

Integrating International Disability Law with National Legal Systems: Advancing Inclusive Education and Patient Safety in OIC Countries

Muhammad Ahsanul Husna¹, Prof. Dr. Arshad Munir Leghari², Dr. Yasir Munir³, Dr. Shakhzoda Tuychieva⁴, Muhammad Azam^{5*}, Gulzaib Sharif⁶, Kusuma Arbianti⁷, Prof. Dr. Muhammad Zafar Iqbal Jalali⁸

¹Wahid Hasyim University, Semarang, Indonesia

ahsanulhusna@unwahas.ac.id

²Ghazi University Dera Ghazi Khan, Punjab, Pakistan

amunir@gudgk.edu.pk

³Fellowship Tashkent State University of Law, Uzbekistan,

leghariyasir84@gmail.com

⁴Tashkent State University of Law, Tashkent, Uzbekistan

sht156@pitt.edu

⁵International Research Institute Pakistan, Pakistan

muhammadazam@irip.ac.pk

⁶International Islamic University Islamabad, Pakistan

gul.bsbi775@student.iiu.edu.pk

⁷Universitas Islam Sultan Agung, Semarang, Indonesia

kusumaarbi@unissula.ac.id

⁸Islamabad International University Pakistan, Pakistan

drzafarjalali@gmail.com

Corresponding Author Email: muhammadazam@irip.ac.pk

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ABSTRACT:

Inclusive education has emerged as a central component of contemporary human rights discourse, particularly in relation to persons with disabilities. This study examines the intersection between international disability law—especially the UN Convention on the Rights of Persons with Disabilities (UNCRPD)—and Islamic legal principles (Sharia) in advancing inclusive education within Muslim-majority countries. While both frameworks emphasize fundamental values such as human dignity (karāmah), justice (‘adl), equality, and social inclusion, significant gaps persist between normative commitments and practical implementation.

Adopting a doctrinal and comparative legal methodology, this research analyzes international legal instruments, Islamic jurisprudential sources, and national legislation from selected countries, including Pakistan, Indonesia, and Malaysia. The study identifies a strong normative convergence between Sharia and international disability law, particularly in areas such as non-discrimination, accessibility, and the right to education.

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However, it also highlights substantial implementation challenges, including inadequate infrastructure, limited teacher training, weak institutional capacity, insufficient data systems, and persistent socio-cultural stigma toward disability.

The findings demonstrate that the primary issue is not a conflict between legal systems but rather the lack of effective harmonization and enforcement mechanisms. In many cases, Sharia-based ethical principles that support inclusion remain underutilized in modern legislative and policy frameworks. This results in fragmented approaches that fail to fully realize the right to inclusive education.

The study argues for a holistic and integrative approach to legal reform, emphasizing the need to bridge international and Islamic legal traditions through constitutional recognition, statutory development, and institutional strengthening. It further underscores the importance of participatory governance, increased investment, and regional cooperation, particularly within the Organisation of Islamic Cooperation (OIC), to promote context-sensitive and sustainable inclusion strategies.

Keywords: Inclusive Education, UNCRPD, Legal Harmonization, Islamic Jurisprudence, Disability Policy.

Introduction

Inclusive education has emerged as one of the most significant paradigmatic shifts in contemporary educational and legal discourse, reflecting a broader transition from exclusionary and segregated systems toward rights-based, equitable frameworks. At its core, inclusive education seeks to ensure that all learners—regardless of physical, intellectual, sensory, or psychosocial disabilities—are able to participate fully in mainstream educational environments. This approach is grounded in the recognition that education is not merely a social service but a fundamental human right intrinsically linked to dignity, equality, and social justice. In recent decades, this right has gained increasing prominence within international human rights law, particularly in relation to persons with disabilities, who have historically faced systemic marginalization and exclusion from formal education systems.¹

Globally, the scale of the issue remains substantial and deeply concerning. Current estimates suggest that approximately 240 million children with disabilities exist worldwide, many of whom continue to face significant barriers to accessing education. Empirical evidence further indicates that children with disabilities are nearly 49% more likely to have never attended school and 42% less likely to acquire foundational literacy and numeracy skills compared to their non-disabled peers. These disparities highlight a persistent structural inequality within global education systems, despite the proliferation of international commitments and policy frameworks advocating for inclusion. Moreover, dropout rates remain alarmingly high; for instance, recent data indicate that up to 37% of students with disabilities discontinue education at the upper secondary level, undermining their transition to higher education and employment opportunities. Such statistics underscore the urgent

¹ Waisath, W., McCormack, M., Stek, P., & Heymann, J. (2024). Dismantling barriers and advancing disability-inclusive education: An examination of national laws

and policies across 193 countries. *International Journal of Inclusive Education*, 28(10), 2088–2103. <https://doi.org/10.1080/13603116.2022.2058623>

need for robust legal and institutional mechanisms capable of transforming normative commitments into practical realities.²

The concept of inclusive education is closely linked to the broader global agenda encapsulated in the Sustainable Development Goals (SDGs), particularly Goal 4, which calls for “inclusive and equitable quality education for all.” However, despite this normative commitment, progress remains uneven and, in some cases, regressive. Recent global reports indicate that the number of out-of-school children has not significantly declined and, in certain regions, has even increased between 2015 and 2025. These trends reveal a critical disconnect between policy aspirations and actual implementation, particularly in low- and middle-income countries where resource constraints, institutional weaknesses, and socio-cultural factors exacerbate educational exclusion.³

Within this global context, the adoption of the UN Convention on the Rights of Persons with Disabilities (UNCRPD) in 2006 marked a transformative moment in the legal recognition of disability rights. The Convention represents a paradigm shift from a charity-based or medical model of disability toward a social and human rights model, emphasizing the removal of societal barriers and the promotion of full participation. Article 24 of the UNCRPD explicitly recognizes the right of persons with disabilities to inclusive education and obliges States Parties to ensure non-discrimination, equal opportunity, and the provision of reasonable accommodation within mainstream educational systems. It further mandates the development of individualized support mechanisms, the training of

educators, and the use of appropriate communication methods such as Braille and sign language to facilitate effective learning environments.⁴

The legal significance of the UNCRPD lies not only in its normative provisions but also in its near-universal ratification, including by many Muslim-majority countries. This widespread adoption suggests a formal commitment to aligning domestic legal systems with international disability rights standards. However, the existence of legal frameworks does not automatically guarantee effective implementation. In practice, many countries continue to struggle with translating these obligations into tangible outcomes due to institutional fragmentation, insufficient funding, lack of trained personnel, and entrenched social attitudes toward disability.⁵

In Muslim-majority countries, these challenges are further compounded by the coexistence of multiple legal systems, including civil law, common law, and Islamic law (Sharia). While Islamic jurisprudence historically emphasizes principles of dignity (karāmah), justice (‘adl), and social welfare (maṣlaḥah), the integration of these principles into modern disability rights frameworks remains inconsistent and underdeveloped. This creates a complex legal landscape in which international obligations under the UNCRPD must be reconciled with domestic legal traditions and socio-religious norms. Consequently, a significant gap emerges between the normative commitments enshrined in both international and Islamic legal systems and

² Kauffman, J. M., & Hornby, G. (2020). Inclusive vision versus special education reality. *Education Sciences*, 10(9), 258. <https://doi.org/10.3390/educsci10090258>

³ Genovesi, E., Ahmed, I., Ayele, M., Belay, W., Burningham, O., Chen, A., Girma, F., Lakew, L. T., Hanlon, C., & Hoekstra, R. A. (2024). Exploring context for implementation of inclusive education for children with developmental disabilities in mainstream primary schools in Ethiopia. *PLOS ONE*, 19(8), e0307576. <https://doi.org/10.1371/journal.pone.0307576>

⁴ Buchner, T., Shevlin, M., Donovan, M.-A., Gercke, M., Goll, H., Šiška, J., Janyšková, K., Smogorzewska, J.,

Szumski, G., Vlachou, A., Demo, H., Feyerer, E., & Corby, D. (2021). Same progress for all? Inclusive education, the United Nations Convention on the Rights of Persons with Disabilities and students with intellectual disability in European countries. *Journal of Policy and Practice in Intellectual Disabilities*, 18(1), 7–22. <https://doi.org/10.1111/jppi.12368>

⁵ Iswanto, D. (2025). Mainstreaming disabilities in the education sector: Implementation of inclusive elementary school policy in Malang City. *Pangripta: Jurnal Ilmiah Kajian Perencanaan Pembangunan*, 8(1), 1–10. <https://doi.org/10.58411/88m0zb13>

their practical realization in educational policies and institutions.⁶

Empirical studies from several Muslim-majority countries illustrate this implementation gap. For example, in Malaysia, although substantial progress has been made in developing policies and expanding services for children with disabilities, challenges persist in achieving full inclusion within mainstream education systems, particularly in terms of infrastructure, teacher training, and policy execution. Similar patterns can be observed in other jurisdictions, where legal reforms have not been accompanied by adequate institutional capacity or societal awareness, resulting in continued reliance on segregated educational models. These findings highlight the need for a more nuanced and context-sensitive approach to legal harmonization, one that takes into account both international standards and local socio-cultural dynamics.⁷

The problem, therefore, is not merely the absence of legal norms but rather the ineffective implementation and harmonization of existing frameworks. Despite the presence of international treaties and, in many cases, supportive Islamic principles, inclusive education remains inadequately realized in practice. This raises critical questions regarding the compatibility of different legal systems, the role of state institutions, and the socio-cultural factors that influence policy outcomes. It also points to the necessity of developing integrative approaches that bridge the gap between normative ideals and empirical realities.

Against this backdrop, the present study seeks to examine the intersection between international disability law and Islamic legal principles in advancing inclusive education in Muslim-majority countries. The central objective is to explore how these two normative frameworks can be harmonized to create more effective and contextually appropriate legal and policy solutions. Specifically, the study aims to address the following

research questions: (1) What are the key principles and obligations of international disability law concerning inclusive education? (2) How do Islamic legal traditions conceptualize disability and the right to education? (3) What are the major gaps and challenges in implementing inclusive education policies in selected Muslim-majority countries? and (4) How can legal harmonization contribute to more effective and sustainable inclusion strategies?

Methodologically, this research adopts a doctrinal and comparative legal approach. The doctrinal component involves a detailed analysis of primary legal sources, including international treaties such as the UNCRPD, national legislation, and relevant Islamic jurisprudential texts. This is complemented by a comparative analysis of selected Muslim-majority countries, enabling the identification of common patterns, divergences, and best practices. In addition, the study incorporates recent empirical data and policy reports to contextualize legal findings within real-world educational outcomes. Such a mixed approach is particularly appropriate given the interdisciplinary nature of inclusive education, which intersects law, policy, sociology, and pedagogy.

The significance of this research lies in its potential to contribute to both academic scholarship and policy development. From a theoretical perspective, it advances the discourse on legal pluralism by examining the interaction between international and Islamic legal systems in a specific policy domain. From a practical standpoint, it provides evidence-based recommendations for policymakers, educators, and legal practitioners seeking to promote inclusive education in diverse socio-legal contexts. Furthermore, by emphasizing the importance of harmonization rather than conflict, the study offers a constructive framework for reconciling different normative traditions in pursuit of a common goal: the realization of the right to education for all.

⁶ Kaur, R., & Salian, R. H. (2025). Teacher perspectives and barriers in implementing inclusive education for Indian children with special needs: A pilot study. *British Journal of Special Education*, 52(1), 4–17. <https://doi.org/10.1111/1467-8578.12558>

⁷ Grant, S., Fero, K., & Grant, A. (2026). Simulative and dissimulative masking: Resolving how educational practice that protects neurodivergent people from harm can suppress learning. *British Journal of Special Education*, 53(1), 5–17

Understanding Disability and Inclusive Education: From Medical to Social Paradigms

The concept of disability has undergone a profound transformation in contemporary legal and academic discourse, shifting from a purely medical understanding toward a more socially constructed and rights-based interpretation. Traditionally, the medical model of disability conceptualized disability as an individual pathology or impairment requiring treatment, rehabilitation, or institutional care. Within this framework, individuals with disabilities were often viewed as passive recipients of welfare, and educational systems tended to segregate them into special institutions. However, this approach has been widely criticized for ignoring the broader structural and environmental barriers that hinder participation. In contrast, the social model of disability reconceptualizes disability as a product of societal exclusion, emphasizing that individuals are “disabled” not by their impairments but by inaccessible environments, discriminatory attitudes, and institutional failures. This paradigm shift has been central to modern disability rights movements and has significantly influenced international legal frameworks, particularly the UN Convention on the Rights of Persons with Disabilities (UNCRPD). Article 24 of the Convention explicitly requires states to ensure that persons with disabilities are not excluded from mainstream education and are provided with necessary support and reasonable accommodation to achieve full participation.⁸

Current global data strongly reinforce the relevance of this shift from medical to social perspectives. Despite legal advancements, approximately 240 million children with disabilities worldwide still face substantial barriers to accessing education, with many either excluded from school or unable to achieve basic learning outcomes. Empirical studies reveal that such children are nearly 50% more likely to have never attended school and significantly less likely to attain foundational literacy and numeracy

skills. These disparities are not merely the result of individual impairments but are closely linked to systemic issues such as inaccessible infrastructure, lack of trained teachers, and discriminatory social norms. Moreover, global policy trends indicate that inclusion remains inconsistently implemented: approximately 25% of countries still maintain laws favoring segregated education systems, while only a minority have fully adopted inclusive approaches. These statistics highlight the persistence of outdated medical-model thinking within legal and educational systems, underscoring the urgent need for a comprehensive shift toward inclusive, rights-based frameworks.⁹

The concept of inclusive education emerges as a direct application of the social model within the educational domain. Inclusive education is not limited to merely placing students with disabilities in mainstream classrooms; rather, it involves a systemic transformation of educational institutions to accommodate diverse learning needs. This includes curriculum adaptation, teacher training, accessible infrastructure, and individualized support mechanisms. According to contemporary policy frameworks, inclusion means ensuring that all learners are present, participating, and achieving within the same educational environment. However, current data indicate that achieving this ideal remains a significant challenge. For instance, recent UNESCO findings show that up to 37% of students with disabilities drop out at the upper secondary level, reflecting systemic failures in sustaining inclusive educational pathways. Furthermore, structural inequalities persist globally, with millions of children—particularly in developing regions—remaining out of school despite international commitments under Sustainable Development Goal 4. These realities demonstrate that inclusive education is not merely a pedagogical concept but a complex socio-legal

⁸ Ujeh, K. C., & Munongi, L. (2026). Learners with learning disabilities' experiences of access to quality education in a South African township secondary school. *Discover Education*, 5(1), 167

⁹ Green, E. J., Brown, M. E. L., Vance, G. H. S., & Keenan, I. D. (2026). Undergraduate medical education for neurodivergent students: A scoping review. *BMC Medical Education*, 26(1), 103.

challenge requiring coordinated reforms across legal, institutional, and cultural domains.¹⁰

Legal Philosophy of Equality, Non-Discrimination, and Human Rights in Education

The theoretical foundation of inclusive education is deeply rooted in the legal principles of equality and non-discrimination, which form the cornerstone of contemporary human rights law. At a philosophical level, equality in education extends beyond formal equality—treating all individuals the same—toward substantive equality, which recognizes that different individuals require different forms of support to achieve equal outcomes. This principle is reflected in the concept of reasonable accommodation, a key element of modern disability law that obliges states to make necessary adjustments to ensure equal participation. The UNCPRD explicitly incorporates this approach by requiring states to provide individualized support measures and eliminate barriers within educational systems. From a jurisprudential perspective, this reflects a shift from classical liberal notions of equality toward a more contextual and equity-oriented framework, aligning with contemporary theories of social justice and distributive fairness.¹¹

At the same time, inclusive education is closely linked to broader developments in international human rights law, particularly the recognition of education as a fundamental right essential for the realization of other rights. The global education agenda, as articulated in Sustainable Development Goal 4, emphasizes the need for inclusive and equitable quality education for all, reinforcing the normative link between education, social inclusion, and human development. However, despite these

commitments, significant gaps persist in implementation. UNESCO reports highlight that many countries lack adequate data systems, coordinated governance, and targeted financing to support inclusive education, resulting in fragmented and ineffective policy frameworks. Additionally, structural inequalities—such as poverty, gender disparities, and geographic marginalization—intersect with disability, further complicating efforts to achieve educational inclusion. These challenges illustrate that legal recognition alone is insufficient; effective realization of rights requires robust institutional mechanisms and sustained political will.¹²

The intersection between human rights law and education theory further reinforces the importance of inclusive approaches. Contemporary educational theories emphasize learner-centered pedagogy, diversity, and participation, aligning closely with human rights principles of dignity and autonomy. Inclusive education, therefore, represents not only a legal obligation but also an educational imperative grounded in evidence-based practices. For example, global initiatives have demonstrated that inclusive systems benefit not only students with disabilities but also the broader student population by promoting diversity, empathy, and collaborative learning environments. Nevertheless, translating these theoretical insights into practice remains a significant challenge, particularly in contexts where traditional attitudes toward disability persist and resources are limited.¹³

In this regard, the integration of legal philosophy with educational practice requires a multidimensional approach that addresses both normative and practical dimensions. This includes

¹⁰ Chow, W. S. E. (2026). In-service teachers' views on implementing inclusive practices in Hong Kong classrooms: Challenges and support needs. *Asia Pacific Education Review*, 27(1), 353–364.

¹¹ Santini, A., Rosa, M., Marinetto, A., et al. (2026). I have the right to carry a backpack: Access to the school of children and adolescents in paediatric palliative care in the Veneto Region (Italy). *Italian Journal of Pediatrics*, 52(1), 3. <https://doi.org/10.1186/s13052-026-01483-0>

¹² Saleha, N., Widiasih, R., Pramukti, I., Dhamayanti, M., & Aprilatutini, T. (2026). Privacy rights versus surveillance: Challenges of sex education in the digital age—An exploratory qualitative study in Indonesia. *BMC Public Health*, 26(1), 837. <https://doi.org/10.1186/s12889-026-16837-0>

¹³ Groff, E., & Steger, F. (2026). Denial of access to sexual and reproductive health services in Europe: An analysis of cases from the European Court of Human Rights (1976–2023). *Reproductive Health*, 23(1), 21. <https://doi.org/10.1186/s12978-026-01621-0>

aligning national legislation with international standards, developing inclusive curricula, training educators, and fostering societal awareness. Importantly, in Muslim-majority contexts, these efforts must also engage with Islamic legal and ethical principles, which emphasize justice (‘adl), human dignity (karāmah), and social welfare (maṣlaḥah). These principles provide a strong normative foundation for supporting inclusive education, yet their potential remains underutilized in contemporary policy frameworks. Bridging this gap requires a deeper engagement with both international and Islamic legal traditions, paving the way for a more holistic and culturally grounded approach to disability rights and inclusive education.¹⁴

UNCRPD Framework and the Role of International Organizations

The adoption of the UN Convention on the Rights of Persons with Disabilities (UNCRPD) represents a watershed moment in the evolution of international disability law, particularly in relation to inclusive education. Article 24 of the Convention establishes a comprehensive legal framework that recognizes the right of persons with disabilities to education “without discrimination and on the basis of equal opportunity,” mandating the creation of an inclusive education system at all levels. This provision goes beyond earlier human rights instruments by explicitly requiring states to eliminate exclusion from mainstream education, ensure access to free and compulsory primary and secondary education, and provide individualized support mechanisms tailored to the needs of learners with disabilities. It further emphasizes the importance of accessibility, including the use of

Braille, sign language, and alternative communication methods, as well as the training of teachers equipped to deliver inclusive education. In doctrinal terms, Article 24 operationalizes the transition from formal equality to substantive equality by embedding the principles of reasonable accommodation and individualized support within binding legal obligations.¹⁵

Beyond the UNCRPD, international organizations such as the United Nations and UNESCO play a pivotal role in shaping and implementing global standards for inclusive education. UNESCO, in particular, has positioned education as a fundamental human right and a cornerstone of sustainable development, emphasizing inclusive education as a key priority under Sustainable Development Goal 4. Recent policy frameworks highlight the necessity of a “whole system approach,” integrating legal, institutional, and pedagogical reforms to ensure meaningful inclusion. However, despite these normative advancements, significant data gaps persist. UNESCO reports indicate that learners with disabilities often remain “invisible” in national education systems due to inadequate data collection, limiting the effectiveness of policy interventions and monitoring mechanisms. This lack of reliable data not only undermines accountability but also hinders the realization of inclusive education as a legally enforceable right. Consequently, international organizations continue to advocate for improved data systems, coordinated governance, and increased investment as essential components of effective implementation.¹⁶

The broader international legal framework also includes complementary instruments such as the

¹⁴ Chen, L. (2026). Legislative recognition and implementation challenges of living wills in China. *Philosophy, Ethics, and Humanities in Medicine*, 21(1), 1. <https://doi.org/10.1186/s13010-026-00121-0>

¹⁵ Geppert, A., Smith, E. M., & MacLachlan, M. (2026). UNCRPD and sport: A comparative analysis of European states parties reports. *Disabilities*, 6(1), 2. <https://doi.org/10.3390/disabilities6010002>

¹⁶ Mamun, A. A., & Kayenat, M. S. A. (2026). Inclusive education for children with disabilities in Bangladesh:

Systemic barriers, lessons from low- and middle-income countries, and policy pathways. *Health Science Reports*, 9(3), e72106. <https://doi.org/10.1002/hsr2.72106>

Seketi, Q. E., Scherer, N., Menon, J. A., Banks, L. M., & Bond, V. (2025). Disability inclusion in Zambia's government COVID-19 policies: A framework analysis. *International Journal for Equity in Health*, 24(1), 300. <https://doi.org/10.1186/s12939-025-02300-0>

Convention on the Rights of the Child (CRC) and the Salamanca Statement (1994), which collectively reinforce the principle that children with disabilities should be educated within mainstream systems wherever possible. These instruments, together with the UNCRPD, form a cohesive normative regime that places inclusive education at the center of global human rights law. However, the effectiveness of this regime ultimately depends on the willingness and capacity of states to translate international commitments into domestic legislation and practice. This underscores the importance of examining not only the content of international norms but also the mechanisms through which they are implemented and enforced.¹⁷

State Obligations and Global Challenges in Implementation

Under international disability law, states are subject to a range of positive obligations aimed at ensuring the realization of inclusive education. These obligations extend beyond mere non-discrimination to include proactive measures such as ensuring accessibility, providing reasonable accommodation, and developing inclusive curricula and teaching methodologies. Accessibility, as articulated in Article 9 of the UNCRPD, requires the removal of physical, informational, and communication barriers that prevent persons with disabilities from accessing educational institutions. Similarly, the principle of non-discrimination mandates that individuals cannot be excluded from education on the basis of disability, while reasonable accommodation requires states to make necessary and appropriate modifications to meet individual needs without imposing disproportionate burdens. These obligations collectively reflect a shift toward a rights-based approach, where states are not only prohibited from discriminatory practices but are

also required to actively facilitate inclusion through legal, institutional, and financial measures.¹⁸

Despite the clarity of these obligations, their implementation remains uneven and fraught with challenges across different regions. Empirical evidence indicates that in many low- and middle-income countries, up to 90% of children with disabilities may be excluded from formal education, particularly in contexts characterized by poverty and weak institutional capacity. Even in countries where legal frameworks exist, significant gaps persist in areas such as teacher training, infrastructure, and resource allocation. For instance, reports highlight shortages of qualified teachers trained in inclusive education, overcrowded classrooms, and insufficient learning materials tailored to diverse needs. Additionally, statistical data on disability and education remain limited or inconsistent, making it difficult to assess progress and design effective policies. In Pakistan, for example, only about 31% of persons with disabilities have ever attended school, reflecting a substantial disparity compared to the general population.¹⁹

Beyond structural and institutional barriers, socio-cultural factors also play a significant role in shaping educational outcomes for persons with disabilities. Negative attitudes, stigma, and lack of awareness often reinforce exclusion, particularly in societies where disability is viewed through a charitable or medical lens rather than a rights-based perspective. These challenges are further compounded by intersecting forms of discrimination, including gender, ethnicity, and socioeconomic status, which disproportionately affect marginalized groups. Moreover, the lack of participation of persons with disabilities in policy-making processes limits the effectiveness and legitimacy of inclusion strategies. As a result, there is a growing recognition that legal

¹⁷ Bose, A., Mehrotra, A., Upadhyay, A., & Sharma, S. (2025). Social audit as a pathway for reasonable accommodation: A review on access to the built environment for persons with disabilities in the wake of the RPwD Act 2016 in India. *Jindal Global Law Review*, 16(2), 571–586. <https://doi.org/10.1007/s41020-025-00235-0>

¹⁸ Meier, B. M., Bueno de Mesquita, J., & Sekalala, S. (2026). Human rights limitations in World Health

Organization reforms: Strengthening human rights obligations in global health law to ensure global health equity. *AJIL Unbound*, 120, 103–110. <https://doi.org/10.1017/aju.2026.18>

¹⁹ Islam, M. S., & Demir, I. (2026). AI in the international governance of land-based marine pollution: Legal frameworks and multilateral approaches. *Marine Policy*, 188, 107085. <https://doi.org/10.1016/j.marpol.2026.107085>

reform alone is insufficient; effective implementation requires a holistic approach that addresses legal, institutional, and cultural dimensions simultaneously.²⁰

In response to these challenges, international organizations have increasingly emphasized the importance of integrated and data-driven approaches to inclusive education. For example, UNESCO's recent strategies highlight the need for improved data collection, targeted funding, and coordinated governance structures to support disability inclusion. Furthermore, there is a growing emphasis on participatory governance, ensuring that persons with disabilities and their representative organizations are actively involved in the design, implementation, and monitoring of policies. This approach aligns with the broader principles of the UNCRPD, which emphasize empowerment, autonomy, and participation as key elements of disability rights. Ultimately, the success of international disability law in advancing inclusive education will depend on the ability of states to move beyond formal compliance toward substantive implementation, bridging the gap between legal commitments and lived realities.²¹

Islamic Principles of Dignity, Justice, and Rights of Persons with Disabilities

Islamic legal and ethical thought provides a comprehensive normative framework for understanding disability, rooted in foundational principles such as human dignity (karāmah), justice ('adl), and equality (musāwāh). The Qur'an explicitly affirms the inherent dignity of all human beings, regardless of physical or mental condition, establishing a universal standard of respect and moral worth. This principle is further reinforced in Islamic jurisprudence (fiqh), where persons with

disabilities are recognized as full legal subjects entitled to rights, protections, and social participation. Unlike the traditional medical model that focuses on impairment, the Islamic perspective adopts a more holistic approach, emphasizing moral accountability, social inclusion, and the removal of hardship (raf' al-ḥaraj). Classical jurists developed the concept of ahliyya (legal capacity), distinguishing between the capacity to hold rights and the capacity to exercise them, thereby ensuring that individuals with disabilities are not deprived of their fundamental entitlements.²²

From a contemporary perspective, these principles align closely with modern human rights frameworks, particularly the rights-based approach of international disability law. Current global data indicate that approximately 1.3 billion people—around 16% of the world's population—live with some form of disability, with a significant proportion residing in developing and Muslim-majority countries. Despite this demographic reality, many of these societies continue to struggle with stigma, limited access to services, and insufficient legal enforcement. In the Arab region, for example, reported disability prevalence ranges between 0.2% and 5%, figures that are widely considered underestimates due to social stigma and inadequate data collection systems. This gap between ethical principles and empirical realities highlights the need to revive and operationalize Islamic teachings on justice and inclusion. Importantly, contemporary research also shows that religiosity can positively influence attitudes toward persons with disabilities, fostering greater acceptance and social integration. Thus, Islamic legal philosophy not only provides a normative foundation for disability rights but also offers a

²⁰ Sakib, O., & Hasan, S. (2026). Navigating state obligations: A critical analysis of the ITLOS advisory opinion on climate change and the UNCLOS. *Marine Policy*, 187, 107054. <https://doi.org/10.1016/j.marpol.2026.107054>

²¹ Magnaghi, R. (2025). The CBAM regulation and US BCA proposals: An analysis across the GATT non-discrimination obligations and the CBDR-RC principle.

Journal of World Energy Law and Business, 18(5–6), jwaf009. <https://doi.org/10.1093/jwelb/jwaf009>

²² Billah, M., Gassing, A. Q., Bakry, M., Ahmad, L. O. I., & Harakan, A. (2025). Islamic law perspectives and social experiences on stigma toward disabled people in Indonesia. *Frontiers in Sociology*, 10, 1479243. <https://doi.org/10.3389/fsoc.2025.1479243>

culturally resonant framework for promoting inclusive education in Muslim-majority contexts.²³

The concept of *حقوق ذوي الإعاقة* (rights of persons with disabilities) is deeply embedded within Islamic jurisprudence, encompassing a wide range of social, economic, and educational rights. Classical scholars emphasized the obligation of the state (imāmah) and society to provide support, care, and opportunities for individuals with disabilities, including access to education and participation in public life. This is consistent with the broader Islamic principle of *maṣlaḥah* (public interest), which prioritizes the welfare and well-being of all members of society. Furthermore, Islamic law recognizes the importance of removing barriers and facilitating ease (*taysīr*), principles that resonate strongly with modern concepts such as accessibility and reasonable accommodation. In this sense, Sharia does not merely tolerate disability but actively promotes inclusion, equity, and social justice.²⁴

Historical Practice and Educational Rights under the Sharia Framework

Historical evidence from Islamic civilization demonstrates that these principles were not merely theoretical but were actively implemented in practice. During the classical Islamic period, individuals with disabilities were integrated into social and intellectual life, often occupying respected positions within society. For instance, prominent scholars such as blind jurists and hadith transmitters played significant roles in the development of Islamic knowledge traditions. The case of ‘Abdullāh ibn Umm Maktūm, a blind companion of the Prophet Muhammad (peace be upon him), is particularly illustrative. Not only was he entrusted with public responsibilities, including serving as a *mu’adhdhin* and acting as a governor in

Medina, but his inclusion also reflects a broader ethos of participation and respect. Similarly, historical narratives indicate that persons with disabilities were not excluded from communal activities, and in some cases, they actively participated in public affairs, reinforcing the principle of non-discrimination and inclusion.²⁵

In addition to social integration, Islamic governance structures historically provided institutional support for persons with disabilities, including access to education and social welfare. *Bait al-Māl* (public treasury) funds were often allocated to support vulnerable groups, including individuals with disabilities, ensuring their basic needs and facilitating their participation in society. Educational institutions, such as mosques and madrasas, were generally accessible to all members of the community, reflecting the inclusive nature of Islamic pedagogy. This stands in contrast to many modern systems in developing countries, where access to education for persons with disabilities remains limited. Contemporary data suggest that a significant proportion of children with disabilities in developing regions still lack access to formal education, highlighting a regression from historical precedents of inclusion.²⁶

From a jurisprudential perspective, the right to education under Sharia can be derived from the broader obligation to seek knowledge (*ṭalab al-‘ilm*), which is considered a duty for all Muslims without distinction. This obligation is supported by numerous prophetic traditions emphasizing the importance of education as a means of personal and social development. Importantly, Islamic law does not impose this obligation in a manner that creates hardship; rather, it incorporates flexibility and accommodation to ensure that individuals can fulfill

²³ Tjitrawati, A. T., & Romadhona, M. K. (2025). Re-assessing human rights issues in Palu disaster management: An international legal foundation. *Journal of Southeast Asian Human Rights*, 9(1), 81–121.

²⁴ Rusdiana, E., Zaman, N., Darnela, L., & Hasanah, U. (2025). Preventing the politicisation of corruption crime law enforcement based on local wisdom. *Legality: Jurnal Ilmiah Hukum*, 33(1), 110–131.

²⁵ Orfan, S. N., & Shams, A. W. (2026). “Why I was born a woman”: Female students’ challenges in Afghanistan

higher education under the Taliban rule. *Higher Education*, 91(3), 1023–1043. <https://doi.org/10.1007/s10734-025-01123-5>

²⁶ Edeji, O. C. (2025). International human rights obligations and the influence of economic principles on education delivery in Nigeria as an E-9 country. *Journal of African Law*. <https://doi.org/10.1017/S0021855325000123>

their duties according to their abilities. This aligns closely with contemporary concepts of inclusive education, which emphasize individualized support and adaptation to diverse learning needs. Moreover, the principle of **رفع الحرج** (removal of hardship) provides a strong legal basis for accommodating students with disabilities within educational systems, ensuring that they are not excluded due to structural or institutional barriers.²⁷

However, despite this rich normative and historical foundation, the application of Sharia principles to contemporary disability rights remains inconsistent across Muslim-majority countries. While most of these countries have ratified international instruments such as the UNCRPD, the integration of Islamic legal principles into modern policy frameworks is often limited or fragmented. This has resulted in a disconnect between the ethical ideals of Islam and the practical realities faced by persons with disabilities. Recent studies highlight the need for a more comprehensive approach that combines legal reform, institutional development, and societal awareness to address these challenges.²⁸

In conclusion, Sharia provides a robust and multidimensional framework for understanding and advancing disability rights, grounded in principles of dignity, justice, and social welfare. Historical practices within Islamic civilization demonstrate that inclusion and accessibility were not only recognized but actively implemented, particularly in the realm of education. However, contemporary challenges highlight the need to revive and reinterpret these principles in light of modern legal and social contexts. By bridging the gap between

Islamic jurisprudence and international disability law, there is significant potential to develop more effective and culturally grounded approaches to inclusive education in Muslim-majority societies.²⁹

National Legal Frameworks and Policy Developments

Muslim-majority countries such as Pakistan, Indonesia, Malaysia, and Turkey have increasingly aligned their domestic legal frameworks with international disability law, particularly following the widespread ratification of the UN Convention on the Rights of Persons with Disabilities (UNCRPD). However, the extent and effectiveness of implementation vary significantly across jurisdictions. In Pakistan, for instance, the legal framework includes the *Disabled Persons (Employment and Rehabilitation) Ordinance 1981* and the more recent *ICT Rights of Persons with Disabilities Act 2020*, which aim to ensure accessibility, non-discrimination, and social inclusion. Despite these legislative developments, the education sector continues to face major challenges. According to recent census data, approximately 7.4 million persons with disabilities were recorded in 2023, representing a notable increase from previous estimates, yet access to education remains limited, particularly in rural areas. Furthermore, empirical studies indicate low participation and completion rates among children with disabilities, reflecting systemic weaknesses in inclusive education policies.³⁰

In Indonesia, the legal framework has evolved through the ratification of the UNCRPD and the enactment of disability-related legislation, yet

²⁷ Ashafa, S. A., & Raimi, L. (2025). Exploring the impact of Islam's social well-being and economic justice on peaceful coexistence in Nigeria: Implications for conventional welfare policy. *Journal of Entrepreneurship and Public Policy*, 14(2), 230–250. <https://doi.org/10.1108/JEPP-01-2024-0008>

²⁸ Khater, M., Abu Issa, H., & Alwerikat, N. (2023). The mother killing of her newborn to avoid disgrace under Jordanian law. *Pakistan Journal of Criminology*, 15(4), 21–27.

²⁹ Purnomo, H., Baharudin, & Khater, M. N. (2025). The return of state finances: Effectiveness of the new

paradigm in enforcing law on corruption crimes cases. *Jurnal Hukum Unissula*, 41(4), 1078–1092.

Abu Issa, H., Khater, M., & Almanasra, M. (2025). Common belief vs. science: Scientific fallacies in proving the victim's consent and lies in sexual crimes. *Social Sciences & Humanities Open*, 12, 100XXX.

³⁰ Demydova, L., Serohin, V., Yaroshevskaya, T., Tumalavičius, V., & Hordiyuk, S. (2026). Regulating digital privacy and surveillance in Ukraine: Legal gaps and harmonization with EU standards in the age of big data. *International Journal of Law and Society*, 5(1), 1–25. <https://doi.org/10.11648/j.ijs.20260501.11>

implementation challenges persist due to structural and administrative constraints. Estimates of disability prevalence vary widely, ranging from 4.29% to over 11% depending on measurement criteria, highlighting the ongoing difficulties in data standardization and policy targeting. Recent research (2026) suggests that inclusive education policies in Indonesia often face implementation gaps, particularly in integrating Islamic and public education systems, where policy adoption does not always translate into effective practice. Similarly, Malaysia has made notable progress through the *Persons with Disabilities Act 2008*, supported by relatively stronger institutional frameworks and policy coordination.³¹ As of 2024, over 700,000 persons with disabilities are officially registered, reflecting improved data systems and administrative recognition. Turkey, while not discussed in detail here, also demonstrates a hybrid model combining European human rights standards with domestic legal reforms, though challenges remain in sustaining educational quality and inclusion. Collectively, these case studies reveal a common trend: while legal frameworks have been significantly strengthened, the translation of these norms into inclusive educational outcomes remains uneven and context-dependent.³²

From a comparative perspective, these countries share several structural similarities, including the coexistence of international legal commitments and domestic socio-religious norms influenced by Islamic principles. However, the degree of institutional capacity, governance effectiveness, and resource allocation differs considerably. For example, Malaysia's relatively centralized governance structure allows for more coordinated policy implementation, whereas Pakistan and

Indonesia face challenges related to decentralization and administrative fragmentation. Additionally, the availability of reliable data remains a critical issue across all cases. In Pakistan, for instance, the absence of disability-disaggregated data within educational management systems renders many children with disabilities "invisible" in policy planning. This lack of data not only limits the effectiveness of legal frameworks but also undermines accountability and monitoring mechanisms.³³

Gaps between Sharia-Based Norms and Modern Legislation: Practical Challenges

Despite the strong normative alignment between Islamic principles and international disability law, a significant gap persists between Sharia-based ethical ideals and their practical implementation in modern legal systems. Islamic jurisprudence emphasizes inclusion, dignity, and social welfare, yet contemporary legal frameworks in many Muslim-majority countries often adopt a more formalistic approach, focusing on statutory compliance rather than substantive inclusion. This disconnect is evident in the continued reliance on segregated education systems, limited accessibility in public institutions, and insufficient provision of individualized support for students with disabilities. For instance, in Pakistan, although legal provisions mandate accessibility and inclusion, many schools lack basic infrastructure such as ramps, assistive technologies, and trained educators, particularly in rural areas. Similarly, in Indonesia, inclusive education policies are sometimes implemented as symbolic measures rather than comprehensive

³¹ Mujiono, Ticalu, C., Mawardi, K., Riyadi, S., & Zuhri, B. (2025). Islamic law and campus governance against drug abuse: Preventive strategies and restorative rehabilitation in Indonesian universities. *Global Islamic Research Journal*, 1(1), 43–58. <https://doi.org/10.65960/girj.1.1.2025.4>

³² Moloi, M. S., Carratta, G., & Kühnel, D. (2026). From micro to macro: Legal tools for combating plastic pollution at national, EU, and international levels. *Environmental Sciences Europe*, 38(1), 22. <https://doi.org/10.1186/s12302-026-00622-0>

³³ Kakrodi, S. P., Sigaladeh, S. S., Mosadeghrad, M. A., & Abbassi, M. (2026). Fetal rights from Islamic and contemporary legal perspectives: A scoping review. *Reproductive Health*, 23(1), 3. <https://doi.org/10.1186/s12978-026-01583-3>
Zahra, R., Qasim, M., Ali, M., Asef, J., & Ali, B. (2025). Addressing mental health stigma and digital harassment in Pakistan and Indonesia: Insights from Islamic principles and AI-driven cybersecurity law. *Global Islamic Research Journal*, 1(1), 77–92. <https://doi.org/10.65960/girj.1.1.2025.1>

reforms, reflecting a gap between policy intent and institutional capacity.³⁴

One of the central challenges lies in the integration of legal pluralism, where multiple normative systems—international law, domestic legislation, and Islamic jurisprudence—coexist but are not effectively harmonized. While Sharia principles support inclusive education through concepts such as justice (‘adl) and public interest (maṣlaḥah), these principles are often not explicitly incorporated into contemporary legal frameworks or policy design. As a result, the potential of Islamic law to reinforce and legitimize inclusive education remains underutilized. This gap is further exacerbated by socio-cultural factors, including stigma, lack of awareness, and traditional perceptions of disability, which continue to influence policy implementation. In many communities, disability is still viewed through a charitable or medical lens, limiting the adoption of rights-based approaches and hindering social inclusion.³⁵

In addition to normative and cultural challenges, practical barriers such as inadequate infrastructure, limited financial resources, and insufficient teacher training significantly impede the realization of inclusive education. Global and regional reports consistently highlight that many developing countries allocate insufficient funding to disability-inclusive programs, with less than 0.5% of international development assistance directly targeting disability inclusion. This funding gap is particularly problematic in education, where inclusive systems require substantial investment in infrastructure, training, and support services. Moreover, the lack of coordinated governance mechanisms often results in fragmented policy implementation, with responsibilities divided among multiple agencies without clear

accountability. In Pakistan and Indonesia, for example, decentralization has led to inconsistencies in policy execution across regions, further complicating efforts to achieve nationwide inclusion.³⁶

Another critical issue is the lack of participation of persons with disabilities in policy-making processes. International best practices emphasize the importance of involving disabled persons’ organizations (DPOs) in the design and monitoring of policies, yet this principle is not consistently applied in many Muslim-majority countries. Without meaningful participation, policies risk being disconnected from the actual needs and experiences of beneficiaries, reducing their effectiveness and sustainability. Furthermore, the absence of reliable data continues to hinder evidence-based policymaking, making it difficult to assess progress and identify areas for improvement.³⁷

Bridging Sharia and International Law: Toward an Integrated Legal Framework

The harmonization of Sharia principles with international disability law represents a critical step toward advancing inclusive education in Muslim-majority countries. Rather than viewing these legal systems as competing or incompatible, contemporary scholarship increasingly emphasizes their normative convergence, particularly in areas such as dignity, equality, and social justice. The UN Convention on the Rights of Persons with Disabilities (CRPD) has been widely ratified across Muslim-majority states and has served as a catalyst for legal and policy reforms. However, recent global assessments indicate that progress remains uneven, with persistent gaps in education, health, and social inclusion despite widespread legal commitments .

³⁴ Johnson, R. M. (2026). Reframing belonging in higher education: An intersectional ecological model for research, policy, and practice. *Educational Psychology Review*, 38(1), 1. <https://doi.org/10.1007/s10648-026-09789-0>

³⁵ Köndgen, O. (2024). *A bibliography of Islamic criminal law – Supplement* (Vol. 181). *Handbook of Oriental Studies: Section 1, The Near and Middle East*.

³⁶ Alotaibi, H. A. (2021). The challenges of execution of Islamic criminal law in developing Muslim countries: An analysis based on Islamic principles and existing legal system. *Cogent Social Sciences*, 7(1). <https://doi.org/10.1080/23311886.2021.1925413>

³⁷ Cooke, F. T. (1938). Sins and their punishment in Islam. *The Muslim World*, 28(4), 339–350. <https://doi.org/10.1111/j.1478-1913.1938.tb02444.x>

This suggests that formal ratification alone is insufficient; effective harmonization requires the integration of international norms with local legal traditions, including Islamic jurisprudence, in a manner that is both context-sensitive and practically enforceable.³⁸

From a doctrinal perspective, Sharia provides a robust ethical and legal foundation that aligns closely with the objectives of international disability law. Principles such as justice (*ʿadl*), public interest (*maṣlaḥah*), and removal of hardship (*rafʿ al-ḥaraj*) can be interpreted as supporting inclusive education policies, particularly those related to accessibility and reasonable accommodation. The challenge, however, lies in translating these abstract principles into concrete legal mechanisms within modern state systems. In many Muslim-majority countries, Sharia is either partially incorporated or operates alongside civil law frameworks, resulting in fragmented legal structures. Bridging this gap requires a process of legal reinterpretation (*ijtihād*) that aligns classical jurisprudence with contemporary human rights standards. At the institutional level, organizations such as the Organisation of Islamic Cooperation (OIC) have emphasized the importance of education, inclusion, and human development as central policy priorities. Recent initiatives highlight education as a tool for empowerment, social inclusion, and sustainable development, reinforcing its status as a fundamental human right within the Islamic world. This institutional support provides a strategic platform for advancing harmonization efforts across member states.³⁹

A key component of this harmonization process involves the development of integrated legal frameworks that explicitly incorporate both international obligations and Islamic principles. This can be achieved through constitutional

recognition of disability rights, statutory reforms that embed inclusive education standards, and judicial interpretation that draws on both sources of law. For example, constitutional provisions guaranteeing equality and non-discrimination can be interpreted in light of both international treaties and Islamic values, creating a more cohesive legal system. Similarly, statutory laws on education and disability can incorporate Sharia-based principles such as social welfare and collective responsibility, enhancing their legitimacy and effectiveness. Importantly, such integration must be accompanied by institutional mechanisms that ensure implementation, including monitoring bodies, enforcement procedures, and accountability frameworks.⁴⁰

Policy Recommendations, Legal Reforms, and Future Directions in OIC Countries

Achieving meaningful harmonization requires a comprehensive set of policy and legal reforms that address both normative and practical dimensions of inclusive education. At the constitutional level, states should explicitly recognize the right to inclusive education as a fundamental right, supported by enforceable guarantees of equality and non-discrimination. At the statutory level, governments must adopt comprehensive disability laws that incorporate key principles of international law, including accessibility, reasonable accommodation, and inclusive pedagogy. These reforms should be accompanied by clear implementation guidelines, ensuring that legal provisions are translated into actionable policies at the national and local levels. In this regard, existing policy frameworks, such as national education sector plans, provide a useful foundation but require further strengthening to address the specific needs of persons with disabilities. For example, education

³⁸ Azam, M., Hamdoun, A. A.-M., Harahsheh, E. A. A. M., Mashdurohatun, A., & Sidauruk, H. P. (2025). *Religious Diversity in the Digital Economy: Interfaith Legal Pathways to Harmonize Sharia, Christian Ethics, and International Law*. *Contemporary Issues on Interfaith Law and Society*, 4(2), 207–264. <https://doi.org/10.15294/ciils.v4i2.33011>

³⁹ Amuda, Y. J., & Al-Nasser, S. A. (2026). Exploring encounters and prodigies of Islamic banks in non-

Muslim states: Toward enhancing regulatory frameworks of Islamic banking system. *International Journal of Law and Management*, 68(2), 245–275. <https://doi.org/10.1108/IJLMA-01-2025-0001>

⁴⁰ Pratiwi, C., & Fuad, A. (2026). Bridging Sharia and human rights: An innovative pedagogical approach in Indonesia. *Teaching Theology & Religion*. <https://doi.org/10.1111/teth.12789>

strategies in countries like Pakistan have begun to emphasize inclusive infrastructure and teacher training, yet implementation remains inconsistent due to resource constraints and governance challenges.⁴¹

Institutional reform is equally critical in ensuring the effectiveness of legal frameworks. This includes the establishment of specialized agencies responsible for disability inclusion, the integration of disability data into national statistics systems, and the development of capacity-building programs for educators and policymakers. One of the major challenges identified in recent global reports is the lack of reliable data on persons with disabilities, which limits evidence-based policymaking and monitoring. Furthermore, funding remains a significant constraint; global estimates indicate that only a small proportion of development assistance is allocated to disability inclusion, creating a substantial resource gap. Addressing these issues requires coordinated efforts at both national and international levels, including increased investment, donor support, and public-private partnerships. Within the OIC framework, initiatives such as the OIC-2025 Programme of Action emphasize cooperation, knowledge sharing, and capacity building among member states as key strategies for addressing developmental challenges.⁴²

Looking forward, the future of inclusive education in Muslim-majority countries will depend on the ability to adopt innovative and context-sensitive approaches that bridge legal, institutional, and cultural dimensions. This includes leveraging digital technologies to enhance accessibility, developing

inclusive curricula that reflect diverse learning needs, and promoting societal awareness to combat stigma and discrimination. Additionally, there is a growing recognition of the importance of participatory governance, ensuring that persons with disabilities and their representative organizations are actively involved in policy design and implementation. This approach not only enhances the effectiveness of policies but also aligns with the principles of empowerment and autonomy emphasized in both international and Islamic legal frameworks.⁴³

At a broader level, the role of regional and international organizations will remain crucial in facilitating cooperation and knowledge exchange. The Organisation of Islamic Cooperation, in particular, is well-positioned to serve as a platform for promoting harmonized legal standards and best practices among its member states. By fostering dialogue between scholars of Islamic jurisprudence, legal practitioners, and policymakers, the OIC can contribute to the development of a unified framework that integrates Sharia principles with international disability law. Such efforts are essential for ensuring that inclusive education is not only a legal obligation but also a lived reality for millions of individuals across the Muslim world.⁴⁴

Patient Safety and Inclusive Healthcare for Persons with Disabilities

An important extension of inclusive education within the broader framework of disability rights is the concept of patient safety in healthcare services, particularly for persons with disabilities. Both

⁴¹ Azam, M., Mashdurohatun, A., Firmansyah, A. N., Saktiawan, M. D., & Jaya, K. O. P. (2025). *Harmonizing Contemporary International Commercial Law with Sharia-Based National Legal Systems: A Comparative Study of Pakistan, Turkey, Indonesia, Malaysia, and Saudi Arabia*. MILRev: Metro Islamic Law Review, 4(2), 1074–1096. <https://doi.org/10.32332/milrev.v4i2.11334>

⁴² Hasanah, L. N., Faisal, M. S., Ahmed, Z., & Hasyim, M. Y. A. (2025). Religious diversity and the digital economy: Legal-academic pathways to harmonize Sharia and international law. *International Journal of Law and Social Sciences*, 1(1). <https://doi.org/10.65960/ijlss.1.1.2025.8>

⁴³ Al Azhari, F. U., & Al Azhari, S. I. (2025). Contemporary challenges in harmonizing Sharia, national legal systems, and international law in a rapidly changing world. *International Journal of Law and Social Sciences*, 1(1), 130–150. <https://doi.org/10.65960/ijlss.1.1.2025.4>

⁴⁴ Al-Farjani, S. H., Ahmad, T., & Rana, H. A. S. (2025). Digital innovation, legal reform, and social justice: Interdisciplinary approaches to law, technology, and human rights. *International Journal of Law and Social Sciences*, 1(1), 91–129. <https://doi.org/10.65960/ijlss.1.1.2025.5>

Islamic law and international legal instruments—most notably the UN Convention on the Rights of Persons with Disabilities—emphasize the obligation to ensure safe, accessible, and non-discriminatory healthcare. From a Sharia perspective, the protection of life (*ḥifẓ al-naḥs*) and the principle of *lā ḍarar wa lā ḍirār* (no harm) establish a clear ethical duty to prevent medical negligence and ensure patient safety, especially for vulnerable groups. Similarly, international law reinforces this obligation through provisions on the right to health, accessibility, and informed consent, requiring states to eliminate barriers that disproportionately affect persons with disabilities.⁴⁵ Contemporary data indicate that individuals with disabilities face significantly higher risks of inadequate care due to communication barriers, inaccessible infrastructure, and systemic bias, highlighting the urgent need for integrated legal and policy responses. Bridging Sharia values with international standards in this domain strengthens the overall framework of inclusion by extending protections beyond education into healthcare, thereby promoting a holistic realization of dignity, equality, and human rights for persons with disabilities.⁴⁶

Conclusion

This study has examined the intersection of international disability law and Islamic legal principles in advancing inclusive education within Muslim-majority countries. It has demonstrated that, at the normative level, there is no inherent contradiction between Sharia and international legal frameworks such as the UN Convention on the Rights of Persons with Disabilities. On the contrary, both systems converge on fundamental principles, including human dignity (*karāmah*), justice (*‘adl*), equality, and the removal of barriers to participation. These shared values provide a strong foundation for the development of inclusive

education systems that are both legally robust and culturally legitimate.

However, the analysis also reveals a persistent gap between normative commitments and practical implementation. Despite the adoption of progressive legal frameworks in countries such as Pakistan, Indonesia, and Malaysia, inclusive education remains unevenly realized due to structural, institutional, and socio-cultural challenges. These include inadequate infrastructure, limited teacher training, insufficient funding, weak data systems, and enduring social stigma surrounding disability. The coexistence of multiple legal systems further complicates implementation, as the potential synergy between Sharia and international law is often underutilized or fragmented in practice.

The findings underscore the need for a comprehensive and integrative approach to legal and policy reform. Harmonization should not be understood as mere formal alignment but as a substantive process that embeds inclusive education principles within constitutional, statutory, and institutional frameworks. This requires not only legal reform but also capacity building, increased investment, and active participation of persons with disabilities in policymaking processes. Regional cooperation, particularly within platforms such as the Organisation of Islamic Cooperation, can further facilitate knowledge sharing and the development of context-sensitive strategies.

In conclusion, advancing inclusive education in Muslim-majority countries demands a multidimensional effort that bridges legal traditions, strengthens institutions, and transforms societal attitudes. By drawing on both Islamic and international legal frameworks, states can move beyond symbolic commitments toward the realization of genuinely inclusive and equitable education systems for all.

45 Elmadani, M., Simon, K., Mustafa, M., Tóth, L., & Mate, O. (2026). Ethical dimensions in nursing care for individuals with intellectual disabilities. *Nursing Ethics*, 33(1), 156–176. <https://doi.org/10.1177/09697330251234567>

46 Jain, P., Jain, B., Doshi, R., Aboulafia, A., & Swenor, B. K. (2025). Digital health: An opportunity to advance health equity for people with disabilities. *Milbank Quarterly*, 103(4), 966–987. <https://doi.org/10.1111/1468-0009.12678>