

Historical Development of Islam and Human Rights

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Abstract:

In our days, the human rights law, which is an important part and indicator of interstate relations and international law, has an ancient history. The beginning of this history goes back to the formation of tribes-tribes before the state. In those ancient times, when private property and exploitation still existed, as a result of the division of society into classes, first property equality and then legal equality disappeared. Like other human rights, the right to live has become a problem.

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INTRODUCTION

Thus, in the first slave states, people were divided into free people and inhuman tribes, during the periods of continuous wars and armed conflicts, the right to life of people did not bother anyone. During the trials, entire tribes were destroyed, the population of cities was captured and sold into serfdom. Even a thinker of the ancient world, like Aristotle, earned the right to slavery, he wrote in his book "Politics" that slavery is a natural thing, because nature has given barbarians a strong body and a weak mind, they are only capable of physical development. Therefore, barbarians should be turned into strong power." Aristotle also from the economic point of view. He was trying to win the flower. "If the weavers knitted their faces, the architects didn't need workers, and the women didn't feel the need for work, then there wouldn't be any prosperity" (Myammyadov, Sh. 2020).

DISPOSITION

However, research also shows that in those ancient times certain conditions were observed in inter-tribal military conflicts and state-led wars. Humane rules and principles were followed in matters such as observing the time of the meetings, attending to visits, caring for the injured and sick workers. In a number of cases, heads of state and generals showed examples of humanism and civility during the war. The Iranian rulers I Dara, the Macedonian Iseyandar, the Indian rulers Ashoka, the Roman

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general Sisipion, Hazrat Ali and others set bright examples of their kindness towards prisoners and wounded warriors. In modern Babylonian rulers Shammurapi's court, in modern India, the famous "Laws of Manu" were discussed about human rights. Shammurabi directly shouted at the beginning of his speech that "I put these laws so that the strong dare to hurt the weak." (Chrestomatiya, 1950).

In the culture of ancient Egypt, a number of abstract ideas about human care attract attention. It was recommended in the admonition called "Seven acts of pure compassion" that "it is necessary to feed the pilgrim, drink the thirsty, clothe the pilgrim, give the traveler a place to sleep, free the prisoner, treat the sick, and bury the dead". It was recommended in a letter of the 7th millennium that "Eat one's enemy, even if there is an enemy, I will not harm him" (Jean Picté, 2000).

The "monstrous codes" that came into force in Europe call for compassion and kindness towards women and children, the wounded and the sick during wars.

In these, the rules and principles of issues such as the announcement of musharib, the inviolability of ambassadors traveling with the white flag, and the banning of a number of types of slush were explained. Honesty, kindness and compassion were considered the highest genial qualities, and betraying them was considered a great shame.

In the Middle Ages, human rights are owed to Islam for the just solution of many issues. The Prophet of Islam declared in his teachings that people are equal regardless of their origin and class. "There is no better place for an animal than a wild animal without an animal, and an animal with a surface. Because all people are Adam's sons" (Myashammad, 1993).

Although the Prophet of Islam did not forbid slavery, he recommended to be kind to them: "Feed them from your food and clothe them from your clothes... They are also the flowers of God and they deserve bad treatment" (Myashammad, 1993).

In Islam, the issue of human rights was also discussed in the 47-article written document called "Constitution of Madinah" in our period. Article 47 of this document states that "those who participate in trials are considered to be protected as a peaceful population" (A. Mustafazadya, N. Zhyafyarli, 2017).

Even though the humanist rules provided in the Qur'an did not apply to infidels, Islam considered Jihad as a just war, and even in this era it was assumed to follow the rules of shelter and hospitality. Jihad was carried out in accordance with the ethics of murder. For example, in 1280, the group named "Vigayat" organized in the Emirate of Cardova in Spain, the rules of conducting muchariba were discussed. According to historical sources, the collection was compiled by Yalayaddin Yabu Byakr bin Masud yal Kashani, one of the famous leaders of the Cordova caliphate of that period. According to other sources, the collection was compiled by his son-in-law Yahmad ibn Yab-dhrashim on the basis of Kashani's book "Vigayatur Riwaye fi Masaili-Khidaya". Kliyat is based on the principles of the Hanafi school of Muslim law. In Yarab, it means "care", "protection" or "avoidance of danger", which corresponds to its text. The main goal of Asarin's writing was to explain Sharia laws in a concise form, in an easy-to-understand manner, for veterans and law students.

"During the trials there, women, children, girls, ambassadors, sick people were forbidden to be kidnapped, harmed to the disabled, poisoned water and rivers" (Jean Picté, 2000).

In the contracts signed by the Yarb al-Aqabi caliphs with the Byzantine emperors, it was intended to create conditions for the purchase of captives.

However, in the Middle Ages, the Crusaders, Christians of the Catholic Church, with their freedom from all responsibilities, paved the way for unprecedented atrocities. As Western thinkers and historians have admitted, the Crusaders sowed a seed of hatred between Western and Eastern civilizations, which is still evident today. However, in 1099, when the crusaders captured Jerusalem, they destroyed all the greenery. The witnesses of the incidents indicate that so many Muslims were killed in the ancient Solomon's Temple that the corpses were left in the blood stream. The events of the inquisition and the first colonial wars that shook the Western world in Ardynja led to great problems in the field of human rights.

On the contrary, almost a century later, when the rulers of Egypt, Selahjaddin Yaqubi, entered Jerusalem, he did not kill a single resident, and his servants did not treat anyone cruelly. The officers specially appointed by the governors were monitoring so that the Christian population would not be harmed. After the battles, Selahjaddin freed the rich captives with money, and the poor freed them without money. Selahjaddin gave permission to the doctors of the crusader army to come and treat his compatriots, and then they were free to return to their camp. At the same time, Selahjaddin sent his personal physician to the camp of Aslanrakli Riad, the leader of the crusaders, to treat him. However, this brutal king, as he later admitted, killed 2,700 people, including women and children, who survived the defenders of Sen Khan and Akran (Jean Picté, 2000).

In the new historical period, the right to life, which is one of the fundamental rights of people, as well as other civil rights, was established for the first time in official bourgeois constitutions. In the "Bill of Rights" added to the US constitution in 1791, as well as in the French constitution adopted that year, human rights were comprehensively developed at the level of other constitutions and national conventions (for example, the Libertarian Convention in the USA). Unfortunately, the human rights code was violated during Napoleon's invasion and the Crimean war, as well as during the French-Italian war.

Humanitarian law began to form. In the documents of the famous Geneva Conference of 1864 and other international agreements up to the end, the humanitarian law field of human rights was always in the center of attention. (Garibli, I. 2025).

In 1949, the concept of international humanitarian law was brought to the legal literature by Professor Jean Picté. After the Second World War, modern humanitarian law was formed based on the four Geneva Conventions on humanitarian law and the protocols added to them in 1977, as well as other similar conference resolutions and documents, as a result of the efforts of democratic forces and progressive humanity as a whole. In this historical process, the United Nations International Conference on Human Rights held in Tehran in May 1968 should be especially noted. The 23rd

resolution on human rights adopted at the conference "Respect for human rights during armed conflicts" was particularly important. (Garibli, I. 2025).

However, despite all this historical experience and millennial efforts, human rights and international humanitarian law, which is an important part of it, are not respected everywhere at all times. In our modern world, a number of international powers, imperialist circles, various funds, media organizations, and non-governmental organizations financed by them use human rights for their own interests. Other than human rights, they are used for the purpose of interfering in the internal affairs of states, disrupting the stability of individual countries, and instigating "revolutions". In the United States, the "Soros Foundation", the USAID organization, the "Council Foundation" in Europe, and hundreds of other such organizations do not protect human rights, but the political interests of the powers that finance them. Based on numerous facts and global events happening today, we can say that the balance of power in the world has changed, and international law doesn't work. In politics, in interstate relations, in the field of human rights, as well as in the field of human rights, there is a difference in approach to issues, in other words, the policy of double standards rules. For example, when certain events started in Eastern Europe, the collective West unanimously took a position next to Ukraine, and in the South Caucasus, because of the policy of open aggression and deportation, no one built Armenia for nearly 30 years. Similarly, during the well-known events in Libya, the West stopped using its forces for two hours, and no one could stop Armenia's large-scale invasions. (Karimli, N., & Ozturk, A. 2025).

The French government, which applies a ruthless colonial rule typical of the Middle Ages in the overseas territories, and the politicians of the Russian Federation, which has a policy of aggression and threats against the former Soviet republics, which are now independent and sovereign states, encourage wars and conflicts instead of peace. Racism and fascism are being revived in many states that have been cloaked in "democracy" and "human rights", and human and civil rights are being violated based on ethnic, religious and political affiliation. However, not all people can benefit from "human rights". Because in international relations and in domestic politics, the right is very hard to win and the policy of violence is put to the same plan. (Atilla Öztürk, Ismayil Garibli, 2025).

Despite all the difficulties and pressures, in our day Islam peace, harmony and reciprocal help remain a religion. The actions of various extremist and terrorist groups are carried out by Muslim states and regional organizations in the struggle for the implementation of international humanitarian law. (Öztürk, A. 2024).

CONCLUSION

The Republic of Azerbaijan is an integral part of the Islamic World, as it was historically. After restoring the independence of Hundred States, our mutual relations with other Muslim countries are improving, our relations are developing at a new level.

All the "Islamophobic", national and religious separatist efforts of the hypocritical Western circles only lead to extremism, violence and terror. This is quite dangerous. Because, as the well-known French scientist and Orientalist Henri Massey said, "It would take too much courage to make a claim

that the voice of the mystical whispering will never be heard from the eternal depths of Islam, because there is an eternal law of influence and counter-effect in the world" (Henr. M,1991).

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