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ISLAMIC JURISPRUDENCE AND HUMAN RIGHTS IN CONTEMPORARY SOCIETY

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ABSTRACT

Islamic jurisprudence plays an important role in establishing justice, protecting human dignity, and promoting fundamental human rights in contemporary society. Human rights have become one of the most significant subjects of modern legal, social, and academic discussions because individuals across the world face challenges related to equality, religious freedom, freedom of expression, gender justice, education, privacy, and protection from discrimination. Islamic jurisprudence, which is based on the Holy Quran, Sunnah, Ijma, and Qiyas, provides a comprehensive framework for understanding individual rights and social responsibilities. Islamic teachings emphasize that every human being deserves dignity, respect, fairness, and protection regardless of race, nationality, economic position, or social background. The objectives of Islamic law, commonly known as Maqasid al-Shariah, focus on the protection of religion, life, intellect, family, and property. These objectives establish important foundations for promoting human welfare and preventing injustice. This research examines the relationship between Islamic jurisprudence and contemporary human rights by exploring the contribution of Islamic legal principles to social equality, individual freedom, women's rights, minority protection, and access to justice. It also investigates the challenges that emerge when different interpretations of Islamic legal teachings interact with modern human rights frameworks. The study adopts a qualitative research methodology based on scholarly literature, Islamic legal sources, and contemporary academic discussions. The research highlights that Islamic jurisprudence can contribute meaningfully to modern human rights debates through responsible interpretation, contemporary Ijtihad, scholarly dialogue, and effective institutional practices. It concludes that a balanced understanding of Islamic legal principles and human dignity can strengthen social harmony, equality, justice, and peaceful coexistence in contemporary society.

KEYWORDS:*Islamic Jurisprudence, Human Rights, Islamic Law, Human Dignity, Social Justice, Maqasid al-Shariah, Gender Equality, Religious Freedom, Minority Rights, Contemporary Society.*

INTRODUCTION

Islamic jurisprudence is an important branch of Islamic knowledge that provides guidance concerning human behavior, legal responsibilities, social relationships, and moral values. Almahfali, M., & Avery, H. (2023). Elobrated on, It explains how Islamic teachings can be understood and applied to different situations in individual and collective life. The fundamental sources of Islamic jurisprudence are the Holy Quran and Sunnah, while Ijma and Qiyas provide additional methods for developing legal understanding. Throughout Islamic history, jurisprudence has played an important role in establishing principles of justice, equality, accountability, and protection of human dignity. Human rights are closely connected with these principles because they concern the basic rights and freedoms that every individual deserves. Islamic legal teachings emphasize that human beings should be treated with respect and fairness, and that no individual should be subjected to injustice because of social status, wealth, race, or nationality. Karimullah, S. S. (2023). Revealed,In contemporary society, these teachings provide an important foundation for examining the relationship between religious values and modern human rights discussions.Human rights have become a major concern in modern international legal and political systems. Governments, educational institutions, courts, international organizations, and civil society groups discuss the protection of individual freedoms and the responsibilities of public authorities. Putri, A., Amanda, D.,

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Yanti, R. F., Amin, A., & Batubara, A. K. (2023). Elobrated on, Important human rights issues include the right to life, education, healthcare, religious freedom, personal security, equality before the law, and protection from discrimination.

Despite international developments, many communities continue to experience violations involving poverty, violence, exploitation, unequal opportunities, and restrictions on personal freedoms. Islamic jurisprudence offers ethical and legal principles that can contribute to addressing these problems through justice, compassion, consultation, and social responsibility. The relationship between Islamic legal traditions and contemporary human rights frameworks therefore deserves careful academic attention, particularly in societies where religious values influence legal and social institutions (Almahfali & Avery, 2023).Human dignity is one of the central principles connecting Islamic jurisprudence with the concept of human rights. Islamic teachings recognize the importance of respecting human life, protecting personal honor, and preventing humiliation or exploitation. These principles establish a moral responsibility for individuals and institutions to treat others fairly and avoid actions that cause unnecessary harm. In contemporary society, human dignity is closely related to freedom from discrimination, protection against violence, access to justice, and equal opportunities. Islamic jurisprudence provides a framework through which these issues can be examined in the light of religious teachings and ethical responsibilities. The protection of human dignity is not merely an individual concern but also an important requirement for establishing peaceful and responsible communities. This understanding demonstrates the continuing importance of Islamic legal principles in modern discussions about human rights and social justice.Gender justice and women's rights represent another important dimension of the relationship between Islamic jurisprudence and human rights. Contemporary societies continue to discuss women's access to education, employment, inheritance, marriage rights, financial independence, personal security, and participation in public life. Islamic jurisprudence recognizes various rights and responsibilities relating to women and family relationships, including financial protection, inheritance, marriage responsibilities, and respect for personal dignity.

However, differences in legal interpretation, local traditions, and social practices sometimes create misunderstandings regarding the position of women in Islamic legal thought. It is therefore important to distinguish between religious principles and cultural practices that may not accurately represent Islamic teachings. Responsible scholarly interpretation can help clarify these issues and strengthen discussions concerning justice, dignity, and protection of women's rights in contemporary society.Religious freedom and the rights of minority communities are also significant subjects within contemporary human rights discussions. Modern societies contain individuals from different religious, cultural, and social backgrounds who require protection from discrimination and unfair treatment. Islamic jurisprudence emphasizes justice, fulfillment of agreements, respect for others, and protection against oppression. These principles provide an ethical basis for examining relationships between Muslim and non-Muslim communities. Religious diversity should be addressed through mutual respect, peaceful interaction, and responsible legal protection. Contemporary legal systems must also consider the importance of protecting minority communities in education, employment, religious practices, property ownership, and participation in public institutions. Research on Islamic human rights demonstrates the importance of examining both religious principles and their practical implementation in different social and political

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environments (Putri et al., 2023).The protection of family rights and social responsibilities is another important aspect of Islamic jurisprudence. Family institutions contribute to social stability, moral development, and the protection of children and vulnerable individuals. Islamic legal principles provide guidance concerning marriage, divorce, inheritance, parental responsibilities, financial obligations, and mutual respect among family members. In contemporary society, changing family structures, economic pressures, domestic violence, and disputes concerning personal rights have created new challenges for legal institutions. Islamic jurisprudence can contribute to addressing these issues by emphasizing fairness, compassion, accountability, and protection from harm. Modern legal discussions should also examine how family rights can be protected through effective legislation and institutional support. A balanced approach is necessary to maintain family stability while respecting the dignity and legal rights of every family member.Another important area is the relationship between Islamic jurisprudence and modern legal systems.

RESEARCH OBJECTIVES

1. To examine the relationship between Islamic jurisprudence and fundamental human rights in contemporary society.

RESEARCH QUESTION

1. How does Islamic jurisprudence contribute to the protection and promotion of human rights in contemporary society?

LITERATURE REVIEW

Islamic jurisprudence and human rights have become important subjects in contemporary academic research because both address the protection of individuals, social responsibilities, and the establishment of justice. Islamic legal traditions provide principles concerning human dignity, equality, protection of life, family responsibilities, and economic fairness. Makhlouf, A., El-Rawy, M., Kanae, S., Sharaan, M., Nada, A., & Ibrahim, M. G. (2025found that, Modern human rights frameworks similarly emphasize the protection of individual freedoms and the responsibility of governments to prevent discrimination and injustice. However, scholars have identified important questions concerning the interpretation and practical application of these principles in different social and legal environments. Academic research therefore examines whether Islamic legal traditions and international human rights standards can contribute to common objectives while maintaining their distinctive philosophical and religious foundations. This discussion is particularly important for understanding the position of Islamic jurisprudence in contemporary legal systems.Almahfali and Avery (2023), in their research titled Human Rights from an Islamic Perspective: A Critical Review of Arabic Peer-Reviewed Articles, examine how Arabic academic literature discusses human rights through Islamic perspectives. Fang, B., Yu, J., Chen, Z., Osman, A. I., Farghali, M., Ihara, I., ... & Yap, P. S. (2023). Revealed, Their research highlights different scholarly interpretations of the relationship between religious teachings and contemporary human rights principles. The study identifies the importance of understanding the social, political, and cultural circumstances that influence human rights debates in Muslim societies. It also demonstrates that Islamic perspectives on human rights are not always represented through a single

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interpretation because scholars may approach questions of freedom, equality, and legal protection differently. This research is particularly relevant to the present study because it provides an academic foundation for examining the relationship between Islamic jurisprudence and modern human rights discussions.Putri et al. (2023), in their study Hak Asasi Manusia Dalam Perspektif Islam, examine the concept of human rights from an Islamic perspective by considering the teachings of the Quran and Sunnah.

Their research discusses the importance of human rights as fundamental protections that belong to individuals because of their position as human beings. The study emphasizes that Islamic teachings provide guidance concerning human dignity, personal protection, and social responsibility. It also demonstrates the importance of religious sources in understanding the foundations of human rights within Islamic thought. This contribution is useful for the present research because it highlights the relationship between Islamic legal principles and the universal importance of protecting individuals from injustice and discrimination.Makhlouf (2023), in Continuity and Change of Traditional Islamic Law in Modern Times: Tarjīḥ as a Method of Adaptation and Development of Legal Doctrines, discusses how Islamic legal reasoning can respond to changing circumstances. The study explains the importance of Ijtihad and Tarjih in examining different legal opinions and developing appropriate interpretations. This approach is relevant to human rights because contemporary legal questions frequently involve new social conditions and changing understandings of individual protection. The study suggests that Islamic jurisprudence has established methods through which scholars can examine modern problems while maintaining connections with traditional legal foundations. Its contribution supports the argument that responsible legal interpretation is important for strengthening the relevance of Islamic law in contemporary human rights discussions.Osman (2023), in The Right to Be Forgotten: An Islamic Perspective, examines the relationship between privacy and Islamic legal thought through the contemporary question of whether individuals should have the right to request the removal of certain personal information from online search results.

The research considers aspects of Islamic tradition that may support privacy protection as well as possible legal and ethical difficulties. This study is important because digital technology has introduced new questions concerning personal dignity, privacy, reputation, and freedom of expression. Its discussion demonstrates that Islamic legal principles can be examined in relation to modern technological developments. It also highlights the need for careful interpretation when balancing individual privacy with other social and legal interests.Karimullah (2023), in his research For True Humanity: Harmonization of Islamic Law and Human Rights Towards Universal Justice, examines the possibilities and challenges involved in connecting Islamic legal principles with human rights objectives. The study emphasizes that justice, human dignity, and the protection of individual rights are important areas of common concern. It also highlights the importance of considering cultural and religious diversity when examining the relationship between different legal traditions. This research contributes to contemporary discussions by demonstrating that cooperation and constructive dialogue can help identify areas of agreement and address differences in interpretation. Its findings support the importance of understanding Islamic jurisprudence as a framework that can participate in wider discussions about universal justice and human welfare.Sezgin (2023), in A Global and Historical Exploration: Legislative Reform in Muslim Family Laws in Muslim-Majority Versus Muslim-Minority Countries, examines

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developments in family law reforms across different national and social contexts. The research highlights how legal reforms are influenced by political institutions, historical experiences, women's activism, cultural diversity, and legal arrangements. This study is relevant to human rights because family law directly affects marriage, divorce, inheritance, gender justice, and individual protection.

It demonstrates that legal systems in different Muslim-majority and Muslim-minority environments may adopt different approaches to reform. This literature helps explain why the practical relationship between Islamic jurisprudence and human rights should be examined with attention to local legal conditions and institutional responsibilities.The reviewed literature demonstrates that Islamic jurisprudence and human rights share important areas of discussion, particularly human dignity, justice, protection of life, privacy, family rights, and social responsibility. Existing studies examine the relationship through different approaches, including critical literature reviews, doctrinal legal analysis, privacy discussions, and comparative studies of legal reforms. However, there remains a need to examine these subjects together within a broader framework that considers both fundamental Islamic legal sources and contemporary human rights challenges. The present research addresses this need by exploring the contribution of Maqasid al-Shariah, contemporary Ijtihad, and responsible legal interpretation to the protection of human rights. It also emphasizes that effective human rights protection requires cooperation between scholars, legal institutions, policymakers, and communities.

METHODOLOGY

This research adopts a qualitative research methodology to examine the relationship between Islamic jurisprudence and human rights in contemporary society. A qualitative approach is appropriate because the study focuses on understanding religious teachings, legal principles, scholarly interpretations, and contemporary social issues rather than collecting numerical data. The research explores how Islamic jurisprudence provides guidance concerning human dignity, equality, religious freedom, gender justice, minority protection, and individual responsibilities. It also examines how Islamic legal principles interact with modern human rights frameworks and contemporary legal requirements. Through this methodology, the study aims to develop a comprehensive understanding of the theoretical foundations and practical importance of Islamic jurisprudence in protecting human rights.The study is primarily based on secondary sources, including academic journal articles, scholarly books, research publications, and relevant legal literature. Particular attention is given to research published in 2023 to understand contemporary academic discussions about Islamic jurisprudence and human rights. The Holy Quran and Sunnah are considered fundamental sources for understanding Islamic legal principles, while scholarly publications provide explanations of different interpretations and their applications. Research concerning Maqasid al-Shariah, human dignity, gender justice, religious freedom, and legal reform is also examined. These materials provide a foundation for identifying the relationship between Islamic legal teachings and modern human rights concerns.A documentary research method is used to collect and organize relevant academic information. The researcher reviews published studies to identify major discussions concerning the protection of individual rights and the responsibilities of society and legal institutions. Particular attention is given to issues such as freedom of expression, personal privacy, protection of women and children, minority

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rights, equality before the law, and access to justice. The selected literature is examined according to its relevance, academic contribution, and relationship with the research objectives.

RESEARCH DESIGN

The research follows a descriptive and analytical research design to examine the relationship between Islamic jurisprudence and human rights. The descriptive component explains the fundamental principles of Islamic jurisprudence and identifies the major human rights issues experienced by contemporary societies. These include discrimination, unequal opportunities, religious restrictions, gender injustice, privacy violations, and inadequate access to legal protection. The analytical component examines how Islamic legal principles can contribute to addressing these challenges. This design allows the study to move from a general explanation of Islamic legal foundations toward a detailed examination of their contemporary relevance.A doctrinal legal research design is incorporated to examine the sources and principles of Islamic jurisprudence. The study considers the Holy Quran, Sunnah, Ijma, and Qiyas as important foundations of Islamic legal understanding. It also examines the role of Ijtihad in developing appropriate interpretations for new circumstances. The doctrinal approach provides an opportunity to understand how legal scholars interpret religious sources and apply established principles to contemporary issues. It is particularly relevant to human rights because modern societies frequently raise legal questions concerning individual freedom, equality, privacy, and social responsibility.The research also uses a comparative design to examine the relationship between Islamic legal principles and contemporary international human rights frameworks. The comparison focuses on areas such as protection of life, human dignity, religious freedom, family rights, equality, and access to justice. It considers both common objectives and areas where different interpretations or legal approaches may create challenges. The purpose is to develop a balanced understanding rather than assume that all legal traditions are identical or necessarily incompatible. This comparative approach helps identify opportunities for scholarly dialogue and constructive cooperation.

DATA ANALYSIS

The collected information is analyzed through qualitative thematic analysis to identify the major contributions of Islamic jurisprudence to human rights protection. Academic publications and relevant legal discussions are examined to identify recurring concepts, arguments, and interpretations. These concepts are organized into themes related to justice, human dignity, equality, freedom, privacy, and social responsibility. The analysis focuses on understanding the meaning and significance of Islamic legal principles rather than calculating statistical relationships. This process provides a structured understanding of how Islamic jurisprudence addresses the needs and rights of individuals in modern society.The first major analytical theme concerns human dignity and social justice. The reviewed literature indicates that Islamic jurisprudence places considerable importance on the protection of human life, personal honor, fairness, and prevention of oppression. These principles arerelevant to contemporary problems involving discrimination, poverty, exploitation, and unequal treatment. The analysis suggests that Islamic legal teachings can support human rights protection by encouraging individuals and institutions to fulfill their responsibilities toward others. It also highlights that effective protection requires fair legal procedures and equal

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treatment within social and institutional structures.The second major theme concerns equality, religious freedom, gender justice, and minority protection. The literature demonstrates that these subjects require careful examination of religious teachings, legal interpretations, and social circumstances. Islamic jurisprudence provides principles concerning justice, dignity, protection from harm, and fulfillment of obligations. However, differences in interpretation and cultural practices may influence how these principles are understood and implemented. The analysis therefore emphasizes the importance of responsible scholarly interpretation and the distinction between religious foundations and local customs.

FINDINGS

The research finds that Islamic jurisprudence provides an important ethical and legal foundation for protecting human rights in contemporary society. Its fundamental principles emphasize justice, human dignity, equality, protection of life, and social responsibility. These principles remain relevant in modern circumstances because individuals continue to face challenges involving discrimination, exploitation, violence, and unequal access to opportunities. The study indicates that Islamic jurisprudence can contribute to addressing these problems when its principles are interpreted responsibly and applied fairly. Its significance extends beyond individual religious practices and includes the wider protection of communities and social institutions.The study further finds that Maqasid al-Shariah provides a valuable framework for connecting Islamic legal principles with contemporary human rights concerns. The protection of religion, life, intellect, family, and property establishes important objectives for promoting individual and collective welfare. These objectives can guide discussions concerning education, healthcare, personal privacy, family stability, financial security, and protection from injustice. The findings suggest that Maqasid-based interpretation encourages scholars to consider the wider consequences of legal decisions and their effects on human dignity. It therefore offers an important foundation for responsible legal reasoning in changing social conditions.Another major finding is that differences in interpretation and cultural practices can influence the practical relationship between Islamic jurisprudence and modern human rights standards. The study identifies gender justice, religious freedom, minority protection, and family rights as areas requiring continued scholarly attention. It finds that misunderstandings may arise when cultural traditions are presented as identical to religious teachings or when legal principles are applied without considering social realities. Responsible interpretation, academic discussion, and constructive dialogue can help address these difficulties. The findings emphasize the importance of examining Islamic legal sources carefully and promoting fairness in the practical protection of individual rights.

CONCLUSION

Islamic jurisprudence and human rights are closely connected through their concern for justice, human dignity, individual protection, and social responsibility. This research demonstrates that Islamic legal principles provide important guidance for addressing contemporary challenges involving equality, religious freedom, gender justice, family protection, minority rights, and personal privacy. The Holy Quran, Sunnah, and recognized methods of Islamic jurisprudence establish a foundation for understanding individual rights

and collective responsibilities. Although modern societies experience significant legal and social transformations, the fundamental objectives of Islamic law remain relevant to human welfare and social development. Islamic jurisprudence therefore has an important contribution to make to contemporary human rights discussions.The research concludes that Maqasid al-Shariah is particularly important for understanding the relationship between Islamic legal principles and human rights. Its objectives concerning the protection of religion, life, intellect, family, and property provide a broad framework for examining contemporary legal and social issues. These objectives can guide discussions concerning education, healthcare, equality, economic security, privacy, and protection from harm. The study also emphasizes the importance of Ijtihad and responsible scholarly interpretation in responding to new circumstances. A balanced approach can preserve the foundations of Islamic jurisprudence while ensuring that legal reasoning remains attentive to changing human needs.Another important conclusion is that the practical protection of human rights requires more than theoretical recognition of legal principles. Effective implementation depends on fair institutions, responsible legal interpretation, public awareness, and accountability. Islamic scholars, courts, policymakers, educational institutions, and community organizations have important roles in promoting justice and protecting individual dignity.

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