

Explain the concept of Human Rights in comparison with Western Concept in Detail.

Introduction to Human Rights

According to UDHR 1948; human rights are defined as:

“ Human rights are basic fundamental rights that ^{are entitled to} everyone is entitled regardless of cast, color, creed, race, ethnicity, nationality or religion.”

The concept of human rights in Islam is associated with mutual rights, duties, respect and equality. According to Quran, humans are superior to all other creatures. The concept of human rights was firstly introduced in Islam through Madinah Accord in which all political, economic and social rights were given to

all citizens including men, women, children and minorities.

Comparison between Western concept and Islamic Concept

Western Concept		Islamic Concept
West has taken the concept of human rights from Islam.		Islam is a Din; Complete code of life. It has given origin of human rights.
Evolution of Human Rights in West		Evolution of Human Rights in Islam
Acts / Movements	Fours	(i) Madinah Accord given in 1A.H.
• Magnacarta 1215	Rights of Peasants and farmers	(ii) At the
• Amendment in Magnacarta 1355	Rights of lands life and liberty	Conquest of Mecca in 8A.H.
• Treaty of Westphalia 1648	Religious rights	(iii) In farewell sermon of pilgrimage.

- 1789-1799 French revolution focused on rights of minorities.
- 1919 LONs focused on rights of Prisoners of Wars
- Ultimately, in 1948 UDHR was declared.

Many Western Philosophers

like ~~Thomas Hobbes~~

→ Thomas Hobbes

* John Locke

* Rousseau

followed the ideas and articles of constitution of Madinah.

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Human Rights in Islam

Firstly in comparison with Magna Carta of 1215; the concept of human rights in Islam is compared as follows:

- The main focus of this act was on the rights of peasants and farmers but Islam has given the rights of every class of humans despite of differences in color, creed or race. Islam has given the rights to labor force also.

Labor Rights in Islam

(i) Right of Equality

In Islam all humans no matter rich or poor, owner or employ, king or slave; all are given equal rights because all of them are equal in front of Allah Almighty. Only those are

preferred who are more pious.

⇒ key takeaway from farewell sermon

- "All mankind is from Adam and Eve. An Arab has no superiority over non-Arab, nor does a non-Arab have any superiority over an Arab; a white has no superiority over a black, nor does a black have any superiority over a white; none have superiority over another except by piety and good action?"

In glorious Quran, Allah Almighty says that

"We have made you from one soul"

Surah Hujarat
Verse 13

Thus, there is no concept of superiority of a king over a slave in

Islam.

(ii) Dignity and Respect

Before the advent of Islam, poor slaves were treated as the properties of the rich but Islam has introduced the concept of dignity and respect for every person.

Allah Almighty says that

“We have honoured the children of Adam, and carried them on the land and sea, and provided them with good things, and greatly favored them over many of those We created”

Al-Isra Verse 70

(iii) Fulfillment of the basic needs

of the labor force: Islam has focused on the fulfillment of basic needs of workers by the owners.

The Prophet (P.B.U.H.) is reported

to have said: “Your employes are your brothers upon whom Allah has given you authority, so

if a Muslim has another person under his control, he should feed them with the like of what one eats and clothe them with the like of what one wears and you should not overburden them with what they cannot bear and if you do so, help them in their job."

Abu Huraira reported that the Messenger of Allah (P.B.U.H.) said:

"Some one who eats with his servant, rides a donkey in the markets, and ties up his sheep and milks it is not proud."

(iv) Rights Related to Compensation

In Islam, appropriate compensation must be given to the work done.

The owners are restricted not to overburdenize their workers.

Abu Saeed Al-Khudri narrated that Holy Prophet (P.B.U.H.) said:
"Whoever employs someone to work for him, he must specify for him his wage in advance."

[Abdur-Razzaq]

Hadith Qudsi:

"I will be opponent to three types of people on the Day of Resurrection: one who makes a covenant in My name but proves treacherous; one who sells a free person and eats his price; and one who employs a worker and takes full work from him but does not pay him for his labor."

[Al-Bukhari]

Hadith:

"You should pay the laborer his wages before his sweat dries."

Sunan Ibn Majah

2443

(v) Right of mental and physical rest:

Islam has given the laborers the right of mental and physical rest. They should also be given time to offer their prayers. They should also be given sufficient time for themselves and their families.

Hadith:

“Your body and your family have a right on you”

Al-Bukhari

(vi) Right of old age pensions

It is the Islam, the only religion, that has firstly introduced the concept of old age pensions for workers. When a person becomes too old; he must be compensated. Old age pensions was implemented by Second Caliph Hazrat Umar who

said: "It is far from being humane to let one go helpless in old age after getting service from him in his youth."

The Prophet also said: "Whoever lightens the work of his workers will have reward on his scales."

- Minority rights in Islam
- Women rights in Islam
- Conclusion

Q: Compare the Western Concept for rights of Minorities with the Islamic Concept. Also compare the challenges faced by minorities in Pakistan and in Contemporary World.

Introduction to Minority Rights

According to the definition given by Minority Rights Declaration of UN in 1992 :

"A group of people numerically inferior from the rest of population is called minority."

Minorities can be identified on the basis of culture and history, language, religion and citizenship.

The concept of Minority Rights was firstly given by Islam

in "Madinali Accord" in 1A.H. All equal rights i.e. life, property, religion, education, trade etc were given to non-muslims despite of color, creed or race. Islam is the only religion in which there is no concept of superiority and inferiority on the basis of religion or race but it is only pioussness that creates difference.

Philosophy of Minority Rights in West

Congress of Vienna 1814-1815

focused on minority rights.

Congress of Paris 1856 focused on attaining rights for Christians living in Ottoman Empire.

Congress of Berlin 1878 focused on the rights of German Jews as minorities.

Minority rights declaration of UN 1992 focused on equality ^{rights} for minorities.

Oppression of Minorities in West

Here are the key highlights of West, that clearly show how minorities have been oppressed there.

1- Foundation of legal discrimination based on race during Colonialism

In essay "Situating Colonialism, Race and Punishment" Professor Greta Chowdary and Mark Beeman explained how the development of slavery in North American colonies became dependant on the passage of discriminatory laws that specifically targeted people of African descent.

2- System of Chattel slavery

The idea was solidified with the emergence of scientific racism in 18th and 19th century. Chowdary and Beeman also explained that

although some of the people of original African descent entered English colonies came as indentured servants.

They write:

"slavery seems to have evolved, in part, as a punishment reserved for Americans originally indentured."

First slave auction was in ^{new} Amsterdam

3. ^{in 1655} Jim Crow's laws

The laws made by Jim Crow extended legal discrimination into 20th century.

4. Mass Incarceration

Discriminatory laws in the later half of 20th and early 21st century lead to rapid incarceration of minorities.

War on Drugs: - Due to this war cheap cocaine was easily available ^{to} poor black, which lead to

rapid incarceration of them even for non-violent crimes. A 100-to-1 Rule is a clear example of this legal discrimination.

“A few years after the drug war was declared, crack began to spread rapidly in the poor black neighborhoods of Los Angeles and later emerged in cities across the country.”

(Michael Alexander, The New Time Crow, 2010)

Comparison with Islamic Concept

Zimmi is an Arabic word used for minorities in Islam. Literal meaning of minority rights is that it is the responsibility of Islamic state to provide fundamental rights to them. Islam has given the concept of minority rights even before 18th century.

Madinah Accord (1A.H.) - best example of Minority Rights in Islam

- Right of constitutional equality
Every person in the state is equal on all basis irrespective of color, creed or race.
"Jews will have same rights and privileges as provided to Muslims."
(Article 58)

Legal Rights

In article 31 and 40 of the Charter of Madinah, equality in rights is discussed broadly.

“Jews of Bani Najjar have same rights as to Jews of Bani”.

(Article 31)

“All the tribes of Jews will enjoy rights like Muslims.” (Article 40)

Minority Rights in Islam

(i) Right of Equality

All humans are equal before Allah. It is only Islam that has given this open-minded concept.

Comparison with Western Concept

Despite of all so-called liberalism in West ; the poor, destitute and lower-class (was) were really oppressed by the rich. Even Magnacarta was approved in 1215

in which some rights were given to oppressed peasants and farmers. But Islam has given the concept of equality even before it.

“We have created you from one soul.”

(Surah Hujurat
Verse 13)

ii) Religious Rights

Islam gives lesson to respect every religion and gives rights to minorities to practice their religious norms freely.

“

There is no compulsion in the choice of religion.”

(Surah Bakrah 2:256)

Comparison with Western Concept for minority rights

After 30 years struggle in West treaty of Westphalia 1648 was signed and minorities were

given religious freedom.

iii) Right of Education

Islam has given all minorities the rights of education. It can be clearly highlighted from the first verse of Quran.

“Read in the name of your Lord, Who created: created man from a clot of congealed blood. Read! and your Lord is the most merciful, Who has taught (the writing) by pen, taught man about which he knew not.” (Al-Alaq, 1-5)

iv) Pluralism and Diversity

Islam is the only religion that gives the lesson of pluralism and diversity. The best examples that show the lesson of pluralism in

Islam are :

- Madina Accord
- Treaty of Hudaibiya
- Conquest of Makkah

Challenges to Minorities in Pakistan

(i) Extremism :- This is the biggest challenge that minorities are facing in Pakistan.

a) Jaranwala Episode : An angry mob in Pakistan's Jaranwala vandalised at least five churches over allegations of Islam's Holy Book. Thousands of Muslims

burnt the homes of Christians over
blasphemy claims.

b) Salman Taseer Case : On Jan 4, 2011
one of the bodyguards of Taseer,
Malik Mumtaz Qadri shot him
27 times as he was questioning
blasphemy laws.

c) Srilankan episode, Sialkot 2021:
In Sialkot extremism
~~led to~~ led to brutal
killing of Srilankan national in
Sialkot. (express tribune, Srilankan episode,
December 2021)

d) Mian Channu lynching case : This
is another example of extremism
when a mob in Punjab Khairwal
district tortured and killed a
man accused of desecrating the
Holy Quran. (Dawn, Mian Channu case,
Feb 2022)

Challenges to Minorities in Contemporary World

Threats to Muslims in US :

Islamophobia:

The main threat to the Muslims living in US is Islamophobia. Due to this extremism Muslims are not getting complete rights over there. Western Prejudice towards Hijab is a clear example of it.

Anti-Muslim Citizenship law of India :

This bill was passed by Rajya Sabha on 11 December, 2019.

This was totally against the Muslims of the India. Unrest came as nationwide protests against this law. Now a days, the biggest threat to minorities of India like Muslims, Christians & gis

"Hindutva" ideology of their extremist PM. According to this ideology:

cc

Hindus are the real stake holders of the sub-continent and hindu religion originate from that land so hinduism is the origin of land. Those were exotic invaders who came from outside of India, they impact indian religion, brought different religions in sub-continent (like Islam came with Muslim scholar) as Christianity came through colonial period as Europeans came here as exotic religion?"

Satara Incident:-

Muslim engineer killed by a mob at mosque in India's Maharashtra (Al Jazeera, Extremism in India, Sept 2023)

Rights of Minorities in Pakistan

Almost 95% population of Pakistan are Muslims, 4-5% are minorities out of which more than 2%

are Christians, 1.6% Hindus

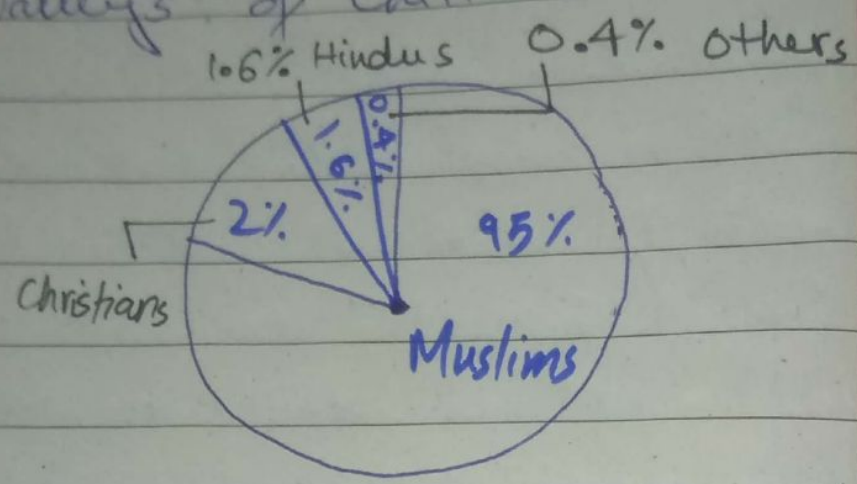
and 0.4% others. These

people are minorities on the basis

of religion while there also

exists ethnic groups in Pakistan

like Kalash. This is an ethnic group of 3,000 people living in valleys of Chitral.



Population of Pakistan

Pakistan is an Islamic state and the constitution of Pakistan is based on the laws of Shariah, so it provides protection to the rights of minorities living in Pakistan.

According to Constitution of Pakistan: "All minorities will be given equal fundamental rights." Thus there is no distinction between the rights of Muslims and non-Muslims

according to the constitution.

Even → Article - 33

→ Article - 36

→ Article - 40

→ Article - 25

give even more rights to minorities than Muslims.

Article - 33 : Parochial and other similar prejudices are to be discouraged.

Article - 36 : The state shall safeguard the legitimate rights and interests of minorities, including their due representation in Federal and Provincial services.

(* Article - 40 : Strengthening of bonds *)

Article - 25 : Guarantees equal rights to minorities and Muslims, regardless of their religion, color, creed or race.

Political Rights of Minorities

In Pakistan, minorities are given every sort of political rights. They have reserved seats in National Assembly and Provincial Assembly. In National Assembly 10 seats are reserved for non-Muslims. Moreover, every non-Muslim has a right to vote. Article-17 of constitution states

“Every citizen has right to vote.”

Financial Rights of Minorities

All minorities of Pakistan are given equal opportunities to contribute in the economy of country despite the differences in their color, creed or religion. In Pakistan, “open-merit” is announced for non-Muslims. In all government services, there is a reserved quota for non-Muslims. Moreover, in

judiciary of Pakistan equal opportunities are given to non-Muslims. Even, there are examples of great non-Muslim CJP like

- Justice Bhagwan Das
- A.R. Kornellius

The Constitution of Pakistan had given full freedom that the chief Justice can be a non-Muslim.

Education Rights

In Pakistan, there is no compulsion or restriction on non-Muslims for getting education. Even, education is considered to be the basic right of every citizen. Single National Curriculum is a clear example of the efforts of state of Pakistan that are being made for ensuring unanomous schooling for every rich or poor citizen despite differences

in their religion.

Protection against Retrospective punishment

No law shall authorize the punishment of a person:

- a) for an act or omission that was not punishable by the law at the time of act or omission
- b) for an offence by a penalty greater than or, of a kind different from, the penalty prescribed by law for that offence.

Article - 270 of constitution shall apply to any law-making acts of abrogation or sub-version of constitution in force in Pakistan.

Inviolability of dignity of man

According to constitution of Pakistan

- (a) The dignity of man and, subject to law, the privacy of home, shall be inviolable.

(b) No person shall be subjected to torture for purpose of extracting evidence.

Freedom to profess religion

Subject to law, public order and morality:-

(a) Every citizen will have the right to profess his religion

(b) Every religious community has the right to manage their religious institutions.

(c) It is the responsibility of the state to protect the religious institutions of every religious community

(d) No taxes shall be imposed against any particular religion.

(e) No religious domination is accepted in Pakistan

Conclusion

The minorities are facing various challenges all across the globe but Pakistan is comparatively much better than the rest of the world. Although there is extremism in Pakistan but it is comparatively at a lower rate than India or Western World.

All the challenges that minorities are facing in Pakistan can easily be resolved just by following the teachings of Islam.

Compare the Islamic Concept of Women rights in comparison with current Feminist movement.

Introduction

Women rights are basic fundamental rights that entitled to every man. It is not over-emphasized to say that Islam is the only religion that provides all these rights women and it is the first religion that has given the concept of equality between man and woman. On contrary, feminism is an extreme concept introduced by the West that mainly focuses that women are oppressed creatures that are being oppressed by the men as well as the whole society.

It professes that it is the feminist movement that protects the rights of women.

Difference between Western Feminism and Islamic Feminism

Islamic Feminism	Western Feminism
<p>Islamic feminism is concerned with role of woman in Islam, aiming at full gender equality in <u>public</u> and <u>private</u> life.</p>	<p>Acc to Oxford Dictionary of Philosophy: Western feminism is the approach to social life, philosophy and ethics that commits itself to <u>correct biases</u> leading to the subordination of women or <u>disparagement</u> of <u>women's particular</u></p>

experience and of the voices' women bring to discussion''

→ Islamic feminism → This liberal view finds its roots in teachings of Quran and Hadith.

Judeo-Christian traditions.

→ This is more radical view which called for equality in public spheres but complementary rights in private sphere.

→ This secular view mainly focuses on the political, legal, social and economic rights of women.

→ This concept focuses on the fact that Islam is the only religion that provides epistemology of Islam

→ Secular feminists believe that

protection to the rights of women is contrary to women rights.

→ Advocates of the movement seek to highlight the teachings of equality in the light of Quran and Sunnah.

→ Advocates of the movement seek to highlight the concept of equality by portraying a false picture of women rights in Islam that women are oppressed by Islamic teachings

→ Islam has given all these rights to women despite their long struggle 1400 years ago.

→ This movement has successfully achieved so-called women rights in first wave of feminism (1800s to 1900s)