



HUMAN RIGHTS IN ISLAM DISTINGUISH HUMAN RIGHTS IN INTERNATIONAL CHARTERS

SAHRA KHEMILI

Faculty of Law and Political Science Baji Mokhtar University, Annaba,
Algeria

sahra.khemili@univ-annaba.dz

Received: 23/11/2023 Accepted: 30/12/2023 Published: 17/01/2024

ABSTRACT

The discussion of human rights has become a matter of time, and attention is now evident in the international forums, conferences and symposia, which have replied in various regional and international charters and declarations, which contain many Islamic articles and principles to promote human rights and to create ways to protect them.

Keywords: *Human Rights, Islam, International Charters.*

Introduction:

In view of the importance of activating Islamic thought in the field of human rights, and in order to protect the Islamic world from the dangers of the wicked attack on the enemies of Islam, who are keen on admonishing Islam under various slogans and claims, including their false claims that Islam has not sponsored human rights, International conventions and safeguarded by Islam since its inception.

Based on the above, the following question arises: What are these rights which are unique to the law of Islam than other statutes?

In order to answer the previous problem, the descriptive and analytical approach was adopted by dividing the subject as follows:

- 1-Children's rights
- 2-Youth rights
- 3-The rights of the elderly
- 4-Women's rights
- 5-The rights of men.

1- Rights of the Child:

The children are a great blessing that Allah has entrusted to His slaves. This grace has raised the limit to God by the way that the owners honor them. God said about a prophet from his prophets:

“My Lord, bestow on me good offspring from your presence; you are the Hearer of Prayers.”[Al-Imran38].And The Almighty Allah said about His



good servants: “Our Lord, grant us delight in our spouses and our children, and make us a good example for the righteous.” [Al-Furqan 74].

The child's rights are as follows:

a- Choosing his mother:

It is the right of the child before he is born to choose his father and his mother for him, it is the specific who will put it for the benefit of his liver and the fruit of his work is better than gold and silver, Thuban said: When the following recite came down “Those who hoard gold and silver” [Repentance 34].

The prophet' Peace be upon him' in some of his travels, said some of his companions went down in gold and silver, which was revealed if we knew which money is good said: «the best tongue remembering and the heart of a grateful and a believing wife appointed him to faith»¹.

He said in Tahteh al-Ahwadhi: "The wife of a believer appoints him for his faith" i.e., that his religion should remind him of prayer, fasting and other acts of worship, and prevent him from committing adultery and other taboos²

Al-Sindi said: counting the insured wife out of the money, because the benefit of remaining and the benefit of all other money is cheap and in general the answer is from the wise method; to warn that the believer should be related to the hereafter and ask what benefits him and that the money of the world is not without evil.

B- to prove his lineage :

Evidence of the right of the child to do so, and this evidence of loss and homelessness, in addition to preserving the society from the spread of infidelity and the spread of obscene and illegitimate children, led to the assignment of other rights such as partial inheritance, inheritance and other things that can be reviewed in the books of jurisprudence.

It was narrated that 'Aa'ishah (may Allah be pleased with her) said: The Prophet (peace and blessings of Allah be upon him) said:

(The Prophet's ruling states that the marriage is proven by the bed, and the Muslims agreed that the marriage was proven by the bed)³.

Thus, the Shariaa protects society from the spread of corruption, and prevents the causes of estrangement, and the injustice of the offspring, and the mixing of genealogies.

c - Saying the adhaan in the ears:

It is narrated that Abu Rafee said: I saw the Messenger of Allah (peace and blessings of Allah be upon him) when he was given permission in the ear of Hassan bin Ali when Fatima gave birth to him.⁴



Ibn al-Qayim⁵: Ibn al-Qayim said: "The mystery of those who are harmless - and God knows best - is that the first thing that hears the human hearing is its words that include the pride and greatness of the Lord and the testimony that is the first to enter into Islam. Of them, and he did not condemn the arrival of the impact of the atheism to his heart and affected by it, although he did not feel with any other benefit. The flight of Satan from the words of the adhaan ^[6] (6). He was watching him until he was born, and compared him to the tribulation which God has estimated and created, and he hears his devil, which weakens and angers him the first times he attaches to him.

d -Tahnikoh 'Tossing it':

The father should be honoring his son or ask one of the righteous to confuse him; for the blessing of Abu Barda on the authority of Abu Musa said: A boy was born to me and I came to him the Prophet peace be upon him he named him Ibrahim and he toss him a date and called for him the blessing and he pushed him to me ,he was the eldest father of Moses.⁷

e - Slaughter of his aqeeqah:

On the authority of Selman bin Amer al-Dabbi, he said: I heard the Messenger of Allah (peace and blessings of Allah be upon him) say: "With the boy, there is aqeeqah, so they have to shed blood on him and put him away from harm."⁸

And Samra bin Jundab said from the Messenger of Allah 'peace be upon him' said: "Every young man is subject to his age, to slaughter his aqeeqah on the seventh day and shave his head and be called."⁹

It was narrated from Umm Karez that the Messenger of Allah (peace and blessings of Allah be upon him) said: "In the boy there are two cheats in reward and one in the slave."¹⁰

f - Shaving his head:

Abu 'Umar ibn Abd al-Barr said: As for shaving the head of a boy at the time of aqeeqah, the scholars were well-advised. It was proven that the Prophet (peace and blessings of Allah be upon him) said: '.....And shave his head and name it'.

g - Named beautiful name:

It is the right of the child to choose his father the best names and the best; because the names sharpen the task of comforting the example, so some scholars said: the best choice of names and the names



of good prophets and scholars and virtues; because it sharpens the name of the name to be followed and to ascend to the Prophet peace be upon him to name Abu Bakrah said Abu Musa said: (I was born to a boy and I brought him the Prophet peace be upon him and he named him Ibrahim and called him for the blessing)

And he was named Ibrahim like the name of his father, so they said: it is considered in the name to be a valid name and parents may not choose the name is forbidden, which is the name that is slavery to other than God as the slave of Uzza and other names such as the slave of the Prophet and Abdul Hussein and other names in which humans worship humans; The worshipers should worship God.¹¹

h - Circumcision:

From Abu Hurayrah said ¹²: The Prophet (peace and blessings of Allah be upon him) said: "Nature is five or five of the fit rah, circumcision, defilement, plucking the armpit, trimming the nails and cutting the mustache."

The circumcision became the head of the characteristics of the instinct, but these qualities of instinct, because instinct is the Hanafi Ibrahim, and these qualities ordered by Abraham, one of the words that his Lord had swallowed them.

Narrated by 'Abd-al-Razzaq from Ibn Abbas in this verse: "And when Abraham swallowed his Lord with words, he made them up." [Al-Baqarah 124] He said: "He started with purity five in the head,

i - good education and discipline:

Some of the scholars said: Allah is asking the father about his son, for as for the father, for his son; indeed, let his son be right on his father. As the Almighty says: "We have made man with his parents well." He also said: O you who believe! Protect yourselves and your families from a fire, whose fuel is people and stones, over it angels, fierce and powerful, they never disobey God in anything He commands them, and they are commanded.] [Prohibition 6].

j - Justice between him and his brothers:

Amir said; I heard Al Numan Ben Bachir that the Messenger of Allah (peace and blessings of Allah be upon him) came and said: "I gave my son from 'Umrah, the daughter Attiyah, and ordered me to show you, O Messenger." Allah said: "You have given your other son such a thing. He said: 'do not say:' Fear Allah and make justice among your children. "¹³



2- Youth Rights :

a-Advise and direct them :

The Prophet (peace and blessings of Allah be upon him) directed young people to the best of things so that they would not be dragged into the ways of the oppressed by the excesses of acts of worship or other forms of life. Anas Ibn Maalik (may Allah be pleased with him) said: Three men came to the homes of the wives of the Prophet (peace and blessings of Allah be upon him).

The Prophet (peace and blessings of Allah be upon him) said: "When they told them that they were saying it, they said," Where are we from the Prophet? "He forgave him what he had done. And he said, "I said:" You who have said such and such, but God, I fear you for Allah, and I will challenge you to him, but I fast and fast, and I pray, I lay down, and I am married. It is not mine »¹⁴ Ibn Hajar said: The Prophet (peace and blessings of Allah be upon him) had hinted at this behavior by following the path of the monastic order. They were the ones who invented the emphasis as God described it. ; To be strong to do and marry; to break the lust and self-pity and breeding of the offspring¹⁵.

And Obadiah bin Khalaf said¹⁶: The prophet said: If it is cold, but you are in Asuati » I looked at the wrapper, but above the ankles and under the muscle.

b - Qualify them to assume responsibility:

The Prophet (peace and blessings of Allah be upon him) relied on young people for matters that needed strength and effort. He relied on Osama bin Zayd in the Battle of Mu'tah and his salaam, the leadership of the army and the senior companions. On the authority of 'Abd-Allah Ibn' Umar (may Allah be pleased with him)¹⁷: sent the Prophet , peace be upon him , sent a and ordered them Osama bin Zayd Aftan some people in the emirate said the Prophet , peace be upon him: «that stab in the emirate have you stab in the Emirate of his father before and In God that was well advised of the emirate though For those who love people to me, and this is for those who love people after him ».

Before that, he relied on young people to spread the invitation at the beginning of Makah, where he established the call in Dar al-Arqam, a young man, and his followers were also young.

3- Rights of the Elderly:

Islam grants the elderly rights - which are not recognized by advanced international laws - in accordance with their need for social welfare, and to the fullest extent - the element of family care for them.



This is what appears in many Qur'an texts. And the parents are happy} [Al-Baqarah 83].

Say: "Come, what is your Lord's prohibition against you? Do not involve Him with anything, and the parents will have compassion" [Al-An'am 151]. This shows the extent of interest in Islam and its emphasis on the importance of caring for parents and attention to them, especially when they reach the stage of aging and aging. It is noted that the Islamic community did not know the issue of the delivery of families and elders and elderly people to the homes of the elderly only in very late stages, in view of the spread of the culture of the West.

As for their rights in general, what is noted in the honorable texts confirm the following:

a - Give him the most respect:

It was narrated that Abu Musa al-Ash'ari said: The Prophet (peace and blessings of Allah be upon him) said: "It is the honor of Allah to honor the Muslim shiebe and the non-precious Qur'an holder¹⁸.

Those, to maximize the great sheikh in Islam by honoring him in the councils, and to be kind to him, compassion for him, and so on.

I.e., not in our way - the people of Islam - that is not one of the people of reverence for adults did not magnify them.

b- Protecting from harm in armed conflicts:

The habit of the Prophet , peace be upon him and Muslim leaders that if they sent a secret warfare battalion castrated the necessary instructions, the Almighty said: (and fought in the way of Allah those who fight you not transgress Allah does not like aggressors) (Al Baqarah: 190) , killing the elderly is not created 'peace be upon him' and the fact that he is not a sinner and did not fight Muslims, unless he is a fighter or opinion, then he takes the rule of the fighter, Opinion.

c- Mitigating some of the provisions:

Muslim jurists are unanimous on the types of mitigation of the Sheikh for the provisions of the mandate, if he was unable or was difficult to ease him some provisions.

The Prophet (peace and blessings of Allah be upon him) ordered the following to order the elderly and the elderly to observe this situation. It was narrated that 'UthmaanibnAbi al-'Aas said: I said: O Messenger of Allah, make me a national imam.¹⁹



4- Women's Rights:

Women are the corner of the pillars of society, they are mother and sister and daughter, and the wife who has the right to her husband of good ten and good treatment, God has linked them with a deep bond of affection and compassion is closer to the legal contract association, to which it owes financial or material rights.

Women have many rights in Islam:

a - To choose her guardian of the fit:

Islam also did not make marriage except poly²⁰, and the cessation of the validity of marriage to him also made conditions for the guardian so that the girl is not wronged if her guardian is not qualified for this task, the guardian must choose for his honor who works for her; with goodness.

Said Ghazali: "and reserve the right to the most important; because ²¹ they are thin being married is not loyal to her, and the husband can divorce anyway, and his daughter's husband unjust or evildoer or an innovator or drinker vintage has earned his religion and subjected to the wrath of God cut from the womb and a bad choice."

b - Look at the address:

The woman has the right to look at her interlocutor, but he likes her as much as he likes her.

Omar said: Do not marry your daughters from the man who is the imam; they like them as much as they like them.

He said in the melody of the needy²²: Sunnah for a woman to consider the non - man if she wants him to marry his genitalia she likes him what it is like them and describe them.

c- The requirement not to marry them:

If the wife's stipulation in the marriage contract against her husband is not to marry her properly, she must have had the right to annul the marriage if she does not meet the condition, and if she does not have the right to terminate the marriage, And her right to annulment shall not be nullified unless she drops it and consents to his breach.

Imam Ahmad and his wife, IbnTaymiyyah and Ibn al-Qayim, said that if the conditions in marriage are greater than that in sales, leasing, and so on, this is why fulfilling what is obligatory is obligatory and obligatory. They quoted their doctrine as follows:

That the Prophet peace be upon him said: "The most appropriate ²³ conditions are to die by what you have degraded by the chickens."



d - Muhr:

From the good care of Islam to women and respect for them that gave them the right to property, as in the time of ignorance, so that the guardian was acting in the pure money does not give them a chance of ownership and cannot act in it.

It was that raising Islam from this insistence and impose her dowry and make it a real on the man and not to her father or to the nearest people to take any of them except in the case of consent and choice, he said:And women have given their pawns a prescribed offering, which is not to be compared, but if they give something of the dowry after what you have, without coercion, modesty, or deceit, take him with a drink, and not a trespass, nor a sin with him.

e- Alimony:

What is meant by alimony here is the provision of what the wife needs from food, housing, service and medicine, even if it is rich, and it is obligatory according to the Qur'an, Sunnah and consensus.

Allah says (interpretation of the meaning): "And the child has to give them their sustenance and their kinship." [Al-Baqarah 233] And what is meant by the child is the father, and the livelihood in this provision is sufficient food, clothing and clothing.

And the Almighty says: {Allow them to reside where you reside ...} [divorce 6].

f-Good cohabitation:

The first thing that a husband should do to his wife is to respect her and improve her kindness and treat her with virtue and to offer what can be presented to her, which composes her heart as well as what comes out of her or patience.

The Almighty said: (and the tenth of the good) [women 19]

g-Preserving his wife

The husband must guard his wife and protect her from everything that shames her honor, humiliates her honor, displays her dignity and displays her reputation for the bad and the jealousy that Allah loves. The Messenger of Allah peace be upon him: «God envious²⁴ and jealous of God that the believer comes what God has forbidden».

As the Messenger of Allah peace be upon him²⁵: "I admire the jealousy of Saad, I change from Saad and God changed me and therefore denied the immoral what emerged from them and no belly and no one changed from God ...».

5- The rights of men:



Among the rights considered by the Sharia and urged them to:

a-The man looked at his engagement:

Mughira Bin Chooba ²⁶: that sermons woman said the Prophet , peace be upon him ;i.e.: it is more worthy of lasting harmony between you.

And Abu Hurayrah ²⁷: that a man wanted to marry a woman who said the Prophet, peace be upon him: «Look at it in the eyes of the fans something».

b- Obedience to his wife:

Al-Shaafa'i said: "Marriage is a kind of kindness, because it is thin for him. She has to obey her husband at all times in each of them, in which she does not disobey."

It was narrated that Abd al - Rahman bin Auf said the Messenger of Allah, peace be upon him ²⁸: «. If a woman prays and prays silent months pregnant and preserved her vagina and obeyed her husband told her Enter Paradise from any gates of Paradise you wish»

c - Serving his wife:

God created women and made them good properties to do the affairs of the house and management and care of its affairs If the woman served the marital home as it should be the eye of the husband and satisfied and felt that his home has preserved his right and took care of his interests rest and calm himself, and God referred to this from the whole saying: They are well-known. [Al-Baqarah 228] Women have rights, and men have rights.

d - Naming the child:

Ibn al-Qayim said: The naming of a child is a right for the father, not for the mother, which is uncontested among the people, and if the parents disagree in naming the child, this is for the father, and this is also called for his father, not for his mother. [Al-Ahzab 5] The child follows his mother in freedom and slavery and follows his father in lineage, and naming: the definition of descent and descent and follow in religion the best of his parents a religion.

And the definition: education and Aqeeqah and to the father not to the mother.

e- Not to fast his wife except with his permission:

Forbade the Messenger of Allah , peace be upon him and the woman that her husband is present and fast even ask his permission, was



narrated from Abu Hurayrah that the Prophet , peace be upon him ²⁹ : "A woman does not fast and her husband is seen without his permission."

The scholars have forbidden this prohibition, and they have allowed the husband to invalidate his wife's fast if he is silent without permission. This is for non-Ramadan, as stated in the hadeeth without the husband's permission, and it is permissible for her to fast without his permission if he is absent. To spoil her fast.

f-Divorce:

Islam made divorce the right of men alone, because it is keen to keep the marriage that was spent in the way of money, what needs to spend more or more of it if divorced and wanted to contract another marriage.

It was narrated that Ibn Abbas said: ³⁰ : The Prophet , peace be upon him a man came and said: O Messenger of Allah , the lord married me his slave and he wants to differentiate between me and them said , went up the Messenger of Allah , peace be upon him the pulpit and said: «O people , what about one of you married servant of his nation and then wants to To divide them, but to divorce those who took the leg ».

Conclusion:

The Islamic Sharia law has been a priority for all international conventions, declarations and conventions in dealing with human rights and rooting them for those rights more than fourteen centuries ago. The Universal Declaration of Human Rights and the subsequent international conventions and the Charter of the United Nations is only a response to some What is guaranteed by Islamic Sharia.

Recommendations:

- Document that the human rights that we call for protection and respect have been recognized by Islam and sanctified 14 centuries ago preceded by a far cry from what was said by the eighteenth century, which counted the century of human rights.
- Call for the establishment of the Islamic Observatory for Human Rights by experts of the Islamic State as a non-governmental organization, to monitor the extent of the application of human rights, which was adopted by Islamic law.

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