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The Concept of Human Rights from The Qur'an Perspective

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Abstract

This article focuses on the discussion of human rights in the Qur'an. The issue of human rights (HAM) which is considered to have differences that are contrary to Islam is very problematic, so it is interesting to discuss. Is it true that Islam does not recognize the concept of human rights? So how does the Koran as the main source of the Islamic religion discuss the concept of human rights? Therefore, this research aims to reveal the concept of human rights in the Al-Qur'an as the main source of Islam itself. This research uses a qualitative approach with descriptive-analytical methods, especially Maudhu'i's interpretation of verses relating to human rights. The results of this research found that the concept of human rights in Islam has existed since humans were born, as evidenced by the existence of verses in the Qur'an which are very relevant to the concept of human rights, including the rights to equality and justice contained in (QS.an Nisa: 58) the right to life (QS. al-Isra': 33) and the right to education (QS. At-Taubah: 122) with the interpretation related to this verse means that Islam is very relevant to the concept of human rights.

Keywords: *human rights; Islamic views; views of the al-Qur'an.*

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Introduction

Human life is one of the destinies that God has determined. Destiny has brought humans to always strive and try to create a peaceful and happy life in living their lives. but humans have rights and obligations in every process of their life, not just life. Every human being, whether he is an official or a poor person[1], whether he lives in a city or a village, whether he is a citizen of one country or another, whether he is sick or healthy, all have basic human rights simply because they are human[2].

Since humans were born, Allah SWT has given them the same basic rights. Basic rights that are very inherent in humans are very inherent, universal and eternal along with the dignity and nature of humans themselves[3]. These basic rights are known as human rights (HAM)[4]. Human rights exist when humans are born. The issue of human rights is very hotly discussed throughout the world, even in Indonesia[5]. This issue is discussed very often because of the many violations that occur where people do not get their rights as they should. Then there is a shift or incompatibility between the concept of human rights itself and human rights which are used as an excuse for the interests of political groups[6]. And there is an allusion related to the concept that human rights are not in accordance with the roots of the Islamic religion, but is that true? So, what is the view of Islam, especially the Koran, as a religion that is rahmatan lil'amin, which upholds human values, which is reportedly not in line with the understanding of human rights from a western perspective?

In Islam, all issues, and rules in all aspects of life, including regarding human rights, have been recorded and regulated in such a way[7]. This is explained in the Koran. To understand the discussion about human rights in the Al-Qur'an, of course, a special study is needed regarding the meaning contained in the Al-Qur'an which discusses human rights[8]. Therefore, in this paper we will present several discussions regarding human rights and also their relationship to Islam and also how the Koran speaks about human rights issues[9].

Method

In this writing, we use the Al-Qur'an as the main source and also related readings or sources from books, tafsir books, journal articles, etc[10]. With a qualitative approach using analytical descriptive methods and library research which is sourced from books and books related to the focus of writing. Which consists of three stages, namely; inventory, clarification, and interpretation[11]. In this writing, the Maudhu'I interpretation method is used, which is one of the frequently used interpretation methods[4]. The Maudhu'I interpretation method

is used by looking for themes or discussions that will be discussed further. In this writing, the problem that will be studied is human rights by looking for the asbabun nuzul of the related verse, then looking for the munasabah of the verse that is related to the focus of the verse being discussed[12]. Next, explaining the meaning of the discussion of the verse and then looking for conclusions about the verse and its correlation with human rights.

Result and Discussion

Understanding Human Rights

In article 1 No.39 of 1999 of the Law of the Republic of Indonesia, it is stated that Human Rights (HAM) are a set of rights that are inherent in the essence of human existence as creatures of the Almighty God and are His gift that must be respected, upheld and protected[13]. by the state, law, government and every person for the sake of honor and protection of human dignity. John Locke said that human rights are rights given directly by God as natural rights. Therefore, nothing can change or revoke it. This right has a fundamental nature or is very basic for human life[14].

Human rights are a destiny that has been inherent in a human being since he was created and born into the world. By destiny, humans and other humans have the right to freedom. In the book *The Four Freedoms*, Rosevelt states that in living in society and as a state, humans have four freedoms, namely[15].

1. Freedom to speak and express opinions
2. Freedom of religion
3. Freedom from fear
4. Freedom from misery

Therefore, it can be found that the concept of human rights has the following characteristics[16].

1. Human rights do not need to be given, bought or inherited, because human rights are part of humans automatically
2. Human rights apply to everyone regardless of gender, race, religion, ethnicity, political views, or social and national origin. Human rights are universal
3. Human rights cannot be violated. People still have human rights even if a country makes laws that do not protect them or violate them.

History of Human Rights

Along with the existence of humanity, human rights were also born. Human rights were first seen by the Islamic religion, the Qur'an says about the existence of human rights including, human equality, guarantee of property rights, and guarantee of the right to life. According to Islamic content, the struggle for human rights is a response to the arbitrary behavior of those in power who trample on the honor and dignity of the common people. In BC, the struggle to protect human rights can be seen as follows[17].

1. In Ancient Egypt, the Prophet Musa fought to free the Jews from slavery in Egypt
2. In Babylonia in 2000 BC, Hammurabi's laws established rules that guaranteed justice for all citizens.
3. In 600 BC, Solon implemented reforms in Athens, creating laws that provided legal protection to enslaved people who were unable to pay their debts.
4. Between 527 and 565 BC, the Eastern Roman Emperor Justinian I created legal regulations based on his ideas that included guarantees of justice and human rights.
5. Greek philosophers such as Socrates (470-399 BC), Plato (427-347 BC), Aristotle (384-322 BC) put forward ideas for the protection and recognition of human rights.
6. In 30 BC, the Prophet Isa Al-Masih brought the Holy Bible as a basis for human behavior, so that they would always live in love for God or each other.

In Western countries, recognition of human rights began with the Magna Carta (1215). Magna Carta forced King John Lockland to recognize human rights, which included:

1. The King may not collect or impose taxes without the permission of the King's Advisory Council.
2. People may not be arrested, imprisoned, tortured, exiled or have their property confiscated without sufficient reason according to state law.

The birth of Magna Carta (1215), a document that recorded several rights granted by King John Rockland of England at the request of the nobility, was a document that established the relationship between rulers and the law and their power over the state, the concept of responsibility of the people[18]. In addition, on December 16, 1689, the Glorious Revolution broke out, which was marked by the ratification and enforcement of the Bill of Rights (1689), a law passed by the English Parliament before being enforced against King James II, which

established the principle of human equality before law. It comes into force to establish the right to freedom[19].

United States President Franklin D.Roosevelt in 1941 put forward "The Four Freedoms" that humans have, namely:

1. Freedom of speech and expression.
2. Freedom of religion
3. Freedom from fear
4. Freedom from poverty

On December 10, 1948, the U.N.D or UN issued a declaration called The Universal Declaration of Human Rights[20].

Islamic Perspective Human Rights

Islam, as a religion that is rahmatan lil'alamin, is guided by the Al-Qur'an and also hadith which are sources of law and also guidelines for life, which highly upholds human values which include discussing human rights as a nature that Allah has given to humans. it was born[21]. Abu al-'Ala al-Maududi divides it into two concepts, namely, first, human rights or huquq al-insanal-dharuriyyah; Second, Allah's rights or huquq Allah[22]. These two concepts are the basis and are very closely attached to humans themselves.

Human rights in Islam have a different meaning and perspective from the concept of understanding human rights in the West as stated in the Universal Declaration of Human Rights (DUMHAM) on 10 December 1948 which explains that the concept of human rights exists in The West is anthropocentric, which means that human rights in the Western perspective are subjective and only focus on humans as their orientation[23]. where the measure of truth about something is according to the person himself[24].

The truth of something is according to humans themselves (Washil and Fata 2018). This is of course very contrary to human rights in an Islamic perspective which is theocentric in nature where God is the benchmark for the truth of something, not humans[25]. Because God (Allah) is the one who knows everything that is best for humans themselves as creatures that he created because the creator certainly knows everything about what he created[26]. Departing from this concept, serving Allah is a human obligation in addition to human rights which are intended for other human beings[27].

The Medina Charter created by the Prophet for his government system in Medina is part of the proof of the concept of human rights in Islam. Where in the contents of the charter Rasulullah made several regulations for the comfort and

peace of the people of Medina which not only contained people from among the Muslims but also from among the Jews. This proves that at that time the concept of human rights already existed during the time of the Prophet. After that, what was called the Cairo Declaration emerged which contained several provisions related to human rights, namely; the right to life, the right to equality and freedom, the right to equality, the right to education, the right to freedom of religion, the right to family, the right of children from their parents, the right to opinion and also the right to ownership[28].

Judging from the explanation of the Medina Charter and the Cairo Declaration, Islam pays great attention to human rights starting from the moment humans are born without distinction of ethnicity, culture, economy, level of social life or even religion. And it can be seen from the year the concept of human rights was issued in the West and also the concept of human rights which was legally conceptualized in the Cairo Declaration, the concept of declaring human rights in Islam emerged before the term human rights appeared in the West[29]. So it is not true that many people report that there is no such thing as human rights or that Islam strongly opposes human rights because Islam uses sharia law to determine rights and obligations and regulate human behavior[30]. In fact, in Islam[31], Allah makes the rules of life called *maqosidu syari'ah* to protect the human rights that humans themselves have.

Imam ASy-Syathibi mentioned five main things which are included in the principles of Islam *al-dlaruriyat al-khamsah* or what is also called *al-huquq al-insaniyah fi al-islam*[6]. These five things are what is called *hifdzud diin* or what is called freedom religion, *hifdzul charity* or what is called freedom of amala or freedom of action (behavior), *hifdzul maal* or freedom regarding property, *hifdzun nasl* or freedom to look after offspring, and finally *hifdzul Aqli* namely freedom of thought[32].

Human Rights in the Qur'an

In the Al-Qur'an there are several verses that discuss human rights, as explained above, that human rights in Islam are divided into several parts or several groups, including.

Right to justice

The right to justice is a very important and valuable right that exists in humans. Justice means equality, comes from the verb (*fi'il*) '*adala* and its meanings are *al-'adl* and *al-idl*. *As-'adl* is to show something that can only be captured by the *bashirah* (mind), and *al-'idl* is to show justice that can be captured by the five senses. The first example is justice in the field of law, and the second example includes: justice in weights, measures and calculations[33]. According

to Quraish Shihab, justice means equal, a person is said to be fair if he treats one person equally with another. The meaning of equality here is equality in rights.

QS. An-Nisa' ayat 58:

﴿إِنَّ اللَّهَ يَأْمُرُكُمْ أَنْ تُؤَدُّوا الْأَمَانَاتِ إِلَىٰ أَهْلِهَا وَإِذَا حَكَمْتُمْ بَيْنَ النَّاسِ أَنْ تَحْكُمُوا بِالْعَدْلِ إِنَّ اللَّهَ نِعِمَّا يَعِظُكُمْ بِهِ إِنَّ اللَّهَ كَانَ سَمِيعًا بَصِيرًا﴾
 ﴿إِنَّ اللَّهَ نِعِمَّا يَعِظُكُمْ بِهِ إِنَّ اللَّهَ كَانَ سَمِيعًا بَصِيرًا﴾

Ministry of Religion 2019 translation

58. Indeed, Allah commands you to convey the trust to its owner. When you establish laws between people, you must establish them fairly. Indeed, Allah gives you the best teaching. Indeed, Allah is All-Hearing, All-Seeing.

According to Imam As-Suyuthi regarding Asbabun Nuzul, this verse, Ibn Mardawaih from the Al-Kalbi line from Abu Salih from Ibn Abbas narrated that when the Messenger of Allah conquered the city of Mecca, the Messenger of Allah called Uthman bin Talha and said "give me the key to the Kaaba". So he returned the key[34]. It was to the Messenger of Allah and at that time the Prophet's uncle, Abbas, asked that the key to the Kaaba be given to him. But Uthman did not give the key to Abbas until the apostle said, "Give me the key, O Uthman," then Uthman immediately gave it to the Messenger of Allah and with that key the apostle opened the door of the Kaaba to perform tawaf. After Rasulullah's tawaf, the angel Jibril came down to inform Allah's Messenger that Allah had ordered him to continue to make Ustman the keeper of the keys to the Kaaba. Then the apostle immediately gave the key to Ustman and said with the words of Allah, "Indeed, Allah commands you to convey the message to those who are entitled to receive it....[35].

According to the Ministry of Religion, the interpretation of this verse is: After explaining in the previous verses about the amount and reward for those who believe and do pious deeds, these verses explain that important pious deeds include carrying out orders fairly and honestly, and hold others in high regard. This verse is part of Surah an-Nisa, and the previous verse regulates the conditions for humans to act kindly and fairly towards women and orphans in terms of inheritance, law, property, means of communication and behavior[36]. Like promises and threats and demands for justice in society. On the other hand, the following verse talks about Uril Amri and his obedience to the leader. This verse communicates with Surah Al-Baqarah verse 30:

وَإِذْ قَالَ رَبُّكَ لِلْمَلٰٓئِكَةِ إِنِّي جَاعِلٌ فِي الْأَرْضِ خَلِيفَةً ۗ قَالُوا أَتَجْعَلُ فِيهَا مَن يُفْسِدُ فِيهَا وَيَسْفِكُ الدِّمَآءَ
وَنَحْنُ نُسَبِّحُ بِحَمْدِكَ وَنُقَدِّسُ لَكَ ۗ قَالَ إِنِّي أَعْلَمُ مَا لَا تَعْلَمُونَ ۗ وَإِذْ قَالَ رَبُّكَ لِلْمَلٰٓئِكَةِ إِنِّي جَاعِلٌ فِي
الْأَرْضِ خَلِيفَةً ۗ قَالُوا أَتَجْعَلُ فِيهَا مَن يُفْسِدُ فِيهَا وَيَسْفِكُ الدِّمَآءَ وَنَحْنُ نُسَبِّحُ بِحَمْدِكَ وَنُقَدِّسُ لَكَ ۗ قَالَ إِنِّي
أَعْلَمُ مَا لَا تَعْلَمُونَ

Ministry of Religion 2019 translation

30. (Remember) when your Lord said to the angels, "I will make a caliph¹³) on earth." They said, "Are You going to place someone there who will cause corruption and shed blood, while we praise You and sanctify Your name?" He said, "Indeed I know what you do not know."

13) In the Qur'an, the word khalifah has the meaning of 'successor', 'leader', 'ruler', or 'manager of the universe'

In this verse there is the word caliph which means leader. This means that this verse is related to Surah An-Nissa verse 58 which explains about giving trust to experts and giving decisions fairly, where the person who holds the highest trust and who can give a decision is a leader. In the author's opinion, the connection with the context of human rights is that God created humans as caliphs on earth and regulates and prospers the earth and its contents, including humans, with the best possible treatment^[37]. By deciding a case fairly, one of them is so that no human being is oppressed by having their rights as human beings taken away, be it the right to life, the right to freedom, the right to protection and so on, with the aim of ensuring that humans live on earth in a safe, peaceful and prosperous condition.

Right to life

One of the most important human rights is the right to life. In the Qur'an, it is stated, among other things;

QS. Surah Al-Isra' verse 33:

وَلَا تَقْتُلُوا النَّفْسَ الَّتِي حَرَّمَ اللَّهُ إِلَّا بِالْحَقِّ ۗ وَمَن قُتِلَ مَظْلُومًا فَقَدْ جَعَلْنَا لَوْلِيهِ سُلْطٰٓنًا فَلَا يُسْرِفُ
فِي الْقَتْلِ ۗ إِنَّهُ كَانَ مَنصُورًا

Ministry of Religion 2019 translation

33. Do not kill a person whom Allah has forbidden (to kill), except for a valid (reason). Whoever is killed through persecution, indeed We have given

authority) to his guardian. However, let him (his guardian) not exceed the limit in killing (kisas). Indeed, he is the one who gets help.

Asbabun Nuzul this verse is related to one of the hadiths in the book of Sahih Bukhari number 3566 which says, Uthman bin Abu Syaibah has told us Jarir from Mansur has told us Said bin Jubair has told us Al-Hakam from Salid bin Jubair then said Abdurrahman bin Abus asked me to ask Ibn Abbas about this verse and what it means regarding the word of Allah in QS. "Then the QS. killing souls is forbidden by Allah and we also worship other than Allah and have committed many sins. "Then Allah sent down this verse which means except those who repent and believe" QS Al-Furqan verse 70. Likewise in Surah An-Nisa it means if someone already knows Islam and its Shari'a, then he kills on purpose which means the punishment for him is hell. Then I told Mujahid this information and he said "except for those who regret their actions"[38].

This verse agrees with QS.an-Nissa verse 93:

وَمَنْ يَقْتُلْ مُؤْمِنًا مُتَعَمِّدًا فَجَزَاؤُهُ جَهَنَّمُ خَالِدًا فِيهَا وَغَضِبَ اللَّهُ عَلَيْهِ وَلَعَنَهُ وَأَعَدَّ لَهُ عَذَابًا عَظِيمًا

Ministry of Religion 2019 translation

93. "Whoever kills a believer intentionally, the reward will be (hell) Hell. He remains in it. Allah was angry with him, cursed him, and prepared for him a very great punishment."

According to Imam As-Suyuthi regarding Asbabun Nuzul in this verse, Ibn Jarir from the lineage of Ibn Juraij from Ikrimah, narrated that a man from among the Ansar killed Maqis bin Shababah's brother. Then the Prophet Muhammad SAW said "I cannot guarantee his safety either in crowded places or in haram lands", so Maqis bin Shababah was killed in Yaum Al-Fath. Then Ibn Juraij said that the word of Allah had come down, "And whoever kills a believer intentionally"[39].

The two verses above discuss murder, where Allah forbids humans from killing someone, which in this case is in line with human rights, namely humans have the right to live. If someone kills, he has deprived a human being of his natural rights[40]. So Allah speaks very loudly in the Qur'an about the prohibition of killing people, especially intentionally, which is a very big sin for which Allah is very angry with him and gives him the appropriate reward, namely Hell. And this verse also actually applies to every human being in general, namely that it is prohibited to kill someone[41], whether intentionally or not, because it violates humans' natural rights, namely the right to life.

The right to education

QS. At-Taubah verse 122:

﴿وَمَا كَانَ الْمُؤْمِنُونَ لِيَنْفِرُوا كَافَّةً فَلَوْلَا نَفَرَ مِنْ كُلِّ فِرْقَةٍ مِّنْهُمْ طَائِفَةٌ لِّيَتَفَقَّهُوا فِي الدِّينِ وَلِيُنذِرُوا قَوْمَهُمْ إِذَا رَجَعُوا إِلَيْهِمْ لَعَلَّهُمْ يَحْذَرُونَ﴾

Ministry of Religion 2019 translation

122." It is not fitting for the believers to go all out (to the battlefield). Why didn't some of each group of them go (stay with the Messenger of Allah) to deepen their religious knowledge and warn their people when they returned, so that they could protect themselves?"

According to Imam As Suyuthi regarding Asbabun Nuzul this verse, as narrated by Ibn Abi Hatim from Ikrimah, he said, "When the word of Allah came down, "If you do not go to war, Allah will punish you with a severe punishment..." at the right time. At the same time a number of people did not go to war because they were in the desert to teach religion to their people, then the hypocrites said, "There are some people in the desert who did not go to war. So woe to those people." Then the word of Allah came down, " The believers are not supposed to all leave (go to the battlefield). From Ibn Abi Hatim narrated from Abdullah bin Ubaid bin Umar he said, "Because he was very enthusiastic about jihad, then the Messenger of Allah sent a team of troops, usually the Muslims joined in and left the Messenger of Allah in the city of Medina with a small number of its citizens, then this verse came down[42].

Asbabun Nuzul in this verse Al-Wahidi mentioned in his book that, Ibnu Abbas said, according to the History of al-Kalbi that when Allah sent down verses containing verses about revealing the disgrace of hypocrites because of their attitude which seemed to ignore them and did not want to join in the jihad in battlefield. Then the believers said, "By Allah we will not neglect (not go to war and prefer to remain silent and stay at home) to take part in the war in which the Messenger of Allah is present." himself did not participate, so when he was about to face the enemy troops, all the Muslims went to the battlefield. Meanwhile, Rasulullah SAW remained silent in the city of Medina alone[43]. Then Allah SWT revealed the verse. "It is not necessary for believers to go all to the battlefield[44]. Why not just go for each group, one of them, a few people to enrich their knowledge about religion and at the same time inform their people about the warning and when they have returned? for them so that they can look after themselves[45].

The munasabah of this verse is related to deepening knowledge in line with the primacy of knowledge explained in QS. Al-mujadilah verse 11:

يَا أَيُّهَا الَّذِينَ ءَامَنُوا إِذَا قِيلَ لَكُمْ تَفَسَّحُوا فِي الْمَجَالِسِ فَافْسَحُوا يَفْسَحِ اللَّهُ لَكُمْ وَإِذَا قِيلَ انشُرُوا فَاَنْشُرُوا يَرْفَعِ اللَّهُ الَّذِينَ ءَامَنُوا مِنْكُمْ وَالَّذِينَ أُوتُوا الْعِلْمَ دَرَجَاتٍ وَاللَّهُ بِمَا تَعْمَلُونَ خَبِيرٌ

Ministry of Religion 2019 translation

11. O you who believe, when it is said to you "Make room in the assemblies," make room, surely Allah will make room for you. When it is said, "Stand up," (you) stand up. Allah will surely elevate those who believe among you and those who have been given knowledge to several degrees. Allah is careful about what you do.

Allah SWT explains at the end of this verse that for believers who obey and obediently carry out His commands and stay away from prohibitions, Allah will elevate their status, creating a calm, safe and peaceful atmosphere in the social environment, as is also shown to people who have knowledge to spread their knowledge in upholding the words of Allah[46]. So in this verse it can be concluded that people who have a degree close to Allah are people who believe and have knowledge and this knowledge is practiced according to the guidance and orders of Allah and His Messenger.

The connection between these two verses and human rights is the right to seek knowledge and the right to education. In these two verses, Allah even orders humans not only to fight or strive for jihad, but Allah also orders them to seek knowledge and deepen their religious knowledge[47][48]. Islam views education as something very important because with education humans can know various things and also with education humans can make life easier with their knowledge.

Conclusion

The argument of this research is that human rights have existed since ancient times since humans were born and these verses are very relevant to human rights issues. This research takes three verses in the Qur'an which discuss human rights, namely the letter (QS.an-nisa:58),(QS.al-mumtahanah:8),(QS.al-isra:33). The research is expected to provide benefits for increasing knowledge and learning. This research also has limitations in finding relevant verses and discusses more specific human rights, so that they can be examined more deeply.

Author Contributions

Sabila Aida Nurazizah: Conceptualization, Methodology, Writing - review & editing, Supervision, Project administration. **Nurzannah Damayanti:** Methodology, Writing - review & editing, Investigation. **Ryan Abdurrahman Fitriansyah** Conceptualization, Methodology, Writing - review & editing, Investigation.

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Conflict of Interest

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