

# Harmony of obligations and rights of citizens in Islam

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## ABSTRACT

Obligations are responsibilities that must be fulfilled by everyone, while rights are things that everyone must receive, related to the relationship between obligations, rights, and the state, citizens have obligations and rights. In Islam, the obligations and rights of citizens have been regulated in a balanced manner. This research is a literature study aimed at finding out how Islam defines the state and citizens

and how Islam regulates the obligations and rights of citizens in a balanced manner. From the search results, it is found that both in the Islamic perspective and the state perspective, citizens have obligations that must be carried out properly as a reciprocal relationship in order to create a good correlation in running a democratic state and this is called the right of the government or state. Meanwhile, the government also has obligations that must be fulfilled towards its citizens, and this is called the rights of citizens. Among the obligations of citizens towards the state according to Islam are obeying and obeying the leader, being critical, and defending the country. The rights that citizens must receive are the right to life, legal protection, and proper services.

## Introduction

Ibn Khaldun an Islamic thinker about society and the state, formulated that the state is a society that has *wazi'* and *mulk*, which has authority and power. The state in the view of al-Mawardi (d. 1058), a political thinker in the classical period, is a political institution as a substitute for the prophetic function to carry out religious affairs and organize world affairs. Another opinion was expressed by Logemen and Mac. Ivar, that the state is a social organization that with its power seeks to regulate and manage a particular society, based on the legal system, and is compelling to be obeyed by each individual (Aji, 2015).

The differences in opinion of the experts above, of course, will add insight and thought as well as complement and refine the perception of the state so that the perception will become more dynamic and develop. This, in essence, leads to the conclusion that a state must have a society, a government or manager, and rules or laws (law enforcement) that must be followed, and have the aim of regulating.

The people in the definition of the state above, in subsequent developments are known as citizens. The definition of a citizen in general is a resident of a country or nation based on descent, birthplace, and so on, who has full obligations and rights as a citizen of that country. Meanwhile, if it is related to the territory of Indonesia, then Indonesian citizens are native Indonesians who have inhabited the archipelago for generations



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since the time of the tandem (Kamus Besar Bahasa Indonesia, 1994). According to Koerniatmanto, S. Citizens as members of the state who have a special position towards their country, have reciprocal relationships of rights and obligations towards their country (Abdin, 2020).

A right is something that a person should receive after fulfilling an obligation. Meanwhile, an obligation is something that a person should do within the legitimacy that applies in society or in law. The rights and obligations of citizens towards the state are regulated in the 1945 Constitution and other legal rules that are a follow-up to the 1945 Constitution. Citizen rights are something that citizens can have from their country, such as the right to live properly and safely, services, and other rights regulated in law. The obligations of citizens towards their country are the obligation to defend the country and obey the law. The main principle in determining the rights and obligations of citizens is the involvement of citizens, either directly or indirectly, through representatives in every formulation of these rights and obligations, so that citizens are aware of and treat rights and obligations as part of their lives (Namang, 2020).

Thus, in accordance with the mandate of the Constitution, every Indonesian citizen is obliged to fulfill his obligations to the state in accordance with the applicable rules and laws established by the state, in this case, the Government. Conversely, his capacity as a citizen also gives him rights that must be fulfilled by the State. The State is obliged to provide the rights of each citizen such as the right to religion, the right to obtain proper education, the right to politics, and others.

In Islam the rights and obligations of citizens have also been regulated.

In al-Qur'an letter al-Nisa' verse 59, which means:

*"Wahai orang-orang yang beriman! Taatilah Allah dan taatilah Rasul (Muhammad), dan Ulil Amri (pemegang kekuasaan) di antara kamu. Kemudian, jika kamu berbeda pendapat tentang sesuatu, maka kembalikanlah kepada Allah (Al-Qur'an) dan Rasul (sunnahnya), jika kamu beriman kepada Allah dan hari kemudian. Yang demikian itu lebih utama (bagimu) dan lebih baik akibatnya."*

The Ayat states that the obligation of believers is to obey Allah and His Messenger and the existing power holders. If it is related to the holders of power, it means the people or citizens. Islam through the Qur'an requires citizens to obey the leadership, obey the government and even the Qur'an provides a solution if there is a difference between the government and citizens then to return the decision to the law of the Qur'an and Hadis.

In Surah al-Nisa' ayat 58, Allah recommends otherwise, that a ruler or leader has an obligation to be fair to his people or subordinates, this means that the people or citizens are entitled to fair treatment from the government or ruler in all fields. These two ayat in Surah al-Nisa prove that the rights of citizens and their obligations to the state have been addressed in Islam, especially in the Qur'an.

For more details, what is the relationship between the state and citizens, and what is the role of citizens in the perspective of the state and religion will be examined in this paper.

## Discussion

According to Aristotle, the Constitution is the thing that shows the identity of a country. Aristotle said, "Because the state is a collection of various elements of society in a constitution. So when the constitution changes and is replaced by another constitution, the state also changes". All countries have different constitutions that regulate life and power in a country. Aristotle further analyzed the constitution which is a further discussion of citizens, because the constitution determines how citizens organize their own lives (Namang, 2020).

There are 3 forms of constitution that apply in a country, namely monarchy, oligarchy, and democracy. Aristotle provides an understanding of each of these forms of constitution. Monarchy, where power is held by an individual, i.e. by the king. Oligarchy is a form of constitution where power is held by elected people. Democracy is where power is held by all citizens, or in other words, it is the citizens who rule. As written in his book *La Politica*, Aristotle wrote clearly about the differences in the form of the constitution and its power holders from the 3 forms of power (Namang, 2020).

Here it becomes clear that each country has a different constitution, in accordance with the policies of that country. However, the constitutions of each country do not all bring about the common good of the country. A monarchy will benefit the monarchy, an oligarchy will benefit the rich, and a democracy will benefit those in need. To realize a just state life must be built from within humans as rational beings and aim at goodness, not on the constitution which is merely a tool in running the state government. It is humans who are the subject of making decisions and the purpose of decisions to live well in the state (Namang, 2020).

*Aristotle stated that the determination of who is a citizen is more appropriately based on the constitutional regime or from the government. So citizens are determined by the form of government. The Constitution determines who is a citizen. Citizens in an oligarchy are not necessarily citizens in a democracy. Citizens are not determined based on place or obedience to the law (Namang, 2020).*

## The Rule of Law

Humans are rational beings. But it is also undeniable that humans are creatures of temptation and lust. Aristotle noted that man has a "disposition for evil". Therefore, for him, the granting of unlimited power to the ruler would be very dangerous, the ruler must be guided by a government that requires just laws. This form of government is perfect while the imperfect form of government is a form of government that is not based on law (Namang, 2020).

The rule of law is a tool used to ensure that political actions are based on the right desires and goals, the rule of law is also a place to form relationships between humans in order to create harmonious harmony as members of the state, the rule of law is always a regulator of justice for the realization of the common good of the rulers, political society, and for the state as a whole (Namang, 2020).

## Political Participation

Humans are political beings, human life cannot be separated from political life. For this reason, Aristotle said that humans are *zōion politikon* (political beings). For him, every citizen must participate in the life of the state. Citizens are partners of the state, therefore, citizen involvement in the process of collective identity formation must be a citizen's obligation (Namang, 2020).

Therefore, political participation requires the active involvement of every citizen. Citizens have the opportunity to participate in politics by taking part in ruling and being ruled because all humans are free and equal (Namang, 2020).

The life of the state cannot be separated from the lives of its citizens, because citizens are the forming elements of a state. The state must always guarantee the lives of its citizens, not give unlimited rights to the rulers who tend to be wrong in carrying out their duties in the state. Therefore, political participation must be a right and obligation fought for by citizens who have no place in the political life of a country (Namang, 2020).

Moreover, political populism has become a global phenomenon that attracts the attention of many people. In many cases, populism appeals to some citizens because it provides answers to unanswered questions and simple solutions to problems that are often ignored by other political agents. However, this approach often results in superficial and inadequate solutions to complex and multidimensional problems. Alternatively, a democratic approach that focuses on problem-solving can be a solution to the challenges of populism (Zaman, 2023).

## Role of the Citizen

Citizens have a role in the state where in the context of position, citizens are guaranteed in law to have a position between rights and obligations as citizens and have a reciprocal relationship with the state, for this reason as citizens it is appropriate to have a role in the state to create a good collaboration in running a democratic state (Abdin, 2020).

According to Horton and Hunt (1993), the role is the behavior expected of someone who has a status. The various roles that are incorporated and related to this status by Merton (1968) are called role sets. Abu Ahmadi (1982) defines the role as a complex of human expectations of how individuals should behave and act in certain situations based on their social status and function.

Regarding the role of citizens, it can be explained that the role of citizens is as follows : (Namang, 2020)

1. Passive role is citizen compliance with fellow laws and regulations in force
2. An active role is the activity of citizens to engage (participate) and take part in the life of the state, especially in influencing public decisions.
3. A positive role is the activity of citizens to request services from the state to meet the needs of life.
4. The negative role is the activity of citizens to refuse state interference in personal matters.

## The Rule of the Citizen in Islam

According to Prof.Dr. H. Ali Anwar, A citizen has an obligation to his leader, as the leader also fulfills his rights and obligations to the people. Related to these obligations, in Islam there are a number of obligations as a Muslim to be a good citizen.

These are the obligations of a good citizen from the Islamic perspective:

1. Obey the Leader

Obeying and obeying here is when the leader's policies are for the good and do not contradict the rules of Allah and His Messenger. As explained in the word of Allah "Hai Orang yang beriman, taatilah Allah dan taatilah Rasul (Nya), dan ulil amri diantara kamu. Kemudian jika kamu berlainan pendapat tentang sesuatu, maka kembalikanlah ia kepada Allah (Al-Qur'an) dan Rasul (Sunnah)-Nya jika kamu benar-benar beriman kepada Allah dan hari kemudian. Yang demikian itu lebih utama bagimu dan lebih baik akibatnya".(QS An-Nisa 4:59)

2. Be Critical

Be critical by correcting and evaluating the direction of government through the right channels, for example through the representative councils both regional and central.

3. Defending the Country

Defend the country to maintain and defend the integrity of the territory and security stability. The duty to defend the country is not only the duty of the government or the TNI / Polri but is the obligation of all citizens, this is explained in the Qur'an (QS. At-Taubah 9: 41), which means: "Berangkatlah kamu baik dalam keadaan merasa ringan maupun berat, dan berjihadlah kamu dengan harta dan dirimu di jalan Allah. Yang demikian itu adalah lebih baik bagimu jika kamu mengetahui".

## The Paradigm of State and Religion

Islamic state consists of two words: state and Islam. If the two words are combined, there is certainly a relationship between them. The relationship in question is the relationship between the state and religion (Islam). If we look at history, previous political thinkers have often discussed or debated the relationship between religion and the state (Islam) and until now it has become a hangman and discursive topic of discussion. Previous figures such as Ibn Rabi', Ibn Taimiyah, Al Mawardi, Al Ghazali, Ikhwan Al Shafa, and Ibn Khaldun participated in discussions related to the relationship between the state and Islamic religion (Rahmatullah et al., 2022).ss

In this thought, there are three paradigms related to the relationship between the state and Islam. First, the view that religion with the state is a unity (integrated paradigm). Second, this view states that religion and the state have a symbiotic relationship of mutualism, namely mutual benefit and mutual need. Third, this paradigm is secularistic. Form of the Islamic State itself according to the views of Muhammad Hasan Al-Banna there are three constituent pillars of Islamic government, namely: 1) The government is responsible before Allah SWT and also before humans; 2) The existence of unity among Muslims based on aqidah; 3) Mutual respect for each other's wishes by

deliberating to find opinions so that orders and prohibitions can be accepted (Rahmatullah et al., 2022).

However, along with the development of the state, especially Islam, a movement of radicalism emerged. This is due to the identity crisis that led to reaction and resistance to the West that spread colonialization in the Muslim world and began to divide the Muslim world into various nation-states. Therefore, the movement appears to use violence to achieve political targets that are supported by religious sentiments or emotions (Mulyono & Mulyoto, 2017).

## Conclusion

Both from an Islamic perspective and a state perspective, citizens have obligations that must be carried out properly as a reciprocal relationship in order to create a good correlation in running a democratic state and this is called the right of the government or state. Meanwhile, the government also has obligations that must be fulfilled towards its citizens, and this is called the rights of citizens.

Among the obligations of citizens towards the state or government are obeying and obeying the leader, being critical, and defending the country. The rights that citizens must receive are the right to life, legal protection, and proper services.

In addition, there are three paradigms related to the relationship between the state and religion, namely the view that religion and the state are one unit, between religion and the state have a symbiotic relationship of mutualism, and this paradigm is secularistic.

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