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State Obligations to Ensure Equitable Access to Financial Resources in International Development Law and Islamic Jurisprudence

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ABSTRACT

Equitable access to financial resources constitutes one of the fundamental pillars for the realization of the right to development and economic justice at both national and international levels. Structural inequalities in the distribution of financial resources, particularly between developed and developing countries, have contributed to the persistence of poverty, the widening of economic disparities, and the weakening of peoples' economic and social rights. The present article aims to clarify state obligations in guaranteeing equitable access to financial resources through a comparative examination of this concept within the frameworks of international development law and Islamic jurisprudence. The research adopts a descriptive–analytical method based on the analysis of international legal instruments, juristic sources, and authoritative academic studies. The findings indicate that within international development law, the right to development is recognized as a fundamental human right that obliges states to facilitate fair access to financial resources through the mobilization of domestic resources, international financial cooperation, equitable transfer of capital and technology, and the reform of unjust structures within the global financial system. Nevertheless, weak enforcement mechanisms, external debt burdens, and structural inequalities have posed serious challenges to the effective realization of these obligations. In contrast, Islamic jurisprudence, grounded in principles such as divine ownership of wealth, the rule of equity and justice, human dignity, and social solidarity, provides a binding normative framework for financial justice. Through institutional mechanisms including zakat, khums, the public treasury (Bayt al-Mal), anfal resources, and the prohibition of usury (riba), Islamic jurisprudence assigns an active and regulatory role to the state in ensuring equitable distribution of resources. The overall conclusion of the study demonstrates that despite foundational differences, significant convergence exists between the objectives of financial justice in Islamic jurisprudence and international development law. Utilizing the normative and institutional capacities of Islamic jurisprudence may strengthen both the normative foundations and the practical effectiveness of state obligations within the international financial system and contribute to the more concrete realization of equitable access to financial resources.

Keywords: *State obligations, financial justice, right to development, Islamic jurisprudence, international development law.*



Introduction

The discussion of global financial inequality begins with the concept of *equitable access to financial resources* within the framework of sustainable development and human rights. Equitable access to financial resources refers to guaranteeing equal participation of all societies in benefiting from capital and financial assistance necessary for achieving comprehensive development. In the contemporary world, profound economic disparities between developed and developing countries are clearly observable, and a significant portion of the world's population remains deprived of adequate financial capacity to realize their economic and social rights. Such a situation not only complicates efforts to combat poverty and unemployment but also perpetuates social injustice and undermines the achievement of the Sustainable Development Goals (SDGs) (1).

Reports issued by international financial and development institutions demonstrate that inclusive development cannot be realized without equitable access to capital and financial resources. From the perspective of international development discourse, denial of countries' development opportunities constitutes a manifestation of structural injustice and reflects persistent inequalities within the global financial architecture (2, 3). Empirical data concerning the unequal distribution of development and climate finance further confirm the existence of structural disparities in access to financial resources and the deepening divide between the Global North and Global South. Within international law, the *right to development* is recognized as a fundamental human right. According to the Declaration on the Right to Development, all individuals and peoples are entitled to participate in, contribute to, and benefit from economic, social, cultural, and political development, thereby obligating the international community to establish mechanisms for resource sharing, technology transfer, and financial support for disadvantaged countries (4).

A close relationship exists between equal access to financial resources and the effective exercise of the right to development. Development lacking fair financial backing cannot result in genuine and equal participation of nations in development processes. In this regard, the 2030 Agenda for Sustainable Development emphasizes global partnership in financing development and reforming international financial structures to enhance economic justice (1). Many low-income countries allocate a considerable share of national income to servicing external debt obligations, leading to continuous capital outflows that deprive domestic economies of resources required for infrastructure development and public welfare, thereby undermining the realization of the right to development (3, 5). Consequently, the realization of the right to development is impossible without effective institutional mechanisms guaranteeing equitable access to financial resources.

Beyond the international level, states play a decisive role domestically in ensuring financial justice. Islamic jurisprudential teachings and discussions of social justice emphasize, based on Qur'anic principles of justice and equity, that governance authorities are obligated to employ institutional mechanisms such as zakat, khums, public treasury administration, and collective welfare policies to meet the essential needs of vulnerable groups and prevent excessive concentration of wealth. Islamic economic thought considers social solidarity and distributive justice as foundational elements of governance responsibility (6-8).

On this basis, one of the fundamental duties of the state is to ensure social protection and universal participation in the benefits derived from natural wealth and public financial resources, since such resources are regarded as collectively entrusted assets intended to secure human dignity and a decent standard of living (9, 10). Contemporary analyses of social welfare inefficiencies and institutional weaknesses in many developing countries demonstrate

that states, both domestically and within the international financial system, play a determining role in either realizing or undermining financial justice and equitable access to resources (11, 12).

A comparative examination of Islamic jurisprudence and international development law is therefore necessary, as both normative systems—despite structural differences—emphasize justice, social solidarity, and equal participation in resource utilization. Islamic economic teachings are grounded in distributive justice, social cooperation, and the prohibition of usury and monopolistic practices, while international development law likewise stresses economic justice and equitable participation of nations in global development processes (13, 14). Nevertheless, these intellectual traditions have often been studied independently. A comparative approach enables clarification of convergences and divergences, examination of financing mechanisms within each framework, and identification of structural barriers, thereby facilitating the development of reform-oriented models for financial justice.

Simultaneous attention to Islamic jurisprudence and international development law allows for the formulation of an integrated framework for what may be termed the “financial rights of nations.” Such a framework draws upon Islamic values including zakat, khums, public wealth (anfal), and social solidarity while remaining compatible with contemporary human rights and development standards (15, 16). The necessity of this comparative inquiry may be summarized in three dimensions: filling the theoretical gap linking Islamic financial justice to global financial architecture, proposing culturally grounded policy solutions for Islamic societies, and contributing to reform of international development law institutions aimed at reducing global financial inequality.

Accordingly, the main objective of this article is to clarify the mechanisms through which nations may achieve equitable access to financial resources from the perspectives of Islamic law and international development law. Subsidiary objectives include analyzing Islamic legal teachings concerning financial justice, examining the normative framework of international development law, identifying mechanisms and barriers affecting access to financial resources, and comparing similarities and differences between the two legal systems in order to propose practical solutions for improving equitable access.

The central research question is therefore formulated as follows: *How can equitable access of nations to financial resources be conceptualized and guaranteed from the perspectives of Islamic law and international development law?* The subsidiary questions address the role of Islamic teachings in distributive justice, the mechanisms and structural obstacles within international development law, and the areas of convergence and divergence between the two perspectives. Collectively, these objectives and questions establish the conceptual foundation of the article and demonstrate that the study adopts a problem-oriented approach aimed at presenting a theoretical and practical model for safeguarding equitable financial access for nations.

Conceptual and Theoretical Foundations of Equitable Access to Financial Resources

The Concept of Financial Justice and Equitable Access to Resources

A) Definition of Financial Justice in Legal and Economic Thought

In legal and economic literature, financial justice refers to the fair distribution of financial resources and fiscal burdens within society in such a manner that individuals and social groups receive an equitable share of income and economic opportunities. Within Islamic economic thought, financial justice constitutes an integral component of social justice, and the economic system is regarded as responsible for establishing mechanisms that organize

economic life on the basis of fairness and balance (17). Accordingly, taxation systems and resource allocation mechanisms must be designed to reduce poverty, mitigate wealth inequality, and maintain socio-economic equilibrium.

Within the framework of sustainable development and human rights, *equitable financial resources* denote the assurance of equal participation of all societies in accessing capital and financial assistance necessary for comprehensive development. Contemporary global economic realities reveal persistent disparities between developed and developing countries, leaving large segments of humanity deprived of adequate financial capacity to realize economic and social rights. Such financial inequality not only impedes poverty reduction but also contributes to social injustice and failure in achieving sustainable development objectives grounded in the principle that no one should be left behind (1).

B) Distinction Between Formal Equality and Distributive Justice

In conceptual analyses of justice, Muslim scholars have offered diverse interpretations, including justice as moral virtue, equality, fairness, impartiality, benevolence, and the allocation of rights to their rightful holders. However, Islamic scholarship emphasizes that these meanings are not identical and that purely numerical equality does not fully capture Qur'anic justice. A closer examination of Islamic sources demonstrates that justice extends beyond formal equality toward substantive fairness rooted in ethical and social balance (7, 18).

Distributive justice therefore emerges as one of the most fundamental dimensions of justice. Islamic sources repeatedly emphasize equitable distribution of resources, and Islamic economic thought regards the fair allocation of public wealth as essential for the welfare of all social groups. Principles such as equitable sharing, prohibition of hoarding, and prevention of monopolistic control were developed to avoid unjust concentration of resources. Islamic law not only condemns exploitation of public wealth but also establishes practical mechanisms—such as zakat, khums, and charitable redistribution—to ensure equitable access to resources (8, 10).

C) The Role of Financial Resources in Realizing Economic and Social Rights

The relationship between financial resources and the realization of economic and social rights has also been emphasized in international legal instruments. Global institutions affirm that inclusive development cannot be achieved without equitable access to financial capital. The right to development is therefore understood as inseparable from economic justice and international solidarity (5, 19).

The right to equitable access to financial resources refers to the capacity of nations to benefit fairly from economic opportunities through domestic and international financial systems that promote balanced distribution. Within international development law, this right is intrinsically connected to the right to development, meaning that genuine development occurs only when all segments of society can utilize financial resources for economic and social advancement (4). From the perspective of Islamic jurisprudence, equitable financial access derives from principles of justice and economic security, while jurisprudential doctrines concerning public wealth, collective ownership, and prohibition of usury emphasize equitable wealth distribution so that no group is excluded due to unjust accumulation of resources (14, 15).

The Right to Development and Its Relationship with Access to Financial Resources

A) The Concept of the Right to Development

The right to development (the right to development) is an economic and social human right that was first articulated in the United Nations General Assembly Declaration in 1986. This right enables all human beings and

peoples to participate fully in economic, social, cultural, and political development—within which all human rights and fundamental freedoms are realized—and to benefit from its outcomes. In summary, the right to development requires that the development process serve human dignity and that all persons enjoy a fair share of development benefits (4).

Within the framework of international law, the right to development is likewise recognized as a fundamental human right and positions developing countries as entitled to equal enjoyment of economic opportunities and achievements. The 1986 Declaration on the Right to Development is grounded in the principle that “all human beings and all peoples” have the right to participate in and benefit from development. Accordingly, the international community is committed to resource-sharing, technology transfer, and the design of financial mechanisms that support the development of disadvantaged countries (4).

B) Financial Requirements for Realizing Sustainable Development

In explaining the financial dimensions of sustainable development, scholarship emphasizes the deep financing gap across countries. In practice, development finance is distributed highly unevenly across world regions, and poorer countries face serious constraints. Analyses of global inequality and development governance underline that, despite repeated international commitments, many low-income countries continue to fall behind in development financing, reflecting a persistent pattern of structural injustice (2, 11). Moreover, extreme poverty and heavy debt burdens operate as major barriers to the developmental entitlements of weaker states, and available evidence indicates that low-income countries require very substantial volumes of external assistance and investment to address financing deficits (3).

In defining a “right of access to financial resources,” sustainable development is also presented as dependent on mobilizing financial resources. This right refers to equal access of peoples and individuals to the financial resources required for economic and social development. In international development law instruments, emphasis is placed on the mobilization of domestic and international resources for development objectives, and the availability of external financial resources is treated as a precondition for achieving sustainable development (1, 3).

C) The Status of Access to Financial Resources in International Development Instruments

In analyzing the relationship between the right to development and access to financial resources, it is emphasized that the right of equitable access to financial resources is an inseparable component of the broader right to development. Under the Declaration on the Right to Development, fair distribution of the benefits of development—including income and the availability of “equal opportunity for access to basic resources and services”—is necessary for the realization of this right (4). International law analyses similarly stress that development financing requires effective access to financial resources; however, structural barriers in the international financial system and domestic constraints within states have often caused these commitments to remain largely at the level of formal instruments (3, 20).

In the same vein, the United Nations 2030 Agenda for Sustainable Development and related international financial frameworks emphasize global participation in financing development and advancing economic justice (1). Disregarding nations’ equal access to equitable financial resources at the international level contributes to the erosion of core norms of global justice and the effective realization of the right to development (2, 5).

In broader discussions of international development law, it is also argued that this branch of law—shaped in the post–Second World War period—seeks to provide a framework through which each state, regardless of its level of development, can secure conditions for its socio-economic growth. Nevertheless, unequal international structures

and the dominance of global financial governance arrangements have, in practice, constrained the realization of economic justice. Within this context, the idea of the right to development advanced in the 1986 United Nations Declaration continues to treat broad participation in socio-economic development as a general entitlement of peoples and remains a central axis in debates on global justice (4, 11).

State Obligations to Ensure Equitable Access to Financial Resources in International Development Law

The “right of peoples to equitable access to financial resources” is directly connected to the right to development and economic justice. Without sufficient financial resources and their fair distribution, achieving the Sustainable Development Goals and realizing other human rights is not feasible. On this basis, international development law frames states as obligated to enable the realization of this right through mobilizing domestic resources, expanding international financial cooperation, and reforming unjust structures of the global financial system (1, 4, 5).

Legal Foundations of State Obligations

A) The Principle of the Right to Development

The “right to development,” as an economic and social human right, was first articulated in the United Nations General Assembly Declaration on the Right to Development (1986). This right permits all human beings and peoples to participate in “economic, social, cultural and political development in which all human rights and fundamental freedoms can be fully realized” and to benefit from its results. Accordingly, the right to development requires that the development process serve human dignity and that all individuals enjoy a fair share of development benefits (4).

Under the same Declaration, states at the national level are required to take “all necessary measures” for the realization of the right to development and to ensure “equality of opportunity for all” in access to basic resources, education, health services, housing, employment, and fair income distribution. This principle constitutes a legal foundation for state obligations to guarantee equitable access to financial resources (4).

B) The Principle of International Cooperation

Since the 1960s, the United Nations General Assembly has emphasized, through numerous resolutions, the necessity of more equitable economic relations between developed and developing countries, as well as the duty of international cooperation and solidarity for development. In this line of reasoning, the principle of cooperation and international solidarity operates as a normative basis for the obligations of developed states to provide financial, technical, and technological assistance to developing countries within international development law (5, 21). This commitment is reaffirmed in contemporary frameworks, including the 2030 Agenda for Sustainable Development, which explicitly calls for global partnership in financing development and addressing structural constraints that impede development (1).

C) The Principle of Equality and Economic Non-Discrimination

Economic justice and the principle of equality are treated as foundational both in international development law and in Islamic thought. At the international level, the Sustainable Development Goals—particularly Goal 10—emphasize “reducing inequality within and among countries” (1). Contemporary analyses of global inequality further argue that discrimination and inequality within and between states hinder peoples’ full participation in development processes; accordingly, reform of global financial structures and expansion of inclusive access to financial resources are advanced as key requirements for development justice (2, 20).

Across United Nations development instruments—from the Declaration on the Right to Development to the 2030 Agenda—the shared idea is that justice in resource distribution and the removal of structural discrimination in access to capital and technology are essential conditions for realizing the right to development and other economic and social rights (1, 4, 19).

Manifestations of States' Financial Obligations

A) Obligation to Mobilize Domestic Financial Resources

In explaining the *right of access to financial resources*, international development discourse emphasizes the necessity of mobilizing domestic and international financial resources for development purposes. Sustainable development is understood to depend fundamentally on strengthening domestic fiscal capacity, reducing excessive dependence on external borrowing, and ensuring sustainable national financing mechanisms (1, 3).

Accordingly, the establishment of equitable taxation systems, combating tax evasion, developing domestic capital markets, and ensuring transparent and efficient use of public resources constitute core obligations of states. Fair distribution of financial burdens—including taxation—and transparent management of public expenditures are regarded as essential components of state responsibility aimed at guaranteeing equitable access of different social groups to financial resources and development opportunities (13, 16).

B) Obligation of International Financial Cooperation

The 2030 Agenda for Sustainable Development, particularly Goal 17, places special emphasis on implementation mechanisms and financing for development. States have committed to mobilizing additional financial resources from diverse sources to support developing countries and to assisting them in achieving long-term debt sustainability through coordinated debt policies, restructuring measures, and financial cooperation mechanisms (1).

Furthermore, international development frameworks adopted in the contemporary era recognize sustainable resource mobilization, facilitation of responsible investment, and alignment of financial flows with sustainable development objectives as essential elements of global partnership. Consequently, international financial cooperation is considered a legal and normative component of state obligations within international development law (3, 5).

C) Obligation to Ensure Equitable Transfer of Resources, Capital, and Technology

Within the Sustainable Development Goals framework, emphasis is placed on sharing knowledge, technology, and financial resources in order to support development objectives, particularly in developing countries (1). Parallel developments in international legal doctrine recognize peoples' sovereignty over natural resources as a central element of economic self-determination and development autonomy (5, 21).

Accordingly, the obligation of equitable transfer of resources and technology includes facilitating developing countries' access to long-term capital, promoting transfer of modern technologies—especially those related to climate resilience and infrastructure—and preventing the imposition of unfair conditions that restrict effective utilization of financial resources. Such obligations reflect the broader commitment to development justice and international solidarity (2, 3).

D) Obligation to Reform Unjust Global Financial Structures

International development law literature frequently highlights structural imbalances in the global financial system, including excessive debt burdens, high interest rates, and politically conditioned financial assistance, all of which

significantly limit developing countries' ability to finance development projects. International reports and scholarly analyses increasingly call for reform of global financial structures and movement toward a more equitable global financial architecture (5, 11).

Proposals such as designing fair debt arrangements, revising institutional practices of global financial institutions, and developing innovative financing mechanisms—including instruments inspired by Islamic finance—are considered practical manifestations of this reform-oriented obligation (13, 15).

Obstacles to the Realization of State Obligations

A) Unequal Structure of the Global Financial System

Analyses of the global financial order indicate that the existing economic and financial system is shaped less by distributive justice than by the interests of economically dominant states. Financial governance institutions often prioritize creditor stability over developmental equity, resulting in unequal allocation of financial resources across regions (2, 3).

Empirical studies on global climate and development financing demonstrate that the poorest countries receive only a minimal share of international financial resources, revealing persistent structural inequality in access to development finance. This pattern illustrates that even in domains explicitly framed around justice-oriented goals, resource distribution frequently favors wealthier economies, thereby hindering the effective implementation of state obligations concerning equitable financial access (2, 5).

B) External Debt and Unfair Conditionalities

External debt burdens and the high costs associated with debt servicing represent major barriers to equitable access to financial resources. Many low-income countries allocate substantial portions of national income to debt repayment, resulting in capital outflows that reduce domestic investment capacity and constrain infrastructure development and social welfare programs (3).

Moreover, political and economic conditionalities attached to loans and financial assistance—such as structural adjustment policies or imposed privatization programs—are frequently criticized as examples of unfair conditionality that restrict economic sovereignty and limit states' ability to determine independent development pathways, thereby conflicting with the normative foundations of the right to development and equality among nations (5, 11).

C) Weak Economic Governance and Domestic Corruption

In addition to international structural barriers, weak domestic economic governance, financial corruption, and lack of transparency in resource management constitute major obstacles to realizing equitable access to financial resources. Institutional fragility, mismanagement of public wealth, and political, economic, gender, or ethnic discrimination may prevent fair distribution even when external financial resources are available (12, 16).

Accordingly, the gap between the theoretical foundations of justice and the practical realization of the right to development arises both from unequal global financial structures and heavy debt burdens, as well as from governance deficiencies, corruption, and absence of transparent accountability mechanisms at the national level. Any effective legal or institutional solution designed to guarantee state obligations must therefore simultaneously address both the international and domestic dimensions of financial justice (13, 14).

Obligations of the Islamic State in Ensuring Equitable Access to Financial Resources from the Perspective of Islamic Jurisprudence

Jurisprudential Foundations of Financial Justice

A) The Principle of Divine Ownership and Human Trusteeship

The starting point of financial justice in Islamic jurisprudence is grounded in the belief that all wealth ultimately belongs to God, while human beings function only as trustees and conditional beneficiaries rather than absolute owners. This theological foundation establishes the concept of collective entitlement of society to wealth resources, according to which natural resources are created for public benefit rather than exclusive control by a particular class. On this basis, the Islamic state bears responsibility for establishing mechanisms that either ensure equitable employment opportunities for all individuals or, where individuals are unable to work, guarantee minimum access to public wealth and resources (6, 9).

B) The Principle of Equity (*Qist*) and Justice

Financial justice in Islamic jurisprudence derives from explicit Qur'anic commands emphasizing justice (*'adl*) and equity (*qist*). These principles are interpreted as binding foundations for justice in governance, legislation, adjudication, and economic distribution. Islamic political thought presents justice not merely as an ethical virtue but as a structural condition for the legitimacy and stability of governance, emphasizing that the endurance of political systems depends on fairness in financial and social arrangements (7, 18).

C) The Principle of Human Dignity

The right to development and equitable access to financial resources are closely connected to the principle of human dignity within both Islamic jurisprudence and contemporary legal theory. According to this principle, economic and financial development must serve the intrinsic dignity of all human beings and ensure fair participation in the benefits of development. Both Qur'anic teachings emphasizing human dignity and international development law converge in recognizing poverty reduction and the mitigation of extreme inequality as necessary conditions for safeguarding human dignity (4, 13).

Sharia-Based Instruments for Realizing Equitable Access

A) Zakat and Khums

Zakat, as a socio-religious obligation, allocates a specified proportion of defined assets to support the poor, vulnerable populations, and public welfare expenditures. It is widely regarded as one of the most important institutional mechanisms for achieving financial justice. Alongside zakat, khums and other obligatory religious dues form part of the public treasury and must be directed toward supporting disadvantaged groups, developing infrastructure, and reducing socio-economic inequality. The mandatory nature of these payments elevates financial justice from a moral recommendation to a legally binding obligation within Islamic governance (16, 17).

B) Public Treasury (*Bayt al-Mal*) and *Anfal*

In Islamic jurisprudence, *Bayt al-Mal* and *anfal* are categorized as public assets that cannot be privately owned by individuals or groups and must be administered for collective benefit. Natural resources such as mines, forests, seas, and other forms of public wealth fall within the category of *anfal*, and the Islamic state acts as a trustee responsible for managing these resources and distributing their benefits equitably to promote economic justice and universal access to welfare opportunities (10, 22).

C) Prohibition of Usury and Hoarding

Usury (*riba*), defined as guaranteed surplus profit on loans, is considered a clear form of financial exploitation and a disruption of equitable economic exchange; therefore, it is categorically prohibited in Islamic law. Consequently, Islamic financial systems are expected to operate on genuine risk-sharing arrangements—such as partnership and profit-and-loss sharing contracts—so that risks and returns are distributed fairly among economic actors (15, 22).

In addition, hoarding and monopolization of essential resources, which lead to artificial scarcity, price inflation, and deprivation of vulnerable groups, are prohibited in Islamic jurisprudence because they contradict distributive justice and social welfare objectives (8, 18).

D) Social Solidarity and Support for the Vulnerable

The concept of *social solidarity* (*takaful ijtima'i*) represents a central pillar of financial justice in Islamic thought. Social justice rests upon collective responsibility and social balance, whereby members of society assume organized responsibility for supporting one another—particularly disadvantaged populations—while the state institutionalizes this solidarity through mechanisms such as zakat, charity, endowments (*waqf*), and interest-free lending (*qard al-hasan*) (16, 17). Islamic traditions further emphasize collective moral responsibility toward poverty alleviation and condemn societal indifference to deprivation.

Responsibility of the Islamic State in Equitable Distribution of Resources

A) Guaranteeing Minimum Livelihood

Social protection and the guarantee of a dignified minimum standard of living for all members of society are considered fundamental duties of the Islamic state. This obligation stems from the principle of collective entitlement to wealth resources. Accordingly, the state must create employment opportunities and, where employment is unavailable or individuals lack the capacity to work, ensure dignified living conditions through public treasury revenues and public financial resources (6, 9).

B) Preventing Concentration of Wealth

Economic justice in Islamic jurisprudence entails preventing excessive concentration of wealth and maintaining relative balance in income distribution. Instruments such as zakat, khums, equitable taxation, and prohibitions against usury and monopolistic practices are designed both to reduce structural poverty and to prevent the emergence of a narrow class dominating public resources (10, 14). Comparative studies suggest that the combined application of these binding rules provides significant capacity for addressing economic inequality and promoting equitable wealth distribution (13).

C) Guaranteeing Equal Economic Opportunities

Ultimately, the *right to equitable access to financial resources* may be interpreted as a jurisprudential and legal articulation of the principle of equal economic opportunity. This right refers to fair access for all peoples and social groups to loans, investments, and financial resources required for development. The same principle is emphasized in international development law, particularly within the framework of the right to development (4).

This perspective aligns with Islamic banking principles based on profit-and-loss sharing and financial inclusion, demonstrating that eliminating usury, designing partnership-based contracts, and expanding interest-free financing mechanisms can facilitate active participation of disadvantaged groups in economic activity and enable them to benefit from the outcomes of development (12, 15).

Comparative Analysis of State Obligations in Islamic Jurisprudence and International Development Law

A comparative examination of Islamic Sharia and international development law demonstrates that three major analytical dimensions—*points of convergence*, *points of divergence*, and *areas of synergistic potential*—emerge around the concept of financial justice. Although both approaches emphasize justice in access to financial resources, significant differences exist regarding normative foundations, the nature of obligations, and enforcement mechanisms. At the same time, analytical studies indicate that several Islamic financial instruments possess the capacity to be integrated into global financial governance and may contribute to redefining state obligations toward strengthening distributive justice and safeguarding human dignity (11, 13).

Points of Convergence

A) Centrality of Distributive Justice

In both frameworks, distributive justice—understood as fair allocation of opportunities and financial resources—constitutes the core normative principle. Islamic jurisprudence, grounded in divine ownership of wealth and human trusteeship, considers equitable distribution of resources a prerequisite for preserving human dignity and alleviating poverty (8, 17).

Similarly, international development law emphasizes equal participation of nations in access to financial resources through the right to development and related global development frameworks, including the 2030 Agenda for Sustainable Development, which seeks to reduce disparities between wealthy and poorer nations (1, 4).

B) Active Responsibility of States

In Islamic political and legal thought, the state assumes an active responsibility for establishing economic justice and equitable distribution of resources through institutional mechanisms such as zakat, khums, public wealth administration, charitable endowments, and equitable fiscal policies (6, 22).

A parallel obligation exists within international development law, where states are required to mobilize domestic and external resources, reform financial structures, and participate in multilateral cooperation frameworks to ensure equitable access of their populations to development finance (3, 4).

C) Priority of Supporting Vulnerable Populations and States

Islamic Sharia places protection of the poor, the needy, orphans, and socially marginalized groups at the center of redistributive policy. Instruments such as zakat, charity, social solidarity mechanisms, and endowments are specifically designed to channel resources toward disadvantaged groups (10, 17).

At the international level, development frameworks likewise prioritize low-income and vulnerable countries, recognizing targeted financial allocation as a prerequisite for global justice. Despite these commitments, empirical evidence indicates that vulnerable countries continue to receive a disproportionately small share of global development and climate finance, highlighting persistent structural inequality (2, 3).

D) Link Between Financial Justice and Human Dignity

Both systems ultimately identify preservation of human dignity as the ultimate objective of financial justice. Islamic teachings present justice and benevolence as essential conditions for protecting human dignity and social well-being (7, 18).

In international development law, the right to development is explicitly defined so that development processes must serve human dignity and guarantee equitable enjoyment of economic, social, and cultural progress for all peoples (4, 11).

Points of Divergence

A) Normative Foundations (Divine versus Secular)

The normative basis of financial justice in Islamic jurisprudence derives from monotheism, human stewardship, and the objectives of Sharia, where wealth is understood as a divine trust and financial regulation must conform to revealed ethical principles such as justice, benevolence, and social solidarity (6, 14).

By contrast, international development law and Sustainable Development Goal frameworks rely primarily on secular, consensual, and human-centered foundations, deriving legitimacy from agreements among states and international institutions rather than theological authority (1, 4).

B) Nature of Obligations (Binding Religious Duties versus Soft Commitments)

Within the Islamic legal system, financial obligations such as zakat, charitable redistribution, and prohibition of usury constitute binding religious duties whose violation is regarded simultaneously as legal wrongdoing and moral injustice (17, 22).

In contrast, many commitments concerning financial justice in international development law are articulated through declarations, policy agendas, and cooperative frameworks that function largely as *soft law* instruments with political and ethical character rather than strictly enforceable legal obligations (3, 5).

C) Enforcement Mechanisms

In Islamic thought, enforcement of financial justice operates through an integrated system combining legal authority, social accountability, and spiritual responsibility, whereby justice possesses both worldly and moral dimensions (7, 22).

International development law, however, relies primarily on institutional monitoring, reporting mechanisms, reputational pressure, and conditional financial arrangements. Effective judicial enforcement mechanisms capable of directly imposing distributive justice at the international level remain limited (2, 3).

Synergistic Capacities

A) Utilizing Islamic Financial Instruments within the International Financial System

Islamic financial institutions and instruments—including zakat, khums, waqf, interest-free lending, and sukuk (particularly green sukuk)—possess significant potential to complement international development financing mechanisms and help reduce development financing gaps (13, 15).

International policy analyses increasingly recommend diversification of development financing sources, suggesting that Sharia-compliant financial mechanisms may assist developing countries in avoiding high-risk debt structures while advancing sustainable development objectives (2, 3).

B) Redefining State Financial Obligations Inspired by Islamic Justice

One of the most significant areas of synergy lies in redefining state financial obligations at national and international levels through principles derived from Islamic justice, including prohibition of exploitative finance, prevention of harm, social solidarity, and prioritization of vulnerable populations. Such an approach could

simultaneously promote a more equitable global financial architecture and enhance cultural legitimacy within Islamic societies (8, 11).

Proposals such as designing fair debt agreements, employing development-oriented sukuk and endowment-based financing for infrastructure projects, and transforming portions of international financial commitments into non-usurious participatory financing arrangements represent practical pathways for strengthening nations' right to equitable access to financial resources and advancing global financial justice (5, 15).

Conclusion

The present study, focusing on *state obligations in ensuring equitable access to financial resources* and adopting a comparative approach between international development law and Islamic jurisprudence, sought to demonstrate that financial justice is not merely a moral aspiration or theoretical ideal but rather a legal, social, and governance obligation whose realization constitutes a fundamental prerequisite for achieving the right to development and sustainable development. The analysis revealed that structural inequality in access to financial resources among nations and social groups represents one of the most significant obstacles to the realization of economic and social rights and the preservation of human dignity at both national and international levels.

Within the framework of international development law, the right to development as a fundamental human right requires states, both domestically and internationally, to create conditions that ensure fair and equal access to financial resources. Major international development frameworks consistently emphasize the central role of development financing and the necessity of reforming unjust structures within the global financial system. Nevertheless, the findings indicate a substantial gap between declared commitments and practical implementation. Low-income and vulnerable countries, despite explicit international commitments, continue to receive only limited shares of global financial resources, while significant portions of their economic capacity are devoted to servicing external debt and coping with the consequences of restrictive loan conditionalities. This reality demonstrates that equitable access to financial resources cannot be effectively achieved without reforming global financial architecture and strengthening enforcement mechanisms related to state obligations.

From the perspective of Islamic jurisprudence, the study showed that financial justice rests upon deeply rooted and binding normative foundations. Principles such as divine ownership of wealth, equity and justice, human dignity, and social solidarity establish a coherent framework for equitable distribution of financial resources. In this system, the state is not merely a neutral market regulator but assumes an active and direct responsibility in guaranteeing minimum livelihood standards, preventing excessive concentration of wealth, and ensuring equal economic opportunities. Institutional mechanisms including obligatory redistribution, public treasury management, charitable endowments, interest-free financing, and prohibitions against exploitative financial practices demonstrate that Islamic law elevates financial justice beyond ethical recommendation into a structured legal and institutional obligation.

The comparative analysis indicates that, despite foundational and structural differences, considerable common ground exists between Islamic jurisprudence and international development law. Both systems emphasize distributive justice, active state responsibility, prioritization of vulnerable populations and disadvantaged countries, and the intrinsic connection between financial justice and human dignity. The principal divergences relate to normative foundations, the binding nature of obligations, and enforcement mechanisms. International development law largely relies on soft commitments and political consensus, whereas Islamic jurisprudence incorporates binding

religious and social enforcement structures. This distinction explains why financial justice at the international level often remains at the level of discourse, while within the Islamic framework it possesses stronger institutional and operational potential.

One of the most important conclusions of the research is that the normative and institutional capacities of Islamic jurisprudence can contribute to strengthening and redefining state obligations within international development law. Drawing inspiration from Islamic financial instruments—such as development-oriented sukuk, international endowment funds, interest-free financing mechanisms, and participatory financial arrangements—may help reduce developing countries' dependence on high-risk debt financing and promote more equitable financial systems. Moreover, Islamic emphasis on preventing financial exploitation, prioritizing the needs of vulnerable populations, and recognizing ethical–legal state responsibility offers valuable normative enrichment for international development frameworks, potentially moving them beyond non-binding recommendations toward more effective implementation.

Ultimately, the study demonstrates that ensuring equitable access to financial resources requires a multidimensional and integrated approach. Such an approach must simultaneously address reform of unequal global financial structures, strengthening domestic economic governance, combating corruption and mismanagement, and incorporating culturally grounded and justice-oriented models derived from indigenous and religious traditions. Advancing this integrated perspective can help bridge the gap between theory and practice in financial justice and represent a meaningful step toward realizing the right to development, reducing global economic disparities, and safeguarding human dignity at both national and international levels.

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Authors' Contributions

All authors equally contributed to this study.

Declaration of Interest

The authors of this article declared no conflict of interest.

Ethical Considerations

All ethical principles were adhered in conducting and writing this article.

Transparency of Data

In accordance with the principles of transparency and open research, we declare that all data and materials used in this study are available upon request.

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