

Political Economy of Islam

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All Middle Eastern countries, with the exception of Israel and Lebanon, profess Islam as their state religion. Islam, whether simply in words or in fact, is woven into the fabric of these societies, affecting everything from the political system, to the social, financial and economic system. Islam is a rules-based system, with the collection of rules constituting its institutions in the quest to establish societies that are just. Allah commands mankind to behave in a fair and just manner to protect the rights of others, to be fair and just with people, to be just in business dealings, to honor agreements and contracts, to help and be fair with the needy and orphans, and to be just even in dealing with enemies. Allah Commands humans to establish just societies, rulers to be just and people to stand up for the oppressed against their oppressors. It is for these reasons that it said that justice is at the heart of Islam. In the same vein, the state (policies) must step in to restore justice whenever and wherever individuals fail to comply with divine rules; government intervention must enhance justice. This series brings together scholarship from around the world focusing on global implications of the intersections between Islam, government, and the economy in Islamic countries.

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Abbas Mirakhor • Hossein Askari

Conceptions of Justice from Earliest History to Islam

palgrave
macmillan

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Political Economy of Islam

ISBN 978-1-137-54567-1

ISBN 978-1-137-54303-5 (eBook)

<https://doi.org/10.1057/978-1-137-54303-5>

Library of Congress Control Number: 2019933901

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To the one (as) waiting and awaited

FOREWORD

The Islamic concept of justice, like all other facets of Islam's worldview, has two separate vectors that delimit its properties. The first points to itself, that is to its own inherent qualities, boundaries and definitions. Here, the yardstick of understanding is human, including at times the human understanding of the divine commands. It expresses itself as justice understood in terms of philosophy, theology, sociology, economics, and institutions of state and society. As the idea is played out on the canvas of history, it is affected by both intrinsic and extrinsic factors. Necessarily therefore, it becomes subject to change and evolution. Certain core notions of it appear to be permanent, but even these subtly change with time and place. An example of this is the idea that justice is correlated to the degree and extent to which one abides with divinely sanctioned commands in societies with an overtly religious culture. In the Western world, these have metamorphosed in time from justice as the appropriate observance and fealty to duties, to one where justice becomes in part a matter of acknowledging rights. An inversion takes place, and rights assume the place of duties. This is now an almost universal phenomenon, undermining traditional concepts of justice and replacing them by a desacralized understanding.

The other vector of Islam's concept of justice points to the Absolute, to the One whence all manifestations of existence flow. This is an altogether different field of understanding. It requires different tools of cognition. It demands that an effort be made to understand the will of the Creator, through the limited powers of human knowledge. As part of this process, the individual has to look within himself or herself for the signs of the

Divine, to the outer worlds and to the text of the Qur'an, as the bedrocks of the human being's encounter with the traces of the Absolute. "We shall show them Our Signs on the horizons and within themselves until it becomes clear to them that it is the Truth."¹ the Qur'an proclaims. Furthermore, another dimension needs to be understood, namely that of the intermediary space that connects and negotiates the sacred world of signs and meanings and the relative world in which humans dwell. This other dimension is the Qur'anic realm of the "barzakh," the interstice, the world of revelation and prophecy. In consequence, the conventional understanding of justice becomes unmoored from the here and now, and from a purely humanist dimension. It follows an altogether different trajectory. This trajectory requires the cultivation of several strands of knowledge and experience: of the revealed Law, reason, the prophetic practice and example, the path of the illumined ones and one's own inner experience of the idea of justice. All of these combine to form an approximation of our understanding of the will of the Creator, and imperfect though it may be, it is essential for the realization of the counterpoint to the entirely time and space-bound dimension.

The key to all of these apparently contradictory routes is the principle of balance. In a world whose inner dimensions are ordered by divine decree and whose outer forms seem to obey only natural and human laws, Islam demands an effort to accommodate both, inside a unified field of understanding. Meaning and form; essence and attribute; contemplation and action. Thus, justice based on an entirely human construct renders the idea barren of a sacred component and disconnects it from the wellsprings of faith. Alternatively, justice devoid of a connection with the realm of time and space, denies the possibility of manifestation and self-disclosure of the One, making it, in effect, impossible to understand and relate to.

The outer language of the Qur'an is expressed in a highly particular form of Arabic. It is designed not only to be understood by the Arabs of seventh-century Arabia but also to act as the springboard to its easy adoption by other linguistic and ethnic groups. Its inner linguistic form, however, is a universal spiritual language, meant to transcend cultures and societies and ethnicities. The word justice in the Qur'anic Arabic is rendered as *ʿAdl*. The word itself has a multiplicity of meaning. In its common usage, it can mean "even," "to determine with evenness," "to be equal to," "to attribute value." It is also the opposite of inequity and unfairness. In the Qur'an, however, the word is used with further shades of meanings. There are five basic usages of the word in the Qur'an. The first

implies an offering or recompense.² The second implies expiation or amend.³ The third implies fairness, the opposite of inequity.⁴ The fourth implies to set aright.⁵ Lastly, it implies equalizing.⁶

Relating all these different usages to their origin in the One, it appears most appropriate to use the term *‘Adl* as implying to make even; or in other words to tilt toward making whole or manifesting it. In this sense, *‘Adl* is a form of predisposition by the Absolute toward bringing being into existence. From immutable essences in the mind of the Creator existence is titled into manifestation. The tilting toward making whole is therefore a divine attribute of the first order of creation. Justice in the world is a form of making things whole, which in turn is the core of uprightness (*istiqama*). Both of these are mechanisms by which we can recognize and acknowledge the power of the Absolute in times when we as individuals or societies or nations are called upon to judge matters.

However, before we are called upon to act justly, we also must understand the cascade of the attributes of the Divine that impinge directly on the manner and outcome of the decision. These are arranged hierarchically in an appropriate mixing and interlocking of attributes. Thus Knowledge leads to Wisdom; Will leads to Power which leads to its application as Force. All of these co-mingle to produce *‘Adl*, justice and its enforcement through Power. In the universe of symbols and meanings, the scale of Islam is the Scale of the Law, aligned with Reason, the example of the Prophet and the illumined ones, and the Text. Each one elaborates, modifies, amplifies and moderates the others. In the knowledge of God, all is equal. But as the immutable essence is manifested into existence, then existence is ordered by rankings, each one partakes in differing degrees in God’s bounty or *fadh*l. Inequality in means and provision, at one level is only a reflection of the differing quanta of *fadh*l or mercy that God dispenses to existence, including human beings. At another level though, the text admonishes the hoarding of riches and the massive discrepancies in material wealth between individuals and nations. We all share in God’s bounty of being tilted into existence; but the discrepancies in living circumstances is a product of *zulm*, the opposite of justice; or in effect the absence of justice. Tolerating oppressive inequalities, or *zulm*, on account of *tafdhil*, or being awarded a higher measure by God, is not an acceptable outcome for the just person.

The establishment of justice also requires a scale or *mizan*. The scale of the Law is the weighting of the two pans, and the presence of an indicator and a lever. In the Qur’an, God had given humankind the power of the

scale and with it an admonishment to weigh justly. The scale of the Sharia is one measure of the scale but not the only one. The scale *as a whole* is a scale of *gist*, or the Just Scale. So justice is not the outcome of weighing of fact and judgments, nor is it the following of precedent nor the automatic outcome of transgressing the boundaries of the Sharia. It is an inherent quality of the scale itself. Justice is achieved by humankind holding up the scale at all times. Everything is put in its appropriate place. Justice in turn is enhanced by Wisdom, which is to act in ways that are appropriate. Wisdom that takes precedence over rankings and hierarchy. Anyone who acts wisely and is driven by the Just Scale exhibits the correct courtesy or “*adab*” toward the Creator. In regular steps, the just person progresses to the rank of *Wali* or Friend of God.

The inner dimension of the idea of justice in Islam echoes throughout the new work of Askari and Mirakhor. It infuses their profound dissection of the notion of justice as an element of just governance. They set out to demonstrate how Islam’s concept of justice underlies any serious debate on inequalities, poverty reduction, fair governance and institutional arrangements. Critically, they establish that justice within an Islamic worldview is best served in the context of autonomous units that are basically self-governing. In this regard, they depart radically from the conventional discourse that sets justice within the framework of the large, centralized state. For example, Rawls’s theory of distributive justice requires essentially the intrusive and controlling power of the state to effect the outcome in the direction that is sought. A corollary therefore of the just state in Islam is in fact the just community and the just individual, self-correcting and bound by internally consistent sets of rules, principles and values. The role of the state becomes one of referee and supervisor, rather than initiator and executor. Needless to say this is a far cry from the modern state in the Islamic lands, which combine the worst aspects of the domineering state with dysfunction and abysmal governance. What they also imply is that the idea of the state in Islam has to be radically rethought if it is to be able to reflect the imperative of providing a canopy of just rule for, rather than over, society. This is an altogether admirable work of synthesis as well as an exploration into an area of immense significance that has exercised Muslim minds over the centuries.

Baghdad, Iraq
March 7, 2019

Ali Allawi

NOTES

1. The Qur'an: Sura 41, Aya 53.
2. Qur'an 2:48 (“...Nor shall any *compensation* be taken from it, nor shall they be helped”).
3. Qur'an 5:95 (“...Or the *expiation* is the feeding of the poor or the equivalent of it in fasting”).
4. Qur'an 4:58 (“...And when you judge between people judge with *justice*”).
5. Qur'an 82:7 (“...Who created you, then made you complete, then made you *even*”).
6. Qur'an 6:1 (“...Yet those who disbelieve set up *equals* with their Lord”).

PREFACE

During a span of about 45 years, we have individually and collectively written a number of modest articles and books on various aspects of Islamic teachings—economics, finance, development and governance—but all along we were looking forward to providing the bedrock for all that we have tried to explain. That bedrock is justice. Justice is the essence of Islam, and the principal mission of all prophets has been to bring justice to their communities. Yet, today we see little justice in the landscape of Muslim countries. In our two volumes on justice, we hope to shed a little light on the conception of justice in Islam and offer some thoughts on how injustice came to prevail in Muslim communities. To provide perspective to the conception of justice in Islam, we thought it would be helpful to briefly survey the conception of justice through the ages, from earliest history to the present. In this our first book, we examine conceptions of justice from the times of Zarathustra (Zoroaster) to Islam; and in the second book we continue from Islam to the present.

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ACKNOWLEDGMENTS

We are indebted to Dr. Ali Allawi, a renowned scholar, author and a most astute observer of the Muslim predicament, for contributing the Foreword to our modest contribution. In addition to enhancing our understanding of Islamic civilization through the ages, Dr. Allawi has designed and implemented policies of reform at the highest level of government in Iraq. We are grateful for the hard work of the editors at Palgrave Macmillan for improving our modest manuscript. As always, we thank our families for their love and support.

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