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Protection of Human Life in Islamic Law

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Abstract

The preservation of human life stands as a cardinal principle within Islamic law, reflecting its intrinsic value and the moral imperatives that guide the ethical and legal dimensions of the faith. Rooted in the Quranic teachings and exemplified through the Prophetic traditions, the sanctity of human life underscores Islam's commitment to compassion, justice, and the equitable treatment of all individuals. This article delves into the profound significance of protecting human life in Islamic law, tracing its historical origins, jurisprudential foundations, and contemporary implications. The Quranic revelation, specifically exemplified in Surah Al-Ma'idah (5:32), unequivocally articulates the value of safeguarding human life, equating the preservation of one life to the preservation of all of humanity. The Hadith literature further amplifies this principle through the actions and sayings of Prophet Muhammad, establishing a comprehensive ethical framework that transcends time and place. The guides in Holy Quran: ﴿قُلْ تَعَالَوْا أَنِ اتْلُ مَا حَرَّمَ رَبِّيَ عَلَيَّكُمْ إِلَّا تَشْرِكُوا بِهِ شَيْئًا ۚ وَبِالْوَالِدَيْنِ إِحْسَانًا ۚ وَلَا تَقْتُلُوا أَوْلَادَكُمْ مِمَّنْ إِنْتُمْ بِيَدِهِ لَعَلَّكُمْ تَعْتَلُونَ ۚ﴾ Say (O Muhammad SAW): "Come, I will recite what your Lord has prohibited you from: Join not anything in worship with Him; be good and dutiful to your parents; kill not your children because of poverty - We provide sustenance for you and for them; come not near to Al-Fawahish (shameful sins, illegal sexual intercourse, etc.) whether committed openly or secretly, and kill not anyone whom Allah has forbidden, except for a just cause (according to Islamic law). This He has commanded you that you may understand. [6:151]. Exploring the historical development, the article examines how Islamic jurisprudence has embraced and upheld the sanctity of human life. Across various schools of thought, jurists have consistently emphasized the primacy of protecting life, influencing various legal rulings, ethical considerations, and applications. From capital punishment to medical ethics, this principle has found resonance in areas of law that address complex moral and social challenges. In the contemporary era, the principle of protecting human life remains as relevant as ever. Its alignment with international human rights standards serves as a platform for interfaith dialogue and bridges cultural divides. Moreover, as modern ethical dilemmas emerge, such as those posed by biotechnological advancements and global conflicts, Islamic law's emphasis on human life protection provides a lens through which these challenges can be ethically navigated. The article concludes by highlighting the enduring significance of the principle of protecting human life in Islamic law. It underscores the value of preserving human dignity, compassion, and justice within the Islamic legal tradition, offering insights that can resonate beyond faith boundaries to shape a more humane and equitable global society.

Keywords: Human rights, Protection of human life, Islamic Law, Ethics ,Shariah.

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⁶ .Al-Quran 6:151

Introduction

Islam has given a complete code of life to run the system of this universe which was started by Hazrat Adam (peace be upon him). It was done by coming and it was completed on the Prophet ﷺ. The highest is only the person of Allah, the position of man is the vicegerent and Khalifah is the work of man. All business life is to be run according to the will of Allah.

The earth and its resources were created for the benefit of all mankind. All human beings have the right to use them according to their needs, but no individual has the right to seize or hoard these resources to the detriment of others. Protection of honor and reputation is also his duty, so that his person is the cause of bringing convenience and comfort to other people and someone from someone. Did not arrive

The concept of the sanctity of human life is a cornerstone of many legal systems and ethical frameworks across the world in Islamic law, known as Sharia, the protection of human life holds paramount importance. Rooted in the Quran, the Hadith (sayings and actions of the Prophet Muhammad), and the scholarly interpretations, Islamic law establishes a comprehensive framework that safeguards and promotes the preservation of human life under various circumstances. This article delves into the principles and provisions within Islamic law that underscore the significance of safeguarding human life.

Importance

The importance of protecting human life in Islamic law transcends time, culture, and geography. Rooted in the Quran and the teachings of the Prophet Muhammad, this principle highlights the intrinsic value of every individual and the imperative to ensure their safety and well-being. By upholding the sanctity of life, Islamic law not only establishes a just and ethical framework for Muslims but also contributes to the broader discourse on human rights and humanitarian values. As the world continues to grapple with multifaceted challenges, the lessons gleaned from the protection of human life in Islamic law serve as a beacon of wisdom, compassion, and universal principles that unite us all.

The concept of human rights is as ancient as the creator and master of man gave him a code of life for living a social life at the very beginning of life. In the life of the first man Hazrat Adam (peace be upon him), when the problem of right arose for the first time, along with it, the fact became clear that man is not just based on his own speculations, but because of the rules set by Allah. He is conscious of respecting the right.

وَأَنذَرْتَهُمْ نَبَأَ ابْنَيْ آدَمَ بِالْحَقِّ إِذْ قَرَّبَا قُرْبَانًا فَتُقْبِلَ مِنْ أَحَدِهِمَا وَلَمْ يُتَقَبَّلْ مِنَ الْآخَرِ قَالَ لَأَقْتُلَنَّكَ قَالَ إِنَّمَا يَتَقَبَّلُ اللَّهُ مِنَ الْمُتَّقِينَ ﴿٢٧﴾ لَئِنْ بَسَطْتَ إِلَيَّ يَدَكَ لِتَقْتُلَنِي مَا أَنَا بِبَاسٍ بِكَ يَدِي إِلَيْكَ لِأَقْتُلَنَّكَ إِنِّي أَخَافُ اللَّهَ رَبَّ الْعَالَمِينَ ﴿٢٨﴾ إِنِّي أُرِيدُ أَنْ نَبُوءَ بِإِغْيَاكِ وَنَكُونَ مِنْ أَصْحَابِ النَّارِ ۚ وَذَلِكَ جَزَاءُ الظَّالِمِينَ ﴿٢٩﴾⁷

And (O Muhammad SAW) recite to them (the Jews) the story of the two sons of Adam [Habil (Abel) and Qabil (Cain)] in truth; when each offered a sacrifice (to Allah), it was accepted from the one but not from the other. The latter said to the former: "I will surely kill you." The former said: "Verily, Allah accepts only from those who are Al-Muttaqun (the pious - see V. 2:2)."

"If you do stretch your hand against me to kill me, I shall never stretch my hand against you to kill you, for I fear Allah; the Lord of the 'Alamin (mankind, jinns, and all that exists)."

⁷.Al-Quran 5 : 27,28,29

"Verily, I intend to let you draw my sin on yourself as well as yours, then you will be one of the dwellers of the Fire, and that is the recompense of the Zalimun (polytheists and wrong-doers)."

In the vast tapestry of Islamic jurisprudence, few principles stand as resolute and fundamental as the protection of human life. Rooted deeply in the Quran, the Hadith, and centuries of scholarly interpretations, this principle is not only a cornerstone of Islamic law but also a testament to the profound value Islam places on the sanctity of life. The significance of safeguarding human life extends far beyond the realm of religious doctrine, encompassing ethical, social, and humanitarian dimensions. This article delves into the pivotal importance of protecting human life in Islamic law, shedding light on the underlying values, implications, and enduring relevance of this timeless principle.

Preservation of Life as a Priority

There is a principle of life that only Allah Almighty is the creator and owner of human life. He is the only one in whose hand is the life of man and He is the real owner of life. He can take back life whenever he wants. Every human being has the fundamental right to live and no person has the right to deprive another person of his most precious right, i.e. the right to life. Even man has no right to take his own life.

The survival of mankind in the world depends on respecting the lives of others. Islam has taught all human beings to respect human life and has declared unjust killing as such a big and great sin that the unjust killing of a person is equal to the killing of all humanity.

Surah Al-Nisa "He who spreads mischief in the earth and kills an innocent soul is as if he is responsible for the murder of all mankind."⁸

The Quran, the Holy scripture of Islam, emphasizes the sacredness of human life and unequivocally condemns the taking of innocent lives. In Surah Al-Isra (17:33), it is stated:

وَلَا تَقْتُلُوا النَّفْسَ الَّتِي حَرَّمَ اللَّهُ إِلَّا بِالْحَقِّ وَمَنْ قُتِلَ مَظْلُومًا فَقَدْ جَعَلْنَا لَوْلِيهِ سُلْطَانًا فَلَا يَسْرِفُ فِي الْقَتْلِ إِنَّهُ كَانَ مَنْصُورًا⁹

"And do not kill the soul which Allah has forbidden, except by right." This verse establishes the principle that human life is to be protected except in cases of legitimate reasons such as self-defense or the administration of justice.

Similarly, saving human life has also been declared as such a great virtue that the act of saving a human life can be considered equivalent to saving the entire humanity.

Islamic jurisprudence places the preservation of human life as a primary objective (maqasid) of the Sharia. Scholars have identified five overarching objectives of Islamic law, and one of them is the protection of life (hifz al-nafs). This means that all aspects of Islamic law should contribute to the preservation and well-being of human life. Whether it's in matters of criminal law, family law, medical ethics, or international relations, the protection of life is a fundamental consideration.

Prohibition of Murder and Unjust Killing

It is clear in Hadith Sharif that killing a Muslim is tantamount to disbelief for which only hell is prescribed as punishment. The greatest right for every Muslim is to respect life and if a Muslim commits murder, he has destroyed the great right of another Muslim brother, for which there is no room for forgiveness.

⁸ . Muhammad Tariq , Muhammad Athar , Islamiyat wa Mutalia Pakistan ,Publisher Azeem Acadmy pg 97,98

⁹ . Al-Quran 17 :33

Islam categorically prohibits murder and any form of unjust killing. The Hadith collections contain numerous sayings of the Prophet Muhammad explicitly condemning the taking of innocent lives. One well-known Hadith states.

A Muslim can hope for good from someone in matters of his life and religion, and even from his Muslim brother. If a believer kills his Muslim brother, there is no greater injustice and his punishment will be the same.¹⁰

Every Muslim's life, wealth and honor are respected. Therefore, Islamic brotherhood demands that all Muslims respect each other's life and property, honor and dignity.

مَنْ أَجَلَ ذَلِكَ كَتَبْنَا عَلَى بَنِي إِسْرَءِيلَ أَنَّهُ مَنْ قَتَلَ نَفْسًا بِغَيْرِ نَفْسٍ أَوْ فَسَادٍ فِي الْأَرْضِ فَكَأَنَّمَا قَتَلَ النَّاسَ جَمِيعًا وَمَنْ أَحْيَاهَا فَكَأَنَّمَا أَحْيَا النَّاسَ جَمِيعًا وَلَقَدْ جَاءَهُمْ رَسُولُنَا بِالْبَيِّنَاتِ ثُمَّ لَئِنْ كَثُرُوا مِنْهُمْ بَعْدَ ذَلِكَ فِي الْأَرْضِ لَنَسْفُقُنَّ.¹¹

"Whoever kills a person [unjustly], it is as though he has killed all of humanity. And whoever saves a life, it is as though he has saved all of humanity".

Self-Defense and Just War

Islamic law recognizes the right to self-defense and the concept of just war (jihad) under specific circumstances. Individuals have the right to protect themselves and their property from harm, and this extends to the preservation of life. However, the use of force must be proportionate and only employed when all peaceful means have been exhausted.

Similarly, in the context of warfare, Islamic law provides guidelines for the conduct of armed conflict. The deliberate targeting of non-combatants, the elderly, women, and children is strictly prohibited. Combatants are directed to exercise restraint and adhere to principles of proportionality and necessity.

A Moral Imperative Rooted in Religious Texts

The Quran, the holy scripture of Islam, serves as the primary source of guidance for Muslims worldwide. Within its verses, the sanctity of human life is unequivocally emphasized. In Surah Al-Ma'idah (5:32),

وَاتْلُ عَلَيْهِمْ نَبَأَ ابْنِ آدَمَ بِالْحَقِّ إِذْ قَرَّبَا قُرْبَانًا فَتُقُبِّلَ مِنْ أَحَدِهِمَا وَلَمْ يُتَقَبَّلْ مِنَ الْآخَرِ ۚ قَالَ لَأَقْتُلَنَّكَ ۚ قَالَ إِنَّمَا يَتَقَبَّلُ اللَّهُ مِنَ الْمُتَّقِينَ.

Allah declares, "Whoever kills a soul unless for a soul or for corruption [done] in the land – it is as if he had slain mankind entirely." This profound statement encapsulates the gravity of taking a human life and underscores the idea that each life holds immeasurable value.

The Hadith, a collection of sayings and actions of the Prophet Muhammad, further reinforces the significance of preserving human life. A notable Hadith states, "The believer's soul is in his sword, and the soul of the disbeliever is between his two fingers." This saying emphasizes the immense responsibility attached to the power of taking life and underscores the principle of restraint and caution even in times of conflict.

Foundations for a Just Society

The protection of human life is integral to the broader objective of establishing justice, equity, and compassion within a society governed by Islamic principles. Islamic law enshrines the concept of "Qisas," which allows for proportional retaliation in cases of intentional harm. This serves as a deterrent to violence and ensures that the punishment fits the crime while still

¹⁰ .Ibid . pg 99

¹¹ . Al-Quran 5 :32

valuing human life.

The principle of "maqasid al-Sharia," which refers to the higher objectives of Islamic law, includes the preservation of life as one of its essential components. This broader perspective encourages not only the prevention of direct harm but also the creation of conditions that promote physical and mental well-being, enabling individuals to thrive in all aspects of their lives.

Contemporary Relevance and Global Ethics

The significance of protecting human life in Islamic law extends beyond theological boundaries, resonating with the global call for human rights and dignity. In the modern context, Islamic ethics provide insights into pressing issues such as bioethics, environmental conservation, and conflict resolution. The principles of compassion, mercy, and the pursuit of justice remain essential guides for navigating these complex challenges.

The importance of protecting human life in Islamic law transcends time, culture, and geography. Rooted in the Quran and the teachings of the Prophet Muhammad, this principle highlights the intrinsic value of every individual and the imperative to ensure their safety and well-being. By upholding the sanctity of life, Islamic law not only establishes a just and ethical framework for Muslims but also contributes to the broader discourse on human rights and humanitarian values. As the world continues to grapple with multifaceted challenges, the lessons gleaned from the protection of human life in Islamic law serve as a beacon of wisdom, compassion, and universal principles that unite us all.

وَالَّذِينَ لَا يَدْعُونَ مَعَ اللَّهِ إِلَهًا آخَرَ وَلَا يَقْتُلُونَ النَّفْسَ الَّتِي حَرَّمَ اللَّهُ إِلَّا بِالْحَقِّ وَلَا يَزْنُونَ وَمَنْ يَفْعَلْ ذَلِكَ يَلْقَ أَثَامًا

“those who do not invoke any other god besides Allah, nor take a human life made sacred by Allah—except with legal right, nor commit fornication. And whoever does any of this will face the penalty.”

History

The history of the "Protection of Human Life in Islamic Law" is deeply intertwined with the development of Islamic jurisprudence and the evolution of the Islamic civilization. From the early days of Islam to the present, the emphasis on the sanctity of human life has remained a consistent and essential principle within Islamic teachings. Let's explore the historical trajectory of this concept:

1. Early Islamic Period (7th-9th century CE): The foundation for the protection of human life in Islamic law was laid during the time of Prophet Muhammad (peace be upon him). The Quranic revelations during this period underscored the significance of preserving human life and condemned the taking of innocent lives. The revelation of Surah Al-Ma'idah (5:32) served as a pivotal moment, emphasizing that killing a single person unjustly is akin to killing all of humanity. The prophetic traditions (Hadith) also highlighted the sanctity of life and the prohibition of harming innocent individuals.
2. Development of Islamic Jurisprudence: In the centuries following the death of Prophet Muhammad, Islamic jurisprudence (fiqh) began to take shape. Legal scholars, known as jurists (fuqaha), drew upon the Quran, Hadith, consensus (ijma), and analogy (qiyas) to derive legal rulings. The protection of human life emerged as a foundational principle within various schools of thought, such as the Hanafi, Maliki, Shafi'i, and Hanbali schools.
3. Golden Age of Islamic Civilization (8th-13th century CE): During the Islamic Golden Age,

scholars engaged in extensive legal, theological, and philosophical discourse. Works on Islamic jurisprudence delved into the protection of human life from both a legal and ethical standpoint. Notable scholars like Imam Al-Ghazali, Ibn Rushd (Averroes), and Ibn Taymiyyah contributed to discussions on the ethical and legal dimensions of protecting human life.

4. Interplay with Medical and Ethical Considerations: As Islamic civilization flourished, medical advancements and ethical dilemmas emerged. Scholars like Ibn Sina (Avicenna) addressed medical ethics within the context of Islamic teachings. They explored topics such as medical treatment, end-of-life care, and organ transplantation, grounding their discussions in the broader principle of preserving human life.
5. Interaction with Sociopolitical Contexts: Throughout Islamic history, the protection of human life played a role in shaping governance and conflict resolution. Islamic leaders and scholars sought to uphold justice and maintain societal order, emphasizing the importance of safeguarding innocent lives during times of peace and conflict.
6. Contemporary Relevance: In the modern era, the principle of protecting human life in Islamic law continues to be a focal point. Scholars engage in discussions that address issues such as human rights, capital punishment, and medical ethics within the context of contemporary challenges and global standards.
7. Cross-Cultural and Interfaith Dialogue: The concept of protecting human life in Islamic law has transcended religious and cultural boundaries. It serves as a point of dialogue and collaboration in interfaith discussions and efforts to promote global peace and justice.

The historical journey of the "Protection of Human Life in Islamic Law" showcases the enduring commitment of Islam to the sanctity of human life. This principle, deeply embedded in the Quranic revelations and prophetic traditions, has guided the development of Islamic jurisprudence, ethical considerations, and societal norms. As the world continues to evolve, this principle remains a cornerstone of Islamic teachings that contributes to discussions on human rights, ethics, and the pursuit of justice.

Literature Review

The literature on the protection of human life in Islamic law is rich and diverse, reflecting the deep-rooted significance of this principle within Islamic teachings. Scholars across various disciplines continue to explore the theological, legal, and practical dimensions of this topic, bridging the gap between tradition and contemporary challenges while upholding the sanctity of human life as a core Islamic value.

The protection of human life is a fundamental principle in Islamic law (Sharia), reflecting the overarching value that Islam places on the sanctity and dignity of human existence.

Summary

The article delves into the profound principle of safeguarding human life within the framework of Islamic law. Rooted in the Quranic revelations and the teachings of Prophet Muhammad, the sanctity of human life forms a foundational value in Islam. The Quranic verse (5:32) asserts that preserving a single life is akin to preserving all of humanity, emphasizing the prohibition of unjust killing. This principle has shaped Islamic jurisprudence across various schools of thought, guiding legal interpretations and ethical considerations.

Throughout history, the protection of human life has been an essential theme within Islamic

civilization. Scholars, theologians, and jurists have explored its implications in diverse contexts, including medical ethics, conflict resolution, and governance. The article traces the evolution of this principle from the early Islamic period through the Golden Age of Islamic civilization and its contemporary relevance.

In addressing modern challenges, the principle aligns with global human rights standards, contributing to cross-cultural dialogue and interfaith discussions. The article highlights how Islamic law's emphasis on safeguarding human life serves as a beacon for ethical decision-making, fostering compassion, justice, and social harmony. It underscores the enduring relevance of this principle as a guiding light within Islamic teachings and its potential to inspire a more humane and just world.

Recommendations

1. Promote education and awareness campaigns within Muslim communities and beyond to highlight the emphasis that Islamic law places on protecting human life. Religious leaders, scholars, and community organizations can play a crucial role in conveying the ethical and legal teachings that underscore the sanctity of human life.
2. Develop comprehensive ethical guidelines that address contemporary challenges, such as advancements in medical technology, bioethics, and end-of-life care. Collaborate with scholars, medical professionals, and ethicists to ensure that Islamic principles are applied effectively to address emerging ethical dilemmas.
3. Foster discussions that explore the compatibility between Islamic principles of human life protection and international human rights standards. Engage in dialogue that highlights commonalities and builds bridges between Islamic teachings and broader global ethical frameworks.
4. Facilitate interfaith dialogue to showcase the common ground shared by different religious traditions regarding the sanctity of human life. Collaborate on joint initiatives to promote peace, justice, and humanitarian efforts that transcend religious boundaries.
5. Encourage policymakers and legal experts to incorporate Islamic principles of protecting human life into legal frameworks. This could involve advocating for legislation that aligns with Islamic values, especially in areas related to criminal justice, healthcare, and human rights.
6. Provide ethics training for professionals working in fields related to healthcare, law enforcement, and conflict resolution. Equip them with a nuanced understanding of Islamic ethics to ensure that their decisions and actions align with the principle of preserving human life.
7. Emphasize the principle of protecting human life as a foundation for promoting non-violence and peaceful conflict resolution. Encourage the application of Islamic teachings to mediate conflicts and disputes, both on a personal and societal level.
8. Develop programs and initiatives that prioritize the protection of vulnerable groups, including refugees, women, children, and marginalized communities. Islamic principles can guide efforts to ensure their safety, dignity, and well-being.
9. Encourage further research and scholarly discussions on the topic. Invest in academic research that explores the historical development, contemporary interpretations, and practical implications of the protection of human life in Islamic law.
10. Encourage Muslims to actively engage in civic activities and advocacy efforts that promote policies aligned with the principle of safeguarding human life. This can include participation in human rights organizations, community outreach, and policy advocacy.

By implementing these recommendations, we can strengthen the understanding and

application of the principle of protecting human life in Islamic law. This, in turn, can contribute to a more just, compassionate, and ethical society that upholds the fundamental value of human dignity and sanctity.

Results

1. The protection of human life is an integral and foundational principle in Islamic law. Rooted in the Quranic teachings and the Hadith, Islamic jurisprudence upholds the sanctity of human life and provides a comprehensive framework for its preservation. This principle influences various aspects of Islamic legal thought, from criminal law and warfare to medical ethics and individual rights. By emphasizing the value of each human life and promoting justice and compassion, Islamic law seeks to create a society that respects and safeguards the well-being of all its members.
2. There are many Guides in Holy Quran and the Prophetic hadith to keep our life.
3. The way to Protection of life in Islamic law: marriage, Eating, drinking, clothing and housing, It is forbidden to kill a Mu'ahid, No Retaliation or Punishment stipulated in the Quran on Pregnant, Forbidden fighting, Islam forbids the act of exceeding bounds, extravagance, transgression, keep of public health, forbidden suicide.
4. This research is very important for other countries to stop the killing and spread love and peace among people.