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LAST SERMON OF PROPHET MUHAMMAD S.A.A.W, HUMAN RIGHTS AND CIVIL SOCIETY IN THE CONTEXT OF UNITED NATION DECLARATION: ANALYTICAL STUDY FROM HISTORICAL PERSPECTIVE

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Abstract

The sermon of the holy Prophet (PBUH) is not only noticeable for its eloquence but it contains an eye opening message for the whole of the human race. The world has not been able to establish better principles of ethics and morality than those enunciated in it. Every word of it breathes a spirit of

brotherhood and humankind – irrespective of the divergences of their geographical, racial and color backgrounds and provides a figure, outline of a social order, free from injustice and oppression – guaranteeing the Basic Human Rights and Needs for a truly free, and peacefully progressive society. The last sermon of the holy Prophet (PBUH) is a big remarkable document in human history in the perspective of Human Rights. It has very much significance because the text and language of the sermon is general not specific. It was delivered in 632 A.D. /10 A.H. at the last Hajj of the holy Prophet (PBUH). The last sermon of Prophet Mohammad (PBUH) teaches the importance of equality and fair treatment, and laid the outline for the First Human Rights declaration, many hundreds of years before the Magna Carta, Bill of Rights and UN Human Rights codes.

Keywords: Islamic, Human rights, UN charter, Prophet Muhammad S.A.W, Civil Liberties

Introduction

Final Sermon of the Prophet Mohammed peace be upon him after praising, and thanking God, the Prophet, may God send His praises upon him said: “O People, lend me an attentive ear, for I know not whether after this year, I shall ever be amongst you again. Therefore, listen to what I am saying to you very carefully and take these words to those who could not be present here today. O People, just as you regard this month, this day, and this city as Sacred, so regard the life and property of every Muslim as a sacred trust. Return the goods entrusted to you to their rightful owners. Hurt no one so that no one may hurt you. Remember that you will indeed meet your Lord, and that He will indeed reckon your deeds. God has forbidden you to take usury (interest), therefore all interest obligation shall henceforth be waived. Your capital, however, is yours to keep. You will neither inflict nor suffer any inequity. God has judged that there shall be no interest, and that all the interest due to Abbas ibn Abd’al Muttalib shall henceforth be waived... Beware of Satan, for the safety of your religion. He has lost all hope that he will ever be able to lead you astray in big things, so beware of following him in small things. O People, it is true that you have certain rights with regard to your women, but they also have rights over you. Remember that you have taken them as your wives only under a trust from God and with His permission. If they abide by your right then to them belongs the right to be fed and clothed in kindness. Do treat your women well and be kind to them for they are your partners and committed helpers. And it is your right that they do not make friends with any one of whom you do not approve, as well as never to be unchaste. O People, listen to me in earnest, worship God, perform your five daily prayers, fast during the month of Ramadan, and offer Zakat. Perform Hajj if you have the means. All mankind is from Adam and Eve. An Arab has no superiority over a non-Arab, nor does a non-Arab have any superiority over an Arab; white has no superiority over black, nor does a black have any superiority over white; none have superiority over another except by piety and good action. Learn that every Muslim is a brother to every Muslim and that the Muslims constitute one brotherhood. Nothing shall be legitimate to a Muslim which belongs to a fellow Muslim unless it was given freely and willingly. Do not, therefore, do injustice to yourselves. Remember, one day you will appear before God and answer for your deeds. So beware, do not stray from the path of righteousness after I am gone. O People, no prophet or apostle will come after me, and no new faith will be born. Reason well, therefore, O people, and understand words which I convey to you. I leave behind me two things, the Quran and my example, the Sunnah, and if you follow these you will never go astray. All those who listen to me shall pass on my words to others and those to others again; and it may be that the last ones understand

my words better than those who listen to me directly. Be my witness, O God, that I have conveyed your message to your people.” Thus the beloved Prophet completed his Final Sermon, and upon it, near the summit of Arafat, the revelation came down: “...This day have I perfected your religion for you, completed My Grace upon you, and have chosen Islam for you as your religion...” (Quran 5:3) Even today the Last Sermon of Prophet Muhammad (pbuh) is passed to every Muslim in every corner of the world through all possible means of communication. Muslims are reminded about it in mosques and in lectures. Indeed the meanings found in this sermon are indeed astounding, touching upon some of the most important rights God has over humanity, and humanity has over each other. Though the Prophet’s soul has left this world, his words are still living in our hearts.

Human Rights from Islamic Perspective

Before we can be able to adequately grasp the values in the human rights declaration in the farewell address of the Prophet (P.B.U.H), there is need for a proper understanding of the nature and scope of human rights in Islamic law. The conception of human rights in Islamic law, therefore, leads to the understanding that even though, the words human rights carries the prefix ‘human’, it is not significantly a subject completely left to the determination, declaration, designation and enjoyment of human beings alone. Rather, there are some key features that must be identified for this purpose. These features are as specified below.

Source of human Values, Holy Quran and Sunnah

Human Rights provisions and what man can and should claim as such are considered to be of divine origin in Islamic law. What this simply connotes is that, like any other aspects of the provisions of Islamic law, such values must have the firm sanctions of Allah either through the Qur’an or the Sunnah. This should not be surprising because nothing has been left unaddressed in these two main sources of Islamic Law. While the approach of the Qur’an can be described as declaratory, that of the Sunnah may be said to be demonstrative. It should, therefore, be made clear from the onset that: Human Rights are conceived in the Islamic law as of divine origin, a divine dictate; just as the whole legal corpus of the Islamic law itself is. Their scope and components are, as such, as spelt out by the Divine Law-Giver (Allah), as may be derived from the sanctioned sources. What constitute human rights, how they can be enjoyed and limitations to their enjoyment as dictated by Islamic law may (therefore) be within or beyond the human comprehension (Abdullahi, 2013). The above assertion goes to show that all the various human rights to be identified in the address may be within or go beyond the modern conception of human rights.

Doctrine and Principles of Human Rights in Civil Society

The approach of Islamic law to human rights does not favor careless generalization of the rights. This is an offshoot of both the facts that there is a scale of preference for the rights and that human rights are subject to limitations. Each of them must be put in its relevant position for proper appreciation. Thus, human rights in Islamic law may be in different categories such as general rights to all human beings (right to life, property, dignity, etc.), (Al-Ilory, 2012). Rights specific to non-Muslims (Hanbali, 1993), rights specific to men (husbands) and women (wives) (Doi, 2001). Rights specific to weak or vulnerable members of the community or the children (Badamasiuy, 2009), rights specific to individuals (Kamali, n.d.), rights specific to prisoners (Fari, 2009), rights specific to the dead (Abdullahi, 2005), rights specific to Allah or the Prophet (Abdullahi, 2005), rights specific to

neighbors (Toha, n.d.). This arrangement is put in place to ensure that the individual specific rights are not subsumed in the bid to preserve the collective rights. It is, therefore, asserted hereby that only in clear demonstration of the ignorance of the nature of human rights in Islamic law and the approach adopted by the critics that would portray the Islamic human rights system as inimical to human development (Ezejiolor, 1999).

Last sermon of Prophet Muhammad S.A.AW and its Implication

A closer look at the concluding part of the address shows that the Prophet himself was of the prayer that may the generations to come after those who are present listening to him on that occasion be blessed with better understanding of the essence and implications of his farewell address. Thus he says: “All those who listen to me shall pass on my words to others and those to others again; and may the last ones understand than those who listen to me directly”. It is in consideration of that notion for a better understanding by the subsequent generations, as prayed for by the Prophet (P.B.U.H), that the farewell address is being advanced, after a careful thought and objective examination, as a universal code of human rights declaration (Salawu, 2008).

Analysis of Khutba Hijjat Ul Widah with the UN-Human Rights Charter

On the 10th of December 1948, the General Assembly of the United Nations unanimously adopted some values as universal human rights worthy of recognition and respect by all manners of persons and governments across the globe. The values have come to be known as Universal Declaration of Human Rights. The Declaration is widely revered as one of the international human rights bills. Whenever the human rights experts or human rights activists are narrating the history of the development of the human rights, the year 1948 is always referred to as the milestone period and the declaration as the landmark human rights pronouncements (National Human Rights Commission of Korea. 2013). Except in few places, however, the declaration is almost a repetition of all the human rights declared in the farewell address of Prophet Muhammad (P.B.U.H). Thus, to the objective modern human rights specialists, the address deserves designation as the first code of human rights declaration. In terms of quality, relevance and effectiveness, there is no doubt that the human rights values declared in the farewell address are richer in contents and concretion than the UN Human Rights Declaration. The writers are, therefore, of the opinion that the legal force which the farewell address enjoys gives it the relevance immense status required for its promotion and adoption at the international human rights environment.

CONCLUSION

Attempt has been made in this paper to critically examine the farewell address of Prophet Muhammad (P.B.U.H) due to the fact that it is a significant code of human rights worthy to be studied within the context of the international human rights law. It is manifested through this study that for the history of international declaration of human rights to be properly related, reference must be made to the occasion of the delivery of this farewell address. It has also been made particularly clear that every truly universal value of human rights that may be found in any national, regional or international human rights bill has already been declared by Prophet Muhammad (P.B.U.H) in his farewell address since 632 C.E. In view of that, it is not essentially belated to emphasize that since the message of Islam and the value of human rights are universal, the farewell address delivered by Prophet Muhammad (P.B.U.H) is, thus, worthy of recognition and promotion as a universal human rights declaration.

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