



THEY ARE IN THE QURAN

MEREKA ADA DALAM AL-Qur'an

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Abstract

Human rights are rights that are owned by all people according to humane conditions. These human rights are always seen as something basic, fundamental and important. Therefore, the opinion that says that human rights are "power and security" owned by every individual. The idea of human rights arose in the 17th and 18th centuries, as a reaction to the absolutism of kings and feudal lords at that time towards the people they ruled or the people they employed, namely the lower class society, this lower class society did not have rights, they were treated arbitrarily as slaves owned. As a reaction to this situation, the idea arose so that the lower class society would be elevated from its position as slaves.

Keywords: Human Rights, Al-Qur'an

Abstrak

Hak asasi manusia adalah hak yang dimiliki oleh semua orang menurut kondisi kemanusiaannya. Hak asasi manusia ini selalu dipandang sebagai sesuatu yang mendasar, mendasar dan penting. Oleh karena itu, muncullah pendapat yang mengatakan bahwa hak asasi manusia adalah "kekuasaan dan keamanan" yang dimiliki oleh setiap individu. Gagasan tentang hak asasi manusia muncul pada abad ke-17 dan ke-18, sebagai reaksi terhadap absolutisme raja-raja dan tuan tanah feodal pada masa itu terhadap rakyat yang dikuasainya atau orang-orang yang dipekerjakannya yaitu masyarakat kelas bawah, namun masyarakat kelas bawah ini tidak mempunyai hak, mereka diperlakukan sewenang-wenang seperti budak



milik. Sebagai reaksi atas keadaan tersebut, muncullah gagasan agar masyarakat kelas bawah diangkat dari kedudukannya sebagai budak.

Kata Kunci : Hak Asasi Manusia, Al-Qur'an

1. INTRODUCTION

Human Rights (HAM) are basic rights inherent in humans from the time they are in the womb until birth and must be respected, upheld and protected by the state, law, and government, and every person. Human Rights are a gift from God Almighty and cannot be revoked. Human Rights (HAM) are a universal concept that emphasizes the importance of respecting the basic rights of every individual without discrimination. In Islam, human rights have strong roots, as regulated in the Al-Qur'an and Sunnah. The Al-Qur'an as the main source of Islamic teachings not only emphasizes the principles moral principles and justice, but also explains the fundamental human rights given directly by Allah SWT. In relation to Human Rights (HAM), this will be important to discuss in this paper with a review of HAM in the Qur'an

2. RESEARCH METHOD

In the discussion of this paper, the type of research used is the Sharia legal approach. The data used in this paper is by using references from journals, books, and other articles related to the title of the paper to be discussed.

3. RESULTS AND DISCUSSION

Understanding Human Rights

Human rights have a very broad meaning. Literally, the word rights means the authority to do something or not to do something. The word basic comes from the word basic, reason, or foundation, which is something that becomes the basis for thinking or having an opinion. Human rights are also a direct translation of human rights in English, "droits de l'home" in French, and menselijke rechten in Dutch. However, there are also those who use the term HAM as a translation of basic rights and fundamental rights in English, and grondrechten and fundamental rechten in Dutch.

Terminologically, the term human rights is often referred to as rights that are inherent in humans since birth. Miriam Budiardjo said that human rights are rights that humans have that are obtained and brought with them at birth or their presence in society. Meanwhile, according to Jan Meterson from the UN Human Rights Commission, human rights are rights that are inherent in every human being, without which humans cannot live as humans. Furthermore, he stated that these rights are rights that are brought since birth as a gift from God Almighty, not a gift from humans or rulers. These rights are very fundamental to human life and life which is natural, namely it cannot be separated from and in human life. Human rights are rights that are owned by all people according to human conditions. These human rights are



always seen as something basic, fundamental and important. Therefore, the opinion that says that human rights are "power and security" owned by every individual. The idea of human rights arose in the 17th and 18th centuries, as a reaction to the absoluteness of kings and feudal lords at that time towards the people they ruled or the people they employed, namely the lower class society, this lower class society did not have rights, they were treated arbitrarily as slaves who were owned. As a reaction to this situation, the idea arose that the lower class society should be elevated from its position as slaves. Therefore, the idea arose to uphold human rights, with the concept that all humans are equal, all are free and brothers, no one has a higher or lower position, thus there are no more slaves.

The definition of human rights is stated in Law No. 39 of 1999 concerning Human Rights. According to this law, human rights are a set of rights inherent in the nature of humans as creatures of God Almighty and are His gifts that must be respected, upheld, and protected by the state of law, government and every person, for the honor and protection of human dignity and honor (Article 1 point 1 of Law No. 39 of 1999 concerning Human Rights). This definition means that human rights exist solely because humans are creatures of God who are different from other creatures. These human rights also exist solely because of a selfless gift from God so that humans can live truly as humans. Therefore, in the same definition, basic obligations are also stipulated, namely the obligations of the state of law, the government, and every person to respect, uphold and protect the basic rights of others.

John Locke stated that human rights are rights that are given directly by God Almighty as natural rights. Therefore, there is no power in the world that can revoke it.⁶ In Law Number 39 of 1999 concerning Human Rights, Article 1 states that

"Human Rights are a set of rights inherent in the nature and existence of humans as creatures of God Almighty and are His gifts that must be respected, upheld, and protected by the State, law, government, and every person for the honor and protection of human dignity."

Human Rights (HAM) is a universal concept that emphasizes the importance of respecting the basic rights of every individual without discrimination. In Islam, human rights have strong roots, as regulated in the Qur'an and Sunnah. The Qur'an as the main source of Islamic teachings not only affirms the principles of morality and justice, but also explains the fundamental human rights given directly by Allah SWT. In Islam, human rights include the right to life (QS Al-Maidah: 32), freedom of belief (QS Al-Baqarah: 256), the right to justice (QS. An-Nisa: 135), and the right to welfare (QS Al-Hasyr: 7).

The Concept of Human Rights in the Qur'an

The Qur'an has explained that humans are made caliphs on earth and are given glory and dignity that must be respected and protected. This means that humans naturally have glory, placing humans in the position of dignified creatures. This is in accordance with the word of Allah SWT. In QS. Al-Isra verse 70. which provides information that Allah has honored the descendants of Adam (humans) Islam teaches about respecting and protecting every creature of God on this earth. Let's look at the Qur'an, the human rights system has been regulated and



contains basic principles and Islam views all humans as having the same rights without discrimination. In the Qur'an there are many verses that explain human rights such as the word of Allah SWT, letter al-Hujurat verse 13.

يَا أَيُّهَا النَّاسُ إِنَّا خَلَقْنَاكُمْ مِنْ ذَكَرٍ وَأُنْثَىٰ وَجَعَلْنَاكُمْ شُعُوبًا وَقَبَائِلَ لِتَعَارَفُوا إِنَّ أَكْرَمَكُمْ عِنْدَ اللَّهِ أَتْقَاهُ إِنَّ اللَّهَ عَلِيمٌ خَبِيرٌ

It means :

O people, indeed We have created you from a man and a woman. Then, We made you into nations and tribes so that you might know each other. Indeed, the noblest among you in the sight of Allah is the one who is most pious. Indeed, Allah is All-Knowing, All-Compliant.

his verse explains that Allah has created humans differently, starting from differences in gender, ethnicity, and others. Quraish Shihab explains that this verse is an introduction to emphasize that all humans have the same degree of humanity in the sight of Allah SWT, there is no difference between one tribe and another and there is no difference between the human values of men and women. These differences do not become a barrier between who has more rights or not regarding human rights, all humans have the same rights to their basic rights no matter who they are and what their ethnicity is. This indicates that human rights in Islam are very concerned with the side of justice and the welfare of all mankind. Such as

Thus, whoever upholds human rights has honored humanity. The human rights system in Islam is regulated in the Qur'an, containing the basic principle that Islam views all humans as having the same rights.

The Qur'anic approach to human rights emphasizes the balance between individual rights and obligations and harmonious relations with society. This concept is not only theoretical but also practical, encompassing spiritual, social, and legal dimensions that guide human life. With this foundation, Islam acts as a comprehensive system in regulating the lives of individuals and society in a fair and equitable manner.

The Qur'an contains many beneficial meanings, upholding noble values as well as the values contained in human rights, such as justice, freedom and respect for individual rights. Here are some relevant verses of the Koran:

1. Right to Life (QS. Al Maidah Ayat 32)

مَنْ أَجَلَ ذَلِكَ كَتَبْنَا عَلَىٰ بَنِي إِسْرَءِيلَ أَنَّهُ مَنْ قَتَلَ نَفْسًا بِغَيْرِ نَفْسٍ أَوْ فَسَادٍ فِي الْأَرْضِ فَكَأَنَّمَا قَتَلَ النَّاسَ جَمِيعًا وَمَنْ أَحْيَاهَا فَكَأَنَّمَا أَحْيَا النَّاسَ جَمِيعًا وَلَقَدْ جَاءَهُمْ رُسُلُنَا بِالْبَيِّنَاتِ ثُمَّ إِنَّ كَثِيرًا مِنْهُمْ بَعْدَ ذَلِكَ فِي الْأَرْضِ لَمُسْرِفُونَ

Meaning:

Therefore, We decreed for the Children of Israel that whoever kills a person not in return for killing another person or for causing corruption in the land, it is as if he has killed all mankind. But whoever saves the life of a person, it is as if he has saved the life of all mankind. Indeed, Our messengers came to them with clear proofs. Then, indeed, many of them transgressed in the land after that.

2. Freedom of Religion (QS. Al-baqarah Ayat 256)



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

Meaning:

There is no compulsion in (adhering to) religion (Islam). Indeed, the right path has become clear from the wrong path. Whoever disbelieves in the false gods and believes in Allah has indeed grasped the most trustworthy handhold that will never break. Allah is All-Hearing, All-Knowing.

3. Justice and Equal Rights (QS. An-nisa Ayat 135)

يَا أَيُّهَا الَّذِينَ آمَنُوا أَمِنُوا بِاللَّهِ وَرَسُولِهِ وَالْكِتَابِ الَّذِي نَزَّلَ عَلَىٰ رَسُولِهِ وَالْكِتَابِ الَّذِي أَنْزَلَ مِنْ قَبْلُ وَمَنْ يَكْفُرْ بِاللَّهِ وَمَلِكِهِ وَكُتُبِهِ وَرُسُلِهِ وَالْيَوْمِ الْآخِرِ فَقَدْ ضَلَّ ضَلَالًا بَعِيدًا

Meaning:

"O you who believe! Be you who are truly upholding justice, witnesses for Allah, even if it is against yourselves or your parents or your relatives."

This verse emphasizes justice without discrimination.

4. Respect for Human Dignity (QS. Al-Isra Ayat : 70)

وَلَقَدْ كَرَّمْنَا بَنِي آدَمَ وَحَمَلْنَاهُمْ فِي الْبَرِّ وَالْبَحْرِ وَرَزَقْنَاهُمْ مِنَ الطَّيِّبَاتِ وَفَضَّلْنَاهُمْ عَلَىٰ كَثِيرٍ مِّمَّنْ خَلَقْنَا تَفْضِيلًا

Meaning:

"And indeed, We have honored the children of Adam, We carried them on land and sea, We provided them with good things, and We preferred them with perfect superiority over most of those We have created."

5. Right to Social Welfare (QS. Al-Hasyr Ayat : 7)

مَا آفَاءَ اللَّهُ عَلَىٰ رَسُولِهِ مِنْ أَهْلِ الْقُرَىٰ فَلِلَّهِ وَلِلرَّسُولِ وَلِذِي الْقُرْبَىٰ وَالْيَتَامَىٰ وَالْمَسْكِينِ وَابْنِ السَّبِيلِ ۚ كَيْ لَا يَكُونَ دُولَةً بَيْنَ الْأَغْنِيَاءِ مِنْكُمْ ۚ وَمَا آتَاكُمُ الرَّسُولُ فَخُذُوهُ وَمَا نَهَاكُمْ عَنْهُ فَانْتَهُوا ۚ وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ شَدِيدُ الْعِقَابِ

Meaning:

Whatever (treasures obtained without fighting) Allah has bestowed upon His Messenger from the people of the towns is for Allah, the Messenger, the near of kin, the orphans, the needy, and the wayfarer. (Thus) so that it may not be circulated only among the wealthy among you. What the Messenger gives you, take it. What he forbids you, leave it. Fear Allah. Indeed, Allah is severe in punishment.

From several translations of the verses that I quoted, it explains how the Qur'an highly upholds the issue of human rights as a form of respect for the values of the creation of God Almighty. So it is very appropriate for us to apply it even though in reality there are many in the field where it is not appropriate. In the law, the issue of human rights has also been regulated.

One of the human rights issues that has social implications is the equality of humanity. This theme can also be drawn into the principle of al-karāmah al-insāniyah as in Q.S. al-Isrā' (17): 70. The word karramnā expressed in the form of muta-'addiy means "We make the children of Adam honorable. Honor is usually related to morality and charisma or authority, not to wealth. However, the last part of the verse needs to be given a proportional explanation,



because textually it seems to contradict the principle of equality. Al-ZuHailiy explained that al-tafĀīl is only on the physical aspect, while al-Qurtubiy includes physical and non-physical aspects as human advantages over other creatures. From the physical aspect, al-Qurtubiy gave an example by citing al-Tabariy's view that the advantage of humans is because they eat with their hands, while other creatures eat with their mouths. From a non-physical aspect, he emphasized that the superiority of humans lies in their intellect because with their intellect humans are given responsibility (taklīf), can know their God and justify the mission of His messenger.

Islamic Criminal Law in a State of Law

The founding fathers when establishing the Indonesian state, formulated that the Indonesian state is a state of law (rechtsstaat), not a state based on power (machtsstaat). Therefore, the law should be used as a framework for regulating, protecting and resolving problems in running the wheels of life in society, nation and state. In relation to Islamic criminal law, where the radical Islamic movement especially in Indonesia is currently aggressively wanting to revive Islamic sharia law especially the death penalty and so on, this is a big problem related to the state of law itself.

Islamic criminal law which is also related to human rights in this article focuses on the punishment of qisas (life for life), namely the death penalty for a convict. This is a legal concept that should not be enforced in a country based on law, especially Indonesia. Many scholars state that it is true that the death penalty or qisas is determined from the text of the Qur'an, but according to An-Na'im, the provisions on the death penalty are not truly determined based on the Qur'an, but based on the history of the Prophet's life, as well as the history of local Arab customs at that time. If the law of qisas is still forced to apply in the country of law Indonesia, this is clearly contrary to universal human rights values, namely the right to life.

The Indonesian government, which has declared itself a country of law, is obliged to fulfill, protect, and respect human rights, especially for those sentenced to death. The protection of human rights in the Constitution that once applied in Indonesia proves that one of the requirements for a country of law is the guarantee of human rights.

4. CONCLUSION

From the explanation above related to the issue of human rights in the Qur'an, it has many concrete meanings. The concept of human rights offered in some of the ones that have been quoted is that human rights are a form of the nature of God Almighty that is inherent in humans that no one has the right to revoke. The rights that humans have should be upheld because textually in several verses of the Qur'an it explains the issue of human rights which is a basic principle that Islam views all humans as having the same rights. Islam also highly upholds moral values in respecting every Creation of God so that there is no difference between one and another, that all have the same rights before God Almighty. The Qur'an provides protection for every human being as a creature of God who deserves to be respected and the rights that exist in humans themselves are protected. Islam views every right inherent in



humans so beautifully, for that, we as fellow humans should respect and respect each other without hurting each other. That is the Qur'an with full perfection in all things including in the context of Human Rights

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