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**The Compatibility between International Human Rights and Islamic Law (Shari'a):
A Comparative Analysis**

Ahsan Aman Khan

Advocate High Court, LLM Scholar, University of Hull, United Kingdom

ahsan8195@gmail.com

Abstract

This paper seeks to establish the relationship between and between universal human rights and Islamic law (Shari'a) for comparison purposes. Laying interest on the main subject human rights when it comes to religion, women's rights, freedom of speech and the right to life, the study explores how these rights are addressed in Islamic law and areas of inconsistency with the Universal Declaration of Human Rights (UDHR). The study evaluates the likelihood of possible solutions to the integration of Shari'ah with international human right laws, with reference to the reinterpretation of the law, legal reform, and international organizations. The objective is to provide some suggestions over how the gap between Shari'a and global human rights can be closed.

Keywords: Universal Human Rights, Islamic Law (Shari'a), Women's Rights, Freedom of Speech Legal Reform

Introduction

As will be seen in this paper, there has been constant discussions concerning the compatibility or jurisprudential discord of Universal Human Rights and the Islamic law that is the Shari'a. Most formal accommodation of human rights worldwide is grounded on the Universal Declaration of Human Rights print by United Nations in 1948, seeking to establish independence, equality, and respect of the individual. Nevertheless, use in multicultural and multifaith as well as Mult jurisprudential settings has spurred debates particularly in the Islamic world where the Shari'a legal Expertise has major influence in the political and legal systems. Islam as a religion, has its own tenets vis a vis human dignity, rights and social justice as seen from the Qur'an, Hadith and the years of Sharia law but certain aspects are different from the principles of contemporary IHRL (United Nations, 1948).

This thesis will seek to critically analyse these compatibility questions within a broad framework of major human rights, including religion, gender, speech, and death. The intended research will first evaluate the fundamental rights provided by the Islamic legal principles and examine the conflict zones with the UDHR. It will also determine whether there is an opportunity for differentiation within Islamic law to resolve these contradictions and what role can academic talks between countries regarding to Islamic Shari'a and the norms of Human rights play (Abdullahi, 2008). It is against this background that this work is aimed at undertaking a comparative analysis in order to highlight the prospects and challenges of applying human rights and Islamic law (Mashood, 2003).

Thesis Statement

This paper seeks to look at how the Islamic law known as Shari'a relates to everyone's fundamental rights. Divots This research seeks to analyze the convergence and divergence of the two frameworks with a special reference to how Islamic law treats human rights and whether it is possible to assimilate principles of the Universal Declaration of Human Rights (UDHR). Even though the Islamic law hereby listed has its civil and political rights and freedoms corresponding to the fundamental human rights of dignity, liberty, and equality Islamic Shari'a law differs with the international human rights system to some extent especially in the issues of

gender, religious freedom, freedom of speech, and decimal issues. These are the areas that will be evaluated in the study also in relation to assessing how these two narratives can be integrated into the modern legal systems.

Research Objectives

In order to gain a philosophical understanding of UDHR and to assess how the principles of Islamic law regard the principles and meanings of universal human rights.

- To analyze important domains of human rights (as the right for liberty of creed and worship, gender equality, the right to freedom of speech and the right to life) and how they are realized within Islamic law.
- Mahoney's method aims at selecting and comparing the processes of clash and accommodation between Islamic law and universal human rights, emphasis is made on the conflict between religious tradition and secular human rights to determine possible tensions.
- In order to analyse if it is possible, or even desirable, to harmonise Islamic law with international human rights, there must be Preliminary Steps taken, such as the Interpretation of the Islamic law, the Reform of the Islamic law and the International Cooperation regarding Islamic law.

In order to offer advice as to how these countries can bring their laws into conformity with international human rights standards but at the same time respect Islamic law.

Scope of the Study

This study will focus on a comparative analysis of the Universal Declaration of Human Rights (UDHR) and Islamic law, particularly examining how Islamic law addresses fundamental human rights issues such as:

- Religious liberties: freedom of worship, rights of people of other faiths, and the questions of turning from one faith to another and insulting religion.
- Women rights in the aspects of marriage, inheritance and in political and economical leadership.
- Speech liberties – how free people can be to speak their minds, especially where Islamic law is taken into consideration with relation to blasphemy and political dissent?
- Life and liberty, and criminal procedure, especially regarding the use of the death penalty and hudud (specific) punishments arising out of the Islamic Shari'ah.

The study will also examine various regional human rights instruments including Cairo declaration of Human Rights in Islam, examine how countries applying Islamic criminal law that incorporates Shari'a law can align both the national and regional laws with international human rights instruments. They will be confined to the assumptions of modern Islamic law and modern human rights instruments with emphasis on countries that practice Sunni jurisprudence; however, occasional comparisons with Shia law will be made.

Research Questions

1. How do the core principles of universal human rights, as outlined in the UDHR, align with or conflict with the rights and duties prescribed in Islamic law, particularly in relation to freedom of religion, gender equality, and freedom of expression?
2. What are the main areas of tension between Islamic law and universal human rights, and to what extent can these conflicts be addressed through reinterpretation, reform, or adaptation within Islamic jurisprudence?
3. How can Islamic-majority countries reconcile their legal systems, which are influenced by Shari'a law, with international human rights standards, and what role do international bodies play in this process?

Theoretical Foundations of International Human Rights and Islamic Law

International Human Rights Law: Origins and Principles

IHRL can be said to have evolved after the Second World War with UN adoption of the UDHR in 1948. This document even though was not legally binding, it has formed the modern language of human rights providing the vocabulary that needs to be used when talking about individual and collective rights of people regardless of their nationality, ethnic or religious background. It focused on principles like dignity, equality, and nondiscrimination, and were a shift from the prior state toward a recognition of individual's rights around the world (United Nations, 1948). In its subsequent evolution IHRL developed several binding treaties that are part of international law such as the International Covenant on Civil and Political Rights (ICCPR) adopted in 1966 by the UN General Assembly, as well as the International Covenant on Economic, Social and Cultural Rights (ICESCR). These instruments broadened the measures of human rights and operated for civil, political and economic liberties. The United Nations has also formed other organ, such as the United Nations Human Right Council to oversee the compliance to these conventions and promotion of human rights in member countries (ICCPR, 1966).

Fundamental to contemporary IHRL there are significant principles such as equality, non- discrimination, and individual rights. Equal protection principle means that everyone, irrespective of his or her colour, gender or other status deserves equal protection of the law. Non-discrimination bars states from developing laws or policies that place some categories of the community in unsuitable positions. Civil liberties such as the right to live, speak and vote are protected as essential rights on the international law. The rights to these are anchored on the principle that every human being has worth and that they need these rights to lead proper lives (ICESCR. 1966).

Islamic Law: Origins and Core Principles

Shari'ah is the law of Islam and is based primarily on the Quran, Hadith, or the Sunnah (what the Prophet Muhammad said and did and Other Islamic legal sources. Couched as it is within the craft knowledge of Islamic jurisprudence, fiqh has evolved over centuries, but its principle premises lie in the conjunction between law

and ethics. The objective of Islamic jurisprudence is to make every effort through the establishment of justice and the realization of human obligation by the identification of rights as well as the responsibilities of people.

Islamic Shari'ah which is the foremost and key source of law contains several guidelines of actual worldly Islamic standards of ethical social and legal nature. Hadith extends the theoretical description of these principles through a practical example in the life of the Prophet Muhammad. Besides these principal sources, the jurists have consulted the consensus and reasoning with reference to similar case (Raphall, 2001).

Shariah maintains several moral and standard theories of conduct essential in the relationship between rights and responsibilities. For example, it deals with justice (adl), social justice and God's equality and the duty of providing for the needy. It also presupposes some rights which cannot be taken away, namely the right to life, property and personal freedom. The obligation of zakat means giving alms, charity or tithe and is at the heart of Islamic social morality and the concept of welfare and the elimination of poverty.

It may be stated that the contemplation of rights in relation with Islamic law is predominantly focused at the preservation of specific public morality and social order. The rights of people are weighed against the rights of the global community (ummah), and this perspective of rights determines the approach of taking rights in the shariah law. For instance, though individuals are given large amount of liberty, their freedom is not absolute; they cannot do as they please because Shari'ah law will always contain the virtues and ethically acceptable way, in which one can conduct oneself (Kamali 2003).

Divergence and convergence in fundamental concepts

IHRL and Islamic law have their philosophies of human rights distinct from each other in many ways, but there are similarities as well. One of the distinctions can be observed with regard to the provenance of human rights. By definition in IHRL, human rights are considered as inalienable rights of every person by reason of birth, anchored on secularism and liberalism. These rights are in general, still considerably liberal, insisting on the priority of freedom and the noninterference of state power.

On the other hand Islamic law posts rights as assigned by God, implying that the responsibility or power to define or protect rights lies in the hands of God. As for the individual rights, it is also important to mention that although they are recognized in Islam, they are conceived in some measure as derived from duties of the society and the Divine authority. Therefore there is tendency for Islamic law to restrict some individual freedoms which it considers anti-religious and anti-society. For instance freedom of speech may not be recognized in Islamic law whenever speech is regarded as being obscene or likely incite social disorder (Khokhar, 2006).

Still, there are some intersections between the two systems, as will now be described. IHRL, in addition to recognizing the Sanctity of the person as well as the Principle of justice so does Islamic law. Both systems also embrace human rights and

in particular the right to life. In addition, both support human rights of distinct communities especially women, children and minorities but this may involve a degree of variation with regard to cultural and religious practices.

IHRL may stand for eventual convergence with Islamic law with justice, equality, and human dignity as the positive ethical norms of reference. Thus there are examples in practice, where Islamic states have introduced some fragments to the IHRL into their legal systems, for instance, having ratified the Convention on the Elimination of All Forms of Discrimination Against Women while preserving the Islamic legalized fundamentals. So it is imperative that further dialogues between the two systems may advance the understanding of the differences them that hinders from Islamic law to secular human rights outlook and towards a better harmonization of the two frameworks aimed at protecting the individual rights.

Comparative Analysis of Human Rights in International Law and Islamic Law

Understanding Rights: Individual vs. Collective Approaches

A comparative analysis of the manner that rights have been framed within the International Human Rights (IHR) law and Islamic law clearly embodies differences in the degree of individual freedom and collective responsibility. IHR law based on the international conventions, such as the Universal Declaration of Human Rights (UDHR), has placed significance on person's freedom and self-governance and makes individuals as the primary rights holders. These rights are commonly known as individual and human right irrespective of culture or religion and enshrined principles include; Dignity, Liberty and Equality (United Nations, 1948).

Whereas, although Islamic law recognizes individuals' right, it imposes on them a remarkable degree of responsibility for communities and families. In Sharia, the rights are always associated with duties in the family unit and in the overall society. It is given in the context of order where the rights of the individual are protected together with the good order of society (ummah). The family rights reciprocity along with the state obligations and the concept of welfare are the constitutional features of the Islamic law while emphasizing individual rights puts them in the perspective of a legal ethic and a religion.

Key Rights and Freedoms

Right to life and protection

Occasionally the violation of this right is due to the Penal Code which negates the protections provided by the Constitution by punishing acts of completed by women and girls that occur in the health sector Occasionally the violation of this right is as a result of the Penal Code which removes the constitutional protection by criminalizing acts of complete by women and girls that happen in the health sector. Protection of life is a right postured by both the international law and the Islamic law of nations. Under the UDHR protection of right to life is contained in article 3 of the charter which provides that every one has a right to life, liberty and security of person. This principle can also be seen in other instruments for example the International Covenant on Civil and Political Rights (ICCPR) which recognises the right to life in article 6 which guarantees that everyone's right to life shall be

protected and that nobody shall be deprived of his or her life arbitrarily (ICCPR, 1966).¹

In Islamic law, the sanctity of life is also highly regarded, with the Quran emphasizing the inviolability of life (Quran, Surah Al-Isra, 17:33). Islam prohibits the unlawful shedding of human blood, and the state may legally use force only for offenses such as murder, apostasy or more broadly-public order offenses, albeit with some stringent preconditions legal and procedural. But, again, both systems qualify the right to life, especially where societal or religious values are considered to be involved (The Holy Quran, 17:33).

Freedom of Religion and Belief

The other principle that the international law and the Islamic law have a major difference on is freedom of worship. Within IHR law Article 18 of the UDHR and Article 18 of the ICCPR offer the right to convert, to practice, or to none, a religion or belief. This can be seen as a severe interpretation of religious freedom, that implies that people are allowed to pick, modify or even leave their faith.

On the other hand, Islamic law in general did not assign religious freedom as a right of any person adopting the free world principle and some of the modern interpretations of Sharia law, especially in the conservative Islamic states, do not allow any of its subjects to change religious affiliations (apostasy). While some Islamic scholars argue that apostasy should not be punished, the majority view in classical Islamic jurisprudence imposes severe penalties, including death, for apostasy (Quran, Surah Al-Baqara, 2:217). Nevertheless, Islamic scholarly and human rights activists in the modern world have increasingly asked for reform of such traditional interpretations (The Holy Quran, 2:217).

Women's Rights

Women's rights are one of the aspects where Islamic law and international law differ most sharply. Human rights at the international level in instruments like the CEDAW in seek to eliminate discrimination on gender basis in all aspects of life including education, employment and within the family. CEDAW conceives a world for women and men that would be equal; this is the principle of equality of the sexes which is characteristic of many of the legal systems of the Occident at the present stage.

In Islamic law for instance, gender equality is not always black and white. It Although, the Quran and Hadith give women due respect and recognition, it is sad to note that in dealing with women's issue, people have applied these principles based on their understanding from their cultural bends. Although there have been changes in women rights in many Islamic countries, women are still treated the same way as before, in terms of Islamic laws based on patriarchal norms regarding inheritance, marriage or divorce. Nevertheless, modern Islamic activists as well as Islamic scholars working on women's emancipation argue that Islamic texts should be reinterpreted in coffees with the modern trends of gender equality, and women's

¹ International Covenant on Civil and Political Rights, 999 UNTS 171 (1966).

agency both in a public sphere and family.

Right to Education: Right to work

There is acceptance of the rights to education and work by both; the international law and the Islamic law however the definition and the extent in which both these rights are accepted may vary. The UDHR in Article 26 articulates the right to education and identifies provisions to education the focus on free education, at least for elementary education; and access to technical and vocational education. Likewise, the right to work as embraced under Article 23 of the UDHR guarantee equal and liberty to engage in work.

Islamic law similarly promotes the importance of education, urging both men and women to seek knowledge (Quran, Surah Al-Alaq, 96:1-5). The words of the Prophet Muhammad are well known 'It is mandatory on every Muslim to acquire knowledge.' (Sunan Ibn Majah 224) Education however has for a long time remained a preserve of male children in the traditional Islamic societies, a constraint which has been liberally liberalized in many of the modern Muslim states. Like other Islamic liberties, it has also allowed work with condition that women employees are required to be dressed modestly and those who are married are allowed out during work hours to work only (Sunan Ibne Majah, 224).

Judiciary and Human Rights

Comparing how human rights principles have been incorporated within the Islamic and the international legal context, it has been found that differentiation arises at the practical level and more especially with regard to the judicial application of the human rights principles. Generally, in international law, human rights are enforced through international courts, for example, the International Court of Justice (ICJ) or through regional human rights organs for instance European Court of Human Rights (ECHR). These courts exercise principles of international human rights and jurisdiction to arrange complaints by individuals or states' infringements of international law (CEDAW, 1979).

In Islamic law human rights are mostly invoked in national courts in the Islamic countries while the principles of Sharia law may vary from one country to the other. Those Islamic countries like Saudi Arabia and Iran implement Sharia laws that do addresses civil liberties traditions in compatible way with Islamic rule of law but these liberties differ with the international human rights standards. Muslim-majority countries like Turkey or Indonesia, for example, do not use Shariah law in its entirety and in certain areas, like family law, it is used.

In the former systems, the enforcement of such rights by the judiciary is also accompanied by the question of whether human rights principles are absolute or relative. International human rights are absolute rights of every individual while Islamic human rights are established under Islamic law with human interoperation and social implications having a greater role.

Case Studies and Practical Implementation

This chapter focuses on the analysis of the effective Islamic law (Shariah) with

specified reference to Saudi Arabia, Iran, and Malaysia with the test of international human rights. Also, the cooperation of the Organization of the Islamic Cooperation in mediating between the Sharia law and world human rights is analyzed.

Case Study 1: Saudi Arabia

Today the legal system of Saudi Arabia is entirely Shariah based and has its reference to Islamic jurisprudence while dealing with issues related to family law, Criminal justice and Personal Rights. Despite a great integration into the Saudi culture, this system goes counter to most of the international human rights in most aspects, specifically gender equality. Saudi Arabian women cannot travel, marry or work without prior permission from a man and are subjected to recent laws in this kingdom. While there have been reforms for example, enabling women to drive, these are still moderate because women's empowerment is closely regulated (Badran, 1999).

This is another issue that this country is particularly against is the practice of the death penalty, especially on the triple mere drug trafficking crimes. This practice has been condemned human rights organizations) including United Nations which has called for abolition of death penalty especially where the offense was not a homicide. But Saudi Arabia continues to argue that its laws are based on God's divine ordinance and therefore prefer to uphold shariah law rather than international ones.

Case Study 2: Iran

According to the original legal tradition, Iran is influenced by both the Shariah and civil law especially in the domain of the Twelver Shi'a Islam. It is their constitution that does state all laws must be Shi'ite compliant, resulting in a system that regularly contradicts global human rights norms. For example, it is well documented that Iran has reverted to censorship and that journalists, political activists such as bloggers, are jailed for voicing their dissent against the state. For some other issues, blasphemy laws to address religious offence — including speaking ill of Islam — stands as a worry (Chesler, 2016).²

Women's rights are also suppressed in Iran," Since it recognizes gender bias in the laws related to dress code, marriage and divorce, and inheritance. Women have to cover their hair and bodies per the laws of the country and they get half the inheritance of men. Still, the Iranian government will argue that these policies are in line with the teachings of Sharia law, however these continue to be major sources of conflict between Iran and the global human rights organizations.

Case Study 3: Islamic Law and Its Function in Secular Structures, particularly those of Malaysia

Different from Saudi Arabia and Iran Malaysia possess a mixed and dual legal system that incorporates Islamic law and secular law. Culture wise Islamic law is applicable for Muslims on issues of marriage, divorce and inheritance and anything concerning non-Muslims is not applicable. This system has created new issues especially when there are crises between the Shariah system and civil law especially on the issues to

² Chesler, P., *Women's Rights in the Middle East: A History of Repression* (Cambridge University Press, 2016).

do with freedom of faith and protection of the rights of minorities. For instance, non-Muslims get now and then drawn into the quagmire of Shariah courts in respect of issues of family law (ICJ, 2010).

Nevertheless, there are certain distinct tensions in the legal system of Malaysia, due to which the country has tried to bring Islamic law in compliance with the International human rights norms. The Malaysian judiciary has made efforts not allow Shariah law to trump civil law which would deny basic human rights of citizens. But the question arises in how far one has to follow Islamic norms and how far following the norms of worldwide human rights (Shah, 2019).

Regional and International Human Rights Standards

The Organization of Islamic Cooperation (OIC) has a great influence on the defense of a common position of its participants on human rights issues. However, the Organisation has been criticized for using culturally relativist approach righting Islamic values above universal human rights norms. In 1990 the OIC developed the Cairo Declaration on Human Rights in Islam it addresses human rights in an Islamic framework but has been criticized as not fully implementing the Universal Declaration of Human Rights primarily in relation to women's rights, freedom of speech and freedom of religion (Weiss, 2012).

That is why the OIC continues to face challenges in achieving an optimal balance between sharia and international human rights normativity in their member countries' legal systems. For example, Saudi Arabia and Iran remain the KSA and IRN examples of the strict implementation of Shariah incompatible with international standards, whereas Malaysia's model assumes the combination of Shariah and secular law.

Ethical and Philosophical Considerations in Reconciling Islamic Law and International Human Rights

]The Role of Cultural Relativism

Cultural relativism undermines the doctrine of human rights, especially Islamic human rights, which state that it is the culture, religion and history which should inform the understanding of human rights. This perspective is also in contrast to cultures that abide by the relational understanding of humanity as contained by cultural particularisms for differing value systems with regards to human rights. Relating to this argument, Islamic law is more of particularist in nature as it stems its sources of authority in the Qur'an, Hadith and other related cultural and theological featured in the Islamic world. This position leads to conflict with IHRL which, influenced by legal secularism, that aims at the protection of rights such as free speech, equal rights, and self-ownership (Alston, 1995).

Although some scholars have stated that Shari'ah protects human dignity and justice with absolute clarity, it can be asserted that the framework of Shari'ah is culturally Islamic and Islamic jurisprudential rather than human rights. Islamic law is considered to be part of particularistic law, which generates philosophical contradictions with universalist international human rights system. For example, gender roles or punishments under Sharia law listed by critics will be seen as human

rights violation in accordance to international law. People who support the cultural relativism argue that such practices require instrumentation by a culture other than the one in which they occur. Though, its critics allege that such view can maintain such wrong doings and deny any attempts towards promotion of human rights internationally.

Islamic Jurisprudence and Human Rights:

Islamic jurisprudence which is fiqh is not compatible with modern human rights standards of individualism, freedom and autonomy and freedom of speech. Islamic legal thought has its origins in the Qur'an, Hadith and that of consensus (Ijma) which downplayed subjects such as individual freedom and choice. Unlike the frameworks bounding the Western human rights, the Islamic law conceives the rights of the individual as inferior to the interests of the general public. The imposed conflict between the Sharia, Islamic law standards and human rights principles is most apparent in the gender equality, freedom of speech and self-determination (Baderin, 2003).

For example freedom of speech in Islamic law is restricted where speech goes against the principles of Islamic law like the freedom of speech that supports blasphemy or apostasy. On the other hand, international human rights instruments grouped under the United Nations 'system' recognize freedom of speech as an enshrined right. In the same way, regarding hegemonic power relations concerning gender, whereas contemporary human rights instrument(global) has embraced gender equality and rights of women, the legalistic understanding of Islamic law restricts the rights of women especially regarding marriage, divorce, inheritance and freedom. Both of these ethical dilemmas lie within the areas of Islamic law and world human rights which will often clash between liberal ideas of individualism and freedom and the collective and Islamic responsibilities.

But there has been a recent trend of the literature over the past two decades that seeks to harmonize Islamic law with the international human rights regime. Most modern Islamic jurists agree that concepts like justice, equality, and human dignity central to Islam are consonant with human rights, although bending the concept for today's society. This has brought about an increasing pluralist discourse in the Islamic world that tries to offer fresh interpretation to some of the fundamental precepts of Islam concerning human beings rights to things like gender equity and freedom of speech. Implications of these discussions are that accommodation of Islamic law does not necessarily lead to a violation of religious or human rights, but that an interpretation permitting for religious and human rights takes into account the context in which Islamic law operates (Esposito 2013).

Human Dignity and Social Justice

Human dignity and social justice are two of the INTERESTS between the Islamic law and international human rights but in different forms. Muslims, recognize human dignity from the perspective that all persons are directly created by Allah and require protection. The Qur'an emphasizes the inherent value of human beings, as seen in the verse, "And We have certainly honored the children of Adam" (Qur'an

17:70). Based on this sanctity of human life, the Islamic legal regime safeguards individual rights, rights of the poor, women and the minorities, in the form of a divine obligation (Sahih International, 2018).

Like it, social justice is an important component of Islamic law as well as the international human right law. In Islamic law for social justice, elements of Sharia as in zakat where its goal is to lessen social injustice and inequality. Islamic law also holds dear the rights of women and children and all the other oppressed in society even those who are disabled. Though the two systems of rights apply on individuals, the civil-political- economic rights; both systems aims at the fairness in handling social injustice. Still there is a key distinction: Islamic law, as a system provides a prophetic command for justice as opposed to just the legislation that forms the basis of international human rights law (Sachedina, 1992).

Nonetheless, both Islamic law and international human rights act with similar principles of respect to the dignity and worth of the human person and equal rights of all persons. In attempts to integrate or mediate these two systems, some fundamental ethical principles, principles like justice, equity and humanism are sought out. This dialogue is therefore important in trying to overcome the specificism of Islamic law and the generalism of the international human rights, as well as provide more socially and ethically acceptable approach of the protection of human rights across various cultures and religions.

Conclusion and Pathways for Reform

Summary of Key Findings

This chapter sums up the conclusion which arise from the comparison between Islamic law and IHRL. While both claim to follow justice and human dignity, directions or ways initiated by both systems frequently differ. It is common knowledge that Islamic law as operating from the Qur'an, Hadith, and from centuries of juristic interpretations espouses norms that do not harmonize with some norms of the modern international human rights standards and thus discards women's rights, freedom of speech, and religion.

The first major tension is women's rights: while Islamic law allows for divorce, limits marriage, discriminates in inheritance and testimony, each provision is regarded by international human rights treaties as discriminating against women. Also, international human right law allows freedom of belief and expression, while some of the muslim law emphasize restriction of these freedoms. Yet, as the following case of Tunisia and Morocco demonstrate respectively indicate, via case studies, some of these countries have begun the process of bridging such gaps by setting legal reform – which brings about the possibility of reform within Islamic legal systems.

Processes of conflict resolution

Several pathways for reconciling the differences between Islamic law and international human rights law have emerged from the analysis:

1. **Reform in Interpretation:** Islam, thus, unlike most forms of law, is not encased but is a dynamic body of law that has been under development for centuries. There are

those scholars who propose changes in interpretations of the essential texts especially with a view to the present human rights standards. For instance, the implementation of the gender equity principles can be analyzed in the light of the adjusted Sharia laws where a more progressive view of women's rights can be incorporated.

2. **Dialogue Between Islamic Scholars and International Bodies:** It is also important to note that this book underlines the need to make an effort to build dialogues between the Islamic scholars and international human rights experts to fill the gaps. Open dialogues and dialogues would create awareness so that two parties can understand the other's interest in promoting such laws and thus the need to share on the cultural and religious beliefs that prompt the enactment of these laws. As such discussions are held it becomes possible to dispel misunderstandings, and therefore get a more accurate legal analysis.

3. **Legal Reform:** Like in Tunisia and Morocco, it means that adopting of better international standard human rights friendly Islamic law is achievable through legal transformation. In this regard, those upgrades of legal systems which have been mentioned, namely changes occurred to the family law and personal status law and the status of women, are the examples of the development of legal systems within the frame of Islamic tradition. Legal reforms should be conducted with a great respects of cultural and religious systems to ensure credibility and sustainability.

Directions for future Research

Future research should focus on several areas to further understand the intersection of Islamic law and international human rights:

1. **Empirical Studies on Legal Implementation:** Future studies should explore how legal changes are 'worded' in Islamic majority countries but focusing on the reform areas of women's rights, and freedom of speech. This may be useful to understand the experiences of reception of the legal changes and their impact in the cause of human rights.

2. **The Role of Islamic Jurisprudence in Reform:** More research is needed about the higher Islamic jurisprudence (fiqh) and the ways it might be changed. The knowledge of how these present day scholars can bring elasticity in the Shari'ah to correspond to the modern trends is going to be very crucial in pushing the legal change ahead for a better world.

3. **Interfaith and International Legal Dialogue:** This STUDY will examine those interfaith and international legal discussions to understand how more understanding and cooperation using human rights language may be achieved in the future. Alternatively, this research might explore integration of religion into present global frameworks for human rights thereby nurturing a more integrated system.

Therefore, the conclusion of this paper is that, although there remain numerous complicated issues regarding respect for the Islamic Sharia law along with the reference to the international human rights, some clear avenues of the changes are present. Conversation, legal reevaluation, and further research will prove to be key in shrinking those gaps and increasing successful integration of the Western and Islamic systems towards increasing justice, equality, and appreciation of human

rights around the globe.

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