

HUMAN RIGHTS AS TAUGHT BY THE QUR'AN, SUNNAH OF THE PROPHET (SAW), AND HIS RIGHTLY GUIDED CALIPHS

NURA AHMED, AUWAL SALISU*, MUSA UMAR YAKASAI

Department of Islamic Studies, Federal University, Gashua, Yobe, Nigeria. Email: ibnsalisu2002@gmail.com

Received: 27 February 2022, Revised and Accepted: 07 April 2022

ABSTRACT

The paper examines the human rights taught by the prophet Sallallahu Alaihi wa Sallam (SAW) and his rightly guided caliphs. The rights in Islam are all provided by Allah, the lawgiver, that is to say, a divine revelation (Qur'an) regulates and specifies the human rights and the explanation of His prophet (SAW), otherwise called Sunnah. Therefore, Qur'an and Sunnah are vital sources of information on human rights in Islam. Similarly, the paper investigates the theoretical concepts, the origin of the human species; it also considers the difference between human beings and other creatures. Before Islam, the period was also cognizance of how human beings' rights were respected in our contemporary era. Therefore, the relevance of rights from an Islamic point of view and western understanding is known as (Man-made Law), which only considers the rights of individuals and means the struggle. Therefore, the Islamic religion aims to have a peaceful society that provides these rights classes to people, thereby granting them religious, social, and moral satisfaction.

Keywords: Human rights, Qur'an, Sunnah, Ijma, Constitution of Nigeria.

© 2022 The Authors. Published by Innovare Academic Sciences Pvt Ltd. This is an open access article under the CC BY license (<http://creativecommons.org/licenses/by/4.0/>) DOI: <http://dx.doi.org/10.22159/ijags.2022v10i4.44541>. Journal homepage: <https://innovareacademics.in/journals/index.php/ijags>

INTRODUCTION

Qur'an and Hadith are two main sources of Islamic legislation; they provide a set of rules and regulations that guarantee and ensure individual rights and absolute security. This enables them to feel a sense of belonging, attachment, and tranquillity to perform their tasks and duties satisfactorily. However, there is a need to know these set of rules and regulations, right, and obligations as provided in the glorious Qur'an, which is revealed and sent down unto prophet Muhammad (SAW) and the Sunnah, which both honored a human and his rights in the society. This signifies and elucidates some of the fundamental principles of human rights provided by Shariah (Islamic Law) to Muslims and non-Muslims regardless of race or tribe (Aa Shayh and Majeed, 1986). The paper's objective is to create awareness among fellow Muslims, particularly those who lack the knowledge or idea of the right spelled out by the religion of Islam. To awaken, those who have slept over their right to have more idea of the rights conferred on them by Islam. It is also to serve as a solution to the uncontrollable allegation (Cheaped on Islam) of infringing human rights by groups of people and individuals among the Muslim and non-Muslims to the effect that some rights, according to them, are incompatible with the advanced civilization of the current world, either saying it expressly or by inferences in their assertions and conducts.

LITERATURE REVIEW

Human right is a compound word that comprises two "Human" and "Right," which refers to as "inns" in Arabic, meaning Human. Right refers to-al "Haqq," which means one basic right that everyone has to be treated fairly and not in a cruel way; under the terminology of Shariah, human right means the right and obligation fixed by Allah for his honored creatures in the earth, which failed in its performance that is punishable, and its performance is rewardable (Abdul, 1978).

In prophetic Hadith reported by Abu Huraira (RA) said (Surely you should render back the rights to their owners on the day of Judgment, even the right of (animals) without horns from with horns" (Muslim).

Human right in jahiliyya period

Jahiliyya is an Arabic word that means a period of ignorance and barbarism. In the period, before the advent of Islam was no established

system of religious administration among the people. A strong in the community would deprive the right of weak ones. A strong family or community wages war on the weak family or community and capture the people as enslaved people. This was common anywhere, including Arabs, in which the last prophet of Islam found among them. Moreover, it is very important to mention other evil activities in that period because it makes it clear to understand and access the change brought by Islam (Abdul Ganiyu and Allam, 2002).

Among their practices in that people, the period includes excluding family from inheritance. All the properties of the deceased would belong to the head of the family. The head of the family can be the deceased father's brother or the elder son. Furthermore, the younger ones would have nothing in the inheritance of their father. However, women were also not only excluded but were considered property to be inherited. Then, Islam restored the right and rights of other family members by total abolishing that evil practice and establishing the law of inheritance which surpassed any other law of inheritance in any other organization (Abdulrahman, 1984).

Moreover, a tradition of preferring a male to a female is associated with Arabs. They hate female bodies due to the imaginary fear of poverty, and sometimes, they feel ashamed to be addressed as "Father-in-Law" when their daughters grow up. Hence, they used to kill their female children by burying them alive. Allah clearly describes this in the early stage of Islam among the habits of unbelievers (Abdulrahman, 2001).

Allah said, "And they assign daughters to Allah! Glorified (and exalted) is He above all that they associate with Him! And to themselves what they desire. Moreover, when the news of (the birth of) a female (child) is brought to any of them (unbelievers), his face becomes dark, filled inward grief! He hides from the people due to the evil of that what whereof he has been informed. Shall he keep her with this dishonor or bury her (daughter) in the earth? Certainly, evil is their decision" Q16:57-59.

Human right in the period of Islam

This is a period where revelation guides the conduct of humans in all of their affairs; the divine law is the stronger administration system.

Anyone has to respect the right of another. Neither the stronger will deprive the weak, nor a war being waged on one another except calling to accept Islam. Peace and tranquillity prevail in any community. During the Jahiliyyah period, the Arabs were always prone to take revenge, even if it was done for centuries (Abdulrahman, 1984). If a member of another clan kills a member of their clan or tribe, revenge is taken by killing any innocent person belonging to the enemy clan. The chain reaction that would start would not end for the generation. With the advent of Islam prophet had put deterrence to this evil act prophet said: All the murder of the days of Jahiliyyah are under my feet (i.e., no revenge for them), First revenge which I forgive is a killing of a member of my own family (Abi Bakr, 1984). BaniHudhail murdered their son Rabiah bin al-Harith. I forgive it," Bukhari.

Many verses were revealed; these unIslamic traditions and cultures were rectified and forbidden. Then, established the concept of inheritance where each family member has recognised the right to inheritance, not only the head of the family but women's positions. Prophet (SWA) did not leave anything involving Allah's rights and human rights unless it had drawn the attention of his followers expressly. The prophet Muhammad (SAW) completed and delivered the message within 23 years, 13 years in Mecca, and ten (10) years in Madinah. Within these years, the right of all were recognised and given as directed by Allah (SWT) and his messenger (Al-Ashqar, 1396).

Then, the period of rightly guided caliphs starts immediately, which has done a lot in reviewing and establishing the teaching in the wider places, in which the call of the prophet (SAW) has reached them. All rights of Allah and human rights were taught, observed and respected as equally taught, and observed and respected by Prophet (SAW), as it had enshrined in the book of Allah and practice and explanation of His prophet (SAW). And toward Islam and Muslim Ummah, these caliphs have contributed a lot during their caliphate to whatever benefits and provides rights to the Ummah (Al-Asqalaani, 2005). The first caliph, Abubakar, has reigned as a caliph for 2 years and 100 days. Umar, the second caliph, spent more than 10 years in leadership. Moreover, Caliph Uthman has spent more than 12 years in his administration. Then, bin Abi Talib the fourth caliph spent about 5 years as caliph. He was murdered such as the second and third caliphs (Al-Banni, 2001); their period will be about 30 years after the prophet's demise (SAW), Equivalent to 40AH/693 CE.

Human right in contemporary Muslim societies

Prophet (SAW) and his rightly guided caliphs and other companions have established the first century of Islam since they lived within the first 100 years. It is the best generation as described by the prophet (SAW), then the generation of followers (Tabiun) and followers of the followers (Tabiut Tabiun). In these generations, the pure Islamic human right was recorded in the Book of Fiqh (Islamic Jurisprudence) and Sira (History); then, the period of difference of opinion continued. The system of administration developed anywhere among the Muslims (Al-Banni, 2001). A Muslim would even stay with a non-Muslim in the same society which does not belong to either Muslim or not Muslim for the same society of found themselves in the same society. Even 100 years back, there was no one nation called "Nigeria," known in all Muslim countries (Al-Bawaii, 1998). However, Islam reaches Nigeria through North Africa during the conquest of Egypt. From that period, Egypt entered a new complex, becoming a country of two cultures; they are Christianity. Islam Nigeria is also among the African countries with any religions, including Christianity Al-Hilali and Khan, 1427 and Al-Murakashi, 1991. For the administration of Muslims and other peoples practicing other religions, laws of the nation called "Constitution" regulate the nation's activities. It provides various functions, rights, and privileged. There are provisions of human rights in chapter five called "Fundamental Human Rights." There were about 14 sections dealing with human rights.

These rights include:

1. Right to life

2. Right to dignity of the human person
3. Right to personal liberty
4. Right to a fair hearing
5. Right to private and family life
6. Right to freedom of thought, conscience, and religion
7. Right to freedom of expression
8. Right to peaceful assembly and association
9. Right to freedom of movement
10. Right to freedom from discrimination
11. Right to acquire and own immovable property anywhere in Nigeria
12. Compulsory acquisition of property
13. Restriction on a derogation from fundamental human rights and
14. Special jurisdiction of a high court and legal aid (Al-Qirawan, 2002).

However, Islamic human rights are for Muslims alone and were numerous to mention, but were best described as favors of Allah which were never counted. As provided in two verses of the Qur'an, it reads.

"And if you would count the favors of Allah, never could you be able to count them" (Q14:34 and 16:18).

QUR'AN AS A SOURCE OF HUMAN RIGHTS

Rights are respected and specified by Allah. He is only the creator who has the power to specify a right to His Creatures, both human and others. Moreover, His prophet (SAW) provides details of these rights in Hadith for an explanation of the divine revelation; then, companions have drawn inferences from these two sources for a right that requires vivid illustrations (Al-Uthaimin, 1990). Therefore, Allah allows all the creatures to abide by these rights. He said: "Say (O Muhammad SAW)" (But) the things that my Lord has indeed forbidden are al-fawahis (great evil sin) whether committed openly or secretly, sins (of all kinds), unrighteous oppression, joining partners (in worship) with Allah, for which he has given no authority, and saying things about Allah of which you do not know" Q7:33.

For a claim of a right to be valid, one has to establish genuine ground, which must be drawn from any of these sources, the Qur'an, Hadith and Ijma. Qur'an is the Book of Allah revealed in the Arabic language to the last of prophets, Muhammad (SAW) through Angel Jibril, piecemeal, according to the needs of time and to provide a solution to the problem which comes before the prophet (SAW), for 23 years in Mecca and Medina (Criminal code 1972). Allah Said: "Verily, we have sent it down as an Arabic Qur'an in order that may understand" Q12:2.

He also said: "And truly, this (the Qur'an) is a revelation from the Lord of Alamin, which the trustworthy Ruh (Jibril) has brought down. On your heart (O Muhammad (SAW) that, you may be (one) of warners. In the plain Arabic language" Q26: 192-195.

Qur'an contains the knowledge (Al film) imparted by Allah and guidance (Al Huda) for men who are righteous for all time to come. It is divided into 114 chapters. Mecca chapters are 86, while Medinan chapters are 28 in number. According to Imam al-suya, there are 500 verses with legal connotations in the Qur'an. However, some other scholars feel that the number of verses with a legal injunction (ahkam) is more than this number, yet others consider their number to be less than five hundred. Whatever the case may be, these verses of legal injunction from the code of conduct for every Muslim from birth to death have provided all the rights and obligations. The legal injunctions of the Qur'an are of primary importance in the life of a Muslim. They form the source of the Law (Ibn Kathir).

Allah said: "It is he who has sent down to you (Muhammad SAW) the Book (this Qur'an). In it are Verses that are entirely clear, they are the foundation of the Book (and those are the verses of Al-ahkam) Q3:7. These verses have provided the touchstone to distinguish true from false, good from bad, and lawful from unlawful in every sphere of life. This is the reason why the Holy Qur'an is called Al-fuqaha (the criteria). The Qur'an, unlike the other man-made Law, is not amendable.

Therefore, the Qur'anic Ahkam has remained the same for the past 1400 years. Allah said:

"Verily, we, it is we who here sent down the dark (i.e. the Qur'an), and surely we will guard it (from corruption)" Q2.

This verse is a challenge to mankind, and everyone is obliged to believe in the miracle of this Qur'an; it is a clear fact many years that have elapsed, and not a single word of this Qur'an has been changed due to the saying of Allah, "We will guard it" the Qur'an provided verses containing human rights are:

In chapter 6:15, in relation to the right to life, Allah said: "And kill not anyone whom Allah has forbidden except for a just cause."

In chapter 4:11, in relation to the right to inheritance, Allah said: "... And commands you as regard your children (inheritance) to the male a portion equal to that of two female."

In chapter 2:233, in relation to child's rights, Allah said: "...But the father of the child shall bear the cost of the mother's food and clothing on a reasonable basis."

In chapter 2:228, in relation to the right of spouses, Allah said: "...and they (women) have right (over their husband as regard living expenses) similar (to those of their husband) over them (as regard obedience and respect).

Hadith as a source of human right

Hadith is an Arabic word that means saying deeds and silent approval of the Prophet (SAW). It is sometimes referred to as Sunnah. It provides details of the Qur'an. It is, therefore, called a hidden revelation (*wahykhafi*). Allah said: "And we have also sent down to you (O Muhammad SAW) the Dhikr (the Quran) that they may explain clearly to men what is sent down to them and that they may give thought" (Q16:44).

Prophet (SAW) never spoke from his imagination but told only what Allah revealed to him. The Qur'an bears witness to this fact Allah said: "Your companion (Muhammad (SAW) has neither gone astray nor has erred, nor does he speak of (his own) desire. It is only a revelation revealed" Q53:24.

The Prophet did not have anything to do with its world. It was revealed to him as it normally read, while the Qur'an gives the Muslim a primary rule of life, there is much different matter where guidance for practical living is necessary, but which Qur'an says nothing. In such cases, the obvious thing was to follow the custom or usage of the Prophet (SAW), Sunnah.

Some categories of the hadith regulate human rights:

In relation to the right of Muslim brothers, the prophet said

"Right of a Muslim on another Muslim was six" companion asked, "what are these rights prophet said" when he meets him, has said "Assalamu Aleikum," that is, greets him, when he calls him has to answer that call...." (Muslim).

In relation to the right of fair hearing, prophet said

"When litigants come to you (for judgment) in favor of the first complainant unless you heard both parties, you will base how to pass the judgment. (Ahmad and Thirmithy).

In relation to a neighbor's right, prophet said

"There are three kinds of neighbors. One of the neighbors has only one right (unbeliever), the other one has two rights (a believer not relative), other one has three rights (a believer who is also relative), and other one has three rights (a believer who is also relative). Bazaar and Abu Naim.

Ijma as a source of human

Ijma is an Arabic word, meaning the consensus of the opinion of the companion of the Prophet (SAW) or an agreement reached on the decision taken by the learned "Muftis" or the jurist on Islamic matters. Almighty Allah encourages His Prophet (SAW) to seek the opinion of others on the religious matter, as in this verse. (Makhyuum *et al.* 2003) "And by the mercy of Allah, you dealt with them gently. And had you (Muhammad) (SAW) been severe and harsh-hearted, they would have broken away from about you; so pass over (their faults) and ask (Allah's) forgiveness for them, and consult them in the affairs. Then, when have taken a decision put your trust in Allah, certainly loves those put their trust (in Him)" Q3:159.

Another verse provides

"And those who answer the call of the Lord and perform as Salat, and who (conduct) their affair affairs by mutual consultation, and who spend of what we have bestowed on them," Q42:38 Prophet (SAW) said. "My people would never agree on whoever leads them astray" (Ibn Majah).

Ijma has always been based on the interpretation of the Qur'an and Sunnah. No amount of Ijma can abrogate a text (An-Nass), that is, a provision of the Qur'an or the Sunnah (Hadith). It should be remembered that no Ijma was reached or could have been reached except after the Prophet's death (Maududi, 1976).

Furthermore, the following few examples were based on the companions' opinions.

In relation to the right of inheritance

A case arose during the caliphate of Umar (R.A), which involved the doctrine of the Awl. This doctrine of Awl was neither known nor practiced during the life of the Prophet (SAW), or during the caliphate of Abu-Bakar (R.A) such a case arose during the time of the caliphate Umar (R.A), who decided after consultation and agreement of the Sahaba. The case involved two full sisters and a husband. These two sisters were entitled to two-thirds, and the husband was entitled to half (1/2). Caliph Umar said, "By Allah, I don't know which of you Allah put first and which comes next." Then, he invited the companions and asked their advice, in this case, saying that if he gives the two sisters their specified share, the husband will not get his specified share. Moreover, if he gives the husband his share, the sister will not get their share; what should he do? The case of the Awl is suggested in a hypothetical proposition that if a man died leaving six dirhams, and two other people were claiming four dirham; we have to adopt the rule of bankruptcy and divide it proportionally. Caliph Umar then agreed to his proposition. Therefore, the husband gets 3/7 instead of 3/6, and the two full sisters get 4/7 instead of 4/6. However, some jurists said that the first case of Awl involves a husband, full sister, and uterine sister and others believe that it involves a Husband, full sister, and mother.

In relation to the right of Allah

In case that involves punishment, Ijma plays an important role. Allah does not state the type of punishment that should be applied to one who drinks alcohol (Hamr). However, the agreement was reached by the consensus of the companions. Among the companion suggested includes caliph Ali (R.A) said that he who drink get drunk, who get drunken raves, who raves accuses people falsely, and who accuses people falsely should be given eight strikers of cane according to the injunction of the Holy Qu'ran. Therefore, companions have reached the decision of punishment as canning (Criminal code 1972).

Prophet (SAW) sent many companions to other places such as Yemen and Syria and told them to judge based on the Qur'an. If they did not find a solution in Qur'an, they should make use of the tradition of the Prophet and if they did not find the solution, they should use their judgment. On his companions, "he said:

"Believe my companions, then those who succeeded them, and after

that who succeeded the successors, but after them unfaithfulness will prevail when people swear (in support of their saying) without having been asked to swear" Ahmad.

Human rights based on Qur'an and Hadith as well as Ijma, as discussed above, include:

1. Right to life
2. Right to inheritance
3. Child's rights
4. Right of spouses
5. Rights of Muslim brothers
6. Right of fair hearing
7. Rights of neighbors.

And many other rights, Islamic human rights were not specified in number but provided in these sources mentioned (Al-bawan, 2003).

SIMILARITIES OF RIGHTS BETWEEN ISLAM AND NIGERIAN CONSTITUTION

Islamic legislation was based on divine relation. It is provided by Allah to all mankind and has not restricted to a specified place but entire humanity. This is the fundamental difference that distinguishes Islamic law and other man laws. Any man-made law is subject to amendment and or total change. However, Islamic laws are rigid. It is written as opposed to other customary laws and some of the rules are not written. (Maududi, 1976).

It is important to mention some provisions of man rights in Islamic laws (Legislations) dealing with human rights. In relation to the right of religion, Islam is the only religion accepted by Allah to all Muslims. He alone to be worshiped. He said: "And your Lord has decreed that you worship non but Him. And that you be dutiful to your parents....." Q17:23

In another verse he also said

"This day, I have perfected your religion for you, completed my favor on you and have chosen for you Islam as your religion" Q5:3. However, in relation to the right of religion, the 1999 constitution has given the right to religion. Still, it has not specified the religion section 38 provides: "Every person shall be entitled to freedom of thought, conscience and religion....."

In relation to the right to life, Islam protects life through imposing had punishment and expressly prohibition killing one another in many verses. Allah said:

"... And kill not anyone who Allah has forbidden except for a just cause (according to Islamic law). This He has command you that you may understand". Q6:151.

Prophet (SAW) said

"The blood of a Muslim may not be legally spilt other than in one of three instances....life for life....." Al Bukhari

Section 33 of the 1999 constitution provides

"Every person has a right to life and no one shall be despite intentionally of his right...."

The standard of proving a case in Islam requires at least four reliable witnesses, particularly offences related to adultery and slander (Qazf).

However, the confession of the accused person suffice. Allah said:

"Why did they not produce four witnesses? Since then (the slanderers have not produced witnesses they with Allah they are liar" Q24:13

"And those who accuse chaste women and produce not four witnesses flog them with eighty stripes...." Q24:4

He also Said: "And for those who accuse their wives, but have no witness

except themselves, let the testimony of them be four testimonies (i.e., testify four times) by Allah...." Q24:6

And section 36 (5) of the 1999 constitution provides.

"Every person who is charged with a criminal offence shall be presumed to be innocent until he is proved guilty."

Section 27 of the evidence act provides.

A confession is an admission made at any time by a person charged with a crime stating or suggesting the inference that he committed a crime section 23 of the criminal code (applicable to southern Nigeria) provides:

"A person is not criminally responsible for an offence relating to property for an act done or committed to be done by him with respect to any property in the exercise of an honest claim of right and without intentionally defrauding."

Moreover, there was a case brought before the Prophet (SAW) that a man whose son had committed Zina after the delivery of baby.

Prophet said

"By Him, in whose hand my soul is, I will pass judgment between you with the book of Allah. The baby and the sheep will be returned to you, your son is liable to hundred stripes and 1 year exile, Anas (Bin Malik) go to the girl, if she also confesses executive her" Bukhari.

In a civil case, there are no more technicalities required, because it deals with human rights alone, not associated with the right of Allah. Inland cases, Islam laid down the principle of its possession, alienation, transfer, lease, etc., restricting trespass and other deprived of human rights.

Allah said

"O you who believed! Enter not houses-other than your own until have asked permission and greeted those in them..." Q24:27.

In other verses Allah said

"It is not for any prophet to take illegally a part of the booty and whosoever deceives his companion as the regard the booty, he shall bring forth on the Day of Judgment..." Q3:161.

Prophet also said

"Whoever deprives a land of another, even minute, unless it will be encircled it round to his neck all seven (beneath) earths on the Day of Judgment" Muslim.

Prophet also said

"Whoever deprives a land of another, even minute, unless it will be encircled it round to his neck all seven (beneath) earths on the Day of Judgment". Muslim.

Prophet also said

Whoever stays for a long period on a certain land that does not belong to anyone becomes entitled" Muslim.

Section 43 of the 1999 constitution provides.

"Subject to the provision of this constitution, every citizen of Nigeria shall have the right to acquire and own immovable property anywhere in Nigeria" (Maududi, 1976).

Grounds of human rights in Islam

There are different kinds of rights in Islam; some are permanent rights and others are temporary. All rights of Allah are permanent, while rights that can be scarified are temporary. However, there is a ground that qualifies a person for these rights includes blood, marriage, religion relations etc. These grounds are discussed below:

The religion of Islam

Has a specified series of rights for Muslims alone; before a person enjoys such, a person must be a Muslim. For instance, a Muslim must enjoy the right to inheritance according to Islamic laws. Non-Muslims whose parents are Muslims have no right to their inheritance. Moreover, there is a hadith which states that some rights of a Muslim on his fellows Muslim, such as greeting and answering his call about Islam Allah said: "O you who believe! Fear Allah as He should be feared and die not except in a state of Islam (as a complete Muslim submission to Allah). Q3

Blood relation

This is one of the grounds that qualify a person for the right of maintenance by a parent and from children to parent as well as relative (for one who has the ability to observe it). Allah Said: "So give the kindred his due, and to the needy and the wayfarer. That is best for those whose seek Allah's countenance....." Q30:38.

Marriage relation

This gives the right to the spouses to inherit one another and special rights to the wife, including maintenance, duary, clothing shelter, and religious knowledge. The husband would have the right to be head of the family, divorce, and return after divorce.

Both spouses have to respect the rights of one another, particularly their parents, be it that of wife or husband; Allah said: "And it is He who has created man from water, and has appointed for him kindred by the wood and kindred by the marriage..." Q25:54.

Differences of religion

Non-Muslims under the Islamic government enjoys equal right as a Muslim in terms of protection of life and property as well as social amenities such as provision of water, health care, shelter, and good road due to the payment of Jizyah *et al.* tax levied on the people of the Scripture (Jews and Christians) (Al-Uthaimin, 1990).

Allah Said

"Fight against those who believe not in Allah or in the last Day... until they pay the Jizyah with willing submission and feel themselves subdued" Q9:29.

CONCLUSION

This paper aimed to show the essence of human rights as observed by the prophet (SAW) and his rightly guided caliphs. It makes clear that Allah created humans purposely to worship him alone and He sets up their rights and obligations as well as the way to worship Him alone through His message revealed by His chosen messenger (angel Jibril) to His chosen messenger and Prophet Muhammad (SAW), it also vividly illustrated the ways, in which rights are observed by an individual before, during and after the advent of Islam as well as in the contemporary Muslim societies particular our country Nigeria which is partially governed by Islamic law due to the numerous ethnic or religious groups. This leads to the explanation of the law governing the nation that was promulgated to run the affair of the government alone. It provides equal rights to its citizens. However, it does not shun Islamic rights. Muslims equally observe the Islamic right with a constitutional right that is not inconsistent with Islamic law (The 1999 constitution).

RECOMMENDATIONS

Religious knowledge

There is a need to seek religious knowledge extensively by any Muslim before knowing more about Islamic human rights. It is not easy to access human rights in the Qur'anic verses or prophetic tradition in its mere recitation unless with the use of the mind to think deeply about it.

Allah said: "...Verily in it are signs for people who think deeply" Q45:13.

"And these similitudes we put forward for mankind, but none will understand them except those who have knowledge" Q29:43.

Unlimited jurisdiction

Sharia courts are recognized in the constitution, it regulates only Islamic relater case, but their jurisdiction is limited, unlike the high court, which has unlimited jurisdiction. When the jurisdiction of the sharia court is unlimited, it would decide all matters relating to sharia, both civil and criminal cases, as in the 1989 constitution (not Implemented).

Fear of Allah

It is the foundation of providing all the classes of rights. Lack of fear of Allah is also the main reason that leads one to infringe on the right. Sometimes, this would even extend to the right of Allah. However, the fear of Allah will not allow one to violate the right of anyone.

Allah said

"...So be afraid of Allah, and Allah teaches you. And Allah is all -knower of each and everything". Q2.282.

He also said;

"...And whosoever fear Allah and keeps his duty to Him, he will make a way for him to get out from every difficulty".Q65;2.

REFERENCES

- Aa Shayh A, Majeed F. SHarhu Kitaabuttauhed (Arabic Text). Al Azhar: Muktabur Imaan; 1986. p. 300.
- Abdul Ganiyu A, Allam T. Naazira Mustapha Albaari. Riyad: Makkatul Mukarrama; 2002.
- Abdul MO. The Prophet of Islam. Ibadan, Nigeria: Islamic Publishing Bureau; 1978. p. 32.
- Abdulrahman A. Misconceptions on Human Rights in Islam. Lagos, Nigeria: Al-Waseelat Publishers; 2011. p. 35.
- Abdulrahman ID. Shariah the Islamic Law. London: Taha Publishers; 1984.
- Abdulrahman ID. Shariah the Islamic Law. London; Taha Publishers; 2001. p. 320.
- Abi Bakr U. Bugyatul Muslimiin (Arabic Text). Tunisia: Maktabaour Qaar; 1984.
- Al-Ashqar MS. ALwaadi Fil UsulFiqh (Arabic Text). Kuwait: Maktabatul Thaqafa; 1396. p. 93-9.
- Al-Asqalaani AA. Bulugul Marriam (Arabic Text). Beirut, Labaran: Darel Fikr; 2005, 1984. p. 89.
- Al-Banni MN. Ahkaamul Jannaiz (Arabic Text). Beirut: Al Maktabatul Islammiya; 2001. p. 102.
- Al-Banni MN. Siffatus Salatum Nabiy (Arabic Text). Riyadh: Maktabul Magaarif; 2001.
- Al-Bawaii YM. Qaamusu Tullab (Arabic Text). Beirut, Lebanon: Dar El Fikl; 1998. p. 3210.
- Al-Hilali MT, Khan MM. The Noble Qur'an (Translation of the Meaning of the Noble Qur'an in the English Language) (1427AH). Medina: King Fahdcomplex for the Printing of the Holy Qur'an; 1427. p. 1200.
- Al-Murakashi MM. Bugyatukullu Muslim (Arabic Text). Beirut: Labaran Maktabatul Shaabiya; 1991. p. 39.
- Al-Qirawan AA. Risalah (Arabic Text). Beirut, Lebanon: Dar El, Fikr; 2002. p. 30.
- Al-Uthaimin MS. Alusul Min IimilUsul (Arabic Text). Al Qahiraru: Maktabatussunnah; 1990. p. 201.
- Criminal Code. The Laws of the Federal Republic of Nigeria and Lagos Federal Government Printers, Lagos; 1972. p. 33.
- Ibn Kathir A. Tafseerul Quranil Aziim (Arabic Text). Beirut: Labanan Darelfikr. 2000. p. 1124-6.
- Makhyuum MA. Al-Qiraa (Arabic Text). Libya: Daarul Wattaniya; 2003. p. 47.
- Maududi A. Human Rights in Islam. London: Islamic Foundation; 1976.
- Oxford. Oxford Advanced Learners Dictionary. New York: Oxford University; 2000.
- The 1999 Constitution, The Constitution of the Federal Republic of Nigeria; 2010. p. 23.