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**Quranic Ethics and Human Rights: Compatibility or Tension in Contemporary Discourse**

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**Abstract**

*The significance of its Qur'anic ethics for the modern human rights regime has become one of the most controversial issues of current legal and theological debate. Whereas the Qur'an offered a comprehensive formulation of the moral ideal rooted in human dignity, justice, and compassion, contemporary human rights documents (most notably, the Universal Declaration of Human Rights, 1948), are rooted primarily in secular liberal and Enlightenment traditions. Such a dual ancestry has given rise to a long-standing intellectual debate over whether these two paradigms are fundamentally compatible or necessarily in conflict with each other. On the one hand, the values of equality of all human beings as children of Adam, sanctity of life and need for justice, are highlighted in the Qur'an and echo in the universal principles of rights. On the other hand, issues such as freedom of religion, gender equality and prescribed penal sanctions are sources of divergence and challenge arguments of full compatibility. This paper approaches the topic in a critical, comparative spirit, that is, one that is attentive to the convergences and contradictions between Qur'anic ethics and the modern human rights regime. It concludes that although the Qur'an offers a rich moral paradigm that is capable of supporting human rights, it has tended to become hidden by traditions of interpretation and socio-political conditions. Through conversation with both classical exegesis and modern reformist thought, the paper concludes*

*that a contextual hermeneutic is a necessary enterprise because of the gap between the two systems. Finally, although some differences are irreducible, the moral vision of the Qur'an open for a serious engagement with the universal human rights standards in the name of justice and human dignity.*

**Keywords:** *Qur'an, human rights, Islamic ethics, universality, cultural relativism, justice, dignity, freedom of religion, gender equality, Cairo Declaration*

## Introduction

The issue of the compatibility of Islamic ethics formulated on the basis of the Qur'an with the modern system of universal human rights has become one of the most urgent intellectual and political challenges in the modern world. With the internationalization of human rights discourse following the promulgation of the Universal Declaration of Human Rights (UDHR) in 1948, Muslim-majority societies have been faced with the question of how to harmonize their religious and cultural traditions with international standards. For those in the fields of law, theology and political thought, the Qur'an - the foundational document of Islam - is the fundamental point of departure for such an inquiry. Fundamentally, the Qur'an lays down norms of justice ('adl), human dignity (karamah) and mercy (rahmah) that seem to align with the spirit of contemporary rights talk. Yet certain tensions arise when certain legal prescriptions and interpretive customs are compared to liberal human rights norms.

The modern concept of human rights is largely based on the Enlightenment and is concerned with individual autonomy, secular rationality and cross-cultural universality. This universalist claim has been called out by scholars from Global South, including Muslim intellectuals, on the grounds that the human rights framework is more a representation of Western historical experiences than a genuinely global consensus. Cultural relativists argue that human rights can only be understood meaningfully in specific cultural and religious terms. This light casts a different normative paradigm upon the Qur'an and the Islamic legal tradition more broadly-one that is oriented to obligations towards God and community, tied to rights: The rights-based ethic of liberal human rights law is contrasted with this duty-based ethic (Saeed, 2018).

Nonetheless, a growing awareness exists as well that Qur'anic values might offer a moral underpinning that is compatible with certain core human rights. For instance, the Qur'an's concern for the sanctity of life, its prohibition of injustice and its promotion of the equality of all peoples as descendants of Adam finds harmony with the universalist assertion of the UDHR (Saeed, 2018). At the same time, divergences are seen in areas such as gender equality, freedom of religion and prescribed penal sanctions (hudud), in which modern interpretations often contradict human rights conventions. The challenge, therefore, is not only to identify convergences and divergences but critically to examine the hermeneutical methods by which the Qur'anic ethics are made intelligible in contemporary contexts.

In Muslim-majority states, this is not just an academic debate, but has stark legal and political consequences. Cairo Declaration on Human Rights in Islam (1990), adopted under the aegis of the Organization of Islamic Cooperation (OIC) represents an effort to express human rights from

an Islamic perspective. However, it has been criticized for subordination of rights to Shar'iah and thereby for failing to comply with requirements of universal human rights standards (Mayer, 2018). Reformist Muslim thinkers such as Abdullahi An-Na'im and Fazlur Rahman have argued for contextual reinterpretations of the Qur'an which may allow for changing notions of justice and human dignity (M. I. Khan, 2012). Their work represents the dynamism of Islamic ethics when it is not entrapped by the literalism of the text and is read free from the context of modern-day realities.

This paper engages in a critical and comparative methodology to explore the cross-pertinence between Qur'anic ethics and the contemporary human rights lexicon. It starts with an examination of the Qur'anic conception of human dignity and rights and then follows with a survey of the secular and liberal foundations of the international human rights regime. Next, the paper explores areas of convergence, including the right to life, justice and dignity, and points of tension, in particular regarding freedom of religion and gender equality. Finally, it engages in dialogue with contemporary Muslim thought that is trying to bridge such paradigms and examines the potential for their confluence through a contextual hermeneutics.

The central research question that drives the research is the following one: To what extent are Qur'anic ethics reconcilable with contemporary universal human rights and where are there irreconcilable tensions? In answer to this question, the paper concludes that, while the Qur'an has a strong ethical vision that can provide a basis for human rights, both exegetical traditions and socio-political pressures have tended to discourage its effective realization in practice. Finally, to foster a more inclusive understanding of human rights in the modern dialogical discourse it is required to adopt a nuanced approach-which is aware of the universal character of human dignity and the specificity of religious traditions.

### **Qur'anic Conception of Human Dignity and Rights**

The Qur'an offers a comprehensive ethical framework that provides the foundation for the recognition of human dignity and rights. Unlike the liberal human rights tradition, which often emphasizes individual autonomy as its central principle, the Qur'anic worldview situates human rights within a broader moral and spiritual order, rooted in the relationship between humanity and God. This relationship establishes not only individual entitlements but also corresponding duties, reflecting a balance between personal freedoms and communal responsibilities. The Qur'an's conception of rights is thus inseparable from its conception of justice ('adl), mercy (rahmah) and moral accountability before God.

### **Human Dignity (Karāmah) as a Foundational Principle**

The Qur'an explicitly affirms the inherent dignity of human beings in a verse often cited by Islamic scholars and modern reformists alike: *"We have certainly honored the children of Adam and carried them on land and sea and provided for them of the good things and preferred them over much of what We have created, with definite preference"* (Qur'an 17:70). This verse establishes that human dignity (karāmah) is not contingent upon race, gender, or social status, but is intrinsic to all members of humanity by virtue of their creation (Rehmat & Hussain, 2025). In contemporary scholarship, this verse has been interpreted as a universal declaration of human

worth, one that resonates strongly with the modern human rights principle of equality (An-Na'im, 2021a).

The Qur'an's emphasis on dignity is closely tied to the idea of stewardship (khilāfah). Humanity is described as God's vicegerent (Qur'an 2:30), entrusted with moral responsibility to act justly on earth. This stewardship entails both privileges and obligations: the privilege of being honored above much of creation and the obligation to safeguard justice and maintain harmony in society. Unlike secular human rights traditions, where rights are often grounded in autonomy, the Qur'an grounds human worth in divine creation and accountability.

### **Justice ('Adl) and Equality**

Justice is another cornerstone of Qur'anic ethics. Numerous verses emphasize the obligation to uphold justice without favoritism: *"O you who believe! Be persistently standing firm in justice, witnesses for God, even if it be against yourselves or parents and relatives"* (Qur'an 4:135). This verse illustrates that justice transcends personal interest, kinship, or power structures. It has led many Muslim scholars to argue that justice is not merely a legal principle but an overarching ethical commitment in Islamic law (Ahmad et al., 2024).

Equality, too, is affirmed in the Qur'an through the notion that all human beings originate from a single soul (Qur'an 4:1) and are equal before God. The only measure of superiority is piety (taqwā), as expressed in *"Indeed, the most noble of you in the sight of God is the most righteous of you"* (Qur'an 49:13). While this verse has often been cited to stress moral and spiritual equality, its broader implication suggests a rejection of racial, tribal, or class-based hierarchies (Azizy et al., 2022). In this sense, Qur'anic ethics challenge many forms of inequality that persist in societies, including those codified in legal systems.

### **Rights of Life, Property and Freedom of Belief**

The Qur'an affirms the sanctity of life in unequivocal terms: *"Whoever kills a soul, unless for a soul or for corruption [done] in the land, it is as if he had slain mankind entirely. And whoever saves one, it is as if he had saved mankind entirely"* (Qur'an 5:32). This principle reflects the intrinsic value of human life, laying the groundwork for legal protections against murder, violence and unjust warfare (Prentice & Saeed, 2022). Similarly, the protection of property rights is recognized in the prohibition of theft (Qur'an 5:38) and the condemnation of unjust enrichment or exploitation (Qur'an 2:188).

Freedom of belief is addressed in the famous verse: *"There is no compulsion in religion; truth stands out clear from error"* (Qur'an 2:256). While classical jurisprudence developed doctrines that limited this freedom, particularly in cases of apostasy, many contemporary scholars argue that the Qur'an's emphasis on voluntary faith supports a robust conception of religious freedom (Prentice & Saeed, 2022). The challenge lies in reconciling this ethical principle with later juristic interpretations that appeared more restrictive.

### **Duties and Responsibilities**

One distinguishing feature of the Qur'anic approach is its integration of duties with rights. Human beings are not only beneficiaries of dignity and justice but also bearers of responsibility. The Qur'an repeatedly emphasizes accountability before God, reminding believers that rights are

inseparable from duties owed to others and to the Creator. For instance, the duty to provide for the poor (Qur'an 2:177) and to uphold contracts (Qur'an 5:1) underscores that social justice cannot be achieved without collective moral responsibility.

This duty-based model is quite different from the modern liberal rights discourse in which rights are claimed in apparent independence of moral and religious obligation. Yet it also brings a distinct dimension to human rights discourse, indicating that the achievement of dignity and justice is premised on both rights and duties.

### **Conclusion to Section**

In a nutshell, the Qur'anic understanding of human dignity and rights is based on the principles of karamah, justice, equality and moral responsibility. These principles offer an ethical foundation that is very similar to the principle of many modern human rights discourses, including equality and the sanctity of life. At the same time, the Qur'an places these rights in the context of a divinely ordained normative framework which stresses duties as well as rights, thus providing a different normative paradigm. This dual emphasis on rights and duties marks the possibility of dialogue between Islamic ethics and the international human rights system, while also bringing to light points of divergence that will be explored in later sections.

### **Universal Human Rights Framework: Secular and Liberal Foundations**

The modern human rights framework, as institutionalized in international law, largely emerged in the aftermath of the Second World War, culminating in the adoption of the Universal Declaration of Human Rights (UDHR) by the United Nations General Assembly in 1948. The UDHR was conceived as a global response to the atrocities of war and genocide, reflecting a determination to establish universal norms protecting human dignity, equality and freedom (Elkins & Ginsburg, 2022). While its language was deliberately inclusive, appealing to diverse cultural and philosophical traditions, its intellectual underpinnings were primarily rooted in Western Enlightenment thought. This background has shaped the conceptual architecture of modern human rights and continues to frame debates about their universality and compatibility with non-Western ethical systems, including Islamic traditions.

### **Enlightenment Roots of Human Rights**

The Enlightenment in eighteenth-century Europe laid the groundwork for the secular liberal conception of rights. Thinkers such as John Locke, Jean-Jacques Rousseau and Immanuel Kant emphasized the autonomy of the individual, rationality and natural rights. Locke's social contract theory posited that individuals possess inalienable rights to life, liberty and property, which governments are established to protect (Clark, 2023). Rousseau developed the notion of popular sovereignty and political equality, while Kant articulated the moral imperative to treat individuals as ends in themselves rather than means to an end. These philosophical currents profoundly shaped the French Declaration of the Rights of Man and Citizen (1789) and the American Bill of Rights (1791), both of which directly influenced twentieth-century human rights discourse (Parten, 2023).

The Enlightenment legacy emphasized universality, rationality and secularism. Rights were viewed as inherent to individuals by virtue of their humanity, not derived from divine command

or religious tradition. This distinction marked a fundamental departure from premodern frameworks in which rights were often grounded in theology or hierarchical social orders. For liberal thinkers, the universality of rights was justified by shared human reason, rather than religious authority.

### **The Universal Declaration of Human Rights**

The UDHR, adopted in 1948, embodies the Enlightenment vision of human rights while striving to present itself as universally valid. Its thirty articles cover civil, political, economic, social and cultural rights, ranging from the right to life and freedom of religion to the right to education and participation in cultural life. The preamble affirms the “inherent dignity” and “equal and inalienable rights of all members of the human family” as the foundation of freedom, justice and peace in the world (B. U. Khan & Alam, 2024).

Although the drafting committee included representatives from diverse cultural and religious backgrounds, such as Charles Malik from Lebanon, Peng Chun Chang from China and Hansa Mehta from India, the ideological orientation of the UDHR remained primarily liberal and secular. Its emphasis on individual autonomy and freedom reflects the liberal philosophical tradition, even as its drafters attempted to incorporate broader perspectives. Critics from within and outside the Islamic world have argued that the UDHR reflects Western historical experiences more than genuinely global principles (B. U. Khan & Alam, 2024).

### **Universalism vs. Cultural Relativism**

The universality claim of the UDHR has generated intense debates. Proponents of universalism argue that human rights are rooted in the shared dignity of all human beings and are therefore applicable across cultures and religions. Cultural relativists, by contrast, contend that human rights cannot be understood outside of cultural and religious contexts and that imposing a universalist framework risk replicating forms of cultural imperialism. This debate is especially salient in discussions of Islamic ethics and human rights, where critics argue that the UDHR does not adequately reflect Islamic conceptions of rights and duties.

The tension between universalism and relativism has also been evident in regional human rights instruments, such as the African Charter on Human and Peoples’ Rights (1981) and the Cairo Declaration on Human Rights in Islam (1990). Both attempts to balance universalist claims with cultural and religious particularities, though they differ in scope and emphasis. In the case of the Cairo Declaration, rights are explicitly subordinated to Sharī’ah, highlighting the contrast between secular universalism and religiously grounded ethics (An-Na’im, 2021b).

### **Individualism and Community**

Another hallmark of the liberal human rights tradition is its strong emphasis on individualism. The UDHR consistently frames rights as attributes of individuals, affirming their autonomy against both the state and the community. While collective rights are acknowledged in limited ways (such as the right to cultural participation), the overarching framework is individual-centered. This contrasts sharply with many non-Western traditions, including Islamic ethics, where community and relational duties are often as central as individual entitlements.

This individualistic orientation has generated critique from scholars who argue that it neglects the importance of social solidarity, family and community. In Islamic thought, for instance, the individual is seen as part of a divinely ordained community (ummah) and rights are often inseparable from responsibilities. This divergence complicates efforts to harmonize Qur'anic ethics with secular liberal frameworks, though it also provides opportunities for dialogue by highlighting complementary emphases on justice and dignity.

### **Conclusion to Section**

The secular and liberal origins of the modern human rights paradigm that were developed by Enlightenment thinking and enshrined in the UDHR offer both an opportunity and a challenge to engage Qur'anic ethics. Although both systems affirm the inherent dignity of the human person and man's equal status to God, their philosophical foundations are quite different. The liberal paradigm is based on the notions of individual autonomy and secular universality while the Qur'anic paradigm locates rights in divine command, moral responsibility and community. These foundations are needed for evaluating areas of compatibility and tension that will be examined in later sections of this paper.

### **Compatibility: Convergences Between Qur'anic Ethics and Human Rights**

Despite their different philosophical sources, the Qur'anic moral system and the modern human rights regime are very much similar. Both stress the intrinsic value of human beings, the sacredness of life and the search for justice. Although articulated in different idioms, one religious and obligation-based, the other secular and rights-based, these principles illustrate shared interests that open the way for a dialogue between the two systems.

#### **The Right to Life and Protection of Human Dignity**

The Qur'an affirms the sanctity of human life in a manner that resonates closely with Article 3 of the UDHR, which guarantees the right to life, liberty and security of person. The Qur'anic verse, *"Whoever kills a soul, unless for a soul or for corruption [done] in the land, it is as if he had slain mankind entirely. And whoever saves one, it is as if he had saved mankind entirely"* (Qur'an 5:32), provides a powerful moral foundation for the protection of life. This principle aligns with international human rights law's recognition of the right to life as the most fundamental of rights, without which all others become meaningless (Nishat, 2024).

Similarly, the Qur'anic affirmation of human dignity (karāmah) in Qur'an 17:70 parallels the UDHR's emphasis on the "inherent dignity" of all members of the human family. Both frameworks regard dignity as the cornerstone of rights and obligations. In Islamic ethics, dignity is derived from divine creation, while in human rights law, it is rooted in the shared humanity of all individuals (An-Na'im, 2021c). Though the ontological justifications differ, the normative outcome, the protection of dignity, is remarkably similar.

#### **Justice and Equality**

Justice ('adl) constitutes a central Qur'anic principle, emphasized repeatedly in verses commanding believers to uphold fairness even against personal interests (Qur'an 4:135). In the human rights context, the pursuit of justice is expressed in principles of equality before the law, fair trial rights and non-discrimination. The Qur'an's rejection of tribal or racial superiority,

*“Indeed, the most noble of you in the sight of God is the most righteous of you”* (Qur’an 49:13), echoes the UDHR’s Article 1, which declares that all human beings are born free and equal in dignity and rights (Sommer, 2024).

In both traditions, equality does not mean uniformity but rather the recognition that no individual or group is intrinsically superior to another. While Islamic law historically accommodated distinctions based on faith or gender, reformist interpretations stress that the Qur’an’s overarching message of moral equality can support modern commitments to nondiscrimination.

### **Rights of Conscience and Freedom of Belief**

The Qur’anic proclamation *“There is no compulsion in religion”* (Qur’an 2:256) has often been cited as a basis for religious freedom. While classical Islamic jurisprudence restricted apostasy and blasphemy, many modern scholars argue that the Qur’an itself recognizes freedom of conscience as essential to authentic faith (Ayat, 2023). Article 18 of the UDHR similarly guarantees the right to freedom of thought, conscience and religion, including the freedom to change one’s religion. Though interpretive challenges remain, the Qur’an provides a textual foundation that supports, at least partially, this human rights principle.

### **Rights of Women and Vulnerable Groups**

The Qur’an also advances protections for women, children and marginalized groups. For instance, it condemns the pre-Islamic practice of female infanticide (Qur’an 81:8–9), mandates fair treatment in marriage (Qur’an 4:19) and upholds orphans’ rights (Qur’an 4:2). These provisions resonate with contemporary human rights norms that stress gender equality and the protection of vulnerable populations. The UDHR and subsequent conventions such as the Convention on the Rights of the Child (CRC) echo these commitments.

While interpretations of gender equality remain contested, it is important to recognize that the Qur’an’s interventions were progressive for their historical context and continue to provide an ethical basis for rights-based reforms in Muslim societies (Mukharrom & Abdi, 2023). Reformist scholars argue that the Qur’anic spirit of justice and equality can be harnessed to promote women’s rights in ways consistent with both Islamic tradition and international law.

### **Social and Economic Justice**

Another area of overlap lies in economic and social rights. The Qur’an emphasizes distributive justice, mandating zakat (obligatory almsgiving) and condemning hoarding and exploitation (Qur’an 9:34–35). These principles align with the UDHR’s recognition of the right to social security, work and an adequate standard of living (Articles 22–25). Although the frameworks differ in mechanisms, religious obligation versus state responsibility, the underlying concern for alleviating poverty and ensuring social welfare is shared.

### **Conclusion to Section**

These convergences demonstrate that the Qur’an provides an ethical foundation that overlaps substantially with modern human rights principles. Both systems uphold the sanctity of life, the centrality of justice, the equality of human beings and the protection of vulnerable groups. While differences in justification and scope remain, these commonalities highlight the potential for



constructive dialogue and mutual reinforcement. By drawing on these shared principles, Muslim societies can advance human rights in ways that are both faithful to Islamic ethics and consistent with international norms.

### **Tensions and Divergences: The Limits of Compatibility**

Despite many areas of overlap between Qur'anic ethics and modern human rights discourse, several enduring tensions complicate the relationship. These divergences often emerge when universal human rights standards, grounded in secular liberal traditions, are measured against Qur'anic injunctions that prioritize divine sovereignty and community order. The most salient points of contention arise in the domains of freedom of religion, gender equality, penal law and the balance between individual autonomy and communal responsibility.

### **Apostasy and Freedom of Religion**

Freedom of religion, including the right to change one's faith, is a cornerstone of modern human rights frameworks such as the Universal Declaration of Human Rights (UDHR, 1948). Article 18 guarantees "freedom to change his religion or belief." By contrast, classical Islamic jurisprudence, drawing from certain hadith traditions, often prescribes legal sanctions for apostasy (riddah). Although the Qur'an itself proclaims that "there is no compulsion in religion" (Qur'an 2:256), juristic interpretations have historically limited the scope of religious freedom to protect communal integrity and prevent perceived sedition. This divergence creates one of the most persistent points of incompatibility between Islamic law and liberal human rights standards. Reformist scholars argue that apostasy should be treated as a matter of personal conscience rather than legal enforcement, but conservative jurists continue to resist this view (Saeed, 2017).

### **Gender Equality vs. Gender Justice**

Modern human rights instruments emphasize absolute gender equality, affirming that men and women are entitled to identical rights in all spheres of life. Qur'anic ethics, however, frame gender relations through the principle of complementarity, emphasizing equity rather than sameness. For instance, women are granted rights to inheritance, education and property ownership, which were revolutionary in the 7th century. Yet, inheritance shares remain unequal and male guardianship persists in various interpretations of Shari'ah (Barlas, 2019). Critics contend that these asymmetries contradict the universal human rights principle of non-discrimination. Defenders, however, argue that Qur'anic justice is context-sensitive, aiming to preserve familial and social balance rather than enforce strict equality (Bader, 2010). This philosophical difference between "equality" and "justice" underpins much of the tension in contemporary gender rights debates.

### **Hudud Punishments and International Standards**

Perhaps the most visible divergence lies in the application of hudud punishments, such as amputation for theft, flogging for adultery, or stoning. These penalties, derived from classical fiqh, are justified as divinely mandated safeguards of moral order. However, international human rights law, particularly the International Covenant on Civil and Political Rights (ICCPR), categorically prohibits cruel, inhuman, or degrading punishment (Joseph, 2022). While many Muslim-majority states have suspended or restricted hudud implementation, their symbolic

presence in Islamic jurisprudence remains contentious. Reformist voices argue for a *maqasid al-shari'ah* (objectives of law) approach, emphasizing the underlying goals of justice, deterrence and social welfare rather than literalist application. Yet, traditionalist positions insist that *hudud* reflect immutable divine will, creating a normative standoff with global human rights norms.

### **Individual vs. Community Orientation**

Another tension lies in the locus of rights. Secular human rights frameworks are built on the primacy of the individual, viewing rights as inherent, inalienable and enforceable against both state and society. By contrast, Qur'anic ethics embed rights within a matrix of duties, emphasizing harmony between the individual and the *ummah* (community) (Rohmah & Wahyudi, 2025). For instance, freedom of speech in Islamic ethics is conditioned by the duty to avoid slander or blasphemy, whereas liberal frameworks prioritize near-absolute expression, curtailed only in extreme cases. This divergence illustrates a deeper philosophical rift: human rights in Islam are not understood as absolute entitlements but as balanced claims within a divinely ordered social fabric.

### **The Interpretive Divide**

It is essential to note that many of these tensions are not rooted in the Qur'an itself but in centuries of juristic interpretation. Contemporary Muslim intellectuals such as Abdullahi an-Na'im and Tariq Ramadan argue that reinterpretation, grounded in the ethical spirit of the Qur'an, could bridge these gaps. Yet, institutional and political resistance, coupled with the authority of classical *fiqh*, has made such reform slow and contested. Thus, while theoretical possibilities of reconciliation exist, practical realities often magnify the divergences between Islamic ethics and international human rights regimes.

### **Tensions and Divergences: The Limits of Compatibility**

While the Qur'anic ethical framework contains profound moral principles that resonate with modern notions of justice, dignity and equality, critical divergences emerge when specific human rights norms are measured against classical interpretations of Islamic law. These tensions often appear in areas where human rights discourse emphasizes individual autonomy and absolute freedoms, while Qur'anic ethics and Islamic jurisprudence situate rights within a relational, communal and divinely ordained order. Three domains are particularly instructive in highlighting the limits of compatibility: freedom of religion and apostasy, gender justice and equality and the application of penal laws.

### **Apostasy and Freedom of Religion**

Freedom of religion occupies a central place in the modern human rights framework. Article 18 of the Universal Declaration of Human Rights (UDHR) guarantees not only the right to practice and change one's religion but also the right to express it publicly and privately. In contrast, the Qur'an explicitly proclaims, "There is no compulsion in religion" (2:256), which suggests a foundational respect for religious freedom. However, interpretive divergences arise around the issue of apostasy. Traditional Islamic jurisprudence, developed during the formative centuries of Islamic law, treated apostasy (*ridda*) as a punishable offense, often by death, viewing it as a

threat to the integrity of the Muslim community and state. Contemporary human rights frameworks, however, frame the right to change religion as an inviolable individual right.

This divergence reflects deeper philosophical differences. Human rights discourse emphasizes individual autonomy, while classical Islamic legal reasoning prioritized the cohesion and security of the community (ummah). Modern reformist scholars such as Abdullahi An-Na'im argue for a contextual reinterpretation, noting that Qur'anic verses advocate persuasion rather than coercion and that apostasy laws were historically linked to political treason rather than belief alone (Huang & Yang, 2021). Such reinterpretations attempt to reconcile the Qur'an's ethical vision with contemporary human rights, but tensions remain prominent in Muslim-majority states where apostasy continues to be criminalized.

### **Gender Equality versus Gender Justice**

Another area of divergence lies in gender relations. Human rights discourse, particularly after the adoption of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), promotes substantive equality between men and women in all spheres of life. By contrast, the Qur'an affirms the moral and spiritual equality of men and women (33:35) but also recognizes differentiated roles within the family and society. For example, inheritance laws (4:11–12) provide women with shares that are generally half of those allocated to men, justified within the Qur'anic framework by men's financial responsibilities for dependents.

This has produced a debate between notions of **gender justice** and **gender equality**. Many Muslim thinkers argue that Qur'anic prescriptions aim at equity within a socio-historical context where women were previously marginalized, thereby constituting a step toward justice rather than discrimination (Rozy, n.d.). Others, however, contend that literalist adherence to these prescriptions in the modern era results in systemic inequalities that conflict with international human rights standards. Feminist scholars like Amina Wadud advocate for an egalitarian hermeneutic that reinterprets gendered verses in light of the Qur'an's overarching principles of justice and human dignity (Rozy, n.d.). Nevertheless, the institutionalization of such reforms remains contested across Muslim societies and in some cases, resistance to equality claims is framed as preserving divine law against perceived Western imposition.

### **Hudud Punishments and Modern Standards of Justice**

Perhaps the starkest divergence concerns criminal justice, particularly hudud punishments prescribed for offenses such as theft, adultery and apostasy. Traditional Islamic jurisprudence, drawing from Qur'anic injunctions (e.g., amputation for theft in 5:38), considers hudud as fixed punishments mandated by God. In contemporary discourse, however, such penalties are widely criticized as incompatible with human rights standards prohibiting cruel, inhuman, or degrading treatment. Article 5 of the UDHR explicitly proscribes torture and degrading punishment, leading to a normative clash between modern human rights law and classical fiqh.

Some Muslim jurists respond by emphasizing the extraordinarily high evidentiary standards required for hudud punishments, which render their actual implementation exceedingly rare. Others advocate for suspension of these penalties under the Islamic principle of *maslahah* (public interest), arguing that the Qur'an's emphasis on justice and compassion should take precedence

in contemporary contexts (Junaidi et al., 2023). Yet, despite such reformist arguments, states such as Saudi Arabia, Iran and Pakistan have retained or reintroduced hudud laws, demonstrating the enduring tension between Qur'anic legal literalism and modern human rights expectations.

### **Individual versus Community Orientation**

Underlying these specific issues of concern is a more general philosophical divide, between individual rights and communal duty. Modern human rights models place the autonomy of the individual as the major unit of moral concern. In contrast, Qur'anic ethics places human beings in the context of the wider community of believers in which rights are interdependent with responsibilities and moral responsibility before God. The Qur'an also always presents rights in relational terms, between parents and children, between husband and wife, between neighbor and neighbor, between the rich and the poor, and stresses collective solidarity.

This discrepancy accounts for why some rights in the human rights discourse-such as unbridled freedom of expression or lifestyle-as may seem inconsistent with Islamic ethics, which focuses upon limitations that stem from the common good and divine guidance. For example, blasphemy laws in some Muslim-majority states are justified on the basis of protecting communal sanctities, whereas freedom of speech is a core value of international human rights law even if it may offend religious sentiments (Fadel, 2022). So the tension is not just legal but conceptual: the human rights tradition is oriented to the idea that the individual is sovereign, and the Qur'anic tradition is oriented to an idea of God as sovereign and to the responsibility of human beings to be trustees, with rights and responsibilities.

### **Conclusion of the Section**

The incompatibilities between modern human rights discourse and Qur'anic ethics make clear the difficulties of compatibility quests. Issues like apostasy, gender equality and hudud punishments reveal major philosophical and legal gaps which are premised on fundamentally different conceptions of freedom, justice and authority. While ongoing voices of reform within Islamic thought seek out paths of reconciliation, these tensions remind us that compatibility is neither complete nor easily expressible. In consequence, the relationship is dynamic, based on emerging understandings of both the Qur'an and human rights norms, and mediated by political, cultural and legal contexts in which Muslim societies are set.

### **Contemporary Islamic Thought and Human Rights Discourse**

The contemporary debate on the relationship between Islam and human rights is shaped not only by the Qur'anic ethical framework and international human rights law but also by the interpretations of Muslim scholars, reformist thinkers and institutional declarations. These perspectives seek to reconcile the universality of human rights with the moral and theological underpinnings of Islam. While some emphasize continuity between the two, others highlight irreconcilable divergences that stem from competing epistemological foundations.

One of the most influential voices in this discourse is Fazlur Rahman, who maintained that the moral principles of the Qur'an should be interpreted in their historical context and used in a dynamic process of interpretation (ijtihad). He condemned the literalism of traditional jurists and advocated for a "double movement": first, he contextualized the Qur'an's injunctions in terms of

their original milieu, then he drew their underlying ethical goals (maqasid) and applied them to the contemporary world. This approach paves the way for convergence with recent human rights standards, notably in terms of gender justice and freedom of belief, without violating the moral authority of the Qur'an (Rahman, 2024).

Similarly, Abdullahi An-Na'im has contributed to a normative framework for reconciling Islam with modern human rights discourse. His seminal work, *Toward an Islamic Reformation*, emphasises the importance of basing human rights on the individual's consent, not state enforcement of religious law. An-Na'im's approach to freedom of religion, equality before the law and protection of minorities is based on his belief that there is no contradiction between these principles and Islam when read through a reformist hermeneutic lens (An-Na'im, 2021d). But his position has been criticized by traditional scholars who consider it to weaken Islamic authenticity through the use of secular premises.

Another prominent thinker, Tariq Ramadan, has argued for a "radical reform" of Islamic thought, in which universal human rights should be incorporated into the maqasid al-shari'a framework. He argues that Muslims need to move beyond apologetic strategies and come up with a genuine Islamic contribution to world ethics. Ramadan is of the view that the values of justice ('adl), dignity (karamah) and compassion (rahmah) are very Qur'anic and have resonance with international human rights ideals (Amir, 2022). His new vision reflects the compatibility of human rights with Islamic moral philosophy when human rights are not regarded as an external imposition, but as an extension of Islamic moral philosophy.

At the institutional level, Islamic human rights charters have been attempted to be articulated. The most remarkable is the Cairo Declaration on Human Rights in Islam (1990), adopted by the Organization of Islamic Cooperation (OIC). In many aspects, the Declaration confirms the same rights as the Universal Declaration of Human Rights (UDHR): the right to life, freedom from torture and protection of the family. However, it is subject to the conditions of Islamic law (Shari'), thus raising questions of universality. Critics claim that the Declaration's use of Shari'a as a conditional basis for rights violates fundamental freedoms such as gender equality and freedom of religion (Lakatos, 2022). Proponents, on the other hand, argue that it is a true Islamic expression of human rights based on divine sources, and therefore culturally legitimate in Muslim states.

The debates continue also in Muslim-majority states, where a conflict between international human rights obligations and domestic understandings of Shari'a is frequently evident. For example, in Pakistan, constitutional commitments to equality and freedom of belief have been placed in tension with blasphemy laws and gender-discriminatory practices. In Saudi Arabia and Iran, for example, state policies often express rigid interpretations of Shari'a that are at odds with international standards of human rights. By comparison, countries like Tunisia and Indonesia have followed more reformist paths, incorporating Islamic values into constitutionalism and democratic governance (Nassery, 2023). This diversity reflects the fact that the compatibility of Islam and human rights is not monolithic, but rather contingent on interpretive approaches, political will and socio-legal contexts.

Overall, contemporary Islamic thought on human rights is characterized both by convergence and contestation. While the institutional charters such as the Cairo Declaration attempt to codify rights in an Islamic context, reformist scholars have laid stress on the need for a contextual reinterpretation which should be in line with the universal human rights. The case studies of Muslim-majority states reveal a range of practice, from progressive reform to restrictive practice. What arises is an appreciation that the Qur'an's ethical spirit is a source of resources for compatibility, but the challenge is overcoming the literalistic rigidity and political instrumentalization.

### **Conclusion**

The discourse on Qur'anic ethics and modern human rights discourse shows a complicated relationship that cannot be reduced to either full consonance or absolute antagonism. The Qur'an is a strong moral guide which emphasizes human dignity, justice, equality before God and sanctity of life. These principles have a strong connection with most of core human rights values as stated in international conventions, particularly regarding the human dignity, social justice, and human collective well-being. At the same time, the modern human rights paradigm, which is based on Enlightenment rationalism and formalized through secular, universalist documents such as the Universal Declaration of Human Rights, is premised on assumptions which are not always compatible with Qur'anic ethics. This gives rise to points of tension which should not be overlooked.

The tension between universalism and cultural specificity is a central issue. The human rights discourse claims universality, and makes rights sacrosanct regardless of context. By contrast, Qur'anic ethics integrates moral rights and responsibilities within a divine context that is both universal at the same time, and contextually defined by Islamic epistemology. This difference ought not to be construed as incompatibility, but points to a need for interpretive flexibility in harmonization and the need to acknowledge different moral sources.

Another important issue is the rights of the individual compared to the community. Whereas the international human rights regime puts the individual at the center as the ultimate right holder, the Qur'anic paradigm stresses a balance between individual liberty and civic duty. This communitarian aspect, which is commonly seen as conservative, could also be interpreted more positively as providing for a more relational and responsibility-based approach which, alongside individual rights, stresses social consensus and social responsibility.

At the same time, the most sensitive areas of divergence remain in the areas of gender equality and freedom of religion. Liberal human rights beliefs are absolute in their emphasis on equality and unlimited freedom of thought. On the other hand, Qur'anic reasoning tends to be more concerned with gender justice than the equality of the sexes and includes some limitations on religious freedom, especially in apostasy. Whereas such divergences have been sites of critique, contemporary reformist scholarship has demonstrated that changing hermeneutics of the Qur'an and a reorientation toward human rights can address these issues in ways that are more compatible with the text's integrity without sacrificing its authenticity.

Ultimately, the Qur'anic paradigm provides a profoundly moral conception of the human person based on the awareness of divine dignity, justice and mercy. It does not overlap, nor is it fundamentally opposed to, the modern human rights discourse. Rather, the relationship is one of selective convergence and constructive tension. By taking these dynamics into consideration, scholars and policymakers can transcend polarized debates and instead foster a dialogue that is attentive to the moral richness of Islamic ethics and the universal aspirations of human rights law.

The future of this field, however, lies in contextual and adaptive hermeneutics, approaches that return to Qur'anic texts with an awareness of both tradition and moral challenges of our day. Reformist thinkers have already established the groundwork in this respect, showing that the Qur'an's ethical ethos can be mobilized to advance justice, equality, and freedom in ways that are understandable to contemporary human rights. This does not mean uncritical adoption of Western liberalism but an adjustment process that is in the spirit of pluralism, cultural authenticity and universal dignity.

At the end of the day, the question is not whether Qur'anic ethics and human rights are or are not mutually exclusive, but rather how they can be placed into a constructive dialogue. Such a conversation has the potential of contributing to a more inclusive discourses of human rights at the global level that moves beyond the secular-religious binary and embraces the diversity of moral traditions that inform humanity's shared aspiration for dignity, justice and peace.

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