

Harmony Unveiled: Sharia Law and Human Rights in Dubai's Justice

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ABSTRACT

Utilizing a literature review as the primary method, this study delved into the navigation of tradition and modernity within Dubai's criminal justice system. The methodology entailed a comprehensive review of existing scholarly works, legal documents, and reports pertaining to the subject matter. The analysis synthesized insights from various sources to examine the system's integration of international human rights values and Sharia law principles. Additionally, it explored mechanisms for defending minority rights and assessed perceptions of the system's fairness and effectiveness among different segments of the population. Through this literature-based approach, key findings emerged. Firstly, the majority of sources indicated that the system effectively balances international human rights standards with Sharia law principles. Secondly, specialized courts and legal aid provisions were identified as mechanisms for safeguarding minority rights. Lastly, while the system was generally perceived as providing adequate protection, opportunities for improvement, such as enhancing access to justice for marginalized groups, were highlighted. In conclusion, the findings suggest that the Dubai criminal justice system has successfully negotiated tradition and modernity, offering valuable insights for other jurisdictions. Nonetheless, further research is warranted to evaluate the long-term implications of these findings and to refine strategies for ongoing enhancement in response to evolving societal demands.

Keywords : Balance; Dubai; Human Rights; Justice; Sharia Law

ABSTRAK

Dengan memanfaatkan tinjauan literatur sebagai metode utama, penelitian ini menyelami navigasi tradisi dan modernitas dalam sistem keadilan pidana Dubai. Metodologi tersebut melibatkan tinjauan menyeluruh terhadap karya ilmiah yang ada, dokumen hukum, dan laporan yang berkaitan dengan subjek tersebut. Analisis tersebut mensintesis wawasan dari berbagai sumber untuk meneliti integrasi sistem terhadap nilai-nilai hak asasi manusia internasional dan prinsip hukum Sharia. Selain itu, hal itu juga mengeksplorasi mekanisme untuk mempertahankan hak minoritas dan menilai persepsi tentang keadilan dan efektivitas sistem di kalangan segmen populasi yang berbeda. Melalui pendekatan berbasis literatur ini, temuan utama muncul. Pertama, sebagian besar sumber menunjukkan bahwa sistem tersebut efektif menyeimbangkan standar hak asasi manusia internasional dengan prinsip hukum Sharia. Kedua, pengadilan khusus dan ketentuan bantuan hukum diidentifikasi sebagai mekanisme untuk melindungi hak-hak minoritas. Terakhir, meskipun sistem secara umum dianggap memberikan perlindungan yang memadai, peluang untuk perbaikan, seperti meningkatkan akses terhadap keadilan bagi kelompok-kelompok yang terpinggirkan, disorot. Sebagai kesimpulan, temuan menunjukkan bahwa sistem keadilan pidana Dubai telah berhasil menegosiasikan tradisi dan modernitas, memberikan wawasan berharga bagi yurisdiksi lainnya. Meskipun demikian, penelitian lebih lanjut diperlukan untuk mengevaluasi implikasi jangka panjang dari temuan ini dan untuk menyempurnakan strategi peningkatan berkelanjutan sebagai respons terhadap tuntutan-tuntutan masyarakat yang terus berkembang.

Kata Kunci : Keseimbangan; Dubai; Hak Asasi Manusia; Keadilan; Hukum Syariah

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INTRODUCTION

In Dubai's legal system, the intersection of Sharia law and human rights concepts presents both areas of agreement and discord (Marinò, 2023). This study delves into the complex interplay among law, culture, and religion within Dubai's justice system, particularly emphasizing the protection of minority rights and the resolution of gender-related issues. By addressing the existing gaps in the literature, our aim is to offer novel insights into Dubai's criminal justice system, shedding light on its intricacies and contributing to a deeper understanding of its dynamics. Integrating Sharia law and human rights principles within legal frameworks presents a complex endeavor, particularly in jurisdictions like Dubai where both systems coexist. While efforts to harmonize these seemingly divergent legal traditions are commendable, it is imperative to critically engage with the potential conflicts or challenges that may arise from this intersection. This involves acknowledging and addressing discrepancies between Sharia law and certain human rights standards, such as those related to gender equality, freedom of expression, and religious freedom. Furthermore, navigating cultural sensitivities and interpretations of Sharia law in alignment with international human rights norms requires careful consideration to ensure the protection and promotion of fundamental rights for all individuals within society. By critically examining these challenges, policymakers and legal practitioners can work towards developing inclusive legal frameworks that uphold the principles of justice, equality, and dignity for all citizens, while respecting cultural and religious diversity.

The topic of law enforcement and human rights in Dubai has garnered global research attention. Ikejiaku's (2021) study examines the issues surrounding Dubai's criminal justice system. This research differs from several previous studies outlined. The research investigates safeguarding minority rights and addressing gender-related issues. An opposing viewpoint and critique of the research could be that while the study investigates safeguarding minority rights and addressing gender-related issues within Dubai's criminal justice system, it may overlook or oversimplify the complexities inherent in the interplay between law, culture, and religion. Previous researchers may have focused primarily on the broad integration of Sharia law and human rights principles without delving deeply into the nuanced cultural and religious contexts that shape the application of these legal frameworks. Critics may argue that by neglecting to thoroughly analyze these intricate dynamics, the research may fail to provide a comprehensive understanding of the challenges and tensions faced by minority groups and women within the justice system. Additionally, the reliance on a singular perspective or interpretation, as highlighted by Al-Marri (2023) and A. Al-Rashidi (2023), may limit the scope of the study and overlook alternative viewpoints or dissenting voices within Dubai's diverse society. Therefore, while the research offers valuable insights, a more nuanced analysis that considers differing perspectives and acknowledges the multifaceted nature of law, culture, and religion in shaping the justice system would enrich the analysis and contribute to a more thorough understanding of the issues at hand. The study offers a comprehensive analysis of how human rights concepts and Sharia law coexist in Dubai's criminal justice system (Mustafa, 2020; Ikejiaku, 2021). By delving into the historical, cultural, and religious context of Dubai, the study unveils the unique factors that shape the simultaneous application of these two legal frameworks (Mustafa, 2021; Ouassini & Ouassini, 2023). One of the distinctive contributions is the examination of how Dubai's criminal justice system navigates the delicate balance between tradition and modernity (Bhand et al., 2023). This includes a study of the interactions between modern human rights standards and traditional Islamic legal concepts, highlighting the innovations and difficulties that result from this intricate interaction ((Hasan & Mustafa, 2022; H. Al-Ezzi, 2023). The

research focuses on minority rights and provides new information about how Dubai's criminal justice system responds to the demands and worries of various minority groups. It explores the safeguards in place to protect minority rights and assesses the extent to which these rights align with international human rights standards.

This investigation holds significant implications: it sheds light on how Dubai's criminal justice system uniquely integrates Sharia law and human rights concepts, offering valuable insights into legal pluralism and the coexistence of traditional and modern legal frameworks.

RESEARCH METHOD

In this research, the research method will utilize a qualitative approach with the theoretical foundation of "Legal Pluralism" (Tamanaha, 2021) to analyze the complexities within Dubai's legal landscape, particularly concerning the delicate balance between tradition and modernity, justice, equality, and human rights. Legal pluralism acknowledges the coexistence of multiple legal systems within a single jurisdiction, recognizing that different communities may adhere to diverse sets of legal norms and practices. By adopting this theoretical perspective, the research seeks to examine how Dubai's legal system navigates the intricate interplay between tradition and modernity, particularly in the realms of justice, equality, and human rights. The literature review serves as the basis for the selection of data sources and the development of data collection instruments. Legal Pluralism theory acknowledges the existence of multiple legal frameworks or sources of law within a social context. In the context of Dubai, where Sharia law coexists with contemporary legal frameworks, this theory provides a framework for evaluating how different legal systems interact, complement, or conflict with each other. It suggests that diverse legal sources, such as Sharia law and international human rights standards, can operate simultaneously, influencing legal practices and outcomes. The Legal Pluralism approach enables an exploration of how Sharia law and modern legal principles can coexist. It recognizes diverse sources of law and examines how these systems interact in the adjudication of criminal cases. This framework facilitates an understanding of how Dubai's criminal justice system maintains a balance between modern human rights norms and traditional Islamic legal principles (Hamzah, 2021). Legal Pluralism emphasizes the importance of cultural context in shaping legal systems. In the case of Dubai, where cultural and religious traditions play a significant role, this framework helps to recognize the cultural nuances that influence legal practices. It allows for an analysis of how cultural factors impact the interpretation and application of both Sharia law and human rights principles.

RESULTS AND DISCUSSION

A. Foundations of Dubai's Justice System

Dubai's legal history is deeply rooted in its cultural and economic evolution, reflecting a blend of tradition and modernity (Kalfopoulou, 2023). The emirate's legal system has undergone significant transformations over the years, shaped by its unique geopolitical position and cultural heritage. Dubai's legal foundations trace back to its early days as a trading hub (Pineda, 2020). Historically, conflicts within the close-knit group were resolved through informal, community-based judicial systems. When the United Arab Emirates (UAE) was founded in 1971, Dubai kept some of its own characteristics while also helping to create a united legal framework. The legal evolution of Dubai is intricately linked to Islamic principles and Bedouin traditions. Sharia law is a fundamental component of the legal system and is rooted from Islamic principles (Zaidan & Abulibdeh, 2021). Simultaneously, the influence of international trade, commerce, and globalization has introduced modern legal concepts,

fostering a legal landscape that reflects both tradition and a forward-looking approach. Dubai's legal history includes a series of strategic reforms to adapt to contemporary needs.

The emirate's dedication to contemporary legal procedures was further highlighted by the creation of the Dubai International Financial Centre (DIFC) in 2004, which established a distinct legal jurisdiction with an international framework (Baker & Beeton, 2020). These initiatives demonstrate Dubai's proactive stance in aligning its legal system with global standards while preserving its cultural identity. Understanding the historical trajectory of Dubai's legal system provides crucial insights into the factors that have shaped its present-day criminal justice framework. The synthesis of traditional values and modern legal principles continues to be a defining feature, influencing the adjudication of criminal cases and the pursuit of justice within the emirate. Dubai's criminal justice system is significantly shaped by the cultural elements that are deeply ingrained in the city's legal environment. The emirate's unique cultural context, deeply rooted in Islamic traditions and Bedouin heritage, significantly impacts the development and application of its legal principles.

Sharia law holds a central place in Dubai's legal framework, reflecting the cultural and religious values of the majority Muslim population (Nurmohamed, 2020). The principles of Sharia, derived from the Quran and Hadith, guide various aspects of daily life, including the legal system. The cultural significance of Sharia is evident in its role in defining moral standards, family relationships, and the ethical conduct of individuals. Cultural norms in Dubai historically favored community-based and informal dispute resolution mechanisms. Tribes and extended families often played a crucial role in resolving conflicts, emphasizing reconciliation and communal harmony (Abdallah, 2020). While modern legal structures have been introduced, these cultural influences persist in shaping alternative avenues for dispute resolution within the broader legal landscape. Dubai's rapid transformation into a global economic hub has exposed it to diverse cultural influences. The emirate's commitment to embracing modernity while preserving its cultural identity is reflected in legal adaptations and reforms. The formation of organizations such as the Dubai International Financial Centre (DIFC), which offers an international legal framework within a wider cultural setting, is the result of efforts to strike a balance between globalization and cultural values. Cultural factors in Dubai emphasize the importance of fairness and justice in legal proceedings. The concept of 'Adl' (justice) in Islamic teachings underscores the cultural expectation for equitable legal practices (Karimullah, 2023). This cultural emphasis influences legal decision-making and the pursuit of justice, promoting a system that aligns with the moral and ethical values rooted in the local culture.

Understanding the cultural factors shaping Dubai's legal landscape is essential for appreciating the nuances of its criminal justice system (Bakar et al., 2023). As the emirate continues to evolve, the interplay between cultural influences and modern legal practices remains a dynamic force that shapes legal norms, expectations, and the overall pursuit of justice. A crucial component of guaranteeing the impartial and efficient administration of justice in Dubai is the legal framework of the criminal justice system (Kausar et al., 2024). Comprising a blend of traditional Islamic legal institutions and modern judicial entities, the system reflects the emirate's commitment to balancing tradition with contemporary legal practices. Dubai operates within a dual legal jurisdiction system, reflecting its unique approach to accommodating both Islamic legal traditions and global legal standards. The main judicial forums are the Dubai International Financial Center (DIFC) courts, which handle international commercial issues under an English-language common-law system, and the local courts that follow UAE federal legislation, including some Sharia law. Sharia courts, which apply Islamic law principles to family law, inheritance, and personal status concerns, are an essential part of

Dubai's judicial system. The Sharia court system operates hierarchically, with the Court of Cassation being the highest appellate court for Sharia-related matters. This hierarchy ensures a structured approach to the application of Sharia law within the broader legal landscape. Local courts in Dubai administer justice based on federal laws and regulations, including aspects of Sharia law. They handle criminal cases, civil disputes, and other legal matters that fall under the purview of UAE legislation. The judicial of Cassation, appellate courts, and courts of first instance make up the local judicial system. This hierarchical structure ensures a systematic adjudication process for a wide range of legal issues.

B. Dubai International Financial Centre (DIFC) Courts

The DIFC courts were established to provide an international legal framework, promoting business and financial transactions (Saleem & Moldoveanu, 2023). They operate independently of the local court system and apply English-language common law. Dubai's standing as a major international financial center is enhanced by the fact that the DIFC courts have jurisdiction over civil and business issues that arise within the DIFC. The interaction between these dual legal jurisdictions is managed through coordination mechanisms, ensuring a coherent legal landscape. Clear delineation of the areas of jurisdiction helps maintain legal certainty for individuals and businesses operating within Dubai. Comprehending the legal structure is essential to appreciating the complexity of Dubai's criminal justice system. The coexistence of Sharia courts, local courts, and the DIFC courts reflects the emirate's commitment to accommodating diverse legal traditions while fostering a conducive environment for both local and international legal matters.

The cohabitation of Sharia courts, which have their roots in Islamic legal traditions, and contemporary legal organizations that function within a dual jurisdiction framework define Dubai's criminal justice system (Dimitropoulos, 2021). Local courts handle a broad variety of legal concerns, including criminal trials, civil disputes, and business difficulties, and administer justice in accordance with federal legislation of the United Arab Emirates (Alcolea, 2022). Dubai's standing as a global center for commerce is enhanced by the fact that the DIFC courts uphold English-language common law and have jurisdiction over civil and commercial issues that arise inside the DIFC. Embracing international legal standards, the DIFC courts provide a legal framework that is familiar to the global business community, enhancing Dubai's attractiveness for international transactions. The symbiotic relationship between Sharia courts and modern legal institutions creates a legal landscape that respects cultural traditions while fostering economic and social development. The dual jurisdiction system enables individuals and businesses to navigate legal matters with clarity and confidence, contributing to the overall stability of Dubai's criminal justice system. This nuanced balance reflects the emirate's commitment to both its Islamic heritage and its aspirations for global integration.

Due to historical, cultural, and socioeconomic influences, Sharia law in Dubai has developed in a dynamic manner (Dahdal, 2023). Comprehending this development is essential to understanding how Sharia is currently applied in the criminal justice system of the emirate. Dubai's legal traditions trace back to pre-modern times when legal norms were often community-based and informed by Bedouin customs. These early traditions laid the groundwork for a system that was deeply embedded in the social fabric of the region. With the advent of Islam, Sharia law became a cornerstone of Dubai's legal framework. The integration of Islamic principles into legal practices laid the foundation for the development of a Sharia-centric legal system. During the Ottoman Empire's rule, the influence of Ottoman legal traditions introduced additional layers to Dubai's legal landscape (Salamé & Stephan, 2021). This period marked a fusion of Islamic principles with elements of Ottoman legal structures.

The British influence in the 19th and early 20th centuries brought about further changes, with the introduction of formal legal institutions. This era marked a transition toward a more structured legal system, blending traditional Islamic principles with modern legal concepts. The establishment of the UAE in 1971 marked a significant turning point. Federal laws were introduced, unifying legal standards across emirates while allowing for variations in the application of Sharia principles. The UAE embarked on a process of codifying laws, combining Islamic principles with modern legal concepts. This approach aimed to accommodate the diverse legal traditions within the country.

The creation of the DIFC in 2004 introduced a separate legal jurisdiction, operating under English-language common law (Bantekas, 2022). This initiative reflected Dubai's commitment to accommodating global business practices while maintaining its Islamic legal heritage. Ongoing legal reforms demonstrate Dubai's responsiveness to evolving societal needs and international standards. These initiatives aim to strike a balance between tradition and modernity, ensuring that the legal system remains relevant and adaptive. Dubai's legal evolution is inseparable from its cultural values, emphasizing fairness, justice, and social cohesion. The adaptability of Sharia law to address contemporary challenges reflects Dubai's commitment to preserving its cultural identity while embracing progress. Understanding the evolution of Sharia law in Dubai provides a comprehensive perspective on the rich tapestry of legal traditions that have shaped the emirate's criminal justice system. This historical context illuminates the dynamic nature of Dubai's legal landscape, where tradition and adaptation coalesce in the pursuit of justice.

Sharia law, as a foundational element of Dubai's legal system, is guided by core principles and tenets derived from Islamic jurisprudence (Fatmawati et al., 2022). Understanding these fundamental principles is essential for comprehending the basis on which Dubai's criminal justice system operates. Sharia law derives its guidance primarily from the Quran, which is considered the inspired word of God. Its verses provide ethical, moral, and legal principles that form the basis for legislation and adjudication. The sayings and actions of Prophet Muhammad, known as Hadith, complement the Quran, offering additional insights into legal and ethical matters. Together, the Quran and Hadith establish the divine foundation of Sharia law. Sharia law seeks to preserve and uphold the Islamic faith, ensuring that legal principles align with religious teachings. The protection and preservation of life are fundamental objectives, influencing laws related to personal safety, health, and well-being. Family and lineage are significant aspects, guiding laws related to marriage, inheritance, and family relationships. Laws governing ethics, morality, and mental well-being are established to protect and preserve human intellect. Economic principles within Sharia law emphasize fairness and justice in transactions, aiming to preserve individual and communal wealth.

Five Maqasid al-Sharia: Protection of Religion: Ensuring freedom of worship and protection of religious rights (Purwanto et al., 2022). Protection of Life: Prohibiting actions that endanger human life and emphasizing the sanctity of life. Protection of Lineage: Safeguarding family relationships, including marriage, inheritance, and parental rights. Protection of Intellect: Prohibiting actions that harm mental health and promoting ethical conduct. Protection of Property: Establishing just economic principles to safeguard individual and communal wealth. Crimes with fixed and severe punishments prescribed by Islamic law, such as theft, adultery, and apostasy. Crimes that do not have fixed punishments and allow judicial discretion, permitting flexibility in sentencing for certain offenses. Understanding these core principles and tenets provides a foundation for comprehending the ethical, moral, and legal framework that shapes Dubai's criminal justice system. The dynamic application of

Sharia law within this context reflects a commitment to justice, guided by principles rooted in Islamic jurisprudence.

C. Sharia Law in Practice

Sharia law, as applied in Dubai's criminal justice system, encompasses a range of offenses categorized based on Islamic jurisprudence (Akrami et al., 2022). The Sharia courts in Dubai play a pivotal role in criminal proceedings, applying Islamic legal principles to adjudicate cases involving offenses categorized under Hudud and Tazir (Alotaibi, 2023). Understanding the specific functions and procedures of Sharia courts provides insights into the administration of justice within the emirate. Sharia courts in Dubai have exclusive jurisdiction over matters falling within the purview of Islamic law, including criminal offenses categorized as Hudud. While Sharia law primarily applies to Muslims, non-Muslims may opt to have their cases heard in civil courts rather than Sharia courts, providing a degree of legal choice. The adjudication of Hudud offenses requires strict adherence to evidentiary standards.

Legal pluralism is a fundamental concept that underpins the complex legal landscape of Dubai, where Sharia law coexists with modern legal principles (Emon & Khaliq, 2021). This theoretical framework recognizes the various sources of law that contribute to the administration of justice and the existence of numerous legal systems within a single sociocultural area. Rooted in Islamic jurisprudence, Sharia law serves as a primary legal source, influencing various aspects of personal, family, and criminal matters. Concurrently, Dubai's legal framework incorporates modern legal systems, including civil and commercial laws, reflecting the influence of international legal standards and the emirate's commitment to economic globalization. Legal pluralism recognizes that different legal systems may complement each other, addressing distinct aspects of legal relations. In Dubai, the interaction between Sharia law and modern legal systems is evident in their complementary roles in various spheres of life. Legal pluralism also acknowledges the potential for conflicts between different legal systems. The coexistence of Sharia law and modern legal principles may lead to tensions, requiring careful navigation to ensure harmony and avoid contradictions. Sharia courts function alongside contemporary legal establishments as the principal implementers of Islamic law, addressing issues pertaining to criminal crimes, family law, and individual status. Using contemporary legal concepts, local courts and the Dubai International Financial Center (DIFC) courts offer platforms for the settlement of civil, business, and occasionally criminal issues. The legal pluralistic framework allows individuals in Dubai to make choices regarding the legal system under which they prefer their disputes to be resolved. Non-Muslims, for example, may opt for the jurisdiction of civil courts rather than Sharia courts. Legal pluralism provides flexibility in legal practices, allowing Dubai to adapt to the evolving needs of its diverse population while maintaining a balance between tradition and modernity. Legal pluralism necessitates a nuanced understanding of cultural sensitivities to ensure the effective coexistence of different legal systems. Maintaining human rights while striking a balance that honors cultural values is an ongoing struggle. Achieving consistency and predictability in legal outcomes is crucial within a legal pluralistic framework. There is constant work to reduce ambiguity in the execution of various legal directives and improve legal clarity. Understanding legal pluralism provides a conceptual framework for analyzing the intricate dynamics between Sharia law and modern legal principles in Dubai. This theoretical lens allows for a nuanced exploration of the coexistence, interaction, and potential challenges arising from the intersection of diverse legal systems within the emirate.

Legal pluralism holds particular relevance to Dubai's legal landscape, where the coexistence of Sharia law and modern legal principles is a defining feature (Cortelezzi &

Ferrari, 2022). The theoretical framework of legal pluralism provides valuable insights into the dynamics, challenges, and harmonies within the emirate's complex legal system. Legal pluralism recognizes Sharia law as a foundational pillar of Dubai's legal identity, reflecting the emirate's Islamic heritage and cultural values.

Although human rights values and Sharia law may appear to be at odds at times, there are important instances in which they coincide in Dubai's legal system (McDonough, 2021). Recognizing these intersections is essential for understanding the nuanced coexistence of cultural and international legal norms. Sharia law emphasizes the concept of "Karama," reflecting the intrinsic dignity and worth of every individual. This aligns with the international human rights principle of recognizing and respecting the inherent dignity of all human beings. The preservation of life is highly valued in sharia law. This is consistent with the international human rights agreements' articulation of the fundamental human right to life. Both systems prioritize the safeguarding of human life against harm and injustice. The significance of family values and the stability of family life are highly valued in Sharia law. This aligns with the human right to family life, recognizing the significance of the family unit in the well-being of individuals. Sharia law includes principles that emphasize the protection of property rights. This aligns with the human right to property, recognizing the importance of secure and equitable access to property for individuals. The Islamic concept of 'Adl' (justice) emphasizes the importance of fair and just treatment in legal proceedings. This aligns with the human right to a fair trial, emphasizing due process, impartiality, and the right to a defense. Sharia law includes principles that emphasize the protection of minority rights. Dubai's legal system, influenced by these principles, aligns with the international human rights principle of protecting the rights of minorities within a multicultural society.

Recognizing these contrasts is crucial for understanding the complexities and challenges inherent in the coexistence of cultural and international legal norms. Sharia law traditionally considers apostasy as a grave offense, raising challenges in reconciling this with the international human right to freedom of religion. Individuals who choose to leave Islam may face legal consequences under Sharia, posing tensions with the principle of religious freedom. Sharia law criminalizes certain acts, such as adultery and alcohol consumption, which may be perceived as intrusions on personal freedom. This poses tensions with international human rights principles that advocate for personal autonomy and privacy. Traditional interpretations of Sharia law, particularly in personal status matters, may pose challenges to gender equality. Divergences exist with international human rights standards that emphasize equal rights and protection against discrimination, particularly in marriage, divorce, and inheritance matters. Amputation for stealing and stoning for adultery are examples of Hudud penalties that give rise to human rights concerns about harsh, inhuman, or degrading treatment. Balancing traditional legal practices with international standards on the prohibition of torture is a point of divergence. Sharia law, in certain instances, imposes restrictions on freedom of expression, particularly concerning matters that may be deemed blasphemous or offensive. This diverges from the international human right to freedom of expression, which encompasses a broader scope of protected speech. While efforts are made to protect minority rights, certain aspects of Sharia law may result in differential treatment based on religious or cultural affiliations. This can pose tensions with human rights principles advocating for equal treatment and nondiscrimination. In family matters, legal distinctions may exist between Muslims and non-Muslims under Sharia law, impacting issues such as marriage, divorce, and child custody. This poses challenges to the human rights principle of equal protection and treatment before the law. Understanding these areas of conflict and divergence highlights how difficult it is to navigate Dubai's legal system's junction of Sharia law and human rights. Addressing these

challenges requires a nuanced approach that seeks to harmonize cultural traditions with evolving international legal standards, fostering an environment that respects both tradition and modernity.

Constitutional protections are essential in Dubai's legal system for balancing the cohabitation of Sharia law with human rights ideas (Kyriazi et al., 2022). The constitutional framework establishes a foundation for balancing cultural traditions with international legal norms, ensuring protection and respect for individual rights. In Dubai's legal landscape, case law serves as a tangible demonstration of the commitment to protecting minority rights within the framework of Sharia law and human rights principles (Thames & Scolaro, 2022). Examining specific cases provides insights into how the judiciary navigates the intersection of diverse legal systems to ensure fairness, equality, and respect for minority rights. In a family law case involving a non-Muslim minority couple seeking legal recognition for their marriage, the question arose regarding the applicability of Sharia law in matters traditionally under its jurisdiction. While Dubai's legal system has made strides in protecting minority rights within the complex interplay of Sharia law and human rights principles, there remains room for enhancement (Zulfiqar, 2023). These recommendations aim to fortify the safeguards for minority individuals, ensuring that their rights are consistently upheld in criminal justice matters and beyond. Conduct a comprehensive review of existing legislation to identify and rectify any provisions that may disproportionately impact minority individuals. Ensure that laws align with constitutional guarantees of equality and nondiscrimination. Enact specific provisions safeguarding the right to religious freedom, explicitly protecting individuals from discrimination based on their religious beliefs (Kay, 2023; Mustafa & Komalasari, 2024). This can address concerns related to apostasy allegations and freedom of worship for minority communities.

CONCLUSION

In conclusion, the analysis underscores the intricate dynamics within Dubai's criminal justice system, emphasizing the nuanced interplay between Sharia law and human rights principles. While the evolution of Sharia law and its current application demonstrate the adaptability of Dubai's legal framework in accommodating both tradition and modernity, ensuring harmony between Sharia law and human rights, particularly within the realm of international law, remains a crucial challenge. Despite efforts to uphold justice, equality, and respect for human rights, especially concerning minority rights and gender issues, complexities persist in achieving full harmonization. To address these challenges comprehensively, it is imperative for Dubai's legal system to adopt more specific and actionable recommendations. This includes conducting a detailed analysis of the challenges faced in integrating Sharia law with international human rights standards, with a focus on addressing discrepancies and promoting a legal environment that safeguards both religious traditions and fundamental human rights. Stakeholder engagement strategies should be emphasized, involving collaboration with legal experts, religious scholars, civil society organizations, and marginalized communities to ensure diverse perspectives are considered in the reform process. Concrete initiatives for dialogue and legal reforms are essential. This could involve establishing a specialized commission or agency within the government tasked with regularly examining and harmonizing legal frameworks. This commission could facilitate ongoing dialogue and collaboration between different stakeholders, monitor the implementation of legal reforms, and recommend adjustments as necessary to ensure compatibility with international human rights standards. Additionally, initiatives to enhance legal literacy and awareness among the general public, particularly regarding minority rights and gender issues, should be

prioritized. In conclusion, advancing the harmonious integration of Sharia law with international human rights standards requires sustained efforts in dialogue, legal reforms, and societal engagement. By implementing specific policy recommendations and fostering inclusive dialogue, Dubai's legal system can continue to evolve in a manner that respects both tradition and modernity while upholding fundamental human rights for all its citizens.

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