

Conceptualizing Universal Human Rights in Islam: Implications in the Modern Period



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Abstract: This study delves into the conceptualization of Universal Human Rights in Islam and its implications in the modern period. The research explores foundational principles within Islam that align with universal human rights values, such as the recognition of inherent human dignity, equality, and freedom of conscience. Additionally, it investigates Islamic perspectives on social justice, the protection of minority rights, and the provision of basic needs, which resonate with the principles of universal human rights. However, the study also addresses challenges in the areas of gender equality and women's rights, as interpretations of Islamic teachings may differ from international human rights standards. The research also highlights the complexities of reconciling freedom of expression with religious sensitivities within the Islamic context. The implications of the findings are far-reaching, with the potential to foster interfaith dialogue, enhance human rights education within Islamic communities, and advance efforts towards gender equality and minority protection.

Key Words: Human Rights, Islamic values, Equality, Social justice, Zakat

Introduction

Human rights in Islam are deeply rooted in the teachings of the Quran and the Hadith, forming a fundamental aspect of the Islamic faith. Islam upholds the inherent dignity and equality of all human beings, emphasizing that every individual possesses intrinsic worth and value (Moustafa, 2018). This belief is central to the concept of human rights in Islam. Regarding principles and values, freedom of conscience and religion is a cornerstone of Islamic principles (Tomalin, 2013). The Quran explicitly states that there should be no compulsion in matters of faith, affirming the importance of individuals freely choosing their beliefs and practices. Islam advocates for religious tolerance and respect for the beliefs of others (Saeed, 2018).

Islamic teachings also emphasize social justice and welfare. The concept of Zakat and Sadaqah reflects

the duty of Muslims to help those in need and support the less fortunate members of society. Caring for the marginalized and vulnerable is encouraged in Islamic teachings. In addition, the right to life is highly regarded in Islam (Hassan et al., 2017). The Quran affirms the sanctity of human life and prohibits unjust killing. The protection of innocent life is a fundamental duty, and Islam places a strong emphasis on justice and the preservation of life.

Regarding women's rights, Islam has clearly addressed granting them various rights and protections. For instance, they have the right to education, inheritance, and the freedom to consent to marriage (Ali, 2021). Islamic teachings promote the fair treatment and respect of women. Islam also places importance on the protection of minorities living within Muslim-majority societies. Non-Muslims are granted the right to practice their religion freely, and

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their places of worship are to be respected and safeguarded. It is essential to recognize that interpretations of Islamic teachings may vary among different scholars and communities. Nonetheless, the principles of human rights in Islam are based on the core values of justice, compassion, and respect for the inherent dignity of all human beings (Askari & Mirakhor, 2019). When adhered to and practised with understanding and fairness, these principles can contribute to creating societies that uphold and protect human rights for all individuals, fostering a world that embodies the values of justice, peace, and compassion. The agenda of Islam and human rights is understandable with the help of a wider domain covered by the connections of human rights and Islam and it is also covered in the definition of human rights itself (Almahfali & Avery, 2023). It is defined by Bielefeldt (1995) that human rights are equal to freedom as a legal and political claim. Furthermore, it is elucidated that human rights are connected in a modern sense with geographical sense, historical scenarios and social conditions simultaneously they are inclined towards international application. It is also believed that historical situations, universalization, and cultural relativism also take into account the application of previous context references and future accounts (Almahfali, M. and Avery, H. 2023).

In the dynamic landscape of our interconnected world, characterized by unprecedented globalization and intricate global challenges, the concept of universal human rights serves as a powerful beacon of hope and aspiration for humanity. Embodying fundamental principles grounded in the inherent dignity and equality of every individual, these universally recognized human rights ideals have emerged as a foundational framework, transcending geographical borders, cultural divides, and religious boundaries, in their pursuit of justice, peace, and the realization of human potential worldwide (Sameh, 2019). As societies grapple with complex issues of discrimination, marginalization, and social injustice, the imperative to explore how diverse cultural and religious traditions engage with and contribute to the concept of universal human rights has grown exponentially, representing a pivotal and timely investigation into the harmonization of global values and humanistic principles. In this era of ongoing transformation, a nuanced understanding of the intersection between different worldviews and their respective embrace of universal human rights stands at the heart of addressing the multifaceted challenges that define our time (Alaa, 2021).

The central focus of this research is to comprehensively delve into and explore the conceptualization of universal human rights within the framework of Islam, examining its implications in the contemporary world. Given its status as one of the world's major religious traditions, Islam holds profound significance in the lives of over a billion followers and exerts a substantial influence on the fabric of numerous societies. Investigating the intersections between Islamic teachings and the broader global dialogue on human rights stands to yield invaluable insights into the intricate interplay of cultural and religious values with the foundational principles of universal human rights.

By delving into the intricate nuances of Islamic teachings and their correlation with universal human rights values, this study aims to illuminate the potential for harmony and discord between the two realms. The multifaceted nature of Islamic beliefs and practices, coupled with their profound implications on human rights, warrants a meticulous and nuanced investigation. As the world grapples with contemporary challenges, such as discrimination, intolerance, and social inequality, understanding how Islamic principles engage with universal human rights discourse can serve as a potent catalyst for fostering constructive dialogues and envisioning a more cohesive and inclusive future. In this era of rapid globalization and diverse perspectives, the study of Islamic perspectives on universal human rights assumes heightened significance, as it enables a deeper appreciation for the rich tapestry of human values that shape global societies. By shedding light on areas of alignment and divergence, this research seeks to contribute to the ongoing endeavour of nurturing mutual understanding and cross-cultural collaboration, paving the way towards a more equitable and harmonious world where human rights are celebrated and upheld as a universal foundation for a flourishing human civilization.

Drawing upon a vast array of primary and secondary sources, including the Quran, Hadith, classical Islamic jurisprudence, and contemporary scholarly works, this research will analyze how Islamic scholars and thinkers have addressed issues related to human rights throughout history. Moreover, it will investigate how the principles derived from Islamic sources can be applied to contemporary human rights challenges, such as gender equality, religious freedom, freedom of expression, and social justice. The study recognizes that the concept of universal human rights is not a monolithic entity, and within the Islamic

tradition, there exist diverse interpretations and perspectives. Hence, this research aims to present a nuanced understanding of the various viewpoints within the Islamic discourse on human rights, while also identifying the common principles that resonate with the universality of human rights values. With the aim of assessing the compatibility of Islamic teachings with the universality of human rights values, this research examines various dimensions of Islamic philosophy, jurisprudence, and ethics. By incorporating Islamic perspectives in the global human rights discourse, policymakers and advocates can work towards creating inclusive societies that respect diverse cultural and religious values while upholding universal human rights principles. Through a balanced examination of the compatibility and disparities between Universal Human Rights in Islam philosophy and international human rights standards, this study aims to contribute to a more comprehensive understanding of the interplay between cultural and religious values and the principles of universal human rights. Ultimately, it seeks to promote mutual understanding and cooperation in building a just, inclusive, and compassionate global community.

Assessing how Universal Human Rights in Islam philosophy resonates with the universality of human rights values requires a comprehensive examination of Islamic teachings and their compatibility with the core principles of universal human rights. The following insights can be used as a framework for this assessment:

Dignity and Equality of All Individuals

The principle of human dignity and the equality of all individuals is a central pillar of universal human rights, transcending cultural and religious boundaries. Within the Islamic faith, this notion is deeply ingrained and firmly rooted in the belief in the inherent worth of every human being. The concept of "fitrah" (natural disposition) in Islam accentuates that each individual is created by Allah and imbued with equal worth and significance (Sameh, 2019). The assessment of how Islamic teachings uphold and reinforce this intrinsic value and equality of all individuals, regardless of their race, gender, or religious background, holds paramount importance in gauging the resonance of Islam with universal human rights values.

In Islam, the Quran serves as the primary source of guidance and wisdom, emphasizing the sanctity of human life and the responsibility to protect it. Verses

in the Quran explicitly underscore the sacredness of life and the prohibition of unjust killing, stating that "if anyone killed a person not in retaliation for murder or for causing corruption in the land, it would be as if he killed all mankind" (Surah Al-Ma'idah, 5:32). These verses emphasize the universal importance of safeguarding human life and the value placed on every individual's existence.

Furthermore, the Islamic teachings on equality and nondiscrimination are evident in various aspects of the faith. The Quran states, "O mankind, indeed We have created you from male and female and made you peoples and tribes that you may know one another. Indeed, the most noble of you in the sight of Allah is the most righteous of you. Indeed, Allah is Knowing and Acquainted" (Surah Al-Hujurat, 49:13). This verse emphasizes that diversity in human characteristics, including race and ethnicity, serves as a means to understand and appreciate one another, rather than as a basis for discrimination (Sameh, 2019). The worthiness and righteousness of an individual in the eyes of Allah are determined by their piety and moral conduct, regardless of their external attributes.

Additionally, Islamic teachings emphasize the universality of human rights by encompassing all members of society, including women and non-Muslims. Islam grants women various rights and protections, affirming their right to education, inheritance, and the freedom to consent to marriage. The Quran also recognizes the existence of religious diversity and advocates for the respectful treatment of non-Muslims, granting them the right to practice their religion freely (Ali, 2021). As a result of these teachings, Islamic societies throughout history have implemented various mechanisms to protect the rights and dignity of individuals. Islamic legal systems often incorporate principles of justice, equity, and compassion, aiming to ensure that human rights are upheld within the framework of Islamic law.

Freedom of Conscience and Religion

Universal human rights principles emphasize the fundamental importance of freedom of conscience and the right to practice one's religion or belief without facing coercion or discrimination (Eshpilotovich, 2020). These principles, as enshrined in international human rights declarations and conventions, form the cornerstone of human rights discourse, transcending cultural and religious boundaries. Within the context of Islam, these principles find resonance in the Quranic

teachings that explicitly acknowledge the freedom of choice in matters of faith. The Quran, in Surah Al-Baqarah (2:256), unequivocally states, "There is no compulsion in religion," affirming the intrinsic value of free will in matters of belief and faith. This pivotal verse underscores the Islamic recognition of an individual's right to embrace their faith without external pressure or coercion.

Islam places great importance on the autonomy of human conscience and the freedom to explore and adopt beliefs without fear of persecution. This commitment to religious freedom is underscored further in other Quranic verses, such as Surah Yunus (10:99), which emphasizes that individuals possess the right to choose their beliefs and that the ultimate accountability for one's choices lies with Allah. This recognition of individual agency in matters of faith is fundamental to understanding how Islamic teachings align with universal human rights values on freedom of conscience (Aziza, 2022).

Moreover, the Quranic emphasis on pluralism and diversity is pivotal in evaluating Islam's alignment with universal human rights principles. The Quran repeatedly highlights that diversity in beliefs and practices is a natural aspect of human existence. In Surah Al-Hujurat (49:13), Allah states, "O mankind, indeed We have created you from male and female and made you peoples and tribes that you may know one another. Indeed, the most noble of you in the sight of Allah is the most righteous of you." This verse underscores that diverse backgrounds, cultures, and beliefs serve as a means to facilitate understanding and mutual appreciation among human beings.

Islamic history offers numerous examples of societies that embraced religious pluralism and provided spaces for diverse religious communities to coexist. Islamic civilizations, such as the Umayyad and Ottoman empires, facilitated the practice of various faiths within their territories, providing religious minorities with certain rights and protections (Adam, 2017). These historical instances reflect the compatibility of Islamic teachings with the principles of universal human rights, particularly regarding religious freedom and pluralism. However, it is essential to acknowledge that while Islamic teachings uphold the principles of religious freedom, there have been instances in history and contemporary times where certain interpretations or practices may not align with universal human rights standards. It is crucial to discern between the principles espoused by Islam and the

actions of individuals or governments, as these might not always be representative of the faith's core values.

Gender Equality and Women's Rights

Gender equality stands as a fundamental pillar of universal human rights, championing the equal rights and opportunities of individuals of all genders. Within the Islamic context, evaluating how Islamic teachings address gender equality and women's rights assumes great significance in comprehending the resonance of Islam with universal human rights values (Ali, 2021). Exploring various dimensions such as women's legal rights, access to education and employment opportunities, and protection against gender-based violence offers valuable insights into the compatibility of Islamic principles with the universal human rights ideal of gender equality. In the Islamic tradition, the Quran and the Hadith contain teachings that emphasize the equitable treatment and dignity of women (Ayubi, 2019). The Quran acknowledges women's intrinsic value and rights, stating that men and women are created from the same soul and that both are equal in the eyes of Allah (Surah An-Nisa, 4:1). The Quran also recognizes women's right to inherit and own property, granting them economic autonomy (Surah An-Nisa, 4:7-9).

Furthermore, Islamic teachings uphold the right of women to access education and knowledge. The Prophet Muhammad himself emphasized the importance of education and sought to empower women with knowledge. He is reported to have said, "Seeking knowledge is obligatory on every Muslim" (Sunan Ibn Majah). This inclusivity extends to religious education, as women are encouraged to seek Islamic knowledge and engage in scholarly pursuits. In terms of employment opportunities, Islam supports women's participation in the workforce. There are instances in Islamic history where women played active roles in various fields, including trade, medicine, and scholarship. The Prophet Muhammad's first wife, Khadija, was a successful businesswoman, exemplifying the recognition of women's economic capabilities within the Islamic tradition.

Regarding the protection of women against gender-based violence, Islamic teachings condemn any form of abuse or mistreatment (Ayubi, 2019). The Quran highlights the importance of kindness and respect towards women and forbids any form of harm or oppression (Surah An-Nisa, 4:19). While Islamic teachings emphasize gender equality and women's

rights, there have been instances in history and contemporary times where cultural practices or misinterpretations have led to gender-based discrimination. It is essential to distinguish between the principles of Islam and cultural practices that may not align with the faith's core values.

Right to Life and Dignity

The right to life and protection against arbitrary deprivation of life represents a core principle within universal human rights. Ascertaining how Islamic teachings safeguard this right to life and uphold the inherent dignity of every individual, particularly concerning sensitive areas such as capital punishment and the protection of vulnerable groups, holds significant importance in evaluating the resonance of Islam with universal human rights values. Islamic teachings emphasize the sanctity of human life and the duty to protect and preserve it. The Quran affirms the gravity of taking a human life unjustly, stating that "whoever kills a soul unless for a soul or for corruption [done] in the land - it is as if he had slain mankind entirely." (Surah Al-Ma'idah, 5:32) This verse underscores the severity of unjust killing and the responsibility to safeguard the lives of all individuals.

Regarding capital punishment, Islamic jurisprudence allows for the imposition of the death penalty under certain circumstances, such as cases of murder or serious crimes. However, strict procedural safeguards and conditions are prescribed to minimize the risk of arbitrary application and to ensure the right to a fair trial. For instance, the principle of Qisas (retaliation) is subject to careful consideration, and forgiveness and reconciliation are encouraged as alternatives to capital punishment. The protection of vulnerable groups, including women, children, and minorities, is a significant aspect of Islamic teachings. The Quran advocates for the protection of orphans and their property, emphasizing the duty to treat them justly and fairly (Surah An-Nisa, 4:2). Additionally, the Prophet Muhammad himself promoted the protection of women and children during times of conflict, setting a precedent for the care and safeguarding of vulnerable members of society.

Islamic teachings also emphasize the importance of mercy and compassion in all aspects of life. The Prophet Muhammad is reported to have said, "He who does not show mercy to others, will not be shown mercy." This emphasis on compassion underscores the value of human life and the obligation

to treat others with kindness and respect (Alharbi & Al Hadid, 2019). While Islamic teachings emphasize the right to life and dignity, the implementation of these principles has faced challenges in certain historical and contemporary contexts. Some interpretations or practices in specific regions may not fully align with the core values of Islam, leading to concerns about the protection of human rights.

Freedom of Expression and Thought

Universal human rights principles place significant importance on the freedom of expression and thought as fundamental pillars of an open and democratic society. In the context of Islam, comprehending how Islamic principles strike a balance between promoting freedom of expression and respecting religious beliefs while curbing hate speech is essential in evaluating its compatibility with universal human rights values (Husni, 2019). Islam recognizes the value of freedom of expression and encourages the exchange of ideas and knowledge. The Quran invites individuals to use their faculties of reasoning and reflection to understand the signs of Allah in the world (Surah Al-Imran, 3:190-191). The pursuit of knowledge and the use of reason are highly valued in Islamic tradition. This appreciation for intellectual inquiry underscores the compatibility of Islamic teachings with the principle of freedom of thought.

However, Islam also emphasizes the importance of using freedom of expression responsibly and respectfully. The Quran cautions against using offensive language or engaging in slander and backbiting (Surah Al-Hujurat, 49:11-12). The Prophet Muhammad is reported to have said, "A Muslim is one from whose tongue and hands other Muslims are safe." This hadith highlights the Islamic principle of avoiding harmful speech that may cause harm or distress to others. When it comes to the protection of religious beliefs, Islam values the dignity and sanctity of all religious traditions. The Quran calls for respectful dialogue and understanding among different religious communities (Surah Al-Ankabut, 29:46). Islamic teachings encourage believers to respond to disagreements with wisdom and good speech (Surah Al-Nahl, 16:125), fostering an environment of mutual respect and tolerance.

At the same time, Islamic teachings advocate against engaging in hate speech or incitement to violence. The Quran prohibits spreading mischief on Earth and encourages the promotion of peace and

reconciliation (Surah Al-Baqarah, 2:205). Hate speech that fuels hatred and discord among communities is considered antithetical to the values of Islam. While Islamic principles uphold freedom of expression, there are instances in history and contemporary times where certain interpretations or practices may have restricted this freedom. It is crucial to differentiate between the principles of Islam and the actions of individuals or governments, which may not always reflect the true essence of the faith.

Social Justice and Welfare

Universal human rights are grounded in the principle of social justice, encompassing the right to adequate standards of living, access to healthcare, education, and social welfare for all individuals (Askari & Mirakhor, 2020). Within the Islamic context, evaluating how Islamic principles address economic inequality, poverty alleviation, and the provision of social support to disadvantaged groups is crucial in illuminating its alignment with universal human rights values concerning social justice. In Islam, the concept of social justice is deeply ingrained in the teachings of the Quran and the Hadith. Islamic teachings emphasize the responsibility of the affluent to support the less fortunate through acts of charity and benevolence. The practice of Zakat, obligatory charity, is one of the five pillars of Islam and requires Muslims to give a portion of their wealth to those in need (Hassan et al., 2017). Additionally, Sadaqah, a voluntary charity, is encouraged as a means to help alleviate poverty and support the vulnerable.

The Quran advocates for the equitable distribution of wealth and resources within society. It acknowledges that wealth is a test from Allah and that those who are blessed with abundance should share their blessings with others (Surah Al-Hashr, 59:7). The principles of social justice within Islam aim to bridge economic disparities and create a sense of community responsibility for the welfare of all members (Ganiyev & Umaraliev, 2020). Furthermore, Islam places great importance on providing access to basic needs such as food, clothing, and shelter for every individual. Ensuring the fulfilment of these fundamental requirements is considered a collective responsibility, and Islamic teachings encourage the establishment of support systems to address the needs of vulnerable groups.

Education is also highly valued in Islam, and knowledge is seen as a means of empowerment. The

pursuit of knowledge is encouraged for both men and women, and the Prophet Muhammad is reported to have said, "Seeking knowledge is obligatory on every Muslim." This emphasis on education underscores the alignment of Islamic principles with the promotion of education as a means of uplifting individuals and communities. Islamic history is replete with examples of charitable endowments, philanthropic initiatives, and social welfare systems that aimed to address poverty and economic inequality within Muslim societies. The establishment of charitable institutions, like hospitals and schools, has played a vital role in providing healthcare and education to those in need.

However, it is essential to recognize that despite these principles and historical examples, challenges in addressing economic inequality and poverty persist in certain regions with predominantly Muslim populations. Factors such as political instability, corruption, and external economic influences can impact the effective implementation of social justice initiatives.

Non-Discrimination and Protection of Minorities

Universal human rights encompass the vital imperative of safeguarding the rights of minorities and preventing discrimination based on race, religion, ethnicity, or other defining characteristics. In the context of Islam, understanding how Islamic teachings advocate for tolerance, protect the rights of minority communities, and address issues of discrimination assumes paramount importance in evaluating its compatibility with universal human rights values. Within the Islamic tradition, the Quran and the Hadith emphasize the principle of tolerance and respect for diversity. The Quran acknowledges the existence of diverse human communities and affirms that differences in language and colour are signs of Allah's creative power (Surah Ar-Rum, 30:22). Islamic teachings underscore the value of peaceful coexistence and encourage believers to engage in respectful dialogue with people of different faiths and backgrounds (Surah Al-'Ankabut, 29:46).

Islam places great importance on the protection of minority rights and their freedom to practice their religion without fear of persecution. The Quran recognizes the presence of religious diversity and advocates for the protection of religious minorities, emphasizing the significance of mutual respect and cooperation (Surah Al-Kafirun, 109:1-6). The Prophet

Muhammad himself set precedents for protecting the rights of non-Muslim minorities, making pacts with various religious communities that guaranteed their safety and autonomy within Muslim territories.

Additionally, Islamic teachings firmly oppose discrimination and prejudice. The Quran explicitly condemns any form of arrogance or superiority based on ethnicity or lineage, affirming that the noblest in the sight of Allah are those who possess piety and righteousness (Surah Al-Hujurat, 49:13). The principles of justice and fairness within Islam apply equally to all individuals, regardless of their background or beliefs. Addressing issues of discrimination, Islam promotes the establishment of a just and equitable society. The Quran calls for the fair treatment of all individuals and discourages the perpetration of injustice (Surah An-Nisa, 4:58). The Prophet Muhammad is reported to have said, "No one of you is a believer until he desires for his brother that which he desires for himself," reinforcing the principle of treating others as one would wish to be treated. Nevertheless, it is essential to acknowledge that while Islamic teachings emphasize tolerance and the protection of minority rights, there have been instances in history and contemporary times where certain interpretations or practices may not fully align with these principles (Ichwan et al., 2020). It is crucial to distinguish between the principles of Islam and the actions of individuals or groups that may not represent the true essence of the faith.

In conclusion, evaluating how Islamic teachings promote tolerance, protect minority rights, and address issues of discrimination reveals the resonance between Islam and universal human rights values. The principles of tolerance, respect for diversity, and protection of minority rights exemplify the compatibility of Islamic teachings with the promotion of human rights. By upholding these principles and working to create inclusive and equitable societies, Islamic communities can contribute to the global endeavour of safeguarding minority rights and preventing discrimination, fostering a world that cherishes and protects the rights and dignity of all individuals, regardless of their background or beliefs.

Conclusions

The assessment of how Universal Human Rights in Islam philosophy resonates with the universality of human rights values reveals both areas of convergence and divergence between Islamic teachings and the

principles of universal human rights. Islamic beliefs emphasize the inherent dignity, equality, and freedom of individuals, aligning with the core tenets of universal human rights. The Quran's recognition of human diversity and the freedom of conscience exemplify Islam's capacity to embrace pluralism and coexist with the principles of universal human rights. Moreover, Islamic principles that advocate for social justice, protection of minorities, and the provision of basic needs reflect a commitment to fostering a just and compassionate society, reinforcing the shared values with universal human rights values. The respect for human life and the recognition of women's rights within the Islamic framework also demonstrate potential for convergence with universal human rights principles. However, challenges emerge concerning gender equality and women's rights, as interpretations of Islamic teachings may vary, leading to discrepancies with international human rights standards. Additionally, reconciling freedom of expression and thought with restrictions on blasphemy or apostasy highlights the complexities in aligning Islamic perspectives with universal human rights values regarding freedom of speech.

Implications

The findings of this research have significant implications for both scholars and policymakers working towards promoting human rights and fostering understanding between different cultural and religious traditions:

1. Recognizing the areas of convergence between Universal Human Rights in Islam philosophy and international human rights standards can foster constructive interfaith dialogue. Acknowledging shared values can pave the way for greater understanding and collaboration between different religious communities and human rights advocates.
2. The findings underscore the importance of promoting human rights education within Islamic communities. By increasing awareness of the compatibility between Islamic principles and universal human rights values, individuals can actively participate in advocating for human rights within their own cultural and religious context.
3. Identifying the discrepancies between Islamic teachings and international human rights standards regarding gender equality can guide

efforts to reform discriminatory practices and promote gender equality within Islamic societies.

4. The research highlights the need for open dialogue on balancing freedom of expression with respect for religious sensitivities. Encouraging respectful discourse and constructive engagement can bridge gaps and contribute to finding common ground.
5. The research underscores the importance of including Islamic perspectives in the global

human rights discourse. Policymakers and human rights advocates can benefit from engaging with diverse cultural and religious perspectives to ensure inclusivity and cultural sensitivity in policy development.

6. Recognizing the Islamic principles that promote tolerance and protection of minority rights can inspire efforts to create inclusive societies that celebrate diversity and uphold the rights of all individuals.

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