

## Protection of Human Rights in an Islamic Perspective and Citizen Engagement

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### ABSTRACTS

*This research aims to analyze the protection of Human Rights (HAM) from an Islamic perspective and its relevance within the context of Indonesian citizenship. Utilizing library research with a qualitative-descriptive approach, this study explores the philosophical foundations of human rights in Islam, which are theocentric in nature. In this view, fundamental rights are regarded as direct gifts from God (Ḥuquq Allāh) inherent in human dignity (al-karāmah). The findings demonstrate that Islam guarantees the protection of human rights practically through the framework of Maqāṣid al-Sharī'ah, which encompasses the protection of religion, life, intellect, lineage, and property. These results emphasize that Islamic principles do not contradict universal human rights concepts but instead provide moral reinforcement through religious responsibility (taklīf) to maintain justice and human dignity. Furthermore, this study elaborates on the implementation of the concepts of al-karāmah and al-istimtā' as instruments to realize legal equality, freedom of opinion, and socio-economic rights in real life. In the Indonesian context, the application of these principles is proven to be highly aligned with the values of Pancasila, particularly the 2nd and 5th precepts, as well as the mandate of the 1945 Constitution regarding the management of natural resources for the prosperity of the people. In conclusion, the Islamic perspective strengthens the synergy between duties as a citizen and religious obedience, ultimately encouraging the creation of a tolerant, inclusive, and socially just society.*

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### 1. INTRODUCTION

Human Rights, or often abbreviated as human rights, is a fundamental concept that is universally recognized around the world. In essence, human rights are basic rights or citizenship inherent in individuals from birth that are given directly by God Almighty whose existence cannot be deprived and revoked and must be respected, upheld, and protected by the state, law, government and everyone for the honor of protecting human dignity and

dignity. Recognition of human rights is the main foundation for the creation of a just, democratic, and civilized society.

Although human rights have a standard international legal framework such as the United Nations Universal Declaration of Human Rights (DUHAM), the debate on these rights should not ignore the essential contribution of local religious and cultural perspectives. This is because many spiritual beliefs and world civilization have long been noble values that are in line with



drawn about how important this Islamic view is in the discussion of world human rights and how it is applied in the life of citizens. That way, we can get a complete understanding that Islam is a religion that upholds human values.

## 2. METHODS

This research uses library research, meaning that our main focus is to collect and study various writings and documents relevant to the topic of human rights protection in Islam. The sources we use are very complete, ranging from theory books, scientific journal articles, official documents, to classic writings that have been published by experts. We do not collect data in the field (such as interviews or surveys), but rather take advantage of all the written science that already exists. The aim is to comprehensively understand the basic ideas, arguments, and history of the discussion of human rights and Islam, which then becomes a solid basis for our analysis.

To process all the collected library data, we use a qualitative-descriptive approach. This method is perfect for digging, interpreting, and explaining complex ideas or theories from the literature. The analysis process is carried out regularly and critically, not just citing. We assess the validity, relevance, and contribution of each source to the research topic. The goal is to strengthen the theoretical foundation and provide a complete understanding of human rights issues from various perspectives, especially within the framework of Islam. With this critical literature study, we can build a strong concept, find unfilled research gaps, and formulate logical arguments as new contributions to the discussion of citizenship and human rights.

The focus of this research is limited to the analysis of concepts and texts, especially regarding the protection of Human Rights (HAM) which is sourced from the basic teachings of Islam.

Specifically, we only discuss the main sources of Islamic law, namely the Qur'an and Hadith, as well as how Maqāsid al-Sharī'ah (the purposes of the Shari'ah) are relevant to human rights (e.g. the right to life and religion). Our main limitation is: this study is only a literature study, so there is no field data collection. Although we touched on the Indonesian context, we did not analyze in detail national laws or cases of human rights violations. Instead, we focus on comparing and aligning Islamic values with global human rights principles within the framework of the Citizenship lesson, to show that Islam is an important ethical and moral foundation for the life of the nation in Indonesia.

## 3. RESULTS AND DISCUSSION

Based on the background of the problem and the formulation of the problem above, the results of this study are as follows:

### **The Philosophical Foundations of Human Rights in Islam**

The Islamic view of Human Rights (Huqūq al-Insān) has a very different basis of thought from the Western concept which does not involve religion or secularism. In the West, all rights are human-centered (anthropocentric), which means that they arise from human thoughts and agreements (Rafzan et al., 2022). On the other hand, Islam adheres to a God-centered (theocentric) view, in which Allah جل جلاله is the only true source and giver of rights. So, for a Muslim, basic human rights are not the result of politics or the progress of civilization, but a special gift given directly by God. As a result, these rights are considered absolute, inherent and applicable to all people. These rights cannot be abrogated or taken away by any ruler, because violating human rights is tantamount to opposing God's commands. This is the most important difference between human rights in Islam and the

existing rules of international law. (Hazin et al. 2021)

The essence of the Islamic view of human rights is that there is a very close relationship between the Rights of God (Huqūq Allāh) and Human Rights (Huqūq al-Insān). In Islam, all our actions, including the way we interact in society, are considered worship. Therefore, fulfilling the rights of fellow human beings is considered an essential part of fulfilling God's rights. Simply put, when we protect the right to life, respect, be just, and ensure the well-being of others, it is a direct proof of our obedience to God ﷻ. This interrelated relationship makes the protection of human rights a sacred thing. Violating the rights of others is not only a matter of law in this world, but also a sin that must be accounted for before God in the hereafter. This is what makes the obligation to protect human rights have a much higher and deeper moral and spiritual value. (Syarifuddin, Haidi Hajar Widagdo, Ahmad Aziz Masyhadi, Zainol Hasan 2024)

The most important basis for all human rights in Islam is the affirmation of human dignity or self-esteem (al-karāmah), which is clearly stated in the Qur'an Surah Al-Isra verse 70, namely:

وَلَقَدْ كَرَّمْنَا بَنِي آدَمَ وَحَمَلْنَاهُمْ فِي الْبَرِّ وَالْبَحْرِ  
وَرَزَقْنَاهُمْ مِّنَ الطَّيِّبَاتِ وَفَضَّلْنَاهُمْ عَلَى كَثِيرٍ مِّمَّنْ خَلَقْنَا  
تَفْضِيلًا ﴿٧٠﴾

"Verily, We have glorified the descendants of Adam and We have carried them on land and in the sea. We also bestow upon them sustenance from the good, and We have made them superior to many creatures whom We have created with perfect advantages." (QS. Al-Isra: 70).

This dignity is a gift that God freely gives to all the descendants of the Prophet Adam, regardless of which tribe, race, or social status they belong to. It is this very noble status that produces the fundamental principle of equality in the eyes of the law and before God. This principle ensures that everyone has the right to be treated with

respect and should be treated fairly. Important rights such as the right to life, the right not to be tortured, and the right to justice, all derive from our obligation to guard this al-karāmah. This dignity that has been given by God cannot be taken away or taken away, even by the most powerful government or state. (Martyr and Ayubi 2025)

Another important philosophical concept in Islam is the designation of man as the Khalīfah (representative or mandatory) of Allah جل جلاله on earth. This role is not only an obligation, but it also carries with it inherent privileges. As a caliph, man receives a great mandate to manage the universe well and ensure justice is upheld in the midst of life. This mandate to be God's representative shows how important the position of man is. In order for man to succeed in carrying out this noble task, he must be supported by adequate freedom and basic rights.

Therefore, human rights function as instruments or tools given directly by God. These rights are essential for the caliph to act effectively. For example, human beings must have the right to sound mind (hifz al-aql), the right to security of life (hifz al-nafs), and the freedom to live life without pressure or fear. By having these basic rights, humans are able to carry out their functions as managers of the earth in society with full responsibility, moral integrity, and in accordance with the purpose of creation.

In the discussion of Islamic human rights, there is an important shift in focus: from simply "demanding rights" (claims) to "carrying out obligations" (taklīf). Human Rights are not only considered as demands that individuals make to the state or society. On the contrary, human rights are seen as a great responsibility, both individually and collectively, that every Muslim must fulfill and guard, not only to fellow Muslims but also to non-Muslims. This view of taklīf fosters a very high sense of social responsibility. For example, if someone fails to protect the rights of others—such as allowing hunger or injustice then this is

considered a failure to perform a religious duty. This ensures that human rights protection will always be there, supported by strong moral and religious motivations, and not solely dependent on the political or economic situation of the time.

The philosophical view that Human Rights (Huqūq al-Insān) is based on the Rights of God (Huqūq Allāh) has a profound impact on the legal system and social order. Since the Islamic human rights framework is directly sourced from the Divine (God), it tends to be more stable and not easily shaken by political changes or extreme views. The five main basic rights (Maqāsid al-Sharī'ah), namely the protection of religion, soul, intellect, heredity, and property, are absolute restrictions that cannot be violated by any law. By placing God as the Giver of Rights, Islam succeeded in incorporating the ethical values and morality of religion into the official laws of the state. This ensures that governments and societies always act for the common good (maṣlaḥah) while ensuring that the self-esteem and dignity of every human being are maintained, in accordance with the original purpose of human creation itself. (Sibawaihi, Basri and Irsyad 2024)

### **Framework for the Protection of the Five Basic Human Rights (Maqasid al-Shari'ah)**

After understanding that Human Rights in Islam has a God-centered basis of thought, the next step is to look at how Islam protects those rights in practice. This practical framework is called Maqasid al-Shari'ah, which means it is the main purpose of all Islamic law. Maqasid can be considered as the spirit or soul of Islamic law, which shows that all rules, whether governing worship or social affairs, aim to achieve the common good (benefit) and avoid all forms of damage. Earlier scholars, such as Imam al-Ghazali and Imam al-Syatibi, concluded that this main goal can be divided into five main things that must

be protected by everyone and by the state. (Umami and Ghofur 2022)

The first and most basic pillar of Maqasid al-Shari'ah is religious protection (Ḥifz al-Dīn). This pillar represents the most important human right, namely the Right to Choose and Practice Religion or Belief. This protection is divided into two aspects: first, Individual Freedom, in which everyone is free to choose and practice his religion without being forced by anyone, in accordance with the word of Allah ﷻ In the Qur'an surah Al-Baqarah verse 256, namely:

لَا إِكْرَاهَ فِي الدِّينِ قَدْ تَبَيَّنَ الرُّشْدُ مِنَ الْغَيِّ فَمَنْ يَكْفُرْ  
بِالطَّاغُوتِ وَيُؤْمِنْ بِاللَّهِ فَقَدِ اسْتَمْسَكَ بِالْعُرْوَةِ الْوُثْقَى  
لَا انْفِصَامَ لَهَا وَاللَّهُ سَمِيعٌ عَلِيمٌ ﴿٢٥٦﴾

"There is no coercion in (adhering to) the religion (Islam). Indeed, it is clear that the right path is from the wrong path. Whoever disobeys the obligation and believes in Allah has indeed clung to a very strong rope that will not be broken. Allah is All-Hearing and All-Knowing." (QS. Al-Baqarah: 256). (Fadhil 2022)

The second is the Protection of Religious Existence, which is to protect religion itself from threats, insults, or interference that can damage its main teachings. In the context of citizens' rights, Ḥifz al-Dīn guarantees the right of everyone to worship and perform all his or her religious rituals safely, affirming that religious freedom is highly upheld in Islam.

The second pillar is the protection of life or life (Ḥifz al-Nafs). This is the most basic human right, because without the right to life, other rights are meaningless. Islamic law places great emphasis on the protection of life; In fact, taking someone's life unjustly is considered a very great crime, as if killing all of humanity is based on the Qur'an surah Al-Ma'idah verse 32, namely:

مَنْ أَجَلَ ذَلِكَ كَتَبْنَا عَلَى بَنِي إِسْرَائِيلَ أَنَّهُ مَنْ قَتَلَ نَفْسًا  
بِغَيْرِ نَفْسٍ أَوْ فَسَادٍ فِي الْأَرْضِ فَكَأَنَّمَا قَتَلَ النَّاسَ  
جَمِيعًا وَمَنْ أَحْيَاهَا فَكَأَنَّمَا أَحْيَا النَّاسَ جَمِيعًا وَلَقَدْ جَاءَتْهُمْ  
رُسُلُنَا بِالْبَيِّنَاتِ ثُمَّ إِنَّ كَثِيرًا مِّنْهُمْ بَعْدَ ذَلِكَ فِي الْأَرْضِ  
لَمُسْرِفُونَ ﴿٣٢﴾



Having understood the basis of the idea that human rights come from God (Huqūq Allāh to Huqūq al-Insān) and we have already seen the framework of the five pillars of protection (Maqāṣid al-Sharī'ah), we will now focus on how all these concepts are applied in real life, especially in the face of today's problems and challenges. This application centers on two main concepts in Islamic social teachings, Al-Karāmah (Dignity or Honor) and Al-Istīmtā' (The Right to Benefit or Feel Prosperous). These two principles act as a guide to achieving justice and equality that involves all parties, both for each individual and for the wider community. By understanding these two concepts, we can see that Islamic teachings are very relevant and flexible in providing solutions to modern human rights problems.

Al-Karāmah (Human Dignity) is the main thought basis for the principle of equality in Islam. Since Allah glorifies all human beings from birth, there is no legitimate reason in Islam to discriminate. This principle is very clear that any differences such as ethnicity, race, color, or social status should not prevent a person from getting the same rights as others. In the modern world, Al-Karāmah strongly rejects all forms of racism, hatred of foreigners, and discrimination based on sex. Its implementation requires that the state guarantee equal treatment before the law for all citizens, regardless of their religious or ethnic background. This is entirely in line with the principles of modern citizenship. (Fatimah 2020)

The application of the principle of Al-Karāmah (Human Dignity) applies not only to equality before the law, but also extends to our Civil and Political Rights. Human self-esteem demands an environment that allows everyone to engage in public affairs and express their thoughts. In Islam, the Right to Opinion (which is also protected by Ḥifz al-'Aql or the protection of reason) is highly valued. However, this right must be conveyed responsibly (qaul sadīd, the right word) and must not contain slander or

damage the honor of others. In modern times, the application of Al-Karāmah requires freedom of speech and freedom of assembly. These two things are important tools so that the community can supervise the government and ensure accountability in order to maintain social justice. (Alviana Resthy Inda Hidayat, Amira Meina Zaroh 2023)

The second concept, Al-Istīmtā', literally means the right to enjoy or take advantage of this term being a strong basis for Islamic recognition of Economic, Social, and Cultural Rights. Al-Istīmtā' affirms that every human being has the right to utilize the natural resources and wealth of the earth (istimta' bi-mā fi al-ardh) to support their lives. In modern times, the application of this concept includes many important rights, such as the Right to Decent Work, the Right to the Necessities of Life such as clothing, food, shelter, and the Right to Social Security. This ultimately requires the state to provide basic facilities (infrastructure) and create equitable and equitable economic opportunities for all populations. (Abdurrahman 2022)

In its application, the right to exploit or Al-Istīmtā' must not lead to an uneven or unjust accumulation of wealth. This principle is always associated with the teachings of the justice of the distribution of property (distributive justice) and the prohibition of hoarding goods (ihtikar). Therefore, Al-Istīmtā' demands that there be rules that ensure that all people have equal access to essential resources, including land, water, and business capital. This concept supports the use of instruments such as zakat and fair (progressive) taxes as a way to ensure that one's right to enjoy wealth should not be detrimental to the rights of the poor. This principle is very important and relevant to overcome the problems of economic inequality and poverty, both at the global level and in Indonesia.

The application of Al-Istīmtā' also covers environmental issues today. The

right to utilize natural resources must be exercised with full awareness of our role as responsible Khalīfah (God's representative). This means that the use of resources must be carried out in a sustainable or sustainable manner, so that we do not damage the rights of future children and grandchildren to enjoy the same resources (Ediyono et al., 2018). Thus, Al-Istīmātā' fully supports the Right to a Healthy Environment. The Islamic teachings that prohibit ifṣād (destruction) and command iṣlāḥ (repair) are the basis for the nature conservation movement and environmental activism, proving that Islam provides a relevant response to the climate crisis and global ecological issues. (Hamidah 2020)

In the context of Indonesian citizenship, the application of Al-Karāmah (Dignity) and Al-Istīmātā' (Welfare) is very important. The principle of Al-Karāmah strengthens the spirit of Indonesian Unity and Social Justice (the 2nd and 5th Precepts of Pancasila). This principle firmly rejects all forms of intolerant treatment that degrades the self-esteem of citizens, including minority groups. On the other hand, the principle of Al-Istīmātā' is very much in line with the spirit of Article 33 of the 1945 Constitution, which regulates that natural resources be managed for the greatest possible prosperity of the people. By understanding and applying these two Islamic principles, Muslims can actively participate in the development of the country. It is a way to ensure that all basic rights of citizens, both civil, political, and economic, are guaranteed and fulfilled, based on religious values that are humanist and bring about positive change.

#### 4. CONCLUSION

In the Islamic perspective, Human Rights (HAM) has a theocentric foundation where basic human rights are seen as a direct gift from God (Huqūq Allāh) that is sacred, absolute, and inalienable by any power. This protection of human rights is realized practically through the framework

of Maqāṣid al-Sharī'ah, which requires the protection of five main pillars, namely the protection of religion (ḥifẓ al-dīn), the soul (ḥifẓ al-nafs), reason (ḥifẓ al-'aql), posterity (ḥifẓ al-nasl), and property (ḥifẓ al-māl) in order to achieve the benefits of life. This changed the paradigm of human rights from simply demanding rights to a religious obligation (taklīf), where respecting and guaranteeing the rights of fellow human beings, both Muslims and non-Muslims, is a form of direct obedience and moral responsibility to Allah جل جلاله.

The implementation of Islamic values such as al-karāmah (human dignity) and al-istīmātā' (the right to enjoy welfare) is very relevant to the principle of citizenship in Indonesia because it is in line with the values of Pancasila and the 1945 Constitution. The concept of al-karāmah guarantees equality before the law and rejects any form of discrimination or racism because Allah has glorified all of Adam's descendants regardless of their background. Meanwhile, the principle of al-istīmātā' encourages distributive justice and equitable use of natural resources for the prosperity of the people and the preservation of the environment. Thus, Islam provides a strong legal and moral foundation to strengthen tolerance, social justice, and inclusivity, proving that religious teachings actually highly value the dignity of human beings in the life of the nation and state.

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