

Understanding Human Rights in Islam: The Ideas of Abdullah bin Bayyah

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Abstract: *This article explores Abdullah bin Bayyah's views on human rights within the context of Islam. Bin Bayyah is a prominent Islamic scholar who emphasizes the compatibility between Islamic teachings and universal human rights, challenging misconceptions and fostering dialogue. The article examines Bin Bayyah's core beliefs on human rights in Islam, emphasizing the importance of understanding Islamic principles within their historical and cultural context. It highlights the universality and inclusivity of human rights in Islam, promoting the inherent dignity and worth of all individuals, irrespective of their race, gender, or religion. The article also explores various aspects of human rights in Islam, including freedom of conscience, women's rights, and religious pluralism, and how his interpretations align with contemporary human rights standards. The article critically analyzes potential areas of tension between Islamic teachings and human rights principles, highlighting the need for informed dialogue and contextual interpretations to address these complex issues effectively. Overall, the article aims to shed light on Bin Bayyah's contributions to the discourse on human rights in Islam, emphasizing the importance of an inclusive and comprehensive understanding of Islamic teachings that respects the fundamental rights and freedoms of all individuals.*

Keywords. *Human Rights; Bin Bayyah; Women; Freedom.*

Introduction

Human rights have evolved into a global trend that plays a significant role in the connections between individuals and the global society. Human rights can be considered a new ideology for establishing a world based on respect for human values. (Basith, 2009)

Scholars have a substantial dispute about the link between human rights and Islamic teaching. Some say Islam's understanding of human rights differs significantly from the West's. Among these academics is Abdullah Ibn Bayyah, who attempts to explain the Islamic concept of human rights in detail.

I argue that Bayyah attempts to clarify the parallels and differences between Islamic teachings and international human rights as enshrined in the Universal Declaration of Human Rights (UDHR) in his discourse on human rights. Bayyah's concept in this article is more akin to cultural relativism, as it fails to connect Islamic teachings and human rights in a historical context. As a result, Bayyah only perceives Western human rights as conflicting, making it harder to establish common ground. Bayyah, on the other hand, continues to compromise Maqashid Sharī'a h with human rights, particularly the Cairo Declaration on Human Rights in Islam (CDHRI).

As a result, the research question that might be raised in this article is: What is Bayyah's perspective on human rights? How far has Islam gone in terms of human rights implementation?

Method

This research includes qualitative research with data from library sources, so it is classified as library research. The data to be studied consists of two groups:



primary and secondary. Primary data is data from Abdullah Ibn Bayyah, especially on his book *Hiwār an Bu'din Hawla Huqûq al-Insān fī al-Islām* (2006). While secondary sources of this research are books, classical Islamic literature, and other data sources that discuss all the thoughts of Abdullah Ibn Bayyah, and other books related to the object of this research.

After the data is obtained, it is analyzed using the descriptive-analytical method to analyze two elements of this study: the fundamental differences between Islam and human rights and its implementation in cases related to human rights, such as the issue of gender equality and freedom.

Discussion

Brief Biography on Abdullah bin Bayyah

Shaykh Abdullah Bin Bayyah was born in 1935 in the eastern part of Mauritania. He was raised in a scholarly household, where his father, Shaykh Mahfoudh Ben Bayah, was a prominent scholar and the head of the Conference of Mauritanian Scholars after the country's independence. Shaykh Abdullah studied in the Mauritanian centers of learning known as Mahadhir, especially in the school of his father, where he learned all the sacred sciences, including jurisprudence, legal theory, syntax, language, rhetoric, Quranic exegesis and its auxiliary sciences, and the science of Prophetic tradition. He excelled in these sciences and passed the exam set by the Judiciary after independence. He was then sent to study law at the Faculty of Law in Tunisia and was trained in the Tunisian courts in 1961. He was one of twelve judges chosen, and he presented a research paper in Juristic method and law, ranking first in his group. (Bayyah, 2013)

Shaykh Abdullah Bin Bayyah is a highly influential Muslim figure in the world. He was ranked 23rd in 2013 and 20th in 2014 among the world's most influential figures. He has received several medals and awards, including a medal of appreciation as a scholar and preacher from King Abdullah II of Jordan, the Chinguetti award in the category of Islamic studies for his book entitled "*Hiwār an Bu'din Hawla Huqûq al-Insān fī al-Islām*" (*Dialogue on human rights*), and a degree from the OIC. He is listed as a professor of King Abdul Aziz University in Jeddah and is currently active as the president of the Forum for Peace in Muslim Societies based in Abu Dhabi. He is a prolific scholar who has written many books, including "*Mashāhid fī al-Maqāsid*," "*Hiwār an Bu'din Hawla Huqûq al-Insān fī al-Islām*," "*Khitāb al-Amn fī al-Islām*," "*Fatāwā Fikriyyah*," and "*Sina'at al-Fatwa wa Fiqh al-Aqalliyāt*." Shaykh Abdullah Bin Bayyah is considered one of the most outstanding scholars, and his influence is derived from his scholarship, piety, and preaching. He is involved in several scholarly councils, including the Islamic Fiqh Council and the Forum for Promoting Peace in Muslim Societies. He was also the Vice-President of the International Union of Muslim Scholars, from which he resigned in 2014. (Bayyah, 2013)

Maqashīd Sharī'a for Human Rights

As the faithful believe, there is no obligation but a *māqashīd shar'i* behind it. Human beings can understand it or not, limited by their abilities. International human rights (UHDR) or human rights initiated by Muslim countries such as the Cairo Declaration on Human Rights in Islam (CDHRI) have made it explicit in easy-to-read and analyse pound forms. Therefore, Bayyah, in this context, tries to find the relationship between Maqashīd Sharī'a and the articles contained in human rights. (Fauzi, 2017)

Maqashīd Sharia, in terms of its impact on people's lives, is divided into three parts: (Harisuddin, 2021) First is the Essential Utility (*al-Dharūriyyāt*), namely everything that must exist for the implementation of human benefit, both religion and the world. If the essential does not exist and is not well maintained, then human life is damaged in this world and the hereafter. (Bayyah, 2006) This *Maqashīd Sharī'a* includes the maintenance of all fundamental human rights. Also, it adds other rights needed by humans in the protection of their rights, such as the right to life, the right to own, the right to form a happy family, the right to think, the right to religion,

and the right to production. al-Syatibi clarifies this with his opinion "Humanity as a whole without exception has argued that shari'ah is very protective and maintains the five essential points (*al-Dharīrāt al-Khams*) namely religion, soul, offspring, mind and property".

The second is the Complementary Utility (*al-Hājīyyāt*), which is needed for human life but needs to reach the essential level. It will not negate or damage life if these needs are not met in human life. Although it will not damage life, its existence is needed to provide convenience in life. (Zaprulkhan, 2020) Bayyah gives an example of this complementary level, which is the right of every human being to learn. By learning, humans can explore vast knowledge so that it can provide benefits for their lives.

The third is Tertiary Utility (*al-Tabsīniyyāt*), which should exist to beautify life. Without fulfilling tertiary needs, life will not be damaged and will cause difficulties. Its existence is desired for moral honour and good social order. Bayyah exemplifies tertiary rights with the human right to enjoy the world's beauty, such as dressing neatly and wearing perfume when going to the mosque.

The *maqasid* mentioned above is the core of the moderate view of human rights coupled with the obligations of society and individuals in providing and protecting them, considering that they are the shared responsibility of every human being.

Furthermore, the Essential maintenance (*al-Dharīrāt al-Khams*) includes five main things: the maintenance of religion, soul, mind, offspring, and property. The following is an explanation of these five things.

First, Preserving religion (*Hifẓ al-Dīn*), meaning that religious norms are maintained from things that defile them, both in terms of creed and charity, theory and practice and ensure the integrity of religion, which is the choice of the people in general by preventive action against any potential that can disturb the principles of religion that are certain (*qath'ī*). The human rights in maintaining religion are the right to religion, the right to ideology, and the right to freedom from material servitude.

Article 1 where the right of humans to submit themselves to God, and they get the same rights. In this article, there is a consensus that the human relationship with God is the privilege of every human being and should not be inviolable. (Cooperation, 1990)

Second, Preserving the soul (*Hifẓ al-Nafs*) protects each individual and society's right to life and all things that can threaten the soul, such as eradicating infectious diseases, punishment for murderers and so on. The human rights in maintaining the soul are the right to life, the right to political asylum and the right to protection of the soul from persecution.

Article 2 contains a guarantee of the right to life. This means there should be no other party who underestimates and underestimates other people so that it is easy to kill someone. The legal umbrella must be able to fortify so that every individual feels safe from anyone's interference. A person's blood should not flow in vain. In this case, the state is responsible for guaranteeing its citizens' lives. Sayyid Thantawi, when explaining surah al-An'am [6]: 151, states that Islam establishes a maintenance of the human soul (*'Ishmah al-Dām al-Insāni*). (Thantawi, 1997)

Third, Maintaining the mind (*Hifẓ al-'Aql*) prevents defects (*Khalaal*) in the mind that can interfere with thinking and creativity. The existence of reason is very urgent in fostering the spirit of exploring religious values, so of course, it must be guarded against things that damage it, such as liquor, narcotics, alcohol, additives and et cetera. The human rights in maintaining the mind are the right to education, the right to think, the right to have an opinion and the right to freedom of the press.

Article 9 emphasizes that every individual has the right to education, and the state is obliged to guarantee the availability of funds and infrastructure. The Prophet Muhammad emphasized his presence as a teacher, which shows how vital teaching and education are for society. With proper education, they can lead an everyday life. Therefore, getting an education is a human right.

In addition, Article 22 emphasizes the principle of expressing one's opinion as a human right. This article ensures that there is no prohibition on expression, but that it does not depart from the rules prescribed in shari'a. (Cooperation, 1990)

Fourth, preserving descendants (*Hifẓ al-Nashl*), namely preserving the continuity of generations by facilitating the marriage process and avoiding any destruction that can break the continuity of life, such as vaccination, tubectomy, et cetera. The human rights in preserving offspring are reproductive rights, family rights, mothers' rights, children's privileges, administrative rights, assembly rights, social rights, inheritance rights, and will rights.

Article 5 mentions the human rights to build a family and to marry. Marriage is one of the Prophet's sunnah so humans can live a happy and peaceful life with him, as revealed in Surah al-Rum [30]: 32.

Fifth, preserving property (*Hifẓ al-Māl*), namely developing the people's economic resources, guaranteeing private property rights and maintaining the security of the property. Human rights in the maintenance of reason are the preservation of economic, property, work, and labour rights. (al-Hasani, 1995)

Article 15 emphasizes that everyone has the right to own legally acquired property and enjoy ownership rights without prejudice to themselves, others or society in general. Another article supporting the preservation of the mind is Article 16, which states that everyone has the right to enjoy his scientific, literary or technical output and protect his moral and material interests. The existence of copyright and patent rights strengthens this human right. This means that everyone who produces art, literature and technology, in addition to providing benefits to others, also returns himself both moral and commercial rights. (Cooperation, 1990)

From the above reconstruction, I argue that the Maqashid Sharī'a used by Bayyah can find its meeting point precisely with human rights, especially with the Cairo Declaration on Human Rights in Islam.

Criticizing The International Human Rights

The emergence of conflict between Islam and International Human Rights will always be a hotly debated issue. Scholars from around the world have written extensively on the subject. Ann Elizabeth Mayer, for example, criticizes Islamic human rights for giving rulers more power to hide behind human rights violations in their countries. (Mayer, 2018) Biria instead criticized international human rights because the "universal" human rights document was drafted by those who represented colonialist powers, and more significantly, it was drafted in their language and from their philosophical perspective. (Saghaye-Biria, 2018) Bayyah himself tries to make a comparison between human rights based on Islamic teachings and international human rights into several important points, namely:

First, the Universal Declaration of Human Rights (UDHR), released in 1948, states that human rights are universally applicable. However, this view is seen as nonsense based on ignorance of the diversity of other civilizations. Other parts of the world have distinctive features and characters, which implies that no single law applies in that area.

Bayyah, in his perspective, invites the entire world community to demand civilizational pluralism. The Qur'an Surah al-Hujurat verse 13 states, "*O people, We created you from a male and a female. Then, We made you into nations and tribes so that you may know one another.*" This verse illustrates the importance of pluralism as a bridge to knowing each other. If the West declares the universality of human rights, so does Islam declare the universality of its civilization, as acknowledged by Francis Fukuyama in his book *The End of History and the Last Man*. Therefore, the claim of universality proposed by the West becomes problematic because the nature of universality is relative between one nation and another. (Bayyah, 2006)

Bayyah's opinion is also supported by Iranian scholar Hakimeh Saghaye-Biria who states that the human rights formulated by the West in the Universal Declaration of Human Rights are essentially a process of cultural conversion filled with "power politics" in which certain cultures and cultural practices are displaced at

the expense of western/modern cultures imbued with eurocentric human rights. Universal in human rights is essentially the "universalization of Similarities exist between Bayyah's argument and Samuel Huntington's theory of the conflict of civilizations. Many scholars have criticized this concept. One of Mahmoud Kashefi's criticisms is that the "Arab Spring" rejected Huntington's thesis, which asserts that different civilizations adhere to different systems. The clashes that transpired, according to Kashefi, demonstrated the existence of a universal force of human culture consisting of human rights and citizenship. (Kashefi, 2013)

Second, the source of human rights. Views on the source of human rights in the Islamic context can be divided into two perspectives. First, some Muslims believe that the concept of human rights comes from a Western perspective and is considered a secular concept independent of any religious authority. According to this view, the validity of human rights is based on human acceptance and is not related to religion or God, so they consider that human rights may not be Islamic.

On the other hand, other Islamic thinkers argue that human rights developed in Europe emerged from the discourse of natural law and were shaped by the writings of Western thinkers. The works of Western thinkers triggered a new conceptualization of the individual and his status in society. They emphasized the importance of the individual in the framework of Western society, including in the concept of human rights. These thinkers argue that human rights are used to limit the state's absolute power and are framed as an effort to protect both the individual and the state. In this context, what is essential is that one does not need to refer to God as the authority for human rights.

However, this perspective differs from the Islamic view of human rights. In Islam, human rights are divinely established. Because they are derived from divine guidance, human rights believed by Muslims are enshrined in Islamic law and are seen as coming from God. In this view, human rights derived from divine guidance have a higher status than other human rights ideas, especially those based on Western ideas or human reason.

In Islam, human rights depend not only on human perspectives but also have a more substantial basis, namely revelation and divine guidance. Therefore, for Muslims, human rights based on Islamic teachings are considered to have a higher validity and a more critical position in understanding and implementing individual rights.

Third, a significant difference is that the Islamic approach emphasizes the group over the individual. For example, Bayyah argues that group interests include individual and group interests. Implementing *Hudud Syariah* is a form of protecting the group and society. Similarly, the Islamic legal maxim states, "the public good is prioritized over the individual good". (Bayyah, 2006)

In line with Bayyah, Hille also argues that in the Islamic view, the group (*umma*) always takes precedence over the individual. (Hille, 2006) Based on this view, the emphasis on the group contradicts the Western notion of rights conceptualized as individual rights. Thus, there is a fundamental conflict between Islam and the West regarding the concept of rights, or to borrow Hille's language, there is a clash of civilizations that has been previously designed."

The question is, is it true that Islam prioritizes group rights over individual rights? If we look back to historical determinism, the *mazalim* court is a clear example of Islamic law's recognition of individual rights. These courts were set up during the Abbasid period specifically to hear people's claims against government officials whom they considered to be violating their rights. In practice, the court functioned as a mechanism for prosecuting the rights of individuals against the arbitrary power of the state. (Saeed, 2018)

From the above, I argue that Bayyah expresses three fundamental differences between Islam and international human rights: Universality, Source and Individualism, based on his essentialist and apologetic views.

The Status of Women on Islamic Human Rights

The issue of women in human rights has always been hotly debated, with both those who reject and support women in human rights. Bayyah is one of the many scholars who criticize the human rights promoted by the West. Bayyah argues that the human rights for women proposed by the West have many ambiguities (*Syubhat*) that cause a clash of civilizations between the West and civil society against the general concept of humanity by looking at humans incompletely and confrontationally. (Bayyah, 2006)

As a simple example, women have always been subordinated by men. They are constantly persecuted, and their rights must be defended. LGBT people are a minority whose rights must be vigorously defended. The perpetrators of blasphemy must defend their rights as well. In this sense, no specific standards and principles are found in society. It is a society that relies on the social contract for its decisions in both religious and worldly affairs. The principles are represented by a standard frame in every society with its culture and identity. Moreover, individual freedom without standards will create a crisis of knowledge and morals. (Warren, 2009)

In light of the above, feminists in the West, who initially demanded gender equality, have now shifted to demanding gender reassignment, a re-examination of female reproduction and its means, and other nonsensical views that have led to the degradation of humanity. The biggest problem with these views is that they open the door to endless attempts to change society.

On this issue of gender equality, Islam teaches complementary attitudes between women and men, along with considering the advantages of each individual following what Allah SWT grants. Islam invites peace and happiness in married couples, which have implications for the presence of children and the creation of a generation with moral character.

Bayyah then analyzes the differences between human rights in the Islamic perspective and human rights in the West. Among them are: Islamic authority comes from God's revelation to his prophet, and its primary source comes from God. A simple example is that in the Jahiliyyah era, girls were considered a disgrace and a source of shame, and certain tribes practised the deliberate killing of female babies. Trafficking in women is another practice mentioned in the Qur'an and the custom of polygamy, which allows one man to marry multiple wives. In contrast, one woman could only have one husband. In terms of inheritance, before the advent of Islam, women did not receive equal inheritance in that culture.

These ignorant practices were responded to by the advent of Islam, which introduced a series of changes that challenged many elements of the status of women at that time. Some scholars argue that Islam was one of the first religions in the world to value women and establish that women should be treated as sovereign human beings.

Bayyah also asserts that the separation of women and men regarding their rights in Islam does not mean the denial of women's dignity. Instead, women and men are equal in dignity and honour. The Qur'an states in Surah al-Nahl verse 97: "*Whoever does good, whether male or female, is in a state of faith.*" Islam also teaches the determination of specific tasks that Islam teaches according to the nature and character of each. This separation of specific duties does not make women a level below men.

Examples of gender equality found in Islamic teaching include: Inheritance, in some cases, becomes equality between women and men, such as brothers in the mother. In terms of testimony, sometimes a man's testimony is worth two women's testimonies in some rights, and vice versa; a woman's testimony is worth two men's testimonies in some instances related to women, according to the scholars, such as the testimony of a newborn child and the child's breastfeeding. In addition, there is evidence that women played an essential role on the battlefield, both during and after the prophetic period. Nehaluddin Ahmad describes the trail of Muslim warriors who fought in several battles alongside the Prophet and with the first four caliphs. (Ahmed, 2012) The opinions of the Prophet's wife, Ummu Salama, were even more accepted than those of many men during the hudaibiyyah crisis. Finally, the

Prophet's wife, Aisha, led the war against the fourth caliph, Ali, known as the camel war. Therefore, the adage "Women are the keepers of the home" is incorrect.

From the examples given by Bayyah above, I would argue that Bayyah is trying to explain Islam's achievement of the concept of gender equality found in scripture. Unfortunately, Ibn Bayyah forgets that there was much deterioration in women's human rights after the prophethood and beyond. For example, men still predominantly occupied positions of power, especially in political, legal and theological contexts. (al-Hibri, 1997) Some scholars argue that shortly after the death of the Prophet, Muslim women were marginalized from public and political life. To corroborate my argument, An-Naim states, "This level of achievement (women's rights in Islam) may not seem impressive when compared to some modern standards, but it is. It is a very significant improvement in women's rights when viewed from a historical perspective." (an-Naim, 1988)

The Concept of Freedom on Islamic Human Rights

Freedom (*al-Hurriyah*) is linguistically the opposite of slavery (*riq* and *ubudiyah*) which means Freedom. While in modern terminology, Freedom is a human doing what he wants without being influenced by other people's affairs. (Ashur, 2010)

Freedom (*al-Hurriyah*) in the contextual meaning is the Freedom of man to do what he wants without any obstacles following his ability to do so. This kind of Freedom was a human right when Allah created for them reason, *Iradah* (Will) and *qudrat* (Ability) to know something. Thus, the essence of Freedom (*al-Hurriyah*) has been realized, and using it as a gift is permissible.

However, it should be underlined that the above understanding only applies when humans live alone, without interacting with other parties. The conditions will be different when humans are in a specific community or society. If everyone understands *al-Hurriyah* as an absolute freedom, chaos will undoubtedly occur in social life. Therefore, Subhi al-Mahmashani said: Individual Freedom is not absolute like anarchism, but it is bound by the rights of others and the public good."

The critical issue that Bayyah focuses on in this matter of Freedom is divided Freedom of speech (*Hurriyah al-Ra'yi*). In Islamic governance, Freedom of speech is an individual's right that leads him to his interests and conscience, which the state may not curtail or deny to individuals. It is essential to each individual's state of mind and humanity so that a Muslim can perform his Islamic obligations. Among these obligations is to do *amar ma'ruf nahi munkar*, the realization of which requires and demands the ability to express opinions freely.

This freedom of speech should be utilized to spread good and not evil and injustice. One may express opinions freely, provided that they do not violate the laws against blasphemy, slander, going against the truth, insulting the beliefs of others or following one's whims. Moreover, under no circumstances will Islam condone evil and injustice nor give anyone the right to use vile or insulting language in the name of criticism. (Mawdudi, 1986) Therefore, freedom of speech must follow the general principle of Islamic law, which obliges everyone to uphold and implement what is right and avoid what is wrong.

According to Madjid, freedom of thought and opinion as an individual activity is distinguished between worship and non-worship activities. A Muslim is free to think and argue based on the Islamic Legal Maxim if it is non-worship. The legal origin of something outside of worship is permissibility unless there are religious texts that prohibit it. This shows that it is not justified to forbid something if Allah forbids it. Therefore, freedom of thought and opinion can be exercised with high freedom of expression. (Madjid, 2000)

Second is the freedom of expression that sometimes becomes an obligation related to inviting (*da'wah*) to goodness and *amar ma'ruf nahi munkar* or demanding justice that should be someone is right. The Qur'an has explained in Surah Ali Imran: 104, "*And let there be among you a group of people who call to goodness, enjoin to goodness and*

prevent from evil". The Prophet Muhammad Saw said, "The best jihad is to speak the truth to an arbitrary ruler."

Scholars such as Imam Malik and Ahmad Ibn Hanbal held firm to their views on theology despite severe persecution and torture from the state and imperial leaders at the time.

In his above views on freedom of expression, Bayyah needs to provide the limitations set by scholars on the matter. Baderin argues, "In the context of Shari'a, the primary goals of the right to freedom of expression are the discovery of truth and the upholding of human dignity." (Baderin, 2005) According to him, Islamic law has endeavoured to uphold these two goals. Islamic law does not allow "spreading evil or obscenity under the pretext of freedom of expression, nor does it allow spreading "gossip or scandal" (Q.S 24:19). Instead, the Qur'an commands people to use freedom of expression appropriately, as alluded to by Bayyah above. Thus, as Baderin argues, "Freedom of expression under Islamic law is also not absolute" but is limited to "appropriate speech or expression."

In the Islamic tradition, certain types of speech and expression are highly problematic. Kamali notes, "Public opinion can broadly define the acceptable limits of free speech. Such limits also stem from positive ethical teachings that encourage qualities such as compassion and respect for the rights of others. Kamali describes two types of limits that can restrict freedom of expression: moral and legal. Moral restrictions do not have specific legal consequences, such as lies and disputes based on anger. At the same time, those included in the category of legal restrictions are public slander, hurtful speech, defamation, insult, blasphemy and incitement. (Kamali, 1994)

From the above reconstruction of Bayyah's explanation, I argue that Bayyah only analyzes freedom of expression from an Islamic perspective, which can lead to bias. It would be better if he harmonized and found common ground between freedom in Islam and international human rights. There is much common ground between international human rights law and the understanding of freedom. In both, individuals have significant freedom to express opinions, even if those ideas do not align with dominant political or religious views. In both legal arenas, people are given the right to express themselves freely, but at the same time, they are required to respect others. As such, the right also entails certain obligations. The Qur'anic position on freedom of expression offers much room for interpretation. Using Qur'anic teachings to expand or limit the scope of permissible expression is possible. (Saeed, 2018)

Conclusion

From the explanation that I have conveyed above, there are several essential points that we can draw into a conclusion, including: Firstly, the Maqashid Sharī'a used by Bayyah can find its exact intersection with human rights, especially with the Cairo Declaration on Human Rights in Islam. Second, there are three fundamental differences between Islam and international human rights: Universality, Source and Individualism. Third, Islam has found achievements towards the concept of gender equality in the holy book, especially during the prophetic period. However, unfortunately, Bayyah ignores that there was much deterioration in women's human rights after the prophethood and beyond. For example, men still dominantly occupy positions of power, especially in politics, law and theology. Fourth, Bayyah only explains freedom from an Islamic perspective, which can lead to bias. It would be better if she harmonized and found common ground between freedom in Islam and international human rights. There are many points of convergence between international human rights law and the understanding of freedom.

Bibliography

- Abdullah Ibn Bayyah. *Hiwar an Bu'din Haula Huqûq al-Insan fi al-Islam*. Riyadh: Obekan, 2006.
- Abul A'la Mawdudi. "Human Rights In Islam." *Al-Tawbid Islamic Journal*, 1986: 1-30.
- Ahmed, Nehaluddin. "Modern Debate on the Socio-Political Rights of Muslim Women." *Journal on Human Rights and the Law*, 2012: 55.
- al-Hasani, Ismail. *Nadbariyya al-Maqasid inda Imam Thahir Ibn Ashur*. Virginia: The International Institute of Islamic Thought, 1995.
- al-Hibri, Azizah. "Islam, Law, and Custom: Redefining Muslim Women's Rights." *American University Journal of International Law and Policy*, 1997: 5-8.
- an-Naim, Abdullah. "The Rights of Women and International Law in the Muslim Context." *Whittier Law Review*, 1987-1988: 491-516.
- Ashur, Muhammad Thahir Ibn. *Ushul al-Nizam al-Ijtima' fi al-Islam*. Cairo: Dar al-Salam, 2010.
- Baderin, Mashood. *International Human Rights and Islamic Law*. Oxford: Oxford University Press, 2005.
- Basith, Abdul. *Islam Dalam Berbagai Pembacaan Kontemporer*. Yogyakarta: Pustaka Pelajar, 2009.
- Bayyah, Abdullah bin. *BIOGRAPHY OF SHAYKH ABDALLAH BIN BAYYAH*. January 17, 2013. <https://binbayyah.net/english/bio/> (accessed July 11, 2023).
- Cooperation, Organisation of Islamic. *Cairo Declaration of Human Rights*. August 5, 1990. <http://www1.umn.edu/humanrts/instree/cairodeclaration.html> (accessed June 13, 2023).
- Fauzi. *Hak Asasi Manusia dalam Fikih Kontemporer*. Rawamangun: Kencana, 2017.
- Harisuddin, Noor. *Fiqih Aqalliyat*. Ciputat: Pustaka Kompas, 2021.
- Hille, Rolf. "Human Rights and Islam-Is the 'Clash of Civilizations' Already Pre-Programmed?" *Evalengical Review of Theology*, 2006: 352-61.
- Kamali, Muhammad Hashim. *Freedom of Expression in Islam*. Kuala Lumpur: Berita Publishing, 1994.
- Kashefi, Mahmoud. "The Arab Spring and Its Theoretical Significance: Samuel Huntington's, 'The Class of Civilization Revisited,'" *International Review of Modern Sociology*, 2013: 30-31.
- Madjid, Noorcholil. *Islam, Doktrin dan Peradaban*. Jakarta: Paramadina, 2000.
- Mayer, Ann Elizabeth. *Islam and Human Rights: Traditions and Politics*. New York: Routledge, 2018.
- Saeed, Abdullah. *Human Rights and Islam: An Introduction to Key Debates Between Islamic Law and International Human Rights Law*. Cheltenham: Edward Elgar Publishing, 2018.
- Saghaye-Biria, Hakimeh. "Decolonizing the Universal Human Right Regime: Questioning American Exceptionalism and Orientalism," *ReOrient*, 2018: 59-77.
- Thantawi, Muhammad Sayyid. *al-Tafsir al-Wasith*. Cairo: Dar al-Nahdah, 1997.
- Warren, Christie. "Lifting the Veil." *Cardozo Journal of Law & Gender*, 2009: 42.
- Zaprul Khan. *Rekonstruksi paradigma maqashid syariah*. Yogyakarta: IRCiSoD, 2020.