

# **The concept of Human Dignity in the Islamic Thought**

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## ***Abstract***

The inherent dignity of man is the foundation of human rights and human rights instruments have emphasized that all human rights are derived from the inherent dignity of the human person. Although many human rights scholars may assume it as an indisputable concept, it has always been a matter of dispute among competing schools of philosophy of law. Similarly, some Muslim scholars argue that the concept of inherent dignity of man is one of the essential teachings of Islam, while there are others who deny the inherent dignity of man. This controversy among Muslim scholars has been infiltrated into the Islamic human rights instruments. This paper seeks to examine the disputed dimensions of the concept of inherent dignity of man in human rights discourse and Islamic literature. The first part of the paper deals with the concept of inherent dignity in international and regional human rights instruments. In the second part of the paper, I shall discuss the concept of human dignity in the Islamic declarations on human rights. And the third part shall focus on the concept of dignity in the light of the Holy Quran and other sources of Islamic jurisprudence. Finally, the paper concludes that a study of the theoretical foundations of human dignity in the Islamic thought will unequivocally contribute to the promotion of human rights norms and the advancement of universal standards of human rights in the Muslim world.

## ***Introduction***

The inherent dignity of man is considered to be the foundation of human rights in the international bill of human rights<sup>1</sup> and it is believed that all human rights have been derived from this origin. The United Nations Charter and the Universal Declaration of Human Rights state that recognition of the

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1. International Bill of Rights is an unofficial name given to the Universal Declaration of Human Rights, International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights.

inherent dignity and inalienable rights of all members of the human family is the foundation for freedom, justice and peace in the world.<sup>2</sup> International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights have both emphasized that all human rights are derived from the inherent dignity of the human person. Although many human rights scholars may assume it as an indisputable concept, it might be argued that inherent dignity of man has always been a matter of theoretical and philosophical dispute. Positivist school of law has always adopted a pragmatic approach to the concept of inherent dignity of man and has found the theoretical and theological discussions on this issue futile and fruitless. Some of them even have considered human dignity a vaguely-defined concept, and argue that international human rights system cannot be based on such an illusion.<sup>3</sup>

Similarly, by referring to a number of verses from Holy Quran, many Muslim scholars argue that the concept of inherent dignity of man is one of the essential teachings of Islam, while there are others who deny the inherent dignity of man by referring to other verses of Holy Quran, believing that the dignity is a transcendental status that can only be obtained through sincere belief, good deeds, and piety. This controversy among Muslim scholars has been manifested with clear implications in the Islamic human rights instruments. It indicates that the concept of inherent dignity of man is not a clear and indisputable concept in the Islamic literature on human rights, and therefore it needs to be elaborated upon by academic and theological works.

This paper seeks to examine the concept of inherent dignity of man and explain the necessity and significance of academic discussion on the subject. Although the inherent dignity of man is considered to be the foundation of human rights in the international bill of human rights, it seems that some scholars have challenged this fundamental idea. This author shall, therefore, try to emphasize on the importance of this concept in human rights debates by explaining its disputed dimensions. I also invite Muslim scholars to revisit the various aspects of the subject in the Islamic sources and call upon them to rethink the dubious facets of the idea. The first part of the paper deals with

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2. Universal Declaration of Human Rights, G.A. Res. 2 17A (III), U.N. GAOR Res. 71, U.N.Doc. A18 10 (1948).

3. See: Catherine Dupré, *Unlocking Human Dignity: Towards a Theory for the 21<sup>st</sup> Century*, World Congress of the International Association of Constitutional Law, Athens, 11-15 June 2007 - Workshop on 'Latest Developments in Constitutional Theory and Doctrine'.

the concept of inherent dignity in international and regional human rights instruments. In the second part of the paper, I shall discuss the concept of human dignity in the Islamic declarations on human rights. And the third part shall focus on the concept of dignity in the light of the Holy Quran and other sources of Islamic jurisprudence. Finally, the paper concludes that a study of the theoretical foundations of human dignity in the Islamic thought will unequivocally contribute to the promotion of human rights norms and the advancement of universal standards of human rights in the Muslim world.

### ***I. Human Dignity in Human Rights Instruments***

As per human rights tenets, man's dignity is considered to be the most fundamental value on which all human rights are based. Thus, both the International Bill of Rights and the constitution of many states in different parts of the world regard human dignity as the main foundation of basic rights and fundamental freedoms. The preamble of the United Nations Charter, states that recognition of the inherent dignity and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world. Similarly, the preamble of the Universal Declaration of Human Rights also declares: “... *the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedoms ...*”. Moreover, article 1 also provides:

“All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.”

The preamble to the International Covenant on Civil and Political Rights (1966) asserts “recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.”<sup>1</sup> The preamble to the Covenant on Economic, Social and Cultural Rights contains a more or less similar phrase on man’s dignity.<sup>1</sup> Similarly, regional human rights instruments emphasize on the importance of human dignity.

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1. The International Covenant on Civil and Political Rights comprising a preamble and fifty three articles was adopted by the United Nations General Assembly on 16 December 1966.  
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For instance, article 11 (1) of the American Convention on Human Rights (1969) asserts the same right in these words: “*Everyone has the right to have his honor respected and his dignity recognized.*” Article 5 of the African Charter on Human and Peoples’ Rights (1981) states: “*Every individual shall have the right to the respect of the dignity inherent in a human being.*” Despite all these emphases neither of these instruments defines dignity or inherent dignity. In spite of the fact that most of the United Nations member states have favored the Universal Declaration of Human Rights and ratified International Covenant of Civil and Political Rights and International Covenant of Economic, social and Cultural Rights, the theoretical foundations of human rights, including the concept of inherent dignity, have always been subject to dispute. The concerns expressed focus on whether human dignity is a right like other human rights or, as stated in the preamble of both these instruments, it constitutes the very foundation of human rights and whether human dignity is a legal concept of a religious and philosophical concept.

Even though this author does not intend to elaborate on different aspects of human dignity, in order to study the concept of human dignity in Islamic teachings, it is inevitable to take into consideration various dimensions of the subject within the context of international human rights law and human rights discourse. Some positivists claim that human dignity is an illusion that has infiltrated the human rights instruments from Abrahamic religions and particularly framed article 1 of the Universal Declaration of Human Rights as well as the constitutions of many states of the world. For instance, in his book entitled “*Illusion Menschenwürde*” Franz Josef Wetz, states that human dignity is a vague concept that no consensus exists on it among scholars. The common phrase that man is the most dignified creature has its origin in the Hebrew tradition from where it transferred to the Christian and Islamic literature. He, thus, claims that it is inappropriate to base human rights on a concept which is not universal. Moreover, there is no agreement among Abrahamic theologians regarding the concept and nature of human dignity, even though it is a common concept among them.<sup>2</sup>

Nevertheless, it cannot be denied that the concept of human dignity constitutes the core perception of many existing religious and philosophical theories on human rights systems. Even though these efforts may not prove to be sufficiently persuasive in determining the philosophical foundations of human

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2. See Wetz, Franz Josef; *Illusion Menschenwürde, Aufstieg und Fall eines Grundwerts*, Stuttgart, 2005.

rights, it has been claimed that it is not possible to establish a universal and sustainable system of human rights through a positivist and pragmatic approach.<sup>1</sup> As a result, each of these rival philosophical schools has tried their best to define the human rights system on the basis of their own school of thought. Theologians and religious philosophers are of the opinion that it is only through belief in the divine nature of man that the concept of human dignity can make sense and, thus, it is possible to base human rights on this foundation and religious approach is the only way to justify the theoretical foundation of human rights.<sup>2</sup>

The lofty status of this concept in the human rights instruments has prompted philosophers like Myres S. McDougal, Harold D. Lasswell and Lung-chu Chen to frame their comprehensive theories on a secular approach. In the book “Human Rights and World Public Order: The Basic Policies of an International Law of Human Dignity”, these authors comment on the difficulty of giving meaning to dignity. They suggest such difficulty need not be an obstacle to using the term. The term ‘human dignity’ can be used to refer to a preferred pattern in shaping and sharing of values without indulging in an infinitely regressive derivational search for some true “basis” or “foundation” or “cornerstone” of an imagined “absolute” or “universal” conception. The past ambiguities with which the words “human dignity” have been employed are of some, but not of overwhelming, interest to those who seek to create a more comprehensive and constructive intellectual map for future guidance.<sup>3</sup>

The idea that dignity means being human is not of recent origin, and it is perhaps the great German philosopher, Immanuel Kant (1724-1804) who has come up with the most appropriate philosophical explanation of the term “human dignity”. He asserted that some things are beyond value. Those things which are beyond all values have *dignity*. Kant identifies those things which are beyond all value as those things which are *ends in themselves*, as opposed to ordinary ends or to means. A thing is an end in itself if it has

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1. See Elshtain, Jean Bethke; The Dignity of the Human Person and the Idea of Human Rights: Four Inquiries, *Journal of Law and Religion*, Vol. 14, No. 53, 1999-2000, pp.53-65.
  2. For further reading see Perry, Micheal J. Is the Idea of Human Rights Ineliminably Religious? *University of Richmond Law Review*, Vol. 27, 1992-1993, pp. 1027-1082.
  3. See generally: Myres S. McDougal, Harold D. Lasswell, and Lung-chu Chen. *Human Rights and World Public Order: The Basic Policies of an International Law of Human Dignity* (New Haven: Yale UP, 1980).

morality, that is, if it can make choices between right and wrong. The only something that has morality is the human being. Kant says: “Thus morality, and humanity as capable of it, is that which alone has dignity.”<sup>1</sup>

However, irrespective of whichever theory we prefer, it needs to be kept in mind that human dignity as specified in the human rights discourse is inherent in essence and is not an acquisition, nor can it be transferred or withdrawn for that matter. The principle of equality included in the human rights instruments and the constitutions of many countries is derived from this inherent characteristic of equality of man in dignity which is inalienable and distinguishes him from animals and other beings, even though there is no unanimity among philosophers, theologians and anthropologists over the characteristics of such a distinction. Reason and willpower, soul and divine spirit or biological features are, according to each group, respectively, what distinguish man from other beings. But, irrespective of what factor we consider as the main cause of such a distinction, equality would be a determining factor of man’s dignity.<sup>2</sup> Thus, acknowledgement of human dignity is a function of believing that every human being is entitled to dignity irrespective of whether his behaviors conform with reason, law and ethics or not. Every human being as such, without regard to whether he acts rationally or irrationally, legally or illegally, setting a good or a bad example, should receive the basic equal respect due all human beings because of their potential for acting and reflecting and justifying their actions before themselves and others, even if this potential is not fulfilled, even violated, as in the case of a criminal act. The German penal law protecting one’s honor and dignity embodied in the tort of defamation in the Criminal Code (*Strafgesetzbuch*) encompasses both layers: One cannot be allowed to call into question a criminal’s status as a person or human-being; one may only call him a cruel person and his deeds bad or reprehensible.

The approach adopted by different religions towards man and his dignity is based on this clear foundation. In all religions man is considered to be of divine origin and is in search of a lofty goal and purpose. This is the quality that makes man’s creation sacred. It is of tremendous importance to note that

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1. Immanuel Kant, *Fundamental Principles of the Metaphysic of Morals*, translated by Thomas Kingsmill Abbott (Second Section: Transition from Popular Moral Philosophy to the Metaphysic of Morals).
  2. Brugger, Winfried, Dignity, Rights, and Legal Philosophy within the Anthropological Cross of Decision-Making, *German Law Journal*, 2008, Vol. 09 No. 10, pp.1251-52.
  3. *Ibid.*

the concept of dignity as it is discussed in human rights discourse is innate and inalienable, and not an acquired status or a condition that man achieved by his free will and able conduct or through his acquired qualifications. Thus, inherent dignity is an innate feature of all human beings. The concept of human dignity in religions, in general, and Abrahamic religions, in particular, has a clear foundation. In Abrahamic religions, man has a divine origin and seeks a transcendent objective and endless aim. These characteristics made him deserving praise. In Judeo-Christian tradition it is believed that God created man in his image and this feature conferred him with dignity. Recognition of human rights therefore, is based on the recognition of human dignity.<sup>1</sup>

The question that arises at this point is whether it would be possible to, on the basis of these religious and philosophical teachings, arrive at some universal criteria and values that would be acceptable to all religions and cultures including the Muslim societies. The answer to this question shall be dealt with in the next part. It is also believed that by reference to religious teachings, it could be possible to find common ground for universal human rights norms which are deeply rooted in the fundamental principle of all cultures and religions. In the following chapter, we shall try to investigate the subject in Islamic Human Rights Declarations.

## ***II. The Concept of Dignity in Islamic Declarations on Human Rights***

Although Many Muslim states have frequently criticized international human rights norms and standards as being a product of western cultural imperialism, which do not conform to Islamic culture, many of them, however, have ratified the International Covenants of Human Rights.<sup>2</sup> A few Islamic countries, too, have ratified the Optional Protocol of the International Covenant on Civil and Political Rights. Nonetheless, it must be noted that parallel to such dual practice, some Muslim scholars managed to draft a declaration on "Islamic Human Rights" in the 1980's.<sup>1</sup> This declaration was drafted by the Islamic Council of Europe in 1981 and was presented to the United Nations

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1. J Schwartlander & H Bielfeldt; Christians & Muslims Facing the Challenge of Human Rights; German Bishops Conference Research Group on Universal Tasks of the Church; January 1994; pp. 23-24.

2. Status of Ratification of the Principal International Human Rights Treaties, Office of the United Nations High Commissioner for Human Rights, available at: <http://www.unhchr.ch/pdf/report.pdf>

1. Universal Islamic Declaration of Human Rights, 21 Dhul Qa'dah, 1401, 19 September, 1981.

Educational, Scientific and Cultural Organization (UNESCO) at a function held in the headquarters of this organization in Paris. The Universal Islamic Declaration of Human Rights merely reflects upon the views of Islam on human rights concepts and has no legal status, since no Islamic country or international organization has ratified it. The preamble to this Declaration states that “*the human rights decreed by the Divine Law aim at conferring dignity and honor on mankind and are designed to eliminate oppression and injustice.*”<sup>2</sup> Article 1(a) also stresses that all human beings are one family whose members are united by their subordination to Allah and descent from Adam. All men are equal in terms of basic human dignity and basic obligations and responsibilities, without any discrimination on the basis of race, color, language, belief, sex, religion, political affiliation, social status or other considerations. The true religion is the guarantee for enhancing such dignity along the path to human integrity.<sup>3</sup>

In 1991, Organization of Islamic Conference adopted the Declaration of Human Rights in Islam as a regional instrument for the protection of human rights.<sup>4</sup> The preamble of the Declaration underlines man’s status in Islam as the vicegerent of Allah on Earth. Article 1(a) of the Declaration stresses that all men are equal in human dignity without any discrimination as to race and religion. It states that all human beings are one family whose members are united by their subordination to Allah and descent from Adam. All men are equal in terms of basic human dignity and basic obligations and responsibilities, without any discrimination on the basis of race, color, language, belief, sex, religion, political affiliation, social status or other considerations. The true religion is the guarantee for enhancing such dignity along the path to human integrity. However, it is interesting to note that Article 1(b) indicates that all human beings are Allah's subjects, and the most loved by Him are those who are most beneficial to His subjects, and no one has superiority over another except on the basis of piety and good deeds.<sup>1</sup>

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2. For full text of the Universal Declaration of Human Rights see “The Journal of Islamic Law”, Vol.2, Spring-Summer 1997, pp.2-20.

3. Available at: <http://www1.umn.edu/humanrts/instree/cairodeclaration.html>

4. Cairo Declaration of Human Rights in Islam; The Nineteenth Islamic Conference of Foreign Ministers (Session of Peace, Interdependence and Development), held in Cairo, Arab Republic of Egypt, from 9-14 Muharram 1411H (31 July to 5 August 1990), Adopted by the Organization of the Islamic Conference in 1990, reprinted in U. N. Doc. A/Conf. 157/PC/62/Add.18 (1993) also available at: <http://www.religlaw.org/interdocs/docs/cairohrislam1990.htm>.

1. Available at: <http://www1.umn.edu/humanrts/instree/cairodeclaration.html>



It is evident that, by making reference to the Islamic sources, the Islamic Declaration of Human Rights has emphasized on the dignity of man. At the same time it refers to the acquired dignity as well and stresses on the possibility of obtaining more dignity before the Lord through more piety. It states that sincere and accurate belief is a condition for and the only way of developing one's dignity. The existing literature on the concept of human dignity in the Islamic thought indicates that, based on their understanding of the Islamic sources and particularly certain verses of the Holy Quran, Muslim scholars make a distinction between the inherent dignity of man and the dignity that can be obtained by free will. Some of them even argue that, in fact, man has the potentials and the status of becoming dignified through sincere belief and good deeds.

It seems that the controversy among Muslim scholars and Ulama in understanding and explaining the verses of the Holy Quran, has penetrated into the Islamic Declaration of Human Rights. It is obvious that the inherent dignity is the foundation of human rights and this very concept must be incorporated in all legal instruments and consequently, any legislation concerning man's rights should be based on such a conceptual foundation. Nevertheless, piety and sincere belief are issues which make man dignified before God and constitute the criteria that make a man spiritually perfect and superior to others before Lord, rather before the law. It is needless to say that the Islamic Declaration of Human Rights has admitted and emphasized on the dignity of human species as well as the equality of all men and women in dignity and responsibility.

However, the legal concept of the dignity of man is a clear perception and has also legally clear implications. As it was discussed in this paper, the dignity of man in human rights discourse is not a status that can be obtained by any qualification, since the inherent dignity is per se which is neither inalienable nor transferable to others. It is not, therefore, appropriate in a legal context either to discuss of potential dignity of man or argue for alienability of his dignity as a result of committing a crime or doing sinful acts. Thus, citing such terms in a human rights declaration makes its legal aspects obscure and perplex. In the following, an attempt was made to clear the dubious dimensions of the subject and help to distinguish between legal and ethical conceptions of human dignity by referring to Islamic sources.

There is no doubt that the Universal Declaration of Islamic Human Rights

has underscored the dignity of man and equality of human beings in dignity and responsibility. It simultaneously states that man can develop his dignity through sincere belief and good conduct. Even though, it states, all human beings are equal in dignity, the only assured way of developing his dignity is to have an accurate belief. While, the concept of human dignity is a legal perception with clear implications, inherent dignity in human rights discourse is neither a status that should be acquired, nor a condition that is alienable. Therefore, the concept of acquired dignity and alienability of human dignity, due to disbelief and sinful acts, is not compatible with legal discourses.<sup>1</sup> Thus, it is not appropriate to incorporate ethical concepts such as acquired dignity in human rights instruments and it seems that the failure of making distinction between legal and ethical scope has resulted in vagueness of the concept of dignity in the Declaration of Human Rights in Islam. In the following chapter, we refer to religious texts and Islamic sources of jurisprudence to clarify the dubious dimensions of the subject in order to distinguish between ethical and religious concepts of human dignity.

### ***III. The Concept of Dignity in Islamic Sources***

In the Islamic tradition there is a belief that man has been blessed with divine spirit and this is the main cause of human dignity. Man's dignity has promoted his position to that of the vicegerent of God on earth. However, Muslim thinkers have expressed different views on human rights matters, in general, and inherent dignity, in particular. A number of Muslim thinkers believe that the modern concept of human rights has originated from valuable sources of religious and philosophical teachings. We learned that dignity is the foundation of human rights and the concept of inherent human dignity can only be justified in the light of religious teachings. Unity of humanity and human family is one of the basic concepts of Islam and the Holy Quran considers the diversity of people in language and color as a sign of God and therefore, these differences should not be a basis of superiority of one over another.

*“O mankind! We created you from a male and a female, and made you nations and tribes that you may identify with one another. Indeed the noblest*

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1. For further information on ethical and mystical views on this issue see Javadi Amoli (Ayatollah), Abdollah, “Karamat dar Quran”/Dignity in Quran, Raja Cultural Publications, 1993, Tehran.

*of you in the sight of Allah is the most God-wary among you. Indeed Allah is all-knowing, all-aware". (Al-Hujurat:13)*

On the one hand, this verse has emphasized on the unity of humankind which results in the equality of all men and on the other hand, it declares that as per religious teachings there is another type of dignity that should be acquired through sincere belief and good deeds. One should either admit the existence of inherent dignity or deny it, whereas the acquired dignity, varies from one individual to another according to which, one may become nearer to the Lord and more dignified before God.

Inherent dignity, in other words, is a feature that makes all men and women equal and at the same time it separates them from other beings. This characteristic is the only source of man's dignity and other human features such as race, color, gender, religion and other qualities do not impact this status. This type of dignity is inalienable and having such quality is not subject to sincere belief and good deeds. The Holy Quran says:

*"Certainly We have honored the Children of Adam, and carried them over land and sea, and provided them with all good things, and given them an advantage over many of those We have created with a complete preference". (Al-Isra':70)*

The identification of inherent and acquired dignity and the distinction between these two concepts in Islam is not what this author has theorized. What is important in this paper is to define the relationship between these two concepts. It seems that some writers have failed to realize the perplexities that exist in making a distinction between these concepts and the relationship between the two and this in turn has led to some sort of misunderstanding. For instance, some Salafis believe that only believers have dignity. They claim that all human rights standards and norms are rooted in Western culture and thus, they are unequivocally in contradiction with the teachings of Islam. Since human rights are based on the concept of inherent dignity of man, Salafis denounce such rights as they are of the opinion that only believers are entitled to dignity.

They emphasize that believers have the right to enjoy dignity. One's life and property is not inviolable unless he embraces Islam. Thus, in their view unbelievers do not deserve dignity and their life and property may not be respected.<sup>1</sup> By referring to the two mentioned verses the Salafi authors argue

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1. For more information see Al-Fahd, Nasir bin Hamad, "Tali'ah al-Tankil bima fi (Bayan al-

that the inherent dignity of human beings will remain if they embrace Islam, otherwise, their inherent dignity will be lost, since, in other verses Allah has announced that disbelief in God causes human abasement and humiliation in this world and suffering in the hereafter:

*“Whomever Allah humiliates will find no one who may bring him honor”*. (Al-Hajj:18)

While human rights discourse has always emphasized that human rights are intrinsic to human beings and, therefore, they are inalienable, Salafis claim that whoever goes astray from the straight path, not only loses his dignity, but also falls down from the position of humanity, and will be lower than animals:

*“Indeed the worst of beasts in Allah’s sight are those who are faithless; so they will not have faith”*. (Al-Anfal:55)<sup>2</sup>

The most important reason for salafis' refusal of human rights principles is that this idea is based on a fundament that is unquestionably rejected by Islam. They argue that human rights in the West are based on the foundation that all human beings have inherent dignity and are equal without any distinction as to sex, color, race, language and religion and since Islam has categorically denounced this fundamental idea, recognition of human dignity and human rights norms are tantamount to disbelief in Islam. However, this Salafi argument is too naïve and needless of reasoning to be refuted. Little examination of the mentioned verses makes it clear that the aim of the above-mentioned verses is to explain the factors by which man can be closer to God. Therefore, it goes without saying that the object and purpose of the invoked verses is not to say that believers acquiring such good attributes are privileged before the law. Moreover, these verses do not imply that a Muslim state may discriminate between believers and non-believers either. Some other scholars have even argued that dignity is an acquired feature and therefore, the concept of inherent dignity makes no sense:

Discussion concerning the esteem and dignity is value judgment predicate, and the value judgment about human dignity is relevant since man is autonomous and possesses free will. As a result, dignity is not considered a non-optional feature, but it is

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Mothqafin) min al-Abatil”, available at <http://tawhed.ws/c?i=100> (last viewed on 25/6/2009).

2. Al-Fahd, Nasir bin Hamad, op. cit. pp. 173-174.

an acquired characteristic that must be obtained through faith, divine belief and good upbringing. If dignity is an inherent feature and an actual status which exists in all human beings, then why is it attributed only to God, His prophet and believers? Even though, the potential dignity and faculty for acquiring it, is present in all men and was bestowed to all.<sup>1</sup>

It cannot be denied that some verses of the Holy Quran have emphasized that the dignity that was bestowed to man is because of his quality of being human and there is no difference and distinction in this regard between believers and non-believers. In the holy verses referred to earlier, the holy Quran has employed terms such as “people” and “children of Adam”. If the inherent dignity had only been bestowed on believers only, then it would have to use more appropriate words emphasizing that inherent dignity has merely been bestowed to the righteous and pious believers. Contrarily, the Quran has frequently emphasized that we have dignified all men, not just believers. Therefore, the author is of the view that in the realm of human rights, we have to deal with matters related to inherent dignity, while in the field of ethics, the acquired dignity is the subject to be studied and we should not confuse the subject and scope of each of these fields of study.

On the other hand, we cannot also deny that there are some other verses of the holy Quran that make a kind of distinction between believers and non-believers.<sup>2</sup> But it is evident that such a distinction also exists between believers in respect to their varied degrees of piety and excellence or the difference in the quality of their acquired dignity and approachability before the Lord. Thus, this distinction is a matter of inequality before God only and does not imply discrimination before the law. So even though the criminals are punished for their crimes, they do not lose their dignity and, therefore, the courts of law and judicial systems are required to treat with them as human beings that have committed a crime, rather than animals or misled creatures.

In the previous section, we discovered how these differences in understanding the verses of the holy Quran and failure to demarcate between the scope of ethics and law has made the concept of human dignity a complicated issue. It was also discussed as to how the disputed matter entered into the Declaration

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1. Gharavian, Mohsen, “Ezzat va Karamat-e Ensan Chist va Chegooneh Qabel-e Eshbat Ast?/What is Human Dignity and Honor and How can it be Proved?”, Resalat Daily, No. 5076, 10 August, 2003, p. 6.
  2. Al-Hujurat: 13.

of Human Rights in Islam and made it a perplexed concept. It is evident that the holy Quran has emphasized that as a human being, man has been bestowed with dignity irrespective of any other consideration like religious belief and closeness to the Lord. It is also evident that the holy Quran has spoken about another type of dignity, which brings believers and pious people closer to God. It may also be argued here that inherent and acquired forms of dignity belong to different areas. However, it will be appropriate to refer to the secondary sources of Islamic jurisprudence in order to make certain that the reasoning presented in this paper and the argument concerning the interpretation of the primary sources are backed and confirmed by the secondary Islamic sources. Just as a Muslim jurist may refer to the secondary sources only when he finds no sufficient evidence in the primary sources or that the texts available to him are vague or concise in nature. A jurist, therefore, may refer to secondary sources to remove the ambiguity of the text and adopt a position in a given subject.

In this article we first referred to the primary source of jurisprudence to discover the position of the Holy Quran on the concept of inherent dignity. We found out that there is no consensus among Muslim scholars on this issue. Salafis are of the opinion that only believers have dignity, while other scholars are of the view that all human beings have the potential of acquiring dignity or that all men enjoy inherent dignity<sup>1</sup>, even though they may lose it in the event of committing crimes or doing sinful acts. It was also noted that the Declaration of human Rights in Islam stated that all human beings are equal before God Almighty and no one is made superior to another except as a matter of piety and closeness to Lord. Article 1 of this Declaration also states that sincere belief and good deeds is the only way of proper growth and development of human dignity. Therefore, it is in agreement with the opinion that inherent dignity will be developed through sincere belief and good conduct.

This paper presented the argument of making a distinction between inherent and acquired dignity, by throwing light on the pitfalls of each of the competing arguments. We shall now refer to some of the secondary sources in Islam in order to confirm the findings of the paper. In the opinion of Imam Ali (a) human dignity is not conditional. He stresses on this point in his

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1. See Al-Rajihi, Abdul Aziz bin Feisal, at <http://www.tawhed.ws/r?i=ov4sd6au> (last visited 25/6/2009).

recommendations to Malik al-Ashtar Nakha'i, after he appoints him as the governor of Egypt, as to how an Islamic government should treat people without taking into consideration their faith and religion. Imam Ali (a) emphasized on this point in the following words:

“Maalik! You must create in your mind kindness, compassion and love for your subjects. Do not behave towards them as if you are a voracious and ravenous beast and as if your success lies in devouring them. Remember Maalik, that amongst your subjects there are two kinds of people: those who have the same religion as you have; they are brothers to you, and those who have religions other than that of yours, they are human beings like you. Men of either category suffer from the same weaknesses and disabilities that human beings are inclined to, they commit sins, indulge in vices either intentionally or foolishly and unintentionally without realizing the enormity of their deeds. Let your mercy and compassion come to their rescue and help in the same way and to the same extent that you expect Allah to show mercy and forgiveness to you.”<sup>1</sup>

As may be noticed contrary to all competing opinions mentioned above, in explaining several verses of the Holy Quran, concerning the dignity of man, in this regard the above statement clearly indicates that all men enjoy inherent dignity regardless of their religious affiliation. If there was no inherent dignity for man, as Salafis claim, or that the inherent dignity may be lost due to disbelief or misconduct, as some other Muslim scholars have claimed, Imam Ali (a) would had been aware of that important issue. However, his recommendation of equal treatment of believers and non-believers of the Muslim state clearly denounces the above rival approaches and confirms the position that was presented and adopted in this paper.

### ***Conclusion***

It is evident that the concept of inherent dignity of man constitutes the foundation of all human rights. However, there exist no consensus among philosophers and legal scholars about the concept of inherent dignity. It has been argued that the concept of inherent dignity is one of the essential teachings of the Abrahamic religions and through these religions it has

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1. Nahjul Balaghah, Letter 53.

penetrated into the human rights discourse. On the other hand, Muslim scholars too, are not of the same view about the concept of dignity in the Holy Quran. Some Salafi scholars are of the opinion that only believers are entitled to respect and dignity. There are also other Muslim thinkers who emphasize on the inherent dignity of man by citing certain verses of the Holy Quran. They believe that there exists another type of acquired dignity which amounts to the superiority of pious men over ordinary people.

In this paper, we found out that the inherent dignity of man, which has been frequently mentioned in International Bill of Human Rights and in the human rights discourse, is the same concept that was elaborated upon in religious teachings and it is through these teachings that concept of natural rights has entered the human rights instruments. There is no distinction between believers and non-believers as regards to inherent dignity of man. But, it has been clearly argued in the Holy Quran that there exists another kind of dignity, which is something that must be acquired and something that results in nearness of man to God Almighty.

Unlike the inherent dignity, the acquired dignity is not the same in all individuals. It varies from person to person and having a sincere belief and adherence to good deeds are necessary for the development of human potentials and evolution of the acquired dignity. But, inclusion of an ethical term in a human rights instrument does not only serve any purpose, but also makes it vague and indistinguishable, since the acquired dignity does not fall within the scope human rights instruments and they should be discussed in the areas of ethics and religion. By referring to the basic teachings of Islam, we find out that all individuals enjoy the inherent dignity without any distinction as to religious belief, race, gender and language. However, the acquired dignity, which is obtained through sincere belief and piety, causes the supremacy of virtuous people over others before Allah. In human rights discourse, we only speak of inherent dignity and human rights instruments do not get involved with the acquired dignity of man.

It is, however, worth mentioning that some theologians may argue that the right to pursue happiness is the most important objective of human life and, therefore, human rights and fundamental freedoms cannot bring a decent life without pursuit of such an objective. Consequently, from the Islamic Human Rights point of view, regardless of any ethical and mystical notion of the dignity, there should be a possibility of converting the acquired



dignity into a legal concept. Should this model find a chance to bloom, the inherent dignity will form the foundation of Islamic human rights and the acquired dignity will constitute its objective. In fact, acquired dignity and the right to pursue happiness form the final aim of Islamic Human Rights system.