


# The Right of Peoples to Access Equitable Financial Resources: Islamic Sharia and International Development Law

1. Mohammed Hamid Siddiqi : Ph.D. student, Department of Law, CT.C., Islamic Azad University, Tehran, Iran

2. Atefeh Amininiya \*: Department of Law, CT.C., Islamic Azad University, Tehran, Iran

3. Fatemeh Binazadeh : Department of Law, CT.C., Islamic Azad University, Tehran, Iran

\*Correspondence: a.amininia@iauctb.ac.ir

## Abstract

The right of peoples to access equitable financial resources, as one of the fundamental prerequisites for achieving sustainable development, has in recent decades become a central issue in the discourse of economic justice and international development law. This article adopts a descriptive–analytical and comparative approach to examine the jurisprudential foundations of this right in Islamic Sharia and to analyze its status within the instruments and mechanisms of international development law. In the first part, relying on Qur’anic teachings concerning justice and equity, as well as institutional mechanisms such as zakat, khums, bayt al-mal (public treasury), anfal (public resources), and the prohibition of riba (usury), a legal–institutional framework is articulated for ensuring equitable wealth distribution and preventing the disproportionate concentration of financial resources. The findings indicate that in Islamic economic jurisprudence, financial justice constitutes not merely a moral virtue but a binding obligation imposed upon both government and society to eradicate poverty, secure minimum livelihood standards, and safeguard human dignity. In the second part, through analysis of the “right to development” within international instruments—particularly the United Nations Declaration on the Right to Development—and examination of the roles of institutions such as the United Nations, the International Monetary Fund, and the World Bank, the structural challenges of the global financial order, including external debt, inequalities in capital flows, and politically conditioned financing arrangements, are evaluated. The results demonstrate that although significant normative convergence exists between the objectives of Islamic Sharia and international development law regarding poverty reduction and inequality mitigation, fundamental differences remain in sources of legitimacy, implementation mechanisms, and enforcement guarantees. Finally, the article proposes an integrative model emphasizing the capacity of Islamic financial instruments—such as sukuk, waqf, and zakat funds—to reform global financial architecture and strengthen distributive justice. This model may provide a foundation for redesigning development financing mechanisms and enhancing the right of peoples to equitable access to financial resources at both national and international levels.

**Keywords:** Right of access to equitable financial resources, economic justice, Islamic Sharia, right to development, international development law, global financial order, Islamic financial instruments.

Received: 01 January 2026

Revised: 24 April 2026

Accepted: 02 May 2026

Initial Publication 28 June 2026

Final Publication 01 July 2026



**Copyright:** © 2026 by the authors. Published under the terms and conditions of Creative Commons Attribution-NonCommercial 4.0 International (CC BY-NC 4.0) License.

**Citation:** Siddiqi, M. H., Amininiya, A., & Binazadeh, F. (2026). The Right of Peoples to Access Equitable Financial Resources: Islamic Sharia and International Development Law. *Legal Studies in Digital Age*, 5(4), 1-12.

## 1. Introduction

In recent decades, the expansion of global financial inequalities and the increasing concentration of capital in the hands of a limited number of states and economic actors have transformed the issue of “justice in access to financial resources” into one of the fundamental challenges of the international legal and economic order. The deep gap between developed and developing countries, external debt crises, inequalities in financing costs, and the influence of political conditionality on lending demonstrate that the problem of development is not merely related to resource scarcity but also to the structure and distribution of access to financial resources. Under such circumstances, the concept of the “right of peoples to equitable access to financial resources” has gained heightened importance as a prerequisite for sustainable development and economic justice.

Within international law, the formulation of the “right to development” in United Nations instruments—particularly the 1986 Declaration on the Right to Development—represents a significant step toward recognizing the economic dimension of global justice (United Nations General Assembly, 1986). According to this approach, development constitutes both an individual and collective human right requiring equal participation of peoples in economic decision-making processes and equitable enjoyment of development benefits (United Nations General Assembly, 1986). Nevertheless, existing institutional structures within international financial organizations such as the International Monetary Fund and the World Bank have continuously been subject to debate and criticism due to voting mechanisms, debt regimes, and structural adjustment policies; some scholars consider these mechanisms contributors to the reproduction of structural inequality in the global economy (International Monetary Fund, 2023; Smith et al., 2022). Consequently, questions concerning justice within global financial architecture and the possibility of its reform have become central themes in international development law.

Conversely, Islamic Sharia, since its formative period, has placed justice at the core of social and economic order and has articulated equitable wealth distribution and the prohibition of financial exploitation as both religious and social obligations. Qur’anic teachings concerning equity (*qist*) and justice (*‘adl*), alongside institutional mechanisms such as *zakat*, *khums*, *bayt al-mal*, *anfal*, and the prohibition of *riba*, have established a coherent framework aimed at preventing excessive wealth concentration and protecting vulnerable social groups (Arabshahi Karizi, 2016; Khosropanah et al., 2014). Within this framework, economic justice is not merely an ethical recommendation but a binding normative rule imposed upon governance and society, seeking poverty eradication, guarantee of minimum livelihood standards, and preservation of human dignity (Sadr & Espahbodi, 1978; Sadr & Musavi, 1971).

The central research question of this study is whether a normative model guaranteeing the right to equitable access to financial resources can be derived from the foundations of Islamic Sharia and subsequently compared with, and complemented by, the framework of international development law. In other words, what similarities and divergences exist between the divine duty-based conception of economic justice in Islam and the contractual-institutional conception of justice within the international financial system, and whether an integrative model for reforming global financial architecture can be proposed.

The significance of this research lies in the fact that existing literature has generally examined economic justice in Islamic jurisprudence or the right to development in international law separately, rarely attempting a comparative and complementary analysis of the two intellectual systems. The innovation of the present article therefore consists in offering a simultaneous analysis of Qur’anic and jurisprudential foundations of financial justice together with the institutional mechanisms of the international financial order, highlighting the overlooked capacities of Islamic financial instruments at the global level and exploring their potential role in redesigning development financing systems.

The research method employed in this article is descriptive–analytical with a comparative approach. First, the fundamental concepts of economic justice, economic security, and the right of access to financial resources are examined within Islamic Sharia; second, the primary instruments and institutions of international development law are analyzed; and finally, through comparison of theoretical foundations and operational mechanisms, an integrative model aimed at strengthening financial justice at both national and international levels is proposed.

The structure of the article follows this analytical progression: after the present introduction, theoretical foundations and key concepts are examined; subsequently, the right of access to financial resources is analyzed within Islamic Sharia and then within international development law; finally, a comparative analysis presents a proposed model for synergy between Islamic financial capacities and global development mechanisms.

## 2. Theoretical Foundations and Research Concepts

### 2.1. *Economic Justice*

#### A) The Concept of Economic Justice in Islamic Sharia

In Islamic Sharia, economic justice refers to the equitable distribution of wealth and economic opportunities in a manner that prevents excessive concentration of wealth while ensuring the fulfillment of basic needs for all members of society (Seif, 2023). This justice is not merely an ethical recommendation; rather, it is structured through a set of jurisprudential principles such as prohibition of injustice in transactions, obligation of fair exchange, and prevention of illegitimate wealth accumulation (Rasoulirad et al., 2023; Shakeri et al., 2019). Islamic economic thought thus treats distributive justice as a legal and institutional responsibility embedded within governance and social relations (Tutunchian & Eyvazlou, 2000).

#### B) Economic Justice in International Development Law

In international development law, economic justice forms part of economic, social, and cultural rights and emphasizes the establishment of conditions enabling peoples to benefit equally from financial resources for sustainable development while reducing discriminatory distribution patterns (United Nations, 1966; United Nations General Assembly, 1986). Although international instruments explicitly recognize this principle, structural features of the global financial system continue to hinder the full realization of economic justice at the international level (Smith et al., 2022).

### 2.2. *Economic Security*

#### A) Economic Security in Islamic Jurisprudence

Within Imami jurisprudence, economic security constitutes a foundational pillar for achieving economic justice and is defined as the protection of individuals' economic capacity against poverty, severe inequality, and structural deprivation from financial resources (Rasoulirad et al., 2023). Jurisprudential rules emphasizing prohibition of unfair contractual imposition, the guarantee of minimum livelihood, and protection of lawful property rights play a central role in establishing such security (Sadr & Espahbodi, 1978).

#### B) Economic Security in International Development Instruments

In international development documents, economic security is implicitly addressed under the right to development and the economic rights of peoples, meaning that the international community bears responsibility for creating conditions ensuring minimum welfare and sustainable access to financial resources (United Nations General Assembly, 1986). Reports issued by institutions such as the International Monetary Fund further indicate that inequality in development financing and the annual need for hundreds of billions of dollars in additional investment for low-income countries represent manifestations of structural injustice threatening economic security (International Monetary Fund, 2023).

### 2.3. *The Right of Access to Equitable Financial Resources*

#### A) Conceptual Definition

The right of access to equitable financial resources refers to the capacity of peoples to benefit fairly and equally from economic resources at both national and international levels, implying that financial structures must enable just capital distribution for all societies (Seif, 2023; United Nations General Assembly, 1986). Global financial frameworks similarly emphasize mobilization of domestic and international resources and sustainable development financing as essential preconditions for realizing this right (United Nations General Assembly, 2015).

#### B) Relationship with the Right to Development

The right of access to equitable financial resources is directly linked to the right to development, as genuine development can only be achieved when all peoples and social groups possess the opportunity to utilize financial resources for economic and social advancement (United Nations General Assembly, 1986). Structural constraints within the global financial system, excessive sovereign debt burdens, and politically conditioned lending practices are therefore identified as barriers that

undermine both the right to development and equitable financial access (International Monetary Fund, 2023; Smith et al., 2022).

#### 2.4. *Economic Rights in International Development Law*

##### **A) The Position of the Right to Development**

Economic rights within international development law encompass a set of entitlements aimed at enhancing public welfare and guaranteeing equal participation of peoples in development processes, with the right to development occupying a central position within this normative framework (United Nations General Assembly, 1986). This right affirms that all peoples should benefit equally from development outcomes, including access to financial resources, technology, and markets, rather than functioning merely as passive recipients of conditional assistance (United Nations, 1948, 1966).

##### **B) The Principle of International Cooperation**

International development law emphasizes the principle of international cooperation and solidarity, obligating developed countries and international organizations to actively participate in providing financial resources and removing structural barriers to development in developing countries (United Nations & World Bank, 2018; United Nations General Assembly, 1986). Drawing upon contemporary scholarship, economic justice and global financial inclusion cannot be realized without genuine and responsible cooperation by wealthy states and international financial institutions (Eslami & Raeisi, 2017; Mattani & Golkar Esmail, 2024).

#### 2.5. *Islamic Economic Jurisprudence*

##### **A) Qur'anic Foundations of Justice**

Islamic economic jurisprudence, grounded in Qur'anic verses and prophetic traditions, establishes a legal–ethical framework aimed at equitable wealth distribution and the prevention of exploitation. Qur'anic injunctions commanding justice and equity—such as the call to uphold justice and fairness—constitute the divine foundation of economic justice within Islamic jurisprudence (Arabshahi Karizi, 2016; Khosropanah et al., 2014). Accordingly, Islamic economic jurisprudence conceives its primary function as regulating economic relations and distributing wealth in a manner that ensures access to minimum economic resources for all individuals while preventing any group from suffering structural inequality (Rasoulirad et al., 2023).

##### **B) The Role of the Prohibition of Riba, Zakat, Khums, and Anfal**

Within this framework, financial institutions such as *zakat* and *khums*, together with legal provisions relating to *anfal* and the public treasury (*bayt al-mal*), operate as institutional mechanisms for wealth redistribution and support of the poor, orphans, and vulnerable groups, making poverty alleviation and financial justice their direct objectives (Sadr & Espahbodi, 1978; Sadr & Musavi, 1971). Simultaneously, *riba*—defined as unjust and exploitative interest—is categorically prohibited, directing Islamic banking and financial systems toward partnership-based and interest-free contractual arrangements so that financial structures remain aligned with justice and economic security (Mattani & Golkar Esmail, 2024).

#### 2.6. *The Concept of Justice in the Qur'an*

##### **A) Analysis of Qur'anic Verses on Justice**

In the Qur'anic worldview, justice is interpreted through meanings such as recognition of rightful entitlement, equality in judgment, avoidance of excess and deficiency, and placing each matter in its proper position (Farahidi, 1988; Ibn Manzur, 1994; Khosropanah et al., 2014). Semantic analyses further demonstrate that Qur'anic justice is conceptually associated with notions such as equity (*qist*), truth, rightfulness, and piety, distinguishing it from purely numerical or mechanical interpretations of equality in wealth distribution (Arabshahi Karizi, 2016; Pourmola et al., 2015).

##### **B) Justice as the Governing Principle of Economic Order**

Justice functions as a governing rule across all economic relations—from fair contractual regulation and truthful testimony to protection of the economic rights of spouses, orphans, and commercial partners. Economic studies grounded in Islamic thought define economic justice through criteria such as proportional participation in production, relative balance in wealth distribution, and systematic income redistribution, demonstrating that the Islamic economic order must be designed in a manner that prevents structural poverty and extreme inequality from persisting (Shakeri et al., 2019; Tutunchian & Eyvazlou, 2000).

### 3. The Right of Access to Financial Resources in Islamic Sharia

#### 3.1. *Qur'anic Foundations of Financial Justice*

Justice represents one of the fundamental principles of Islamic Sharia and the cornerstone of equitable wealth distribution within society. Qur'anic teachings emphasizing justice and equity establish the normative basis for social and financial justice and stress the obligation to uphold fairness even when personal interests are at stake. These principles underline the necessity of safeguarding the rights of both poor and wealthy individuals in economic decision-making, thereby establishing a value-based framework for equitable distribution of financial resources (Arabshahi Karizi, 2016; Khosropanah et al., 2014).

Classical Islamic teachings further portray justice not merely as an individual moral virtue but as the foundation of governance and political stability, directly linked to wealth distribution and protection of citizens' economic rights. Accordingly, "financial justice" is defined as the fair allocation of financial resources and burdens in a manner that reduces poverty and class disparity while ensuring each individual receives an equitable share of economic opportunities and income (Sadr & Musavi, 1971).

#### 3.2. *Instruments for the Realization of Financial Justice*

To operationalize this Qur'anic conception of justice, Islamic Sharia introduces a set of financial institutions designed to facilitate systematic transfer of wealth from affluent groups to disadvantaged social classes while guaranteeing a minimum level of economic security for all members of society.

**Zakat:** Zakat functions as an obligatory financial duty through which a proportion of specified assets is redistributed toward designated beneficiaries, particularly the poor and vulnerable. As both a devotional and socio-economic institution, zakat contributes significantly to wealth balance and poverty reduction by channeling resources from the wealthy toward socially disadvantaged groups (Sadr & Espahbodi, 1978).

**Khums:** Khums applies to various forms of income and wealth, allocating one-fifth of eligible resources to the public treasury. A substantial portion of khums revenues supports individuals in need, and institutionalizing its payment can generate sustainable public resources contributing to economic balance and poverty mitigation (Sadr & Musavi, 1971).

**Bayt al-Mal and Anfal:** The public treasury aggregates revenues derived from natural resources, religious dues, and governmental taxation. Within Islamic jurisprudence, disadvantaged members of society possess recognized entitlements to these resources, and public expenditure prioritizes poverty alleviation and fulfillment of essential societal needs. The Islamic government may therefore utilize these resources to support vulnerable populations and maintain economic balance (Rasoulirad et al., 2023).

**Social Takaful (Mutual Solidarity):** Social solidarity refers to collective financial responsibility manifested through charity, endowment (*waqf*), benevolent loans, and voluntary assistance. Together with formal redistribution mechanisms, this institution promotes social participation in supporting vulnerable groups and reducing economic disparities (Sadr & Espahbodi, 1978).

#### 3.3. *Prevention of Wealth Concentration and Prohibition of Riba*

In Islamic Sharia, the distribution of wealth and economic opportunities must be structured so as to prevent excessive concentration of capital while promoting public welfare and balanced income distribution (Seif, 2023). This conception of

justice extends beyond initial allocation of resources by establishing preventive legal mechanisms that restrict excessive accumulation of wealth by a limited minority and ensure access of weaker social groups to financial resources.

Among the most significant of these mechanisms is the prohibition of *riba*. Defined as predetermined surplus gained from lending money, interest is regarded in Islamic jurisprudence as a source of financial exploitation and is therefore strictly prohibited. Consequently, Islamic financial systems rely on profit-and-loss sharing contracts—such as *mudarabah* and partnership arrangements—through which risks and benefits are distributed equitably between parties, replacing interest-based mechanisms with participatory financial structures (Mattani & Golkar Esmail, 2024).

Collectively, these mechanisms demonstrate that through mandatory redistribution instruments, prohibition of exploitative finance, and rules preventing wealth concentration, Islamic Sharia actively combats structural poverty and extreme inequality and thereby establishes the normative foundation for realizing the right of equitable access to financial resources within a just economic system.

### 3.4. *The Role of the Islamic Government in Guaranteeing Financial Justice*

Within Islamic economic jurisprudence, the Islamic government plays a central role in realizing financial justice. Economic security is understood as protecting individuals' economic capacity against threats such as poverty, severe inequality, and structural exclusion from financial resources, and numerous jurisprudential principles aim to safeguard this security and reduce unjust interference with economic assets (Rasoulirad et al., 2023).

The Islamic government possesses authority to collect obligatory religious taxes—including zakat and khums—as well as revenues derived from natural resources and public assets, consolidating them within the public treasury and allocating them toward poverty alleviation, economic balance, and provision of minimum public welfare. Through direct management of natural resources or revenue collection from private operators, these funds may be incorporated into public revenues and utilized to strengthen social equity and collective welfare (Sadr & Espahbodi, 1978).

Because the poor are regarded as holding legitimate rights in public resources—and even, in certain jurisprudential interpretations, within the wealth of the affluent—the government is obligated to design fiscal policies proportionate to citizens' capacity to pay while avoiding excessive financial burdens on weaker social classes. Through the combination of binding legal rules (obligatory zakat and khums, prohibition of *riba*) and ethical directives (charity, endowment, and social assistance), together with an active governmental role in managing public wealth and natural resources, Islamic Sharia presents a legal–institutional framework capable of guaranteeing the right of peoples to equitable access to financial resources, a framework that may also be extended to the level of international relations.

## 4. **The Right of Equitable Access to Financial Resources in International Development Law**

### 4.1. *The Concept of the Right to Development in International Instruments*

The “right to development” is recognized as an economic–social human right that is directly linked to the right of equitable access to financial resources. This right was articulated in a dedicated manner for the first time in the United Nations General Assembly Declaration in 1986. Under that Declaration, all human beings and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural, and political development—a process in which all human rights and fundamental freedoms can be fully realized (United Nations General Assembly, 1986).

Accordingly, the right to development is not merely a political slogan; it requires equitable distribution of development benefits and the provision of “equal opportunity for access to basic resources and services.” From the perspective of international development law, structural deprivation of peoples from financial resources may be treated as a direct violation of the right to development; therefore, the question of equitable financial resources is embedded in the very content of this right.

#### **A) The Declaration on the Right to Development and the Role of the General Assembly**

The Declaration on the Right to Development (UNGA 41/128, 1986) proclaims the right to development as a “fundamental, inalienable and non-derogable” right of all individuals and peoples (United Nations General Assembly, 1986). Article 8 of

the Declaration emphasizes that states must undertake, at the national level, all necessary measures for the realization of this right and must ensure “equality of opportunity for all” regarding access to basic resources, education, health services, food, housing, employment, and fair distribution of income ([United Nations General Assembly, 1986](#)).

Although this Declaration does not, by itself, constitute a hard enforcement regime comparable to binding customary international law, it has been reflected in subsequent instruments and processes—most notably the United Nations 2030 Agenda—and has integrated the concept of equitable enjoyment of resources into development policy ([United Nations General Assembly, 2015](#)). As a result, the General Assembly’s adoption of the Declaration both consolidated the human-rights character of the right to development and committed states, at least normatively, to establish financial and institutional mechanisms that enable equal access to resources ([United Nations General Assembly, 1986](#)).

#### 4.2. *The International Financial Order and Challenges of Justice*

The right of equitable access to financial resources is part of the broader concept of the right to development. Under the Declaration on the Right to Development, equitable distribution of the benefits of development—including income—and the existence of “equal opportunity for access to basic resources and services” are necessary conditions for realizing this right ([United Nations General Assembly, 1986](#)). However, multiple obstacles—ranging from the structure of the international financial system to domestic conditions within states—have prevented the full practical realization of this right ([Smith et al., 2022](#)).

The international financial order that took shape after the Second World War has, in certain contexts, contributed to reproducing structural inequalities. Mechanisms such as higher borrowing costs for countries of the Global South, discriminatory credit-rating dynamics, and the dominance of powerful global currencies are among the manifestations of an asymmetrical global financial system ([Smith et al., 2022](#)).

##### **A) The Structure of the International Monetary Fund**

The International Monetary Fund, as one of the pillars of the global financial system, plays a role in stabilizing financial systems and providing short-term lending in crisis conditions, thereby supporting macroeconomic stability. Some IMF analyses estimate that achieving income convergence between low-income countries and advanced economies requires roughly USD 440 billion in additional annual investment ([International Monetary Fund, 2023](#)).

At the same time, the cost of development financing for many African countries and other parts of the Global South is reported to be three to five times higher than that of wealthier countries, a condition partly attributable to prevailing credit-rating and credit-market rules. For this reason, reforming voting arrangements, strengthening developing-country participation shares, and revisiting the logic of conditionality are commonly presented as requirements for the equitable realization of the right to development ([International Monetary Fund, 2023](#); [Smith et al., 2022](#)).

##### **B) The Structure of the World Bank**

The World Bank, as the most prominent global development-finance institution, contributes to financing infrastructure, education, and health projects through loans, guarantees, and advisory services. This institution and its affiliates—including the IBRD, IDA, and IFC—have, since 1946, provided hundreds of billions of dollars in development lending, while the distribution of shares and voting power has largely left decision-making authority in the hands of wealthier shareholder states ([World Bank Group](#)).

The IBRD primarily lends to middle-income countries, the IDA focuses on the poorest countries, and the IFC supports private-sector activity in developing economies. Despite these capacities, governance and voting arrangements continue to be criticized on the ground that they concentrate decision-making power among wealthy states ([World Bank Group](#)).

#### 4.3. *Structural Barriers to Equitable Access*

##### **A) External Debt**

International debt is among the most significant structural barriers to equitable access to financial resources. Low-income countries spend substantial amounts annually on external debt servicing, which entails an outflow of vital resources from

domestic economies and reduces investment capacity for development infrastructure. IMF analyses indicate that debt deferral or restructuring is necessary for many countries in order to unlock the financial space required for development ([International Monetary Fund, 2023](#)).

### **B) Inequality in Investment and Resource Flows**

In the area of development investment and resource flows, distributional gaps persist and are frequently characterized as structural. Under contemporary development cooperation frameworks, the persistent under-allocation of funding to highly vulnerable countries is treated as evidence of systemic imbalance in the financing of development and resilience ([United Nations & World Bank, 2018](#); [United Nations General Assembly, 2015](#)).

### **C) Political Conditionality**

Domestic and external political factors also contribute to restricting equitable access to financial resources. Heavy debt burdens, high interest costs, and politically conditioned lending and assistance are among the factors that undermine the realization of the right to development and the equitable enjoyment of financial resources by peoples ([International Monetary Fund, 2023](#); [Smith et al., 2022](#)).

### **D) Reforming Global Financial Architecture**

Contemporary literature increasingly emphasizes the need to “reform global financial architecture.” Despite the recognition of equity in international economic discourse and earlier proposals concerning a more just international economic order, the gap between rich and poor countries remains wide. Assessments suggest that constrained access to financial resources has been among the principal drivers of shortfalls in achieving certain development objectives ([Smith et al., 2022](#); [United Nations General Assembly, 2015](#)).

Within this framework, proposals such as strengthening the legal status of the right to development, developing equitable debt-restructuring arrangements, and deploying innovative development-finance tools—including capacities associated with Islamic finance—are presented as pathways for redesigning development financing mechanisms. Reforming global financial architecture entails both a legal dimension (strengthening international commitments) and an institutional dimension (revisiting the role and governance of international financial institutions), and is treated as a core condition for the practical realization of peoples’ equitable access to financial resources ([Smith et al., 2022](#); [United Nations General Assembly, 1986](#)).

## **5. Comparative Analysis and Proposal of an Integrative Model**

### *5.1. General Comparative Assessment*

This research places economic justice in the Islamic financial system alongside the financial and monetary mechanisms of the contemporary international order—including institutions such as the International Monetary Fund, the World Bank, sovereign debt regimes, and global capital markets—and analyzes their points of convergence and divergence ([International Monetary Fund, 2023](#); [Smith et al., 2022](#); [World Bank Group](#)).

The comparative approach proceeds on the basis that, on the one hand, Islamic Sharia teachings concerning justice, human dignity, poverty alleviation, and the prohibition of exploitation can be extracted; and, on the other hand, international instruments and the Sustainable Development Goals can be examined as representative of a contractual and largely secular approach to economic justice ([United Nations General Assembly, 2015](#)). The comparison indicates that, although there is notable convergence at the level of overarching aims—especially in combating poverty and inequality—fundamental differences remain in theoretical foundations and implementation mechanisms, which makes an integrative model necessary ([Mattani & Golkar Esmail, 2024](#); [Seif, 2023](#)).

### *5.2. Distributive Justice*

In Islamic economic thought, distributive justice goes beyond “equality of market opportunity” and is grounded in equitable distribution of income, wealth, and economic power through instruments such as zakat, khums, charitable giving, anfal, and the public treasury. This system understands distributive justice as divine and duty-based: the expansion of poverty is not

merely an economic inefficiency, but a disruption in the proper execution of normative obligations and a form of social injustice for which governance and society bear responsibility (Mattani & Golkar Esmail, 2024; Sadr & Espahbodi, 1978; Sadr & Musavi, 1971).

By contrast, in international instruments such as the 2030 Agenda for Sustainable Development, distributive justice is typically framed in terms of “reducing inequality, ensuring fair access to basic services, and protecting vulnerable groups”—a formulation that rests less on religious duty and more on states’ contractual and policy commitments (United Nations General Assembly, 2015).

### 5.3. Human Dignity

In Islamic jurisprudence and ethics, human dignity is rooted in doctrines of creation and human vicegerency; accordingly, any financial mechanism that leads to humiliation, exploitation, the interest-based structuring of social relations, or the complete dominance of capital over human beings is considered incompatible with this principle. Crushing debt burdens, compounded interest, and contractual forms that treat human beings merely as instruments for profit production are therefore viewed as violations of human dignity (Sadr & Espahbodi, 1978; Sadr & Musavi, 1971).

In international human rights instruments, including the Universal Declaration of Human Rights, human dignity is likewise treated as the foundation of human rights; however, the concept is often expressed through general notions such as “a dignified life” and “freedom from extreme poverty,” and is less frequently extended to the granular design of financial structures and sovereign debt contracting practices (United Nations, 1948).

### 5.4. Global Solidarity

In Islamic thought, global solidarity is conceptualized through notions such as the unity of the *ummah* and cooperation in righteousness and ethical responsibility, reinforcing the idea of shared responsibility in combating poverty and injustice. Within this framework, mechanisms such as transnational charitable endowments (*waqf*), international zakat funds, and unconditional humanitarian assistance are regarded as legitimate instruments for promoting distributive justice and collective welfare (Mattani & Golkar Esmail, 2024; Sadr & Espahbodi, 1978).

Within the international financial order, global solidarity generally appears in the form of development assistance, concessional lending, and debt-relief programs, largely implemented through institutions such as the World Bank and the International Monetary Fund. Nevertheless, such solidarity often remains conditioned by political and economic considerations of dominant global powers, which may limit its equitable realization (International Monetary Fund, 2023; Smith et al., 2022; World Bank Group).

### 5.5. The Divine Foundation

In the Islamic financial system, the foundation of justice and rules governing wealth distribution derives from divine legislative authority as articulated in the Qur’an and Sunnah. Accordingly, practices such as *riba* (interest), excessive uncertainty (*gharar*), gambling, and hoarding are prohibited not only because of their economic consequences but also because they constitute moral wrongdoing and injustice. Their prohibition therefore carries ethical and devotional dimensions. Even where a financial mechanism may appear economically efficient, it is deemed unacceptable if it conflicts with Sharia norms or undermines justice and human dignity (Sadr & Espahbodi, 1978; Sadr & Musavi, 1971).

### 5.6. The Contractual Foundation

By contrast, the international financial and legal order is primarily grounded in agreements among states and market actors. Justice within this framework is commonly understood as adherence to accepted rules and equal treatment of similarly situated parties. The governing principles of institutions such as the International Monetary Fund and the World Bank rely on political consensus among states and their economic interests rather than a fixed transcendent normative source. While this contractual

basis provides flexibility, it simultaneously enables unequal influence of powerful economic actors over the definition and implementation of financial justice ([International Monetary Fund, 2023](#); [Smith et al., 2022](#); [World Bank Group](#)).

#### 5.7. *Enforcement Mechanisms in Islamic Sharia*

In Islamic jurisprudence, enforcement of economic justice operates on multiple interconnected levels: internal moral commitment, social oversight, and governmental enforcement. The Islamic ruler possesses authority to employ instruments such as religious taxation, restrictions on illegitimate wealth accumulation, and correction of unjust contractual arrangements. Consequently, even where individuals fail to comply voluntarily, the legal structure of Sharia permits corrective intervention aimed at restoring justice and preventing exploitation ([Rasoulirad et al., 2023](#); [Sadr & Espahbodi, 1978](#)).

#### 5.8. *Enforcement Mechanisms in the International System*

In the international system, enforcement mechanisms largely depend upon contractual obligations of states, monitoring procedures conducted by international organizations, and political or economic pressure. Instruments such as sanctions, credit-rating adjustments, and suspension of financial assistance function as substitutes for a unified supranational judicial authority. As a result, interpretation and application of justice-oriented norms in areas such as sovereign debt and investment governance frequently remain influenced by geopolitical interests and power asymmetries ([International Monetary Fund, 2023](#); [Smith et al., 2022](#)).

#### 5.9. *Strengthening Islamic Financial Mechanisms*

The proposed integrative model emphasizes utilizing the capacities of Islamic financial instruments—such as sukuk, zakat funds, charitable endowments, interest-free banking, and cooperative insurance—within international development frameworks. For instance, social or green sukuk instruments may finance infrastructure projects in low-income countries without reliance on interest-based lending or excessive collateral requirements, thereby aligning development finance with principles of equity and risk-sharing ([Mattani & Golkar Esmail, 2024](#)).

Similarly, the establishment of joint zakat funds across Muslim-majority countries, linked with formal development institutions, could generate synergy between religious obligation and global contractual development mechanisms, contributing to more inclusive and ethically grounded financial cooperation ([Seif, 2023](#)).

#### 5.10. *Reconsidering the Global Debt System*

The contemporary global debt structure—characterized by variable interest rates, penalty mechanisms, and structural-adjustment conditions—has in many cases contributed to the reproduction of cycles of poverty. From the perspective of Islamic justice, priority is given to alleviating hardship faced by debtors, equitable restructuring of obligations, and prevention of financial exploitation. These principles may serve as normative inspiration for reforming international debt restructuring frameworks and promoting fairer financial relations among states ([International Monetary Fund, 2023](#); [Sadr & Espahbodi, 1978](#)).

#### 5.11. *Islamic Financial Instruments and Sustainable Development*

Within the proposed integrative framework, Islamic financial instruments are positioned as tools for achieving sustainable development objectives. Green sukuk, for example, may finance environmental and climate-related projects, while educational endowments (*waqf*) can contribute to reducing educational inequality and expanding access to human capital development. In this approach, sustainable development indicators are aligned with the higher objectives (*maqasid*) of Sharia, ensuring that financial instruments simultaneously promote distributive justice and safeguard human dignity ([Mattani & Golkar Esmail, 2024](#); [United Nations General Assembly, 2015](#)).

## 6. Conclusion

The present study aimed to elucidate the “right of peoples to equitable access to financial resources” within two normative frameworks—Islamic Sharia and international development law—and sought, through a descriptive–analytical and comparative approach, to examine the potential for synergy between these two systems. The findings indicate that in both frameworks, economic justice and the reduction of inequality constitute fundamental concerns; however, significant differences exist regarding sources of legitimacy, implementation mechanisms, and systems of enforcement.

Within Islamic Sharia, economic justice is rooted in divine legislative authority and structured around concepts such as equity, prohibition of injustice, human dignity, and social responsibility. Institutions such as zakat, khums, the public treasury, public resources, charitable endowments, and the prohibition of interest provide concrete mechanisms for preventing excessive concentration of wealth, redistributing income, and supporting vulnerable social groups. In this framework, the right of equitable access to financial resources is not merely an economic claim but a religious and social obligation incumbent upon both government and society, pursued with the objectives of poverty alleviation, guaranteeing minimum livelihood standards, and establishing social balance. Furthermore, the active role of the Islamic government in managing public resources and supervising fair wealth distribution occupies a central position in safeguarding this right.

In contrast, within international development law, the concept of the “right to development,” recognized in United Nations instruments, forms the principal framework for addressing equitable access to financial resources. This right requires equal participation of peoples in development processes and fair enjoyment of development benefits. Nevertheless, examination of the structure and operation of international financial institutions demonstrates that challenges such as inequality in voting power, political conditionality, high financing costs for low-income countries, and recurring sovereign debt crises have hindered the full realization of financial justice at the global level.

The comparative analysis reveals that although substantial convergence exists at the level of overarching objectives—particularly poverty reduction, inequality mitigation, and protection of human dignity—differences in foundational principles (divine duty-based versus contractual-institutional), enforcement mechanisms (ethical–governmental versus political–intergovernmental), and decision-making structures have resulted in structural limitations on achieving practical financial justice within the international system.

One of the most important conclusions of this research is that Islamic financial capacities may serve as an intellectual and practical source of inspiration for reforming global financial architecture. Instruments such as sukuk, zakat and waqf funds, partnership-based banking, and non-interest financing mechanisms enable the design of financial models in which risks and benefits are distributed more equitably and financial exploitation is minimized. Such approaches have the potential to strengthen distributive justice, reduce unequal debt cycles, and promote a more balanced flow of global capital.

### 6.1. Legal and Policy Recommendations

First, strengthening the legal status of the right to development is essential. This right should evolve from a declaratory principle into binding international commitments accompanied by effective monitoring mechanisms capable of guaranteeing equitable access of peoples to financial resources.

Second, reform of international financial institutions is necessary. Revising voting structures, enhancing participation shares of developing countries, and reconsidering the logic of financial conditionality in global financial institutions could represent a decisive step toward structural justice.

Third, redesigning the global debt system is imperative. Establishing fair debt-restructuring frameworks, reducing excessive interest burdens, and creating protective mechanisms for countries facing debt crises are necessary measures for preventing systemic financial inequality.

Fourth, greater utilization of Islamic financial instruments at the international level is recommended. The expansion of social and green sukuk, establishment of joint zakat and waqf funds at regional and international levels, and strengthening of partnership-based banking models could complement existing development financing mechanisms.

Fifth, financial justice should be integrated with sustainable development objectives. Development indicators should be aligned not only with economic efficiency but also with distributive justice and human dignity, ensuring that financing decisions reflect broader social and ethical considerations.

Overall, this study demonstrates that realizing the right of peoples to equitable access to financial resources requires a synthesis between the normative foundations of justice articulated in Islamic Sharia and institutional reforms within the international financial system. Only through such synergy can a more just global financial architecture emerge—one in which development is not a privilege reserved for certain countries but a shared and attainable right for all peoples.

### Ethical Considerations

All procedures performed in this study were under the ethical standards.

### Acknowledgments

Authors thank all who helped us through this study.

### Conflict of Interest

The authors report no conflict of interest.

### Funding/Financial Support

According to the authors, this article has no financial support.

### References

- Arabshahi Karizi, A. (2016). Investigating Justice in the Holy Quran Across Three Axes. *Quarterly of Quranic Studies*, 7(82), 109-132.
- Eslami, R., & Raeisi, N. (2017). Citizen Participation in International Development Law: Contexts, Obstacles, and Methods of Support. *Public Law Research*, 18(54), 143-169.
- Farahidi, K. b. A. (1988). *The Book of Al-Ayn*. Al-Aalami Publications.
- Ibn Manzur, M. b. M. (1994). *The Tongue of the Arabs*. Dar Sadir.
- International Monetary Fund. (2023). *Reports on Financing for Development and Income Convergence of Low-Income Countries*.
- Khosropanah, A., Pourezzat, A. A., & Mohammadhnejad Chavoshi, H. (2014). The Semantic Breadth of Justice in the Quran. *Interpretive Studies Quarterly*, 5(17), 49-74.
- Mattani, M. A., & Golkar Esmail, B. (2024). Islamic Banking and Social Justice. *Research in Economic and Commercial Law*, 2(1), 159-186.
- Pourmola, S. M. H., Gholami, M., & Bonzadeh, R. (2015). Semantics of the Word Justice in the Holy Quran Based on the Izutsu Method. *Quran and Hadith Research*, 48(1), 1-23.
- Rasoulirad, S., Kheirallahi, M. A., & Mohammadian Amiri, M. (2023). Investigating Economic Security in Islamic Law with a Look at the Life of the Imams. *Comparative Research in Jurisprudence, Law, and Politics*, 5(4), 82-93. <https://doi.org/10.61838/csjpg.5.4.7>
- Sadr, M. B., & Espahbodi, A. (1978). *Our Economy* (Vol. 2). Islami.
- Sadr, M. B., & Musavi, M. K. (1971). *Our Economy* (Vol. 1). Borhan.
- Seif, M. (2023). A Comparative Study of Economic Rights in Islamic and Non-Islamic Countries. *Encyclopedia of Comparative Jurisprudence and Law*, 1(2), 54-57.
- Shakeri, A., Momeni, F., Khadem Alizadeh, A., & Makhzan Musavi, S. H. (2019). An Introduction to the Composite Index of Economic Justice with an Islamic Approach. *Islamic Economics*, 19(74), 5-33.
- Smith, C., Gao, X., & Dollmaier, T. (2022). *Funding International Development Organizations*. Brill Nijhoff.
- Tutunchian, I., & Eyvazlou, H. (2000). Application of Economic Justice Theory in the Islamic System of Wealth and Income Distribution. *Economic Research*, 57, 97-132.
- United Nations. (1948). Universal Declaration of Human Rights.
- United Nations. (1966). International Covenant on Economic, Social and Cultural Rights.
- United Nations, & World Bank, G. (2018). *The United Nations-World Bank Group Strategic Partnership Framework for the 2030 Agenda*.
- United Nations General Assembly. (1986). Declaration on the Right to Development (A/RES/41/128).
- United Nations General Assembly. (2015). Transforming our World: the 2030 Agenda for Sustainable Development (A/RES/70/1).
- World Bank Group, S. International Bank for Reconstruction and Development (IBRD) - Who We Are.