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## Hadīth and the Question of Human Rights: Revisiting Universal Norms in Islamic Sources

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## HADĪTH AND THE QUESTION OF HUMAN RIGHTS: REVISITING UNIVERSAL NORMS IN ISLAMIC SOURCES

Syed Hamid Farooq Bukhari,<sup>1</sup> Naseem Akhtar <sup>2</sup>

**Abstract:** This paper critically explores the intersection of Hadith literature and modern human rights discourse to reassess the universality of moral and legal norms in Islamic tradition. While contemporary human rights discourse often centres on the Qur'ān, the role of Prophetic Hadith remains underexplored. This research analyzes key ḥadīth on dignity, justice, freedom of conscience, gender equality, and protection of life and property through a contextual and thematic lens, drawing on classical commentaries and modern reformist interpretations. The study adopts a hermeneutical approach, combining textual interpretation with normative ethical theory to explore prophetic praxis (Sunnah) as a source of universal moral reasoning rather than cultural particularism. It seeks to bridge the perceived gap between Islamic tradition and international human rights discourse. A virtuous reading of Hadith, grounded in maqāṣid al-sharī'ah, offers a strong basis for developing an indigenous Islamic model of human rights aligned with universal values.

**Keywords:** Hadith and Human Rights, Islamic Jurisprudence, *Maqāṣid al-Sharī'ah*, Islamic Ethics, Human Dignity in Islam, Prophetic Teachings on Justice, Islamic Human Rights Norms.

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## INTRODUCTION

Throughout the last few decades, the international debate concerning the compatibility of Islam with human rights gained a great deal of attention, with interest not only from Muslim but also non-Muslim scholars. The majority of this discussion has been entered on the ethical and legal norms of the Qur'ān as possible sources for formulating universal human rights values like justice, equality, and human dignity.<sup>1</sup> The Qur'ān has been depicted as a charter text confirming fundamental rights like freedom of conscience,<sup>2</sup> equality of human beings,<sup>3</sup> and justice.<sup>4</sup> However, much less has been said about ḥadīth literature, although it carries normative weight in Islamic law and ethics.

Academic attempts to reconcile Islam with global human rights standards tend to either sidestep ḥadīth or consider them secondary, problematic, or incompatible with modern ethical frameworks. Certain interpretations of ḥadīth are excessively legalistic or framed within pre-modern contexts, leading to conclusions that seem to be in conflict with universal human rights values.<sup>5</sup> This marginalization of ḥadīth, whether through avoidance or strict traditionalism, leaves a major research lacuna. Since the words and deeds of the Prophet Muhammad (pbuh) have an in-depth impact on Islamic moral consciousness, re-examining the corpus of ḥadīth with new hermeneutical instruments is essential.

This research investigates the following overall research question:

How can ḥadīth be re-examined and reinterpreted to investigate universal human rights norms in the Islamic tradition?

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<sup>1</sup> Abdullahi An-Na'im, *Toward an Islamic Reformation: Civil Liberties, Human Rights, and International Law* (Syracuse, NY: Syracuse University Press, 1990); Mohammad Hashim Kamali, *The Dignity of Man: An Islamic Perspective* (Cambridge: Islamic Texts Society, 2002).

<sup>2</sup> Al-Qur'an 2:256.

<sup>3</sup> Al-Qur'an 49:13.

<sup>4</sup> Al-Qur'an 4:135.

<sup>5</sup> Jonathan A. C. Brown, *Hadith: Muhammad's Legacy in the Medieval and Modern World* (Oxford: Oneworld Publications, 2009); Khaled Abou El Fadl, *Islam and the Challenge of Democracy* (Princeton, NJ: Princeton University Press, 2005).

This question attempts to close the gap between Islamic ethical sources and contemporary human rights discourses by reading *ḥadīth* literature not just as legal or historical objects but as living moral texts.

The primary aims of the study are:

- • To bring into relief how individual *ḥadīth* affirm values like universal human rights of dignity, justice, and freedom of conscience.
- • To counter restrictive readings of *ḥadīth* that impede the construction of an Islamic human rights discourse.
- • To suggest a *maqāṣid al-sharīʿah* (higher objectives of Islamic law) focused model of *ḥadīth* interpretation with modern ethical application.
- • To enable meaningful exchange between Islamic legal-ethical traditions and international human rights norms.

The research design uses qualitative thematic contextual analysis of chosen *ḥadīth* through classical Islamic scholarship combined with modern reformist literature. The research approach consists of these three main elements:

1. Thematic Analysis: Identifying core themes in *ḥadīth* that pertain to human rights such as dignity, justice, equality, and freedom of conscience.
2. To distinguish between decisions made in a specific period and moral precepts that endure, the researcher uses contextual interpretation to analyse the socio-historical background of the Prophet Muhammad (PBUH).
3. The juristic interpretations hiding in the classical commentaries of *Fatḥ al-Bārī* (Ibn Ḥajar) and *Sharḥ Ṣaḥīḥ Muslim* (al-Nawawī) can be revealed.<sup>1</sup>

The research examines Islamic human rights by examining them through a comparative legal framework, which looks at both the Universal Declaration of Human Rights (UDHR, 1948)<sup>2</sup> together with the International Covenant on Civil and Political Rights (ICCPR, 1966).<sup>3</sup>

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<sup>1</sup> Yaḥyā ibn Sharaf Al-Nawawī, *Sharḥ Ṣaḥīḥ Muslim* (Beirut: Dār Iḥyāʾ al-Turāth al-ʿArabī, n.d.); Ibn Ḥajar al-ʿAsqalānī, *Fatḥ al-Bārī bi-Sharḥ Ṣaḥīḥ al-Bukhārī* (Cairo: Maktabat al-Kubrā, n.d.).

<sup>2</sup> United Nations, *Universal Declaration of Human Rights*, 1948.

<sup>3</sup> United Nations, *International Covenant on Civil and Political Rights*, 1966.

## HUMAN RIGHTS: UNIVERSALISM VS. CULTURAL RELATIVISM

The discourse on human rights continues to oscillate between two dominant paradigms: universalism and cultural relativism. Universalists argue for the application of globally standardized norms, such as those articulated in the Universal Declaration of Human Rights, irrespective of cultural, religious, or civilizational differences. In contrast, cultural relativists contend that moral and legal principles are culturally embedded and should be understood within the context of particular traditions and value systems.<sup>1</sup>

Within this tension, Islamic contributions to human rights often face accusations of deviation from global norms, especially when derived from sources such as the *Ḥadīth* corpus. However, Islamic scholars argue that Islamic law (*sharī'ah*) and ethics are not monolithic but accommodate normative principles that are compatible with human dignity, justice, and social equity.<sup>2</sup> This study situates its analysis at the intersection of these paradigms by revisiting *ḥadīth* as a source of universal values within an Islamic framework.

The *ḥadīth*, reports of the sayings, actions, and tacit approvals of the Prophet Muḥammad ﷺ, constitute a central pillar in Islamic normative structures, second only to the Qur'ān. Jurists (*fuqahā'*) and ethicists throughout Islamic history have used *ḥadīth* to extract rulings, construct ethical paradigms, and articulate civil obligations. Foundational works such as *Ṣaḥīḥ al-Bukhārī*, *Ṣaḥīḥ Muslim*, and their commentaries by scholars like Ibn Ḥajar al-'Asqalānī (*Fath al-Bārī*) and al-Nawawī have played a decisive role in shaping Islamic understandings of justice, mercy, equity, and accountability.<sup>3</sup>

However, the over-reliance on literalist or fragmented readings of *ḥadīth*, often devoid of their *maqāṣid* (higher purposes), has led to misinterpretations or selective

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<sup>1</sup> Jack Donnelly, *Universal Human Rights in Theory and Practice*, 2nd ed. (Ithaca, NY: Cornell University Press, 2003), 45.

<sup>2</sup> Mohammad Hashim Kamali, *The Dignity of Man: An Islamic Perspective* (Cambridge: Islamic Texts Society, 2002), 22.

<sup>3</sup> Ibn Ḥajar al-'Asqalānī, *Fath al-Bārī bi-Sharḥ Ṣaḥīḥ al-Bukhārī* (Cairo: Maktabat al-Kubrā, n.d.); Abdullahi Ahmed An-Na'im, *Islam and the Secular State: Negotiating the Future of Shari'a* (Cambridge, MA: Harvard University Press, 2008), 110–12.

application of these traditions about human rights. This study proposes a more holistic and purposive reading of *ḥadīth*, one that seeks to illuminate their ethical universality.<sup>1</sup>

This paper employs a multi-layered qualitative methodology, integrating classical Islamic scholarship with contemporary hermeneutics, as outlined below:

### ***Hermeneutical Reading of Ḥadīth***

The research adopts a hermeneutical approach that examines *ḥadīth* in light of their socio-historical context, semantic richness, and ethical intent. Drawing on the works of scholars such as Khaled Abou El Fadl (2005) and Mohammad Hashim Kamali (2002), this method resists reductive or decontextualized interpretations and instead seeks to recover the Prophetic intent (*maqṣūd al-nabī*) in light of overarching Islamic values. Hermeneutics allows for the dynamic interpretation of texts, balancing textual fidelity with moral intentionality, and remains essential for reconciling *ḥadīth*-based rulings with modern conceptions of rights, dignity, and justice.<sup>2</sup>

### ***Thematic Analysis of Human Rights-Related Ḥadīth***

A thematic analysis of selected *ḥadīth* is employed to explore their alignment with human rights principles. Key themes include:

Human dignity and sanctity of life e.g. “Do not harm yourself or others”.<sup>3</sup>

Equality (e.g., the Farewell Sermon),

Due process and justice e.g. “The burden of proof is on the claimant.”<sup>4</sup>

Religious freedom e.g. “Whoever harms a dhimmī has harmed me”.<sup>5</sup>

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<sup>1</sup> Al-Shāṭibī, *al-Muwāfaqāt fī Uṣūl al-Sharīʿa*, ed. ʿAbd Allāh Darrāz (Cairo: Dār al-Maʿārif, 2000).

<sup>2</sup> Khaled Abou El Fadl, *Islam and the Challenge of Democracy* (Princeton, NJ: Princeton University Press, 2005).

<sup>3</sup> Muḥamd ibn Yazīd ibn Mājāh, *Sunan* (Cairo: Dār al-Maʿārif, 2000), ḥadīth no. 2340.

<sup>4</sup> Muḥammad ibn Isā Al-Tirmidhī, *Sunan* (Cairo: Dār al-Maʿārif, 2000), ḥadīth no. 1341.

<sup>5</sup> Aḥmad ibn Ḥanbal, *Al-Musnad*, (Beirut: Dār al-Maʿārif, 2002), vol. 1, p. 403.

This analysis connects Prophetic teachings with normative values upheld in international human rights discourse.

The study foregrounds the *maqāṣid al-sharīʿah* framework, first systematically articulated by al-Juwaynī and later refined by al-Ghazālī, al-Shāṭibī, and contemporary scholars such as Jasser Auda. These higher objectives include the protection of religion (*dīn*), life (*nafs*), intellect (*ʿaql*), progeny (*nasl*), and wealth (*māl*), with additional proposals for incorporating dignity (*karāmah*), freedom (*ḥurriyyah*), and justice (*ʿadl*) as essential goals.

By reading ḥadīth through the lens of *maqāṣid*, the paper identifies ethical constants that transcend cultural and temporal specificities, offering a framework more conducive to universal values.

To ensure interpretive depth, the paper incorporates classical exegesis and commentary on the selected ḥadīth from sources such as:

- *Fath al-Bārī* by Ibn Ḥajar,
- *Sharḥ Ṣaḥīḥ Muslim* by al-Nawawī,
- *Nayl al-Awṭār* by al-Shawkānī.

Simultaneously, it draws on contemporary reformist scholarship, particularly works by scholars like:

- Khaled Abou El Fadl (on textual authoritarianism vs. moral reasoning),
- Mohammad Hashim Kamali (on dignity, justice, and *maqāṣid*),
- Abdullahi An-Naʿim (on Islamic reform and international law).

This dual engagement allows the study to be rooted in tradition while addressing the ethical concerns of modern human rights discourse.

## HUMAN DIGNITY AND EQUALITY IN HADITH

The ḥadīth corpus reflects a deep ethical concern for human dignity grounded in the universal origin of humanity. A foundational statement of the Prophet Muhammad (pbuh), recorded in Ṣaḥīḥ al-Bukhārī and Ṣaḥīḥ Muslim, proclaims:

"O people, your Lord is One and your father (Adam) is one. There is no superiority of an Arab over a non-Arab, or of a non-Arab over an Arab; nor of a white person over a black, or of a black over a white, except by taqwā (piety)."<sup>1</sup>

This ḥadīth powerfully affirms ontological equality among all human beings, which modern human rights discourses emphasize as the foundation of dignity.

Prophetic traditions consistently challenge entrenched tribalism, racism, and social hierarchy. The Prophet's farewell sermon (Khutbat al-Wadā') stands as a paradigmatic moment wherein he rearticulated the Qur'ānic ethic of equality<sup>2</sup> through Hadith discourse:

"No Arab has superiority over a non-Arab, nor a non-Arab over an Arab..."<sup>3</sup>

This statement not only universalizes the ethical principle of equality but also contextualizes human rights within Islamic epistemology. It reflects the Prophet's consistent messaging against tribal chauvinism (aşabiyyah), a notion echoed in modern critiques of racial and ethnic discrimination.<sup>4</sup>

The Prophet (pbuh) repeatedly stressed women's moral and spiritual equality. In a ḥadīth recorded in Sunan Abī Dāwūd and Ṣaḥīḥ al-Tirmidhī, he said:

"Women are the twin halves of men."<sup>5</sup>

This statement was revolutionary in a society that viewed women as inferior, and it laid the groundwork for legal and ethical egalitarianism.

The Prophet humanized and elevated the status of slaves in multiple Hadith. He instructed:

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<sup>1</sup> Aḥmad ibn Ḥanbal, *Musnad*, vol. 5, p. 411.

<sup>2</sup> Al-Qur'an 49:13.

<sup>3</sup> Aḥmad ibn Ḥanbal, *Musnad Aḥmad*, vol. 5, p. 411.

<sup>4</sup> Mohammad Hashim Kamali, *Shari'ah Law: An Introduction* (Oxford: Oneworld, 2008), 105–110.

<sup>5</sup> Abū Dāwūd Suleman ibn Ash'ath, *Sunan* (Al-Riyadh: Darusslam, 1999), ḥadīth no. 236; *al-Tirmidhī, Sunan*, ḥadīth no. 113.



*"They are your brothers, whom Allah has placed under your authority. So, feed them from what you eat and clothe them as you clothe yourself."*<sup>1</sup>

This ḥadīth reframes servitude not as a mark of inferiority, but as a trust (amānah) to be carried with justice and compassion.

The Prophet upheld the dignity of non-Muslims under Islamic governance. In a well-known Hadith:

*"Whoever kills a Mu'āhid (a non-Muslim under covenant) will not smell the fragrance of Paradise."*<sup>2</sup>

This demonstrates a normative ethic of protection and respect for human life, irrespective of religious affiliation.

Al-Nawawī (d. 676 AH), in his Sharḥ Ṣaḥīḥ Muslim, noted that the Hadith on equality in creation affirms the spiritual and moral equality of all humans. He emphasizes that the only criterion of merit is taqwā, which cannot be externally measured. Ibn Ḥajar al-ʿAsqalānī (d. 852 AH), in Faṭḥ al-Bārī, interprets the Hadith on slavery and brotherhood as a direct refutation of class hierarchies, calling for a radical reformation of social behavior based on prophetic ethics. Both scholars underscore that ḥadīth must be understood not only in legalistic terms but in their ethical and civilizational scope, a point often neglected in modern legalistic readings of Islam.

## JUSTICE, DUE PROCESS, AND LEGAL PROTECTION IN HADITH

Justice (ʿadl) stands as a central value in the Prophetic tradition, not merely as a legal principle but as an ethical imperative transcending time and context. The Hadith literature contains numerous instances where the Prophet Muhammad (pbuh) emphasized fairness and equitable treatment for all individuals, Muslim or non-Muslim, elite or marginalized<sup>3</sup> as follows;

<sup>1</sup> Muhammad ibn Ismail *al-Bukhārī*, *Al-Ṣaḥīḥ* (Al-Riyadh: Darusslam, 1999), ḥadīth no. 30; *Muslim ibn Hajjaj*, *Al-Ṣaḥīḥ* (Al-Riyadh: Darusslam, 2000), ḥadīth no. 1661.

<sup>2</sup> *Al-Bukhārī*, *Al-Ṣaḥīḥ*, ḥadīth no. 3166.

<sup>3</sup> Muhammad Hamidullah, *The First Written Constitution in the World* (Lahore: Sh. Muhammad Ashraf, 1975).

*One widely cited Hadith states: "Help your brother, whether he is an oppressor or oppressed. When asked how one could help an oppressor, the Prophet replied: "By restraining him from oppression."<sup>1</sup>*

This ḥadīth not only condemns injustice but also conceptualizes justice as an active social responsibility. It transforms the idea of justice into a moral obligation for all members of society.

The Prophetic tradition strictly forbids any form of torture or inhumane treatment. The Prophet warned against excessive punishment and emphasized the dignity of every human being, even in cases of criminal guilt; *"Verily, Allah will torture those who torture people in the world."*<sup>2</sup>

Similarly, collective punishment, punishing a group or family for the crime of one individual, is explicitly rejected. In several reported instances, the Prophet held individuals accountable based on evidence and never extended blame to tribes or communities.

False accusations, especially in sensitive matters like theft, adultery, or apostasy, were sternly condemned and subject to severe penalties unless proven with clear, corroborated testimony. The Prophet demanded the highest standards of evidence, ensuring that legal protection and individual dignity were not compromised.

The Prophetic approach to legal adjudication reveals a strong commitment to procedural fairness. The Prophet consistently upheld:

- Presumption of innocence: *"Had it not been for the fear of slander, I would have punished him."*<sup>3</sup>
- Demand for clear evidence: *"The burden of proof is on the claimant, and the oath is on the one who denies."*<sup>4</sup>

Avoidance of judicial error:

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<sup>1</sup> Al-Bukhārī, *Al-Ṣaḥīḥ*, ḥadīth no. 6952; Muslim ibn Hajjaj, *Al-Ṣaḥīḥ*, ḥadīth no. 2584.

<sup>2</sup> Muslim ibn Hajjaj, *Al-Ṣaḥīḥ*, ḥadīth no. 2613.

<sup>3</sup> Ibn Mājah, *Al-Sunan*, ḥadīth no. 2595.

<sup>4</sup> Al-Tirmidhī, *Al-Sunan*, ḥadīth no. 1341.

*"If two disputing parties sit before me, and one is more eloquent... I give judgment based on what I hear, but if I err, it is part of Hellfire..."<sup>1</sup>*

These principles mirror many provisions found in contemporary international human rights law concerning fair trial standards and legal safeguards.

The ḥadīth-based notions of justice and due process resonate with modern human rights instruments such as:

- Article 10 of the Universal Declaration of Human Rights (UDHR, 1948): Right to a fair and public hearing.
- Article 14 of the International Covenant on Civil and Political Rights (ICCPR, 1966): Right to be presumed innocent, right to legal counsel, and protection against self-incrimination.

By revisiting Hadith through a contemporary human rights lens, scholars and practitioners can explore areas of convergence and ethical reinforcement between Islamic legal-ethical thought and global normative frameworks.<sup>2</sup> This not only dispels misconceptions about Islamic law but also allows for the integration of prophetic values into modern rights discourse.

## FREEDOM OF CONSCIENCE AND RELIGION IN ḤADĪTH

The ḥadīth tradition, when placed in its juridical and historical context, is robust testimony to the Prophet Muḥammad's endorsement of religious pluralism, concordance of coexistence, and safeguarding of minority rights. These values are manifested in his relations with non-Muslim communities, particularly during the Medinan period, and are bolstered by formal covenants and treaties of mutual independence and freedom of religion. The Prophet's treaties with Jews, Christians, and polytheist tribes all necessarily granted them freedom of religion and self-governance. The Constitution of Medina (Ṣaḥīfat al-Madīna) is the earliest known written treaty that promised religious liberty and communal autonomy. Clause 25 of the document reads: *"To the Jews their religion and*

<sup>1</sup> *Al-Bukhārī, Al-Saḥīḥ*, ḥadīth no. 6967.

<sup>2</sup> Jonathan A. C. Brown, *Hadith: Muhammad's Legacy in the Medieval and Modern World* (Oxford: Oneworld Publications, 2009).

to the Muslims their religion," asserting a legal pluralism that went beyond tolerance into institutional protection.<sup>1</sup>

Other ḥadīths support this universal policy. As stated in a reported ḥadīth of the Prophet: "Whoever kills a mu'āḥad (non-Muslim under Muslim protection) will not smell the fragrance of Paradise..." This ḥadīth not only declares the sanctity of minority life in Islamic law but also establishes a scheme of deterrence by eschatological accountability. In another narration: "Whoever oppresses a dhimmī, or overburdens him beyond his means, or seizes something from him against his will, I will be his opponent on the Day of Judgment." This announcement places the Prophet himself as the moral advocate of religious minorities in the Hereafter, reiterating the seriousness of abusing their rights.<sup>2</sup>

One of the most controversial ḥadīths is the report: "Whoever changes his religion, kill him."<sup>3</sup> Classical jurists understood this in a legal-political context where apostasy (ridda) was usually linked to political treason or sedition, not a change of belief. Mālikī jurist Ibn 'Abd al-Barr (d. 463/1071) and others explained that the ḥadīth was meant to be applied in situations where apostasy was accompanied by enmity or betrayal of the Muslim community. Modern scholars such as Muhammad Abu Zahra and Yusuf al-Qaradawi have reaffirmed that capital punishment for apostasy is not automatic and must be seen through the prism of harm to public order (if applicable), not belief alone.<sup>4</sup>

Modern juristic thinking, particularly in maqāṣid al-sharī'a systems, emphasizes human dignity (karāma), freedom of conscience (ḥurriyat al-'aqīda), and the Quranic

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<sup>1</sup> Muhammad Hamidullah, *The First Written Constitution in the World* (Lahore: Sh. Muhammad Ashraf, 1975).

<sup>2</sup> Muhammad Abu Zahra, *Uṣūl al-Fiqh* (Cairo: Dār al-Fikr al-'Arabī, 1958); Yusuf al-Qaradawi, *Fī Fiqh al-Dawlah fī al-Islām* (Cairo: Maktabat Wahbah, 1997); Mohammad Hashim Kamali, *The Dignity of Man: An Islamic Perspective* (Cambridge: Islamic Texts Society, 2002).

<sup>3</sup> *Al-Bukhārī, Al-Sahīḥ*, ḥadīth no. 3017.

<sup>4</sup> Fazlur Rahman, *Islam and Modernity: Transformation of an Intellectual Tradition* (Chicago: University of Chicago Press, 1982), 5–6; Tariq Ramadan, *Radical Reform: Islamic Ethics and Liberation* (Oxford: Oxford University Press, 2009), 152–158.

statement “*There is no compulsion in religion*”<sup>1</sup> as guiding principles above isolated ḥadīth readings.

The Prophet's practice of religious coexistence is similar to Article 18 of the Universal Declaration of Human Rights (UDHR) and Article 18 of the International Covenant on Civil and Political Rights (ICCPR), which both enshrine the freedom of thought, conscience, and religion. The Prophet's Medina polity as a pluralistic one is an earlier pre-modern historical model for a state based on religion that protects religious minorities, a fact increasingly accepted in comparative legal scholarship.<sup>2</sup>

By situating the ḥadīth literature within its socio-political context and interpreting it through an integral jurisprudential lens, one finds a rich synthesis between Prophetic practice and modern concepts of religious freedom and civil liberty.<sup>3</sup>

## REASSESSING THE NORMATIVE ROLE OF ḤADĪTH IN HUMAN RIGHTS DISCOURSE

The position of ḥadīth in the broader discourse of human rights, both in Islamic and secular contexts, has been increasingly criticized. Critics from within and outside the Muslim world have questioned the compatibility of certain ḥadīths with contemporary human rights norms. Yet this conflict is not inevitable; it must be reinterpreted based on the Shari‘ah's ethical objectives (maqāṣid) and contextualized understanding of the socio-historical nature of the Prophetic tradition.

Western criticisms against ḥadīth are generally anchored on grievances relating to gender equity, religious tolerance, and punishment by floggings. Western criticisms are also typically founded upon interpretations of ḥadīths used to justify apostasy laws, stoning, or discriminatory attitudes towards women under testimony or inheritance. Muslim reformist thinkers, such as Fazlur Rahman and Mohammad Hashim Kamali, have argued that such analyses overlook the difference between juridical opinions

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<sup>1</sup> Qur’ān 2:256.

<sup>2</sup> Hamidullah, Muhammad. *The First Written Constitution in the World*. Lahore: Sh. Muhammad Ashraf, 1975.

<sup>3</sup> Jonathan A. C. Brown, *Hadith: Muhammad's Legacy in the Medieval and Modern World* (Oxford: One world Publications, 2009).

tailored to a given period and timeless moral principles enshrined within the Prophetic Sunnah. From the Muslim perspective, criticism is often generated by scholars perceiving a literalism of adherence to individual ḥadīths, especially when these contradict the general values of the Qur'ān of justice, compassion, and dignity. Rahman's conception of a "double movement" method, from the abstract moral precept to the concrete historical situation and then again in reverse, back to fresh circumstances, has formed the centrepiece for this reappraisal.

A maqāṣid-oriented hermeneutic, focusing on the superior purposes of Islamic law, i.e., the safeguarding of life, intellect, religion, progeny, and property (al-ḍarūriyyāt al-khams), provides a constructive model for reconsidering ḥadīth about modern ethical needs. It places ḥadīth not as much as prescriptive norms but as moral indicators that need to be interpreted concerning purpose and intent.<sup>1</sup>

For example, ḥudūd punishments mentioned in ḥadīth (e.g., amputation for theft) can be reinterpreted as maximum penalties in a particular socio-economic situation, not mandatory commands for all eternity. Contemporary Muslim jurists have made the case for suspending or reinterpreting such ḥudūd in modern contexts where their implementation might contravene the maqāṣid of justice or dignity.

In order to resolve apparent contradictions between ḥadīth and human rights, it is necessary to distinguish between historically specific choices and ethical universals. Values such as 'adl (justice), raḥma (compassion), and ḥurriya (freedom) are examples of ethical universals that are consistently reaffirmed in the Qur'ān and exemplified in the Prophetic Sunnah. On the other hand, decisions about slavery, polygyny, or punishment typically reflected socio-political norms in seventh-century Arabia rather than fundamental divine requirements.<sup>2</sup>

This distinction stems from the early Islamic legal theory (uṣūl al-fiqh), where writers like al-Shāṭibī (d. 790/1388) emphasised that the Shari'ah had been sent down to accomplish human good (taḥqīq al-maṣlaḥa) and to prevent harm (daf' al-mafsada).

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<sup>1</sup> Jasser Auda, *Maqasid al-Shariah as Philosophy of Islamic Law: A Systems Approach* (Herndon, VA: International Institute of Islamic Thought, 2008).

<sup>2</sup> Jack Donnelly, *Universal Human Rights in Theory and Practice*, 2nd ed. (Ithaca, NY: Cornell University Press, 2003).

Therefore, any ḥadīth that seems to go against these goals must be interpreted within its context rather than being taken as a firm legal principle.<sup>1</sup>

In turn, progressive thinkers and modern fatwa councils have adopted a more dynamic stance. By reinterpreting earlier ḥadīths against maqāṣid principles and contemporary contexts, Dār al-Iftā' al-Miṣriyyah, for example, has issued rulings that support gender equity in leadership roles and forbid forced marriage.<sup>2</sup>

Similarly, the International Union of Muslim Scholars (IUMS) has released declarations affirming freedom of conscience and rejecting the mechanical application of apostasy norms. In the Muslim world, reformist movements like the Wasatiyya School in Malaysia and Nahda in Tunisia advocate a return to the moral core of the Sunnah rather than literalism. These movements place a strong emphasis on the growth of a living ḥadīth tradition, one that evolves with moral reflection and intellectual activity rather than stagnating.

## CONCLUSION

In this section, we will summarize the findings and key insights derived from the earlier discussions on the role of Hadith in the discourse on human rights. The main points of focus are:

- It is evident from the analysis of Hadith that the Prophet Muhammad's teachings strongly emphasise justice, mercy, and human dignity, values that are in line with core human rights principles. The right to self-determination, honour, property, and life are all upheld by hadiths. Additionally, hadiths support social justice and the elimination of exploitation and oppression.
- Hadiths on treaties, religious minorities, and peaceful coexistence imply that there is a strong stance in favour of tolerance, pluralism, and the protection of religious freedom. International human rights standards, particularly those about freedom of belief and expression, can be contrasted with the Prophet's practice in Medina

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<sup>1</sup> Ann Elizabeth Mayer, *Islam and Human Rights: Tradition and Politics* (Boulder, CO: Westview Press, 2013).

<sup>2</sup> Abdullahi An-Na'im, *Toward an Islamic Reformation: Civil Liberties, Human Rights, and International Law* (Syracuse, NY: Syracuse University Press, 1990).



and his covenants with various groups, which highlight the value of maintaining peaceful coexistence and showing respect for differing beliefs.

- Justice and Due Process: The Hadiths on justice place a strong emphasis on due process, which includes prohibitions against false accusations, collective punishment, and torture. In line with contemporary international human rights treaties like the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR), these teachings emphasise justice in the legal system.
- The exploration of criticisms of Hadith by contemporary scholarship and intellectual reform campaigns testifies to the necessity for a maqāsid (greater objectives) founded approach. The maqāsid approach makes room for a fluid reinterpretation of Hadith as circumstances in the social, political, and legal realms change and adapt, keeping it universally ethical. Contribution to Hadith and Human Rights Scholarship
- This study enhances the conversation between Islamic tradition, specifically Hadith, and human rights discourse today. Through analyzing the moral pillars in Hadith and comparing them with human rights today, this paper adds sophistication to understanding Islamic jurisprudence's capability in making global conversations on human dignity and justice more meaningful.
- The conclusion again emphasizes that Hadith, when interpreted within a maqāsid-based framework, can be a dynamic source of universal moral reasoning. Far from being fixed or confined to the past, the Hadiths have yielded useful ethical lessons that transcend space and time. Such flexibility is necessary for answers to contemporary global issues regarding human dignity, justice, and freedom.
- Hadith offer a strong framework for addressing concerns like the right to justice, freedom of conscience, and the protection of marginalised groups when viewed in light of their larger moral goals. This essay demonstrates that Hadith cannot be regarded as a legalistic tradition in the strict sense, but rather as an ethical source of guidance that can influence and add to global human rights discourse in a manner that respects both universal human dignity and Islamic principles.



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