



## CONCEPT OF SOCIAL JUSTICE AND HUMAN RIGHTS IN ISLAM

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### Abstract:

Rights and justice are the most important socio-political values or constitutional principles which Islam has confirmed, both in the *Quran* and in the *Sunnah*. The word Justice is Allah's attribute and to stand firm for it. Justice in Islam requires a place of such paramount importance that being just is a necessary criterion for the pious and the Allah-fearing. The concept of justice as formulated in Islam is comprehensive and encompasses all aspects of human life. It governs all kinds of relations in life including those between the ruler and the ruled; between husband and wife; between parents and children and between individuals in their private relationships. Hence we can say it is not only an ethical value but an essential principle of government in Islam.

Islam believes that all human beings are equal and form one universal community that is united in its submission and obedience of God. Islamic concept of human rights has been elucidated to a great extent by the discussion of the Sovereignty of God; man's abiding by the code of conduct of life given by God, the accountability for one's deeds in the hereafter and the abiding reward or punishment according to the good or bad record of these deeds. The historical concept of human rights in Islam is as old as man himself. The Study is an attempt to analyze social justice and human rights in Islam with the comparative logic and modern pragmatism.

**Keywords:** *Islam, Justice, Human Rights, Bait ul Maal, Zakat, Sunnah, Ummah.*

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#### 4.1: INTRODUCTION:

Social justice is one of the most important constitutional principles which have been confirmed both in the *Quran* and the *Sunnah*. The concept of social justice in Islam is comprehensive and encompasses all aspects of human life which governs all kinds of relations in life. The word 'justice' is Allah's attribute and it stands firm on it. According to the *Quran*, Justice is a witness to Allah. Islamic society constitutes a balanced human community where each individual must feel that he forms with the others a compact and solid unity, and an equal chance to all. The wealth of *Ummah* (Islamic Community) must be evenly distributed to all members according to the need.

In view of Islam, Allah is supreme and man exists solely to serve Him. It may appear from this that man exists solely to serve Him. Islam has one universal theory which covers the universe, life and humanity. Islam refuses to admit that life can be reckoned in terms of a mouthful of bread, the appetites of every individual in order to remove their fears of destitution. It prescribes the claims of the poor upon the wealth of the rich according to their needs and to the best interest of society, so that social life may be productive.

Rights and justice are the most important socio-political values or constitutional principles which Islam Has confirmed, both in the *Quran* and the *Sunnah*. The word 'Justice' is the attribute of Almighty Allah and we have to stand firm for it, according to the *Quran*:

“O you who believe stand out firmly for justice, as witnesses to Allah even as against yourselves, or your parents, or your kin, and whether it is (against) rich or poor, for Allah can best protect both. Follow not the lusts (of your hearts), lest ye swerve, if you distort (justice) or decline to do justice, Verily Allah is well acquainted with all that you do.”( Al-Quran,4:13).

“When you judge among men, judge with justice even if it hurts one's own interest or the interests of near ones.”( Al-Quran,5:58).

“Allah commands justice and doing good and giving to kinfolks and forbids indecency and abomination and wickedness.”( AL-Quran,16:90).

Justice in Islam acquires a place of such paramount importance that being just is a necessary criterion for the pious and the Allah-fearing. Describing the basic characteristic of a Muslim the *Quran* says:



“O you, who believe, be upright for Allah, bears of the witness with justice and let not hatred of others make you swerve from justice. Be just, this is nearer to piety and fear Allah, for Allah is aware of what we do.”( Al-Quran,5:8).

Prophet Muhammad (saw) was deeply concerned with injustice. In several Hadith's he specifically ordered carrying of justice and avoidance of oppression. The Prophet (saw) emphatically warned of the disastrous consequences of injustice, discrimination and inequality before law for an individual or a community. He said:

“Communities before you strayed because when the rich committed theft they were set free, but when the poor committed theft the law was enforced to them. By Allah, If Fatima, daughter of Muhammad committed theft; Muhammad would certainly cut her hands.”(Khan, 1984, pp. 512).

#### 4.2 CONCEPT OF JUSTICE:

The concept of justice as formulated in Islam is compressive and encompasses all aspects of human life. It governs all kinds of relations in life including those between the ruler and the ruled; between husband and wife, between parents and children and between individuals in their private relationships. The practical application of justice in Islam is denoted by *Qadi*. The lexicographical meaning of the term *Qadi* is execution (Elias, Arabic-English Dictionary). It signifies a process of settlement of dispute or its elimination through an explanation of the rights of the genuine claimant by exposing falsehood by arbitration in the language of *fiqh*. The person in charge or *Qada* of the person empowered to adjudicate claims and disputes between persons is a *Qadi* or a judge.

The *Qadi* is a person who is appointed by the ruler to determine the disputed rights and liabilities of the litigants, civil or criminal, and to adjudicate in the matters of marriage, divorce, maintenance and inheritance, to look after the interests of orphans and to manage public trusts (Rehman, 1966, pp. 201).

#### *Concept of Social Justice*

Social Justice is the very foundation of the true Muslim society. Justice in Islam is the foundation upon which dogma (*aqida*) is built, and it is directly bound to the sphere of faith (*iman*) itself.



Prophet Muhammad (saw) has also said:

“No, he does not believe in Allah, nor in Last Judgment, he who eats his full at night whilst his neighbor is racked with hunger.”

It appears from this that *adl* or social justice is brought to full completion by social solidarity, and that both are firmly attached to *iman*, the basis of *aqida* itself.

Islamic society constitutes a balanced, humane community, where each individual must feel that he forms with the others a compact and solid unity, based on fraternity, social solidarity and equality of rights and duties. This society must work towards a common objective. Islam has fully defined matters relating to income and expenditure under various heads. It has instigated rights and duties, but it has also exhorted man to generosity in the highest sense-*badhl*, to financial sacrifice (*tadhiya*) to the purification of wealth by the *Zakat-tazkiya*, all directed to the achievement of social justice. Social justice, who is based on economic justice in Islam, has been able to guarantee certain standards to all members of their *Ummah*, be they capable or incapable of performing any work, be they poor, weak, widowed or children.

### ***Justice for Livelihood***

The Islamic principle is that man must earn his living by work. The prophet Muhammad (saw) glorified labor in several *Hadith*'s. It is necessary to understand by *amal* as much the work of a man in his personal enterprise, agricultural, industrial, or commercial or other forms of profit and production the work carried out by salaried workers such as civil servants, industrial workers and other employees. There are number of *Hadith*'s devoted to the protection of wages for workers, dealing with taxes, remuneration itself and the need for rapid payment. The Prophet has said:

“He, who willingly works and does not have shelter, must be given shelter. If he is single, then he must be given a wife. If he does not have a camel let him claim one.”

Islam is a comprehensive system and it is necessary to understand the interrelationship of divinity, the universe, life, and mankind. Not only is it a comprehensive system, but it is also a system of unity. “Islam is the religion of unity between worship and social relations, creed, spiritual and material things, economic and spiritual values, this world, and the afterlife,



and earth and heaven.”(Shepard, 1996). Although teachings in Islam stress equality and unity, there is an acknowledgement that all people are not born with equal skills.

### *The Elements of Social Justice*

#### **(A) Liberation of the Soul (*Taharrur Wijdani*)**

Absolute liberation of the inward soul is an individual’s recognition that he or she deserves social justice that social justice is necessary for society, and that social justice is a source of God’s will. Liberation of the soul means not having fear since God is in control of everything and faith should eliminate fear.

God did not create life in vain, “it is good for man to rise above his needs and passions but it is not good to destroy life itself in that process.” (Shepard, 1996, 41). The ideal example Qutb cited for this sentiment is the pillar of fasting since fasting is meant to “elevate the soul above the insistent demands...so that it will can be strengthened...” (Shepard, 1996, 54). The Islamic approach takes into consideration morality and economic factors- it takes into effect the practicality of living on Earth and being human as well as “the power of the soul.” (Shepard, 1996, 56).

#### **(B) Human Equality**

Human equality is important because it promotes unity and prevents factions within society. During the prophet’s time, there were vast factions among people, such as class divisions where royalty claimed to have the blood of the Gods while others were deemed untouchables (Shepard, 1996, 57). While discussing human equality, (Shepard, 1996, 57) Qutb highlighted the equality between men and women and also discussed the honor of women. All Muslim people have honor and sanctity, neither of which should be violated by anyone. Islam follows every aspect of human psychological and social life so as to give full confirmation to the idea of equality.

One *surah* in the Quran states,

People of the book are permitted to practice their religion and are required to pay a yearly tax, *Jizyah*, in place of *Zakat*, the yearly tax Muslims are required to pay. However,



there is nothing in the Quran that explicitly places people of the book on equal footing with Muslims.

#### 4.3 CONCEPT OF HUMAN RIGHTS:

The term human right can be defined as the basic rights and freedoms to which all humans are entitled. These include civil and political rights such as the right to life and liberty, freedom of thought, expression, equality before the law, and economic, social and cultural rights including the rights to participate in culture, right to food, right to work and right to education. All human beings are born free and equal in dignity and rights. So far as the human rights in Islam are concerned Islam believes that God is absolute and the sole master of man and the universe. These rights aim at conferring honor and dignity on mankind and eliminating exploitation, oppression and injustice. The life, liberty and prosperity of everybody was honored and protected in the light of Holy Qur'an not only for Muslims but for Non-Muslims as well. Therefore, we can say that rights in Islam are granted by Almighty himself and nobody has the right to amend, alter or change them and no one can abrogate or withdraw them as per his will.

The Quran Says:

“Whosoever kills a human being (without any reason) manslaughter or corruption on earth, it is though he killed all mankind.” (Al Quran 5:32).

Therefore, it is incumbent on every human being that under no circumstances should he be guilty of taking a human life, it is as if he has slain the entire human race.

Islam teaches us that insight of Allah, all men are equal there are differences of abilities, potentials, ambitions, wealth etc but none of these differences can establish superiority of race of one man to other. The only difference which Almighty recognizes is the distinction in piety, goodness and spiritual excellence.

The Qur'an states:

“O mankind, verily we have created you from a single (pair) of male and female and have made you into nations and tribes, that you may know each other. Verily the most honoured of you in sight of God is the most righteous” (Al Quran 5:32).

Prophet Muhammad (saw) during his address to the people of Mecca said:



“O people! Your God is one, your father is one, no preference of an Arab neither over non-Arab nor of a non-Arab over an Arab or red over black or black over red except for the most righteous, the most honoured person among you is he, who is more righteous” (Al Quran 49.13).

“And whosoever saves a life, it is as he has saved the lives of all mankind” (Al Quran 5:32).

Therefore, we can say that Islam provided the right to life to all humans irrespective of differences in race, colour and status.

“There is no compulsion in religion-the right way is indeed clearly distinct from error” (Al Quran 5:32).

Islam does not thrust religion on anybody it states that it is individuals own concern and he has been given choice of adopting any religion. The social security system of Islam is divine in character and based entirely on the Qur'an and Hadith.

Qur'an says:

“It is righteousness that you turn your faces towards east or west, but it is righteousness, to believe in God and the last day, and the angles and the Book, and the messengers, to spend of your substance, or of love for Him, for your kin, for orphans, for the needy, for the wayfarers, for those who ask, and for the ransom of slaves, to be steadfast in prayer, and give Zakat, to fulfil the contracts you have made, and to be firm and patient, in pain and sufferings and adversity, and throughout all periods of panic, such are the people of truth, the God fearing” (Al Quran 11:177).

Regarding right to equality in Islam Qur'an says:

“O mankind! We have created you from a male and a female, and made you into nations and tribes, that you may know one another. Verily the most honourable of you with Allah is that (believer) who has piety (*Al-Taqwa*). Verily Allah knows, all aware” (Al-Qur'an, Al-Hujarat:13).

Prophet Muhammad (SAW) has declared in his speech on Hujat-ul-Wida (farewell Hajj):

“No Arab has any superiority over a non-Arab, nor does a non-Arab have any superiority over an Arab. Nor does a white man any superiority over a black man



.You are all children's of Adam and Adam was created from clay” (Al-Hadith, Muslim Sharief, Kitab ul Hajj).

Islam not only recognizes right of equality among men but also between men and women. Qur'an in this context says:

“And from women, are rights over men similar to those for men over women”.

Therefore Islam has given man right to equality as a birth right, irrespective of colour, creed, caste, sex or birth. In Islam parents are legally responsible to educate their children, take care of them and make them responsible to take care of their parents. The first verse of Qur'an says:

“Read. Read in the name of the Lord who created; He created the human beings from blood clot. Read in the name of Lord who taught by the pen; He taught the human being what he did not know” (Al-Qur'an,96:1-5).

It is duty upon every Muslim to gain knowledge which is considered to be a superior act of worship in Islam. It is therefore in Islam both men and women are created with the capacity for learning, understanding and teaching.

#### 4.4: CONCLUSION:

In the conclusion we can say that in this paper we have observed that importance of justice and Human Rights in *Qur'an* and *Hadith* gives us hints as to Allah's true nature through what are sometimes called “the 99 names” and one of these is *al-Adal*, “the Just” for anyone to be a true believe then he/she must adhere to Qur'an teachings which praises those who always act “in the light of truth” we have also seen that of special significance too is the relationship between justice and wisdom in the Arabic language. The words *hukm*, “judgment”, and *hikmah*, “wisdom” come from the same root, and *al-Hakim* (the “All- Wise”) is another of the names of God in the Qur'an. we can also conclude that Prophet Muhammad's teachings regarding justice is therefore beneficial upon all human beings to be wise and administer justice and where injustice occur then the truth must be used to make justice prevail.



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