

Islam And International Legal Subjectivity: A Comparative Conceptual Study in Islamic Literature and International Law

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Abstract

The transformation of global order in the twenty-first century has challenged the traditional state-centric structure of international law. Classical doctrine, grounded in the 1969 Vienna Convention on the Law of Treaties, recognizes primarily states, and to a limited extent international organizations, as subjects of international law. However, the emergence of transnational movements, multinational corporations, global NGOs, and influential individuals has exposed the insufficiency of this narrow conception. Simultaneously, Islamic legal and moral traditions provide a rich framework for understanding responsibility, rights, and agency that centers on the individual as the primary bearer of obligations (*taklif*). This article offers a comparative conceptual analysis between Islamic jurisprudence and international legal theory regarding the notion of the "subject" of law. Drawing on classical and contemporary scholarship, including Vattel, Grotius, Lauterpacht, Kelsen, Rawls, and Dworkin, as well as Qur'anic ethics and the works of al-Shāṭibī, Fazlur Rahman, and M.A. Draz, the study argues that the individual is the foundational subject of legal responsibility. States and institutions are derivative constructs formed by the collective agency of individuals. By integrating Ronald Dworkin's theory of legal integrity with Islamic moral philosophy, the article proposes a reconceptualization of international legal subjectivity that is more inclusive, coherent, and normatively grounded.

Keywords: *International Legal Personality, Islamic Jurisprudence, Individual Responsibility, Vienna Convention 1969, Legal Integrity, Global Justice*

INTRODUCTION

International law has traditionally been constructed upon a state-centered understanding of legal order. Since the Peace of Westphalia, sovereignty has served as the foundational principle defining who counts as a subject of international law. In this classical framework, the state is treated as the primary, and often exclusive, bearer of rights and obligations in the international sphere (Cassese, 2005; Koskenniemi, 2011). Legal personality is historically tied to territorially organized political authority, while individuals appear only indirectly through the mediation of states (Nijman, 2004). This doctrinal orientation is reflected in core legal instruments such as the Statute of the International Court of Justice and the 1969 Vienna Convention on the Law of Treaties, both of which presuppose that full international legal capacity belongs mainly to states and, in a limited sense, to international organizations (Vienna Convention on the Law of Treaties, 1969; International Court of Justice, 1945).

However, contemporary global conditions have significantly destabilized this paradigm. Processes of globalization, digital connectivity, and economic interdependence have transformed how power, influence, and responsibility operate across borders. Multinational corporations now command resources exceeding the economic capacity of many states and exert regulatory influence

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in areas such as labor, environment, and development (Wouters & Chané, 2013; Pentikäinen, 2012). Non-governmental organizations shape human rights discourse and participate in norm-creation processes within international institutions (Nijman, 2007). At the same time, individual actors, political leaders, activists, religious figures, and digital communicators routinely mobilize transnational publics and affect global agendas beyond state control (Rawls, 1999; Peters, 2016). Yet despite these realities, international law continues to regulate world affairs as if states were the only meaningful legal agents.

This disjunction between legal doctrine and social practice has generated what may be described as a crisis of international legal subjectivity. While institutions are treated as the primary holders of rights and duties, the real agents of action, human beings, remain marginal in legal terms. Individuals typically enter international law as objects of protection or punishment: as victims in human rights cases, defendants in international criminal proceedings, or beneficiaries of humanitarian regimes (Letsas, 2007; Cryer et al., 2019). They are rarely recognized as autonomous legal subjects with independent standing grounded in moral agency. As a result, international law often manages power without adequately grounding responsibility. Authority is attributed to abstract entities, while accountability is distanced from the persons who exercise real influence (Koskenniemi, 2011; Peters, 2016).

In contrast, Islamic legal and ethical thought offers a fundamentally different conception of subjectivity. In Islamic jurisprudence, responsibility (*taklif*) is located squarely in the individual as a rational and volitional agent. The Qur'an affirms that "no bearer of burdens shall bear the burden of another" (Qur'an 35:18), grounding justice in personal accountability. Classical jurists such as al-Shāṭibī emphasized that liability arises from intentional action (*fi'l*) and moral consciousness (*taqwā*), not from mere institutional position (Shāṭibī, 2003, 2004; Kamali, 2011). Modern scholars such as Fazlur Rahman and M.A. Draz further argue that Islamic law is inseparable from moral agency: legal norms are meaningful only insofar as they express ethical responsibility (Rahman, 1982; Draz, 2008; Senya & Fatahillah, 2025). Institutions may organize social relations, but they cannot replace human agency. In Islamic thought, authority increases responsibility; it does not dilute it.

Modern legal philosophy provides a conceptual bridge for engaging this Islamic perspective with contemporary theory. Ronald Dworkin's concept of law as integrity rejects the view that law is merely a technical system of rules. Instead, Dworkin understands law as a moral practice that integrates principles, rights, and responsibilities into a coherent normative whole (Dworkin, 1986). Judges, in this view, are moral interpreters who must present the law in its best ethical light (Dworkin, 1986). Law's legitimacy, therefore, depends not only on institutional authority but also on its fidelity to justice, dignity, and fairness. When read alongside Islamic moral philosophy, a striking convergence emerges: both traditions insist that law cannot be separated from morality, and both place the human person, endowed with dignity, reason, and responsibility, at the center of justice (Hallaq, 2009; Kamali, 2008).

Situated at this intersection, this article argues for a reconstruction of international legal subjectivity around the individual as the foundational subject of law. States and institutions are not eliminated, but reconceived as derivative structures formed through collective human agency (Nijman, 2004; Rawls, 1999). This shift does not weaken international law; rather, it strengthens its moral legitimacy by grounding legal authority in personal responsibility and ethical coherence. By integrating Islamic jurisprudence with Dworkin's theory of legal integrity, the article advances a human-centered vision of global justice, one that treats dignity, accountability, and moral agency not as peripheral values but as the very core of international legal order (Dworkin, 1986; Peters, 2016; Besson, 2012).

LITERATURE REVIEW

Motivation in Language Learning and Academic Choice

Scholarly debates on international legal subjectivity have long revolved around the tension between state-centered doctrine and the growing recognition of non-state actors. Classical theorists such as Grotius and Vattel grounded legal personality in sovereignty, a view later institutionalized in modern positivist frameworks reflected in the ICJ Statute and the Vienna Convention on the Law of Treaties (Cassese, 2005; Shaw, 2017). However, critical and constructivist scholars argue that this model no longer captures contemporary global realities, where individuals, NGOs, and corporations exercise transnational influence (Nijman, 2004; Peters, 2016). At the philosophical level, Dworkin's theory of law as integrity reconceives law as a moral practice centered on human dignity and responsibility rather than institutional abstraction (Dworkin, 1986). Parallel to this, Islamic legal scholarship locates legal and moral subjectivity in the individual through the doctrine of *taklif*, emphasizing personal accountability and ethical agency (Shāṭibī, 2003, 2004; Rahman, 1982; Draz, 2008). Yet, despite these converging insights, existing literature rarely integrates Islamic jurisprudence and contemporary legal philosophy into a unified framework for rethinking international legal personality. This gap motivates the present study's effort to reconstruct international legal subjectivity around the individual as the foundational subject of law.

RESEARCH METHOD

This study employs a normative-comparative conceptual method to reconstruct international legal subjectivity by placing the individual at the center of legal responsibility. Rather than conducting empirical research, it integrates three bodies of material in a focused way: international legal doctrine, Islamic legal-ethical texts, and modern legal philosophy. The comparative framework operates at the level of normative systems and theories of subjectivity, comparing the state-centered conception of legal personality in international law with the individual-centered doctrine of *taklif* in Islamic jurisprudence, and further dialoguing both with Ronald Dworkin's theory of law as integrity. The international legal analysis concentrates on the Statute of the International Court of Justice and the 1969 Vienna Convention on the Law of Treaties, along with scholarly debates on individual standing and personality. Islamic sources include the Qur'anic doctrine of personal accountability, al-Shāṭibī's theory of *maqāṣid*, and modern ethical interpretations by Fazlur Rahman and M.A. Draz. "Classical" refers to pre-modern juristic theory, while "contemporary" denotes twentieth-century reformist thought. These materials are not treated expansively but functionally, each addressing a distinct dimension of the same problem: how legal authority, dignity, and responsibility should be coherently grounded in human agency within a global legal order.

FINDINGS AND DISCUSSION

The Crisis of State-Centric Subjectivity in International Law

Classical international law has long positioned the state as the central and often exclusive bearer of rights and obligations within the international legal order. This understanding originates from the Westphalian concept of sovereignty, which framed territorially defined states as autonomous legal entities entitled to regulate internal affairs without external interference. In this model, international legal personality, namely the capacity to hold rights and duties and to engage in legal relations, was historically linked to sovereignty and its material elements: population, territory, and government (Kolb, 2007, as cited in Nijman, 2007). As a result, only states were regarded as full legal persons in the international sphere.

This doctrinal legacy is reflected in core legal instruments. The 1969 Vienna Convention on

the Law of Treaties presumes that treaty-making authority belongs primarily to states, while granting international organizations only limited capacities within specific legal regimes. Likewise, the Statute of the International Court of Justice prioritizes states as principal litigants in contentious cases. Although non-state actors are not categorically barred from appearing before international institutions, their participation remains mediated by state consent and procedure, reinforcing state dominance within formal legal forums. Contemporary scholarship continues to acknowledge the state as the traditional archetype of international legal personality (Kolb, 2007; Fuad, 2023). However, the persistence of this state-centric paradigm increasingly conflicts with social and political realities shaped by globalization. Transnational private actors now exercise forms of power that rival or surpass that of many states. Multinational corporations (MNCs), for instance, control economic resources exceeding the gross domestic product of numerous sovereign countries and operate across jurisdictions in ways that directly affect human rights, development, and environmental governance (Wouters & Chané, 2013). Although MNCs are not recognized as full subjects of international law, their regulatory influence and policy impact place them in positions of normative authority beyond traditional territorial boundaries. Pentikäinen (2012) argues that globalization has transformed the relationship between states and corporations, such that corporations can no longer be treated merely as passive objects of international regulation.

A similar shift is visible in the growing role of non-governmental organizations (NGOs) and civil society networks. While classical doctrine denies NGOs formal international legal personality, in practice, they participate actively in norm-creation processes, particularly in human rights and humanitarian governance. NGOs routinely attend international conferences, contribute to treaty drafting, and maintain consultative status with bodies such as the United Nations Economic and Social Council (Oxford Bibliographies, 2024). Regional instruments like the European Convention on the Recognition of the Legal Personality of International Non-Governmental Organisations demonstrate emerging efforts to formalize NGO status, albeit within restricted geographic and legal contexts (Council of Europe, 1986). Despite these developments, international law continues to allocate formal subjectivity almost exclusively to states. This creates a normative and functional gap. Actors whose conduct shapes global outcomes often lack the legal status necessary to bear obligations proportionate to their influence. For example, while MNCs benefit from protections under investment treaties, they are not consistently bound by enforceable international human rights duties (Wouters & Chané, 2013). As a result, international law risks regulating power without ensuring accountability. States retain formal primacy, even as their practical capacity to control transnational economic and social processes is increasingly constrained.

Some contemporary scholars respond to this tension by treating international law as a living instrument that must evolve beyond rigid doctrinal categories. In this view, legal personality is not static but contingent on changing practices and normative commitments. Nijman (2007) notes that debates over international subjectivity now focus less on exclusivity and more on the pragmatic inclusion of actors who perform normative functions. This trend aligns with critiques advanced by Third World Approaches to International Law (TWAIL), which highlight how traditional doctrine reflects colonial power structures and fails to accommodate diverse forms of agency. Nonetheless, much of this interpretive flexibility remains anchored in state consent. Even when non-state actors are acknowledged, their legal capacities depend on permissions granted by states. Thus, while the Vienna Convention and other instruments allow interpretive openness, they do not fundamentally dismantle state prioritization. Non-state participation is tolerated rather than fully integrated.

The persistence of state-centric subjectivity, therefore generates institutional tensions and accountability deficits. Where international law fails to regulate influential non-state actors, regulatory spaces are often filled by voluntary mechanisms such as corporate codes of conduct and multi-stakeholder initiatives. These arrangements, however, lack binding legal force and frequently

privilege compliance over enforceable obligation (Pentikäinen, 2012). The crisis of state-centric subjectivity ultimately reflects a structural mismatch between legal doctrine and global sociopolitical dynamics. While states remain important, the growing salience of corporations, NGOs, and transnational movements calls for a reconceptualization of legal personality as a graduated and functional status, one aligned with real influence and normative responsibility rather than formal sovereignty alone (Nijman, 2007).

Islamic Conceptions of Subjectivity: Responsibility and Moral Agency, and the Convergence with Dworkin's Legal Integrity

In Islamic legal and ethical thought, the human person is the primary bearer of moral and legal responsibility. This idea is rooted in the doctrine of *taklif*, which refers to the obligations imposed by divine law upon individuals who possess *aql* (رational capacity) and *al-ahkām* (freedom of choice). The Qur'an repeatedly emphasizes that responsibility is personal and cannot be transferred: "No bearer of burdens shall bear the burden of another" (Qur'an 35:18). Contemporary scholars interpret this verse as affirming the individual as the central unit of moral agency and rejecting any notion that accountability can be shifted to collectives or institutions (Kamali, 2008; Hallaq, 2009). In fiqh, responsibility arises from intentional action (*fī'l*) and its ethical evaluation (*hīsāb*). Al-Shāṭibī, through his theory of *maqāṣid al-sharī'ah*, maintains that liability (*damān*) depends on a clear causal link between conduct and harm. Since objects, animals, and abstract institutions lack moral intention (*niyyah*) and rational agency, they cannot bear responsibility independently (Rusmana et al., 2025; Shāṭibī, 2003, 2004; Kamali, 2011; Iqbal & Alwi, 2025). Only human beings, as conscious and purposive agents, qualify as true legal subjects in the Islamic sense.

Although this view resembles what modern philosophy calls moral individualism, Islamic thought does not isolate the person from society. Agency is relational rather than atomistic. Fazlur Rahman explains that *taqwā*, moral awareness, and God-consciousness are attributes of individuals, not communities (Rahman, 1982). Societies may reflect ethical values, but the Qur'an consistently addresses persons as individually accountable. Even when actions are collective, responsibility is distributive rather than abstracted: each person remains answerable for their own role (Rahman, 1982; Hallaq, 2009). This sharply contrasts with many modern legal systems, especially international law, which assigns primary responsibility to states as institutional entities. Islamic jurisprudence rejects the idea that institutions can absorb moral blame. Institutions may coordinate duties, but they cannot replace personal agency. Kamali (2008) stresses that Islamic law does not recognize a purely corporate moral personality detached from human actors; wrongdoing must always be traced back to the individual decision-maker.

Authority in Islam does not dissolve accountability. A ruler, merchant (تجار), or scholar (عالٰ) remains personally responsible before God and society. Power increases duty rather than diminishing it. For this reason, classical jurists emphasized the liability of rulers for injustice (ظلم) and corruption (فساد) (Hallaq, 2009). Moral agency in Islam is therefore social but never reduced to institutional abstraction. This perspective offers a strong critique of state-centric international law. If responsibility is fundamentally individual, then legal systems that prioritize states as the primary moral subjects risk overlooking the real locus of agency. Justice, in Islamic terms, demands that those who act are the ones who must be held accountable (Kamali, 2011). Legal structures that shield persons behind institutional forms undermine ethical coherence.

Ronald Dworkin's theory of law as integrity resonates closely with this Islamic vision. Dworkin argues that law is not merely a set of rules but a moral practice requiring coherence between principles, rights, and responsibilities (Dworkin, 1986). Judges must interpret the law as a consistent expression of political morality. His "chain novel" metaphor illustrates that each legal

decision must fit within an ongoing moral narrative while advancing its integrity (Dworkin, 1986). Law, therefore, is an interpretive and ethical enterprise, not a mechanical one. This parallels the Qur'anic conception of justice as 'adl, not just procedural fairness, but moral truth grounded in responsibility and human dignity (*karāmah*). M.A. Draz described the Qur'an as a moral constitution, insisting that law must reflect ethical coherence rather than technical formalism (Draz, 2008). Both traditions converge on the idea that law is inherently moral, that rights and duties belong to persons, and that justice requires internal consistency between belief, action, and accountability (Rahman, 1982; Dworkin, 1986; Hallaq, 2009).

In international law, integrity therefore requires more than equality among states; it demands substantive fairness toward individuals whose dignity is at stake. If persons are the true bearers of value, legal subjectivity must reflect that reality. Dworkin's philosophy thus bridges Islamic ethics and modern legal theory. Both reject justice as an institutional abstraction. Justice resides not in structures, but in moral accountability. Law must recognize human beings not merely as objects of regulation, but as subjects of responsibility.

Legal Integrity and the Convergence of Dworkin and Qur'anic Morality

Ronald Dworkin's conception of law as integrity stands as one of the most significant moral approaches in contemporary legal philosophy. He challenges legal positivism's claim that law consists merely of rules derived from authoritative sources. Instead, Dworkin understands law as a normative practice that must exhibit coherence between principles, rights, and responsibilities. Legal reasoning, in this sense, is not a technical exercise in rule-following but a moral activity that seeks to interpret law in its "best light" (Dworkin, 1986). Judges, therefore, are not passive enforcers of statutes; they are moral interpreters of a legal tradition. They must decide cases by constructing interpretations of legal materials that both fit existing doctrine and justify it in ethical terms. This dual demand ensures that judicial decisions are not arbitrary but grounded in moral consistency and institutional legitimacy (Dworkin, 1986; Himma, 2019).

Dworkin famously illustrates this theory with the metaphor of the "chain novel." He likens the legal system to a novel written by many authors over time, where each judge writes a new chapter that must harmonize with previous chapters while improving the story as a whole (Dworkin, 1986). This metaphor highlights two key features: continuity and creativity. Continuity requires fidelity to precedent, legal principles, and institutional history. Creativity demands that new interpretations advance justice and fairness in light of evolving moral understanding. Law is therefore neither static nor purely discretionary; it is a dynamic enterprise anchored in tradition but oriented toward ethical progress (Waldron, 2011). This view aligns with broader currents in legal hermeneutics that treat law as an interpretive and moral practice rather than a mechanical system of commands (Alexy, 2010).

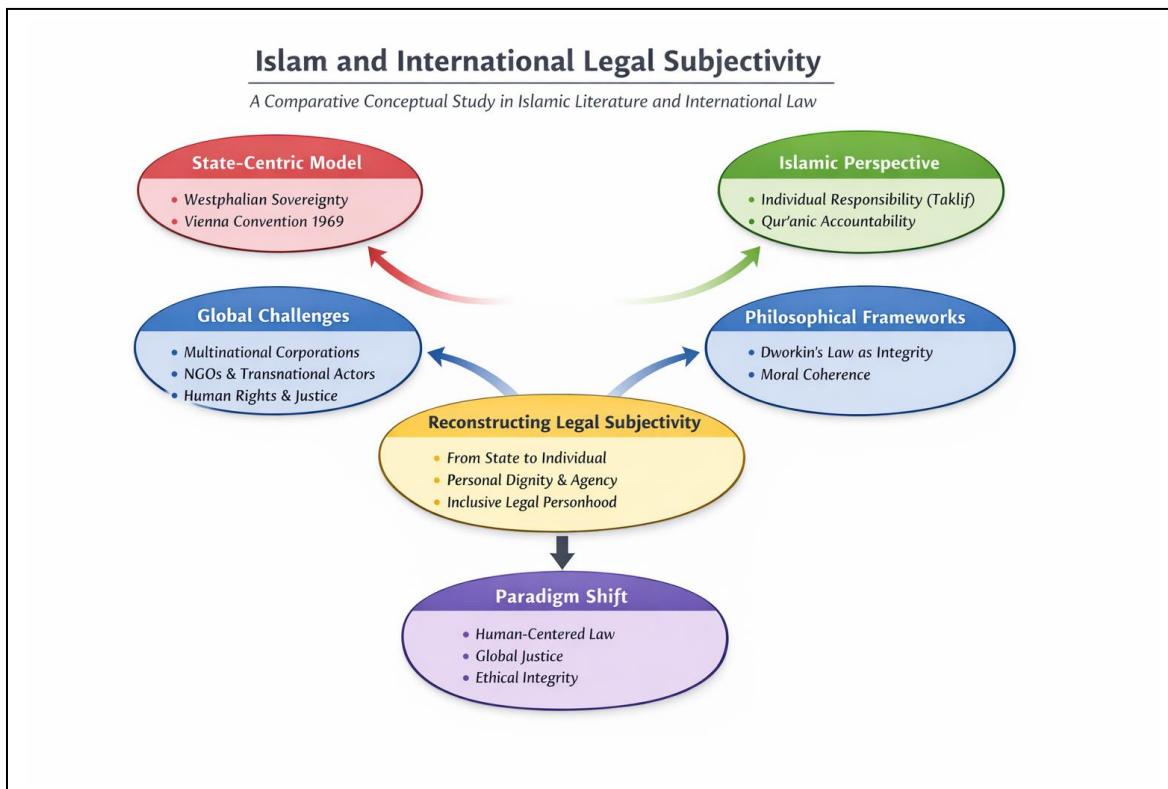
A striking parallel appears when Dworkin's theory is read alongside Qur'anic moral philosophy. M.A. Draz characterized the Qur'an as a moral constitution, an integrated ethical framework in which justice (الْعَدْلُ), responsibility (*taklif*), and human dignity (*karāmah*) form a coherent normative order (Draz, 2008). In Islamic thought, *sharī'ah* is inseparable from morality; legal norms are meaningful only insofar as they realize ethical purposes (*maqāṣid al-sharī'ah*), such as the protection of life, intellect, property, religion, and dignity (Auda, 2008; Kamali, 2011). This parallels Dworkin's insistence that legal rules must be interpreted through moral principles rather than treated as morally neutral commands. The Qur'an presents justice not as procedural formality but as substantive moral truth: "Indeed, Allah commands justice ('adl), excellence, and giving to others..." (Qur'an 16:90). Law, in this view, functions as a vehicle of moral accountability rather than mere institutional order (Hallaq, 2009).

There is deep conceptual convergence between law as integrity and Qur'anic morality. *First*, both reject the separation of law and ethics. Dworkin holds that legal interpretation necessarily involves moral reasoning (Dworkin, 1986), just as Islamic jurisprudence understands legal duty as an extension of ethical responsibility before God and society (Kamali, 2008; Hallaq, 2009). *Second*, both center on human dignity. For Dworkin, rights are grounded in the inherent worth of persons (Dworkin, 1977), resonating with the Qur'anic affirmation of *karāmah*: “*We have honored the children of Adam...*” (Qur'an 17:70) (Draz, 2008; Rahman, 1982). *Third*, both emphasize personal responsibility and agency. Dworkin's integrity presupposes individuals as moral agents, just as Islamic ethics is structured around *taklīf* grounded in *العقل* (reason) and *الاختيار* (free will) (Kamali, 2011). Finally, both prioritize substantive justice over formalism. Dworkin distinguishes mere legality from genuine justice, while Islamic law differentiates outward conformity from inner moral truth (باطن) (Hallaq, 2009; Auda, 2008; Fuad, 2025).

Applied to international law, this convergence exposes the limits of state-centric formalism. Dworkin's integrity requires law to serve people rather than abstractions, and Islamic ethics likewise insists that justice must protect human beings rather than merely institutional order. Scholars argue that global law must move beyond procedural equality among states toward substantive fairness for individuals (Koskenniemi, 2011; Besson, 2012). In both traditions, justice is not institutional abstraction but moral accountability. Law achieves legitimacy only when it reflects human dignity, responsibility, and ethical coherence.

Reconstructing International Legal Subjectivity: The Individual as Inclusive Subject

Traditional international law has long positioned the state as the central bearer of legal rights and obligations. Grounded in the Westphalian conception of sovereignty, this model treats political authority as vested in territorially bounded entities, while individuals appear only indirectly through state representation (Cassese, 2005; Koskenniemi, 2011). Yet contemporary global life increasingly unsettles this framework. Individuals now participate directly in transnational economic, legal, and moral relations that often bypass state mediation. This development calls for a reconstruction of international legal subjectivity in which the individual becomes the inclusive subject of law. States and international organizations are not abolished, but reconceived as derivative entities, institutions constituted through the collective agency of persons. As Nijman (2004) observes, international legal personality is not metaphysical but historically and normatively constructed. If institutions are produced and sustained by human action, then legal subjectivity must ultimately rest with human agents.



This reorientation finds strong support in political philosophy. John Rawls, in *The Law of Peoples*, shifts the moral focus from states to "peoples," understood as communities of persons bound by shared moral commitments (Rawls, 1999). International norms, for Rawls, must be justifiable to individuals as moral agents, not merely to governments as power-holders. Similarly, Immanuel Kant's concept of cosmopolitan law (*Weltbürgerrecht*) affirms individuals as world citizens whose rights transcend national mediation. Kant maintains that every person has a right to juridical recognition grounded in common humanity (Kant, 2006). Contemporary scholars argue that Kantian cosmopolitanism provides a philosophical foundation for recognizing individuals as direct subjects of international law (Benhabib, 2006; Pogge, 2008). Together, Rawls and Kant support a shift from institution-centered legality toward human-centered subjectivity.

International practice already reflects this gradual evolution. Individuals now appear before international courts as victims in human rights litigation, as defendants in international criminal proceedings, and as claimants in certain economic disputes. The European Court of Human Rights allows individuals to bring claims directly against states without diplomatic intermediation (Letas, 2007). The International Criminal Court exercises jurisdiction over natural persons for genocide, crimes against humanity, and war crimes (Cassese, 2005; Cryer et al., 2019). These developments signal increasing recognition of individual agency in international law. Yet this recognition remains asymmetrical. Individuals are visible mainly as objects of protection or punishment, not as full legal subjects with participatory standing. Scholars note that the "humanization" of international law is incomplete so long as individuals lack comprehensive subjectivity (Besson, 2012; Peters, 2016).

Correcting this imbalance requires recognizing individuals as inclusive subjects, holders of rights, and bearers of obligations capable of legal agency beyond state mediation. This move does not eliminate the state; it re-grounds the state in human agency. From a constructivist perspective, institutions are products of social practice and normative agreement (Onuf, 2013; Wheeler, 2000). If institutions are socially constructed, then legal subjectivity must be anchored in the actors who

create and sustain them. Recognizing individuals as inclusive subjects also enhances accountability by tracing power back to human decision-makers and reducing the moral distance between authority and responsibility (Pogge, 2008; Koskenniemi, 2011).

From an Islamic perspective, this reconstruction restores moral coherence. Islamic legal and ethical thought centers responsibility (*taklif*) on the individual. The Qur'an affirms: "*No bearer of burdens shall bear the burden of another*" (Qur'an 35:18). Classical jurists emphasized that accountability depends on personal intention (*niyyah*) and agency (*fī'l*); institutions may organize responsibility, but they cannot absorb it (Kamali, 2011; Hallaq, 2009). Human dignity (*karāmah*) and moral agency remain primary. Likewise, from a Dworkinian perspective, law as integrity requires coherence between rights, principles, and responsibilities. If individuals are the ultimate bearers of dignity, then legal subjectivity must reflect that reality (Dworkin, 1977; 1986; Waldron, 2011; Besson, 2012). A human-centered conception of international law thus strengthens moral legitimacy by aligning legal authority with personal responsibility and ethical coherence.

CONCLUSIONS

This study has argued that international legal subjectivity must be fundamentally rethought. The state-centric model inherited from classical international law no longer reflects the realities of global power, agency, and responsibility. While states remain important coordinating institutions, they are not the true moral agents of international life. Individuals are. By drawing on Islamic legal philosophy, the article has shown that responsibility (*taklif*), accountability, and dignity (*karāmah*) are inherently personal. Law, in the Qur'anic vision, is meaningful only when it speaks to human agency. Institutions may organize power, but they cannot replace moral responsibility. Through Ronald Dworkin's theory of law as integrity, the article has demonstrated that modern legal philosophy converges with this insight. Law is not merely a system of rules but a moral enterprise that must treat persons as equal agents of dignity and responsibility. A legal order that prioritizes states over persons fails this test of integrity. Reconstructing international legal subjectivity around the individual does not dissolve the state; it re-grounds it. It aligns international law with justice, coherence, and moral accountability. In a world where human beings increasingly act beyond borders, international law must finally recognize them not merely as objects of regulation, but as subjects of law.

RESEARCH LIMITATIONS

A key limitation of this study lies in its normative-conceptual design, which focuses on theoretical reconstruction rather than empirical validation. By relying on selected international legal instruments, Islamic legal-ethical texts, and philosophical theory, the analysis necessarily abstracts from concrete institutional practices, case-law diversity, and regional variations in how individual legal subjectivity is operationalized. The scope is also bounded by the choice of representative thinkers (e.g., Dworkin, al-Shāṭibī, Rahman, Draz), which means that other strands of Islamic jurisprudence and critical international legal theory are not examined in depth. Future research should therefore extend this framework through empirical and doctrinal studies of specific courts, treaties, and regulatory regimes to test how far a human-centered conception of legal subjectivity is already emerging in practice. Comparative case studies across different legal systems and regions, as well as engagement with additional Islamic and non-Western legal traditions, would further refine and strengthen the proposed model of individual-centered international legal subjectivity.

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