

Ḥifẓ al-dawlah as An Instrument for Realizing *Maqāṣid al-Sharī'ah*: A *Maqāṣidī* Exegetical Reading in The Indonesian Context



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Abstract: This article examines whether *ḥifẓ al-dawlah* should be classified as an independent objective of Islamic law or, more cautiously, understood as an institutional instrument for realizing established *maqāṣid*. The study focuses on Sūrah Quraysh [106], Q. al-Balad [90]:11–16, and supporting verses concerning security, welfare, justice, public trust, and defense. It employs qualitative library research and a *maqāṣidī* exegetical method through five stages: conceptual delimitation; selection of the Qur'ānic corpus; linguistic, contextual, and comparative exegesis; intratextual *maqāṣid* synthesis; and testing the proposition according to universality, normative certainty, public benefit, conceptual independence, and compatibility with justice. The findings show that Sūrah Quraysh links security and basic subsistence to moral responsibility, while Q. al-Balad makes liberation and the protection of vulnerable groups criteria of social legitimacy. Verses concerning public trust and justice further require political authority to protect citizens rather than merely preserve order. These findings support the state as an institutional prerequisite for protecting religion, life, intellect, family, and property, but do not conclusively establish *ḥifẓ al-dawlah* as a sixth independent *maqṣad*. In Indonesia, the concept is normatively defensible only when the object preserved is a just constitutional order, equal citizenship, and public welfare—not a particular government or regime.

Keywords: *Ḥifẓ al-dawlah*; *Maqāṣid al-Sharī'ah*; *Maqāṣidī* Exegesis; Nation-State; Pancasila

Abstrak: Artikel ini menguji apakah *ḥifẓ al-dawlah* layak ditempatkan sebagai *maqṣad* independen atau lebih tepat dipahami sebagai instrumen institusional untuk merealisasikan *maqāṣid* yang telah mapan. Korpus utama penelitian terdiri atas Surah Quraysh [106], QS al-Balad [90]:11–16, serta ayat pendukung mengenai keamanan, kesejahteraan, keadilan, amanah publik, dan pertahanan. Penelitian kepustakaan kualitatif ini menggunakan tafsir *maqāṣidī* melalui lima tahap: pembatasan konsep; penetapan korpus ayat; analisis bahasa, konteks, munāsabah, dan perbandingan tafsir; sintesis *maqāṣidī* secara intratekstual; serta pengujian proposisi berdasarkan universalitas, kepastian, kemaslahatan umum, kemandirian konseptual, dan kesesuaiannya dengan keadilan. Hasil penelitian menunjukkan bahwa Surah Quraysh menghubungkan keamanan dan kecukupan kebutuhan dasar dengan tanggung jawab moral, sedangkan QS al-Balad menempatkan pembebasan serta perlindungan kelompok rentan sebagai ukuran legitimasi sosial. Ayat-ayat amanah dan keadilan menegaskan bahwa kekuasaan politik harus melindungi warga, bukan sekadar mempertahankan ketertiban. Temuan tersebut lebih kuat mendukung negara sebagai prasyarat institusional bagi perlindungan agama, jiwa, akal, keluarga, dan harta daripada sebagai *maqṣad* keenam yang berdiri sendiri. Dalam konteks Indonesia, *ḥifẓ al-dawlah* hanya dapat dipertahankan apabila yang dijaga adalah tata konstitusional yang adil, kesetaraan kewarganegaraan, dan kesejahteraan publik—bukan pemerintahan atau rezim tertentu.

Kata Kunci: *Ḥifẓ al-dawlah*; *Maqāṣid al-Sharī'ah*; *Tafsir Maqāṣidī*; Negara-Bangsa; Pancasila

Article History: Submitted: 23-07-2026 Revised: 06-08-2026 Accepted: 10-08-2026



Introduction

The expansion of *maqāṣid* al-sharī'ah constitutes a major debate in contemporary Islamic legal thought. The five essential protections—religion, life, intellect, progeny or family, and property—are often attributed in summary form to al-Shāṭibī, although their formation developed over a long intellectual trajectory beginning with al-Juwaynī and al-Ghazālī, later systematized by al-Shāṭibī, and subsequently reformulated by modern scholars.¹ This genealogy demonstrates that *maqāṣid* are not a closed list. Nevertheless, the addition of new objectives still requires methodological justification so that *maqāṣid* do not become an arbitrary catalogue of values.

Ibn 'Āshūr expanded *maqāṣid* from the protection of individuals to social order, freedom, equality, and civilizational development.² Jasser Auda subsequently conceptualized *maqāṣid* as an open and interconnected system that must be read multidimensionally.³ These developments create space for discussing modern political institutions. The existence of the nation-state, however, does not automatically make it an independent objective of the Sharī'ah. The modern state is a historical institution capable of protecting citizens, but it may also centralize power, exercise violence, and restrict freedom.⁴

Contemporary discussions of Islam and the state often address citizenship, political loyalty, constitutionalism, and equality of rights.⁵ Studies of *ḥifẓ al-dawlah*, however, frequently move directly from the importance of security and stability to the conclusion that the state is a sixth *maqāṣid*. Such reasoning is circular: the state is considered important because it realizes welfare, and that importance is then used to prove that the state is itself an objective of the *Sharī'ah*. It remains unclear whether the state is an ultimate objective, an instrument, an institutional prerequisite, or a historically contingent political form that may be replaced.

This article defines *ḥifẓ al-dawlah* as the protection of a political-constitutional order that guarantees security, justice, welfare, participation, and equality among citizens. It is not equated with *ḥifẓ al-waṭan*. *Waṭan* refers to the homeland and socio-cultural attachment, whereas *dawlah* in this article denotes the institutions and legal order through which public power is administered. Both are also distinguished from government and regime. A government is the changing administrator of power; a regime is a particular configuration of power; the state comprises citizens, territory, institutions, a constitution, and the rule of law. Preserving the state, therefore, does not mean defending a ruler unconditionally.

¹ Felicitas Opwis, "Maṣlaḥa in Contemporary Islamic Legal Theory," *Islamic Law and Society* 12, no. 2 (2005): 182–223, especially 188–95; Abū Ishāq al-Shāṭibī, *Al-Muwāfaqāt fī Uṣūl al-Sharī'ah*, vol. 2 (Beirut: Dār al-Ma'rifah, n.d.), 8–10.

² Muḥammad al-Ṭāhir Ibn 'Āshūr, *Maqāṣid al-Sharī'ah al-Islāmiyyah* (Amman: Dār al-Nafā'is, 2001), 51–55.

³ Jasser Auda, *Maqasid al-Shariah as Philosophy of Islamic Law: A Systems Approach* (London: International Institute of Islamic Thought, 2008), 2–5, 33–55.

⁴ Wael B. Hallaq, *The Impossible State: Islam, Politics, and Modernity's Moral Predicament* (New York: Columbia University Press, 2013), 1–12.

⁵ Andrew F. March, *Islam and Liberal Citizenship: The Search for an Overlapping Consensus* (New York: Oxford University Press, 2009), 1–14; Abdullahi Ahmed An-Na'im, *Islam and the Secular State: Negotiating the Future of Shari'a* (Cambridge, MA: Harvard University Press, 2008), 1–10, 267–68.

Methodologically, *maqāṣidī* exegesis requires movement from textual meaning, historical context, interverse relations, and moral objectives toward contemporary application.⁶ On this basis, the article asks one principal question: does *ḥifẓ al-dawlah* meet the criteria of an independent *maqṣad*, or is it more accurately understood as an institutional instrument for realizing established *maqāṣid*? The question is examined through Sūrah Quraysh and Q. al-Balad [90]:11–16, supplemented by verses concerning prayers for security, public trust, justice, covenants, and defense.

Method

This study is qualitative library research employing thematic-*maqāṣidī* exegesis and normative-philosophical analysis. The principal corpus was selected for two reasons. First, Sūrah Quraysh explicitly brings together security and adequate food, two elements frequently invoked as normative foundations for the functions of the state. Second, Q. al-Balad [90]:11–16 presents emancipation, feeding the hungry, and solidarity with vulnerable groups as the steep path that human beings must traverse. Supporting verses were selected because they address security, public trust, justice, the fulfillment of covenants, equality of citizenship, and the ethics of defense.

The analysis proceeds through five stages. First, conceptual delimitation distinguishes *dawlah*, *waṭan*, the state, government, regime, and constitutional order. Second, the Qur'ānic corpus is established thematically rather than through mere lexical similarity. Third, exegetical analysis examines lexical meanings, historical context, *munāsabah*, the argumentative structure of each Sūrah, and comparisons between classical and contemporary interpretations. Fourth, an intratextual *maqāṣidī* synthesis identifies recurring values and the relations among security, welfare, justice, and human protection. Fifth, the proposition of *ḥifẓ al-dawlah* is tested according to five criteria: universality, normative certainty, public benefit, conceptual independence, and compatibility with justice.

The philosophical analysis follows four argumentative steps: formulating premises regarding the functions of the state; testing whether those functions are already covered by established *maqāṣid*; considering the objection that the state may itself perpetrate injustice; and defining conceptual limits so that *ḥifẓ al-dawlah* does not become a doctrine of obedience to a regime. The selected commentaries represent *riwāyah*-based, linguistic, legal, *adabī-ijtimā'ī*, and modern exegesis, thereby ensuring that the authors' construction is not supported solely by sources that affirm the proposed thesis.

Results and Discussion

The Genealogy of Expanding *Maqāṣid* and the Criteria for a New *Maqṣad*

Al-darūriyyāt al-khams did not emerge as an immediately final list. The development of *maṣlaḥah* reveals a process of abstraction from the objectives of particular rulings toward the fundamental protection of human life. The expansion of *maqāṣid* is therefore possible, but a distinction must be maintained between *maqṣad aṣlī* and *maqṣad wasīlī*. A *maqṣad aṣlī* possesses an intrinsic value intended by the *Sharī'ah*, whereas a *maqṣad wasīlī* functions as a means of realizing another objective. This distinction matters because many indispensable

⁶ Mufti Hasan, "Tafsir Maqāṣidī: Penafsiran Al-Qur'an Berbasis Maqāṣid al-Sharī'ah," *MAGHZA: Jurnal Ilmu Al-Qur'an dan Tafsir* 2, no. 2 (2017): 15–18.

institutions—courts, schools, hospitals, markets, and the state—do not automatically become independent objectives.

This study employs five criteria. First, universality: the value must be needed by human beings beyond any single regime or form of state. Second, certainty: its normative basis must arise from a coherent body of evidence rather than a weak analogy. Third, public benefit: its advantages must extend to all citizens rather than only the majority. Fourth, independence: the concept must not be wholly reducible to other *maqāṣid*. Fifth, justice: preserving it must never justify oppression. The final criterion is decisive, because stability that perpetuates discrimination or state violence contradicts the purposes of the *Sharīʿah*.

The genealogy of *maqāṣid* shows that this process of abstraction began before al-Shāṭibī. Al-Juwaynī discussed public necessities without which social order would deteriorate, although he had not yet formulated the five protections in a fully developed form.⁷ Al-Ghazālī then provided a more explicit structure by connecting *maṣlaḥah* to the preservation of religion, life, intellect, progeny, and property.⁸ This stage is important because it shows that the list of *maqāṣid* arose through induction from the legal tradition as a whole, not from a single text explicitly enumerating them.

Al-Shāṭibī expanded this inductive method and positioned *maqāṣid* as a framework for understanding the coherence of the *Sharīʿah*. Aḥmad al-Raysūnī emphasizes that the strength of al-Shāṭibī's theory lies in a comprehensive reading of legal patterns, not in granting interpreters freedom to add objectives that merely appear desirable according to contemporary preferences.⁹ A proposed new *maqṣad* must therefore rest on recurring inductive evidence, possess a clearly defined purpose, and explain the law more adequately than the available categories.

Kamali distinguishes a reductionist tendency that confines *maqāṣid* to the classical list, an expansionist tendency that adds almost every modern value, and a moderate approach that permits controlled development.¹⁰ The last approach is relevant to *ḥifẓ al-dawlah*. It recognizes the state as a contemporary necessity while still requiring a distinction between intrinsic objectives and instruments. Without this distinction, every beneficial public policy could be elevated into a new *maqṣad*, thereby depriving the concept of *maqāṣid* of analytical precision.

On the basis of this genealogy, the article uses five measures to assess a new *maqṣad*. First, it must be supported by a broad normative pattern rather than a single isolated verse. Second, its benefits must be public rather than limited to a particular group. Third, it must possess a degree of stability that transcends changing institutional forms. Fourth, it must demonstrate conceptual independence rather than merely repeat an existing objective. Fifth, it must remain consistent with justice, human dignity, and limitations on power.

⁷ Imām al-Haramayn al-Juwaynī, *Al-Burhān fī Uṣūl al-Fiqh*, ed. ʿAbd al-ʿAzīm al-Dīb, 2 vols. (Qatar: Kulīyyat al-Sharīʿah, 1399 AH), 2:923–31.

⁸ Abū Ḥāmid al-Ghazālī, *Al-Mustasfā min ʿIlm al-Uṣūl*, ed. Muḥammad ʿAbd al-Salām ʿAbd al-Shāfi (Beirut: Dār al-Kutub al-ʿIlmiyyah, 1993), 173–79.

⁹ Aḥmad al-Raysūnī, *Naẓariyyat al-Maqāṣid ʿinda al-Imām al-Shāṭibī* (Rabat: Dār al-Amān; Herndon, VA: al-Maʿhad al-ʿĀlamī li-al-Fikr al-Islāmī, 1991), 39–48, 331–40.

¹⁰ Mohammad Hashim Kamali, *Maqasid al-Shariah Made Simple* (Herndon, VA: International Institute of Islamic Thought, 2008), 1–11, 25–31.

The Conceptual Limits of *Hifẓ al-dawlah*

In this article, *hifẓ al-dawlah* does not mean sacralizing the state. The expression “the sacredness of the state” is rejected because the state is not an object of worship and is not immune from criticism. What deserves protection is a political order in which fundamental rights are secured, laws are applied justly, power is monitored, and governments change through constitutional procedures. Within these limits, peaceful criticism, policy correction, and the replacement of a government are not threats to the state. By contrast, efforts to preserve a ruler by undermining the constitution may themselves constitute damage to the state.

This distinction also prevents the conflation of love of homeland with political obedience. Attachment to the *waṭan* may generate solidarity, but loyalty to the state must be ethical and constitutional. It depends on the ability of public institutions to protect human beings, not on the identity of the ruler. In a plural society, the state must not be regarded as the property of a particular religious group, because protection is realized only when all citizens enjoy equal security and justice.

In classical Islamic political thought, the concept of the state was not always expressed through *dawlah* in the modern sense of the nation-state. The literature employed *imāmah*, *khilāfah*, *sulṭān*, *mulk*, *wilāyah*, and *siyāsah* to denote authority, government, or the administration of society. Sherman Jackson’s study of al-Qarāfī shows that classical Islamic law recognized a division of jurisdiction between jurists and rulers and considered limits on executive authority.¹¹ The existence of public authority, therefore, is not synonymous with absolutism.

The modern state has different characteristics: a permanent bureaucracy, territorial borders, citizenship, a monopoly over the legitimate use of force, a taxation system, and a constitution. Feldman demonstrates that debates over the modern Islamic state cannot simply revive a historical form because relations among law, religious scholars, and rulers have fundamentally changed.¹² The term *hifẓ al-dawlah* in this article is consequently a contemporary normative construction rather than a standard expression found in classical works on *maqāṣid*.

The object to be preserved must be formulated carefully. The state is not understood merely as its apparatus, because apparatuses may be abused; nor is it understood merely as territory, because territorial integrity without citizens’ rights may produce domination. What is preserved is a political order that enables citizens to live securely, enjoy rights, receive services, and hold power accountable. This formulation associates *hifẓ al-dawlah* with the protection of the constitution, public institutions, and the continuity of shared life.

Consequently, damage to the state does not take only the form of invasion or separatism. Systemic corruption, legal discrimination, the destruction of judicial institutions, unchecked concentration of power, and the loss of public trust also damage the *dawlah*.

¹¹ Sherman A. Jackson, *Islamic Law and the State: The Constitutional Jurisprudence of Shihāb al-Dīn al-Qarāfī* (Leiden: Brill, 1996), 185–227.

¹² Noah Feldman, *The Fall and Rise of the Islamic State* (Princeton, NJ: Princeton University Press, 2008), 1–16, 103–20.

Conversely, criticism, changes of government, and amendments to legislation through constitutional mechanisms do not damage the state; they are processes through which the political order is maintained.

Hermeneutical Procedure: From Historical Meaning to Institutional Principles

Contextualizing Qur'ānic verses in relation to the modern state requires three layers of analysis. The first is historical meaning: the object addressed by the verse in the environment of revelation. The second is the moral principle abstracted from the relations among verses. The third is the institutional form, which may change according to context. This separation prevents anachronistic readings that claim to find the nation-state, bureaucracy, or Pancasila directly within the text.

Maqāṣidī exegesis operates through induction and systemic relations. Auda emphasizes the interdependence of objectives, while Kamali reminds us that *maqāṣid* are realized through changing *wasā'il*.¹³ The modern state belongs to the level of *wasīlah*: it provides legal and administrative mechanisms for achieving the objectives. Because it has the status of an instrument, the form of the state may be assessed, reformed, or even replaced when it fails to realize *maqāṣid*.

This procedure also requires countervailing readings. Verses concerning security must be read together with verses concerning justice; verses concerning unity with prohibitions against oppression; and verses concerning obedience with public trust and accountability. Such synthesis prevents stability from becoming a singular concept that displaces other values. Security produced through citizens' fear is not *maqāṣidī* security, and unity imposed through discrimination is not just unity.

Within this framework, the article does not claim that the Qur'ān prescribes a particular model of political institution. Its purpose is more limited: to identify the values that any political order must realize and then to test whether the need for such an order is sufficiently independent to be classified as a new *maqṣad*.

Security and Welfare in Sūrah Quraysh

لَا يَلَافُ فُرَيْشٌ إِلَّا فِيهِمْ رَحْلَةَ الشِّتَاءِ وَالصَّيْفِ فَلْيَعْبُدُوا رَبَّ هَذَا الْبَيْتِ الَّذِي أَطْعَمَهُمْ مِنْ جُوعٍ وَآمَنَهُمْ مِنْ خَوْفٍ

“For the security of Quraysh—their security in the winter and summer journeys—let them worship the Lord of this House, who has fed them against hunger and made them secure against fear” (Q. 106:1–4).

The historical meaning of the Sūrah concerns the Quraysh trade routes, the status of the Ka'bah, and the blessings of security and food that sustained their life.¹⁴ Al-Qurṭubī connects security to the sanctity of the holy precinct, while al-Rāzī interprets the removal of harm and the provision of benefit as two blessings that precede the demand for worship.¹⁵ The Sūrah therefore does not directly establish the obligations of a modern state. In the text, Allah

¹³ Auda, *Maqasid al-Shariah as Philosophy of Islamic Law*, 2–5, 33–55; Kamali, *Maqasid al-Shariah Made Simple*, 1–11, 25–31.

¹⁴ Aḥmad Muṣṭafā al-Marāghī, *Tafsīr al-Marāghī*, vol. 30 (Cairo: Muṣṭafā al-Bābī al-Ḥalabī, 1946), 245.

¹⁵ Shams al-Dīn al-Qurṭubī, *Al-Jāmi' li-Aḥkām al-Qur'ān*, vol. 20 (Cairo: Dār al-Kutub al-Miṣriyyah, 1964), 209; Fakhr al-Dīn al-Rāzī, *Maḥāṭib al-Ghayb*, vol. 32 (Beirut: Dār Ihya' al-Turāth al-'Arabī, 1420 AH), 298–99.

is the giver of security and sustenance, whereas Quraysh are the recipients who are required to express gratitude through worship.

The hermeneutical bridge to the modern state is constructed at the level of moral principle. Security and the fulfillment of basic needs are conditions that enable human beings to discharge moral and religious responsibilities. In modern societies, these conditions do not depend solely on personal relations; they require institutions that regulate security, distribution, infrastructure, public services, and legal protection. Sūrah Quraysh may therefore provide an ethical basis for institutional responsibility, but this conclusion is a contextualization rather than the literal meaning of the verses.

The prayer of the Prophet Ibrāhīm that Mecca become a *baladan āminan* in Q. 2:126 and Q. 14:35 reinforces the relationship among security, sustenance, and the continuity of a community.¹⁶ Mecca as a sacred city, however, is not identical to the nation-state. The generalizable value is that human habitats require protection from violence, hunger, and the destruction of social order. The modern state is one institutional form through which this value may be realized, not the only political form directly ordained by the Qur'ān.

Three principles may be formulated. First, security cannot be separated from food and welfare. Second, stability is not a self-standing objective but a condition for a dignified life. Third, the legitimacy of public administration depends on its ability to remove fear and hunger. A stable state that permits structural hunger has not fulfilled the moral message of Sūrah Quraysh.

Human Security as the Orientation of State Protection

In a *maqāṣidī* reading, security cannot be reduced to the continuity of state institutions or the absence of armed conflict. Security must be assessed through citizens' experience: whether they are protected from violence, hunger, illness, loss of employment, discrimination, and legal uncertainty. The shift from state security to human security is crucial because a state that appears administratively stable may still generate fear among particular groups.

Sūrah Quraysh brings together two conditions: freedom from hunger and freedom from fear. This pairing shows that security has both material and psychological dimensions. Fear may be caused not only by external enemies but also by poverty, domestic violence, social conflict, and unaccountable conduct by state officials. *Ḥifẓ al-dawlah* must therefore include preventing threats that originate within state institutions themselves.

This distinction accords with critiques of the modern state's immense administrative and coercive capacities.¹⁷ Such capacities are necessary to provide services and enforce the law, but they may also be employed for excessive surveillance, land dispossession, or political repression. *Maqāṣid* function as an external standard by which the exercise of power is judged, not as a language that automatically validates state action.

In criminal law and security policy, a human-security orientation requires legality, the presumption of innocence, access to legal assistance, and the prohibition of torture. In economic policy, it requires assurances that development does not transfer risks to the poor. In religion, it requires the protection of houses of worship and the prevention of identity-

¹⁶ Sayyid Qutb, *Fī Zilāl al-Qur'ān*, vol. 4 (Cairo: Dār al-Shurūq, 1412 AH), 1887; M. Quraish Shihab, *Tafsir al-Mishbah*, vol. 7 (Ciputat: Lentera Hati, 2002), 54–57.

¹⁷ Hallaq, *The Impossible State*, 1–12.

based violence. Taken together, these requirements show that the state is preserved in order to protect human beings as bearers of dignity.

State resilience, therefore, is measured not only by the capacity to defend borders but also by citizens' trust in institutions. Trust grows when laws are consistently enforced, services are accessible, officials can be investigated, and citizens' grievances receive a response. A state that loses legitimacy through corruption and discrimination suffers internal deterioration even when its territory remains intact.

Liberation and Social Justice in QS. al-Balad [90]:11–16

فَلَا افْتَحِمِ الْعَقَبَةَ وَمَا أَدْرَاكَ مَا الْعَقَبَةُ فَكُّ رَقَبَةٍ أَوْ إِطْعَامٌ فِي يَوْمٍ ذِي مَسْغَبَةٍ يَتِيمًا ذَا مَقْرَبَةٍ أَوْ مِسْكِينًا ذَا مَتْرَبَةٍ

“Yet he has not attempted the steep path. And what will make you understand what the steep path is? It is the freeing of a human being from bondage, or feeding on a day of severe hunger an orphan of near kin or a destitute person lying in the dust” (Q. 90:11–16).

Sūrah al-Balad does not directly address national defense. The Sūrah criticizes the human being who imagines that wealth confers unlimited power and then presents al-‘aqabah as a moral path requiring sacrifice.¹⁸ Ibn ‘Āshūr treats the emancipation of enslaved persons and the provision of food as demanding acts that transform egoism into solidarity.¹⁹ Al-Qurṭubī likewise emphasizes that the steep path is realized through human liberation and assistance to those in the most vulnerable conditions.²⁰

The contemporary relevance of the Sūrah to political theory should therefore begin not with nationalism but with the criteria of political legitimacy. The state deserves preservation insofar as it liberates people from domination, prevents exploitation, and protects orphans, the poor, and those deprived of access to resources. This reading corrects the tendency to treat sovereignty and power as the highest values. Sovereignty without liberation may become an instrument of domination, while security purchased through the neglect of vulnerable groups contradicts al-‘aqabah.

Sūrah al-Balad also demonstrates that welfare cannot be measured solely through aggregate growth. The phrase *fī yawmin dhī masghabah* refers to a condition of hunger that demands a response when need becomes urgent. Public responsibility therefore includes crisis capacity, social protection, food distribution, and the protection of groups readily sacrificed. At this point *ḥifẓ al-dawlah* acquires an ethical boundary: the state is preserved for human beings; human beings are not sacrificed to preserve the state.

Welfare, Distribution, and Fiscal Responsibility

The command to provide food in QS. al-Balad contains a distributive dimension. Hunger does not always result from the absence of resources; it may arise from unequal access and institutional failure. The obligation to feed others therefore cannot be understood solely as individual charity. In modern society, it demands fiscal policy, social protection, and budgetary management that prioritize basic needs.

¹⁸ Muḥammad ibn Jarīr al-Ṭabarī, *Jāmi‘ al-Bayān ‘an Ta’wīl Āy al-Qur’ān*, vol. 24 (Cairo: Dār Hajr, 2001), 430–36.

¹⁹ Muḥammad al-Ṭāhir Ibn ‘Āshūr, *Al-Taḥrīr wa-al-Tanwīr*, vol. 30 (Tunis: al-Dār al-Tūnisiyyah li-al-Nashr, 1984), 346–52.

²⁰ Al-Qurṭubī, *Al-Jāmi‘ li-Aḥkām al-Qur’ān*, 20:60–67.

Fiscal responsibility forms part of public trust because public budgets derive from citizens' contributions and collectively held resources. State expenditure must be assessed according to benefit, transparency, and priority for those in greatest need. Waste, corruption, and projects that benefit only groups close to power violate *ḥifẓ al-māl* and simultaneously damage *ḥifẓ al-dawlah*.

Welfare must also be connected to opportunity. The state must guarantee education, health care, and economic access so that citizens do not remain trapped in dependency. Here, the protection of property intersects with the protection of intellect and life. Education strengthens human capacity, health services preserve life, and labor and enterprise policies enable citizens to build independence. A systemic approach prevents social policy from becoming temporary assistance that leaves structures of inequality untouched.

Auda emphasizes the interconnectedness and openness of the *maqāṣid* system, so the realization of one objective must be tested alongside the others.²¹ Economic growth that damages the environment, for example, may raise income in the short term while threatening life, property, and the future of families. *Ḥifẓ al-dawlah* therefore also requires sustainable resource management and the protection of future generations.

At this point, *Sūrah* Quraysh and QS. al-Balad complement one another. *Sūrah* Quraysh provides a framework of security and sufficiency, while QS. al-Balad demands active solidarity with those who do not benefit from the economic order. A state that protects growth without ensuring distribution has not fulfilled either direction.

Public Trust, Justice, Covenants, and Defense

QS. al-Nisā' [4]:58 commands that trusts be delivered to those entitled to them and that judgment be rendered justly. Historically, the verse does not articulate a theory of modern bureaucracy. Nevertheless, its principles of trust and justice establish that power is a mandate rather than a possession. QS. al-Mā'idah [5]:8 even demands justice toward groups one dislikes. Together, these verses prevent *ḥifẓ al-dawlah* from being reduced to majoritarian loyalty. A state realizes the purposes of the *Sharī'ah* only when the law protects political opponents, minorities, and unpopular groups according to the same standards.

QS. al-Isrā' [17]:34 commands the fulfillment of covenants. Al-Rāzī interprets *al-a'hd* broadly to include various commitments that generate responsibility.²² Its application to constitutions and national agreements is possible through analogical reasoning: a constitution is a public covenant that regulates rights, duties, and limitations on power. It is not the direct meaning of the verse. Within this limit, constitutional fidelity means preserving procedures and citizens' rights, not approving every policy of a government.

The expression *ḥubb al-waṭan min al-īmān* is popular in the Islamic tradition, including in *Rūḥ al-Bayān*.²³ It should not, however, be treated as a *ṣaḥīḥ ḥadīth* without authentication criticism. A stronger basis for love of homeland is found in reports describing

²¹ Auda, *Maqasid al-Shariah as Philosophy of Islamic Law*, 45–55.

²² Al-Rāzī, *Mafāṭīḥ al-Ghayb*, 20:337.

²³ Ismā'īl Ḥaqqī al-Burūsawī, *Rūḥ al-Bayān*, vol. 6 (Beirut: Dār al-Fikr, n.d.), 441–42. The passage documents the reception history of love of homeland; it does not by itself establish the expression *ḥubb al-waṭan min al-īmān* as a *ṣaḥīḥ ḥadīth*.

the Prophet's affection for Mecca.²⁴ These reports demonstrate human attachment to one's place of origin, but nationalism must remain oriented toward justice. Love of homeland that suppresses criticism of oppression loses its moral direction.

Verses concerning defense, including QS. al-Anfāl [8]:60, may be contextualized as an obligation to develop the capacity to deter aggression. They must, however, be read together with the ethics of war: the distinction between combatants and noncombatants, proportionality, the prohibition of transgression, and an orientation toward ending threats.²⁵ National defense therefore cannot be used to legitimize the militarization of society or violence against citizens. Force is an instrument of protection, not the sole measure of the state's integrity.

Consultation, Equal Citizenship, and the Restraint of Power

QS. al-Shūrā [42]:38 presents consultation as a characteristic of the community of believers. The verse does not prescribe electoral procedures or representative institutions, but it contains the principle that collective affairs must not be monopolized by one person or group. In the modern state, this principle may be realized through political participation, representation, access to information, and oversight mechanisms. Consultation loses its substance when it becomes merely a ritual for endorsing decisions already determined by rulers.

QS. al-Nisā' [4]:135 commands the establishment of justice even when it works against oneself, one's parents, or one's relatives. This principle is essential for distinguishing loyalty to the state from loyalty to a group. Officials, state agents, and citizens may not conceal violations on the basis of shared religion, ethnicity, organization, or political interest. Within *ḥifẓ al-dawlah*, fidelity to the constitution and justice takes precedence over defending one's own group.

Equal citizenship is a consequence of public welfare. March and An-Na'im show that contemporary Islamic political ethics must develop a normative basis for cooperation among citizens of different beliefs.²⁶ The state cannot be called an instrument of *maqāṣid* if access to law, education, employment, or security is determined by religious identity. The protection of *ḥifẓ al-dīn* instead requires guarantees that every citizen may practice religion without discrimination.

The restraint of power forms part of preserving the state because unchecked power damages institutions from within. The division of authority, an independent judiciary, public auditing, a free press, and civil society are not merely borrowed modern institutions; they are means of preventing the mafsadah of power. In *maqāṣid* terminology, these mechanisms function as *sadd al-dharā'i'* against corruption, the abuse of coercion, and monopolization of resources.

Ḥifẓ al-dawlah is therefore not identical to a demand for absolute obedience. Obedience to law is necessary for order, but law itself must remain subject to the standards of

²⁴ Al-Tirmidhī, *Al-Sunan*, no. 3925; Ibn Mājah, *Al-Sunan*, no. 3108; Aḥmad ibn Ḥanbal, *Al-Musnad*, vol. 13 (Beirut: Mu'assasat al-Risālah, 1999), 13.

²⁵ Abū Dāwūd, *Al-Sunan*, Kitāb al-Jihād; Mālik ibn Anas, *Al-Muwatta'*, Kitāb al-Jihād, Bāb al-Nahy 'an Qatl al-Nisā' wa-al-Ṣibyān fī al-Ghazw.

²⁶ March, *Islam and Liberal Citizenship*, 221–61; An-Na'im, *Islam and the Secular State*, 267–90.

justice and citizens' rights. When a policy violates the constitution or causes systemic harm, peaceful criticism and correction form part of preserving the state.

Testing the Proposition: An Independent Maqṣad or an Instrument?

The exegetical findings show that the Qur'ān provides a strong basis for security, adequate food, liberation, justice, public trust, and protection from aggression. The question is whether these values collectively constitute a new maqṣad called *ḥifẓ al-dawlah*. The proposition must be tested openly so that the conclusion is not predetermined.

Criterion	Test Result	Assessment	Implication
Universality	A political order is necessary for managing collective needs, although its form changes historically.	Functionally satisfied	What is universal is the need for governance, not a particular form of state.
Normative certainty	The evidence addresses security, justice, food, and public trust but does not explicitly mention <i>ḥifẓ al-dawlah</i> .	Satisfied inductively, not directly	The concept is constructed through synthesis rather than a single text.
Public benefit	The state can protect all citizens and provide public goods.	Conditionally satisfied	Benefits must include minorities and vulnerable groups.
Conceptual independence	Its functions overlap with <i>ḥifẓ al-dīn</i> , <i>al-naḥs</i> , <i>al-'aql</i> , <i>al-naṣl</i> , and <i>al-māl</i> .	Not yet satisfied	It is more accurately classified as a prerequisite or institutional instrument.
Justice	The state may protect, but it may also oppress.	Satisfied only with limitations	What is preserved is a just constitutional order, not a regime.

Table 1. Testing the Status of *Ḥifẓ al-dawlah* within the *Maqāṣid* Framework

The table shows that *ḥifẓ al-dawlah* meets the criteria of functional necessity and public benefit but not that of conceptual independence. The security of life falls under *ḥifẓ al-naḥs*; welfare and distribution under *ḥifẓ al-māl*; education under *ḥifẓ al-'aql*; the protection of family under *ḥifẓ al-naṣl*; and religious freedom under *ḥifẓ al-dīn*. The state integrates and institutionalizes these protections, but integration alone does not create an independent *maqṣad*.

The stronger conclusion is to position *ḥifẓ al-dawlah* as a *maqṣad wasīlī* or institutional prerequisite. This does not diminish the importance of the state; rather, it prevents the state from becoming an objective immune to criticism. The state is assessed by its contribution to substantive *maqāṣid*. When it damages life, property, intellect, family, or religious freedom, the ethical obligation is not to preserve injustice but to reform the political order.²⁷

Normative Limits: The Just State, the Unjust State, and the Right to Criticize Power

A theory of *ḥifẓ al-dawlah* must confront the possibility that the state itself becomes an agent of harm. Violence by state agents, legal discrimination, corruption, resource dispossession, the silencing of criticism, and neglect of vulnerable groups may all be carried out in the name of stability. When stability is placed above justice, *maqāṣid* become a

²⁷ Hallaq, *The Impossible State*, 98–120; Auda, *Maqasid al-Shariah as Philosophy of Islamic Law*, 45–55.

language for legitimizing power. Preserving the state must therefore remain subject to restraints on power, accountability, judicial independence, and citizens' right to express peaceful criticism.

The distinction between state and government has important consequences. Governments may be criticized, replaced, or held accountable without damaging the state. Indeed, the constitutional transfer of government is part of preserving the state. Political opposition, academic freedom, the press, and civil-society organizations are therefore not threats to be eliminated but corrective mechanisms that keep power within the limits of public trust.

In a plural society, equal citizenship is the decisive test. Studies of Islamic ethics of citizenship demonstrate the importance of political solidarity across religious differences.²⁸ A political order that privileges the majority in public services and legal protection cannot be said to realize *maqāṣid*. Protecting religion means ensuring that every citizen can practice a faith within a just legal framework, not imposing uniformity.

From Qur'ānic Principles to the Assessment of Public Policy

Maqāṣidī contextualization must culminate in the capacity to assess policy, not merely produce terminological equivalents. Every policy may be tested through three questions: what objective it seeks to achieve, who receives its benefits and bears its burdens, and what mechanisms are available to correct unjust consequences. These questions transform *ḥifẓ al-dawlah* from a slogan into an evaluative framework.

In security policy, assessment includes the reality of the threat, the proportionality of the response, the protection of noncombatants, and oversight. In economic policy, it includes the distribution of benefits, protection for affected groups, and sustainability. In religious policy, the principal measure is equal protection and the absence of coercion. In information policy, the state must balance the prevention of incitement to violence with freedom of expression and the public's right to scrutinize government.

The framework also requires periodic evaluation. An instrument considered effective in one period may produce mafsadah when conditions change. Emergency regulations may be necessary during a crisis but must end when the emergency no longer exists. Subsidies may protect vulnerable groups but must be corrected when poorly targeted. This flexibility accords with the changing nature of *wasā'il*, while the objective of human protection remains the standard.

Citizen participation is a source of knowledge for such evaluation. Governments do not always know the local effects of policy. Public consultation, independent research, open data, and grievance mechanisms help connect normative objectives with lived realities. Within the *maqāṣid* framework, the voices of affected groups are not administrative disruptions but part of the process of identifying maṣlaḥah more accurately.

Constitutional Relevance in the Indonesian Context

In Indonesia, Pancasila may be read as a framework of public ethics that connects belief in God, humanity, unity, democracy, and social justice. Its compatibility with *maqāṣid*, however, cannot merely be asserted; the relationship must be analyzed through the function of

²⁸ March, *Islam and Liberal Citizenship*, 221–61.

each principle. Belief in the One and Only God acknowledges the religious dimension without granting a single group a state monopoly. Just and Civilized Humanity places human dignity as a limit on power. The Unity of Indonesia demands cohesion without erasing difference. Democracy Guided by the Inner Wisdom of Deliberation and Representation restrains power through consultation and representation. Social Justice for All the People of Indonesia evaluates the state through the distribution of benefits and protection of vulnerable groups.²⁹

From a *maqāṣid* perspective, the five principles are not hierarchically ordered so that unity may defeat humanity or stability may negate justice. Unity must be read together with humanity, democracy, and social justice. In Indonesia, *ḥifẓ al-dawlah* therefore means preserving the constitution, popular sovereignty, fundamental rights, territorial integrity, and the state's capacity to provide public goods. It does not mean ending debate over policy or turning Pancasila into a slogan for silencing criticism.

Religious plurality likewise requires the state to act as guarantor of equality rather than as manager of a single orthodoxy. Religious education and public policy must develop the capacity for shared life, recognize difference, and prevent discrimination.³⁰ Within this framework, *ḥifẓ al-dīn* and *ḥifẓ al-dawlah* are interrelated: religion is protected when the state guarantees freedom and security, while the state is preserved when religious communities cultivate civic ethics, reject violence, and respect the constitution.

The history of Islam-state relations in Indonesia shows that acceptance of the nation-state emerged through a long process of negotiation rather than through the replacement of religion by nationalism. Effendy describes the transformation of Muslim political orientation from an antagonistic relationship toward substantive integration within the Pancasila state.³¹ Hefner adds that Indonesian democratization was supported by the development of a Muslim civic culture that accepted pluralism, civil-society organizations, and public participation.³² These studies reinforce the argument that *ḥifẓ al-dawlah* must be directed toward institutions that enable participation rather than merely preserving state symbols.

Pancasila may be understood as an ethical consensus that enables religious and cultural communities to share political space. It is not a religious *maqṣad* that replaces the Sharī'ah but a civic framework governing the translation of religious values into public life. The relationship between Pancasila and *maqāṣid* must therefore be tested through outcomes: whether policies protect dignity, reduce inequality, expand participation, and guarantee religious freedom.

Principle of Pancasila	Maqāṣidī Relationship	Implication for <i>Ḥifẓ al-dawlah</i>
Belief in the One and Only God	Protection of religion and freedom of belief	The state guarantees equal space for worship without monopolizing religious interpretation.
Just and Civilized Humanity	Protection of life, dignity, and	Security policy is subject to human rights,

²⁹ *The 1945 Constitution of the Republic of Indonesia*, preamble and arts. 27, 28A–28J, 29, 31, 33, and 34.

³⁰ M. Agus Nuryatno, "Religious Education and the Challenge of Pluralism in Indonesia," *Jurnal Pendidikan Islam* 27, no. 1 (2013): 140–55.

³¹ Bahtiar Effendy, *Islam and the State in Indonesia* (Singapore: ISEAS; Athens, OH: Ohio University Press, 2003), 1–18, 197–214.

³² Robert W. Hefner, *Civil Islam: Muslims and Democratization in Indonesia* (Princeton, NJ: Princeton University Press, 2000), 3–20, 213–22.

Principle of Pancasila	Maqāṣidī Relationship	Implication for <i>Ḥifẓ al-dawlah</i>
	freedom	proportionality, and the prohibition of torture.
The Unity of Indonesia	Social cohesion and protection of shared civic space	Unity is built through equality, not homogenization or majority domination.
Democracy Guided by the Inner Wisdom of Deliberation and Representation	Consultation, public trust, and accountability	Power is restrained through participation, representation, oversight, and peaceful transfer.
Social Justice for All the People of Indonesia	Protection of property, welfare, and vulnerable groups	Budgets and public services are directed toward reducing inequality and providing social protection.

Table 2. The Relationship among Pancasila, *Maqāṣid*, and *Ḥifẓ al-dawlah*

The table shows that *ḥifẓ al-dawlah* is not an objective standing above the other principles but an integrative function. Unity cannot be used to negate humanity; belief in God cannot erase equality among citizens; and democracy cannot be detached from social justice. These interrelations accord with Auda's systems approach, which rejects the isolated reading of objectives.

National defense is part of protecting citizens and territory, but it must remain subject to law, civilian oversight, and humanitarian ethics. The experience of the Hijrah and the formation of the Medinan community illustrates the importance of covenants, cooperation, and the protection of groups living within a single political community.³³ Its relevance to Indonesia lies not in reproducing a past political form but in affirming that security is built through respected covenants, participation, and mutual protection.

Ḥifẓ al-dawlah may thus function as an integrative language linking *maqāṣid* and Pancasila, but only if the concept remains open to evaluation. It must be measured through concrete indicators: human security, poverty reduction, access to education, protection of religious freedom, legal justice, prevention of corruption, and political participation. Without such indicators, *ḥifẓ al-dawlah* can easily become an untestable rhetoric of stability.³⁴

Theoretical and Operational Implications of *Ḥifẓ al-dawlah*

Theoretically, classifying *ḥifẓ al-dawlah* as a *maqṣad wasīlī* resolves two problems. First, it acknowledges the genuine need for the state in complex societies. Second, it keeps the state subordinate to the substantive objectives of the *Sharī'ah*. This position differs from both rejecting and sacralizing the state. The state is accepted as a necessary instrument, but its moral legitimacy always remains conditional.

Operationally, the concept may be translated into five areas of evaluation. The first is human security, including protection from violence, conflict, crime, and abuse by state agents. The second is basic welfare, particularly food, health care, housing, and social protection. The third is legal justice, including equality before the law and access to the courts. The fourth is participation, freedom of expression, and corrective mechanisms. The fifth is institutional sustainability, including orderly transfers of power and responsible management of resources.

³³ Muḥammad Sa'īd Ramaḍān al-Būṭī, *Fiqh al-Sīrah al-Nabawīyyah* (Beirut: Dār al-Fikr, 2020), 159.

³⁴ Masykuri Abdillah, "Harmoni Agama dan Negara," accessed January 4, 2025, <https://graduate.uinjkt.ac.id/id/harmoni-agama-dan-negara>.

These five areas require verifiable indicators. The success of *ḥifẓ al-dawlah* cannot be established merely through macro-level stability or the rhetoric of unity. It must be visible in reductions in violence, hunger, poverty, discrimination, and corruption; expanded access to education and health care; and guarantees of religious freedom and political participation. The use of indicators prevents *maqāṣid* from becoming decorative language in public policy.

Another implication is the rejection of using *ḥifẓ al-dawlah* to justify indefinite states of emergency. During crises, the state may restrict certain rights to protect society, but restrictions must have a legal basis, a legitimate purpose, a defined duration, proportionality, and oversight. Without these conditions, the language of state security readily becomes a justification for the concentration of power.

In education and da'wah, the concept may be used to cultivate critical nationalism. Love of homeland is expressed through care for institutions, payment of public obligations, rejection of corruption, respect for difference, and willingness to correct policies that harm citizens. Critical nationalism differs from chauvinism because it does not assume that one's own nation is free of wrongdoing and remains open to cross-border human solidarity.

The principal contribution of *ḥifẓ al-dawlah* is therefore not to increase the number of objectives from five to six but to provide a framework for assessing the relationship between the objectives of the *Sharī'ah* and political institutions. Its value lies in its capacity to integrate protections, restrain power, and test policy, not merely in its terminological status.

The implementation of this concept faces at least three challenges. First is the tendency to measure state success solely through economic growth and order, measures that may conceal inequality, fear, and the exclusion of vulnerable groups. Second is the use of religious language to narrow the space for criticism. Third is policy fragmentation, which causes security, welfare, education, and environmental protection to operate without coordination. A *maqāṣidī* framework requires these fields to be assessed as a single system of protection.

These challenges require sound governance of knowledge. Policies advanced in the name of *maṣlaḥah* must be supported by verifiable data, publicly accessible reasoning, and evaluation by independent institutions. A claim of *maṣlaḥah* cannot rest solely on official authority or majority support. It must consider the effects on the most vulnerable and provide remedies when harm occurs. Policy *ijtihād* therefore does not end with the formulation of norms but includes monitoring actual outcomes.

Ultimately, *ḥifẓ al-dawlah* has meaning only when it strengthens the reciprocal relationship between state and citizens. The state is obligated to protect rights and provide basic services, while citizens are obligated to obey just laws, participate, meet public obligations, and care for shared spaces. This reciprocal relationship does not erase the asymmetry between them: because the state controls greater resources and coercive power, it also bears a heavier burden of accountability. This principle prevents nationalism from becoming unconditional submission to power.

Limitations and an Agenda for Further Research

This study is limited by its normative-library character and the selection of its Qur'ānic corpus. Sūrah Quraysh, Sūrah al-Balad, and the supporting verses produce a pattern of security, welfare, justice, and public trust, but they do not represent every political theme in

the Qur'ān. Future research should expand the corpus to verses concerning power, conflict, migration, the protection of covenants, and relations with minority groups so that the synthesis of *ḥifẓ al-dawlah* rests on a broader inductive foundation.

A second limitation is the absence of empirical testing. This article formulates indicators but does not evaluate a particular policy or institution. Future studies could test the concept through case studies of social protection, the protection of religious freedom, conflict management, oversight of emergency powers, or resource governance. Empirical inquiry is necessary to determine whether the language of *maqāṣid* actually improves policy or merely replaces terminology without changing practice.

A third agenda is interdisciplinary dialogue. *Maqāṣid* theory should engage constitutional law, public administration, political economy, security studies, and citizenship theory. Such dialogue does not subordinate *maqāṣid* to the social sciences but enriches knowledge concerning instruments, consequences, and the distribution of policy benefits. In this way, the determination of *maṣlaḥah* rests not only on normative assumptions but also on evidence and citizens' experiences.

Conclusion

A *maqāṣidī* reading of *Sūrah* Quraysh shows that security and the fulfillment of basic needs are moral conditions of human life, although the *Sūrah* does not directly formulate the institutions of a modern state. QS. al-Balad [90]:11–16 provides a more critical criterion: a social order is judged by its capacity to liberate human beings, provide food in times of crisis, and protect vulnerable groups. Verses concerning public trust, justice, covenants, and defense further establish that public power must protect citizens and remain constrained by law and ethics. These findings more strongly support *ḥifẓ al-dawlah* as an institutional prerequisite or *maqṣad wasīlī* than as an independent sixth *maqṣad*. The state integrates the protection of religion, life, intellect, family, and property, but this function still overlaps with established *maqāṣid*. The criteria of conceptual independence and normative certainty have therefore not been sufficiently met. In Indonesia, the object to be preserved is not a particular government or regime but a just constitutional order, equal citizenship, territorial integrity, democratic participation, and public welfare. *Ḥifẓ al-dawlah* must not be used to suppress criticism, legitimize state violence, or elevate stability above justice. This study is limited by its normative-library character and restricted Qur'ānic corpus. Future research should test the operationalization of the concept in constitutional law, welfare policy, minority protection, and practices of restraining power.

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