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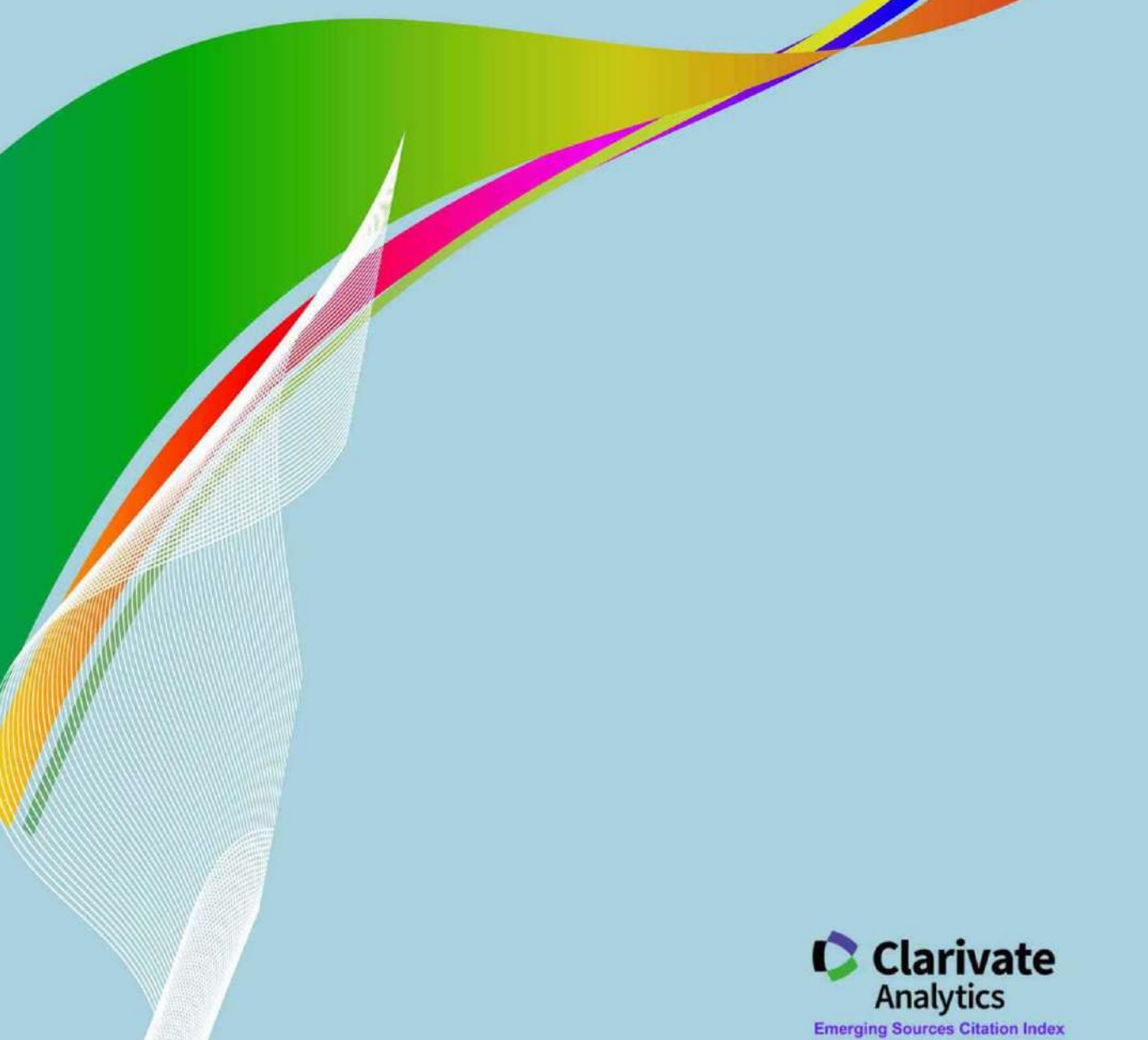
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## Prejudices on Concerning Human Rights Vis-a-Vis Islam

Müfit Selim Saruhan

*Faculty of Divinity Department of Islamic Philosophy, Ankara University, Turkey*

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## PREJUDICES ON CONCERNING HUMAN RIGHTS VIS-A-VIS ISLAM

**Müfit Selim Saruhan**

*Faculty of Divinity Department of Islamic Philosophy, Ankara University, Turkey*

<sup>1</sup>Contributor Email: [saruhan@ankara.edu.tr](mailto:saruhan@ankara.edu.tr)

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### Abstract

*In the history of thought, defending human rights and freedom, positivist and materialist views are critical of religion in general and Islam in particular. Islam as a divine religion with its theoretical and practical dimensions has been the guarantor of human rights. Positivist and materialist views on every occasion ready to blame and identify the Islamic concept of servitude (to God) with slavery. But if we examine Islam in-depth with a philosophical mind, we can see that the Islamic concept of devotional servitude accommodates genuine freedom which intends to protect the health of both the body and the soul. Positivist and materialist minds consider the issue of human rights as their own, and religious sides approach this issue reluctantly due to the rhetoric of human rights devoid of religious rhetoric. Finding reasonable answers to the questions of what the source of human honor is and what makes human being meaningful will bring closer to each other the positivist/materialist views and religious views.*

**Keywords:** *Freedom of Faith, Human Rights, Servitude to God, Values, Islamic Ethics*



## A. Introduction

In the framework of this article, I would like to focus on the essential philosophy of what Islam teaches regarding the problem of human rights in a world where opposite views are held by various groups.

Starting at this point it needs to be noted that religion in and of itself from time to time can be misinterpreted. A wise and well-educated person by his own decisions and observations will rightfully judge various religions and systems. However, we should not forget that all prejudices and mistakes come from individuals. When looking at the issues we need to distinguish between the effects that religion has from that of traditional values. When we move away from prejudices we can see the realities. Misconceptions and misunderstandings abound when there is a lack of education.

When we speak about freedom, human rights, and tolerance from a perspective of religion there are at least three different views which may be observed: The first group argues that religions are the source of both intolerance and war. For them, religion comes against freedom, human rights, and tolerance. The second group claims that religions are the foundation of freedom, human rights, and tolerance. According to them, religions have at their core philosophy of peace and they are the guarantor of human rights. The last group will try to make a kind of reconciliation between the first two views. For them, theoretically, religions in themselves support human rights. However, their adherents who misunderstand the religious text could move them towards violence. (Saruhan, 2008: 2-7)

Man is the most prominent creature on earth. From a philosophical perspective, man has always tried to understand and define the universe around him in the best way. Focusing on and studying philosophy and sciences to the finest details, man has neglected himself or his very essence during this process. Asking, "Has man been completely discovered?" will usher in some explanations and comments. Man has certain responsibilities for managing the worldly affairs, on one hand, and learning more about himself, on the other.

Seen from Islamic philosophy, man is being described as a self-conscious and intelligent creature who is capable of independent action.



Being an intelligent creature further implies that man has two basic characteristics. Man naturally has the will to know. As a result, a man also has the capability of acting according to what he learns. In this respect, man's will to know and his tendency to act as per what he learns to represent his most basic needs, and also his rights. In a sense, it is possible to put all capabilities of man into either of these two broad categories. Man is both a natural and intelligent creature. Thanks to these two aspects, man is born, grows, develops and performs certain actions within the borders of the universe. Being a natural creature, he is bound, like other creatures, to constraints of time and space as well as existing laws of nature. Accordingly, the laws of nature concerning creation, corruption, and destruction also apply to man. Being an intelligent creature, man can know and learn more about the universe and nature in a free atmosphere, and make and implement laws (Attas, 1989: 6; Ayer, 1971: 24).

Human is an active creature. He is in a constant effort of breakthrough, action and presenting something new. As a result of this dimension of him, he is involved in science, literature, art, philosophy, mechanics, and politics. Human is in a struggle for reaching a goal during all these processes. He needs a plan, an order, and a system to reach it. The starting point of all these actions isn't 'now' and it doesn't last in a 'moment'; the basis of this beginning isn't in today, it lies in yesterday and reaches the future dimension of time. Never-ending wishes and goals, on one hand, having a body that will finally corrupt one the other; at this point, human needs to rely on something or somewhere. Social unity and construction can guarantee the actualization of infinite wishes; he may not see the completion of each plan for which he laid the foundation, but he acts according to the belief that it will be completed. Through socialization and institutionalization, it is possible to actualize all his wishes and efforts. But humans can only achieve these through various social organizations and long-lasting structures.

At this point, it must be emphasized that man's will to know and act accordingly is a basic characteristic of human nature that cannot be obstructed. Knowing and doing are the most basic rights of man. Any



external intervention with these characteristics would imply a denial of human existence. In this respect, being a human being is, ipso facto, a right and a reality. In Qur'an, it is said, "Assuredly We have honored the children of Adam (with many distinctions)" (Sura al-Isra': 17:70).

A human being has the power to both know and does by nature. In this respect, he has the right to be precious and dignified (Mawdudi, 1980: 15-50; Attas, 1995: 24). Knowing and thinking is attributing connections to objects. The goal of knowledge is to rule action. Knowledge is a norm that enables man to understand, make judgments and associate with the universe; it is also a specialty existing based on human existence, and it turns us into living and thinking creatures.

The relationship between knowledge and practice in Islamic thought means the one who practices what he knows and who demonstrates the holism of knowledge and action; it emphasizes that knowledge gives responsibility to the knowledgeable and the knowledgeable are distinguished. Emphasizing the difference between the knowing and non-knowing in Qur'anic approach is significant in this respect (Qur'an, 39/9; Qur'an, 35/28.) While emphasizing the believer and exerciser in its systematic, Qur'an states that humanity has the power to put something into execution and action is necessary. When our actions are at stake, we give answers to the questions of what we should do, what should we choose; as we should do what we believe is true, what we see, belief, feel and experience. We can come across these answers in moral philosophy reasoning processes.

## **B. On Prejudices concerning human rights vis-a-vis religion**

On prejudices that pit servitude to God and religion or individualism and human rights against each other. The concept of human rights refers to a set of rights all people inherently enjoy regardless of their linguistic, religious, racial, gender, economic or social differences. Human rights signify the rights the creature called man rightfully enjoys to fulfill maintain and cherish his human characteristics (Ishay, 2004: 12-56).

In this regard, the concept of human rights can also be defined as the set of rights stemming from the right to be a human being. All obstacles to



one are being a human being can be collectively depicted as human rights violations. Why is man denied the right to be a human being and how? Why should the right to become a human being be ensured, how and by whom? These questions should be simultaneously discussed. Which power, system, philosophy or belief is more protective and constructive in terms of providing guarantees for human rights? In light of these questions, it is important to identify the basic motives for banishing religion while hailing everything as a guarantee for human rights.

As part of their advocacy for human rights and freedoms, positivist and materialist movements tend to criticize religions in general and Islam in particular with a superficial approach as regards human rights and freedoms. However, Islam categorically provides theoretical and practical guarantees for human rights and freedoms. Referring to the religious injunctions, positivists or materialists tend to equate religion with slavery within their conceptual frameworks. Does our dependency on religion prevent us from being free individuals? Should we treat the concepts of human rights and religion as alternatives or complements of each other? Why is the concept of human rights so feverishly advocated by the groups who do not take religious values as their referential values? While raising no objections to the essence of the concept of human rights, religious references or frameworks find this concept devoid of any religious emphasis and regard it as a superficial or sloganeer discourse.

According to these frameworks, this concept has secular, non-religious, philosophical and legal connotations. They further suggest that the concept of human rights is never compatible with religion and should be understood as independently from religious values. Some groups argue that the human rights concept can be conceptualized and understood only within the framework of religious values. Thus, at the one end of the spectrum, we find the human rights concept is glorified with a secular emphasis while the other end tends to write it off as a mere slogan or abstraction as it has no references to religion. What is the source of human dignity? What makes man meaningful or precious? A quest for finding answers to these two questions may create a common ground for



these two ends of the spectrum. The following quotes contain truly comprehensive observations about the relations between the human rights concept and religion.

The human rights concepts have an undeniable connection to religion. However, the world, especially the West, is not inclined to acknowledge this connection. The declarations drafted by the West do not contain religious references. This is because the human rights discourse initially emerged as a secular discourse against the church authority, and western perceptions about an antinomy between human rights and religion have survived up to our time.

However, both classical and modern-day Islamic scholars tend to discuss human rights within a religious framework. Moreover, referring to the human rights principles outlined in the declarations drafted by the West, modern-day Islamic intellectuals frequently assert that these principles are already enshrined in Islamic teachings. Two reasons can be distinguished for this attitude in the Muslim world. 1. Many Muslims tend to treat every value produced in the West with a religious point of view. 2. Overall, the Muslim world does not have much experience in human rights practices in the civilian sphere. In short, there is no other referential framework other than religion in this respect."

Just One (al-Haqq) is one of God's Most Beautiful Names (al-Asma al-Husna). Taking care of other people's rights is an attitude that eventually earns one the love of God. In Islamic terminology, rights are defined as "tangible or intangible possibilities, values, shares, and benefits that must be protected, observed or paid to their owner." The Qur'an has several verses stating that the poor have their share in the wealth of the rich or telling believers to give their relatives and poor people their due while in numerous hadiths, the rights of parents, sisters and brothers, neighbors, and spouses and even the rights of animals are stressed.

Prophet Muhammad told Muslims to "give every right holder his/her due" and his advice implies that the concept of rights has its unique inalienable characteristics. In Islam, rights are classified into two broad categories: the rights of God and the rights of people. The rights of



people comprise the responsibilities of people toward each other while the rights of God are the rights God has in respect of His servants. The rights of people are covered by laws. What religion defines as the rights of people correspond to the human rights concept in modern legal terminology.

In its philosophical profundity, awareness about man's servitude to God indicates a true state of man's freedom as isolated from all sorts of physical or spiritual pressures. This awareness is a process not of human enslavement, but the fulfillment of human existence. In "Al-Mufradat fi Gharib al-Qur'an," Al-Raghib al-Isfahani described freedom as the highest state of servitude. In Islamic thought, freedom means discovering our inner self and getting rid of everything that prevents us from reaching God and that alienates us from our true essence. (Al-Raghib al-Isfahani, *al-Mufradat fi Gharib el-Qur' an Al-Ubudiyyah*; Al Qushayri, *Al-Risāla al-Qushayriyya*, 364.

Etymologically, the word "abd" (servant to God) has also connotations of working physically and exhibiting endeavors. Thus, man's becoming a servant to God implies that he is supposed to work for human rights and dignity on earth. Man is declared as the caliph of God because of this work. Being the caliph of God, man is a representative of God on earth. Thus, man is not a slave to the earth but is a dignified master who brings peace, freedoms, and rights to the earth in his capacity as the caliph of God. In the awareness for servitude to God, as formulated by Islam, the happiness of individuals is essential. The state and the authority are nothing but tools for human happiness.

In Islamic tradition, religion viewed as rules that give happiness in this life and hereafter. Islamic doctrine maintains that Islam's monotheism continues that of Judaism and Christianity. According to Islamic belief, in addition to sending prophets, God manifests his mercy in the dedication of all creation to the service of humankind. Islamic traditions maintain that God brought the world into being for the benefit of his creatures. His mercy toward humanity is further manifested in the privileged status God



gave to humans. According to the Qur'an, God appointed humankind as his vice-regents (caliphs) on earth, thus entrusting them with the grave responsibility of fulfilling his scheme for creation. We can easily say from the Quranic point of view the presence of a human in this world is to the modernization of the life conditions with ethical values.

### **C. Thinking is a Mental Process Finding**

In the Islamic thought, freedom is not treated only from a philosophical, psychological or moral perspective, but also in terms of social morality and individual rights. From an Islamic point of view, every person is born free. However, throughout history, people occasionally placed other people under their domination and restricted their actions and turned them into robots that would obey their orders unquestioningly, as was the case in the Roman culture.

In terms of Islam, freedom is not only a matter of will and power in terms of occurrence and practicability of behaviors; it is also the state of moral maturity and integrity in the way of living. The first type of freedom defines the meaning in a theological and philosophical understanding of the concept and it is a part of speculative ethics. The second definition of freedom is included in the scope of practical ethics in terms of the way of expression and it defines the understanding of the concept in the Islamic *tasawwuf* (Sufism) system in which intuitive knowledge understanding is significant.

Man can find his freedom in the depths of his soul. Associated with the concept of freedom is the concept of liberty which has such connotations as acting in an unfettered and independent manner, being capable and strong, and moving in a pure, noble and unimpeded way. A person who can say, "Here I am," or "I, too, have a place and meaning within existence," shows that s/he has the liberty by recognizing and displaying his/her existence. Thus, freedom and liberty entail man's ability to display his/her essence strongly and freely without any restriction. Freedom denotes a state of independence. This state indicates

man's being free from all sorts of coercion, limitations or external pressures and the ability to freely act man acquired solely out of his identity as a human being (Farrar, 1958: 15; Edwards, 1957: 36; Oppenheim, 1961: 45; Deniz, 2017: 3.40).

The concept of freedom is used synonymously with the concept of liberty. Freedom is defined as the ability to think or act without any restriction or coercion or condition, and to make decisions regardless of any external influence and with reliance only on one's own will and reasoning.

Freedom delineates the individual's sphere of independence. In this sense, it also refers to the state of "refraining from doing any harm to others." Thus, a person's unlimited freedom will automatically restrict the rights of other people and undermine their freedom. Our freedoms may restrict or be restricted by the freedoms of other people. While any external intervention with how we enjoy our rights and freedoms is unthinkable, there are limits to how they are used. Accordingly, abuse of rights and freedoms cannot be allowed.

The concepts of freedom and rights closely intermingle with each other. Still, the concept of freedom refers to a more general and abstract state while that of rights is more concrete and specific. Freedom is a right. But not every right is freedom. Freedom is the common root of all rights while rights are legal authorizations granted by-laws to individuals so that they can fulfill their freedoms. Freedoms are about "being able to do" while rights have something to do with "wanting" or "demanding." Human rights cannot exist without freedom. The concepts of rights and freedoms are also closely related to the concept of equality. Equality and freedom are two complementary concepts. The concept of equality is often used in conjunction with the concept of freedom. The road to freedom goes through equality and social order and individual freedoms can be fulfilled only if freedoms are enjoyed equally by everyone.

In Islam, freedom is not transferable and cannot be waived. Freedom does not make man free to use harmful things. The concept of



freedom is rational. No one has the freedom to act irresponsibly, arbitrarily or in a way that is harmful to other people. Thus, there is no freedom to destroy freedoms. With knowledge, man can benefit from freedom. Thus, ignorant people cannot properly utilize the rights and freedoms they have. To abuse rights and freedoms will lead to deprivation from them. The freedom to destroy freedoms is unacceptable.

Thinking is a mental process by which people establish causal relationships between events. Freedom of thought implies that man should be able to have access to knowledge and thought and that s/he should not be accused in connection with his ideas and opinions and express, advocate and promote them freely. Freedom of thought means that individuals should be able to express their views and ideas freely. Given its importance in terms of enabling people to understand and fulfill other freedoms, the freedom of thought is given a special and privileged place among other freedoms (Edwards, 1954: 36).

Orders and prohibitions in Islamic ethics aim at naturalizing psycho logic, sociologic, physiologic, ethic and aesthetic dimensions of individuals. Our moral philosophy, emphasizing that the all-powerful Allah owns all of the resources in and above the world, requires people to use this divine heritage equally. One of the most important contributions of Islam to the civilization history of the world is that it presents an independent human model in terms of his actions, preferences and the way he shapes the world.

#### **D. Conclusion**

The history of Islam can be regarded as the history of the development of human rights as it combated against slavery trying to eliminate it through a gradual process. As a recompense for the shortcomings in the performance of the worships-prescribed prayer, fasting, taking an oath, etc., it introduced the sanction of freeing a slave. Moreover, in the fight against slavery which was a common practice in the early years of the advent of Islam, not only practical measures were



introduced to eliminate it and reintroduce social equality, but also the Prophet provided a good model for destroying their prejudices about the class or social differences.

Indeed, Islam's bringing together the people from all walks of life, the rich and the poor or masters and slaves, under the same roof of a mosque helps many dispel their prejudices they may have inside. In the divine knowledge, it is noted that all human beings were created from a man and a woman and they were later grouped as diverse communities so that they can get acquainted with each other and share the knowledge of wisdom or *hikmah*. This piece of information saves people from all sorts of vicious cycles of prejudices. It is further stressed that the only thing that makes people superior to each other is their piety or fear of God (*taqwa*). *Taqwa* denotes man's awareness about his/her responsibilities. Without this awareness, man's servitude or individuality cannot be fulfilled (Mawdudi, 1980: 15-50).

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