

Annual Methodological Archive Research Review

<http://amresearchreview.com/index.php/Journal/about>

Volume 3, Issue 6(2025)

A Critical Examination of the Compatibility Between the UDHR and Islamic Legal Frameworks

^{*1}Sidra Mahmood Sadozai, ²Saif Ullah Baig, ³Aurang Zaib Ashraf Shami

Article Details

ABSTRACT

Keywords: Human Rights, Islamic Law, This abstract critically analyzes the intricate and frequently contested Divergence, Universal Rights, Declarations, compatibility between the Universal Declaration of Human Rights (UDHR) and Gender Equality

Sidra Mahmood Sadozai

Advocate High Court, International Consultant (United Nations) on Gender and Education. Corresponding Author Email: sidrasadozai188@gmail.com

Saif Ullah Baig

Advocate, International MBA (University of Creative Arts UK). saifullah.baig91@hotmail.com

Aurang Zaib Ashraf Shami

Manager Legal, Punjab Thermal Power (Pvt) Ltd. zaibjavaid@gmail.com

diverse Islamic legal systems. Although numerous scholars and states highlight substantial areas of convergence, especially concerning fundamental rights such as life, dignity, and justice, rooted in core Islamic principles, the claim that all rights must be construed within the parameters of Islamic Shari'ah frequently results in considerable divergences. This tension is apparent in documents such as the Cairo Declaration on Human Rights in Islam, which, although endorsing numerous universal rights, subordinates them to Islamic law, particularly affecting freedom of religion (e.g., apostasy), freedom of expression (e.g., blasphemy), and elements of gender equality. This analysis underscores that genuine compatibility requires reconciling diverse interpretations of Islamic law and confronting the intrinsic contradictions between absolute universal rights and particular religious mandates to cultivate a more inclusive and widely acknowledged human rights dialogue.

INTRODUCTION

Human rights are inherent to all individuals, irrespective of nationality, domicile, gender, national or ethnic origin, color, religion, language, or any other status. All individuals are equally entitled to their human rights without discrimination. These rights are interconnected, mutually dependent, and inseparable. Human rights are the inherent rights and fundamental freedoms that are accorded to every individual from birth until death. It is applicable regardless of your origin, beliefs, or lifestyle choices. It can never be revoked, however it may be restricted under certain circumstances, including as legal infractions or national security considerations. These are grounded in the principles of fundamental rights, including dignity, justice, equality, respect, and autonomy. Human rights are not merely abstract concepts; they are delineated and safeguarded by legislation.¹

HISTORICAL BACKGROUND

The concept of rights first became unmistakably prominent during the period of modern intellectual history known as the enlightenment, which for our purposes had its beginnings in the early seventeenth century and ran to the end of the eighteenth. It was a period in which both the Church and the ancient Greek authorities (which had been recovered during the Renaissance) began to be questioned, and the order of the natural world began to be seen as capable of being understood by means very different from those that Renaissance scholars and church scholastics had hitherto been accustomed to using. Francis Bacon's turning away from scholastic to experimental methods of investigating the world marks the beginning of this period, and we can think of it as ending with (if not culminating in) two political revolutions: the American and the French, which defined the first expansionary period.²

UNIVERSALITY OF HUMAN RIGHTS

The advancement of human rights can be understood by examining its political origins, practical impact, progress and extent, as well as the agents of that development. Understanding can also be acquired by swiftly evaluating challenges to the concept and its evolution, as well as by resolving many controversies surrounding both. December 10, Human Rights Day, is celebrated as it marks the adoption of the Universal Declaration of Human Rights by the United Nations in 1948. This affirmation has not only been "a typical standard of

¹ Volume Information." *Arab Law Quarterly* 16, no. 1 (2001):22.

² Edmondson, William A., *An introduction to rights* (Cambridge: Cambridge University Press, 2004):363

accomplishment for all peoples and all nations," but also a source of positive inspiration for all other human rights accords. The United Nations Charter, established in 1945, is the primary international framework that integrated human rights as a concept and established the promotion and protection of such rights as a fundamental obligation of both individual and collective governmental responsibilities. Consequently, the rationale and its associated global commitments were informed by four factors: a manifest necessity during World War II to acknowledge human rights, the Holocaust, a pivotal moment for the UN, and a collective intention to realize that objective. The ethical degradation of World War II also influenced the evolution of human rights. No atrocity of that malevolence was more horrific than the calculated genocidal slaughter of an estimated 6 million Jews.

Although the true nature and extent of the Holocaust were not fully understood at the time, the prevailing knowledge contributed significantly to the determination of those responsible for establishing the post-1945 global political and legal order: to incorporate the protection of human rights as a fundamental principle and objective. Although the promotion and protection of human rights are vital for their intrinsic value, the founders of the UN recognized that nations and individuals should be encouraged to strive towards articulating the ethical unity inherent in the concept of human rights for all individuals. It was posited that only through the deliberate pursuit and attainment of solidarity could the aforementioned objective of the UN and the complete realization of human rights be achieved. The 1979 instrument emerged during a time when the human rights movement was proliferating across all global areas and permeating nearly every facet of human endeavor and concern. Specifically, it was developed as an element of the global impetus of the women's rights movement, whereby women's organizations successfully persuaded national governments and the UN to endorse the agreement. Countries classified as Third World, many of which transitioned from colonial status in 1945 to sovereign nations through the moral and legal impetus of the human right to self-determination, were key proponents of the 1986 Declaration on the Right to Development. Numerous Western and other civil society organizations (nongovernmental organizations) endorsed this proclamation, perceiving it as advantageous for all nations and individuals. The 1989 convention and the 1997 statement received contributions and backing from organizations that are fervent proponents of children's rights, as well as from religious and scientific entities concerned with the risks and prospects of genetic engineering. For individuals aged eighteen years or younger, the notion that kids should possess rights independent of their

parents or other adults has supplanted the conventional assertion that children are merely extensions of their parents' interests. While the contributions of nongovernmental organizations to the standard-setting process have been significant, their influence has surpassed that of states in addressing various issues and challenges encountered by the human rights movement. The obstacles encompass ratification and implementation issues, the interrelation of rights categories, revelations of human rights violations, sovereignty, the utilization of human rights as tools for national interests, relativism, and corporate involvement. The challenges of ratification and implementation are substantial.

The mere presence of human rights standards does not confer moral and legal entitlements onto individuals unless states are obligated to adhere to those standards. States are not obligated unless they approve the standards they establish. The United States has not ratified the 1979 convention aimed at ensuring women's equality, rendering it non-binding within the country. Equally significant, post-ratification, the claims individuals may assert under the accepted norms cannot be realized without institutional means for enforcement. Nongovernmental organizations have been at the vanguard of urging states to sign human rights treaties and establish procedures for their enforcement. Currently, a significant mechanism is the proposed International Criminal Court, which will possess the jurisdiction to prosecute individuals, including heads of state, accused of committing egregious human rights violations such as genocide, crimes against humanity (encompassing murder, torture, rape, and extermination), grave breaches of the laws of war (including the taking of civilian hostages and subjecting detainees to medical and scientific experimentation), and acts of aggression. A significant issue that broadens the discourse on human rights and jeopardizes the cohesion of the human rights movement is the prioritization of certain categories of human rights. If such precedents are permitted, which category of rights should be accorded primary standing? Is the right to freedom of opinion, conscience, and religion (civil and political rights) of more significance than the right to food, clothing, and education (economic, social, and cultural rights)? The West, which has advocated for civil and political rights (often referred to as first generation rights), asserts that a priority exists and should be allocated to these rights. The former communist nations and the Global South, collectively referred to as the Third World, concur that specific rights should be prioritized and acknowledged. They, however, prioritize the economic, social, and cultural categories of rights. For almost thirty years, from the 1966 adoption of the international agreements to the 1993 World Conference on Human Rights in

Vienna, Austria, this subject dominated a significant portion of the human rights movement's time, energy, and fervor. During the conference, facing significant pressure from non-governmental organizations, especially women's groups and political leaders advocating for the movement's cohesion, nation-states jointly acknowledged the interdependence and indivisibility of all human rights. The matter remains unresolved and is expected to persist well into the future. No challenge is more daunting for the human rights movement than governmental abuses of human rights, which have manifested as "disappearances" in Argentina, ethnic cleansing in Bosnia and Nagorno-Karabakh, genocide in Cambodia and Rwanda, torture in Britain, forced labor in Russia, racial discrimination in the Czech Republic, the United States, and Australia, religious persecution in Saudi Arabia, violence against women and homosexuals, and child labor globally. Initially, governments culpable of such transgressions repudiate their own human rights infractions and frequently disregard such abuses committed by their partners. Secondly, such denials are consistently accompanied by state attempts to conceal (if not obliterate) evidence of the abuses. Such efforts frequently result in additional abuses, including unlawful detention, enforced disappearances, and even fatalities among victims, their relatives, and anyone possessing information of the crimes.

Third, obtaining knowledge to contest governments is laborious, frequently costly, and invariably perilous (sometimes life-threatening). Fourth, as foreign nonprofit organizations collaborate with local grassroots entities to challenge governments, they frequently attempt to restrict access to information sources that they cannot eliminate or obscure. In the past twenty-five years, individuals and members of nongovernmental organizations have significantly enhanced their involvement in fact-finding, securing access to the United Nations and, via human rights treaties, to regional human rights commissioners and courts. National truth commissions have been employed to reveal governmental human rights breaches. As individuals and collectives challenge governments and present their arguments globally, they heighten awareness of specific human rights issues, such as sexual harassment, thereby rendering authoritarian regimes, including those of China, Indonesia, Nigeria, and Serbia, increasingly uneasy. Similarly, as individuals' expectations regarding health care, education, nutrition, apparel, working conditions, and the environment are unmet, citizen groups establish

transformative coalitions to enhance their collective circumstances.³

MODERN CONCEPT OF HUMAN RIGHTS

The perspectives of the present look of the human rights are more similar to development and not as a procedure or obligation. Human Rights might be a dynamic idea, having overlooked or change that would give off an impression of being settled establishments debilitate the proceeded with presence of all "human level," we are presently underestimated. Current battle with the development of social rights reflects stop the advance of common and political rights in the eighteenth century France. It is suspected that many individuals feel this expansion of the human rights challenges the impression of common or political rights as French residents felt tested such a long time ago. Interestingly, the "rights" of cutting edge appears to have built up a mutilation of one side of this understood social contract. Present and authentic defenses to stop the movement of the rights are regularly contentions in light of common and political rights are an essential. The turbulent way of how the ideas of Human rights" have developed amid the French Revolution appears to demonstrate that the advancement of rights might be more advantageous to the country of assigned rights. Advance or fix any class of rights amid the French Revolution frequently brings about changing and inconsistencies come about, yet survived goals. He was one of those inconsistencies contained in the readings we have a contention that you don't have the privilege to convey your "rights" and obligation towards society. This contention has a solid fascination for us, yet I feel it doesn't appear the purpose of the American looked converse with contain a considerable measure of these morals. Our readings of authentic archives that could decide a trick rights and advance, however without a doubt present day thoughts winning are similarly as clumsy and opposing. It appears that the thoughts regarding human rights to end up distinctly a reality at irregular just and I'm left thinking about whether this is implied by "General" Will the announcement of human rights trusts that committed. I feel conclusions Marshall and the consequences of thoughts shaped amid the French Revolution stood the trial of time. I can just concur with Marshall that "rights" should give, or even the possibility that on the off chance that you were not developing that passing might be joined with those nations that are fundamental for their security obligation.

³ Hahn, Henning, 'Justifying Feasibility Constraints on Human Rights' *Ethical Theory and Moral Practice* ,15, No. 2 (2012):143-57.

ISLAMIC CONCEPT OF HUMAN RIGHTS

Islam is compatible with human rights. This fundamental issue has generated a wide range of literature addressing the issue from different, often opposing positions. Literal reading of Islam and emphasizes the gaps between the limits of tolerance and acceptance in the Qur'an and Talk on the one hand, and the criteria approved by the international human rights community. The status of women and religious freedom are often the main area of contention. This approach, for example, highlight specific passages in the Koran that clarify the legal status of women in governance and matters of inheritance in a family setting. The impression of standing inequality between men and women in these matters is not inevitable.⁴ What's more, it can be inequality turns into something more serious issues related to religious freedom brings into question the physical integrity of Muslims who may wish to leave Islam. Leave a belief condemned as apostasy and punishable by death. Taking life is the maximum penalty, and in direct violation of the right to life. In a literal reading of Islam, there is no room for negotiation on Human Rights, is also inconsistent with the clear normative framework of international human rights system commands. It is perhaps ironic that the literal reading of Islam has been adopted by the two groups are very distinct [⁵].

On the one hand some of the traditional Muslim leaders, as well as Islamists, have taken up a hostile attitude towards the idea of the human rights system because it is nothing more than a cover for the neo-colonial attempt to regain hegemony over the Muslim world by Western powers. And it is seen in the fact that the normative framework for human rights system appeared in the halls of the United Nations, where Western powers tend to develop a work program as evidence by skeptics in the field of human rights of a Western plot. It was seen on the principles enshrined in the Universal Declaration of Human Rights it is contrary to Islamic law. Accordingly, this Statement rejected (adopted in 1948 by the United Nations) from Saudi Arabia, describing it as an Islamic This is shared perspective by groups such as the Taliban in Afghanistan, or Islamic Group cross Hizb ut-Tahrir, which argues that Islamic junctions at national borders the text is perfect and eternal. Adopt anything contrary to or deviate them and, therefore, is forbidden. The above position is based on the belief that the Qur'an and the Hadith is not immutable. Emphasizing the timeless and eternal nature of the

⁴ Ernest Munz. "On Implementing Human Rights." *The Antioch Review* 9, no. 3 (1949): 379-85.

⁵ The Executive Board, American Anthropological Association, 'Statement on Human Rights,' *American Anthropologist*, New Series, 49, No. 4 (1947): p.539-43.

Islamic junctions represents a challenge to the application in the contemporary era, some four centuries after their articulation. In the literal approach, rejecting the challenge is irrelevant while he insisted that Holy Writ cannot be adjusted continuously to fit changing circumstances.⁶ To do so, they may argue that Islam is devoid of content and leaving an empty shell. In fact some Islamists use a particular point with respect to the amendment time for Islam to criticize the ruling regimes.⁷ For example, the famous father of Islam of Sayyid Qutb, the Egyptian regime's refusal to allow the community to stray from the path of Islam and allow Islam to be contaminated with contemporary influences. Echo of such a subject, Daniel Pipes, appointed earlier by the United States Institute of Peace Bush administration, leads the charge in seeking to shed light on what it claims is 'the historically-abiding Muslim need to subordinate non-Muslim peoples.' Finally pipes draws is that in the end, there is no compromise 'with Muslim communities and what is deemed the absolute engine integral part of the religion, and one, in his words, asking the question of whether' the West stand up customs and mores, including freedom of speech, or will Muslims impose their way of life the West?

'Literal relationship between these two groups is ironic deep, however, and one that appears lost on these ideologues. Shahram Akbarzadeh and Benjamin McQueen literal approach to Islam did not go unchallenged. Abdullah Saeed, among other things, he said that there is nothing certain cannot be denial of the literal approach. text, the Bible, the Koran, is a mixed compilation of return, where the Prophet Muhammad revealed over more than two decades. often referred to specific cases, and can be seen as contradictory how one verse. that precedence is given next time? read the text always involves a certain degree of interpretation and choice. According to Saeed, there is nothing certain in claiming certainly by the readers of literal text. in recognizing that Said calls for the recognition of human agency and the recognition of the context to help give meaning to the text. Contextualization offers such new opportunities to explore the importance of Islam to contemporary conditions and challenges faced by Muslims today⁸ above recommendation promising heavily on the issue of compatibility between Islam and human rights. He tried a growing number of Muslim thinkers in the modern era to move

⁶ Kim, Dong-Hun, and Peter F Trumbore, 'Transnational Mergers and Acquisitions: The Impact of FDI on Human Rights, 1981-2006,' *Journal of Peace Research* 47, No. 6 (2010): p.723-34.

⁷ Shattuck, John, 'Restoring U.S. Credibility on Human Rights,' *Human Rights* 35, No. 4 (2008): p.2-3.

⁸ Suárez, David, and Patricia Bromley, 'Professionalizing a Global Social Movement: Universities and Human Rights' *American Journal of Education* 118, no. 3 (2012): p. 253-80.

away from ideology Rigidity, stressing instead on the essence of the core values that lie at the sacred text. In this perspective, and restrictions on women and religious freedom, which is traditionally applied in most Muslim societies, and challenged contradictory to the essence of Islam? Accordingly, Islam is seen to be based on the principle of unity between God and human beings.⁹ Piety and personal loyalties are the key to the ideal of the Islamic state. This approach puts the insured individual Muslim, actor and conscious on the center stage, and thus can be called a humanitarian approach. In this Intravenous Abootalebi, a former partner of the Iranian President Mohammad Khatami, have argued in favor of 'freedom of thought and expression, including freedom from government control and repression. In this approach, the gender segregation imposed by the state that the police uniforms that directly affect women in Iran, Saudi Arabia Also it refused to over-zealous interpretations of the religion.

INTERNATIONAL LEGISLATION ON HUMAN RIGHTS

The following a brief presentation and analysis of numerous declarations of human rights detailed in the Arab-Muslim world during the past 30 years, as well as the ads themselves. "This reflects one remarks an important point: the existence of the local perception of human rights similar to some extent to those found in other regions of the world (for example, Europe, America, Africa, Asia, etc.). This is important to note that since the Arab Position Islamic countries were specifically toward the United Nations Declaration of 1948 during and since the wording, which leads to a lack of knowledge on this issue, as well as to develop some doubts about the universal nature of human rights. But the purpose here is not to highlight the position of this or that country or The group of countries towards the United Nations Declaration but only to highlight the fact that, to my knowledge, there has not until today was a serious historical and political study and social of the development and evolution of the United Nations Declaration of 1948 which will be of the highest interest rates, according to the history of the past 50 years, especially since the fall of the Soviet Union, along with the cold war it has covered ten undoubtedly, this aspect of international relations ¹⁰. Yet, by focusing on the cultural background of the Declaration in 1948, the proposed study certainly explains the difficulties facing the Arab and Islamic countries (in conjunction with all non-Western

⁹ Wotipka, Christine Min, and Kiyoteru Tsutsui, 'Global Human Rights and State Sovereignty: State Ratification of International Human Rights Treaties, 1965-2001' *Sociological Forum* 23, No. 4 (2008): p. 724-54.

¹⁰ Greer, Steven. 'What's Wrong with the European Convention on Human Rights?' *Human Rights Quarterly* 30, No. 3, (2008) p. 680-702.

countries, in fact) to integrate the basic concepts of the international legal system effective.

UNIVERSAL DECLARATION OF PEOPLE'S RIGHTS (UDPR) 1976

The Universal Declaration of Human and Peoples Rights (UDPR) on July 4, 1976. The announcement began by Lelio Basso Foundation for Human and People's Liberation. He said nothing much about the identity of the shareholders but it was 'of lawyers and economists, politicians and leaders of national liberation movements.'¹¹ Content is typical of the political discourse of the left-wing 'populist' of the 1970s, which also led to the African Charter of Human Rights. For example, it calls for "a new international political and economic order," and seeks to fight imperialism, neo-colonialism 'and' multinational companies. But compared with the African Charter: which is the people's rights as well as those of individual, this advertisement and is characterized by the absence of any reference to individual rights, but in Article 7 (the right of people to live in a democratic system that guarantees human rights, as well as fundamental freedoms for all). Briefly, and people's rights are divided into seven sections (right Presence, auto report, that the economic rights and culture, for the environment and natural resources, and minorities, and miscellany).¹²

TUNISIAN CHARTER OF HUMAN RIGHTS (TCHR) 1985

Tunisia issued the Charter of Human Rights (TCHR) on July 28, 1985 by the Tunisian League for Human Rights. All ads this Advertising is closest to the spirit of the Declaration 1948. In fact, it is an adaptation of this announcement, I looked in the preamble as 'complementary to the value of the Arab-Islamic civilization and the Constitution of the Republic of Tunisia,' the Tunisian context. Nine materials equivalent to the exact materials of the United Nations Declaration (2, 3, 5A, 6, 7A and B, 12A and B, 13, 14, 15, respectively equivalent to articles 2, 3, 10, 11, 12, 13, 21, 22 and 23 -2.26, 25-2. For example, one amendment is important Enough, specifically the one in Article 11.1 on freedom of association (article 20 of the United Nations Declaration) and to join trade unions (Article 23.4). Despite the fact that it is particularly insisted on the subject, and the Tunisian The article adds, the exact opposite of every other word besides, including the 1948 Declaration, the right to create political parties article 7. Of course, this concern is to be seen directly in accordance with the political situation in that era in

¹¹ Marks, Stephen P. "Human Rights in Development: Claims and Controversies." *The Bangladesh Development Studies* 33, no. 1/2 (2010): p.1-23.

¹² Jerbi, Scott. "Business and Human Rights at the UN: What Might Happen Next?" *Human Rights Quarterly* 31, no. 2 (2009): p. 299-320.

Tunisia. Also, two articles at least as great as has been discussed for a long time, and Article 8, which allows women to marry non-Muslims (Tunisia is the Arab-Islamic A country that was opposed to the more explicitly Islamic concept marriage).

THE UNIVERSAL DECLARATION OF HUMAN RIGHTS IN ISLAM (HRDI) 1981

There was the Declaration of Human Rights in Islam (HRDI) in January 1981. This announcement is one detail in the context of the IWC, a major one the initiative of the Kingdom of Saudi Arabia (Kuwait). He suggested publicly, but did not issue, in the presence of the Secretary-General of the United Nations (Mr. Kurt Waldheim). What is interesting in this announcement is that the reference to religion and Shariah is not exclusive of the other references. First, the preamble puts interpretation a moderate forward Sharia is the get the 'rationality and emotion one Sisterhood with the other, as well as idealism and realism, rights and duties, and freedom of the individual with the interests of society as well, it qualifies the Charter of the United Nations to' humanitarian efforts to advance human rights in the modern era. As a matter of fact, what we have in this announcement is a list of duties as well as new - Islamic citizen's personal rights.¹³ These duties and rights must be understood as those individuals who live in the State of application Shari'ah. For example, Article 27 Su all rights and freedoms to the law and this article adds that this must be experts referred exclusively to the interpretation of the declaration.¹⁴ This is because the state is the other major reference in this text, it is therefore an Islamic state and thus once again must be States' welfare, for example, the state and told her to protect the life and death of individuals (Article 2-1, Article 26), and to facilitate the Conditions of marriage (Article 3-2), which helps children (Article 5), work to ensure (Article 15), social protection (Article 19), and education (Articles 10 and 19.2), and education (Articles 5 and 10), and so on.¹⁵ And passed the Universal Declaration of Human Rights Islamic (IUDHR) 1981 Islamic Universal Declaration of Human Rights (IUDHR) in 1981. The main information we have regarding the development of this text It was released at UNESCO headquarters in Paris. It could be some doubt about the contents of exactly raised since the two versions, one in Arabic and Last in French, vary greatly, exist. "1 However, the

¹³ Hooker, Brad. "Griffin on Human Rights." *Oxford Journal of Legal Studies* 30, no. 1 (2010): 193-205. <http://www.jstor.org/stable/40660435>.

¹⁴ Shelley, Louise I, 'Human Rights as an International Issue,' *The Annals of the American Academy of Political and Social Science* '506 (1989) p.42-56.

¹⁵ Vogelgesang, Sandra, 'What Price Principle? U.S. Policy on Human Rights,' *Foreign Affairs* 56, No. 4 (1978): p.819-41.

main feature seems to be the insistence on the teachings of Islamic law. In this case, the law Obliterates all other references as in life associated with them, the individual and the state, or the people.¹⁶ In other words, here is the law and standards unique to determine rights And freedoms. It seems that because the religious feelings exacerbated by the European Muslim minorities social context where religion is at the same time one of the most important Compilation of self-identification and organization factors, but on the contrary of differentiation toward the local population as well. An important example is composed The right to freedom of mind and conscience, or religion, which is referred to unconditionally for (see Article 3C on the right to equality and the prohibition of discrimination in working conditions. Article 9 A asylum to be guaranteed no matter what race, religion, color, sex; Article 10 on the right of religious minorities; And Article 13 on the right to freedom of religion). Comparatively, another Islamic Declaration and developed by IWC has always strictly limit.¹⁷

Great Green Charter for Human Rights (GGCH) 1988

Issued the Great Green Charter for Human Rights (GGCHR) in 1988, perhaps because of a strong campaign by Amnesty International that followed the ratification of the African Charter on Libya in March 1987. This is the country to release a number of political prisoners in that year, and claimed that it will be the application of human rights in accordance with his understanding The private. Four months later, he published GGCHR referring to the September 1969 revolution, and The principles of the Declaration of 1977 people power, the green book of Colonel Gaddafi, and human rights, and 'Umar b. Al Khattaf. As a matter of fact, is the Human Rights only here through the ninth of creating a new type of community-wide (and Jamahiriyya, any "mass society").¹⁸ All materials, except for Article 15 on the right to study for individuals and enact Jamahiriya and their children: Starting from the first article, the definition of democracy as "the power and the expression of the masses "to exclude all kinds of representation. Every other articles formulate political and social basic concepts accordingly

¹⁶ Goldman, Robert K, 'History and Action: The Inter-American Human Rights System and the Role of the Inter-American Commission on Human Rights,' *Human Rights Quarterly* 31, No. 4 (2009): P. 856-87.

¹⁷ 'European Convention on Human Rights,' *The International and Comparative Law Quarterly* 23, no. 1 (1974): 193-94. <http://www.jstor.org/stable/757959>.

¹⁸ Shelton, Dinah. "Decision Regarding Communication 155/96 (Social and Economic Rights Action Center/Center for Economic and Social Rights v. Nigeria). Case No. ACHPR/COMM/A044/1." *The American Journal of International Law* 96, no. 4 (2002): 937-42. doi:10.2307/3070689.

(revere and protect freedom in Article 2, the sacred and the right to citizenship in Article 4, and the freedom of association and trade unions in Article 6, ensure fair trials in Article 9, and to ensure that work in article (11), and so on), and are considered some of the very concrete concerns (and surprising) in conjunction with some of them another banner. Article 13 prohibits the rental of homes, claiming that everyone must be the owner of his own, Article 22 prohibits domestic workers, Article 12 condemning feudalism, Article 8 prohibits the use of the electric chair, while article prohibits 5 violence, terrorism and sabotage, Article 24 calls for the development of nuclear weapons, biological and chemical.¹⁹

COMPARISON BETWEEN HUMAN RIGHTS AND ISLAM

What appears from the above it is not just that the Arab-Islamic culture is not the arbitrator of human rights but also that it may be different understandings of it. What also seems that it is the only major one side of the United Nations Declaration of 1948, it is clear that rejection: One individual's age unlivable- personal Di, did not even know about through sexual contact. But it is interesting to note that of all the texts that have been collected, one tends more or less around the same direction (Tunisian One, although it is particularly tends to promote associative life), while the DHRI enact Islamic state and citizenship, and DDPR IUDHR the people and the law and the Libyan and Jamahiriya ²⁰. All aspects of a course Is in accordance with local legal cultures characterized by a kind of collectivism. But aspects or the principles of the Universal Declaration after many have been adopted, namely those mentioned above, which we can add: the rights of minorities, women's rights, freedom of the mind, and judicial rights, the family, the economy, nature and progress scientific, etc. from this point of view, and on a purely technical legal level again, all the ads are very close to the one of 1948. the integration of many of the human rights seems to be undoubtedly works in the contemporary Arab-Muslim world. The emergence of the concept of a local or a clear explanation as well. ²¹ This is what the reader will find a basis on these ads, which can be considered as the contribution of the Arab-Muslim world for that matter. One has to believe that they are better or worse than the

¹⁹ Cerone, John, and Ngonlardje Mbaidjol. "Remarks on the Human Rights Council." *Proceedings of the Annual Meeting (American Society of International Law)* 101 (2007): 423-24.

²⁰ Schwelb, Egon, 'International Conventions on Human Rights,' *The International and Comparative Law Quarterly* 9, No. 4 (1960): p. 654-75.

²¹ Das, Jogendra Kr, Reflections on Human Rights and the Position of Indian Women,' *The Indian Journal of Political Science* 64, No. 3/4 (2003): p. 203-20.

other is, unless the suspension and the possibilities of evolution does not dialogue. Maybe this is the way by which the acquisition of the global nature of human rights. Finally, it is not the most important, formed by adoption or incorporation of the idea of human rights and development? Therefore, despite the fact that these statements were not incorporated into the positive law of the countries concerned, they are today part of the intellectual, political and legal culture of these countries. One way or another, opening the door for discussion between the Arab-Islamic politicians, lawyers and scientists, as well as with colleagues from other countries and cultures. Moreover, they demonstrate that human rights and perhaps unique, which is no consensus across the Arab-Muslim world theme.²² This is the reason that these ads or project of the ads should be considered carefully, and always remember. In addition, it demonstrates that there is a need not only for human rights in the Arab-Muslim world, but asked that this request comes from all sides and even the most antithesis of this world.²³

CONCLUSION

The comparative examination of the Universal Declaration of Human Rights (UDHR) and Islamic legal systems uncovers a multifaceted relationship characterized by both similarities and differences. Although fundamental concepts like human dignity, justice, and the safeguarding of life are shared by both systems, conflicts emerge about individual liberties, gender equality, and the origin of legal authority. Islamic declarations, exemplified by the Cairo Declaration on Human Rights in Islam (CDHRI), endeavor to harmonize religious tenets with international human rights standards, although frequently emphasize communal values and divine law at the expense of secular individual rights. Notwithstanding these difficulties, an increasing trend of discourse and legislative harmonization suggests that the notion of human rights is gaining prominence among Arab-Islamic societies, albeit influenced by local interpretations and customs. These regional instruments, while not legally enforceable, enhance intellectual and political discourse, reflecting an openness to universal principles alongside a commitment to cultural individuality.

Ultimately, the compatibility between the UDHR and Islamic legal systems may reside not in uniformity, but in mutual comprehension and constructive interaction. Acknowledging the

²² Cox, Larry, 'Reflections on Human Rights at Century's End,' *Human Rights* 27, No. 3 (2000): p.23-24.

²³ Gilabert, Pablo, 'Humanist and Political Perspectives on Human Rights,' *Political Theory* 39, No. 4 (2011): p. 439-67.

diversity of legal and ethical viewpoints can enhance the global human rights dialogue, as long as the discussion remains open, inclusive, and grounded in respect for human dignity across all cultures.

BIBLIOGRAPHY

- Cerone, John, and Ngonlardje Mbaidjol. 2007. "Remarks on the Human Rights Council." *Proceedings of the Annual Meeting (American Society of International Law)* 101: 423–24.
- Chen, Dingding. 2005. "Explaining China's Changing Discourse on Human Rights, 1978–2004." *Asian Perspective* 29 (3): 158.
- Collier, Niamh. 2003. "The Development of Human Rights in Irish Foreign Policy—Case Study: Ireland and Burma." *Irish Studies in International Affairs* 14: 107–28.
- Cox, Larry. 2000. "Reflections on Human Rights at Century's End." *Human Rights* 27 (3): 23–24.
- Das, Jogendra Kr. 2003. "Reflections on Human Rights and the Position of Indian Women." *The Indian Journal of Political Science* 64 (3/4): 203–20.
- Edmundson, William A. 2004. *An Introduction to Rights*. Cambridge: Cambridge University Press.
- Ernest, Munz. 1949. "On Implementing Human Rights." *The Antioch Review* 9 (3): 379–85.
- Forsythe, David P. 1990. "Human Rights in U.S. Foreign Policy: Retrospect and Prospect." *Political Science Quarterly* 105 (3): 435–54.
- Gilabert, Pablo. 2011. "Humanist and Political Perspectives on Human Rights." *Political Theory* 39 (4): 439–67.
- Goldman, Robert K. 2009. "History and Action: The Inter-American Human Rights System and the Role of the Inter-American Commission on Human Rights." *Human Rights Quarterly* 31 (4): 856–87.
- Greer, Steven. 2008. "What's Wrong with the European Convention on Human Rights?" *Human Rights Quarterly* 30 (3): 680–702.
- Hahn, Henning. 2012. "Justifying Feasibility Constraints on Human Rights." *Ethical Theory and Moral Practice* 15 (2): 143–57.
- HOOKE, Brad. 2010. "Griffin on Human Rights." *Oxford Journal of Legal Studies* 30 (1): 193–205. <http://www.jstor.org/stable/40660435>.

- Jerbi, Scott. 2009. "Business and Human Rights at the UN: What Might Happen Next?" *Human Rights Quarterly* 31 (2): 299–320.
- Kim, Dong-Hun, and Peter F. Trumbore. 2010. "Transnational Mergers and Acquisitions: The Impact of FDI on Human Rights, 1981–2006." *Journal of Peace Research* 47 (6): 723–34.
- Koraytem, Tabet. 2001. "Arab Islamic Developments on Human Rights." *Arab Law Quarterly* 16 (3): 259–62.
- Leßmann, Stefanie. 2002. "Databases on Human Rights Education." *International Review of Education* 48 (3/4): 289.
- Marks, Stephen P. 2010. "Human Rights in Development: Claims and Controversies." *The Bangladesh Development Studies* 33 (1/2): 1–23.
- Noorani, A. G. 1999. "British Report on Human Rights." *Economic and Political Weekly* 34 (52): 3636.
- Report of the Committee on Publications of the Department of State and the United Nations. 1989. *Proceedings of the Annual Meeting (American Society of International Law)* 83: 604–08.
- Schwelb, Egon. 1960. "International Conventions on Human Rights." *The International and Comparative Law Quarterly* 9 (4): 654–75.
- Shattuck, John. 2008. "Restoring U.S. Credibility on Human Rights." *Human Rights* 35 (4): 2–3.
- Shelley, Louise I. 1989. "Human Rights as an International Issue." *The Annals of the American Academy of Political and Social Science* 506: 42–56.
- Shelton, Dinah. 2002. "Decision Regarding Communication 155/96 (Social and Economic Rights Action Center/Center for Economic and Social Rights v. Nigeria)." *The American Journal of International Law* 96 (4): 937–42. <https://doi.org/10.2307/3070689>.
- Suárez, David, and Patricia Bromley. 2012. "Professionalizing a Global Social Movement: Universities and Human Rights." *American Journal of Education* 118 (3): 253–80.
- The Executive Board, American Anthropological Association. 1947. "Statement on Human Rights." *American Anthropologist, New Series* 49 (4): 539–43.
- Vogelgesang, Sandra. 1978. "What Price Principle? U.S. Policy on Human Rights." *Foreign Affairs* 56 (4): 819–41.
- Wotipka, Christine Min, and Kiyoteru Tsutsui. 2008. "Global Human Rights and State Sovereignty: State Ratification of International Human Rights Treaties, 1965–2001." *Sociological Forum* 23 (4): 724–54.

Young, Richard. 1951. "The Development of International Law." *American Bar Association Journal* 37 (5): 400–02. <http://www.jstor.org/stable/25717670>.