the remedy of democracy has been suggested as more and more democracy. Finer has mentioned postulates of democracy and believed in the fundamental honesty of man, his practical common sense, solidarity of the community and the existence of general will.

He observed that under a democratic government.

"We have the assurance that the sphere of our private life—our family, diversions, our worship, our work—will not be invaded except by due process of law in which not be invaded except by due process of law in which we have an equal say with any. We rest tranquil that officials and judges will not abuse us and that they themselves will have to answer for discrimination and bias and Unauthorized invasions of our private and public life to a public tribunal in which we, as of right, sit as judge and jury."¹

Democracy has been criticized as "aimless", inefficient and economically unjust. "A government of the people", can be knocked to pieces in no time. Almost every polity has, as its basis an ethical ideal and every organized life is marked by the existence of certain laws and institutions. Islam also provides for these and Islamic life is to be lived according to Islamic laws and institutions, which in pursuance of an ethical ideal are creative of social order and political development.

The aim of Islamic state is the spiritual expansion of humanity and the ethical ideal of Islam "enjoin good and forbid wrong" as enunciated in the Qur'an, gradually unifies individual and groups into a well-knit people the Muslims called Millat. "For these who do good in this world is good" and "certainly the abode of the hereafter is better."²

Allah said:

¹. Finer, Dr. Theory and Practice of Modern Government, London Oxford University Press 1939, P952

². Al-Qur'an, 16:13

Islam, Human Rights & Democracy

﴿ وَمَا ذَرَأَ لَكُمْ فِي الْأَرْضِ مُخْتَلِفًا أَلْوَانُهُ ۗ إِنَّ فِي ذَلِكَ لَآيَةً لِّقَوْمٍ
يَذْكُرُونَ ﴾

Peace and good relations as the watchwords of modern democracy can exist only when the Islamic conception of the unity of mankind is realized. Love of human being implies that glory lies not in the mere possession of power, but in the attainment of noble ideal through the use of legitimate power, government should not exist for the personal glory of one or many, but for the good humanity.

The spirit basis of Islamic life is righteousness, which consists in acting according to the law of Islam; a democrat has an abiding faith in the individual capabilities, but has been criticized for ignoring the characteristic imperfections of ordinary men. Government by popular majorities, it is believed is a rule by the average man. A democracy individual, but in increasing the basic comforts of ordinary individuals.

The mediocre majority pulls down individuals of distinctive capacity to its own level. Under such a situation a community of all individuals or most of them and in it the ordinary individual, cannot effectively and usefully participate in the affairs of government. Democracy does not seem to suggest any remedy for this demerit. In, Islam, according to the ideology the whole humanity has been regarded as one.

According to the Qur'an: All people" are "signal community."¹

﴿ إِنَّ اللَّهَ لَا يَسْتَحْيِي أَنْ يَضْرِبَ مَثَلًا مَّا بَعُوضَةً فَمَا فَوْقَهَا ۗ فَأَمَّا
الَّذِينَ آمَنُوا فَيَعْلَمُونَ أَنَّهُ الْحَقُّ مِنْ رَبِّهِمْ ۗ وَأَمَّا الَّذِينَ كَفَرُوا فَيَقُولُونَ

¹. Al-Qur'an, 2:26

Islam, Human Rights & Democracy

مَاذَا أَرَادَ اللَّهُ بِهَذَا مَثَلًا يُضِلُّ بِهِ كَثِيرًا وَيَهْدِي بِهِ كَثِيرًا وَمَا يُضِلُّ
بِهِ إِلَّا الْفَاسِقِينَ ﴿

But in respect of time, said the prophet Muhammad (peace be upon him), "the Muslim Millat is the last." The solidarity of the Muslim Millat is to be retained at all costs so that it may be able to accomplish the ideal of the unity of mankind. Natural deficiencies apart, all individuals are alike and should be treated alike. It is the good the individual and humanity that should alone count.

While affording equal opportunities to all and admitting natural deficiencies, the Islamic basis of preference is virtue (Taqwa). The best among human are those who are most virtuous. "The most venerable is one", "who fears Allah most." Unlike modern democracy, Islam, thus, lays great stress on quality rather than quantity.

The individual is to be valued for what he is him and what he is capable of achieving. Accordingly, the right to participate in the government will also be limited to such individuals as have reached a level of moral advancement, which can enable them to perform their duties in a political life. The door to moral advancement is not shut to the rest of individuals. Guidance is, however, necessary in every sphere of individual life, and "the true guidance is the guidance of Allah."¹

Qura'an text:

﴿ هُوَ الَّذِي أَنْزَلَ عَلَيْكَ الْكِتَابَ مِنْهُ آيَاتٌ مُحْكَمَاتٌ هُنَّ أُمُّ الْكِتَابِ
وَأُخَرُ مُتَشَابِهَاتٌ فَأَمَّا الَّذِينَ فِي قُلُوبِهِمْ زَيْغٌ فَيَتَّبِعُونَ مَا تَشَابَهَ مِنْهُ
ابْتِغَاءَ الْفِتْنَةِ وَابْتِغَاءَ تَأْوِيلِهِ وَمَا يَعْلَمُ تَأْوِيلَهُ إِلَّا اللَّهُ وَالرَّاسِخُونَ فِي
الْعِلْمِ يَقُولُونَ آمَنَّا بِهِ كُلٌّ مِنْ عِنْدِ رَبِّنَا وَمَا يَذَّكَّرُ إِلَّا أُولُو الْأَلْبَابِ ﴿

¹. Al – Qur'an, 3:7

Islam, Human Rights & Democracy

An individual can obtain God's guidance by observing manifested in the law of Islam. The bad feature of modern democracy is its corruption; bribery is rampant; election is wasteful and there is a natural distrust for national leaders. Democracy claiming to depict the wishes of the people has an innate tendency towards insubordination and anarchy. The main defect of the democracy is that it is too democratic.

It gives the right of vote to everyone on the principle of "one man one vote" and does not pause to consider whether the voter contain the requisite qualifications to exercise the right. In Islam, the right of vote is not given to every individual, but certain qualifications have been prescribed the candidates and electors. Both by injunction and convention the khalifah is elective.

A candidate for Khalifah **خليفة** (Chief) is to preferred only on grounds of seniority in excellence of character, sufficient knowledge and devoted service to the community. Party system is the chief characteristics of modern democracy. In Islam the basis of government is consultation (Mashawarat) affair of government in consultation with counselors in accordance with the teaching of Qur'an "and consult with them upon the conduct of affairs; and when thou art resolved, them put they trust in God."¹

Thus the Chief (Amir) has to conduct the work of government with the help of Consultative Assembly (Majlis-i-Shura **مجلس الشوري**). Under such a system of government there can be no fixed party system. Parties may be formed on the basis of virtue, and good not evil.

In Democracy, the rules are responsible to the ruled. Democracy in actual practice amounts to "Mob-rule", the psychology of "Mobs" and "Crowds", the law of heredity and measurements of levels of human intelligence.²

¹. Ibid, 3: 159

². Coker, C, Recent Political Thought, (New York; 1934,P 314)

Islam, Human Rights & Democracy

A government is good; when it is really responsible and accountable for its acts. Islam for its acts, Islam imposes upon the chief (Amir) the duty of obedience to the divine law and upon the Muslim the duty of "Obedience to the Chief"¹ provided the Amir acts according to the law of Islam.

It has, therefore, been explicitly provided that the person in authority is held "accountable to God for the welfare of the subjects."² Unlike the prevalent practice in modern democracy, for leadership of the state. The Prophet (peace be upon him) said: "Do not ask for political authority (Hukumat) for if you get authority through begging then you would be directed towards your evil nature. But if you get it without request, then you would be guided right."³

Thus we can say that the organized life of Islamic Millat is marked by the attainment of a moral consciousness, on the part of every member, of the ideal-the spiritual expansion of mankind and an incessant striving for the realization of the same. The Chief (Amir) and the counselor (Ahlarrai) are both to be guided by the divine commandments.

The Qur'an says:

"What is with Allah, is better and more lasting for those who respond to their Lord and Keep up prayer and their rule is to take counsel among themselves."⁴

Qura'an text:

﴿ وَقَالَ الَّذِينَ كَفَرُوا إِنَّ هَذَا إِلَّا إِفْكٌ افْتَرَاهُ وَأَعَانَهُ عَلَيْهِ قَوْمٌ آخَرُونَ فَقَدْ جَاءُوا ظُلْمًا وَزُورًا ﴾

¹. Al- Qur'an, 45:58

². Ibid 8:28

³. Tirmidhi, Imam Eisa, Sunan Trimidhi (Egypt Mustafal Babi El-Halabi) 1375 A.H. P 298 Vol. I

⁴. Al- Qur'an, 25 :4

Islam, Human Rights & Democracy

Islam is the comprehensive code of life, which established a system of responsible government- a government in which both the ruler and the ruled are responsible. Under the divine law, there develop a consultative procedure, where the ruler is to be aided by the few competent counselors, **أ** determining the policy of government and in execution of administrative responsibilities. The Chief (Amir أمير) is a representative of God as such mean a representative government. Under such a system of Government political as a trust, the ruler is the trustee of the subjects and responsible to God for their welfare. Islam is thus, a representative government, a rule of law and a government by consultation.