

# Conventional Philosophic and Islamic Views on Social Justice: A Comparative Scrutiny

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## *Abstract*

*Current world is the juncture of dilemmas and confrontations. Here, Ismic or ideological bondage encompasses humankind on their moving path. This tendency, in some cases, makes the world this character i.e. dilemmas and confrontations. The ismic or ideological bondage which is the man made is called in this paper 'the conventional philosophic views'. And Islamic views, in this paper, state the Al-Quranic and Sunnatic principles. These two views elucidate the social justice in a particular society in the paper. The paper mainly shows the comparative scrutiny on social justice to prove which one is rational in the process of its execution for a particular affair in the Modern age.*

## **01. Introduction**

Modern democratic world is now in continuation based on some isms or ideological bondages and these are, in most cases, man-made beyond divine origin, which have stringent rationale for executing these in this challenging vicissitude of current age as claimed by its all architects. Therefore, this earth is always shaken with the fervent adherents who are equipped with these isms or ideological bondage, which, in various ages, came into site for leading some affairs but failed to culminate not only in its ultimate aspiration but collapsed also. Karl Marx, the designer of Communism, to establish social justice, formulated his theory based on, in a sense; ideological bondage did not live on for its lacks of procedural management to retain the phenomenal demand of changing circumstances. Besides, some conventional philosophic views on social justice like Platonic justice, Hume's social justice, Bantham's utilitarianism, Mill's individualism etc reached the same point whenever these are put into action for a particular affair. Although the practical set-up of divine origin on social justice is hardly sited in the world, it has big appeal to lead certain affair in its democratic governing scheme.

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## 02. Defining Social Justice in General

The concept of social justice is best understood as forming one part of the broader concept of justice in general. To comprehend it properly, we should begin by looking at justice as a whole, and then attempt to mark off that division of justice, which we call social justice.<sup>1</sup> It takes only a little reflection to realize that the terms 'just' and 'justice' have a broad use. We are perhaps fortunate that we have lost one of the senses, which the term had for the Greeks, the sense in which justice was equivalent to virtue in general.<sup>2</sup> Nevertheless, we use the concept in many different contexts to make a variety of moral and political points. Such breadth of use has led some commentators to think that the idea of justice has no substantive content, but it is used rather as a general term of approval, which can be applied at will to whatever phenomena one chooses.<sup>3</sup> From the above-mentioned definitions, it is to be taken into account the three jargons - 'virtue, morality and choice of one', which are taken from both the Greek and Modern philosophic view, the main basis of Justice.

Cephalus who was a representative of traditional morality of the ancient trading class established the traditional theory of justice. According to him 'justice consists in speaking the truth and paying one's debt. Thus, Cephalus identifies justice with right conduct.'<sup>4</sup> Polemarchus also holds the same view of justice but with a little alteration. According to him, "justice seems to consist in giving what is proper to him". The simple implication of this conception of justice may be that "justice is doing good to friends and harm to enemies." This is also a traditional maxim of Greek morality.<sup>5</sup> These all segments of Justice are also called the Social Justice because it encompasses the individuals, societal ingredients of society and the society as a whole. What mechanisms in society are prevalent and how the social actors are functioning in it are the matters of Social Justice. So, Social Justice is what gathers the virtue, morality, one's right choice in the society, right conduct to pay someone's debt as due for the well-being of the people of the society.

1. David Miller, "Social Justice", Clarendon Press, 1979, page: 17

2. See Aristotle, *Ethica Nichomachea*, Book v, chap. 1 and 2, in *The Works of Aristotle*, ed. W. D. Ross, vol. ix (Oxford, 1915).

3. See, for instance, Hans Kelsen. "What is Justice?" in his *What is Justice?* (Berkeley and Los Angeles, 1957)

4. Dr. Bhandari, "Plato's Concept Of Justice: An Analysis" Published in I.E. United press, New Delhi, India

5. Ibid

### 03. Methodology of the Study

It is impossible to reach at the practical phase from where conventional philosophers viewed on social justice. The case is the same in terms of Islamic views on social justice, which are also the accumulation of some secondary sources as documents found in the texts vis-Al Quran, Al-Hadith and some Islamic traditions. So, secondary sources have been used in this study of analyzing social justice from both the conventional philosophic and Islamic views. Note that the root sources, in most cases, have been taken to use as the reference of this study that will give it the likely accuracy in its stand. This study also takes helps of some information collected from webpage, authentic journal articles and some universal phenomenon which are proven in nature. Mainly, Microsoft word is used in making the study.

### 04. General Principles of Social Justice

Social justice in particular is an initiative of keeping balance in the society for fulfilling societal needs of its people. Three principles are available in the literature of social science regarding the explanation of Social Justice. These are-**a. Principles of Equality** **b. Principles of Deservingness** and **c. Islamic View of Social Justice**.<sup>6</sup> We will scrutinize these principles of Social Justice from the conventional philosophic and Islamic point of view.

### 05. Conventional Philosophic Views on Social Justice and its Rationale in the Modern Age

Different conventional philosophers have formulated their idea on social justice. Among them, following are to be taken under the discussion :

#### **A. Platonic View on Social Justice**

Plato gives us his own theory of justice according to which, individually, justice is a 'human virtue' that makes a person self-consistent and good; socially, justice is a social consciousness that makes a society internally harmonious and good. According to Plato, justice is a sort of specialization.<sup>7</sup> Find the other three cardinal virtues first, and then justice will be distinguishable. Wisdom is in the guardians; if they be wise, the whole state will be wise. Courage we find in the soldiers; courage is the

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<sup>6</sup> Abdun Noor, '*Social Justice in Bangladesh*', Published in Liberty Forum, Chittagong, April, 1991, P.21

<sup>7</sup> Dr. Bhandari, "Plato's Concept of Justice: An Analysis" Published in I.F. United press, New Delhi

true estimation of danger, and that has been ingrained in them by their education. Temperance, called mastery of self, is really the mastery of the better over the baser qualities; as in our state the better class controls the inferior. Temperance would seem to lie in the harmonious inter-relation of the different classes. Obviously, the remaining virtue of the state is the constant performance of his own particular function in the state, and not his neighbor's, by each member of the state.<sup>8</sup> Plato, in his *Justice*, showed the three qualities of humankind such as wisdom, courage and temperance. Last twos' (courage and temperance) influx towards wisdom will erect Justice in the society. But the assimilation of these three qualities of human being is not possible at a time. So, platonic justice is, in the broad sense, imaginary.

Besides, Plato also stated that the people who are the men with wisdom will govern the state and residual two classes- 'warrior and producing classes' will be activated in their own field vis-protecting country from invasion internally and externally and producing wealth respectively. They will not intervene in the governing process but only philosopher kings who are enriched with wisdom will govern the state as actors or governors of the state. In this regard, Plato demonstrates that everybody would be given his due in accordance with quality. It does not symbolize the parity or equality among the people of the society. If a particular class governs the state for long time, despotism may be the result. So, in this sense, it should be taken under consideration that producing and warrior classes and their successors or offspring would have to be taken part in the decision making body likewise philosopher kings and their offspring if they (warriors and producing class) prove their quality. Philosopher king will provide the place for the warrior and producing class and their successors or offspring so that they may learn as achieved by philosopher kings and their offspring. Then, social justice based on the principle of equality would be established in the society, otherwise not.

Besides, Plato, for establishing communism-the ingredients of social justice, suggests abolishing family system and private property from the life of philosopher king who will he lead the state. If these two systems are demolished, kings will not seriously partake in the state-apparatus not to have their personal gain i.e. accumulation of wealth and offspring of

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<sup>8</sup> Plato's definition of Justice, the translated version of "The Republic" published in – [http://www.publicbookshelf.com/publichtm/Outline of Great Books Volume I/platodefi bcc.html](http://www.publicbookshelf.com/publichtm/Outline%20of%20Great%20Books%20Volume%20I/platodefi%20bcc.html)

their own. Thus, social justice could not be ensured if rulers don't have the right to the accumulation of wealth and offspring of their own.

### ***B. Hume's Conception of Social Justice***

Hume's thinking about justice is chiefly to be found in two places, Book iii of the *Treatise of Human Nature and the Enquiry Concerning the Principles of Morals*.<sup>9</sup> Between these two works, separated in time by eleven years, there are a number of differences; some slight, others more substantial. I shall assume that, as far as Hume's conception of justice is concerned, these differences are not fundamental, and I shall draw on both sources to describe that conception, except when differences between the works are explicitly pointed out. This follows most interpretations of Hume, including Kemp- Smith's *The Philosophy of David Hume* (London, 1941).

Justice is discussed in the *Treatise* in the context of an inquiry into the nature of virtue. Hume begins *Treatise*, Book iii, by asking 'In what does the distinction between moral good and moral evil consist?', but quickly propounds the view that the objects of moral evaluation are not actions but persons and their qualities. The distinction between virtue and vice is logically prior to that between right and wrong, and actions are regarded only as signs of the possession of relevant qualities.<sup>10</sup>

Note that in his theory of Social Justice, Hume emphasized 'right and wrong' to deny the 'virtue and vice'. This urges scholars to criticize Hume's theory of social justice for his unjustified treatment on human behaviors. If an individual can not realize the virtue and vice, how will he determine the right and wrong? Only virtuous man apprehends right and wrong thereby, following, in most cases, virtuous or right deeds beyond going towards wrong. Virtuous man, in fear of negative consequence not only for his own but also for society either here (worldly life) or hereafter, at least, takes shelter of right things so that vice things may not be the result in this vicissitude.

He also stated that justice is taken as a virtue, which a man may possess. However, the impact of this initial move is modified when Hume arrives

<sup>9</sup> References to David Hume *A Treatise of Human Nature* (hereinafter *Treatise*) are to the edition of A. D. Lindsay (London, 1911), and to Hume *An Enquiry Concerning the Principles of Morals* (hereinafter *Enquiry*) to that of L. A. Selby-Bigge (Oxford, 1902)

<sup>10</sup> David Miller, "Social Justice", Clarendon Press, 1979, Page-157

at the detailed discussion of justice, for justice is defined, not as a disposition or an attitude of mind, but as a set of principles governing men's actions. The virtue of justice must consist in acting in conformity to these principles.<sup>11</sup>

If, for instance, we were to object to Hume that there are perfectly legitimate uses of the concept of justice for which he does not allow, this would be to miss the real point: namely that Hume is trying to persuade us to restrict the concept's use in the way he recommends, because of the role which justice plays in society as he sees it. Hume's grounds for construing justice as the defense of established rights conferred by rules of property are, we remember, the social necessity of having such rules, of their being stable, and of their being strictly enforced. This in turn is justified by his underlying pessimism about human nature, and especially about the destructive possibilities of egoism when not restrained by principles of justice. He attacks desert principles on the grounds that they leave too much room for dispute and destroy the certainty which rules of justice must have. He attacks need principles on the grounds that they presuppose wholly unrealistic alternatives--the main alternatives being material abundance or unlimited human generosity. In Hume's terms, all this is wholly acceptable. But the real world, of course, measures good and evil for building a peaceful society, which is the ultimate phenomena of restoring social justice in any circumstance through neglecting wrongs but Hume's announcement-'all this is wholly acceptable'- contradicts with that of measuring 'good and evil'.

### **C. Social Justice in Bentham's Theory of Utilitarianism**

Utilitarianism as a formal theory of moral ethics had its genesis with Jeremy Bentham in the late 18th century. In 1789, Bentham published a book. "An Introduction to the Principles of Morals and Legislation"

which articulated that nature has placed mankind under governance of two sovereign masters, pain and pleasure.<sup>12</sup> So, utility, from which the word 'Utilitarianism' is derived, means the sum of pleasures over pains, or happiness.<sup>13</sup> The implication of utility was clearly used by Bentham as "Act always to promote the greatest happiness for the greatest

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<sup>11</sup> Ibid

<sup>12</sup> Jeremy Bentham, *An Introduction to the Principles of Morals and Legislation*, (London: Oxford, 1889)

<sup>13</sup> *Political Thinkers, From Socrates to the Present*, edited by David Boucher and Paul Kelly, Oxford University Press 2003, ISBN 0 19 878194 6, page: 309

numbers”.<sup>14</sup> If we explain it in terms of public policy of government, we will find a great lack of this theory of Bentham. We have known with Bentham’s theory that if a public policy makes everybody or the whole society slightly better off even if some individuals are left slightly worse off in other ways as a result of that policy, then the policy is just. An example of utilitarian public policy would be a directive of the government of Bangladesh to deduct Tk. 10 annually from each bank account of the depositors.<sup>15</sup> This had been done in pursuance of the World Bank directive to mobilize domestic revenues in order to be qualified for further loan. This excise duty of the government does not take into account the financial capability of the savers or variations in the amount of money in each account. Thus a poor saver who could manage to save Tk. 30 and put it in a bank, instead of providing dividend, his capital would come to zero at the end of the third financial year. So, the term-“the greatest happiness for the greatest numbers” that is, according to Bentham, the catalyst in acquiring the principle of equality for establishing social justice in the society has been criticized on the ground that it does not take into consideration the individual variations of the people in the society. “A utilitarian public policy in an unequal society can not be just”, says Nicholas Henry, “because it reduces the welfare of the least well-off people in the society, even if it is for the net benefit for the whole society.”<sup>16</sup>

#### ***D. Social Justice in Mill’s Concept of ‘Utilitarianism and Individualism’***

John Stuart Mill’s concept of ‘Utilitarianism and the Individualism’ is the greater supplication of establishing Social Justice in the society. Utility means the sum of pleasures over pains that apparently bear a resemblance to Bentham’s utilitarianism. However, Mills of utility is distinguished from Bentham’s in that Mill allows for qualitative distinctions between pleasures. Higher pleasures are those pleasures, which an educated and cultivated person would not sacrifice for any amount of a sensual pleasure.<sup>17</sup> Utilitarianism maintains a neutral position among conceptions of the good life, asking people only to

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<sup>14</sup> E:\Articles\utili documents\Utilitarianism.htm

<sup>15</sup> Government of Bangladesh, Board of Revenue, Letter No.1(94) Excise -1/89/190/22, dated 27.09.89

<sup>16</sup> Nicholas Henry, Public Administration and Public Affairs, second edition (Englewood Cliffs, J.J: Printice-Hall Inc., 1980), p-412

<sup>17</sup> Political Thinkers, From Socrates to the Present, edited by David Boucher and Paul Kelly, Oxford University Press 2003, ISBN 0 19 878194 6, page: 326.)

recognize the equal claims of all others to lead a happy life.<sup>18</sup> This assertion is the absolute determinant to establish social justice in the society. In this concern, Mill defines utilitarianism as “the creed which accepts as the foundation of morals, Utility, or the Greatest Happiness Principle, holds that actions are right in proportion as they tend to promote happiness, [and] wrong as they tend to produce the reverse of happiness.”<sup>19</sup> For instance, if I am to bring the greatest happiness to the greatest number, not putting my own happiness above others, that may lead to a dilemma. I live in a neighborhood where 83% of my neighbors use drugs. I could make them most happy by helping to supply them with cheap drugs, but I feel uncomfortable doing that. What should a utilitarian do? Besides, Mill argues that we must consider the quality of the happiness, not merely the quantity. For example, some might find happiness with a pitcher of beer and a pizza. Others may find happiness watching a fine Shakespearean play. The quality of happiness is greater with the latter. This qualitative approach contradicts with human behavior because if a man gets Tk.1 crore from lottery, this quantity of happiness would be taken under consideration. Not only qualitative, but also quantitative achievement may be the greater instrument for the happiness, which adequately ensures social justice in any affair.

On the other hand, Mill is the great disciple of Jeremy Bentham in terms of formulating his concept of “Utilitarianism”. So, this theoretical approach of Mill might be criticized like that of Bentham’s theory of ‘Utilitarianism’.

Further, “pleasure, and freedom from pain, is the only thing desirable as ends; and [all] desirable things (which are as numerous in the utilitarian as in any other scheme) are desirable either for the pleasure inherent in themselves, or as means to the promotion of pleasure and the prevention of pain.”<sup>20</sup> The implication of Mill’s assertion is that the concept or abstraction or happiness itself is what matters in moral decisions and not the perception or experience of actual sentiment beings. By claiming the Socrates dissatisfied is preferable to a fool satisfied, Mill is assigning a

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<sup>18</sup> Amy Gutmann, “What’s the use of going to school?” *Utilitarianism and Beyond*, ed. Amartya Sen and Bernard Williams: (Cambridge:University of Cambridge Press, 1982, Page-262)

<sup>19</sup> John Stuart Mill, “Utilitarianism” in *The Basic Writings of John Stuart Mill*, (New York: The Modern Library, 2002), Page-239

<sup>20</sup> John Stuart Mill, “Utilitarianism” in *The Basic Writings of John Stuart Mill*, (New York: The Modern Library, 2002), Page-240



pain (relative to Socrates) a higher value than a pleasure (relative to fool). Mill is suggesting the valuation of happiness something external to the sentiment being-that happiness, as it were, is not a matter of individual preference, choice or perspective, but rather, defined by an external conception, which defines the relative values of pleasures and pains. Mill did not realize that society is the combination of some 'goods or evils'. Not all people are likewise Socrates so that they will take the pains as similar to pleasure. Socrates obeyed the judgment of fools to dignify the law of the country but this sorts of law-abiding people in the modern society is hardly be found. So, Mill's conception, in this regard, is illogic to have its imaginary outlook of establishing justice or social justice in the particular society.

Mill's concept of Individualism is another yardstick for establishing social justice in the society. In *On Liberty*, Mill discusses the idea of "individual liberty" and offers reasons why society should encourage it, but he defines it in such a way that the ruling class, i.e. the owner class, can only enjoy it. He said that Individuality is ideal or good that is derived from a regime of liberty. According to Mill, the individualism or individuality of a man is composed of the three fundamental freedoms, such as- **i.** freedom of thought **ii.** freedom of expression and **iii.** freedom of conduct and action.

In these three dimensions, an individual is free to do if it relates to its own interest. Nobody has the right to intervene in the freedom of rights of an individual. As a social being, the activities of individual, according to Mill, are divided into two parts. **i.** Self-regarding actions- are those actions protected by the realm of personal liberty and for which an individual is exempted from social and political coercion.<sup>21</sup> **ii.** Other-regarding actions- Mills doctrine of liberty depends on the view that the only principle to which we should appeal when deciding to prohibit an action is whether it causes harm to another.<sup>22</sup> Mill is not suggesting free speech should be limited in only those cases when such speech can bring physical harm to others. It is also called the 'harm principle'. Rights are institutionally protected interests, or, in case of moral rights, those interests that ought to be protected by law. In his individual liberty, Mill said if the self-regarding actions become morality or ethics free, there is no problem and no one can interfere upon it. It is the great lack of Mill's

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<sup>21</sup> Ibid

<sup>22</sup> Ibid

individual liberty. Mill does not realize that an individual as a social being acts in the society. An immorality of an individual has the vehement consequences, which encompasses all the ingredients of society. 'He concludes that justice is "a name for certain more requirements" that "stand higher in the scale of social utility.... They should have cultivated tastes and powers of reason that help them appreciate justice and social progresses."<sup>23</sup> Moreover, we know that justice and social progress might be accentuated with the fulfillment of individual's demand in the society. If the individual's actions are immoral, it will affect the society as a whole while the government will concentrate itself to fulfill the demands of an individual. In this sense, it is contrary to popular conception. As Noam Chomsky has observed, "The ability to tolerate cognitive dissonance is a wondrous trait and a prerequisite to success in the ideological professions".<sup>24</sup> So, Mill's utterance in this regard is the outcome of misguiding the individual for moving in the society, which is not an appropriate indicator by which social justice might be established.

### ***E. Marxian Views on Social Justice***

Karl Marx's 'Communist Manifesto' is the gospel to the adherents of Marx and they are widely called the Marxist. They claim that the Communist Manifesto is the gospel in terms of establishing social justice in the society. Marx started in his Communist Manifesto—"A spectre is haunting Europe -- the spectre of Communism. All the Powers of old Europe have entered into a holy alliance to exorcise this spectre: Pope and Czar, Metternich and Guizot, French Radicals and German police-spies".<sup>25</sup> To identify these sorts of conflicting objects among the various classes in the society, he coined a historical annunciation- "The history of all hitherto existing societies is the history of class struggles".<sup>26</sup> He measured that the conflict between the bourgeoisie<sup>27</sup> and proletariat<sup>28</sup> is

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<sup>23</sup> Mill, "On Liberty", page-1027

<sup>24</sup> Chomsky, Noam. Terrorizing the Neighborhood: American Foreign Policy in the post-Cold War Era. San Francisco: Pressure Drop Press, 1991, p.46

<sup>25</sup> Marx, Karl, "Communist Manifesto", Page-1

<sup>26</sup> Ibid, Page-35

<sup>27</sup> The [bourgeoisie](#): those who "own the means of production" and buy labor power from the proletariat, who are recompensed by a salary, thus [exploiting](#) the proletariat.

<sup>28</sup> The [proletariat](#): "those individuals who sell their [labor power](#), (and therefore add value to the products), and who, in the capitalist mode of production, do not own the means of production". According to Marx, the capitalist mode of production establishes the conditions that enable the [bourgeoisie](#) to [exploit](#) the proletariat due to

acute. He is an adherent of transferring power to the proletariats from the powerful bourgeoisie. He advocated it because of the frequent oppression of bourgeoisie over the proletariats in terms of 'means of productions'<sup>29</sup> in the society. Karl Marx showed the greater expansion of bourgeoisie based on market, as Jon Elster said that Marx: "The need of a constantly expanding market for its products chases the bourgeoisie over the whole surface of the globe. It must nestle everywhere, settle everywhere, and establish connexions everywhere".<sup>30</sup> So, these bourgeois expansions mainly over the proletariats make disparity or discrimination in the society. Since proletariats are under the process of exploitation by bourgeoisie, the transformation of power does Karl Marx say mandatory. This transformation of power is called the social justice. He prepared the proletariats to announce some revolutionary words at the last of his book-"the Communist Manifesto". Such as- "The Communists disdain to conceal their views and aims. They openly declare that their ends can be attained only by the forcible overthrow of all existing social conditions. Let the ruling classes tremble at a Communistic revolution. The proletariats have nothing to lose but their chains. They have a world to win. WORKING MEN OF ALL COUNTRIES, UNITE!<sup>31</sup> Based on this statement made by Marx, the proletariats will be chained and even combat with the bourgeoisie class for ousting them. While proletariats will own the throne, communism will be established. This is the social justice of Karl Marx, the pioneer of communism.

Marxian social justice narrowly made a disastrous circumstance, which might be taken as the mechanism of terrorism in the society because of his calling to the proletariats to combat with bourgeoisie. Besides this, as we all know that wanting people becomes wanton in character while they own vast wealth. Proletariats' win against bourgeoisie let them to own

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the fact that the worker's labor power generates an [added value](#) greater than the worker's [salary](#).

<sup>29</sup> The means of production are a combination of the [means of labor](#) and the [subject of labor](#) used by workers to make products. The *means of labor* include machines, tools, equipment, infrastructure, and "all those things with the aid of which man acts upon the subject of labor, and transforms it". The *subject of labor* includes raw materials and materials directly taken from nature. Means of production by themselves produce nothing -- [labor power](#) is needed for production to take place.

<sup>30</sup> Marx, Karl. *A Reader*. Ed. Jon Elster. New York: Press Syndicate of the University of Cambridge, 1986, Page-227

<sup>31</sup> Karl Marx made this annunciation in the last lines of the text-"the Communist Manifesto"

throne in which they will be greedy in accumulating more wealth. So, social justice under communism erected by Karl Marx will not be ensured for the welfare of the society.

#### **06. Islamic Views on Social Justice and its Rationale in the Modern Age**

Islam is the complete code of life for its laying hand over all spheres of human life and the adherents of Islam is called the Muslim who submits or surrenders oneself to almighty Allah, the most gracious, the most merciful. Muslims believe in the first article out of seven articles of belief that there is no god except Allah and Muhammad (sm.) is the Messenger of Allah to guide humankind in their quest for Good Life (life of justice, peace and happiness) in the world and the hereafter. Al-Qur'an that was revealed by Allah to Muhammad (sm.) and the prophetic tradition broadly named as Sunnah (hadith) are the basic guideline for mankind through which human being as the part of the society may live peacefully in a just society which, of course, could be acquired with the establishment of Justice in particular affair. In this context, holy Quran states: "Say! O Children of Adam! My Lord hath commanded Justice."<sup>32</sup> Even Muhammad (sm.), the last of the series of Prophets, was specially commissioned by God to establish 'Justice' among the people (besides inviting them towards Islam).<sup>33</sup> For establishing social justice in the society, Muhammad (sm.) launched his travel with drafting the Charter of Medina 'written and promulgated by Prophet Muhammad (slm.) for the multi-religious ten thousand strong citizens of the city-state of Medina in 622 A.D is truly a remarkable political-constitutional document. The claim made by Professor M. Hamidullah that it was the first written constitution<sup>34</sup> in the world is not without basis. Not only is the Medina Charter important in the sense that it is the first written constitution; it is also modern in the sense that it was promulgated for a plural society, giving equal rights to citizens as well as giving them a say in governmental matters.<sup>35</sup> Under this Charter, all sorts of religious freedom and human rights were ensured for the different communities living in Medina on equal footing; and the Prophet Muhammad (sm.) was made the chief justice for arbitration. The plural but integrated

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<sup>32</sup> Sura- A'raf, 7:29

<sup>33</sup> Sura- Shurah, 42:15

<sup>34</sup> The First Written Constitution in the World, Sh. Muhammad Ashraf, Lahore, 1968. First published in England, 1941

<sup>35</sup> "A short note on Medina Charter" by Kassim Ahmad, Published in www.org.com

society of Medina under Muhammad (sm.) ultimately developed into a full-fledged state in the modern sense, where the principles of “equality”, “human dignity”, and “social justice” found their fullest manifestation under a system of Government and Administration based on Islamic principles.<sup>36</sup>

Social Justice in Islam is a big agenda for fulfilling societal needs in constituting a happy, prosperous and peaceful society widely called as just society. It is the society where all people in accordance with their position or rights will be treated equally. People’s rights i.e. allocation of goods and services, valuation of human kind based on capacity, quality would be ensured in the framing and implementation of law or Islamic law. Social Justice in Islam includes the following programs:

### ***A. Micro Level Management***

Micro level management briskly includes what an individual performs in the society for his healthier subsistence in the society. And it is the first characteristics of social justice in Islam. As we all know that individual’s accumulated performances of one’s own ground is the greater consequence in the society. So, first attention is to be paid to the individual. Not all the conventional philosophers concentrated to the individual except John Stuart Mill and very few others in the philosophic world. But Mill’s endeavor to safeguard the interest of individual through his theory-“Individualism” in the society has been criticized for his espousing to be ethics-free of an individual if it is not detrimental to others. It is to be taken into account that an immorality of an individual has the vehement consequences, which encompasses all the ingredients of society thereby, harming all people in the society.

In this regard, the application of Islam is highly admirable. Prophet (sm.) is reported to have said: “Every child of Adam has got right over three things- a piece of bread to meet hunger, a piece of cloth to cover his/her body and a house to live in.”<sup>37</sup> These are very indispensable to meet the well survival in the society. Then, comes to need of learning through education for building intellectual stance for individual. The first revelation to the Prophet (sm.) as the Qur’anic verse from the almighty

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<sup>36</sup>Abdun Noor, “*Social Justice in Bangladesh*”, Published from Liberty Forum, Chittagong, Bangladesh, April, 1991,p.25

<sup>37</sup> Tirmizi, the acceptable Hadith text of Islam

Allah that “Read in the name of Allah...”<sup>38</sup> Learning has been made compulsory in Islam for each male and female.<sup>39</sup> It is the responsibility of the government and administration in Islam to fulfill both basic needs-physical growth and intellectual development for contributing to the society or societal development. But Platonic social justice does not espouse this universal words-“education for all”. He advocates education only for the philosopher king and their offspring, which is the clout against universalism or social justice in the society.

## **B. *Balanced Economy and Social Equilibrium***

Balanced economy is what contains the proximity between income and expenditure by which alleviation of poverty may be ensured. Islam, in this regard, takes up three policies:

**I.** Making employment opportunity is the significant device of Islam to create a balanced economy in the society. The holy Quran says: “Whenever prayer is over, disperse in the world and search for the bounty of Allah”.<sup>40</sup> It is also said in the Quranic verse- “man can have nothing but what he strives for”.<sup>41</sup> So, one of the basic responsibilities of an Islamic government, is to convert the available youths of the society into workable and productive labor force and utilize them through a planned system of education and training.<sup>42</sup> In Marxian social justice, labor classes were made as an arrogant force that will snatch power or profits of Bourgeoisies. His theory of “surplus value” reveals to grasp the net profit of owner class in any means. Marxian promulgation, in the regard, formulates cleavages in place of keeping peace as the part of social justice in the society.

**II.** Islam as a complete code of life always takes care of the life of those who are unfortunates i.e. disabled, sick, old and destitute in the society. Prophet (sm.) said that “he who leaves behind him dependents, they are our responsibility” and that “the state (rulers) is the supporter of him who has no supporter”.<sup>43</sup> Even the parents, who were found unable to feed and maintain their children, were allowed to receive a regular payment

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<sup>38</sup> Al-Quran, Surah-A'lak, Ayah:1

<sup>39</sup> Ibne Mazah, the acceptable Hadith text of Islam

<sup>40</sup> Al-Quran, Surah-Jumua, 62:10

<sup>41</sup> Al-Quran, Sura-Najm, 53:39

<sup>42</sup> Ibn Omer Mohammad Sharfuddin, “Towards An Islamic Administrative Theory” in *The American Journal of Islamic Social Science* 4 (December, 1987), p.233

<sup>43</sup> Abu Dawud, the acceptable Hadith text of Islam

from the *Baitulmal* (Government treasury) till their dependants reached adulthood.<sup>44</sup> No conventional philosophers suggest as Islam does for the wellbeing of the disabled/neglected people in the society.

c. *Zakat* is the practice of charitable giving by Muslims based on accumulated wealth, and is obligatory for all who are able to do so. In current usage, zakat is treated as a 2.5% levy on most valuables and savings held for a full lunar year, as long as the total value is more than a basic minimum known as nisab (three ounces or 87.48g of gold). Zakat consists of spending a fixed portion of one's wealth for the benefit of the poor or needy, including slaves, debtors and travelers. In the holy Qur'an, Allah says: "and in their wealth and possessions (was remembered) the right of the (needy)"<sup>45</sup> A Muslim may also donate more as an act of voluntary charity (*sadaqah*), in order to achieve additional divine reward. It is considered to be a personal responsibility for Muslims to ease economic hardship for others and eliminate inequality, which is called the noteworthy device of establishing social justice in the society.

The three devices-'alleviating poverty through making employment opportunity', 'taking care of unfortunates through extending helping hand' and 'taxing of 2.5% of their surplus possessions of well-off people'- symbolize the balanced economy thereby, retaining social balance is the prerequisite of social justice in the society. No conventional philosophers triumphed in the ground of social balance to combine above three devices of social justice in the society as Islam assembles.

### C. 'Proper Allocations of 'Goods and Services'

Islam accentuates the exploitation and proper allocations of goods and services for the society. Caliph Umar is reported to have instructed that if one has got money he should develop it, if one has got land, he should cultivate it.<sup>46</sup> Although in accumulating wealth, no unfair means like interest (usury) is allowed but prohibited, it encourages the investment for the production for the social welfare. Almighty Allah, in this regard,

<sup>44</sup> See Muhammad Asad, *The Principles of State and Government in Islam*, translated in Bengali by Shahed Ali (Dhaka: Islamic Foundation of Bangladesh, 1986), p.114

<sup>45</sup> Sura Zariyat, 51:19; Sura Ma'arij, 70:24-25

<sup>46</sup> The non-religious or secular revenue were collected mostly from the non-Muslims. For details, See Mohammed Aziz Ahmed, *The Nature of Islamic Political Theory* (Karachi: Ma'aref, 1985)

says- “Allah hath permitted trade and forbidden usury”.<sup>47</sup> Everybody in its own sphere will contribute to the society for the proper allocation of goods and services. Prophet (sm.) is reported to have said: “if somebody has got knowledge, he should disseminate it to the benefit of others in the society”.<sup>48</sup> Conventional philosophers as the fan of capitalist block suggest gaining wealth as much as you can in any means. Legality or illegality in the earning process is not the fact of consideration. In this process, riches become richer in terms of accumulating wealth, which will never be the necessary mechanism for ensuring social justice in the society.

#### ***D. Equal Treatment for All in Participating Decision-making Body***

Social Justice is characterized with that of the equal treatment for all in participating decision-making body that means it holds egalitarian approach to give the opportunities for all citizens in participating in the government. Islam teaches that there is no disparity within man to man based on caste, creed, color, race etc. As we all know that Bellal (R.) in spite of being a black domestic servant (nigro) was considered the greatest convener (Muajjin) of Salat in the prophetic age. Once another one in place of Bellal convened (Azan) worshipers (mussali) for performing salat. It was revealed to Muhammad (sm.) that the sound of Azan did not reach Allah. So, a hadith, in this regard, is prolific that “all are the children of Adam. Prophet (sm.) emphatically declared that everybody in the society, even the black domestic servant has got equal right to become amir (ruler) in an Islamic society and the people have been advised to remain obedient to him (amir) so long he is guided by the constitutional laws (the Quran and Sunnah).<sup>49</sup>

#### ***E. Rule of Law as the Vital Ingredient of Good Governance***

Islamic social justice is the grand design of ensuring good governance for any political system i.e. state. Respect for the rule of law is another key pillar of democracy, which ascertains good governance in any affair. It means that the same constitution and set of laws govern and protect everyone and that all citizens are equal. It requires an independent judicial system that is fair and transparent and that prevents the

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<sup>47</sup> Al-Quran, Sura: Bakara, 2:275

<sup>48</sup> Bukhari, the acceptable Hadith text of Islam.

<sup>49</sup> “Bukhari and Muslim”, two most acceptable Hadith text of Islam



government from wielding arbitrary power.<sup>50</sup> In the holy Quran, Allah says: “O ye believe! Be ye staunch in justice, witness for Allah, even though it be against yourself or (your) parents or (your) kindred, (the case be of) a rich man or poor man, for Allah is nearer up to both (than you are). So, follow no passion lest you lapse (from truth) and if you lapse or fall away, then lo! Allah is ever informed of what ye do”.<sup>51</sup>

Based on quality, application of law is to be held with specific category on governor and governed or Muslims and Non-Muslims but it will not be discriminatory. Islamic law does not even admit exceptions in favor of the head of the state or government, who is as much as subject to the jurisdiction of the court as any other inhabitants of the country. Islamic tradition has been that judges never hesitated in practice to decide against their sovereign rulers in cases of default.<sup>52</sup> So, the modern concept of ‘Rule of Law’ elucidates all are equal in the eye of law, which is the best implicated scheme under the Islamic principles. Platonic consideration based on the quality of human being fashions non-egalitarian outlook to count individuals as the actors in the societal playing ground for establishing social justice.

#### ***F. Keeping Peace in the Society***

Social justice is dependent on how the society is steady in maintaining its people’s demand for living in a happy, prosperous and meaningful life which often symbolizes the keeping peace in the society. The Arabic word *Islam* stands for peace. So, it is the Islam which maintains the importance of the meaning of it. Professor Abdun Noor said that ‘the last principle of social justice in Islam is that nobody in the society should do anything that disturbs social peace which is so essential for uninterrupted development’.<sup>53</sup> Allah warns- “make not mischief on earth” and “Allah loveth not mischief”.<sup>54</sup> Islamic principle teaches the mankind the two responsive schemes for the authority and the subjects. In a state affair,

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<sup>50</sup> ELIZABETH POWLEY AND SANAM NARAGHI ANDERLINI, “Democracy and Governance”, journal of justice, governance and civil society, vol.03, 1999, p-42

<sup>51</sup> Sura Nissa, 4:135

<sup>52</sup> For details, see Abdun Noor, “The concept of Justice and the System of Administration in Islam”, paper presented in the sixth international conference of the International Islamic Philosophical Association, held in Chittgong from May 25 through 27, 1990

<sup>53</sup> Abdun Noor, “*Social Justice in Bangladesh*”, Published from Liberty Forum, Chittagong, Bangladesh, April, 1991, Page-32

<sup>54</sup> Sura Bakara 2:11, 205

incumbency has to be asked for the transgression of the framework of constitutional law and he would not be moved with its own whim. And the subjects also have to be loyal to the rightful decision made by the rulers so long they are guided by the agreed or taken constitution of the country. Whenever this responsiveness from the two groups-authority and subjects mismatches in a particular situation, there creates hazards thereby, resulting the breach of the values of social justice in the society. Islam, in this case, is the matching agenda escaping from this sort of social variance between incumbency and subjects. Allah says-“nor obey any....who follows his own desires, whose case has gone beyond all bounds”<sup>55</sup>

### 07. Concluding Observations

The above-mentioned discussion, which underlies the foregoing studies, is that in adopting one or other of the rival conceptions of social justice, one is neither deciding on the correct use of a shared concept, nor making an isolated moral choice, but rather committing oneself to a much wider view of what societies are and ought to be. This is the main problem of conventional philosophers to view on social justice. But in Islam, there is a unique system of using the correct shared concept and also of fixing moral choice. Discussion of Islam always encompasses the life of an individual as a whole. But conventional philosophers cut the rudimentary phase of human life. Note that man’s expansion in his life is highly accomplished with following his initial phase of life i.e. boyhood, which influences while he moves in his practical life of updated phenomena. Conventional philosophers often assume that an individual modifies the initial move in the society, which ultimately symbolizes that there is no consequence of the life of a boy for the future. It is not the practical annunciation but unexpected. So, in terms of social justice, all phases of human life is to be taken into account for its effect in the future. For instance, while a boy was born in a rich family, he will endeavor to maintain his status or even the image of his own and his family for the future. It is the process of socialization in which family is an institution from where the rudimentary lesson of man’s scatterings or moves in the society is determined and he is directed with taking those principles of what he learned from and practiced in his family. In this regard, family is called the key institution of the socialization process of man. So, every phase of human beings’ life is to be taken under

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<sup>55</sup> Sura Kahf, 18:28

consideration that has been avoided in the conventional philosophers' concept of social justice.

Islam as the way of life lays its hand on all spheres of human life from the life of an individual to international level where conventional philosophers' move, in most cases, cover the specific level of human's life that tarnish the social mobilization on the way of social justice. Conventional philosophers, to establish social justice, create some classes like rich, poor, bourgeoisies, proletarian etc. in the society who are engaged in cleavages and peace free society became the result. In some cases, they viewed from materialistic point in which abstract things of human life like pleasure, pain, sorrow, happiness etc. were taken into their account as instrument of social justice in the society. It should be realized that material is material, which will not be materialized to suit with particular sense of innovation. In this context, Islam always takes shelter on logic and states that 'not material but the rationality of human being' is the ultimate prerequisite of establishing social justice in the society. Conventional philosophers believe that 'each to count as one, and none as more than one'. This measurement throws men outside the society whereas Islam suggests to be equipped with parity for being the helper to each other. Only this principle-'helper to each other' may bring social cohesion in the society, which takes humanity under the scheme of social justice in the society.□