

The Concept of Just and Civilized Humanity in the 2nd Principle as viewed from QS An Nisa Verse 58 According to Tafsir Quraish Shihab

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ARTICLE INFO	ABSTRACT
<p><i>Article History:</i> Accepted: 17 March 2024 Revised: 29 April 2024 Approved: 18 Juni 2024 Available Online: 1 Juli 2024</p> <hr/> <p><i>Keywords:</i> Justice Humanity An-Nisa verse 58</p>	<p>The large number of Indonesian people who do not practice the second principle, namely just and civilized humanity, makes this Pancasila useless. In fact, this second principle is also mentioned in surah an-nisa verse 58 and this verse has been confirmed by modern interpretations, one of which is the Al-Misbah interpretation. This research also compares Quraish Shihab's thoughts in his interpretation of Al-Misbah with Buya Hamka in his interpretation of Al-Azhar.</p>

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1. Introduction

Indonesia was founded as a country with Pancasila as the basis of its ideology, which began to collide with religion, especially Islam. The determination of the basis of the Indonesian state in the form of Pancasila has gone through a very long historical stage. Muslims at that time had also attempted to enter their ego-theology into the basic realm of the state. However, history proves that this cannot be done because of the diverse elements of the country's citizens. With mutual consideration because the heroes who fought for this nation were not just Muslims. Thus, all elements must be embraced in order to realize national unity and unity. In the end, Pancasila was formulated and ratified into five principles, namely: 1. Belief in One Almighty God; 2. Just and civilized humanity; 3. Indonesian Unity; 4. Democracy led by wisdom in representative deliberations; 5. Social justice for all Indonesian people. These five precepts then have their respective symbols. The first precept has the symbol of one star. The second precept has a chain symbol. The third precept has the symbol of a banyan tree. The fourth precept has the symbol of a bull's head and; The fifth principle has the symbols of rice and cotton. In this case the author will discuss the second principle related to this article.

According to Nurdiaman and Setijo, the concept of just and civilized humanity implies that the Indonesian people are recognized and treated in accordance with their dignity and worth as creatures created by the Almighty God, with the same degrees, rights and obligations without distinction between religion, ethnicity, race and descendants. (Brilliant Firdaus, Rusliansyah Anwar, 2020). These two principles of Pancasila contain the values of equality as well as obligations and rights, love, respect, courage to defend truth and justice, tolerance and mutual cooperation (Hadi Rianto: 2016) . Justice is a main characteristic in Islamic teachings with every Muslim having the same rights and obligations. Justice is applied in every aspect of life, with the same rights and obligations guaranteed by every human being. In synthetics, justice and civility are two concepts that are closely related in various aspects of life. Justice means putting things

in their proper place, while civility means having attitudes and behavior that are in accordance with the nature of a virtuous human being. This second concept has an important meaning in life, including in philosophy, law and religion (Rendra Widyakso, 2019).

Humanity is recognizing and respecting the value and dignity of every individual as a human being, including human rights such as the right to life, freedom, security and the right to receive fair treatment without discrimination. Fairness means ensuring that everyone is treated equally and fairly, and gets their rights proportionally. Justice also means providing rights in accordance with the obligations and roles of each individual in society. Civilized means polite behavior, upholding good values, and respecting social norms in daily interactions. Being civilized also means having ethics (Siahaan, Akmalia, et al., 2023), good manners, and respecting other people. Implementation, namely fair and civilized human values, need to be implemented in everyday life, such as respecting elders and those of the same age, an example of this behavior is that it is not easy to be your own judge (Akmalia, 2019). Termonologically, fairness means equalizing something with others, both in terms of value and in terms of size, so that things are not biased and are not different from each other. Fairness also means taking sides or adhering to the truth (Zaki et al., 2022). Ibnu Qudmah, a fiqh expert from the Hanbali madzhab, said that justice is something that is hidden, solely because of fear of Allah SWT. If justice has been achieved, then that is a strong argument in Islam as long as there are no other arguments against it (Dahlan, 2000).

A Professor at ICAS (*Islamic College for Advanced Studies*) London, Ahmad Vaezi, stated that justice is a quality that is necessary for all forms of authority and leadership in Imamiyah doctrine; the judges and leaders must consist of honest and competent people, even though they are far less than those who carry out the orders of the state as a whole. More than that, the Qur'an has taught Muslims not to tend to and collaborate with unjust people and unjust authorities (Vaezi, 2006).

2. Method

This research uses a qualitative descriptive approach, an approach that places more emphasis on observing phenomena and studying how several research variables interact with each other to gain a better understanding of the events being studied. The data sources used consist of the Koran, hadith, tafsir books, as well as several literatures from books, journals and articles. Here, the author collects literature that is relevant to the topic of this article, namely just and civilized humanity. The author also collected several literature related to just and civilized humanity and then analyzed, interpreted and concluded the data (Moleong, 2016).

3. Results and Discussion

Just and civilized humanity is the 2nd principle of Pancasila which reads "Just and Civilized Humanity". This principle means that the Indonesian nation recognizes and treats every individual according to his or her dignity without discriminating against background, be it religion, ethnicity or race. This precept is symbolized by a gold chain consisting of interlocking links, symbolizing the relationship between humans and each other who help each other (Hadi Rianto, 2016). Justice is an abstract thing. In order to realize justice, you must know what justice truly means. For this reason, it is necessary to formulate a definition that is at least close to, and can provide an idea of, what justice means. The definition of justice is very diverse, it can be shown from the various opinions expressed by experts in the field of law who provide different definitions of justice. Justice, according to the famous philosopher Aristotle, in his writing "Rhetorica" differentiates justice into two types. First, distributive justice or *justitia distributiva*.

Distributive justice is justice that is given to each person based on their services or distribution according to their respective rights (Brilliant Firdaus, Rusliansyah Anwar, 2020).

Justice is a universal value. Islam recognizes and respects the legitimate rights of every person and protects his freedom, honor, blood and property by upholding truth and justice among humans. Justice is one of the basic human values. Obtaining justice is a human right for every human being. Fairness is impartiality, honesty, impartiality and equality. Justice contains elements of honesty, straightness, sincerity that is not biased (Ministry of Religion, 2010). Currently, many people do not practice the second principle, namely "just and civilized humanity", such as rampant violence and increasingly widespread violations of human rights and disregard for moral ethics (Fanani, 2004). Such as cases of domestic violence, brawls between students, corruption, and stabbings at Mako Brimob, Kelapa Dua, West Java. The occurrence of social inequality, discrimination against the weak, the rise in cases of crimes against humanity increasingly shows that Indonesia is in the midst of a humanitarian emergency.

Some of the cases above are very contrary to the second principle of Pancasila which is the basis of life for Indonesian citizens. These precepts explain that every citizen must be humane, which means that every decision and action is always based on noble values, politeness and decency (MPR Leadership, 2009). Not one-sided and impartial, meaning that it does not exceed or reduce what is reasonable (National, 2005). Take sides and adhere to the truth (Salim, 2002). Just like a leader who enforces the law to his people. A just leader is one who punishes his people who make mistakes and acquits his innocent people. In this case the leader has acted fairly because he put truth and evil in their proper place. In the Qur'an, Allah SWT has said that someone who wants to determine the law must determine it fairly.

In the Qur'an, the meaning of justice is not only mentioned by the word al-'adl. As nouns, there are at least two words that mean fair, namely al 'adl itself and al-qist. Al-'adl comes from the word 'adl and al-qist comes from the word qist (Raharjo, 1996). In the Qur'an, the word al-'adl is mentioned 28 times. Etymologically, al 'adl has many meanings, including *Istiqamah* (straight) and *Al-Musawah* (equality). This means that a just person is someone who repays others in proportion to what they receive, good or bad. Another term used by the Qur'an to indicate the meaning of justice is al-qist, which originally meant an-nasib bil-adl (distribution). fairly). The word al-qist is mentioned in the Koran 25 times. There are those that follow the fa'ala pattern, such as aqsata, aqsatu. Al-muqsitun or al-muqsitin. All of them mean: fair, doing justice, or just people (Kholifah, 2022).

Some human actions are good and some are bad. Sometimes an action is considered good by one person, but is considered bad by another person. Fortunately, humans have reason and feelings to be able to sort out whether actions are good or bad. Basically, the assessment of an action is relative, this is due to differences in the benchmarks used for the assessment. The differences in benchmarks are caused by differences in religion, belief, way of thinking, ideology, environment and so on (Pandang, 2017). Many people take the 2nd principle of Pancasila which says just and civilized humanity for granted, there are negative impacts when not implementing the 2nd principle of Pancasila, such as violations of the rights and obligations of a group of people who can freely take the rights of other people and not carry out their obligations. The lack of public understanding of Pancasila values in everyday life can cause society to become disorderly (Ramadani, AC, Az-Zahra, F., & Mawarni, HD, 2023). Justice is a measure that must be given to achieve a balance between personal interests and common interests. There are various principles of justice such as equal freedom, differences and fair equality of opportunity. Justice is related to rights, in the Indonesian nation's conception rights cannot be separated from obligations. In the context of Indonesian nation development, justice

is not sectoral but includes ideology. Fairness in prosperity and prosperity is something that forms a prosperous society. (Tahir, 2021).

above God bless you إِنَّ اللَّهَ يَأْمُرُكُمْ أَنْ تُؤَدُّوا بِالْعَدْلِ إِنَّ اللَّهَ نِع

"Indeed, Allah commands you to convey trust to those who are entitled to receive it, and when you determine laws between people, you must determine them fairly. Indeed, Allah is all-hearing and all-seeing."

Trust is a responsibility delegated to another party to be safeguarded and returned to its owner when the time comes or is requested. Trust is the opposite of betrayal, and is only given to people who are considered capable of maintaining it well. Quraish Shihab believes that religion views trust as the foundation of faith. This is confirmed in the words of the Prophet SAW, "There is no faith for those who do not have trust. According to Quraish Shihab, Allah told us that if we determine a law between humans, whether there is a dispute between humans or without a dispute, then you must determine the decision fairly according to what Allah SWT taught. do not take sides except for the truth and do not impose sanctions except on those who violate the law, do not persecute your opponents and do not take sides against your friends. In fact, in this verse, Allah commands to be trustworthy and to establish laws fairly. When enacting laws, they must be fair without distinguishing between ethnicity, race, descent and religion (Shihab, 2009).

The context of this justice can be obtained and achieved with the decrees that Allah has given, Allah knows that if we oppress people and their tyrannical nature does not reflect justice or is contrary to justice. Quraish Shihab believes that humans must imitate Allah's just nature and uphold justice for the family, parents and parents. and himself, even against his enemies. Every individual has the same human rights without distinguishing between the rich and the poor, rulers or commoners before Allah SWT, all humans stand equal in a primordial glory therefore humans have the right to receive equal treatment before the law, rights Human rights in Islam are the principle of freedom (Shihab, 2009). Trust, as opposed to betrayal, is the main pillar in interactions between humans. Trust fosters a sense of trust and trust gives birth to inner calm which in turn gives birth to confidence. The importance of direction to maintain this trust is emphasized in this verse. Trust here focuses more on trust and justice as part of the desired government. Buya Hamka explains in QS An Nisa verse 58 that trust should be given to experts. The person who will be given responsibility for a task should be able and can be trusted to carry out that task. Ibnu Tamiyah in his book *as-siastusy syar'iyah*, "So it is obligatory for the ruler to hand over a task from the duties of the Muslims to someone who is capable of carrying out that mandate.

For a Muslim, holding state affairs means that he is the one holding the mandate. And state affairs are an inseparable part of religion and this verse explains that you are also instructed to place your trust in experts. We are a large number of people (ummah), so the people who form the leadership are the people. Regarding "handing over to experts" this is not simply "good people", because good people are not necessarily experts in the trust entrusted to them, if the trust is not in accordance with their talents. A person should not dare to accept a mandate if he feels that he is not an expert in that field. Meanwhile, according to Hamka (1990), the word trust is one family with the sentence safe. If these people hold their mandate well then the country and nation will be safe. This sentence *of trust is related to faith*. Faith is trust and trust is how to carry out that faith. So in conclusion, trust is God's trust in humans to obey the truth brought by the apostles.

In QS An Nisa verse 58 it is also explained regarding justice. *"And when you punish among people, let you punish fairly."* This is the second point of developing the government that Islam desires. **First**, is handing over the trust to the experts. Carrying officials who are able to carry it. **Second**, is upholding justice. Just laws, not unjust ones. Law holders should remember the original source of law, namely God's law, and enforce it. By maintaining these two, prosperity will be achieved. According to experts, the Amanah is divided into three parts, namely; **First**, a servant's trust in his Lord means carrying out His commands and avoiding His prohibitions and submitting oneself to be close to Allah. **Second**, trust in fellow servants of Allah, including the trust of scholars to lead many people. Breaking the law is a traitor, revealing state secrets to the enemy is a traitor. **Third**, human trust in themselves. Why in this verse does he first mention *trust* instead of saying justice, because, the original trust is in the human soul.

If the Trust had been established, there would not have been any accusations or preaching that would have reached the judge. After being ordered to fulfill the mandate to the experts and uphold the principles of justice towards humans, now comes the establishment of government and obedience to God's laws.

The difference between Tafsir Al Azhar and Tafsir Al Misbah is

1. **Position of Justice:** Buya Hamka emphasizes justice as a principle in Islamic law, while Quraish Shihab focuses more on trust and justice as part of the government that Islam desires.
2. **Tafsir method:** Buya Hamka uses a broader method of tafsir, including tafsir bi al ra'ay and tafshilli while Quraish Shihab focuses more on detailed and contextual analysis of verses
3. **Reference usage:** Buya Hamka uses more references from hadith and other verses in the Koran, while Quraish Shihab focuses more on detailed and contextual analysis of verses.

4. Conclusion

Islam commands every human being to do justice or enforce justice in every action and deed carried out (QS An Nisa 58). The justice that exists in Indonesia does not fully follow the noble values stated in Pancasila, Nowadays, the phenomenon of rampant violence and violations of human rights that are increasingly widespread and do not heed moral ethics and humanity are increasingly emerging in Indonesia. This is in contrast to Pancasila, especially the second principle, which is the basis that Indonesia highly upholds human values. It is also not in accordance with the teachings of Islam, which is the religion of the majority of adherents in Indonesia, because Islam is Rahmatal lil 'âlamîn. This verse conveys an important message that must be understood and put into practice by Muslims. Allah SWT emphasizes the importance of maintaining trust, which includes all forms of trust, responsibility and commitment given to someone. This includes trust in religious matters and worldly life. Allah also commands humans to uphold justice when deciding marriages between humans, whether marriages that are at odds or at peace, by determining fair punishment in accordance with Allah's teachings, without taking sides in the wrong and without persecuting your opponents or taking sides with your friends.

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