

Idea of Justice in Islam

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The Qur'an puts great emphasis on the right to seek justice and the duty to do justice. In Surah 5, verse 8, it tells the believers "Be ever steadfast in your devotion to God, bearing witness to the truth in all equity; and never let hatred of anyone lead you into the sin of deviating from justice. Be just this is the closest to being God-conscious."

Surah 4, verse 136, states "Be ever steadfast in upholding justice, bearing witness to the truth for the sake of God, even though it be against your own selves or your parents and kinsfolk. Whether the person concerned be rich or poor, God's claim takes precedence over (the claims of) either of them. Do not, then, follow your own desires, lest you swerve from justice for if you distort (the truth), behold, God is indeed aware of all that you do!"

In the context of justice, the Qur'an uses two concepts *adl* and *ehsan*. Both are enjoined and both are related to the idea of balance, but they are not identical in meaning. A. A. A. Fyzee defines *adl* as "to be equal, neither more nor less," and states that in "a court of justice the claims of two parties must be considered evenly, without undue stress being laid upon one side. Justice introduces the balance in the form of scales that are evenly balanced."

Adl was described in similar terms by Maulana Abul Kalam Azad, who stated "What is justice but the avoiding of excess? There should be neither too much nor too little; hence the use of scales as the emblems of justice."

Surah 4, verse 95 distinguishes clearly between passive believers and those who strive in the way of God "Such of the believers as remain passive - other than the disabled - cannot be deemed equal to those who strive hard in God's way with their possessions and their lives God has exalted those who strive hard with their possessions and their lives far above those who remain passive. Although God has promised the ultimate good unto all (believers), yet has God exalted those who strive hard above those who remain passive by (promising them) a mighty reward (many) degrees thereof and forgiveness of sins, and His grace for God is indeed much-forgiving, a dispenser of grace."

Just as it is in the spirit of *adl* that special merit be considered in the matter of rewards, so also special circumstances are considered in the matter of punishments. For instance, for crimes of unchaste behaviour the Qur'an

prescribes identical punishments for a man or a woman who is proved guilty (Surah 2:2), but it differentiates between different classes of women for the same crime, a slave woman would receive half, and the consort of the Prophet (pbuh) double the punishment given to a “free” Muslim woman (Surahs 4:25; 33:30).

In making such a distinction, the Qur’an, while upholding high moral standards, particularly in the case of the wives of the Prophet (pbuh) whose actions have a normative significance for the community, reflects God’s compassion for women slaves who were socially disadvantaged. While constantly enjoining *adl*, the Qur’an goes beyond this concept to *ehsan*, which literally means “restoring the balance by making up for a loss or a deficiency”. In order to understand this concept, it is necessary to understand the nature of the ideal society or community (*ummah*) envisaged by the Qur’an. The word *ummah* comes from the root “*umm*”, or “mother”. The symbols of a mother and motherly love and compassion are also linked with the two attributes most characteristic of God, namely, *Rahim* and *Rahman*, both of which are derived from the root “*rahm*”, meaning “womb”.

The ideal *ummah* cares about all its members just as an ideal mother cares about all her children, knowing that all are not equal and that each has different needs. While showing undue favour to any one child would be unjust, a mother who gives to a physical or mentally challenged child more than she does to her other child or children, is not acting unjustly. Rather, she is exemplifying the spirit of *ehsan* by helping to make up for the deficiency of a child who is unable to meet the requirements of life. *Ehsan* thus, shows God’s sympathy for the disadvantaged segments of human society (such as may be women, orphans, slaves, the poor, the infirm and minorities).

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