

**A Theoretical Comparison of Happiness from an Islamic and Western  
Perspective: Tunisian Case Study**

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**Abstract**

This paper demonstrates the philosophy underlying Western human rights and Islam are able to co-exist. This is completed by questioning the theoretical concept of natural rights against the classical concept of Islamic law. Along with the value of human dignity in both Western human rights and the Quran. Following which, the modern Western concept of human security is evaluated in its role together with human rights. This analysis is brought together through the notion of individual happiness, which is the end result of the theory of knowledge in both Western and Islamic philosophies. Finally, a practical application of human rights and happiness is evidenced with a case study of pre-revolution and post revolution Tunisia.

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## **A Theoretical Comparison of Happiness from an Islamic and Western Perspective: Tunisian Case Study**

### **Introduction**

The concept of individual happiness is of great importance to such a degree it has become a priority in legislation and social policy for governments and researchers. The initial documentation of happiness as an inalienable right is seen with Thomas Jefferson's incorporation of the concept into the United States of America's constitution. In the UK 1942 Beveridge Report, the foundation for Britain's welfare state, declared "the happiness of the common man" as its basic objective (Beveridge 1942 p. 171). In addition, in 2012 the UN created the official Day of Happiness. As well, the small country of Bhutan developed the Gross National Happiness Policy and Gross National Happiness Index. The GNH Index is an amalgamation of 33 indicators that are designed to measure various aspects of individual wellbeing and different methods to meet underlying human needs (GNH 2016). Presently, more attention is being paid by governments and academics with happiness being a significant aspect of national and social policy (Office for National Statistics

2016). Although the academic world is experiencing a resurgence in interest on the study and understanding of happiness, it has been of historic importance with philosophers since ancient times from both a Western and Islamic perspective. For example, philosopher's such as Plato, Aristotle, Socrates, and al-Farabi all focused on the reason for people's happiness. Granted there are many definitions of what happiness is to different people, as this varies greatly between cultures. However, the subjective well-being, or increased happiness of individual's, matters to governments because lends itself towards fostering and sustaining the conditions for peace (Diener and Tov 2007 p. 242). Therefore, to enrich people's sense of happiness through respecting hr and protecting human security we come closer to reaching a peaceful co-existence in this globalized world.

The aim of this paper is to examine the relationship between the philosophical foundation of Western hr and Islamic Law, as a means to identify whether happiness is the fundamental concept that bridges these two epistemologies. Along with a case study of the country of Tunisia to examine the practical aspects of human security and its impact on happiness. This research will contribute to the greater awareness of the similarities in philosophies between secular hr and Islamic philosophy, which may assist in educating people in hr in order to reduce bias, encourage a culture respectful of hr, and increase state protection of hr in Islamic States.

An anthropological approach for this paper is utilized throughout in order to examine the phenomenon within its socio cultural context, rather than applying ones cultural imperatives onto

another. This approach was chosen due to the understanding of the variation in values between cultures and to ensure validity of the research in both Western and Islamic states, as values from both must be respected as they exist.

The underlying assumption of this paper is that through the conceptual framework of individual happiness, the philosophies of secular hr and Islamic Law are reconciled successfully.

This will be achieved by conducting an extensive study of the relevant literature, along with a comprehensive examination of the core conceptual and theoretical relationships involving secular hr and Islam. The classical theoretical concepts of UDHR and natural law, human dignity and Islamic law will be compared. Along with the modern and practical Western concept of human security, which will be evaluated through a case study. This analysis makes use of the theoretical framework of individual happiness through the theory of knowledge as the concept to bind this research.

Research objectives of this dissertation are 1. To identify what happiness is from Western and Islamic communities 2. to show a linkage in hr from Western and Islamic epistemologies with use of a comparative study 3. To identify human security as an indicator of the necessity of human rights in a practical setting 4. To suggest several directions for future research in this area 5. The research will conclude with recommendations on future methods to establish an international human rights norm for policy development that incorporates cultural relativity.

## **Acronyms**

Gross National Happiness Index GNH Index

Human Rights HR

Universal Declaration of Human Rights UDHR

United Nations UN

## **Statement of Problem**

The problem is two fold, the relevant universality of human rights along with a lack of adherence to human rights in the Islamic world. Islamic states have failed to legitimize Western hr due to these rights being developed upon a secular bedrock, with the notion it exclusively addresses secular values. The lack of legitimization of these universal rights is compelling as Islam is the fastest growing religion in the world, with approximately 1.6 billion followers, or 23% of the global population. Presently, the bulk of literature on hr and Islam centers on a one-dimensional perspective with a comparison of world-views, from a secular stand point against a religious one. Thus possibly contributing to the divide and lack of empathy between critics of secular and non-secular approaches. This is of great importance to the globalize world, in that a lack of willingness to adhere to Western hr impacts people's human security, which in turn reduces their individual happiness. This moves towards creating discord and tension, whether it is identified as intolerant

behaviour or outright violence, thus in order to live peacefully it is a global responsibility to ensure all people have their hr protected.

## **Background**

Happiness is a universal concept and is attributed to the positive functioning of both individuals and societies. There is a significant variation in the meaning of happiness between cultural and historical contexts, to overcome this dilemma academics have proposed use of the term subjective well-being rather than the ambiguous term happiness (Diener 1984 p. 592). Regardless of what the nature of happiness is considered to be, or the term used to describe it, Islamic philosophers have extensively analyzed the way in which happiness is attained. The outcome of their philosophical deliberation is a general consensus that the only way to achieve happiness is through knowledge (Inati 1998). This understanding of knowledge as the path to happiness is termed theory of knowledge is the route towards attaining human perfection and genuine individual happiness.

The Islamic theory of knowledge, or epistemology, focuses primarily on the nature and sources of knowledge, by examining the increase of intellect in relation to happiness. The nature of this knowledge is divine knowledge and brings the person closer to God, this continued seeking of knowledge and contemplation is the means to human perfection or happiness (Inati 1998). In



contrast, from the Western perspective, since the Age of Enlightenment the Western intellectual movement focuses on reason, which frees humankind from relying on religion and superstition as the source of truth (New World Encyclopedia 2015). This form of knowledge is ground in rationalism, with an understanding that endows the person with control over their environment rather than attributing causation of phenomenon to God. Regardless of the form of knowledge, from both Western and Islamic ideologies, happiness is derived through knowledge and this notion generates the theoretical framework the analysis takes place through.

Islam is globally the second largest religion after Christianity and has over a billion followers. With more than 46 states holding their majority as Muslim populations, 15 States have constitutionally declared their religion as Islam, and 5 are specifically designated as Islamic republics (Baderin 2001 p. 265). Islam is a monotheistic religion, therefore believing in only one

God, and is based on revelations the Prophet Muhammad received in 7<sup>th</sup> century Arabia (Religion Facts 2015). Furthermore, God revealed the Quran, which is the fundamental Islamic text, to the Prophet Muhammad. Islam encompasses all aspects of Muslim's life including activity, law, and morality. Islam also has two other core sources of religious information the *sunna* and *hadith*. The *sunna* is the recorded actions of the Prophet and his companions and are the accepted traditions of the Muslims (Siddiqi 1993 p. 2). The concrete aspects of what the Prophet's actions, sayings, or

what he approved of is known as the body of *hadith* (Hallaq 2009 p. 16). Along with the Quran, the *sunna* and *hadith* make up the primary sources of knowledge in Islam.

These sources of knowledge are the foundation of Islamic law. The Quran and hadith are a part of a gradual process of legislation that also includes reason and consensus to extract the real codes of Islamic law (Islamic Sources and Law no date 7.7). Islamic law intends to order the full scope of human activity, with the purpose to foster living in peace, first with oneself, and second in society (Hallaq 2009 p. 20). As such, for over a thousand years, Islamic law encompassed social, educational, economic, intellectual, moral, and cultural practices that was deeply complex and involved all social institutions and intellectual systems (Hallaq 2009 p. 163). Presently, Islamic law is for the most part implemented in Islamic States on a dual legal system, which is based on civil courts and secular law from residual colonial legal systems with supplementation from Islamic law (Johnson and Sergie 2014). Regardless of the form of legal system implemented within an Islamic State, the overarching message of Islamic law supports human rights, which is why it is essential to educate people on this as a means to legitimize these rights.

From a superficial level it appears Islamic law and secular hr cannot be correlated, this conclusion is drawn by examining only the topical aspects of both. Maudud's, a renowned Islamic scholar, examination of Western hr and Islam falls under this category. He claims, there is no place for Western hr in Islam because it fails to uphold the values and teachings of Islam (Maududi 1981).

This is due to his topical analysis of comparing articles from the UDHR directly against Islamic philosophy. This leads to a culturally relative perspective that fails to reconcile the two philosophies, with the disregard for the underlying essence of the philosophies and instead focusing on solely topical aspects. As Sadeghi-Nia identifies in her research, the variation between UDHR and Islamic human rights are superficial details and not within the fundamental norms of human rights (Sadeghi-Nia 2015 p. 9). For this reason, this dissertation focuses on the philosophical foundations of both Islamic law and secular hr though the concept of happiness, thus to identify at an epistemological level their congruencies.

It is imperative with the hr atrocities taking place throughout the world, with the majority occurring in Islamic States, a true universal platform must be identified as means to solidify the similarities between secular hr and Islam. This will result in a step towards hr being accepted and upheld in these states. However some argue, such as Alasdair MacIntyre, a complete rejection of the universality of hr as a fictitious ideology (Forsythe 2009 p. 265). This understanding stems from a political perspective, Another concern from this perspective, is that hr rhetoric claiming to be concerned for hr of oppressed populations has been abused to justify vested political and economic interests, such as the US invasions in Iraq and Afghanistan (Mayer 2013 p. 5). Such invasions ultimately lead to hr violations being committed by those claiming to protect and uphold hr. Which is why Amuli argues, the UDHR has been an overall failure due to it being routinely ignored by the Westerners who strive towards forcing the Declaration on others and is used on numerous instances

to dominate and discriminated against the oppressed (Amuli 1996 p. 257-271). This abuse of hr for political means has only served to divide and create addition tension in non-Western states.

The self-serving political instances under the guise of protecting the weak's hr as a means to invade countries resulted in some questioning the basic legitimacy of Western hr. This has lead to a number of academics purporting Western hr are a further tool of imperialism. Such as Ibhawoh who argues that hr are means to ensure the colonialist interest are maintained rather than protecting the weak colonized (Ibhawoh 2002). This again brings forward the debate on the cultural relativity of hr and their universality and the prime reason it is argued that Islam is not compatible with secular hr.

Another reason the UDHR is cited as being culturally relative, is due to the quality of religious representatives who took part in the formulation of the declaration. The group was comprised of thirty seven of the members of Judeo-Christian tradition, eleven in the Islamic tradition, six in the Marxist, and four in the Buddhist (Morsink 1999 p. 21). Yet, despite this representation, Islamic traditional doctrines and philosophy were not adequately emphasized or articulated by the misfortune of the representatives chosen for the Muslim delegates. As Sachedina points out, those representing Islam had no foundational training in the Islamic tradition and doctrines, or human rights training, and some Muslim representatives were secularly educated. This was exemplified with the Saudi delegate, Jamil Baroody, a Lebanese Christian (Sachedina 2007).

The lack of educated Islamic knowledge from this delegation is one of the causes for the neglect of Islamic input on philosophy and values into the development of the UDHR.

A further claim against the universality of Western human rights is from Huntington, author and Harvard University graduate who wrote that human rights are culturally static and unable to stand outside of the West. He claims “For people from other Civilizations, the only way in which to have full access to human rights is to adopt essentially ‘Western’ values and hence to implicitly convert to Western civilization” (Huntington 2009 p. 91). When identifying the universality of human dignity and natural rights, the bedrock of the UDHR, it is clear that appropriating a Western ideology is unnecessary when people innately have rights despite their culture or religion. In addition, it must be emphasized the importance of human rights to the world and defensive cultural attitudes hinder the co-existence of Islam and Western human rights (Tibi 1994 p. 287). This is achievable by looking at the spirit in which Western human rights were created.

The main concern of Western human rights is constructing a legislation that understands that at times the weak need to be protected from the strong, just as Islamic law protects the weak from those with power. It is important to protect people’s human rights and by extension ensure their needs from human security are met. This is to ensure the atrocities that created the desire to develop a universal human rights document are not repeated, also to work towards a peaceful global existence.

This paper evaluates two aspects of Western hr, natural law and human dignity against Islamic philosophy using the concept of happiness as the binding variable. Although Howard and Donnelly have argued that Western hr and Islam are unable to reconcile through a philosophical platform resting on human dignity because they suggest conceptions of human dignity vary dramatically across societies (Howard and Donnelly 1986). This paper will show through a Western and Islamic perspective, human dignity is the same concept. Further, the paper will focus on natural laws as Sachedina argues in his book *Islam and the Challenge of Human Rights*, natural laws as the foundation for human rights is compatible with the overall religious outlook of the revelation (Sachedina 2009 p. 114). He further argues, the moral ground of both Revelation and the UDHR are based on the intention to protect humans from oppression (Sachedina 2007). This adds to the theory that the secular and Islamic rights are compatible due to moral obligation as being a cornerstone of both.

The dissertation will also complete a practical analysis of human security, a people centered security that is mandatory for national and international stability. Human security was developed based on the premise that hr are universal, thus to achieve a sense of security there must be a culture of respect for people's basic hr and freedoms (Sadeghi-Nia 2012). In order to increase respect for hr

to achieve human security for people in Islamic countries the compatibility between the philosophies must be identified and highlighted. This paper, on the basis of happiness through the concepts of natural law and human dignity will complete the task of identifying a foundational platform from which future foreign policy and culturally sensitive international rights may be developed.

### **Research Question**

1. What is individual happiness in secular and Islamic states and how is it attained?
2. Can Western hr and Islamic philosophy be reconciled through the theoretical concept of happiness with aspects of the foundation of Western hr natural law and human dignity?
3. Are human rights being upheld in Islamic states as identified through human security?

### **Methods and Procedures**

#### Approach:

This research will use an anthropological perspective in its analysis of the theoretical concepts of theory of knowledge in relation to happiness and hr from Western and Islamic philosophies. The classical concepts of Quran and UDHR and the modern concepts of Islamic states and human security will be compared through the theoretical framework of happiness. The aim of

this paper is to examine the relationship between the philosophical foundation of Western human rights and Islam to identify if happiness is the concept that brings these two epistemologies together with a case study to examine the practical aspects of human security from a Western and Islamic state.

### Methodology:

The tool used within this research for critical evaluation is a conceptual comparison, which will serve to identify the shared objective criteria of the human rights in a classical and modern Western and Islamic epistemologies. The holistic philosophical perspective theory of knowledge in relation to happiness will provide the framework to analyze the classical and modern concepts. Comparative research was chosen for this study because the research is utilizing an anthropological approach, as such it was essential to use an analytical method that has long been used in cross-cultural studies to, identify, analyze, and explain similarities and differences across societies (Hantrais 1995).

### Research Methods:

The research strategy used for this dissertation is to systematically collect data from primary Islamic sources, Western hr legislation, related scholarly articles and documents with use of a



literature review to form the bases of this research. Data collection will be sourced through multiple databases, such as Jstor, Qatar National Library, Google Scholar, and Tanzil.net. The philosophical theory of knowledge in relation to happiness will create the theoretical and conceptual framework to generate a comparative study between human rights in Islamic Law and in secular communities. From the anthropological perspective, individual happiness will be used to examine classical concepts of human rights in Islamic Law and the UDHR and modern concepts of hrs in Islamic states and the Western concept of human security. Following which, the practical aspect of this research is a case study examining human security in the country of Tunisia. The research results of the theoretical and practical components of this study will be objectively described and a discussion will follow with implications of this research and future direction for research.

### **Theory of Knowledge and Happiness**

Human beings strive towards happiness, regardless of the religion, culture, or society they belong to. This is the reason happiness provides the conceptual frame work for Western hr and Islam to co-exist, yet still remain within their cultural values. Although all people are driven to find happiness, this construct may vary across societies. This is the reason individual happiness has been studied since ancient times and presently is of concern for politicians, economists, philosophers and

psychologists. An example of its importance is seen when Thomas Jefferson, who recognized the significance of Locke's work on the subject, incorporated happiness into the United States Declaration of Independence of 1776 with 'life, liberty, and the pursuit of happiness' (Constitutional Rights Foundation no date). Since then, an understanding of happiness has increase in importance to researchers and government policy makers.

Presently, the meaning and value of individual happiness has been further realized with the country of Bhutan's development of the Gross National Happiness Index (GNH) (Gross National Happiness 2015). Although the concept of individual happiness and national government policy is relatively new, one of the first instances happiness recognized as a priority for government was in 1942 in the UK Beveridge Report. This was the foundation for Britain's welfare state and declared

“the happiness of the common man’ as the basic objective (Beveridge 1942 p. 171). In foreign policy, happiness is seen with the United Nations (UN) development of the International Day of Happiness in 2013 after initiating 17 goals that aim to increase well-being and happiness around the world (United Nations no date). Since then, numerous indexes have been created as instruments to measure human happiness in terms of human development. For example the Personal Well-being Index using seven domains and the GNH Index measuring 33 indicators under nine domains (Tiliouine 2015 p. 526) (Gross National Happiness no date). The volume of indexes and research

devoted to individual happiness demonstrates the emphasis placed on the concept for the reason it lends itself to a productive and peaceful society.

Even with the importance of happiness within a large number of academic fields, to find a precise definition of Happiness is a difficult task, it is a complex term that has no agreed upon definition by scholars. This for the reason, the concept includes values and encompasses an ideology that varies, not only between cultures, but also between individuals as well (Strack et al. 1991 p. 8). Regardless of how happiness is defined, it is of importance to all. As such, it is used synonymously with the term well-being and is an indicator of the human development, human flourishing, and a quality of life.

Philosophers have been concerned the manner in which happiness is attained since ancient times. For both Western and Islamic philosophers this is a central issues that has been examined and the majority agree, the theory of knowledge is the means to the ultimate goal of individual happiness. Furthermore, this has been a core aspect of philosophy to describe the highest aim of human striving, or perfection, through increased knowledge (Daiber 2012). With acknowledgement to the difference in the meaning of happiness across various societies, knowledge and contemplation from a Western and Islamic perspective ultimately brings true happiness.

The content of knowledge and the ideology behind it differs between Western and Islamic societies in their attainment of happiness. For the Islamic philosophers, knowledge and contemplation brings one closer in his faith in God (Inati 1998). That knowledge which brings closeness to God is the source of ultimate happiness and human perfection. Furthermore, this happiness fall upon two dimensions the present world and the hereafter (Waghid 2014). Whereas from a Western perspective, the knowledge that brings happiness focuses on reason, which frees humankind from relying on religion and superstition as the source of truth (New World Encyclopedia 2015). This control on ones environment, rather than leaving the explanation of phenomenon to a religious entity, brings happiness in secular societies. Despite the mechanism that results in knowledge bringing happiness, whether it is for one to relinquish control to God or to hold control in ones hand, theory of knowledge brings happiness together between Western and Islamic perspectives.

Many have argued that happiness is derived from various theories, such as hedonistic pleasures or materialistic wealth. Plato was an ardent believer in Motivational Hedonism, whereby all behavior is governed by the desire to seek pleasure and avoid pain (Weijers no date). However, this theory fails to generalize in accounting for people who value more in life then pleasure seeking.

Further, as Al-Attas explains knowledge brings tranquility to the soul and supremacy over bodily pleasures which bring pleasure rather than true happiness (Al-Attas 1993 p. 81). Although people

often desire pleasure rather than happiness, it is through human intellect someone seeks happiness (Mutahhari 1982). This is not only true in the Islamic world, but also in Western positivism that concentrates on scientific knowledge about the laws of human existence which is necessary for achieving ultimate happiness (Glatzer 2000 p. 503). In addition, studies have evidenced that nations with higher levels of science and technology that are more developed are overall happier (Veenhoven 1996 p. 8). Likewise, well educated nations correlate with higher levels of happiness (Veenhoven 2000 p. 7). In contrast, a pleasure seeking lifestyle of free sex and the legalization of soft drugs are related to individual unhappiness (Veenhoven 2000 p. 6). There are many reasons for this, the most significant being every desirable experience is transitory (Myers 1992 p. 53). This fleeting experience is not ultimate happiness that is brought by knowledge and contemplation as emphasized in the theory of knowledge.

In Islam a great importance is placed on seeking and attaining knowledge with extensive reference made in the Islamic core sources of information. It has been argued that knowledge (*al-ilm, ma'rifah, 'ilm*) is placed at the highest level of value in Islam, with more than eight hundred references to knowledge in the Quran (Al-Attas 1993 p. 78). This is identified with the first verses of the Quran revealed to the Prophet based on knowledge Q Al- Alaq 96: 1-5:

“Read: In the name of they Lord Who createth, createth man from a clot. Read: And they Lord is the Most Bounteous, who teacheth by the pen, teacheth man that which he knew not.”

Correspondingly, examples of *hadith* in support of seeking knowledge include, “Seek knowledge even as far as China” (Sunnah, no date). Further, “The best wealth which an individual receives is knowledge”, “You must seek knowledge from birth until death”, and “It is incumbent upon every Muslim man and Muslim woman to seek knowledge” (Khansary no date). Another well known *hadith* related to knowledge is that the Prophet said:

“One who proceeds on a path in the pursuit of knowledge, God makes him proceed therewith on a path to the Garden (Paradise). And, verily, the angels spread their wings for the seekers of knowledge out of delight. Verily, every creature of the heaven and the earth asks forgiveness for the seeker of knowledge, even the fish in the sea. The merit of the ‘*alim* (the learned) over the ‘*abid* (the devout) is like the merit of the moon over the stars on a full-moon night. The learned are the heirs of the prophets, for the prophets did not leave behind a legacy of wealth but that of knowledge. So whoever partake of it derives a plenteous benefit” (Khomeini 1939).

To seek knowledge is imparted upon all Muslims and it is evident that freedom of thought is encouraged. In addition, freedom of thought is emphasized in the Quran. According to Tabatabai (1990 vol. 7 p. 187):

“... and We have revealed to you the Reminder that you may make clear to men what has been revealed to them, and that haply they may reflect [16:44]. Nearly the same is the importance of the verse: ... and if they had referred it to the Messenger and to those in authority among them, those among them who (can) draw out (the truth) in it, would have known it... [4:83]; O you who believe: obey God and obey the Messenger and those vested with authority from among you; then if you quarrel about anything; refer it to God and the Messenger if you believe in God and the last day; this is better and very good in the end [4:59]”

Through the theory of knowledge, happiness from Islamic and Western perspectives has been reconciled. In Islam, knowledge and contemplation brings true happiness for the reason the person become closer to God and in this closeness the Divine knowledge brings happiness in this world and the next. From a Western perspective, the control that comes with knowledge and relinquishing superstitious or religious ideals brings happiness.

### **Western Human Rights**

The UDHR is the most compelling hr document in Western history. It was developed on the heels of the second world war that witnessed the slaughter of vast scores of people by their government. Following this atrocity, in the attempt to halt future catastrophic crimes against peace and crimes against humanity, the UN was formed (University of Minnesota no date). The UN was officially brought into existence on 24 October 1945 with an original 51 Member States (United Nations no date). The UN committed themselves to developing hr standards ensuring citizens were protected from abuses by their governments, which nations would then be accountable for their actions (University of Minnesota no date). Presently, the UN has established numerous committees and policies that work towards ensuring hr throughout the globe.

The UDHR document was created by a drafting group that consisted of Eleanor Roosevelt of the USA as the Chairperson, Peng Chun Chang of the Republic of China, Charles Habib Malik of

Lebanon, Willian Roy Hodgson of Australia, Hernan Santa Cruz of Chile, Rene Cassin of France, Alexander E. Bogomolov of the USSR, Charles Dukes of the United Kingdom, and John Peters

Humphrey of Canada (United Nations 2016). Ultimately the UDHR was voted on by 56 Members of the UN in 1948 (University of Minnesota no date). The importance of the document is salient with its principles influencing 80 international conventions and treaties, as well as numerous regional conventions, and domestic law (Equality and Human rights Commission 2016). The UN sought to develop a monumental document that would protect the weak from oppression and allow people to live a happy existence by addressing their natural rights and maintaining human dignity.

### **Natural law and Islamic Law**

The philosophy of the UDHR is based upon the foundation of natural law, a theory that dictates that innate rights are imprinted upon all humans by God and are universal thus exists across all context being understood through human reason. These laws are an absolute set of moral principles that stand alone without any form of a legal system to dictate what they are (Deilhim 2008 p. 55). The earliest origins of natural law is debated, but medievalist Brian Tierney argues the theory of natural rights was first articulated in early thirteenth century documents (2004 p. 4) (Porter 1999-2000 p. 78). For many centuries, natural law was a source of contention for scholars,



as to whether or not they exist, or if rights were subjective, and if they were applicable to all people. It is claimed that natural law was furthered by Aristotle who stated that citizens who are equal by nature have the same natural rights to political office (Paul, Miller, and Paul 2005 p. Vii). Moreover, St. Thomas Aquinas is responsible for extending the theory of natural law with his extensive work on the subject and argument that “God instructs us by means of his law” and natural law is observable when people act in accordance with correct practical reasoning and innately understanding what is good for them in any situation (Andrea 2011). This good as Aquinas describes, is what actions or behaviors draws a person towards individual happiness.

Over time, natural law theory contributed to natural rights theory. This philosophy was primarily put forth by Locke, who during the Age of Enlightenment, built the theory upon a framework of political activity of the period and seventeenth century humanism (Shestack 1998 p. 207). The validity of natural law has been argued for by many scholars over a vast period of time, furthermore it remains the backdrop of significant hr doctrines such as the French Declaration of the Rights of Man, its the foundation of UN hr doctrines, and the US Declaration of Independence, along with many state constitutions. The theory had been replaced over time for the reason it was criticized for its moral component and reliance on a higher entity, as such scholars wanted these aspects removed from the law and for the most part replaced with legal positivism. Thus positivism encourages the idea that the law must be obeyed despite the immorality of what is being followed, as witnessed with the anti- semitic edict of the Nazis were obeyed as positive law (Shestack 1998 p.

209). Whereas, natural law has the humanistic and ethical side to it, which allows for the idea that some situations are unethical despite what the law dictates. Following the WWII atrocities is one of the reasons natural law enjoyed a modern revival for the reason it brings a moral component to positive law.

The basis of Natural law, that man's needs are recognized as his general and basic rights is an ideological system found in both Western and Islamic philosophies. This understanding that a set guarantee of rights of every human being is founded in natural law (Griffel 2007 p.39). Further, natural law is compatible with the philosophy of Islam for the reason they are both intending on protecting humans from oppression, which is the reason basic needs are identified as human-kind's general rights (Sachedina 2007). Both Islam and the UDHR protects humans' basic needs, which is described as what is necessary to live a minimally good life (Hassoun 2008 p. 3). Many needs outlined as rights in the UDHR are also protected by Islamic law, for example the right to life, the right to be free of torture, the right to be free of slavery, and the right to property. This fundamental ethos in both Western law and Islam establish a foundation of coexistence.

The amalgamation between natural law and Islamic law is identified through God's control as natural law for the reason that God has, in His mercy, made the order of nature abide by coherent principles and not made it subject to the every changing laws attributed elsewhere (Ahmed, 2009: 5). Ahmed demonstrates this with the story of Abraham to underline the dominion God has over

nature and its relation with rational thought, as Abraham reached the path of monotheism by means of intellectual reflection and observation of nature (Ahmed 2009 p. 5) (Griffel 2007 p. 43). Q Al-An'am 6: 75-79:

“So also did We show Abraham the kingdom and the laws of the heavens and earth that he might (with understanding have certitude)”.

“When the night covered him over he saw a star: he said: “this is my Lord.” But when it set he said: “I love not those that set.”

“When he saw the moon rising in splendor He said: “This is my Lord.” But when the moon set he said: “Unless my Lord guide me I shall surely be among those who go astray.”

“When he saw the sun rising in splendor he said: “This is my Lord; this is the greatest (of all).” But when the sun set he said: “O my people! I am (now) free from your (guilt) of giving partners to God.

For me I have set my face firmly and truly toward Him Who created the heavens and the earth, and never shall I give partners to God.”

Further, it is from this connection of human nature and the laws governing man that reason is identified in part with the knowledge of the law. As with Shia jurisprudence, reason is a source of Islamic law (Weiss 1998 p. 36). Additionally, the law that God created in order to have dominion over nature is the same that God created as a divine law giver (Griffel 2007 p. 42).

The story of Abraham also lends itself to the theory of human *fitra* in Islam. In Arabic the term used in the Quran for human nature is *fitra*. Islam has moulded itself around the nature of the human being, as such it ensures and satisfies the true human needs (Tabatabai 2010). The Quran describes human *fitra* in Q Ar- Rum 30: 30:

“So direct your face toward the religion, inclining to truth. [Adhere to] the fitrah of God upon which He has created [all] people. No change should there be in the creation of God. That is the correct religion, but most of the people do not know.”

This is the natural make up of human-kind that innately draws people towards monotheism (Griffel 2007 p. 42). Griffel further explains that Abraham is termed a *hanif*, which following the natural inclination leads one towards the religion Islam, whereby naming Abraham a Muslim *hanif* because he made the choice through his intellect and observing nature denotes this natural inclination towards the religion and is evidence that islam is in accordance with natural laws (2007 p. 43). Q Al- Imran 3: 67:

“No: Abraham in truth was not a Jew, neither a Christian; but he was a Muslim and one pure of faith: certainly he was never of the idolaters.”

Both natural law and Islamic law outline human needs as rights. In Islamic law, there are two categories of regulations, mutable and immutable. The immutable, or fixed, address human needs as rights based on human nature and according to Tabatabai these needs are the humans essential qualities the path to happiness (2010). Islam recognizes the fulfillment of human needs are universal to all and essential for positive human development. Thus Islamic law has its purpose as providing a manual that promises the fulfillment of humankind’s needs that are critical to survival, along with the social needs of humans (Tabatabai 2010). The basic material needs from an Islamic perspective are water, food, secure shelter, clothing, and health, these needs are a right for each and every individual (Malkawi 2010). For example the right to life is seen in the Quran Q Al- Ma’ida 5: 32 and Q Al- Isra 17: 33:

“Whoever kills a person [unjustly]... its as though he has killed all mankind. And whoever saves a life, its as though he had saved all mankind”.

“And do not kill the soul which God has forbidden, except by right, And whoever is killed unjustly – We have given his heir authority, but let him not exceed limits in [the matter of] taking life. Indeed, he has been supported [by the law]”.

Islamic philosophy is a universal system as such it recognizes human needs as universal basic rights as seen with the extension of granting non-Muslims their rights, this also provides

evidence of the correlation to natural law. This universality of meeting human needs despite their religion is seen in the Quran with the declaration to provide shelter and protection to whom requires it regardless of their faith Q At- Tawba 9: 6:

“And if any one of the polytheist seek your protection, then grant him protection so that he may hear the words of God. Then deliver him to a place of safety.”

This notion is extended in *hadith*, as see with this example “When Imam Ali sent an emissary to Egypt, he told him, ‘You are a powerful man. Be good and just to the people. There are two groups of people: Either they are Muslim, and therefore your brothers, or they are your fellow human beings. Behave towards them according to Islam.’ Islam does not say Muslims and non-Muslims”

(Aghajari 2002) (Mihrpur 2001 p. 131). This *hadith* emphasizes the universality of Islam meeting the needs of all people, which is consistent with natural law.

In conclusion, the harmony between Islamic law and natural law is evidenced through the notion both philosophies identify human needs as rights. Also, with God's creation of nature to follow coherent principles that are consistent and unchanging overtime. This is further emphasized through the story of Abraham. Also, as natural law is universal and meets the needs of all, this same belief in Islam was evidenced. As the analysis of concepts reveals, both Islamic law and natural law share the same fundamental purpose.

### **Human Dignity and the Quran**

A further bridging aspect between the philosophies of Western hr and Islamic philosophy is human dignity. The notion of human dignity means different things in various contexts, such as it may underline the special elevation of human-kind, the unique potentiality related to rational humanity, or the basic entitlements for each person (Riley and Bos no date). Additionally, the value is a major component of natural law, which is the essence of Western hr and Islamic philosophy.

Human dignity is a universal concept that all societies hold conceptions of (Howard and Donnelly 1986 p. 801). According to McDougal, Lasswell, and Chen, this basic value, that despite cultural context or social organization, is able to withstand wide differences is still accommodated globally within terms of common interest in relation to hr (1977-1978 p. 230). This is due to its prime importance within both Western and Islamic teachings.

The concept of human dignity is broadly accepted by all, which is evident in the number of Western hr instruments it is prioritized in. For the reason, protecting human dignity is the core role of, as evidenced in many hr documents and legislations, such as Article 10 of the International Covenant on Civil and Political Rights that states: “all persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person.” In the European Union Charter of Fundamental Rights, Article 1 outlines: “Human dignity is inviolable It must be respected and protected.” In the International Covenant on Economic, Social and Cultural Rights declares: “education shall be directed to the full development of the personality and the sense of its dignity.” Furthermore, in the opening statement of the UDHR: “Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world”. Followed by Article 1: “All human beings are born free and equal in dignity, They are endowed with reason and conscience and should act toward one another in a spirit of brotherhood.” Also, the Vienna Declaration states: “Recognizing and affirming that all human rights derive from the dignity and worth inherent in the human

person...” These are only a small sample of the instances of human dignity as the centre of Western hr instruments, yet the examples reflect the importance of human dignity as the core component in the philosophy of these rights.

Although the term is cited frequently, explicitly and implicitly, in hr documents and contemporary law there fails to be a definition attached in order to precisely describe its meaning. Most agree that the UDHR incorporated the concept of inherent dignity from Kantian philosophy, which dictates that one should treat humanity always as an end and never as a means (Danchin no date). Schachter extends this analysis of the meaning by reviewing its etymological root, the Latin “dignitas” translated as worth, along with the lexical definition of dignity as “intrinsic worth” (1983 p. 849). By breaking down the word, it best captures the meaning of the word human dignity as it is used in Western hr instruments.

In Islamic philosophy human dignity is of great veneration and is to be respected and protected, as this is a Divine gift from God. Due to the generosity of God’s will, He elevated the status of human-kind endowing man as an honoured creature. In the Quran there are a number of implicit and explicit verses that recognize the dignity and worth of human beings. According to Hassan, this is a result of the promise that is held in being human, the humanness of all man-kind is to be acknowledged and respected (Hassan 1982 p. 55-56). The most significant verse in the Quran



that underlines the concept of human dignity as a privileged position as a Divine gift upon all humans is Q Al- Isra 17: 70:

“And We have certainly honored the children of Adam and carried them on the land and sea and provided for them of the good things and preferred them over much of what We have created, with [definite] preference.”

As one of the most cited verses by researchers on this topic, human dignity is exemplified in relation to human rights. Hassan declares that this verse highlights that human beings are distinct from all other of creation because they have chose to accept the “trust” of freedom of the will (1982 p. 56). This trust given by God is evidenced in Q Al- Ahzab 33:72:

“Indeed, We offered the Trust to the heavens and the earth and the mountains, and they declined to bear it and feared it; but man [undertook to] bear it.”

Further, humans are endowed with freedom of will, which sets man-kind apart from the rest of God’s creatures (Hassan 1982 p. 56) Q Al- Baqara 2: 30-34:

“Behold, they Lord said to the angels: “I will create a vicegerent on earth.” They said: “Wilt Thou place therein one who will make mischief therein and shed blood?: whilst we do celebrate Thy praises and glorify Thy holy (name)?” He said: I know what ye know not.” And He taught Adam the names of all things; then He placed them before the angels, and said: “Tell me the names of these if ye are right.” They said: “Glory to Thee, of knowledge We have none, save what Thou Hast taught us: In truth it is Thou Who art perfect in knowledge and wisdom.” He said: “O Adam! Tell them their names.” When he had told them, God said: “Did I not tell you that I know the secrets of heaven and earth, and I

know what ye reveal and what ye conceal?” And behold, We said to the angels: “Bow down to Adam” and the bowed down. Not so Iblis: he refused and was haughty: He was of those who reject Faith.”

Humans are created in the best of forms with intellect and the ability to strive towards perfection and happiness, despite this though, some choose to be the of lowest of the low (Hassan 1982 p. 56). Q At- Tin 95: 4-6: “We have indeed created man in the best of moulds, then do We abase him (to be) the lowest of the low.” Man-kind has an understanding of what is right and wrong, with the ability to do the good and avoid the evil, and human beings have the potential to be God’s earthly representative (Hassan 1982 p. 56). Hassan compares this dignity to Kant’s definition: “On account of the promise that is contained in being human, the humaneness of all human beings is to be respected and regarded- to use a Kantian expression- as an end in itself” (1982 p. 56). With acknowledgement of this dignity bestowed upon all humans and admit man is worthy and valuable it is more apparent that not only do human rights need to be upheld, but also they should be in such a way to correspond with human beings dignity (Amuli no date). There are great implications with the understanding that all of mankind is innately bestowed with worth and dignity.

The argument has been made there is a difference in the concept of human dignity from Western and Islamic perspectives. Howard and Donnelly argue that the human dignity in hr standards is different from conceptions of the term outside of liberal societies (Howard and Donnelly 1986 p. 802). There is an imperative difference in the ramifications of the value of human dignity between the two philosophies, however it would seem the Islamic view holds human dignity with more protection then that from the Western perspective. From the Islamic perspective, dignity

and esteem is afforded to humans by God out of his Divine mercy and kindness. In addition, special qualities are gifted to humans by God through this dignity, as such people have the ability to uphold their duties towards God's creatures and relate to each other as members of a global community (Sachedina 2009 p. 71). Moreover, intellect and freewill as part of the unique qualities given to all humans to strive towards perfection. Human dignity is an innate quality, as such, each individual has worth and dignity by nature, which results, every person is a bearer of inalienable human rights (Sachedina 2009 p. 72). Therefore, it is the religious duty for Muslims to protect the dignity and human rights of any human being (Osman 1996). As human worth is a Divine gift, as such it holds more reverence in Islam as being attributed by God.

By ensuring humans are guaranteed humans dignity will be maintained, whether as a religious duty or secular obligation, this works towards freeing people to strive towards self-actualization and happiness unencumbered. As Mills states on the topic of happiness and human dignity:

“But the most appropriate label is a sense of dignity. All human beings have this sense in one form or another, and how strongly a person has it is roughly proportional to how well endowed he is with the higher faculties. In those who have a strong sense of dignity, their dignity is so essential to their happiness that they couldn't want, for more than a moment, anything that conflicts with it” (Mill 1863 p. 12).

Thus protecting human dignity is one of the major steps towards allowing people access to fulfill their individual happiness. Without being granted self worth though human rights people are unable to achieve a sense of individual happiness.

## **Human Security**

The modern Western term, human security is a people focused approach rather than the original state focused that was in reference to military and state interests. The broad people focused concept was developed in 1994 by Mahub ul-Haq that equates security with people, with the main focus being the overall welfare of human beings facing a number of threats (United Nations Development Programme 1994). Those critical of the concept, such as Paris cite human security lacks a precise definition (2001 p. 88). However, the Commission of Human Security's defines human security as: "to protect the vital core of all human lives in ways that enhance human freedoms and human fulfillment (United Nations 2003 p. 4). Essentially, to have human security ensures that people feel safe, secure, and protected. In addition, human security is concerned with protecting human dignity.

To guarantee people feel secure, human security addresses a number of aspects. Most importantly, it encompasses human rights, good governance, health care, and access to education in ensuring people are free from want and fear (United Nations 2003 p. 4). The notion of being free of fear addresses internal violence, repression, war, terrorism and crime. Whereas the human security component of being free from want, places the focus on daily life for example, sufficient income and basic necessities of life, such as food and safe drinking water. There is also a participatory

development aspect to freedom of want, which incorporates empowerment of people especially in vulnerable or marginalized positions, for example a method for this is access to education. This developmental characteristic stresses that people should be set up to care for themselves, allowing them to meet their basic needs (United Nations Developmental Program 1994 p. 24). When people have the ability to be responsible for themselves and their families they have a sense of freedom and dignity that will serve towards bringing individual happiness.

One essential feature of human security is hr, which are at the core of human security. As Mack describes: “To be concerned about human security is to be concerned about the threats to people posed by human rights abuses, poverty, hunger, environmental hazards and natural disasters as well as war” (Mack 2004 p. 47). Hr are a necessary element of human security for three reasons; Firstly, without respect of hr peace is unable to be maintained, nor can conflict be prevented; Second, political, economic, social, cultural, and civil rights have the greatest ability in leading to measured improvements in the areas human security and development strategies; Lastly, the main requirement for an efficient and effective government is respect for hr (Ramcharan 2002 p. 40). In order to sustain human security the need and respect for hr must be adhered to, without hr there is no foundation for human security to exist.

The global world as a whole needs to be concerned with the protection of human security for a number of reasons, with the primary being, human security is the key towards a peaceful co-

existence in this world. This for the reason, a lack of development may lead to an accumulation of human deprivation, seen as hunger, disease, poverty, and inequalities between religious or ethnic communities, which results in a lack of opportunity and power that often leading to violence (United Nations Developmental Program 1994 p. 23). Moreover, intolerance towards others ensues often from threats to immediate security (United Nations Developmental Program 1994 p. 23).

Intolerance is seen in many instances, one example is the Hutu and Tutsi conflict that lead to the Rwanda genocide in 1994. This initial intolerance that overtime lead, with other mitigating factors, to a violent genocide that was initiated due to the Hutu perceiving their opportunities as unequal (PBS 1999). This inequality resulted in a loss or lack of income and security that threaten their daily existence ultimately leading to hundreds of thousands being killed.

One of the most significant facets in ensuring that people are more tolerant is through protecting their human security by good governance. The definition of good governance encompasses eight important characteristics, it is consensus oriented, transparent, responsive, effective and efficient, accountable, equitable and inclusive, follows the rule of law, and is participatory (Economic and Social Commission for Asia and the Pacific no date). The litmus test of good governance is the extent to which it delivers on the promise of hr: social, civil, cultural, economic, and political (United Nations Human Rights 2016). This entwined relationship between human rights the manifestation of good governance is individual happiness within the state's population.

Good governance is the bedrock aspect of well functioning and productive societies. Often the impact that good governance has on individual happiness and equality of happiness in states is over looked. Equality of happiness is important in societies as it may be a causal factor in a number of contexts, such as inequality of happiness increases disparities within the society thus leading to differences in outlook and life, which may add to social conflict (Veenhoven 2005 p. 2). Ott

examined the size of government that had the most impact on individual happiness and found the results are not linear, instead there is a bell shaped relation with inequality in happiness with a medium sized government generating the most substantial impact on happiness (2011). However, despite size of government there always remains a positive relation between the quality of government, or good governance, and happiness (Ott 2014). These results between happiness and government size and happiness and technical quality of government are independent of culture (Ott 2010 p. 637). In other words, people are most happy when they have an efficient government that ensures citizens freedoms, this is often found in medium sized governments.

There is an essential relationship between hr and human security. With hr empowering humans they must be respected and protected in a sustainable manner with good governance (United Nations Practitioners' Portal no date). This gives people the opportunity to develop and flourish by providing opportunities to be responsible for themselves and others.

## **Tunisia**

Tunisia was chosen as the case study for this dissertation, for the reason it was the soul of the Arab Spring revolution and it holds Islam as its the country's religion with part of the law based on Islamic law. Although not a defined Islamic state, the Tunisian constitution from 1959 to 2011 stressed the influence of Islam on the country (Constitutionnet 2014). This case study will examine the factors related to the populations unhappiness and how the UN addressed the matters of human rights violations post revolution. Following which, analyses of the present day happiness of the Tunisian people and what factors have affected their outlook.

Dec 17, 2010 is a historic date for Tunisia, this is the day Mohamed Bouazizi would trigger the largest revolution with the greatest momentum in the MENA region. Also, the first popular uprising to topple an established government since the 1979 Iranian revolution (Cornell University no date). Also termed the Jasmine Revolution, the uprising began in the town of Sidi Bouzid after 26 year old Bouazizi, a fruit cart vendor, refused to pay a bribe to police who subsequently confiscated his weigh scales, slapped Bouazizi, and insulted his deceased father (Lageman 2016). When Bouazizi attempted to seek justice from the provincial government, he was refused entry into



the building (Lageman 2016). As a result, Bouazizi lit himself on fire in front of the provincial government building in protest, he later died from his injuries.

Tunisia is a country that is predominantly Muslim and utilizes both civil and Islamic law. Since 1959 to 2011, the civil law is a mixed system, which incorporates elements of continental civil law derived from European legal codes with Tunisian custom and Islamic law (Stigall 2014 p. 3). The autocratic government, of President Zine El Abidine Ben Ali, that ruled Tunisia for decades generated a repressive environment and regional inequality. With the reality that an autocratic government, without accountability to his citizens generally tends to overlook the necessity of rights (Hafner-Burton 2005 p. 387). Furthermore, the government was ineffectual and corrupt (Anderson 2011 p. 3) (Rijkers, Freund and Nucifora 2014). With State economic policies backed by

international financial institutions created to systematically marginalize the interior region of the country while favouring Ben Ali's family, business associates, and friends with State-guaranteed loans for private enterprises in the costal areas, transfer of government land and assets, also government contracts (Carranza 2015). Moreover, use of repression, fear, and torture were basic instruments of the dictatorship (United Nations Human Rights 2016). Human rights defenders in the country faced physical assaults, surveillance, travel bans, interruptions in phone service, and dismissal from work (Human Rights Watch 2008). Also, within the justice system claims of torture were ignored, cases of a political nature did not receive a fair trail, with confessions often taken

under coercion, or witness testimony that the defendant is unable to confront during court (Human Rights Watch 2008). Additionally, freedom of speech is curtailed and media are suppressed by the government (Human Rights Watch 2008). The people of Tunisia did not have their most basic hr respected by their government.

There were a number of factors related to bad governance the citizens endured, ultimately leading to the uprising in Tunisia. A global spike in energy and food cost that lead to a dramatic increase in food and energy prices directly impacting people already financially struggling due to already living close to the poverty line (Joffe 2011). Although the government implemented a cash transfer program to assist the most poverty stricken to increase their purchasing power of food it was inadequate against the drastic spike in food prices (Worldbank 2008 p. 3). The cost of basic food items increased drastically with the price of wheat increasing 84%, sugar 77%, maize 74%, and oils and fats 57% (Food and Agriculture Organization of the United Nations no date). This in combination with a rapid increase in energy costs left many Tunisians vulnerable to the excessive cost of living.

The inordinate level of unemployment created further tension within the country, along with increasing levels of post secondary education in contradiction to job prospects for qualified young adults creating a skills gap. With the high percentage of the population being youth their outlook for

employment within the country become even more tenuous. In 2010, unemployment was at 18% overall, higher for young people 38%, and extremely high for educated young people at 62% (Joffe, 2011). By region, the interior's unemployment is nearly twice the overall at 28.6% (Arfa and Elgazzar 2013 p. 1). High unemployment rates lend itself to the people already struggling with poverty and excessive cost of living. The poverty rate was estimated at 15.5%, with almost double this amount in rural areas (Arafa and Elgazzar 2013 p. 1). Along with employment and poverty there is regional inequality within the country, this inequality adds to the discord and tension within the country.

The perceived inequalities faced by the inner and western regions of the country as opposed to the costal regions also increased frustrations. With regional disparities in the basic infrastructure, such as areas with inadequate access to water, and educational services are lacking, as well as health care (African Development Bank 2011 p. 4). Also, textile factories and industrial industries have created high levels of pollutants in areas of poverty, lending itself to higher than average rates of serious health issues (Hyatt 2013). Further, by 2010 nearly 90% of new jobs and enterprises were situated in the costal regions (Boughzala and Hamdi 2014). This left the interior in an even more vulnerable position in terms of poverty and unemployment.

Since the government was toppled and steps towards a democracy was implemented in the country, there has been a number of social recovery programs put into place as a means to meet the hr needs of the Tunisian population. Some examples are initiatives to reduce regional disparities with improvements to underserved regions, better access to social services, job creation, and work towards preserving existing jobs and strengthening the voice of the people and increasing government accountability (African Development Bank 2011). Prior to the revolution, in 2010 the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment describes the Tunisian government as taking steps towards gradual fundamental changes based on three principles: developing a solid legislative background to protect human rights, introducing mechanisms to uphold human rights, and lastly, creating a culture of human rights to ensure they are respected and protected in the future (United Nations 2010 p. 3). The high number of initiatives to assist the hr and human security of the Tunisians, however although their have been many initiatives, it appears the people's happiness measures have not increased.

Despite the number of legislative advances the country has seen since 2011 and future prospects for the Tunisian people, the population is not as happy as expected. Overall, according to the Gallup poll, although Tunisians experienced increased GDP gains their wellbeing (happiness) has dropped substantially since the revolution. The percentage of people in Tunisia the Gallup poll

allocated as thriving fell 10 points since 2008. Thriving in the Gallup poll is an indicator of people positive or negative outlook for the future. Furthermore, Tunisia only rated 98th out of 157 countries in the 2016 World Happiness Report, with neighboring country Libya, despite the country's instability, considerably happier with a score of 67 (Helliwell, Huang and Wang 2016 p. 21). Also the Social Progress Index scored Tunisia a low 68.0 out of a 100 in comparison to similar countries, with a foundation of wellbeing at only 48<sup>th</sup> in comparison (Social progress Index 2016). These indexes highlight the fact that although there are significant changes taking place in Tunisia towards facilitating a better future for the people, this is not manifesting itself in terms of happiness.

One conflicting report that should be reflected on in its reporting on Tunisia is the Freedom House Report. In 2010 pre-revolution Tunisia scored a status of 6, 'not free', with 7 being the worst score (Freedom House 2010). This score was given when Tunisia was still under autocratic rule. In contrast, the report that claims "championing democracy" changed Tunisia's score in 2015 to a 2, or free status, with 1 being the best score (Freedom House 2015). This is in drastic contradiction to the Social Progress Index that highlights considerable weakness in the areas of, press freedom, freedom over life choices, freedom of religion, tolerance for immigrants, tolerance for homosexuals, and religious tolerance (Social progress Index 2016). Along with Amnesty international's report citing the severe restrictions on liberty and movement of the Tunisian people, which is in some cases excessive and discriminatory, under the guise of a state of emergency in relation to terrorism (Amnesty International 2016). This lack of freedom is identified in many spheres of the Tunisian's lives and is a demonstration that hr and human security needs are not yet being made.

Although the government has changed from an autocratic rule and legislative advances are being put into place, there remains a lack of life choices, possibly due to the government system still being in transition. The continued lack of freedom of speech, lack of empowerment, lack of freedom of movement, and residual corruption all plays a part in the unhappiness of the Tunisians. These factors along with the country's future instability reduces the people sense of innate dignity and reduces their chances of individual happiness (Kyi 1991). Also, the Human Development Report describes the high unemployment or lack of work a major contributing factor to the human development which lends itself to happiness, for the reason employment contributes to self worth or human dignity (United Nations Development Programme 2015). The Human Development Index measure three indicators to attain their score, adjusted real income, lifespan, and educational attainment (Blanchflower and Oswald 2005 p. 2). At this point, there remains too much instability for the future of the Tunisian people, as their human security needs are not being met.

This case study identified the relationship between hr and human security and individual happiness through the experience of the country of Tunisia. A lack of respect towards hr ultimately lead to the 2010 revolution. The ongoing effort from the UN and other humanitarian organizations has yet to materialize in meeting the human security needs of the people. In addition, until the people's needs are met, social issues such as intolerance will remain a problematic within the

country. However, this serves to evidence that human security is necessary to increase happiness and reduce intolerance that may lead to violence.

### **Discussion**

With the globalization of the world the problem of human rights issues are of concern for everyone. When people are happy they generally live peaceful existence. In order to achieve this goal of a global peaceful co-existence, Western hr need to be legitimized by all. In order for this to happen, a cross-cultural dialogue must take place to hear and understand the needs of Islamic countries. To move forward, this needs to happen in a respectful and sensitive environment to reduce defensive positions and enable a productive dialogue to engage governments and populations to uphold hr while maintaining cultural norms and values. This to work towards the development of an international human rights norm that incorporates cultural relativity. Finally, a consensus needs to occur whereby all can agree upon what are universal rights as a means to increase the likelihood of adherence.

### **Conclusion**

This paper has successfully demonstrated that at a theoretical level the concept of natural rights and Islamic law are foundational compatible. This was accomplished by evaluating arguments at a superficial level that identified Western hr and Islam as not cohesive. Then the theory of knowledge was introduced as a means of tying together the conceptual framework of individual happiness between Western and Islamic perspectives. It was then argued that natural law is supported in Islamic law, with evidence from Islamic sources. The other foundational aspect of Western hr, innate human dignity was analyzed. It was evidenced that human dignity was of great reverence in Islam and as a Divine bestowal it is all Muslims Islamic duty to uphold human dignity. The modern concept of human security was examined in relation to hr and individual happiness. A practical application of human security was completed with a case study of Tunisia. Also, suggestions on developing an international human rights norm that respected all cultures and beliefs was discussed.

The results of this conceptual comparison between the philosophy of Western hr and Islam exemplified their ability to coexist successfully. With both philosophies placing mankind's needs as rights as shown in natural law and Islamic law. Also, both Western hr and Islamic foundations dictating that it is essential to place human dignity in a position of respect and protection to ensure people's needs are met, which in-turn impacts personal happiness. Furthermore, the need for universal respect for hr and its mutually reinforcing relationship to human security was demonstrated. Along with evidence of that people are most happy when they are ruled by good



governance. In conclusion, Islam is compatible with Western hr when the analysis takes place at a philosophical level.

The limitations experienced with this paper was in relation to translated documents. A number of excellent scholars in the field of hr reside in Iran, whereby a many of excellent sources of information were unable to be used due to a lack of translated works into english.

As this paper illustrated, in order to work towards peace both at a national and global level, hr and human security must be honoured at a universal level. Work must be done to legitimize

Western hr though-out the world through a culturally sensitive means. Furthermore, the necessity of ensuring people feel secure has great ramifications at many levels. With the number of refugees around the world at an all time high, it is clear more needs to be done towards protecting hr. As a global entity, more research and policy must be implemented in facilitating human security for all as a means towards a peaceful coexistence.

## **Bibliography**

African Development Bank, 2011. *Social Inclusion and Transition Support Program; Country: Tunisia* [online]. Available at: [http://www.afdb.org/fileadmin/uploads/afdb/Documents/Policy-Documents/Tunisia - Social inclusion and transition support programme final - Final\\_16\\_May\\_2011\\_.pdf](http://www.afdb.org/fileadmin/uploads/afdb/Documents/Policy-Documents/Tunisia_-_Social_inclusion_and_transition_support_programme_final_-_Final_16_May_2011_.pdf) [Accessed 25 May 2016].

Aghajari, H., 2002. *From Monkey to Man: A Call for Islamic Protestantism* [online]. Available at: <http://www.iranian.com/Opinion/2002/December/Aghajari/> [Accessed 30 July 2016].

Ahmad, I., 2009. *On Natural Law and Shari'ah* [online]. Available at: <http://www.muslims4liberty.org/wp-content/uploads/2013/05/Natural-Law-and-Shariah-Dr-Ahmad-MFI.pdf> [Accessed 21 July 2016].

Al-Attas, M., 1993 *Islam and Secularism*. Malaysia: International Institute of Islamic Thoughts and civilization.

Amnesty International, 2016 *Tunisia: Severe Restrictions on Liberty and Movement Latest Symptoms of Repressive Emergency Law*. Press Release [online]. Available at: <https://www.amnesty.org/en/press-releases/2016/03/tunisia-severe-restrictions-on-liberty-and-movement-latest-symptoms-of-repressive-emergency-law/> [Accessed 01 Aug 2016].

Anderson, L., 2011. Demystifying the Arab Spring: parsing the differences between Tunisia, Egypt, and Libya. *Foreign Affairs*, 2-7.

Arfa, C. and Elgazar, H., 2013. *UNICO Studies Series 4 Consolidation and Transparency: Transforming Tunisia's Health Care for the Poor* [online]. Available at: <http://documents.worldbank.org/curated/en/242251468122347643/pdf/749970NWP0Box30Transparency0TUNISIA.pdf> [Accessed 01 July 2016].

Lageman, T., 2016. *Mohamed Bouazizi: Was the Arab Spring Worth Dying For?* [Online]. Available at: <http://www.aljazeera.com/news/2015/12/mohamed-bouazizi-arab-spring-worth-dying-151228093743375.html>> [Accessed 19 May 2016].

Amuli, A., 1996 *Falsafeh-ye hoquq-e bashar* (The philosophy of human rights). Qom: Isra. Cited in Kamrava, M., 2008. *Iran's Intellectual Revolution*. Cambridge: Cambridge University Press.

Amuli, A., no date. *Sources of Human Rights in Islam* [online]. Available at: <https://www.al-islam.org/islamic-views-human-rights-viewpoints-iranian-scholars/sources-human-rights-islam> [Accessed 01 July 2016].

Andrea, T., 2011. *Natural Law Theory of Thomas Aquinas* [online]. Available at: <http://www.nlnrac.org/classical/aquinas> [Accessed 01 July 2016].

Beveridge, 1942. *Social insurance and allied services*. Cited in Duncan, G., 2008. *Should Happiness-Maximization be the Goal of Government?* Online. Available at: [http://www.gesis.org/fileadmin/upload/dienstleistung/veranstaltungen\\_fortbildungen/archiv/soz\\_ind/Vorlesung\\_Fribourg/Duncan\\_Grant\\_Happiness\\_Maximization.pdf](http://www.gesis.org/fileadmin/upload/dienstleistung/veranstaltungen_fortbildungen/archiv/soz_ind/Vorlesung_Fribourg/Duncan_Grant_Happiness_Maximization.pdf) [Accessed 15 July 2016].

Bielefeldt, H., 2000. "Western" versus "Islamic" human rights conceptions?: A critique of cultural Essentialism in the Discussion on Human Rights. *Political Theory*, 28 (1), 90-121.

Blanchflower, D.G. and Oswald, A.J., 2005. Happiness and the Human development index: the paradox of Australia. *Australian Economic Review*, 38 (3), 307-318.

Boughzala, M. and Hamdi, M., 2014. *Promoting Inclusive Growth in Arab Countries* [online]. Available at: <https://www.brookings.edu/wp-content/uploads/2016/06/Arab-EconPaper5Boughzala-v3.pdf> [Accessed 14 May 2016].

Carranza, R., 2015. *A Measure of Dignity: The Beginning of Reparations in Post-Revolution Tunisia* [online]. Available at: <https://www.ictj.org/news/measure-dignity-reparations-tunisia> [Accessed 22 Jun 2016].

Constitutional Rights Foundation, no date. *The Declaration of Independence and Natural Rights* [online]. Available at: <http://www.crf-usa.org/foundations-of-our-constitution/natural-rights.html> [Accessed 22 May 2016].

Constitutionnet, 2014. *Constitutional History of Tunisia; Snapshot: Tunisia's Constitution Making* [online]. Available at: <http://www.constitutionnet.org/country/constitutional-history-tunisia> [Accessed 01 June 2016].

Cornell University Library, no dated. *Arab Spring: A Research & Study Guide: Tunisia* [online]. Available at: <http://guides.library.cornell.edu/c.php?g=31688&p=200750> [Accessed 04 May 2016].

Danchin, P., no date. *The Universal Declaration of Human Rights* [online] Accessible at: [http://ccnmtl.columbia.edu/projects/mmt/udhr/preamble\\_section\\_1/concept\\_history.html](http://ccnmtl.columbia.edu/projects/mmt/udhr/preamble_section_1/concept_history.html) [Accessed 09 July 2016].

Diener, E., 1984. 'Subjective well-being'. *Psychological Bulletin*, 95 (3), 542-575.

Diener, E., Lucas, R., and Scollon, C., 2006. Beyond the hedonic treadmill: revising the adaptation theory of well-being. *American Psychologist*, 61 (4), 305-314.

Diener, E. and Tov, W., 2007. Subjective Well-Being and Peace. *Journal of Social Issues*, 63 (2), 421-440 [online]. Accessible at: [http://www.mysmu.edu/faculty/williamtov/pubs/2007\\_DienerTov.pdf](http://www.mysmu.edu/faculty/williamtov/pubs/2007_DienerTov.pdf) [Accessed 12 April 2016].

Equality and Human Rights Commission, 2016. *What is the Universal Declaration of Human Rights?* [Online]. Accessible at: <https://www.equalityhumanrights.com/en/what-are-human-rights/what-universal-declaration-human-rights> [Accessed 01 April 2016].

Food and Agriculture Organization of the United Nations, no date. *FAO Food Price Index* [online]. Accessible at <http://www.fao.org/worldfoodsituation/FoodPricesIndex/en/> [Accessed 20 May 2016].

Forsythe, D., 2009. *Encyclopedia of Human Rights*. Oxford: Oxford University Press.

Freedom House, 2010. *Tunisia* [online]. Accessible at: <https://freedomhouse.org/report/freedom-world/2010/tunisia> [Accessible 01 Aug 2016].

Freedom House, 2015. *Tunisia* [online]. Accessible at: <https://freedomhouse.org/report/freedom-world/2015/tunisia> [Accessible 01 Aug 2016].

Hassan, R., 1982. On human rights and the Qur'anic perspective. *Journal of Ecumenical Studies*, 19 (3), 51-65.

Hallaq, W., 2009. *An Introduction to Islamic Law*. Cambridge: Cambridge University Press.

Helliwell, J., Huang, H., and Wang, S., 2016. *World Happiness Report*. Chapter 2 The Distribution of World Happiness [online]. Accessible at: [http://worldhappiness.report/wp-content/uploads/sites/2/2016/03/HR-V1Ch2\\_web.pdf](http://worldhappiness.report/wp-content/uploads/sites/2/2016/03/HR-V1Ch2_web.pdf) [Accessed 20 May 2016].

Hassoun, N., 2008. Human rights, needs and autonomy. *Philosophy Commons* [online]. Accessible at: <http://repository.cmu.edu/cgi/viewcontent.cgi?article=1363&context=philosophy> [Accessed 20 June 2016].

Howard, R. and Donnelly, J., 1986. Human dignity, human rights, and political regimes. *American Political Science Review*, 80 (3), 801-816.

Human Rights Watch, 2008. *Tunisia Events of 2008* [online]. Accessible at: <https://www.hrw.org/world-report/2009/country-chapters/tunisia> [Accessed 26 May 2016].

Hyatt, J., 2013. *In Southern Tunisia. Pollution No Longer Swept Under the Rug* [online]. Accessible at: <http://www.ipsnews.net/2013/06/in-southern-tunisia-pollution-no-longer-swept-under-the-rug/> [Accessed 23 June 2016].



Joffe, G., 2011. The Arab Spring in North Africa: Origins and prospects. *The Journal of North African Studies*, 16 (4) [online]. Accessible at: <http://www.tandfonline.com/doi/full/10.1080/13629387.2011.630881> [Accessed 04 July 2016].

Glatzer, H., 2000. Happiness: classic theory in the light of current research. *Journal of Happiness Studies* 1, 501-511 [online]. Accessible at: [http://s3.amazonaws.com/academia.edu.documents/40092340/Happiness\\_Classic\\_Theory\\_in\\_the\\_Light\\_of20151117-4823-j8arxs.pdf?AWSAccessKeyId=AKIAJ56TQJRTWSMTNPEA&Expires=1469522127&Signature=iA2NVXm3r1nAGzBiSfDDyE3LoyU%3D&response-content-disposition=inline%3B%20filename%3DHappiness\\_Classic\\_Theory\\_in\\_the\\_Light\\_of.pdf](http://s3.amazonaws.com/academia.edu.documents/40092340/Happiness_Classic_Theory_in_the_Light_of20151117-4823-j8arxs.pdf?AWSAccessKeyId=AKIAJ56TQJRTWSMTNPEA&Expires=1469522127&Signature=iA2NVXm3r1nAGzBiSfDDyE3LoyU%3D&response-content-disposition=inline%3B%20filename%3DHappiness_Classic_Theory_in_the_Light_of.pdf) [Accessed 03 June 2016].

Gross National Happiness Index, 2016. *Bhutan GNH Index* [online]. Accessible at: <http://www.grossnationalhappiness.com/articles/> [Accessed 20 April 2016].

Griffel, F., 2007. *Shari'a; Islamic Law in the Contemporary Context*. California: Stanford University Press [online]. Accessible at: [https://www.academia.edu/1793477/\\_The\\_Harmony\\_of\\_Natural\\_Law\\_and\\_Shari\\_a\\_in\\_Islamist\\_Theology](https://www.academia.edu/1793477/_The_Harmony_of_Natural_Law_and_Shari_a_in_Islamist_Theology). [Accessed 23 June 2016].

Hafner-Burton, E., 2005. Human rights in a globalizing world: The paradox of empty promises, *The American Journal of Sociology*, 110 (5), 1373-1411 [online]. Available at: [http://irps.ucsd.edu/ehafner/pdfs/paradox\\_promises.pdf](http://irps.ucsd.edu/ehafner/pdfs/paradox_promises.pdf) [Accessed 29 April 2015].

Ibhawoh, B., 2002. Stronger than the Maxim Gun Law, human rights and British colonial hegemony in Nigeria. *Journal of the International African Institute* 72 (1), 55-83 [online]

Accessible at: [https://www.jstor.org/stable/3556799?seq=26#page\\_scan\\_tab\\_contents](https://www.jstor.org/stable/3556799?seq=26#page_scan_tab_contents) [Accessed 04 June 2016].

Inati, S., 1998. *Epistemology in Islamic Philosophy* [online]. Available at: <http://www.muslimphilosophy.com/ip/rep/H019> [Accessed 01 April 2016].

Islamic Sources and Law, 2012, 7.7 *Foundations of Islamic Law*. Course Lecture Notes.

Johnson, T., and Sergie, M., 2014. *Islam: Governing Under Sharia* [online]. Accessible at: <http://www.cfr.org/religion/islam-governing-under-sharia/p8034> [Accessed 10 June 2016].

Khansary, M., no date. *The Bright Light of Guidance* [online]. Accessible at: <https://www.al-islam.org/bright-lights-guidance-muhammad-ali-khansary> [Accessed 20 June 2016].

Khomeini, R., 1939. *Forty Hadith, An Exposition* 2<sup>nd</sup> ed. [online]. Accessible at: <https://www.al-islam.org/forty-hadith-an-exposition-second-edition-imam-khomeini> [Accessed 21 June 2016].

Kyi, A., 1991. *Human Development and Human Dignity* [online]. Accessible at <http://hdr.undp.org/en/content/human-development-and-human-dignity> [Accessed 01 Aug 2016].

Mack, A., 2004. The concept of human security. Cited in Brzoska, M., and Croll, P. ed. *Promoting Security: But How and For Whom?* [online]. Accessible at:

<http://www.hsrgroup.org/docs/Publications/Additional-Publications/Andrew-Mack-BonnCenterForConversionBrief-Concept-Human-Security.pdf> [Accessed 15 May 2016].

Malkawi, M., 2010. *Fall of Capitalism and Rise of Islam* [online]. Accessible at: [https://books.google.com.qa/books?id=TdyLAAAAQBAJ&pg=PT185&dq=fall+of+capitalism+rise+of+islam&hl=en&sa=X&redir\\_esc=y#v=onepage&q=fall%20of%20capitalism%20rise%20of%20islam&f=false](https://books.google.com.qa/books?id=TdyLAAAAQBAJ&pg=PT185&dq=fall+of+capitalism+rise+of+islam&hl=en&sa=X&redir_esc=y#v=onepage&q=fall%20of%20capitalism%20rise%20of%20islam&f=false) [Accessed 01 May 2016].

Maududi, A., 1981. *Human Rights in Islam*. Durban: New Era Publications.

Mayer, A., 2013. *Islam and Human Rights*, 5 ed. Pennsylvania: University of Pennsylvania.

McDougal, M., Lasswell, H., and Chen, L., 1977. Human rights and world public order: Human rights in comprehensive context. *Northwestern University Law Review*, 72 (2), 227- 307 [online]. Accessible at: [http://digitalcommons.law.yale.edu/cgi/viewcontent.cgi?article=3674&context=fss\\_papers](http://digitalcommons.law.yale.edu/cgi/viewcontent.cgi?article=3674&context=fss_papers) [Accessed 01 April 2016].

Mihrpur, H., 2001. Criticism and study of Cairo Declaration of Human Rights in Islam. In *Islamic Views on Human Rights: Viewpoints of Iranian Scholars*. Tehran: Alhoda Publishers.

Mills, J., 1863. *Utilitarianism*. Kitchener: Batoche Books [online]. Accessible at: <http://socserv.mcmaster.ca/econ/ugcm/3ll3/mill/utilitarianism.pdf> [Accessed 01 Aug 2016].

Morsink, J., 1999. *The Universal Declaration of Human Rights: Origins, drafting, and intent*, Pennsylvania: University of Pennsylvania Press.

Mutahhari, M., 1982 *Islamic Unity and Happiness* [online]. Available at: <https://www.al-islam.org/printpdf/book/export/html/41731> [Accessed 03 June 2016].

Natural Rights, 1968. *International Encyclopedia of the Social Sciences* [online]. Accessible at: <http://www.encyclopedia.com/doc/1G2-3045000863.html> [Accessed 01 June 2016].

New World Encyclopedia, 2015. *Age of Enlightenment* [online]. Available at: [http://www.newworldencyclopedia.org/entry/Age\\_of\\_Enlightenment](http://www.newworldencyclopedia.org/entry/Age_of_Enlightenment) [Accessed 01 June 2016].

Office for National Statistics, 2016. *Measuring National Well-Being: Life in the UK: 2016* [online]. Accessible at: <http://www.ons.gov.uk/peoplepopulationandcommunity/wellbeing/articles/measuringnationalwellbeing/2016> [Accessed 15 July 2016].

Osman, F., 1996. Human rights in Islam. In *Islamic Intellectual Forum* [online]. Accessible at: <http://www.hrusa.org/advocacy/community-faith/islam1.shtm>, [Accessed 01 May 2016].

Ott, J., 2011. Government and Happiness in 130 Nations: Good Governance Fosters Higher Level and More Equality of Happiness. *Social Indicators Research*, 102 (1), 3–22.

Ott, J., 2014. *Impact of Size and Quality of Governments on Happiness: Financial Insecurity as a Key-Problem in Market-Democracies*. Article Review [online]. Accessible at: [https://benjaminradcliffdotcom.files.wordpress.com/2015/02/johs\\_review\\_radcliff\\_book.pdf](https://benjaminradcliffdotcom.files.wordpress.com/2015/02/johs_review_radcliff_book.pdf) [Accessed 03 June 2016].

Ott, J., 2010. Greater happiness for a greater number: Some non-controversial options for governments. *Journal of Happiness Studies*, 1(5), 631-647.

Paris, R., 2001. Human security: Paradigm shift of hot air?. *International Security*, 26 (2), 87-102.

Paul, E., Miller, F., and Paul, J., 2005. *Natural Rights Liberalism From Lock to Nozick*. Cambridge: Cambridge University Press.

PBS, 1999. *The Heart of the Hutu-Tutsi Conflict* [online]. Accessible at: [http://www.pbs.org/newshour/updates/africa-july-dec99-rwanda\\_10-08/](http://www.pbs.org/newshour/updates/africa-july-dec99-rwanda_10-08/) [Accessed 03 July 2016].

Philosophy, 2016. *The 6 Step Guide to Aquinas' Natural Law in a Modern World* [online]. Accessible at: <https://www.stpeterslist.com/12257/the-6-step-guide-to-aquinas-natural-law-in-a-modern-world/> [Accessed 20 June 2016].

Porter, J., 1999-2000. From natural law to human rights: Or, why rights talks matter. *Journal of Law and Religion*, 14 (1), 77-96.

Ramcharan, G., 2002. *Human rights and human security*. The Hague: Martinus Nijhoff [online]. Accessible at: <https://blackboard.angelo.edu/bbcswebdav/institution/LFA/CSS/Course%20Material/SEC6320/readings/ramcharan.pdf> [Accessed 01 April 2016].

Religion Facts, 2015. *Islam* [online]. Accessible at: <http://www.religionfacts.com/islam> [Accessed 04 June 2016].

Rijkers, B., Freund, C., and Nucifora, A., 2014. The Perils of Industrial Policy: Evidence from Tunisia. *World Bank*.

Riley, S., and Bos, G., no date. *Human Dignity* [online]. Accessible at: <http://www.iep.utm.edu/hum-dign/> [Accessed 05 July 2016].

Sachedina, A., 2009. *Islam and the Challenge of Human Rights*. New York: Oxford University Press.

Sachedina, A., 2007. *The Clash of Universalisms: Religious and Secular in Human Rights* [online]. Available at: <http://www.consciencelaws.org/religion/religion099.aspx> [Accessed 22 April 2015].

Sadeghi-Nia, M., 2015. A conceptual analysis towards comprehensive human security: An Islamic approach, *Second Annual Conference of the British Association for Islamic Studies - Conference Proceedings*, London, U.K.

Sadeghi-Nia, M., 2012. *1.1 Human Security Introduction*. Lecture Notes.

Schachter, O., 1983. Human dignity as a normative concept. *The American Journal of International Law*, 77 (4), 848-854 [online] Accessible at: <http://0-www.jstor.org.library.qnl.qa/stable/pdf/2202536.pdf> [Accessed 20 May 2016].

Shestack, J., 1998. The philosophic foundation of human rights. *Human Rights Quarterly*, 20 (2), 201-234.

Siddiqi, M., 1993. *Hadith Literature: Its Origins, Development, and Special Features*. Cambridge: The Islamic Text Society.

Skubik, D., 1992. Two perspectives on human rights and the rule of law: Chinese East and Anglo-American West, *World Review*, 3 (2).

Social Progress Index, 2016. *Tunisia* [online]. Accessible at: <http://www.socialprogressimperative.org/countries/tun/#scorecard/components/spi/> [Accessed 01 Aug 2016].

Stigall, D., 2014. Law and the lodestar: Tunisian civil law and the task of ordering plurality in the aftermath of the Jasmine Revolution. *Journal of Civil Law Studies*, 7 (1), 1-50.



Strack, F., et al., 1991. *Subjective Well-Being: An Interdisciplinary Perspective (International Series in Experimental Social Psychology)* [online]. Available at: [http://worlddatabaseofhappiness.eur.nl/hap\\_bib/freetexts/strack\\_f\\_1991.pdf](http://worlddatabaseofhappiness.eur.nl/hap_bib/freetexts/strack_f_1991.pdf) [Accessed 01 June 2016].

Sunnah, no date. *Hadith; 'Utlub il' ilma wa las fis-Sin. The Prophet (s) said, "Seek Knowledge even in China* [online]. Accessible at: [http://www.sunnah.org/sources/hadith\\_utlub\\_ilm.htm](http://www.sunnah.org/sources/hadith_utlub_ilm.htm) [Accessed 05 June 2016].

Tabatabai, M., 1990. *Al-Mizan; An Exegesis of the Qur'an*. Iran: World Organization for Islamic Services.

Tabatabai, M., 2010. *Islam and the Contemporary Man* [online]. Accessible at: <https://www.al-islam.org/printpdf/book/export/html/30561> [Accessed 04 July 2016].

Thomistic Philosophy Page, 2015. *St. Thomas Aquinas on the Natural Law* [online]. Accessible at: <http://www.aquinasonline.com/Topics/natlaw.html> [Accessed 19 June 2016].

Tibi, B., 1994. Human rights, universal morality and international relations. *Human Rights Quarterly*, 16 (2), 277-299.

Tierney, B., 2004. The idea of natural rights-origins and persistence. *Northwestern journal of international human rights*, 2 (1), 1-13.

Tiliouine, H., 2015. Quality of life and wellbeing in North Africa – Algeria, Egypt, Libya, Morocco and Tunisia. Glatzer, W. et al. (eds) *Global Handbook of Quality of Life* [online]. Accessible at: [http://link.springer.com/chapter/10.1007/978-94-017-9178-6\\_22#page-1](http://link.springer.com/chapter/10.1007/978-94-017-9178-6_22#page-1) [Accessed 12 June 2016].

United Nations, no date. *International Day of Happiness* [online]. Accessible at: <http://www.un.org/en/events/happinessday/> [Accessed 06 June 2016].

United Nations, 2016. *Drafting the Universal Declaration of Human Rights; Drafting Committee* [online]. Accessible at: <http://research.un.org/en/undhr/draftingcommittee> [Accessed 30 June 2016].

United Nations, no date. *History of the United Nations* [online]. Accessible at: <http://www.un.org/en/sections/history/history-united-nations/index.html> [Accessed 30 June 2016].

United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 2010. Tunisia. *Consideration of Reports Submitted by States Parties Under Article 19*

*of the Convention* [online]. Accessible at: <http://www.un.org/documents/ga/docs/55/a5544.pdf>  
[Accessed 01 June 2016].

United Nations Human Rights, 2016. *Good Governance and Human Rights* [online]. Accessible at:  
<http://www.ohchr.org/EN/Issues/Development/GoodGovernance/Pages/GoodGovernanceIndex.asp>  
[Accessed 6 May 2016].

United Nations Human Rights, 2016. *Committee Against Torture Reviews Report of Tunisia*  
[online]. Accessible at: [http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?  
NewsID=19858&LangID=E](http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=19858&LangID=E) [Accessed 01 June 2016].

United Nations, 2003. *Human Security Now* [online]. Accessible at: [http://www.un.org/  
humansecurity/sites/www.un.org.humansecurity/files/chs\\_final\\_report\\_-\\_english.pdf](http://www.un.org/humansecurity/sites/www.un.org.humansecurity/files/chs_final_report_-_english.pdf) [Accessed 01  
July 2016].

United Nations Development Programme, 1994. *Human Development Report 1994* [online].  
Accessible at: <http://hdr.undp.org/en/content/human-development-report-1994> [Accessed 05  
January 2016].

United Nations Development Programme, 2015. *Work for Human Development: Briefing not for countries on the 2015 Human Development Report* [online]. Accessible at: [http://hdr.undp.org/sites/all/themes/hdr\\_theme/country-notes/TUN.pdf](http://hdr.undp.org/sites/all/themes/hdr_theme/country-notes/TUN.pdf) [Accessed 20 May 2016].

United Nations Economic and Social Commission for Asia and the Pacific, no date. *What is Good Governance?* [online]. Accessible at: <http://www.unescap.org/sites/default/files/good-governance.pdf> [Accessed 20 May 2016].

United Nations Practitioners' Portal, no date. *What is the Relationship Between Human Rights and Good Governance?* [Online]. Accessible at: <http://hrbaportal.org/faq/what-is-the-relationship-between-human-rights-and-good-governance> [Accessed 07 July 2016].

University of Minnesota, no date. *A Short History of Human Rights* ed. Flowers, N [online]. Accessible at: <http://hrlibrary.umn.edu/edumat/hreduseries/hereandnow/Part-1/short-history.htm> [Accessed 05 July 2016].

Vennhoven, R., 1996. Happy life-expectancy a comprehensive measure of quality-of-life in nations. *Social Indicators Research* 39, 1-58.

Veenhoven, R., 2000. Freedom and happiness: A comparative study in 46 nations in the early 1990's. In Diener, E., and Suh, E., (eds) *Culture and Subjective Wellbeing*. Cambridge: MIT Press

[online]. Accessible at: <https://personal.eur.nl/veenhoven/Pub2000s/2000a-full.pdf> [Accessed 04 June 2016].

Veenhoven, R., 2005. Inequality of happiness in nations: Introduction to this special issue. *Journal of Happiness Studies*, 6, 351-355.

Waghid, Y., 2014. *Philosophical Practices of Islamic Education: Towards the Cultivation of Happiness* [online]. Accessible at: [http://eepat.net/doku.php?id=philosophical\\_practices\\_of\\_islamic\\_education\\_towards\\_the\\_cultivation\\_of\\_happiness](http://eepat.net/doku.php?id=philosophical_practices_of_islamic_education_towards_the_cultivation_of_happiness) [Accessed 11 June 2016].

Weijers, D., no date. *Hedonism* [online]. Accessible at: <http://www.iep.utm.edu/hedonism/> [Accessed 11 June 2016].

Weiss, B., 1998. *The Spirit of Islamic Law*. London: The University of Georgia Press.