

The Concept of Justice in Islamic Political Thought

Yahya Fozi

Associate Professor of Political Science, Imam Khomeini International University, Qazvin, Iran

Abstract: This paper attempts an analysis of the concept and research to explain the concept of justice in Islam and to answer the question that how to define the concept of justice in Islamic Political Thought? The author believes that the concept of justice among Muslim scholars closely linked with the concept of right and justice which is not possible without the recognition of individual and public rights. Accordingly, in the form of equity and justice based on fixed rights, the rights agreement would attempts to make sense of fairness index.

[Yahya Fozi. **The Concept of Justice in Islamic Political Thought.** *Researcher* 2013;5(11):90-94]. (ISSN: 1553-9865). <http://www.sciencepub.net/researcher>. 14

Keywords: Justices, right, Islamic political thought

Introduction:

Political thought is the fundamental concept of justice and Islamic political thought is a great value. Islam and the Muslims agree that it will always work to make it happen. Given the importance of justice, the question is what is the concept of justice in Islam? And on what basis is doing? How it can be realized?

A - Conceptual Discussion

The importances of justice in Islamic thought are clear and with little reflection on the importance of the religious texts of Islam are well understood. The world of Islam is based on justice and the justice Developmental say that everything in the universe is based on justice. This word means the natural state of the world; the situation is fairly general conditions and any attempt to adapt the world to comply with the standards of justice. The trend toward higher human justice is one of the transcendent nature of man is contained. And move toward justice consistent with human nature. Filed in various verses of God's justice is the duty of all human knowledge. In the religions of justice, based on their religious teachings and the teachings of the divine prophets and they emphasize; so that the mission of the prophets of God and their duty to maintain justice and truth and justice in the society. In many verses of the Qur'an, including verse 25 of Sura Hadid is emphasized. The same divine law which is commandments and teachings of Islam, to spread justice throughout the world, has been appointed as a justice of the feature has been the ideal Muslim society final battle image is a community fair.

Accordingly, one of the most characteristic traits of justice in Islam is a political official. In this regard, social and political orientation of Islam is portrayed. On the part of the Muslims, Deviate from the ruling Justice and dismiss him, he will not lead to competent And political leaders committed to justice and deed one hand and social justice on the

relationships with their subordinates and people And to seek justice in the macro and micro levels.

Despite the repeated emphasis on the word Islam justice terminology in a discussion of the concept of justice must also be said in the Quran: Equity and mortgage term, although it has been used in 26 verses victims, but none of the revelations, there was no clear definition of justice. An Overview of the teachings of the Qur'an can be obtained from the following:

1 - This part emphasizes that God established for the owner's equity (Al Imran 18) and God is fair (Heights verse 29) words and commandments of God are just. God's judgment is based on justice and order. (Nisa verse 47)

2 - The second part of the verse emphasize that the prophets came to bring fairness and justice.

3 - One for addressing Muslims emphasize based on fairness and justice (Ma'edeh verse 7), and in this case to those mentioned by Muslims in particular in the treatment of: orphans (Nisa verse 127), women (Nisa verse 129), and non-combatant enemies (Momtaheneh verse 8).

4 - Also in Discussion Buy and Sell (Hud verse 85) and judgments (Ma'edeh verse 42), which are required to behave justly.

5 - Another part of the verse refers to the people of the community who are fair (A'raf verse 81) and compared them to those who are ill are promised punishment (Al-Imran verse 21) and the Lord's others are more (Nahl verse 76).

6 - The number of words in the Quran are used interchangeably in justice that the term applies to them (tip: Verse 115), E. (Nahl verse 90) Balance (En'fetar verse 7) and is the right path. This verse seems to indicate that the outcome is justice.

Overall, it seems that in terms of fairness and justice, and common sense has been referred to the Qur'an; no comments so God only acts attributed to them and the people will behave based on justice. In terms of

justice, without any explanation is that reflects the common understanding of justice is the criterion for God; it was the religion of the people called upon to act. Therefore, to clarify the concept of cognitive reasoning and common equity should be presented.

In this regard, among scholars about the definition of justice is a different perspective and the tendency of philosophical, theological and legal scholars have different definitions of the concept of justice, which provided part of which is as follows:

- 1- Justice, temperance oriented sense, moderation and respect the rights of others.
- 2- Justice means the balance of power within the community and bringing the wisdom of the wise man.
- 3- Justice means punishment fit the crime.
- 4- Justice means to provide the best possible and most essential civil security and safety.
- 5- Justice in Medina means divided equally shared public charity.
- 6- Justice means harmony with the divine order of nature.
- 7- Justice means fairness.
- 8- Justice means equality with practical wisdom.
- 9- Justice meant to put anything in its place.
- 10- Justice means to put something in place and claim the right.

These definitions reflect the definitions offered by Muslim scholars for justice, but the majority of Muslim scholars for the last two definitions of justice, have preferred. In other words, the majority of Muslim scholars believe that justice means putting everything in its place and bring right to respect.

In fact, the definitions of justice that can be assembled together are other definitions of primary and secondary sources of Islamic Scholars vote has been mentioned, they will also be included. Besides these two definitions are stated in the accounts of victims and the effects of early and contemporary scholars have also learned a lot. Combining these two definitions of justice can also be defined as "the right granted to the rightful sense of justice." Accordingly, in a summary of the views of Muslim scholars say they have defined the concept of justice is defined in this paper is based on the concept of right. The power of this approach in the presentation. we try to tell the right as the basis of justice, the indicators based on the concept of pay equity. And to answer this question: What are the characteristics and attributes of individual justice and just society, and Social Justice ?

B- The concept of right and all kind of it

According to the previous discussion, the right term refers to the debate about justice. The circuit is set up just right and looks to the right to determine the kind of justice. Basically, for the right to have different definitions of power and privilege that God

or natural law or statutory declaration of the person, we can meet the social obligation to respect them. The right to privacy and the rights of the general public in a division that split the public's right to political, economic, social and cultural. It is divided. There are several examples of each of these cases. Muslim scholars about the nature and origin of the right to insist on two, the first case is that of divine origin, in order to develop and realize the talents God have given him the inner man. The fixed salary is generally, however, subject to the fulfillment of its objectives of growth and human excellence, including rights such as the right to life, liberty, the right to dignity. In other words, the divine right of God and man in Islam granted, the goal of human excellence and actualize his inner strength and accordingly granted these rights is subject to the fulfillment of the goal. And as long as people are eligible for these rights in its growth path and nature of God's commands to move the rights are otherwise defective. Second, the source of human rights is based on a contract or agreement between human subjects that these rights are relative and vary between individuals is a valid contract. It could be that Mobahat field (i.e. a field that God has no particular order) it can be concluded, they have stressed the need for commitment. In fact, the rights arising from these contracts is recognized in Islam. Contractual rights of the people God has called them and asked them to adhere. The rights of the parties and all the people associated with the contracts and compromise their rightful based on contracts are recognized. Accordingly, one can speak of two types of right, and the acceptance of Islam are divine rights and contractual rights of the human person.

C- Concept of justice is based on the concept of right

If justice means give righteousness to rightful person, then based on two concepts of righteousness, we could talk about two levels of justice which are justice based on the law of God and justice based on contractual rights that have been reviewed carefully in this paper.

1- Justice means implementation Natural - Divine rights

Given the above discussion, we mean the rights granted in that case, if justice means being a part of the divine origin of rights, Justice Means Realization Jurisprudence of Humans. Basically the idea of the divine rights of political Islam in the West has a long history and is referred to in different formulations. In this connection the classical Greek thinkers like Socrates, Plato and Aristotle, natural law, the end credits were defined universe and human perfection.

They were the natural law, the order that accords with nature. The man with the distinction between those matters that are inherently good and pleasant matters, he is believed to provide something that the perfection of human nature is naturally good. Greek intellectual heritage of the Christian era with the teachings of Christ and the orders were mixed old and New Testament and Christian theologians, Aquinas moss, as resolve the eternal law of God in the creation of practices were introduced. They are natural laws that human reason can discover the eternal law, the law of Christ directive knew and human wisdom in this direction were considered. In this view, Muslims are an important part of natural law, natural rights accepted and primarily associated with Allah is Islam. Since, it has been found that natural rights and the purpose of the creation of enlightened beings towards perfection of existence which lies in their talent. The origin of natural talent is a natural right ... and there are Different natural talents. The creation of each species in its own orbit has this put him in prosperity and in its normal orbit moves. Recognize the natural rights and their quality is referring to creation and creation. Natural talent is a natural right for a normal document. So there is a need to identify the natural law and the rights of the will of God, Islam should not be questioned. But the important question is how can people be aware of their natural rights, and they discovered? Does that explain shari'ah law or the human mind as it is independent? In answering this question, there are three approaches lead to three types of attitudes among Muslims natural law resulting in the three kinds of justice will look. Some Muslims believe that the truth is revealed through religious and this view is expressed mainly by Sunni Asharites in regardless of what the law says is that justice. In fact, the concept of justice is inaccessible to human reason and evidences of God define justice and In fact, the criteria for recognizing a religion out there are no justice. This means that the result of this thinking is that justice is being shariah. In contrast, a group of Muslims believe that constant sense of natural justice, but justice is accessible to human reason and religion out of it. This idea has been suggested by some Shiite intellectuals justice knows quite understandable by humans Commandments of God must be understood that the human form of justice is consistent. In this kind of justice for all human judgment is not consistent with the understanding of the human intellect, the verdict is unjust condemnation and rejection. Third Look at those that look rational - they are sharia justice and wisdom to know that a Justice of the examples, but because of their complete lack of understanding of human nature, it can explain the need for divine revelation and law. Thus reason and

Ejtihad can be more consistent legal interpretations of the texts that the spirit of the law. Shia and Sunni scholars view that a different part of the law and the relationship between reason and religion is most consistent with this opinion. In this framework, implementation of natural-divine right could lead to the justice.

2- Justice means an agreement or contract rights

According to another level is the right level of contractual rights and agreements, so part of Muslim scholars believes that justice means the realization of human rights and contractual agreements. While this does not negate God's law, but right next to it that can be contractual rights in no particular order of things that God has pointed. Thus, the realization of these rights can be considered as another level of equity relative concept and varies and is influenced by a social contract. In this class of theories of justice based on truth but rather in accordance with the contract, shall be construed consensus. Theories of justice based on law that is consistent with the will of the majority, and the general consensus is figuring it out. They are based on the social contract creates a right to know and the injustice of the non-fulfillment of a covenant know compromise the rights of the community to know that there are quite variable and their meaning. They believe that without the existence of these rights is not possible. It looked like a Muslim thinkers such as Locke's view, some philosophers believed that west was doing anything in the community, subject to the satisfaction of the condition. Consent underpinning principles and rules that act upon them, are deemed fair. Rousseau and Locke also maintained on the basis of logic and fairness of sovereignty in its action, instead, the will and consent of the majority, the will and consensus asserts. It should have benefit from the shared consensus about the principles of the right to exist. If it is in the public interest and justice are to be transplanted.

Political Thought of Islam in this type of law is accepted as the basis of justice. In fact, the origins of Islam and Sharia law in nature are not presented. But part of the agreement between individual rights and credit that will be manifested in the form of treaties and laws The law also stressed the need to adhere to the agreement (in case of non-contradiction law) and stressed that they recognized part of this agreement rights and human rights in Islam shape the social and political. Along with the other type of religious rights are human rights and the law are both right that the other can provide. The legal rights and the rights agreement are recognized that these two types of rights and giving them some level of justice,

based on divine justice and rights in Islam with different levels of agreement are based on Sharia law.

In this regard, Justice of the agreement, it is based on human perception is completely knowable by reason. There is justice in Islam and Islam allowed a compromise agreement is a transaction that is fairly to be regarded and consensus of a very important place in Islamic texts and Islamic Political Thought, based on the concept of "consent" is a tale of justice agreement.

Conclusion:

According to abovementioned discussions, it should say:

1. The term of justice in Islam refers to the concept of right and justice is set up on righteousness and kind of thoughts about righteousness and being constant or variable would create different looks to justice. Accordingly, it's possible to talk about two kinds of righteousness which one of them is constant right and another is variable right. Constant right is based on natural-divine right and variable right is based on agreement of both sides; finally realization of each of them could lead to a variety of justice.
2. On how to achieve fairness based on the natural right - from God, Some believe that the law and justice to be achieved, regardless of what the law says no. In contrast, a group of Muslims believe that justice is based on the concept of natural rights accessible to human reason and religion out of it. Third are those that take a rational-legal look at religious and believe in justice, though rooted in the natural law of justice based on the law of reason, but it makes interpretation.
3. On the other hand, part of rights is rooted in an agreement between individuals that is manifested in the form of treaties and laws, the law also required to fulfill the agreement (in case of discrepancies with the law) has emphasized and recognized. It also emphasizes that this type of agreement rights, human rights are an important part of social policy in the religious right is another kind of human rights. In fact the law the right of the other two can be granting them to the rightful people would be as like as justice. Sharia law is rooted in the agreement also promises justice to the rights agreement also calls for justice. This kind of justice is that human origins and the action is a fair measure of agreement. Based on the concept of natural law, justice and rights agreement between the two levels are fluctuating. Based on the dual source of justice based on natural law - God's law and agreement. Different levels of justice and can be cited in the Political Thought of Islam, while they are not

inconsistent with each other, but you can set different levels of rights that they can be called fair.

4. So, implementation of justice needs preparing divine social-individual right in the section of rights which ruling issued by Allah and on the other hand, development and implementation of rights which are in agreement with Shariah laws (affairs which there's not any judgment about it).
5. With this kind of justice, can have many instances of individual and social justice in the interpretation and indicators, That is, the righteous ruler is a kind of ruler that respect he legal rights and obligations in personal and social area and also respect to consent rights with other people. Righteous governor is a kind of governor which does right things based on legal and common law that majority of people agreement on them.
6. In regards with this important issue that main section of righteousness composed of agreement laws, so the concept of social and political justice is in connection with a compromise and settlement agreement. On the other hand, since discovery of natural – divine rights need Jurisprudence and reasoning, so, the fairness and rationality of engagement and satisfaction, and are linked to the public people. The meaning of this concept is that based on Moslem scholars to explain the parameters of justice in religious community should include continuous ijthad and he rational use of expert opinions and should be implemented. So in Islamic thoughts, justice linked with rationality and legislating consent of majority of people.

References:

- 1- Abdali Mehrzad, Introduction to Philosophy of Law Theory of Law, Tehran: Majd Journal, 2009.
- 2- Ibn Manzoor, Lisan-Al-Arab, Qom, Hozeh Literature, 14,5.
- 3- Ahmadi Mansour, political justice in book income over the political system of justice Bkvshsh A. Alikhani, Tehran, Institute of Social and Cultural Studies 2009.
- 4- - Bahram Akhavan Kazemi- Justice in Islamic political thought - Qom Boostan, Book 2003.
- 5- Bahar-Al-Anvar. Volume 52.
- 6- William T. Blum, political theory, political translated, A. Tadaion Tehran, Aran 1373 vol 1.
- 7- Mohammad Kazem Khorasani - Almkasb margin, Ministry of Culture, 1406 AH.
- 8- Ruhollah Khomeini, Alby book, vol 1.
- 9- Dell and Kuo, legal philosophy, translated by J. units: Tehran, Mizan Journal, 2002.

- 10- Rabani Golpayegani Ali, theological sects in Qom, the center of Islamic Science Publishers, 2004.
- 11- John Rawls, Justice as Fairness, translated by Erfan Sabeti, Tehran, Phoenix Publishing, 2004.
- 12- Jean-Jacques Rousseau, the social contract, Zirak Zadeh G.H., Adib journals 1989.
- 13- Amid Zanjani, compromise justice in Islam book, Introduction to the political order and justice in Islam, an attempt by Ali Akbar Ali Khani, Tehran, Institute of Social and Cultural Studies, 2009.
- 14- Khajeh Nizam al-Mulk Tusi: Policy book, revised by Abbas Iqbal, Tehran mythology, 1990.
- 15- A. Alikhani, introduction to the political order of justice in Islam, Tehran, Institute of Social and Cultural Studies, 2009.
- 16- M. Najah, political thought Mu'tazilites, Sadri B translations Nia, Tehran, Scientific and Cultural Publishing Company, 2006.
- 17- Morteza Motahari, the rights of women in Islam, Tehran, Sadra 1985.
- 18- A. Mousavian, the nature of Tehran, Ascension Press, vol. 2, 2003.
- 19- Thomas Hobbes, Leviathan, translated by H. Bashiriyeh, Tehran, Ney Publication, 2002.
- 20- Ibn Sina. Altnbyhat Alasharat, Alab Qdrany and S. Zayed, book publishing office in Tehran 1982.
- 21- Nasir Toosi A. Ledeen: Ethics Nasser, correct by M. Mino and Ali Reza Heidari. Tehran Award 1990.
- 22- Ghoro-Al-Hekam, Tehran. 1980.
- 23- Muhammad Abu Nasr Farabi: Seasons Almadni, M. Danloop, 1961.

9/22/2013