

Date: _____

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Islamic Studies

Topic: Justice System

Q. (2017): Discuss the Significance of justice in Islam with reference to the Quran and Hadith. How can Islamic Justice System contribute to global peace and harmony?

Answer

1. Introduction

Justice is one of the characteristics of Allah who is "الْجَلِيلُ" (The Utterly Just). Thus, justice is a key feature of Islam, which seeks to establish justice and balance in all spheres of life: economic, political, social, and legal. The process of justice in Islam is eternal, meaning it would not be restricted to the worldly affairs; accountability will be ensured after Akiraah, in the Court of Allah. In its essence, the Islamic

Date: _____

Justice System revolves around the principle that if Allah and His Messengers have decided something, it shall not be disputed.

2. The Principles of Justice in Islam

The concept of innocent unless proven guilty exists in the Islamic conception of justice as accusations are not enough for punishment, reflecting element of fairness. Then the criminal prosecution must prove evidence beyond reasonable doubt to ensure innocent people are not condemned. Punishments should be severe to discourage future commission of crime, indicating concept of deterrence. A key principle provided by Islam in ensuring justice was, equality before the law.

3. The Significance of Justice in Islam

Islamic teachings revolve around the notion of justice. The concept of justice is referred in the Quran more than 50 times. The Prophet Muhammad (PBUH)

(2)

Date: _____

emphasised importance of justice and equality of justice by saying:

"By Allah, if Fatima, the daughter of Muhammad, were to steal, I would have her hand cut off."

(Sahih al-Bukhari)

The teachings of the Prophet (PBUH) on justice were reflected by the actions of his dearest companions as well. During the Caliphate of Hazrat Ali (R.A), the Caliph himself appeared before the court against a Jew. Moreover, due to death of the witnesses, he lost the case and accepted the decision, reflecting the equality of justice within Islam.

The Prophet (PBUH), further emphasised justice exercised by a judge stating:

"If a judge gives a judgement using his best judgement and is correct then he receives a double reward. If he uses his best judgement but makes a mistake

Date: _____

then he receives a single reward." (Sahih-al-Bukhari)

This Hadith implies the importance of justice in regards to intention. The intention of a judge and of all Muslims should be to ensure and uphold justice and they will be rewarded for that. The Quran refers to the significance and importance by stating:

"فَاكْمِ بَيْنَهُمْ بِالْقَدْرِ إِنَّ اللَّهَ يَكِبُ التَّقِيْنَ"

(Judge between them with justice. Verily, Allah loves those who act justly.)

- (Al Quran; 5:42)

Quran, in this verse, emphasises on executing justice when asked to judge and exhorts the status of those who "act justly". The Quran further signifies the impartiality in execution of justice by stating:

"So judge between the people in truth and do not follow desire as it will lead you astray from

(3)

Date: _____

the way of Allah"
(AL Quran; 38:26)

In the ending part of the same verse, 38:26, Allah warns about the concept of eternal accountability in regards of justice, by stating:

"Indeed, those who go astray from the way of Allah will have a severe punishment for having forgotten the Day of Account."
(AL Quran; 38:26)

In addition, justice in Islam is signified in terms of the retribution aspect of punishment under Islam's justice system.

The Law of Qisas, reflects the importance of justice within the world. The Quran in this regards states:

"And We ordained for them therein a life for life, an eye for an eye, a nose for a nose, an ear for an ear, a tooth for a tooth, and for wounds is legal retribution."
(AL Quran; 5:45)

Date: _____

In light of Quran and Hadith, it can be observed how Islam upholds justice by utilizing reward and punishment mechanism in regards to exercise of justice. The principles, Islamic justice system, and consistent reference to the concept stands as a testament to the significance of justice in Islam.

4. Ways in which the Islamic Justice System can Contribute to Global Peace and Harmony

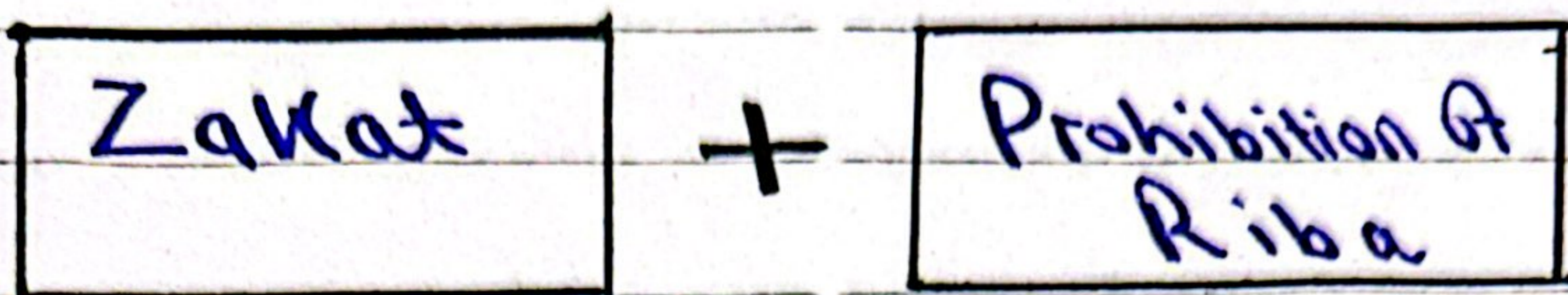
The Islamic Justice System through its principles provides a roadmap to attain global peace and harmony due to the elements of equality, eternal accountability, sanctions, judicial independence, and its dynamic nature. If these principles are applied universally, the root cause of conflict, such as oppression, discrimination, and envy, will be eliminated.

a) Economic Justice and Global Peace

Economic disparities often becomes a cause for conflicts. Islam addresses this by emphasising on just and fair

Date: _____

distribution of wealth through two means:



"و في أموالهم حق للسائل والمحروم"

(And from Their properties was [given] The right of the [needy] petitioner and deprived)
- (AL Quran; 51:19)

Through fair distribution of wealth, the Islamic Justice System reduces inequality which eliminates one of the main sources of social unrest allowing global harmony. This concept of economic justice was highlighted by Muhammad Asad in his book, "Islam at the Crossroads".

b) Social and Legal Justice as a Path to Global Harmony

Islamic justice system advocates free fair trials and equal rights for all individuals regardless of their caste, creed, colour, and background. The principle of equality at social and

Date: _____

Legal levels reduces social tensions and promotes fairness among nations. The approach if applied to conflict resolution mechanisms, the fair settlement of disputes would reduce probability of prolonged enmity allowing global harmony.

c) Political Justice and Global Stability

Political oppression and corruptions is considered major destabilizing factor at a global stage. Islamic justice system which stands on just equality and accountability, makes rulers answerable.

Dr. Hamidullah in his book "Introduction to Islam" highlights how Islamic model of justice and governance holds rulers accountable which promotes political stability while preventing political oppression, leading to global stability.

5. Conclusion

The significance of justice in Islam is paramount, as it serves as a foundation for a just society allowing a balanced world. The Quran and Hadith emphasize justice to be administered in economic, social, and political spheres. When applied universally, The Islamic Justice System, contributes significantly to global peace and harmony by addressing root causes of conflict.