

Universal Islamic Declaration of Human Rights

21 Dhul Qaidah 1401 19 September 1981

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*This is a declaration for mankind, a guidance and instruction to those who fear God.
(Al Qur'an, Al-Imran 3:138)*

Foreword

Islam gave to mankind an ideal code of human rights fourteen centuries ago. These rights aim at conferring honour and dignity on mankind and eliminating exploitation, oppression and injustice.

Human rights in Islam are firmly rooted in the belief that God, and God alone, is the Law Giver and the Source of all human rights. Due to their Divine origin, no ruler, government, assembly or authority can curtail or violate in any way the human rights conferred by God, nor can they be surrendered.

Human rights in Islam are an integral part of the overall Islamic order and it is obligatory on all Muslim governments and organs of society to implement them in letter and in spirit within the framework of that order.

It is unfortunate that human rights are being trampled upon with impunity in many countries of the world, including some Muslim countries. Such violations are a matter of serious concern and are arousing the conscience of more and more people throughout the world.

I sincerely hope that this *Declaration of Human Rights* will give a powerful impetus to the Muslim peoples to stand firm and defend resolutely and courageously the rights conferred on them by God.

This *Declaration of Human Rights* is the second fundamental document proclaimed by the Islamic Council to mark the beginning of the 15th Century of the Islamic era, the first being the *Universal Islamic Declaration* announced at the International Conference on The Prophet Muhammad (peace and blessings be upon him) and his Message, held in London from 12 to 15 April 1980.

The *Universal Islamic Declaration of Human Rights* is based on the Qur'an and the Sunnah and has been compiled by eminent Muslim scholars, jurists and representatives of Islamic movements and thought. May God reward them all for their efforts and guide us along the right path.

Paris 21 Dhul Qaidah 1401 Salem Azzam
19th September 1981 *Secretary General*

O men! Behold, We have created you all out of a male and a female, and have made you into nations and tribes, so that you might come to know one another. Verily, the noblest of you in the sight of God is the one who is most deeply conscious of Him. Behold, God is all-knowing, all aware.

(Al Qur'an, Al-Hujurat 49:13)

Preamble

WHEREAS the age-old human aspiration for a just world order wherein people could live, develop and prosper in an environment free from fear, oppression, exploitation and deprivation, remains largely unfulfilled;

WHEREAS the Divine Mercy unto mankind reflected in its having been endowed with super-abundant economic sustenance is being wasted, or unfairly or unjustly withheld from the inhabitants of the earth;

WHEREAS Allah (God) has given mankind through His revelations in the Holy Qur'an and the Sunnah of His Blessed Prophet Muhammad an abiding legal and moral framework within which to establish and regulate human institutions and relationships;

WHEREAS the human rights decreed by the Divine Law aim at conferring dignity and honour on mankind and are designed to eliminate oppression and injustice;

WHEREAS by virtue of their Divine source and sanction these rights can neither be curtailed, abrogated or disregarded by authorities, assemblies or other institutions, nor can they be surrendered or alienated;

Therefore we, as Muslims, who believe

- a) in God, the Beneficent and Merciful, the Creator, the Sustainer, the Sovereign, the sole Guide of mankind and the Source of all Law;
- b) in the Vicegerency (Khilafah) of man who has been created to fulfill the Will of God on earth;
- c) in the wisdom of Divine guidance brought by the Prophets, whose mission found its culmination in the final Divine message that was conveyed by the Prophet Muhammad (Peace be upon him) to all mankind;
- d) that rationality by itself without the light of revelation from God can neither be a sure guide in the affairs of mankind nor provide spiritual nourishment to the human soul, and, knowing that the teachings of Islam represent the quintessence of Divine guidance in its final and perfect form, feel duty-bound to remind man of the high status and dignity bestowed on him by God;
- e) in inviting all mankind to the message of Islam;
- f) that by the terms of our primeval covenant with God our duties and obligations have priority over our rights, and that each one of us is under a bounden duty to spread the teachings of Islam by word, deed, and indeed in all gentle ways, and to make them effective not only in our individual lives but also in the society around us;
- g) in our obligation to establish an Islamic order:

- i) wherein all human beings shall be equal and none shall enjoy a privilege or suffer a disadvantage or discrimination by reason of race, colour, sex, origin or language;
- ii) wherein all human beings are born free;
- iii) wherein slavery and forced labour are abhorred;
- iv) wherein conditions shall be established such that the institution of family shall be preserved, protected and honoured as the basis of all social life;
- v) wherein the rulers and the ruled alike are subject to, and equal before, the Law;
- vi) wherein obedience shall be rendered only to those commands that are in consonance with the Law;
- vii) wherein all worldly power shall be considered as a sacred trust, to be exercised within the limits prescribed by the Law and in a manner approved by it, and with due regard for the priorities fixed by it;
- viii) wherein all economic resources shall be treated as Divine blessings bestowed upon mankind, to be enjoyed by all in accordance with the rules and the values set out in the Qur'an and the Sunnah;
- ix) wherein all public affairs shall be determined and conducted, and the authority to administer them shall be exercised after mutual consultation (*Shura*) between the believers qualified to contribute to a decision which would accord well with the Law and the public good;
- x) wherein everyone shall undertake obligations proportionate to his capacity and shall be held responsible pro rata for his deeds;
- xi) wherein everyone shall, in case of an infringement of his rights, be assured of appropriate remedial measures in accordance with the Law;
- xii) wherein no one shall be deprived of the rights assured to him by the Law except by its authority and to the extent permitted by it;
- xiii) wherein every individual shall have the right to bring legal action against anyone who commits a crime against society as a whole or against any of its members;
- xiv) wherein every effort shall be made to
 - (a) secure unto mankind deliverance from every type of exploitation, injustice and oppression,
 - (b) ensure to everyone security, dignity and liberty in terms set out and by methods approved and within the limits set by the Law;

Do hereby, as servants of Allah and as members of the Universal Brotherhood of Islam, at the beginning of the Fifteenth Century of the Islamic Era, affirm our commitment to uphold the following inviolable and inalienable human rights that we consider are enjoined by Islam.

I Right to Life

- a) Human life is sacred and inviolable and every effort shall be made to protect it. In particular no one shall be exposed to injury or death, except under the authority of the Law.
- b) Just as in life, so also after death, the sanctity of a person's body shall be inviolable. It is the obligation of believers to see that a deceased person's body is handled with due solemnity.

II Right to Freedom

- a) Man is born free. No inroads shall be made on his right to liberty except under the authority and in due process of the Law.
- b) Every individual and every people has the inalienable right to freedom in all its forms— physical, cultural, economic and political — and shall be entitled to struggle by all available means against any infringement or abrogation of this right; and every oppressed individual or people has a legitimate claim to the support of other individuals and/or peoples in such a struggle.

III Right to Equality and Prohibition Against Impermissible Discrimination

- a) All persons are equal before the Law and are entitled to equal opportunities and protection of the Law.
- b) All persons shall be entitled to equal wage for equal work.
- c) No person shall be denied the opportunity to work or be discriminated against in any manner or exposed to greater physical risk by reason of religious belief, colour, race, origin, sex or language.

IV Right to Justice

- a) Every person has the right to be treated in accordance with the Law, and only in accordance with the Law.

b) Every person has not only the right but also the obligation to protest against injustice; to recourse to remedies provided by the Law in respect of any unwarranted personal injury or loss; to self-defence against any charges that are preferred against him and to obtain fair adjudication before an independent judicial tribunal in any dispute with public authorities or any other person.

c) It is the right and duty of every person to defend the rights of any other person and the community in general (*Hisbah*).

d) No person shall be discriminated against while seeking to defend private and public rights.

e) It is the right and duty of every Muslim to refuse to obey any command which is contrary to the Law, no matter by whom it may be issued.

V Right to Fair Trial

a) No person shall be adjudged guilty of an offence and made liable to punishment except after proof of his guilt before an independent judicial tribunal.

b) No person shall be adjudged guilty except after a fair trial and after reasonable opportunity for defence has been provided to him.

c) Punishment shall be awarded in accordance with the Law, in proportion to the seriousness of the offence and with due consideration of the circumstances under which it was committed.

d) No act shall be considered a crime unless it is stipulated as such in the clear wording of the Law.

e) Every individual is responsible for his actions. Responsibility for a crime cannot be vicariously extended to other members of his family or group, who are not otherwise directly or indirectly involved in the commission of the crime in question.

VI Right to Protection Against Abuse of Power

Every person has the right to protection against harassment by official agencies. He is not liable to account for himself except for making a defence to the charges made against him or where he is found in a situation wherein a question regarding suspicion of his involvement in a crime could be *reasonably* raised

VII Right to Protection Against Torture

No person shall be subjected to torture in mind or body, or degraded, or threatened with injury either to himself or to anyone related to or held dear by him, or forcibly made to confess to the commission of a crime, or forced to consent to an act which is injurious to his interests.

VIII Right to Protection of Honour and Reputation

Every person has the right to protect his honour and reputation against calumnies, groundless charges or deliberate attempts at defamation and blackmail.

IX Right to Asylum

a) Every persecuted or oppressed person has the right to seek refuge and asylum. This right is guaranteed to every human being irrespective of race, religion, colour and sex.

b) Al Masjid Al Haram (the sacred house of Allah) in Mecca is a sanctuary for all Muslims.

X Rights of Minorities

a) The Qur'anic principle "There is no compulsion in religion" shall govern the religious rights of non-Muslim minorities.

b) In a Muslim country religious minorities shall have the choice to be governed in respect of their civil and personal matters by Islamic Law, or by their own laws.

XI Right and Obligation to Participate in the Conduct and Management of Public Affairs

a) Subject to the Law, every individual in the community (*Ummah*) is entitled to assume public office.

b) Process of free consultation (*Shura*) is the basis of the administrative relationship between the government and the people. People also have the right to choose and remove their rulers in accordance with this principle.

XII Right to Freedom of Belief, Thought and Speech

- a) Every person has the right to express his thoughts and beliefs so long as he remains within the limits prescribed by the Law. No one, however, is entitled to disseminate falsehood or to circulate reports which may outrage public decency, or to indulge in slander, innuendo or to cast defamatory aspersions on other persons.
- b) Pursuit of knowledge and search after truth is not only a right but a duty of every Muslim.
- c) It is the right and duty of every Muslim to protest and strive (within the limits set out by the Law) against oppression even if it involves challenging the highest authority in the state.
- d) There shall be no bar on the dissemination of information provided it does not endanger the security of the society or the state and is confined within the limits imposed by the Law.
- e) No one shall hold in contempt or ridicule the religious beliefs of others or incite public hostility against them; respect for the religious feelings of others is obligatory on all Muslims.

XIII Right to Freedom of Religion

Every person has the right to freedom of conscience and worship in accordance with his religious beliefs.

XIV Right to Free Association

- a) Every person is entitled to participate individually and collectively in the religious, social, cultural and political life of his community and to establish institutions and agencies meant to enjoin what is right (*ma'roof*) and to prevent what is wrong (*munkar*).
- b) Every person is entitled to strive for the establishment of institutions whereunder an enjoyment of these rights would be made possible. Collectively, the community is obliged to establish conditions so as to allow its members full development of their personalities.

XV The Economic Order and the Rights Evolving Therefrom

- a) In their economic pursuits, all persons are entitled to the full benefits of nature and all its resources. These are blessings bestowed by God for the benefit of mankind as a whole.
- b) All human beings are entitled to earn their living according to the Law.

- c) Every person is entitled to own property individually or in association with others. State ownership of certain economic resources in the public interest is legitimate.
- d) The poor have the right to a prescribed share in the wealth of the rich, as fixed by Zakah, levied and collected in accordance with the Law.
- e) All means of production shall be utilised in the interest of the community (*Ummah*) as a whole, and may not be neglected or misused.
- f) In order to promote the development of a balanced economy and to protect society from exploitation, Islamic Law forbids monopolies, unreasonable restrictive trade practices, usury, the use of coercion in the making of contracts and the publication of misleading advertisements.
- g) All economic activities are permitted provided they are not detrimental to the interests of the community(*Ummah*) and do not violate Islamic laws and values.

XVI Right to Protection of Property

No property may be expropriated except in the public interest and on payment of fair and adequate compensation.

XVII Status and Dignity of Workers

Islam honours work and the worker and enjoins Muslims not only to treat the worker justly but also generously. He is not only to be paid his earned wages promptly, but is also entitled to adequate rest and leisure.

XVIII Right to Social Security

Every person has the right to food, shelter, clothing, education and medical care consistent with the resources of the community. This obligation of the community extends in particular to all individuals who cannot take care of themselves due to some temporary or permanent disability.

XIX Right to Found a Family and Related Matters

a) Every person is entitled to marry, to found a family and to bring up children in conformity with his religion, traditions and culture. Every spouse is entitled to such rights and privileges and carries such obligations as are stipulated by the Law.

- b) Each of the partners in a marriage is entitled to respect and consideration from the other.
- c) Every husband is obligated to maintain his wife and children according to his means.
- d) Every child has the right to be maintained and properly brought up by its parents, it being forbidden that children are made to work at an early age or that any burden is put on them which would arrest or harm their natural development.
- e) If parents are for some reason unable to discharge their obligations towards a child it becomes the responsibility of the community to fulfill these obligations at public expense.
- f) Every person is entitled to material support, as well as care and protection, from his family during his childhood, old age or incapacity. Parents are entitled to material support as well as care and protection from their children.
- g) Motherhood is entitled to special respect, care and assistance on the part of the family and the public organs of the community (*Ummah*).
- h) Within the family, men and women are to share in their obligations and responsibilities according to their sex, their natural endowments, talents and inclinations, bearing in mind their common responsibilities toward their progeny and their relatives.
- i) No person may be married against his or her will, or lose or suffer diminution of legal personality on account of marriage.

XX Rights of Married Women

Every married woman is entitled to:

- a) live in the house in which her husband lives;
- b) receive the means necessary for maintaining a standard of living which is not inferior to that of her spouse, and, in the event of divorce, receive during the statutory period of waiting (*iddah*) means of maintenance commensurate with her husband's resources, for herself as well as for the children she nurses or keeps, irrespective of her own financial status, earnings, or property that she may hold in her own rights;
- c) seek and obtain dissolution of marriage (*Khul'a*) in accordance with the terms of the Law. This right is in addition to her right to seek divorce through the courts.
- d) inherit from her husband, her parents, her children and other relatives according to the Law;

e) strict confidentiality from her spouse, or ex-spouse if divorced, with regard to any information that he may have obtained about her, the disclosure of which could prove detrimental to her interests. A similar responsibility rests upon her in respect of her spouse or ex-spouse.

XXI Right to Education

- a) Every person is entitled to receive education in accordance with his natural capabilities.
- b) Every person is entitled to a free choice of profession and career and to the opportunity for the full development of his natural endowments.

XXII Right of Privacy

Every person is entitled to the protection of his privacy.

XXIII Right to Freedom of Movement and Residence

- a) In view of the fact that the World of Islam is veritably *Ummah Islamia*, every Muslim shall have the right to freely move in and out of any Muslim country.
- b) No one shall be forced to leave the country of his residence, or be arbitrarily deported therefrom without recourse to due process of Law.

Explanatory Notes

1 In the above formulation of Human Rights, unless the context provides otherwise:

- a) the term 'person' refers to both the male and female sexes.
- b) the term 'Law' denotes the *Shari'ah*, i.e. the totality of ordinances derived from the Qur'an and the Sunnah and any other laws that are deduced from these two sources by methods considered valid in Islamic jurisprudence.

2 Each one of the Human Rights enunciated in this declaration carries a corresponding duty.

3 In the exercise and enjoyment of the rights referred to above every person shall be subject only to such limitations as are enjoined by the Law for the purpose of securing the due recognition of, and respect for, the rights and the freedom of others and of meeting the just requirements of morality, public order and the general welfare of the Community (*Ummah*).

The Arabic text of this *Declaration* is the original.

Glossary of Arabic Terms

SUNNAH - The example or way of life of the Prophet (peace be upon him), embracing what he said, did or agreed to.

KHALIFAH - The vicegerency of man on earth or succession to the Prophet, transliterated into English as the Caliphate.

HISBAH- Public vigilance, an institution of the Islamic State enjoined to observe and facilitate the fulfillment of right norms of public behaviour. The "Hisbah" consists in public vigilance as well as an opportunity to private individuals to seek redress through it.

MA'ROOF - Good act.

MUNKAR - Reprehensible deed.

ZAKAH - The 'purifying' tax on wealth, one of the five pillars of Islam obligatory on Muslims.

'IDDAH - The waiting period of a widowed or divorced woman during which she is not to re-marry.

KHUL'A - Divorce a woman obtains at her own request.

UMMAH ISLAMIA - *World Muslim community.*

SHARI'AH - Islamic law.

References

Note: The Roman numerals refer to the topics in the text. The Arabic numerals refer to the Chapter and the Verse of the Qur'an, i.e. 5:32 means Chapter 5, Verse 32.

- I 1 Qur'an Al-Maidah 5:32
- 2 Hadith narrated by Muslim, Abu Daud, Tirmidhi, Nasai
- 3 Hadith narrated by Bukhari

- II 4 Hadith narrated by Bukhari, Muslim
- 5 Sayings of Caliph Umar
- 6 Qur'an As-Shura 42:41
- 7 Qur'an Al-Hajj 22:41

- III 8 From the Prophet's address
- 9 Hadith narrated by Bukhari, Muslim, Abu Daud, Tirmidhi, Nasai
- 10 From the address of Caliph Abu Bakr
- 11 From the Prophet's farewell address
- 12 Qur'an Al-Ahqaf 46:19
- 13 Hadith narrated by Ahmad
- 14 Qur'an Al-Mulk 67:15
- 15 Qur'an Al-Zalzalah 99:7-8

- IV 16 Qur'an An-Nisa 4:59
- 17 Qur'an Al-Maidah 5:49
- 18 Qur'an An-Nisa 4:148
- 19 Hadith narrated by Bukhari, Muslim, Tirmidhi
- 20 Hadith narrated by Bukhari, Muslim
- 21 Hadith narrated by Muslim, Abu Daud, Tirmidhi, Nasai
- 22 Hadith narrated by Bukhari, Muslim, Abu Daud, Tirmidhi, Nasai
- 23 Hadith narrated by Abu Daud, Tirmidhi
- 24 Hadith narrated by Bukhari, Muslim, Abu Daud, Tirmidhi, Nasai
- 25 Hadith narrated by Bukhari

- V 26 Hadith narrated by Bukhari, Muslim
- 27 Qur'an Al-Isra 17:15
- 28 Qur'an Al-Ahzab 33:5
- 29 Qur'an Al-Hujurat 49:6
- 30 Qur'an An-Najm 53:28
- 31 Qur'an Al-Baqarah 2:229
- 32 Hadith narrated by Al Baihaki, Hakim
- 33 Qur'an Al-Isra 17:15
- 34 Qur'an At-Tur 52:21
- 35 Qur'an Yusuf 12:79

- VI 36 Qur'an Al-Ahzab 33:58

- VII 37 Hadith narrated by Bukhari, Muslim, Abu Daud, Tirmidhi, Nasai
- 38 Hadith narrated by Ibn Majah

- VIII 39 From the Prophet's farewell address
- 40 Qur'an Al-Hujurat 49:12
- 41 Qur'an Al-Hujurat 49:11

- IX 42 Qur'an At-Tawba 9:6
- 43 Qur'an Al-Imran 3:97
- 44 Qur'an Al-Baqarah 2:125
- 45 Qur'an Al-Hajj 22:25

- X 46 Qur'an Al-Baqarah 2:256
- 47 Qur'an Al-Maidah 5:42
- 48 Qur'an Al-Maidah 5:43
- 49 Qur'an Al-Maidah 5:47

- XI 50 *Qur'an As-Shura 42:38*
 51 Hadith narated by Ahmad
 52 From the address of Caliph Abu Bakr
- XII 53 *Qur'an Al-Ahzab 33:60-61*
 54 *Qur'an Saba 34:46*
 55 Hadith narrated by Tirmidhi, Nasai
 56 *Qur'an An-Nisa 4:83*
 57 *Qur'an Al-Anam 6:108*
- XIII 58 *Qur'an Al Kafirun 109:6*
- XIV 59 *Qur'an Yusuf 12:108*
 60 *Qur'an Al-Imran 3:104*
 61 *Qur'an Al-Maidah 5:2*
 62 Hadith narrated by Abu Daud, Tirmidhi, Nasai, Ibn Majah
- XV 63 *Qur'an Al-Maidah 5:120*
 64 *Qur'an Al-Jathiyah 45:13*
 65 *Qur'an Ash-Shuara 26:183*
 66 *Qur'an Al-Isra 17:20*
 67 *Qur'an Hud 11:6*
 68 *Qur'an Al-Mulk 67:15*
 69 *Qur'an An-Najm 53:48*
 70 *Qur'an Al-Hashr 59:9*
 71 *Qur'an Al-Maarij 70:24-25*
 72 *Sayings of Caliph Abu Bakr*
 73 Hadith narrated by Bukhari, Muslim
 74 Hadith narrated by Muslim
 75 Hadith narrated by Muslim, Abu Daud, Tirmidhi, Nasai
 76 Hadith narrated by Bukhari, Muslim, Abu Daud, Tirmidhi, Nasai
 77 *Qur'an Al-Mutaffifin 83:1-3*
 78 Hadith narrated by Muslim
 79 *Qur'an Al-Baqarah 2:275*
 80 Hadith narrated by Bukhari, Muslim, Abu Daud, Tirmidhi, Nasai
- XVI 81 *Qur'an Al Baqarah 2:188*
 82 Hadith narrated by Bukhari
 83 Hadith narrated by Muslim
 84 Hadith narrated by Muslim, Tirmidhi
- XVII 85 *Qur'an At-Tawbah 9:105*
 86 Hadith narrated by Abu Yala— *Majma Al Zawaid*
 87 Hadith narrated by Ibn Majah
 88 *Qur'an Al-Ahqaf 46:19*
 89 *Qur'an At-Tawbah 9:105*
 90 Hadith narrated by Tabarani— *Majma Al Zawaid*
 91 Hadith narrated by Bukhari
- XVIII 92 *Qur'an Al-Ahzab 33:6*
- XIX 93 *Qur'an An-Nisa 4:1*
 94 *Qur'an Al-Baqarah 2:228*
 95 Hadith narrated by Bukhari, Muslim, Abu Daud, Tirmidhi, Nasai
 96 *Qur'an Ar-Rum 30:21*
 97 *Qur'an At-Talaq 65:7*
 98 *Qur'an Al-Isra 17:24*
 99 Hadith narrated by Bukhari, Muslim, Abu Daud, Tirmidhi
 100 Hadith narrated by Abu Daud
 101 Hadith narrated by Bukhari, Muslim
 102 Hadith narrated by Abu Daud, Tirmidhi
 103 Hadith narrated by Ahmad, Abu Daud
- XX 104 *Qur'an At-Talaq 65:6*
 105 *Qur'an An-Nisa 4:34*
 106 *Qur'an At-Talaq 65:6*
 107 *Qur'an At-Talaq 65:6*
 108 *Qur'an Al-Baqarah 2:229*

- 109 Qur'an An-Nisa 4:12
110 Qur'an Al-Baqarah 2:237
- XXI 111 Qur'an Al-Isra 17:23-24
112 *Hadith narrated by Ibn Majah*
113 *Qur'an Al-Imran 3:187*
114 *From the Prophet's farewell address*
115 *Hadith narrated by Bukhari, Muslim*
116 *Hadith narrated by Bukhari, Muslim, Abu Daud, Tirmidhi*
- XXII 117 Hadith narrated by Muslim
118 Qur'an Al-Hujurat 49:12
119 Hadith narrated by Abu Daud, Tirmidhi
- XXIII 120 Qur'an Al-Mulk 67:15
121 Qur'an Al-Anam 6:11
122 Qur'an An-Nisa 4:97
123 Qur'an Al-Baqarah 2:217
124 Qur'an Al-Hashr 59:9

Published by: Islamic Council, 16 Grosvenor Crescent, London SW1
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