



## Human Dignity and Anti-Discrimination: A Comparative Study in Islam and International Humanitarian Law

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### Abstract

The aim of this study is to conduct a comparative analysis of the protection of human dignity and the prevention of discrimination from the perspective of Islam and International Humanitarian Law (IHL). This study attempts to clarify the similarities and differences between these two systems and examine the principles of each system for the protection of human dignity and rights. This study compared the principles of Islam and IHL through an analytical and comparative method. International documents, Islamic sources (Quran and Hadith) and IHL were used. This study is based on the analysis and comparison of documents. The results of the study show that both Islam and IHL emphasize the protection of human dignity and anti-discrimination laws. Islam has strongly opposed any form of discrimination based on its principles, while IHL supports these principles through international conventions. Islam and IHL demonstrate that human dignity must be protected for all human beings and that all forms of discrimination must be eliminated. Both systems share a fundamental principle of equal rights, justice, and respect for human dignity. A comparison of these systems shows that there is broad international support for these principles. Governments and international organizations should enhance the coherence between Islam and IHL to ensure the broad protection of human rights. Awareness of human dignity and the prevention of discrimination should be raised through educational programs. There is a need to develop laws at the international level to protect human rights based on the principles of Islam.

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### 1. Introduction

Human dignity and non-discrimination are among the fundamental values of human societies that play a fundamental role in peace, justice, and humanity. International Humanitarian Law (IHL) pays special attention to the protection of human dignity during wars and armed conflicts and sets out the principles of humane treatment for innocent civilians, the wounded, prisoners, and even enemy combatants. On the other hand, the holy religion of Islam also expresses the principles of equality, respect, and kindness among human beings, which provide a deep foundation for the protection of human dignity. In the contemporary international legal system, such as the Geneva Conventions, the Universal Declaration of Human Rights, and other United Nations documents, efforts are made to ensure the protection of human rights. The purpose of these laws is to preserve human dignity even during wars and crises, and to eliminate discrimination, torture, and humiliation. Although both IHL and Islamic Sharia have set principles for protecting human dignity and preventing discrimination, in practice these values are violated in various conflicts and crises. In Afghanistan, Syria, Yemen, Palestine and other war-torn areas, discriminatory treatment of people, inhuman punishments, and humiliation of dignity are still observed. Based on these realities, the question arises: Can IHL truly protect human dignity during wars? And what mechanisms are practical to prevent discrimination?

The aforementioned research is of great value from the scientific, legal, and humanitarian perspectives. On the one hand, this research helps to compare IHL with Islamic values and create a common understanding for protecting human dignity. On the other hand, this research helps to identify the gaps that have hindered the practical implementation of humanitarian principles.

Such research can provide guidance for lawmakers, legal institutions, and humanitarian activists to take effective measures to protect human dignity and prevent discrimination

### Human Dignity and Discrimination

Protecting human dignity and preventing discrimination is an important topic in international legal texts, Islamic sources, and contemporary legal research. Among international legal documents, the Universal Declaration of Human Rights (UDHR, 1948), the Geneva Conventions (1949), and other United Nations treaties have paid special attention to protecting human dignity. These documents state that even during war, the inherent worth of a person must be respected, treated impartially, and not discriminated against. In Islamic sources, the Holy Quran, the Hadiths of the Prophet Muhammad (PBUH), and jurisprudential texts place the foundation of human dignity in creation; that is, all human beings are created equal by Allah, and virtue is based solely on piety and action. Prophet Muhammad (PBUH) says: "There is no superiority for an Arab over a non-Arab, nor for a non-Arab over an Arab, nor for a red over a black, nor for a black over a red, except through piety <sup>[1]</sup>." That is, superiority among humans is not based on nation, language, race, or color, but only on piety and good deeds. This hadith is a clear and definitive instruction against discrimination, racism, and prejudice. Research has shown that both systems—Islamic law and international humanitarian law—value human dignity in their principles, but there are differences and some limitations in their scope of application. Dignity, refers to the inherent worth of a person, which reflects his status, honor, and dignity <sup>[2]</sup>. In the Holy Quran, Allah say: "And We have certainly honored the children of Adam and carried them on the land and sea and provided for them of the good things and preferred them over much of what we have created, with [definite] preference <sup>[3]</sup>" That is, Allah Almighty has bestowed upon man innate dignity, honor, and respect, regardless of his nation, language, race, or color. In the Holy Quran, Allah says: "O mankind! We created you from a single (pair) of a male and a female, and made you into nations and tribes, that you may know each other (not that you may despise (each other) <sup>[4]</sup>." This verse expresses the fundamental principle of human dignity, and this principle is also an important part of Islamic thought and the basis of international legal texts. Discrimination, refers to unfair distinctions or treatment between individuals <sup>[5]</sup>. The Universal Declaration of Human Rights and the teachings of Islam consider such treatment to be wrong. International

Humanitarian Law (IHL), these are specific laws that pay special attention to the protection of human dignity during armed conflicts. Islamic International Law, Islamic jurisprudence also has specific ethics and principles during war, such as the protection of children, women, the elderly and the vulnerable, the dignity of prisoners, and the security of property. Most contemporary studies are either based solely on international documents or have focused solely on Islamic jurisprudential principles. The scientific and analytical comparison between the two systems is relatively limited. There are also discrepancies in practical implementation: the Islamic system is more inclined towards a moral and divine dimension, but the international legal system is often influenced by the political will of states, which makes the actual implementation of the protection of dignity difficult. Also, some writings examine Islamic jurisprudence only from a medieval perspective, but they miss contemporary legal analyses and new possibilities for the application of Sharia. Human dignity is considered one of the fundamental ethical principles of humanity, based on mutual respect, compassion, kindness, and justice. It is a universal principle that is consistent with human nature and reason. Based on the principle of human dignity, every human being is worthy of dignity, honor, and respect, regardless of his religion, race, ethnicity, gender, or social status. Imam Fakhruddin Razi writes in a section of Tafsir al-Kabir: "In Allah, the Almighty has honored man with reason and with the powers that make him the vicegerent of Allah on earth <sup>[6]</sup>." From the perspective of Islam, human dignity was established from the time when Allah Almighty gave knowledge to Prophet Adam (AS) and ordered the angels to prostrate themselves <sup>[7]</sup>. This divine respect is the basic source of human dignity. Discrimination is the unjust distinction between people based on religion, race, language, sex, ethnicity, social status, or other irrelevant criteria <sup>[8]</sup>. This phenomenon is not only against human rights, but also an affront to human dignity. John Rawls, a famous theorist of justice, considers discrimination to be an act against justice. He says: "Justice means that all people enjoy equal opportunities and values, without any inherent characteristics that prevent them from exercising their rights <sup>[9]</sup>." Discrimination is a historical phenomenon that has existed since the beginning of human societies <sup>[10]</sup>. In ancient civilizations such as the Egyptians, Greeks, Romans, and even medieval European societies, people faced brutal discrimination based on race, sex, and social status. Slaves were treated like property, women did not have the right to inheritance or decision-making, and some ethnic groups considered themselves superior to others. Tribalism was very strong in the pre-Islamic Arabs, with each tribe considering itself superior to the other <sup>[11]</sup>. Women were buried alive, slaves were deprived of their human dignity. Islam dealt with all these evil customs in a revolutionary way and presented the standard of piety instead of discrimination. Prophet Muhammad (PBUH) says: "There is no superiority for an

<sup>1</sup> Al-Maktabah al-Shamilah al-Sunniyyah. Musnad Ahmad, Hadith No: 23489. Shab al-Iman, hadith number: 5137.

<sup>2</sup> McConnachie, "Human Dignity, 'Unfair Discrimination' and Guidance."

<sup>3</sup> Holy Quran, Al-Isra: 70.

<sup>4</sup> Holy Quran, (Surah Al-Hujurat, 49:13).

<sup>5</sup> McConnachie, "Human Dignity, 'Unfair Discrimination' and Guidance."

<sup>6</sup> Razi, Afsir Al-Kabir (Mafatih al-Ghayb), under the commentary of Surah Al-Isra, verse 70.

<sup>7</sup> Jafari et al., "Human Dignity, Minimum and Maximum."

<sup>8</sup> Asnawi and Ismail, "Discrimination against Wife in the Perspective of CEDAW and Islam Mubādalāh."

<sup>9</sup> Davies, "John Rawls' 'A Theory of Justice.'"

<sup>10</sup> Rabbani Tabar and Sadeghi, "Human Dignity from the Perspective of Islam with Emphasis on Allameh Jafari and Existentialism with Emphasis on Gabriel Marcel."

<sup>11</sup> Asnawi and Ismail, "Discrimination against Wife in the Perspective of CEDAW and Islam Mubādalāh."

Arab over a non-Arab, nor for a non-Arab over an Arab, nor for a red over a black, nor for a black over a red, except through piety <sup>[12]</sup>." This hadith is a fundamental principle against discriminatory behavior in the Islamic social order, which is based on human dignity and equality. Islamic Sharia defines human dignity as a divine gift, considers discrimination a form of oppression, and evaluates all humans on the basis of piety. The Geneva Conventions, the International Covenant on Civil and Political Rights, and the International Conventions against Racial Discrimination grant all human beings the right to dignity and condemn all forms of discrimination. Dr. Yusuf al-Qaradawi says, "Islam has provided a system for the protection of human dignity that guarantees respect for human rights even in times of war <sup>[13]</sup>." English jurist Eleanor Roosevelt, who was a leading figure in the drafting of the Universal Declaration of Human Rights, states: "Human dignity is the foundation of all rights and freedoms. Discrimination is a clear violation of this dignity <sup>[14]</sup>." Dr. Abdul Karim Zeidan argues in his book "Al-Mufsal fi Akhmad al-Murra" that Islam recognized the dignity of women from the very beginning, and this was a completely revolutionary idea before the long struggle of the West <sup>[15]</sup>.

### Human Dignity and Non-Discrimination in Islamic Sharia

Among the fundamental principles of Islamic Sharia, treating people fairly, respecting their dignity, and non-discriminatory treatment are considered to be among the most important values. The holy religion of Islam fully defends the innate dignity, dignity, and value of humans and clearly presents the concepts of social justice, equality, and human dignity. The Holy Quran, which is the most authoritative and original source of Islamic Sharia, says about the creation of humans: "We have certainly created man in the best of stature <sup>[16]</sup>." This verse clearly represents the innate dignity, balanced creation, and intrinsic value of humans. According to interpretations, man is not only created with superior physical structure, but is also endowed with intellect, consciousness, responsibility, and free will, so that he can be a vicegerent on earth according to divine guidance. Islamic law considers human dignity to be a divine gift, not a temporary or legal privilege. Therefore, discrimination, which unjustly creates differences between human beings, is in clear contradiction to the foundations of Islam. Prophet Muhammad (PBUH) says: "There is no superiority for an Arab over a non-Arab, nor for a non-Arab over an Arab, nor for a red over a black, nor for a black over a red, except through piety <sup>[17]</sup>." This hadith is from the last sermon of the Messenger of Allah (peace and blessings of Allah be upon him) (the sermon of the Farewell Pilgrimage), and it is one of the most beautiful and profound statements of Islamic equality and human dignity. This hadith is a universal message of human equality, dignity, and against discrimination, which reflects the spirit

of justice and equality in Islam. Humans are not judged by their outward differences, but rather by their actions, intentions, and piety. This prophetic hadith is a comprehensive statement of the Islamic principle of human equality, that all human beings are distinguished from each other only by piety and good deeds, and not by nationality, language, or race. Therefore, from an Islamic perspective, human dignity is an innate, divinely bestowed gift that must be protected from all forms of discriminatory treatment, discriminatory laws, and prejudices. The principles of Islamic law call for a social order in which human beings live on the basis of dignity, respect, and equality. Human dignity is considered a fundamental principle of universal human rights that guarantees equality, justice, freedom, and dignity among all human beings <sup>[18]</sup>. This principle means that every human being should be entitled to the same value, respect, and rights without any form of discrimination. This equality and dignity should be guaranteed regardless of race, color, language, religion, gender, political opinion, or social origin. The recognition of this principle is not only a fundamental part of human rights but has also been emphasized in international legal documents and international conventions.

### Human Dignity and Non-Discrimination in International Legal Documents

Charter of the United Nations (Charter of the United Nations, 1945), Article 1 (3): Promotion of human rights, fundamental freedoms and international cooperation, without discrimination <sup>[19]</sup>. Article 55 (c): Promotion of human rights, respect for dignity and equality without discrimination for the sake of international stability and well-being <sup>[20]</sup>. The Charter of the United Nations is the fundamental international human rights instrument that calls on member states to take measures against discrimination and to act with respect for human dignity. The Charter emphasizes that discrimination on the basis of race, sex, religion, language and other characteristics must be avoided. According to this Charter, international cooperation must be aimed at promoting human rights and justice. Universal Declaration of Human Rights (UDHR, 1948), Article 1: All human beings are born free and equal in dignity and rights <sup>[21]</sup>. Article 2: Everyone is entitled to all the rights set forth in this Declaration, without any discrimination <sup>[22]</sup>. Article 7: All persons are equal before the law <sup>[23]</sup>. Although the Universal Declaration of Human Rights is not binding, it has had a profound impact on the development of international law. Its principles of non-discrimination and equal treatment have provided a moral basis for international legal rules. The articles of the Declaration offer a commitment to the equality and dignity of all human beings and require States to implement these principles in their laws. International Covenant on Civil and Political Rights (ICCPR, 1966), Article 2(1): Enjoyment of all the rights set forth in the Covenant without discrimination <sup>[24]</sup>. Article 26: All persons are equal before the law and are entitled to equal protection

<sup>12</sup> Al-Maktabah al-Shamiliyah al-Sunniyyah. Musnad Ahmad, Hadith No: 23489. Shab al-Iman, hadith number: 5137.

<sup>13</sup> Al-Qaradawi, Islamic Awakening between Rejection and Extremism.

<sup>14</sup> Little, "How Eleanor Roosevelt Pushed for a Universal Declaration of Human Rights | HISTORY."

<sup>15</sup> Owed Ahmad, "ARABIC DIALECTS IN THE BOOK (AL-KAFI FI SHARH AL-HADI) BY ABDULWAHHAB BIN IBRAHIM AL-ZANJANI (655 AH) SELECTED EXAMPLES."

<sup>16</sup> Holy Quran, (Surah At-Tin, verse 4).

<sup>17</sup> Al-Maktabah al-Shamiliyah al-Sunniyyah. Musnad Ahmad, Hadith No: 23489. Shab al-Iman, hadith number: 5137.

<sup>18</sup> Rabbani Tabar and Sadeghi, "Human Dignity from the Perspective of Islam with Emphasis on Allameh Jafari and Existentialism with Emphasis on Gabriel Marcel."

<sup>19</sup> United Nations, Charter of the United Nations, 1945, Article 1 (3).

<sup>20</sup> United Nations, Charter of the United Nations 1945, Article 55 (c).

<sup>21</sup> Universal Declaration of Human Rights, Article 1.

<sup>22</sup> Universal Declaration of Human Rights, Article 2.

<sup>23</sup> Universal Declaration of Human Rights, Article 7.

<sup>24</sup> International Covenant on Civil and Political Rights, Article 2(1).

of the law against any discrimination <sup>[25]</sup>. The International Covenant on Civil and Political Rights emphasizes the need for serious measures to combat discrimination in the light of State obligations. The Covenant reinforces the commitment of States to legal equality and non-discrimination. According to the Covenant, State bodies must not only prohibit discrimination but also ensure equality and fairness through the law. International Covenant on Economic, Social and Cultural Rights (ICESCR, 1966), Article 2(2): Prohibits all forms of discrimination on the basis of race, color, sex, language, religion, belief or social origin <sup>[26]</sup>. The Covenant emphasizes the principle of equality through economic, social and cultural rights in order to achieve social justice. According to the Covenant, all human beings should enjoy these rights without any discrimination. It is the fundamental purpose of the Covenant that all people should have equal opportunities in the realization of their economic, social and cultural rights. Convention on the Elimination of Racial Discrimination (CERD, 1965), Article 1: "Racial discrimination" means any distinction, deprivation or preference based on race, color, descent, or national or ethnic origin that impairs the equal enjoyment of human rights and fundamental freedoms. <sup>[27]</sup> Articles 2-7: All Forms of Racial Discrimination oblige states to take legislative, administrative and practical measures against racial discrimination, condemn policies of racial segregation and apartheid, prevent the spread of racism, guarantee equal rights to all citizens without racial discrimination, provide legal protection and redress to victims of discrimination, and promote a culture of tolerance, fraternity and racial unity through education and awareness-raising. <sup>[28]</sup> The Convention on the Elimination of Racial Discrimination is specifically designed to prohibit all forms of racial discrimination. The Convention provides for measures to raise awareness, reform laws and promote justice in order to eliminate racial discrimination. The Convention aims to eliminate racial discrimination worldwide and to promote equality and justice. Convention on the Rights of Women (CEDAW, 1979), Article 1: Discrimination against women is any distinction, deprivation or restriction made on the basis of sex that impairs the equal enjoyment of human rights and freedoms by women, whether married or not <sup>[29]</sup>. Article 2: States parties have the obligation to eliminate discrimination against women, to establish equality between women and men in their laws, and to take the necessary laws and measures to prevent discrimination. They must provide equal legal protection for women's rights, ensure effective protection against discrimination, and eliminate all forms of discrimination against women. They must also take measures to amend or repeal existing discriminatory laws and practices <sup>[30]</sup>. The Convention on the Elimination of Discrimination against Women provides an international legal framework for the elimination of discrimination on the basis of sex. The Convention requires States to ensure equal rights and opportunities for women in their legal systems, and to eliminate discrimination against women in the social, economic, cultural and political fields. Convention on the

Rights of Persons with Disabilities (CRPD, 2006), Article 5: It is essential for State parties to ensure that all persons are equal before the law and are entitled without any discrimination to the equal protection and benefit of the law. They must prohibit discrimination on the basis of disability and provide persons with disabilities with equal and effective legal protection. They must provide reasonable accommodation to promote equality and eliminate discrimination. Special measures that are necessary to achieve substantive equality for persons with disabilities do not constitute discrimination under the Convention <sup>[31]</sup>. The Convention on the Rights of Persons with Disabilities is committed to guaranteeing the rights of persons with disabilities and preventing discrimination against them. The Convention therefore calls on states to improve the living conditions of persons with disabilities and to ensure their equal treatment and opportunities in society.

### Materials and Method

This study is qualitative and comparative in nature. The aim is to compare, analyze, and evaluate the principles of human dignity and non-discrimination between Islamic Sharia and international humanitarian law. The study is descriptive-analytical, meaning that on the one hand, the principles of both systems are explained, and on the other hand, an analytical comparison is made. This study is based on documented written materials, which include verses of the Holy Quran, collections of Prophetic Hadiths, jurisprudential texts, international legal documents (such as the Geneva Conventions, UDHR, ICCPR), books, academic articles, reports, and reputable websites. Official documents related to the topic, contemporary academic research, Islamic jurisprudential sources, and international legal texts are studied. Although this research is primarily based on secondary data, some sections will be in the form of case studies to clarify the topic; for example, cases of harm to human dignity in the wars in Afghanistan, Palestine, or Yemen will be referred to. These cases will be real examples of the implementation of both legal systems. The content of related concepts from Islamic and international documents such as "dignity", "justice", "discrimination", "and human value" will be analyzed in depth. The principles, objectives, and methods of implementation of both legal systems will be compared to clarify similarities, differences, and possible synergies or contradictions. The legal and ethical concepts will be clarified through in-depth interpretation of Islamic and international texts.

### Results

The following key findings have been obtained through the study. Both Islamic Sharia and International Humanitarian Law (IHL) consider human dignity as a fundamental value. In verse 70 of Al-Isra', Allah says: And we have certainly honored the children of Adam. This verse clearly states that all human beings have been created with dignity by Allah, not just any particular tribe, nation or class. The mention of "the children of Adam" shows that this dignity is due to the

<sup>25</sup> International Covenant on Civil and Political Rights, Article 26.

<sup>26</sup> International Covenant on Economic, Social and Cultural Rights, Article 2(2).

<sup>27</sup> International Convention on the Elimination of All Forms of Racial Discrimination, Article 1.

<sup>28</sup> International Convention on the Elimination of All Forms of Racial Discrimination, Article 2-7.

<sup>29</sup> Convention on the Elimination of All Forms of Discrimination against Women, Article 1.

<sup>30</sup> Convention on the Elimination of All Forms of Discrimination against Women, Article 2.

<sup>31</sup> Convention on the Rights of Persons with Disabilities (CRPD), Article 5.



existence of man, not to any particular tribe, language or race. This dignity starts from natural rights and extends to human dignity, sanctity, the right to life, freedom and equality. The Messenger of Allah (peace and blessings of Allah be upon him) said: No Arab has superiority over a non-Arab, nor a

non-Arab over an Arab, nor a red person over a black person, nor a black person over a red person, except for piety. This hadith has a clear message against social justice, human equality and discriminatory practices.

**Table 1:** The similarities and differences between Islam and IHL in protecting human dignity

Themes	Islam	IHL	Similarities and Differences
Principle of human dignity	Respect for human dignity is a fundamental Islamic principle.	The protection of human dignity is also an important principle in the international human rights system.	Both systems respect and emphasize the dignity of human beings.
Prevention of discrimination	Islam opposes discrimination in all its forms and emphasizes equality among human beings.	International humanitarian law also offers legal protection against discrimination.	Both systems strongly oppose discrimination.
Discrimination based on gender	Islam does not refer to a kind of equality between women and men, but rather to a treatment based on justice.	International humanitarian law establishes equal rights for women and men.	Islam calls for justice rather than discrimination based on gender, but international law provides for equal rights.
Discrimination based on ethnicity and race	Islam emphasizes the principle of granting equal dignity and rights to all human beings.	International human rights take a serious approach to the prevention of racial discrimination.	Both systems reject discrimination based on race and ethnicity.
Protection of religious and cultural rights	Islam emphasizes the principle of respecting all religions and their free practice.	International humanitarian law supports international instruments to protect religious freedom.	Both systems support religious freedom.
State obligations	Islam gives the government the obligation to protect human dignity and prevent discrimination.	The international legal system also obliges governments to protect human rights.	Both systems obligate governments to protect human dignity.
Legal basis	Islamic laws are based on the Quran and Hadith.	International conventions such as the UDHR, ICCPR, ICESCR, etc.	Both systems are committed to protecting human dignity based on their legal principles.

Table1 highlights the similarities and differences between Islam and international humanitarian law in protecting human dignity and preventing discrimination. Both systems advocate for the protection of human dignity, anti-discrimination, and religious freedom. Islam emphasizes gender-based justice, while international law calls for full equality. The value of a person is not determined based on nationality, language, race or color. The only criterion by which a person is judged is piety; that is, fear of Allah, sincerity, and good deeds. Islam considers human dignity to be an innate and Allah-given right. This dignity is for every human being, regardless of race, color, language, or religion.

The Quran's verses and the Prophetic hadiths take a strong and decisive stand against discrimination, racism, nationalism, and any kind of discrimination. According to these teachings, an Islamic society should be based on equality, justice, and piety, not on ethnic or linguistic privileges. International legal instruments such as the Universal Declaration of Human Rights (UDHR) and the Geneva Conventions (1949) provide clear principles for protecting human dignity and prohibiting discriminatory treatment. Both systems respect the inherent worth of the human person even in times of war and conflict and consider it important to act impartially.

**Table 1:** The similarities and differences between Islam and IHL in regarding the prevention of discrimination

Themes	Islam	IHL	Similarities and Differences
Prevention of discrimination	Islam opposes all forms of discrimination and recognizes equal rights for all human beings.	International humanitarian law also commits to laws against discrimination.	Both systems are strict against discrimination and support equal rights.
Discrimination based on gender	Islam calls for fair treatment between men and women, not complete equality.	International humanitarian law emphasizes full equality between women and men.	Islam reduces discrimination based on gender based on justice, but international law provides equal rights.
Discrimination based on race and ethnicity	Islam opposes discrimination based on the equal dignity and rights of all human beings.	International human rights law takes serious measures against racial and ethnic discrimination.	Both systems are against racial and ethnic discrimination.
Protection of religious freedom	Islam respects all religions and supports their freedom.	International humanitarian law also contains international instruments for religious freedom.	Both systems protect religious freedom.
State obligations	Islam instructs the state to protect human dignity and prevent discrimination.	International law also requires states to protect human rights.	Both systems obligate governments to uphold the dignity of human beings.

Table 2 clearly illustrates the similarities and differences between Islam and international humanitarian law in terms of preventing discrimination. Comparative analysis shows that both Islamic Sharia and international law give intrinsic value to human beings, but the sources of the concepts are different.

Islamic dignity has a divine basis, that is, dignity is a privilege granted by Allah Almighty; However, international law refers to this dignity as a natural or innate right of man, that all human beings should be considered equal. Discrimination is considered wrong in both systems. Discrimination on the

basis of ethnicity, race, color, and language has been eliminated in Islam; International law also prohibits discrimination on the basis of color, ethnicity, religion, sex, and political belief. In terms of implementation, Islamic guidance has a more moral and religious aspect, but international humanitarian law is considered a legal framework to be observed by states. This demonstrates the stability of Islamic principles on the one hand, and on the other hand, it highlights the problem of political implications of the international legal system. The main research question was: Do Islamic Sharia and international humanitarian law harmonize or disagree in protecting human dignity and preventing discrimination? Based on the findings and analytical results, it was concluded that. Both systems are committed to protecting human dignity; both seek to eliminate discrimination; the way of implementation, legal basis, and sources of resources differ from each other; the capacity to implement international law is often limited by political powers, but Islamic principles do not lose their moral values.

### Discussion

The results of the study revealed that both Islamic Sharia and international humanitarian law attach special importance to human dignity. In Islam, dignity is a divine attribute that Allah Almighty has bestowed on human nature. Therefore, all human beings are entitled to dignity, respect, and equal treatment, regardless of their race, ethnicity, language, religion, or social status. At the same time, international humanitarian law also values humans in terms of natural and international rights. It considers dignity to be an essential part of human existence, and considers its protection essential during situations of war, occupation, or political conditions. The prevention of discrimination is a common principle of both legal systems, but the means of implementation and obligations differ to some extent. According to the discussion, the findings of this study are consistent with previous literature that describes human dignity as a universal value. Islam defines human dignity based on piety, not on race, gender, or lineage. Similarly, reports published by the ICRC (International Committee of the Red Cross) consistently emphasize that dignity must be preserved in all conflicts. However, an important gap or ideological disagreement is seen in the field of implementation; the international human rights framework is based on Western values, and has limited applicability to the Islamic world. However, in the light of this study, harmony between Islamic and international values is possible, if the path to mutual understanding and justice is opened. This study shows that Islamic Sharia and international humanitarian law can reinforce each other, and create a common legal framework for the protection of human dignity. This issue is particularly important in countries that share Islamic values and are parties to international conventions, such as Afghanistan, Pakistan, and Egypt. Information on practical implementation is limited, as many countries either refrain from implementing international law or have political problems with implementing Sharia. Some sources are subject to political interpretation, making a purely legal assessment difficult. This research is based on library sources; if it had been accompanied by interviews with experts, or practical analysis of legal cases, the results would have been more in-depth and realistic. Islam does not reject the natural emotions and nature of humans, but rather guides

their management and control. It is a natural human need to belong to a group and to interact socially. If these emotions are left unchecked, they can have negative effects on society, such as an “us-and-them” mentality that results in immigration and prejudice against foreigners. Islam emphasizes the importance of a common humanity among humans to prevent these problems.

### Conclusion

This study concluded that both Islamic Sharia and international humanitarian law have a deep respect for human dignity and express a clear opposition to discriminatory treatment. Islamic jurisprudence affirms human dignity based on its inherent value, which values human piety, reason, and responsibilities. On the other hand, international humanitarian law, such as the Geneva Conventions, has established legal foundations for the protection of human dignity, especially during armed conflicts and occupation. The results also showed that both systems are committed to the principle of non-discrimination, but their means of implementation, historical development, and legal mechanisms differ. From the perspective of Islam, discrimination is a moral and legal crime, while international law considers it a form of violation of human rights. This study provides a comparative picture of the values and principles related to dignity and discrimination between Islamic and international legal systems. In this way, the study creates the possibility of expanding the intellectual and legal space for understanding, cooperation, and the development of a common framework between the two legal cultures. This study is a valuable initiative for scholars who want to conduct joint discussions and exchanges between Islamic law and international law. Future research should examine the implementation aspects, that is, how Islamic countries can implement the principles of human dignity and non-discrimination in a balanced way between Sharia and international law. It is recommended that expert interviews, decisions of Islamic and international courts, and reports of human rights organizations be used to analyze practical cases. Also, the protection of the dignity of women, minorities, and displaced persons deserves special attention, in order to determine whether these principles are also effective in practice.

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