

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

**In the Name of Allah,  
The Compassionate, the Merciful**



**Economic Viewpoints of  
Imam Khomeini  
With Focus on Social Justice**

**A Collection of Articles**

**International Affairs Department  
The Institute for Compilation and Publication of  
Imam Khomeini's Works**



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**POLITICAL JUSTICE IN ISLAM'S POLITICAL-  
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## **Preface**

The justice as an essential component of human life has constantly attracted attention of scholars throughout the history. It has been also described by the divine religions as a major objective of the mission of the honourable prophets.

The holy Quran has emphasized that one of the declared objective of sending the divine prophets was to maintain justice among mankind societies:

“We have already sent Our messengers with clear evidences and sent down with them the Scripture and the balance that the people may maintain [their affairs] in justice.” (Surat al-Hadid: verse 25)

One of the important ideals pursued by Imam Khomeini has been implementation of the social justice in all various perspectives. These objectives have been a focal point of Imam’s attention since the launch of the Islamic movement and following the revolution victory:

“One who rules over the nation, should this person be a supporter of justice, his administrative apparatus will support justice; the strata that are connected to him will definitely incline toward justice; all the

administrative offices that are affiliated to the state and are under that government's control will somehow incline toward justice. Justice shall spread provided that the person who is ruling over the people has undergone self-purification and is a purified person. If the entire nation becomes cleansed, the entire world shall be their heaven; all the sufferings shall cease to exist." (*Sahifeh-ye Imam*, vol. 9, pp. 123-24)

Some experts believe Imam has exerted all of his efforts to maintain economic justice in the entire mankind societies and communities. A review of Imam's dynamic thought and works indicates that all sections of society and institutions are closely intertwined, and they need to undertake coordinated efforts in order to maintain social, economic, cultural and political justice.

It is noteworthy that Imam Khomeini reached on climax of spirituality by purifying his soul and getting rid of carnal desires. As a result, a moderation and comprehensiveness has become evident in all his views and ideas in this regard.

The international department of the institute sees honour to present the current collection of articles which envisage Imam Khomeini's economic views on social justice. We also extend our thanks to all those who have contributed to compiling, translating and editing this precious project.

**International Affairs Department**  
**The Institute for Compilation and Publication of**  
**Imam Khomeini's Works**



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**Imam Khomeini's Perception of  
Economics**

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**Dr.Meysam Musaei**



The subject which is discussed as Islamic economics can be defined in various ways. In order to be able to understand Imam Khomeini's point of view concerning economics in general, at first we need to mention the conceivable aspects of Islamic economics. Among the pundits of Islamic economics, this subject has been defined on the basis of one of the following definitions:

**Economic decrees:** By economic decrees is meant the jurisprudential Islamic principles that are economic in nature. For instance, the Islamic decrees such as "usury is forbidden by Islamic law" or "wasteful consumption is forbidden by Islamic law" or "consumption to the extent of need in order to sustain one's own life and those of others is obligatory" are all in the field of values and ordinances that deal with economic subjects.

**Economic principles:** by principles is meant those general concepts that can be deduced from the economic decrees either directly or indirectly. For instance the following concept can be

regarded as an economic principle:

“When there is a clash between individual and group interests, priority is to be given to group interests.”

This principle can be deduced from Islamic laws such as those concerning prohibition of wasteful consumption, prohibition of causing damage, prohibition of distress and constriction, prohibition of squandering of resources, etc.

**Economic doctrine:** By economic doctrine is meant those set of economic principles that determine the general positioning of the economic system. In fact the doctrine is the methodology that needs to be used for solving economic problems.

**Economic system:** by economic system is meant those set of correlated elements that secure a specific objective in the sphere of economics. In fact, the economic system comprises of economic doctrine plus methods and frameworks specific to any society and to any period.

**Economic science:** in fact by economic science is meant the study of inherent relations between economic phenomena that are present in an economic system.

What needs to be considered in connection with His Holiness Imam Khomeini's words is that his statements do not belong to the fifth type class. The science of economics is the specialist field of economists and is usually concerned with the study of topics and not Islamic laws. The statements of His

Holiness Imam Khomeini and likewise, the aim and objective of most of those who believe in Islamic economics fall in one of the first four aforesaid categories. According to this viewpoint, economics establishes relations with issues such as ethics and justice. Indeed, Imam Khomeini's views aim to enunciate the pedagogic norms, policies and tendencies and not the scientific principles of economics.

Based on this premise, from Imam Khomeini's point of view economics is not considered separately and in its systemic viewing connects social problems to various fields and accordingly transmits them to various fields including economics. Furthermore, he believes that the fields of politics, culture and economics have a mutual impact and influence on one another and that their unidirectional functioning can shape a social system called the social system of Islam.

According to him:

“The solution to all problems and complexities of human living does not and will not lay simply in regulation of economic relations in particular form; rather, in an Islamic system problems need to be solved comprehensively—and we must not neglect spirituality which is the panacea to all ailments.”<sup>1</sup>

This societal system is influenced both by his unique epistemology—which was based on the physical and the

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1. *Sahifeh-ye Imam*, vol. 5, p. 437

metaphysical simultaneously—and his unique anthropology which views man as a two-dimensional creature. He mentions growth and development of humanitarian dimensions as the objective of this system and considers economics as a means and tool towards this end. Thus, in his opinion economics alone is not particularly important and is purely a means for growth and development of man which is the main objective:

“Economics is not the basis, because economics is not the ultimate aspiration of man. The efforts of man are not directed solely towards filling his stomach or sacrificing his youth to satiate his appetite. These are just words. Man is present right from here until eternity; man is not here anymore to die; man is present until the end; and Islam’s agenda is to train this man in such a way so that he is morally right both here and there. One end of the straight path—which inclines neither towards the East nor the West—is here and one end of it is in eternity.”<sup>1</sup>

This point of view which sees the material world and the hereafter not as two separate concepts but rather as two interdependent realities, considers implementation of Islam in the economic sphere to be contingent on the comprehensive implementation of Islam:

“Implementation of Islam’s aspirations in the world

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1. Ibid., vol. 9, pp. 457-8

and in particular its economic agenda as well as facing up to the ailing economy of the West's capitalism and the East's communism is not feasible without a comprehensive rule of Islam.”<sup>1</sup>

Based on this premise, he underlines the positioning of economic decisions around the three objectives of namely: one, protecting interests of the deprived and downtrodden; two, boosting participation of the common people and three, combating accumulation of wealth in the hands of a few.<sup>2</sup>

It seems that the three aforementioned spheres constitute the main area of dissimilarity of Imam Khomeini's point of view with the systems governing the world's economy meaning capitalism and socialism. While calling the capitalist system exploitative, unjust and concentrating wealth in the hands of a few, the Imam reckons it to be the cause of the emergence of social inequalities and elimination of the interests of the deprived strata. On the other hand, he condemns the socialist system for taking away people's freedom and popular participation:

“Islam is not in favour of a capitalism that is unjust, unchecked and which drives the oppressed and wronged masses of people to poverty and deprivation; rather, it strongly condemns it in its writings and

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1. Ibid., vol. 20, p. 340

2. Ibid.

traditions and considers it to be opposed to social justice. Even though certain perverted individuals oblivious of Islamic government and of political issues governing Islam have in their statements and writings falsely attempted (and have still not desisted) to portray Islam as being in favour of unrestricted capitalism and private ownership. With their perverted understanding of Islam, they have masked the radiant face of Islam and paved the way for hostile elements and enemies of Islam to disparage Islam and reckon it to be an administration like the capitalist regimes of the West such as the American and British administrations as well as other plunderers and exploitative elements of the West. By endorsing the statements and actions of these ignoramuses, they have either foolishly or out of hostility and without referring to genuine Islamists arisen to challenge Islam. Islam is also unlike Communism and Marxism-Leninism which is opposed to private ownership and believes in state (joint) ownership with the big difference that existed in earlier periods until now and even joint ownership of women and homosexuality and which involved a repressive dictatorship and totalitarian rule; rather, Islam is a rule of moderation that recognizes private ownership and respects it; and acknowledges the emergence of private ownership and consumption within limits so that if it is



implemented properly, it sets the wheels of a healthy economy into motion and realizes social justice—which is a requisite of a sound administration.”<sup>1</sup>

Therefore, with the unique standpoint that he has on economics within the framework of a social system that is mentioned alongside politics and culture, Imam Khomeini mentions that it secures the interests of the poor and the deprived, participation of all people, and prevents concentration of wealth in the hands of a few.

For this reason, the economic system that he envisages is one that is quite different from the existing systems that are in place and thus by acknowledging private ownership, he considers it to be important to the extent that it works towards securing societal interests and reckons its objective to be the growth and development of human being.

### **Important Instruments of Realization of Islamic Economy**

By leaning specifically on the issue of justice, His Holiness Imam Khomeini considers the Islamic economy to be sound and the outcome of a sound economy to be social justice which is the most important and most major objective of the divine prophets as well.<sup>2</sup>

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1. Ibid., vol. 21, p. 444

2. Ibid., vol. 15, p. 213

He mentions that the entire efforts of divine prophets were directed at establishing social justice for man in the social dimension; and he considers individual justice to be an integral part and intrinsic to human beings.<sup>1</sup>

With a view to the aforesaid and the pivotal role of social justice from his standpoint, Imam Khomeini takes into consideration certain instruments for realization of justice which include the following: appropriate way of dealing with private ownership, Islamic administration, popular participation in the economy, promotion of spirituality and Islamic culture in society and the manner of facing up to the global economy which we shall discuss as we move along:

### **A Controlled Private Sector as the Main Factor of Economic Growth**

From His Holiness Imam Khomeini's point of view, private ownership is respected and endorsed and in normal circumstances, the government plays only a supervisory role. Thus with regard to this approach, the private sector shall be the main source of investment in the trend of economic growth. The government should undertake only those tasks that the market and individuals are incapable of handling:

“A government cannot function on a limited scale; it must keep the forty million population involved in the

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1. Ibid.

affairs. To involve them means that in order to protect the bazaar; you should seek the participation of the 'bazaar' to do the job; do not set aside the bazaar. It means that the government assumes those functions which the bazaar is incapable of assuming and it has become clear it cannot accomplish them."<sup>1</sup>

Therefore, according to the Imam certain areas of the economy in which the private sector is capable of active involvement should be handed over to them and in such cases the government should assume a supervisory role alone.

Therefore, one of the elements which the Imam takes into consideration is participation of the private sector and the people in economic affairs and activities. On this subject, he states thus in connection with the limit between activities of the private sector and government:

"The government ought to supervise. For instance they should allow people to be free to bring in those goods which they need from abroad. Both the government and the people should bring (goods) to the extent that they can but the government should supervise concerning goods that are contrary to the interests of the Islamic republic; that are contrary to the Islamic laws and disallow their imports. This indeed is supervision. Of course supervision does not

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1. Ibid., vol. 19, pp. 34-5

mean that tomorrow they be allowed to saturate the market with luxury goods and those items that was prevalent in the past. However, concerning trade, concerning industry and concerning these matters you will not succeed if you do not join with the people and make them your partners. It means that it cannot be done without participation of the majority of the population; without participation of the population itself. It is like we, the government wanting to engage in agricultural activities. After all, the government cannot engage in agricultural activities. Agriculture has to be endorsed by the government so that farmers engage in agriculture—and the same applies to trade and the same holds true for industry as well. The government ought to undertake those activities which the people are not capable of undertaking. You must allow people to be free to undertake those activities which both the government as well as the people are able to engage in—and you too (the government) can undertake them; do not hold back the people. You should solely conduct supervision lest there is an infringement; lest a certain item is imported that violates Islam and is contrary to the interests of the Islamic Republic. This indeed is an issue that is very critical.”<sup>1</sup>

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1. Ibid., p. 35

### **Important Role of the Government in the Islamic Economy**

From Imam Khomeini's standpoint, the administration plays an important role in realization of the Islamic economy's objectives. He reckons administration for the purpose of promoting justice to be Islam's principal and inherent objective and states:

“Islam consists of administration together with all its traditions and essentials whereas Islamic laws are indeed the laws of this administration and are a part of its traditions; and basically, the principal and inherent objective consists of administration and they are instruments for the purposes of executing administration and spreading justice.”<sup>1</sup>

In contrast with certain Islamic ‘Fuqaha’ jurisprudential authorities, the Imam puts (Islamic) administration in the same width as the rest of the tertiary jurisprudential Islamic laws and considers its powers to be within the framework of divine tertiary Islamic laws. He does not believe in the administration's right to intervene in the tertiary Islamic laws and considers the (Islamic) administration's powers to be absolute and states:

“If the Islamic administration's powers should be

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1. *Al-Bai*, vol. 2, p. 472

within the framework of the divine tertiary Islamic ordinances, then (in that case) the width of the divine administration and absolute religious guardianship granted to the Prophet of Islam (peace and blessings of Allah be on him and his household) ought to be a meaningless and hollow phenomenon.”<sup>1</sup>

For that reason, Imam Khomeini considers the Islamic administration’s powers to be the same as those of the messenger of Islam and the divine vicegerent or “the Imam.”<sup>2</sup>

With regard to the above discussion, we arrive at the conclusion that in case of adherence to the former group and priority given to individual relations over societal relations in Islam, the government does not have the power and capability to deal with private ownership and individual rights. Moreover, with a view to the principle of sovereignty (people have authority over their wealth and properties); it even rejects government control and ownership of mines as well. Therefore, the government shall not have the power to enforce any sort of regulation and restriction for private ownership. However, in case of adherence to the latter viewpoint which is the viewpoint of the Imam as well, the government has the power and authority to intervene in private ownership and properties for the social interest and good. According to him,

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1. *Sahifeh-ye Imam*, vol. 20, p. 451

2. *Vilayat-e-Faqih*, p. 55

“The government has the power to abrogate unilaterally lawful religious contracts that it has entered with the people when those contracts are deemed to be against the interests of the country and Islam. It is also in a position to prevent any affair whether related to religion or otherwise for as long as its activities are in conflict with the interests of Islam. The (Islamic) administration has the power to temporarily prevent the Hajj pilgrimage which is one of the important Divine obligations when it deems it to be against the interest of the Islamic state.”<sup>1</sup>

For this reason, the Imam believes that the government has the power to enforce necessary conditions on behalf of people. Thus, in a letter to the Minister of Labour in the year 1985-86, Imam Khomeini gives his stamp of approval making it obligatory for employers to provide insurance coverage to their employees. As a result of such a step and in order to put an end to the aforesaid discussion that had led to reactions from the Islamic jurists of the Council of Guardians, in a letter to the Council of Guardians, His Holiness the Imam laid emphasis on the government's ownership of mines and oil and gas fields as well as on the role of ‘Orf’ or customary practice in determining the limits and boundaries of (ownership of) landed properties.<sup>2</sup>

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1. *Sahifeh-ye Imam*, vol. 20, p. 452

2. *Ibid.*, p. 402

In this regard and assuming the government's power and permission on the subject of intervention in private ownership and ownership of natural resources, etc., to be a foregone conclusion, we can undertake a discussion of private sector ownership.

The Imam considers private sector ownership and proprietorship to be an extension of ownership and proprietorship and powers of the Islamic government. He mentions the reason for this in this way that in case of rejection of the aforesaid consideration he asserts:

“Otherwise we must face up to certain constraints that no person can abide by them including that the government no longer has such a power as to take charge of a house because a street is to be laid; or take steps towards mandatory despatch of individuals to warfronts; or prevent the import of other goods and hoarding in any way; or to take charge of pricing and to take steps to collect taxes, prevent profiteering and distribution of narcotic drugs, carrying of weapons and hundreds of other instances.”<sup>1</sup>

The practical outcome of the aforesaid discussion is that in an Islamic administration, the people's ownership and authority is placed within the framework of the administration's ownership and is restricted to its limit. Therefore, the

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1. Ibid., pp. 451-2



government enjoys greater power and control than private and individual ownership on issues of restoration of ownerships and inheritance.

Of course, one can observe this implication in the words of some other Islamic intellectuals as well. For instance, the late martyr Beheshti spoke thus on this subject at the time of drafting the constitution: "private and personal ownership is in harmony with the right of priority and religious guardianship of the guardian (ruler) in taking possession of wealth and properties and not contrary to it." Or that the late martyr Mutahhari had said: "Wealth and property belong to the community in the first place and next, they belong to the person."<sup>1</sup> This concept is present in the viewpoint of Allameh Tabatabaie as well. He opines: "At the first stage, capital and facilities are for the entire community and it is thereafter that a portion of it belongs to the person as the owner and agent:

”فالمالك الفرد؛ مالك في طول مالك و هوالمجتمع“<sup>٢</sup>

With the conviction that lack of attention to societal interests has led to Islam's defeat and has cast doubts on the political sovereignty of Islamic administration leading to suspicions concerning its ability to run the affairs of society, Imam Khomeini while underlining that the administration will move

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1. *Islamic Economic System*, p. 1372

2. *Translation of Tafseer Al-Mizaan*, vol. 9, p. 1387

towards securing these interests, states:

“Rest assured that Islam fully provides for whatever it takes to secure the interest of society for promotion of justice and elimination of the instruments of oppression; for safeguarding independence, freedom and economic interests and for the judicious, practicable and equitable distribution of wealth and it does not need illogical interpretations for them.”<sup>1</sup>

Similarly, on the regulatory role of Islam in connection with capital, the Imam states thus:

“Islam wants regulation; it neither blocks capital nor allows it to lead to a person owning billions of dollars and possessing an automobile for his dog as well and a chauffeur and so forth while another person returns home at night to his family without a loaf of bread. This is not acceptable; this is not practical. Neither Islam is in favour of this nor does any human being accept this.”<sup>2</sup>

And ultimately, taking into consideration that society shall develop and progress in case Islam’s commandments and laws—some of which were mentioned above are carried out—the Imam states:

“The country will have a progressive economy if the economic laws of Islam are implemented.”<sup>3</sup>

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1. *Sahifeh-ye Imam*, vol. 3, p. 323

2. *Ibid.*, vol. 8, p. 470

3. *Ibid.*, vol. 4, p. 242

Therefore, the administration and augmentations of its power towards securing social good—which was discussed above—shall play an important role in regulating wealth and in its redistribution resulting in prevention of accumulation of wealth in the hands of a specific group of individuals. For this reason, Imam Khomeini lays emphasis on legitimate and provisional ownership and does not recognize unlimited ownership even if acquired legitimately.<sup>1</sup>

One final point is that he emphasizes the role of time and place in 'Ijtihad'—individual judgment—as the most critical administrative mechanism for an administration's course of action when faced with various problems such as economic, wealth regulation and establishing social justice. While firmly believing that it is the duty of the erudite scholars of Islam—the Ulema—and Islamic researchers and experts to present constructive and comprehensive plans and programs that embrace the interests of the poor and the deprived and to deliver the downtrodden and Muslims from straitened circumstances and poverty,<sup>2</sup> the Imam prescribes the elements of time and place as well as permanence of laws and regulations in decision-making.

With a view to the above discussions, meaning the focus of Islam on social justice and on the other hand, with a view to the

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1. Ibid., vol. 10, p. 476

2. Ibid., vol. 20, p. 340

powers of the government to intervene in private ownership, the Imam considers the Islamic government as one of the factors influential in establishing social and economic justice. By having full powers, the Islamic government is in a position to legislate legitimate policies based on economics in the form of time and place by taking into consideration the common good of society. Of course, it is necessary to point out that it is the responsibility of intellectuals and experts to determine the common good of society.

Therefore, with a view to the aforesaid discussion, one can say that the above-mentioned instruments will enhance the administration's capability towards realization of social justice. For this reason, the administration would be in a position to achieve these objectives by imposing limitations on excessive wealth, legally prohibiting some ways and means of acquiring wealth and riches (prohibited businesses), devising financial and tax regulations, confiscating illegally-acquired properties, granting assistance for acquiring means of employment to those lacking those means and tools; equitable distribution of public wealth; alleviating the needs of the needy; expanding social insurance and making it mandatory for the owners of capital to fulfil specific commitments, etc.

### **Role of Culture in Islamic Economy**

The requisite for comprehensive realization of Islamic economy is that the society be bound by desirable Islamic conduct in the sphere of economics and to put them into practice. This requires belief in principles and tenets of Islam in order to guide economic behaviour. It is not possible to transform the behaviours under consideration to a set of lasting and continuous ones without the necessity of the aforesaid behaviours penetrating deep into the beliefs and convictions of each and every individual in the community—and this is made possible by cultural development. As is evident from Imam Khomeini's viewpoint, the three elements of economics, culture and politics are key factors that determine the desired social situation. With a view to the earlier discussion about the government determining the society's political and economic situation, here we discuss the role of culture alongside the two aforesaid instruments in achieving social justice. In this regard, by laying stress on the necessity to promote the culture of work, production and struggle against love of the material world, secularity, accumulation of riches and imitating western models of consumption—which according to Imam Khomeini have been established on the basis of carnal desires of human beings—and by helping the needy and undertaking economic activities as a form of worship and act of spirituality, the Imam

attempts to provide the humanitarian motives for assisting the Islamic government in achieving the objectives of increase in production, economic growth and securing and promoting economic justice.

It is no secret to the esteemed readers that basically, in modern theories of economic development human resources are considered to be the most critical and key factor of development. It is regarded to be not only the pivot of development and its ultimate objective; rather, it plays the major role in sustainment of development policies. In the dictionary of development, it is mentioned as transformation in cultural values which implies transformation in society's traditional and religious values. Thus, nowadays, development begins by correcting man's perspective in relation to himself, his society and his world or in other words, his global perspective and is sustained by means of transformation of intellects and ideas.

Towards this end, His Holiness the Imam considers reform and administration of the state to be related to the education and training of the future generation. He mentions promotion and spreading of the culture of development as being the backbone of economic development and he sums up its connotations in the awakening and increase in human knowledge and self-confidence such that he asserts:

“If a country wishes to stand on its own feet and

become independent in all respects, it has no alternative but to get rid of the thinking that 'we need to import everything from abroad; (rather) it should focus its thinking on 'we must not import (goods and services) from abroad.' If we are not in a position to build a factory, we should not go and bring it from abroad; we should pursue the matter such that the task is accomplished by ourselves—and it will be accomplished."<sup>1</sup>

This awakening and increase in knowledge can be seen in implications such as in proper understanding and knowledge of Divine epistemology, faith and belief in God, creating divine and spiritual motives, strengthening moral pillars and fundamentals, preventing the frittering away of life and youth as well as squandering capital assets, fostering the spirit of disregard for material world, viewing the world as a cultivation for the afterlife, making efforts towards preventing ingratitude for divine bounties, optimum usage of resources and capitals, reviving the true character of man, promotion and education of science and knowledge, combating ignorance and illiteracy, education and training of manpower, obtaining knowledge from any source as well as in promotion of the spirit of research and analyses.

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1. Ibid., vol. 14, p. 116; *Islamic Republic periodical*, dated December 22, 2001

As we have observed in the aforesaid, His Holiness Imam Khomeini considers self-confidence which he always emphasizes, to be the most critical cultural factor in development.

Some researchers such as Sutcliffe reckon Islam's emphasis and focus on the afterlife and inattention to the material world as being opposed to development.<sup>1</sup> Just as Parkinson<sup>2</sup> in his research on the causes for the non-economic backwardness in the rural regions of Malaysia, mentions the insistence on Islamic beliefs of the inhabitants as being the reason for their backwardness. In his opinion, their Islamic beliefs incline them towards having a fatalistic view of life. Similarly, in his research, Sutcliffe attempts to discuss the subject of religious devotion and modern values.

In the form of specific points of view, Max Weber considers Islam to be anti-development.<sup>3</sup> According to Sutcliffe, in Arabic the term 'Islam' means surrender. He refers to certain verses of the Holy Quran in which the believers have been summoned to follow the commandment of God and His prophet involuntarily and concludes that this matter is opposed to man's free will and is therefore an obstacle to development. Another topic that Sutcliffe narrates from Weber is that the Islamic belief in fate

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1. Sutcliffe, pp. 11-82

2. Parkinson, vol. 1, p. 31

3. Sutcliffe, pp. 26 -31



and destiny has stoked a form of fatalism in Muslim beliefs.<sup>1</sup> Likewise, Jan Swift has perceived the Muslim call to relative disregard for material wealth as an obstacle to accumulation of wealth. Other writers have mentioned certain instances of longstanding or tampered beliefs and behaviours of the masses of (Muslim) people—even if erroneously—as being proof of Islam's opposition to development and culture. For instance, in one of his researches, Geers has sought to prove this point by referring to rural inhabitants in Indonesia and the tribal background of the people of Morocco as having deserved influence on the changes in the religion of Islam in these countries. In addition to this, some orientalist seek to prove the idea that sixth century A.D. Arabs were not an uncivilized people and joined the ranks of the uncivilized and backward nations after their conversion to Islam.<sup>2</sup>

Research conducted in Islamic countries on the impact of cultural beliefs and eschatology on the process of development have challenged the validity of the aforesaid hypotheses<sup>3</sup> because in Islam a person's belief in the hereafter is considered as implying the outcome of one's action; and being productive as act of worship; and helping the world to develop as an attempt towards earning reward in the hereafter. In this culture,

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1. M.G. Swift, p. 1561

2. C. Geers, p. 17

3. Al Manoufi, Kamal, (1996).

dependence on others and poverty are considered to be anti-values while attempts at becoming self-sufficient and independent of others and helping the poor and needy are regarded as values. Alongside these, emphasis on the spirit of contentment and lack of attachment to the world leads to lesser material consumption of the believing person. These factors mean an increase in production and a decrease in consumption and as a result lead to greater savings and accumulation of wealth which are regarded to be the engines of economic growth.

On the one hand, Islam's emphasis on combating consumerism, luxuries and opulent living are aimed at spreading the pattern of consumption in proportion with the society's capabilities and resources and are directed towards long-term planning of economic growth.

Apart from the aforesaid discussion concerning the role of belief in the hereafter and eschatism on economic growth and development, His Holiness Imam Khomeini considers culture and cultural reforms to be one of the critical and influential factors in economic reforms. He further believes that economic reforms will not produce results without attempts at awakening and enlightening human beings and promoting Islamic culture as a development-oriented culture that is directed towards material and spiritual growth and development of man and by instilling self-confidence in them.

He considers the ramifications of this culture to be the promotion of work ethic and production, to be investment as a value, to lead to reduction of consumption and promotion of consumption pattern corresponding to Islamic values that are distanced from opulent living and comfortable lifestyles. This reduction in consumption shall lead to an increase in savings, investment and funnelling of the flow of capital towards urgent needs of society and helps the government to achieve its political objectives.

Apparently, attempts at man's development and strengthening of human values that have always been regarded as an objective by Imam Khomeini, shall be a supplementary to economic planning. Therefore, the Imam believes that the ultimate aim and objective of change in sphere of the economy is to be in step and in agreement with the chief objectives of Islam's social system which is evolution, development and transcendence of human values. However, specifically speaking, he considers attainment of economic justice to be part of the aims and objectives of economic policymakers.

However, as mentioned at the beginning of the discussion the mechanism of attaining economic justice too originates from the Imam's systematic perception of reciprocal relations in the different economic, political and cultural spheres. Considering that attaining social justice necessitates transformation in the three abovementioned spheres, thus in the

political sphere, establishing a potent Islamic administration and in the cultural sphere, instituting a spiritual outlook in society are the prerequisites and a necessary precondition for attainment of social justice. In this case, the aforesaid social system that leads to establishing social justice shall be achieved.

### **Adopting Suitable Strategy in Dealing with the Global Economy**

According to His Holiness Imam Khomeini, this topic which investigates the manner of communication of the local economy with the foreign economy needs to be studied on the basis of the local economy's independence and self-reliance. His Holiness the Imam lays particular emphasis on economic independence so that in this way it becomes less vulnerable in the face of the global system such that he states:

“If today we want to challenge this big power and not be defeated, we need to do a few things: one is that we develop our economy in such a way as to be self-reliant and the foremost issue is agriculture. Farmlands, cultivatable lands should be cultivated with the all-out efforts of various strata. Unfortunately, there are certain groups who either unwittingly and because of being incited by some anti-Revolution elements or perhaps some of them wittingly—since they belong to the same group—

prevents cultivation in the manner that it ought to be undertaken. All over Iran and under various guises—these problems are present wherever you go—they go to the farmlands and by feigning to the inhabitants that they want to help the needy and that they have come to help the inhabitants, (instead) they prevent a correct cultivation from being done and this is a danger to our country.

You know that if a country's economy, especially the sector of the economy which involves people's bread, becomes dependent on foreign countries; and a pressing dependence so that it is unable to take care of itself and others need to take care of it, then this economic dependence and that too in this sector shall cause the people of Iran; the nation of Iran to surrender to others."<sup>1</sup>

Towards this end and with a view to determining the performance of the socio-economic system, the Imam underscores the importance of economic independence as being the protection and backing that is responsible for supporting this system. By questioning the validity of the economic culture of the East and the West as well as the economic policies of capitalism and communism in society, he emphasizes:

“This tragedy has afflicted all nations and has for all

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1. *Sahifeh-ye Imam*, vol. 11, pp. 413-14

intents and purposes, imposed a new slavery on them so that the majority of human societies have in their day-to-day living become bonded to the owners of wealth and power.”<sup>1</sup>

By stressing that making use of foreign goods and not making efforts towards manufacturing them weakens the society’s economic system so that such a system is incapable of preserving itself and surviving, Imam Khomeini mentions the ability of the system to stand on its own feet and remain independent as being the key to the survival of that system. Thus in order to safeguard the Islamic system and while questioning the profound dependence resulting from the former regime’s policies, the Imam refers to self-sufficiency as being the guarantor of political independence and survival of the system and states:

“If a nation wants to stand on its own feet and be independent in all respects, it has no alternative but to rid itself of this thinking that we have to import goods from abroad.”<sup>2</sup>

The great significance of this idea from His Holiness Imam Khomeini’s point of view and making efforts at gaining release from economic dependence and achieving self-sufficiency were among the avowed objectives and aspirations of His Holiness the Imam and were directed towards achieving growth and pre-

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1. Ibid., vol. 20, p. 339

2. Ibid., vol. 14, p. 116

eminence in the economics field and economic development of Iran. Thus, he would always lay emphasis on the need to achieve this supreme objective stating:

“It is a religious obligation on all of you to make every effort to eradicate the last traces and roots of this country’s dependence on foreigners in all areas.”<sup>1</sup>

With the conviction that in today’s world which is characterized by a unipolar system in which the lone political power together with its allies resort to certain actions at the international level that no one dares to oppose, the Imam considers economic independence to be the most important of the duties of any country that is a claimant to political and cultural independence. Now that global arrogance is using the weapon of the economy in order to crush the will of nations seeking independence, thus according to the Imam, no nation can with any weapon hope to gain political independence without becoming economically self-reliant.

With a view to the aforesaid public interest and in order to become free of the abovementioned enslavement and make use of the element of economics as the most critical factor for achieving this objective, His Holiness Imam Khomeini opines that we must not be negligent and need to move towards eradicating all traces and roots of the country’s dependency.

Therefore, promotion of self-reliance and elimination of

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1. Ibid., vol. 21, p. 156

economic dependency is like a shield that protects the political, social, economic and cultural Islamic order which needs to be self-reliant and powerful in order to be able to survive in today's world.

Although this prototype bears some resemblance to the prototypes offered by the dependency doctrine, however, it does not conform to it. This is because firstly, even though Imam Khomeini emphasizes on the necessity of independence from the global order and on external factors as obstacles to reconstruction and power of the government, however as opposed to the supporters of the doctrine of dependency, he does not believe in cutting off from the global order and in isolation. Secondly, one of the cornerstones of his perception is culture reform aimed at economic development which is supported by the Islamic government. Thirdly, he does not support the idea of nationalization of the economy and the government taking over all affairs; rather, he lays emphasis on the government's power in guiding and supervising people's participation in economic affairs and rejects monopoly.<sup>1</sup>

Therefore, on the whole one can summarize the necessary instruments for realization of Islamic economy in elements such as private ownership as being the locomotive of growth and development; the necessity of government and its supervision

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1. *Matin Research Quarterly*, no. 8, p. 202



over the process of growth towards securing national interests; culture as preparing the necessary bedrock for cooperation and participation of the people in macroeconomic policies and adoption of a suitable strategy for facing up to the global economy with the objective of eliminating dependency and achieving economic self-sufficiency. With a view to the existing realities of the world, these instruments seek to enter the complexities of today's world in decisions and actions taken towards reaching to the Islamic economy.

### **Objectives of the Economic System from His Holiness Imam Khomeini's Point of View**

As we know, the objectives of a system can be reckoned as being those affairs which the system in totality and its constituents in details have been organized and designed in order to achieve them. Thus, in a system, there are three sets of objectives that could be examined namely:

Ultimate objectives

Intermediate and overall objectives

Operational and detailed objectives

Attaining the ultimate and fundamental objectives can be carried out only through compatibility and coordination between constituents and sub-systems of the general system. For this reason, the subsystems and coordination and compatibility among them must always pave the way for

attainment of the system's general objectives.

Generally, the final and ultimate objectives and in some cases, intermediate and general objectives of systems originate from the philosophical and global perspective governing the systems being examined. This is because as we know, it is possible to determine objectives from the philosophical principles of a common system of living and offer a specific and clear explanation for each of them as well as to ascertain the degree and level of significance of each of them. Taking into consideration this discussion, it is evident that different sorts of systems shall have different objectives and this diversity in objectives originate from diverse global perspectives and are of consideration in all three aforementioned levels.

For instance, in the system of capitalism which is based on theism, individualism and materialism, the ultimate objective of the system could be considered to be increase in welfare. In this system, the intermediate objective could be regarded as growth in production and thereafter distributive justice. However, with a view to the philosophical- materialist and individualistic principles offered, in this system welfare has been interpreted as 'material and individual welfare' and distributive justice too has been proposed from a profit-oriented standpoint. Based on this interpretation, any distribution that adds to the society's

aggregate gratification is fair.<sup>1</sup>

By emphasizing human prosperity and that the Islamic republic's aim and aspiration is to attain prosperity, His Holiness Imam Khomeini also opines that the Islamic Republic (of Iran) was established by a landslide majority of ballots and that in any case, in the Islamic Republic the happiness and welfare of all individuals will be taken care of regardless of illogical interpretations. Thus, according to Imam Khomeini in order to achieve the objectives of the economic system, it is essential to discuss the philosophic principles and his interpretation of prosperity. However, taking in to consideration that basically, in this discussion we do not intend to arrive at the philosophic and theosophical principles of the subject; rather we discuss simply the reiterations of His Holiness the Imam concerning the economic objectives.

As is quite evident, he has mentioned spiritual purification of man as being the final objective of the Islamic order. The ultimate objectives are spiritual purification, spirituality and morals.<sup>2</sup> He considers the economic system to be a means for attainment of these objectives and states: "The economy is not the objective; rather, it is a means for reaching to a higher and more sublime objective meaning Islamic culture."<sup>3</sup> Thus, from

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1. Mir Moezzi, Hassan; *Critique on the Objectives of the Capitalist System from Islam's Point of View*, p. 13

2. *Sahifeh-ye Imam*, vol. 7, pp. 463 & 531.

3. *Ibid.*, vol. 8, p. 85

his standpoint, Islam's educational and cultural system has the duty of coordination and harmonization among the subsystems of the ecumenical Islamic order and all of these subsystems ought to be directed towards this cultural system. The objectives of the economic order ought to be directed towards this end as well and its objectives should be such that by achieving them, it achieves the basis for optimum performance of this cultural system. Therefore, with regard to His Holiness Imam Khomeini's affirmations which we referred to in this discussion, it is possible to arrive at a criterion in decision and policy making which is that economic policies must in general, be directed towards the aim and objective of strengthening Islamic culture as well as towards development of spirituality and spiritual purification of the individuals in a society.<sup>1</sup>

With a view to the above discussion, the below instances could be regarded as being the major objectives of Islam's economic order from the viewpoint of His Holiness Imam Khomeini:

### **Spiritual Development and Uplift of Individuals**

As we mentioned, all the subsystems ought to work towards the objectives of society's general system and towards the ultimate objective. With a view to the special importance that His Holiness the Imam attaches to spiritual advancement of human beings, he explains the direct objective of Islam's economic

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1. Ibid., p. 85-6

order as being this as well and states:

“Islam is a religion which by regulating materialist activities paves the way for spiritual advancement of man. Real progress is that the development of man himself becomes the objective of materialist activities—and Islam is the religion of this progress.”<sup>1</sup>

He considers the unique characteristic of Islam to be that it places materialist activities in the direction of spiritual ones so that it leads to the development and advancement of human beings. He further believes that Islam trains people in such a way that at the same time as paying attention to materiality, it places materialist affairs at the disposal of spirituality.<sup>2</sup> In Islam, this is achieved through giving importance to eschatological matters such as spending in charity, giving (interest-free) goodly loans, endowment and investment for the benefit of Islam and Muslims, paying ‘Khums’ and ‘Zakat’ religious taxes and levies with the intent to fulfilling God’s commandment as well as by inculcating the belief that the impact of eschatological actions and deeds are better and more lasting than the effects of the worldly ones (والآخرة خير و ابقى).

As we know, in addition to directing individual motives in financial and economic activities towards spirituality, in economic activities of the people too, Islam by making it

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1. Ibid., vol. 4, p. 360

2. Ibid., vol. 9, p. 288; vol. 8, p. 108

obligatory or recommending certain activities, in addition to furnishing the means for qualitative and quantitative improvement and advancement of the society's economic situation, it leads to the spiritual uplifting of individuals and brings about their spiritual purification.

Although the type of motive has no impact on economic consequences of an action, however, because of Islam's unique view at spiritual advancement of human beings, in Islamic prescriptions, specific yardsticks have been prescribed for economic behaviourist motives. For instance, the religious levies of 'Khums' and 'Zakat' which in fact are two types of Islamic taxes are regarded as acts of worship and their acceptance like that of the daily mandatory prayers, is dependent on the intention of fulfilling the commandment of God.

Similarly, in narratives that deal with the norms of trade and commerce, one can observe attempts to direct human beings towards spiritual purification. Thus with the aforesaid view and by taking into consideration the economic system being aimed at achieving the general objective—which includes spiritual purification as well as bringing welfare to the entire community—the Imam considers this to be one of the objectives of the Islamic Republic system as well.

## **Economic Independence**

We said that Imam Khomeini considered all economic, cultural and political systems of the society to have correlated objectives. It appears that in the sphere of economic independence, he lays more emphasis on its role in political domination or absence of it by the colonialist countries and takes it into account for prevention of political and social domination by colonialist countries including America. As he states:

“You know that if a country’s economy—especially in this field of economics which is concerned with the daily bread of the people—becomes dependent on foreign countries to meet its needs; and it has an urgent need which it cannot manage on its own and it has to be managed by others; then this economic dependency and that too in this field shall cause the people of Iran, the state of Iran to surrender to others.”<sup>1</sup>

Likewise, he considers economic dependency to be the source of all cultural, political and social dependencies.<sup>2</sup> Further, he believes that without achieving economic independence, it is not possible to achieve independence in the rest of the fields.<sup>3</sup>

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1. *Ibid.*, vol. 11, pp. 413-14

2. *Ibid.*, vol. 10, p. 333

3. *Ibid.*, pp. 433 & 439

Thus, he considers attaining this to be one of the important objectives of the economic system and asserts:

“You have to start from the beginning with the objective of becoming self-reliant in all things; you should be independent in culture; independent in oil; independent in agriculture. When you make this your objective and come on to the field with this resolve, then you can save your country and you can make your country independent and insure the independence of your country forever.”<sup>1</sup>

For this reason, as was mentioned above, the Imam deems production to the extent of the country’s needs and self-reliance with regard to strategic goods to be a requisite of independence and self-reliance.<sup>2</sup>

He considers gaining self-confidence and belief in the self to be the route to freedom from dependency in the economic, political, etc. spheres.<sup>3</sup> Likewise, he considers focusing on Islam, putting trust in Almighty God and unity of the Islamic nation to be influential factors in this sphere.<sup>4</sup>

One last point is that he deems economic blockade to be an effective factor in achieving this objective and in making efforts

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1. Ibid., vol. 14, p. 246

2. *Sahifeh-ye Imam*, vol. 17, p. 33

3. Ibid., vol. 9, pp.14, 116 & 308

4. Ibid., vol. 17, p. 411



towards liberation from this enslavement and states:

“I consider this economic blockade which many people are afraid of to be a gift for our country because economic blockade means that they (the foreign powers) refuse to give us the essential goods that we need. When they withhold to give us the essential goods, we go after (to produce) them ourselves... the important point is that we understand that others are not prepared to give us anything and we should ourselves make arrangements (to manufacture them).”<sup>1</sup>

Thus by laying stress on the role of economic dependency in political dependency, His Holiness Imam Khomeini (S) questions its efficacy and casts doubts on it. He considers faith in Almighty God and unity of the Islamic nation to be influential in this regard and wants the matter (of self-reliance) to be initiated from the agriculture sector.

### **Combating Poverty and Creating Public Welfare**

As we said earlier, the Imam considered all issues in the context of the Islamic regime. In his opinion, Islam's economy inclines towards supporting the poor and the needy and considers this as revealing the progressive nature of Islam. He states:

“This is Islam; this is progressive Islam; these are the

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1. Ibid., vol. 14, pp. 115-16

progressive laws of Islam. The religion which pays more attention to the poor and the weak than to others; the religion which is a supporter of the downtrodden; that regime which seeks to deliver the downtrodden from the bondage of miseries—that indeed is Islam. It is the religion for which it is not at all important to be an inhabitant of the peripheral regions or an inhabitant of the center; to be a resident living in an upscale neighbourhood or living in the downtown quarter.”<sup>1</sup>

He considers turning one’s back on defending the deprived and instead supporting the affluent to be opposed to Islamic customs and traditions.<sup>2</sup> On this subject, he states:

“Islam has not arrived on the scene in order to do injustice to the downtrodden; Islam arrived on the scene in order to take care of the weak; to serve the weak. Islam emerged from within the downtrodden; it did not emerge from the affluent. Islam emerged from within the beggars of Mecca and Medina; Islam emerged from these the helpless and the downtrodden. It was the same with regard to other divine prophets as well; none of them were aristocrats that they should side with aristocrats. They belonged to the same poor strata and emerged from the masses of people and supported the masses of people and did not allow

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1. Ibid., vol. 9, p. 50

2. Ibid., vol. 5, p. 216

injustices to be done to them (the masses).”<sup>1</sup>

He considered the poor to be of particular concern to God and states:

“The poor are the children of God”<sup>2</sup> and He regards attending to the oppressed as His Succour; and for this reason He has given (in the Glorious Quran) the promise of succour:

ان تنصروا الله ينصركم<sup>3</sup>

He considered elimination of poverty to be synonymous with creating public welfare<sup>4</sup> and to be always of concern to Islam.<sup>5</sup>In the Imam's opinion, by putting the laws of Islam into practice and sacrificing in the path of Islam's splendid objectives, public welfare and securing mankind's spiritual and material needs is assured.<sup>6</sup>

He has not summarized welfare in wealth and material provisions and considers spiritual wellbeing to be its foremost condition and thus he considers welfare to be attainable provided that the society becomes Islamic.<sup>7</sup>

Therefore, one can conclude that elimination of poverty as one of the political-economic objectives is not simply attaining

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1. Ibid.

2. Ibid., vol. 10, p. 334; vol. 12, p. 126

3. Ibid., vol. 19, p. 203

4. Ibid., vol. 20, p. 341

5. Ibid., vol. 6, p. 327

6. Ibid., vol. 3, p. 170

7. Ibid., vol. 6, p. 444

an average material livelihood for all individuals of a society; rather, one has to pay attention to secondary needs as well. On this basis, it is the duty of all people to work hard at getting rid of poverty to the extent of necessity while it is the duty of the authorities to get rid of poverty to the extent of sufficiency.

### **Equitable Distribution of Wealth**

On referring to Islamic sources and the unique opinion of His Holiness Imam Khomeini on the subject, we come to the conclusion that the major part of Islam's teachings as well as the Imam's attention are focused on social justice – and one of the methods of resolving this issue is through equitable distribution of wealth.<sup>1</sup> He has mentioned attaining justice in all its dimensions to be one of the most important objectives of the Islamic regime and the divine mission of the prophets. The Imam discusses the reason for it in the following terms: “Realization of justice is a means to human development and expansion of gnosis of God”<sup>2</sup> and just as we mentioned earlier, he takes into account human development and spiritual purification as being the objective of Islam and the Islamic regime. For this reason, he believes social justice enjoys a value on par with Unitarianism and the rest of the main tenets of religion.

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1. Ibid., vol. 3, p. 323

2. Ibid., vol. 19, p. 115

From his point of view, understanding Islam and practicing its laws leads to social justice which includes equitable distribution of wealth (as one of its working procedures) in society.<sup>1</sup>

Likewise, he states: "Islam seeks equitable distribution (of wealth); it neither limits capital nor allows it to be concentrated in the hands of a few."<sup>2</sup>

He mentions reduction of inequalities as being the outcome of practicing Islam and its laws:

"The programs of Islam reduce the glaring income disparities among the people<sup>3</sup> and thus, in case there is an enormous difference in a society's standard of living, then that society has only an Islamic facade and does not truly benefit from the contents of Islam."<sup>4</sup>

In sum, it could be claimed that the Imam considers social justice to be the main aim and objective of the mission of divine prophets as it leads to human development and spiritual purification which is the ultimate objective of the Islamic order. However, he notes that in case there is no social justice, the society shall be devoid of Islamic content.

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1. Ibid., vol. 4, p. 201

2. Ibid., vol. 8, p. 470

3. Ibid., vol. 5, p. 291

4. *Sahifeh-ye Imam*, vol. 8, p. 14

## **Growth and Development**

His Holiness Imam Khomeini considers emphasis on growth and development in all spheres to be an Islamic concern and remarks:

“Islam makes the economy productive in a healthy way and without dependency for the benefit of all and for the welfare of all people by giving importance to the poor and weaker strata; and it strives for increased agricultural, industrial and commercial growth.”<sup>1</sup>

He believes the economic regime of Islam—which is of his consideration as well—to be based on the essential needs of the decisive majority of the poor people.<sup>2</sup> He believes that this can be achieved by means of establishing an administration of Islamic justice that enjoys the support and backing of the people.<sup>3</sup>

Thus, he enumerates the general objectives of the country’s development and reconstruction program in the following manner:

Emphasis on safeguarding the moral and societal values and traditions as well as improving healthcare;  
Giving priority and preference to agricultural self-reliance over rebuilding of industrial centres;  
Development of scientific and research centres as the most critical factor of achieving self-sufficiency and

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1. Ibid., vol. 19, p. 343

2. Ibid., vol. 5, p. 156-57

3. Ibid., p. 427

rebuilding;  
Decreasing reliance on oil exports;  
Giving incentives to local production and planning for export development;  
Strengthening the country's defence and military capabilities and development of armaments industries;  
Preventing monopolization of both domestic and foreign trade by limited number of affluent and well-off individuals and expanding its scope to include the masses of people and society;  
Planning with the objective of welfare commensurate with the condition of the common people and together with preservation of all Islamic values and traditions;  
Fighting culture of consumerism;  
Freeing exports and imports and in general, conducting trade on the basis of rules and regulations as well as government supervision over quality and price;  
Giving priority to attending to the honourable families of martyrs, the war-disabled, the prisoners of war and those missing in action;  
Observing standards of safety and security in production centres and factories as well as building collective (war and earthquake) shelters for the people;  
Making use of the enormous manpower of the people for rebuilding and construction activities.<sup>1</sup>

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1. Ibid., vol. 21, pp. 157-59

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**Imam Khomeini and  
the Concept of Justice**

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**Akram Estiri**



## **The Meaning and Definition of Justice**

Justice as an inherent attitude but a social and intellectual subject has always been taken into consideration by humankind. The word **justice** being one of the most important attributes in God, the Lord of the universe, has also been used in individual life issues (to create a state of equilibrium between sensual forces), family matters (the just behavior toward one's wife and children), and social instances (judicial, economic, administrative). In this regard, numerous concepts and definitions have been presented by different scholars.

### **1. Equality**

The primary meaning of justice, which occurs to mind and is perhaps familiar with the public, is that all the people are equal and there is no difference between them on all grounds. But is this a correct perception of justice, and does justice mean an absolute equality in anything among the individuals of the society?

Justice does not mean that all individuals are unconditionally equal everywhere; equality in this way is not justice, but it is sometimes quite the opposite—**oppression** in itself. People ought to be treated equally only where they are almost equal in competence and worthiness. We will give you an adequate explanation about the relationship between justice and equality in a separate part of this article afterward.

## 2. Appropriateness

Some thinkers have taken justice, in the meaning of **appropriateness**. Allāmeḥ Tabātabaei<sup>1</sup> has defined justice as follows:

“Justice is that you make every rightful person achieve their own right and place them in their own appropriate position.”

In this regard, by justice it is meant **appropriateness** and **moderation**: to consider and make use of everything in their own condition and place them in their worthy position. Therefore, the administration of justice is that you locate everything in their particular place and behave everybody in proportion to their worthiness. On the contrary, oppression means that you do not treat them rightfully.

Aristotle, too, has considered justice as **appropriateness**. He believes that justice is the observance of proportionality but

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1. A great commentator of the Quran

oppression is when you go to the both extremes and in inappropriateness.

He does not consider **absolute equality** between people as justice, but he recognizes it as oppression and injustice.

In his opinion, those who do not treat others proportionally are oppressive.

### **3. Granting Right to the Owner of the Right**

In his book “Divine Justice,” Ayatollah Motahhari<sup>1</sup> has mentioned four meaning for justice: Proportionality, equality, observance of people's worthiness in their imparting benefits and not refusing to provide them with whatever has the potential for existence in its perfect state and manner. Martyr Motahhari does not recognize justice as absolute equality. He says in this regard:

“The second meaning of justice is equality in the negation of any kind of discrimination. Sometimes when it is said that somebody is just, this means that they do not make exceptions toward people; so justice for them is equality. But if it is perceived that justice is treating everybody the same without the observance of worthiness in them, this kind of justice is oppression in itself. Then justice must be the observance of equality in the domain of merit or

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1. Martyr Motahhari was a great personality in religious sciences and wrote many books.

competence. Of course, justice necessitates us to believe in such a requisite for equality.”<sup>1</sup>

Master Motahhari does not consider absolute equality between all individuals of the society in all the fields as justice. He rather believes that you should behave the people equally under the conditions of equal worthiness. In some situations, it may be unjust if you treat everyone the same. He believes that the meaning of justice is to bestow the right to the owner of that right. Such justice is based on two things:

#### **The Law of Priorities**

Individuals in ratio of their producing something by their hard-working would acquire some privilege over the others. So, the source of that privilege would be activity and work.

#### **Inherent Human Features**

Human beings are created in such a way that they will necessarily employ in their jobs certain thoughts or ideas that could be called **relative ideas**. They are a series of creative ideas that are distinguished by **musts**. For example, in order for the individuals in the society to better become prosperous, they **must** observe some laws and priorities. This is the real concept of justice which is confirmed by every individual's conscience, with its opposite point named cruelty which is condemned by everyone.

In his opinion, justice is that you give the rights to their

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1. *Divine Justice*, p. 56

owners. The just are those who offer anybody their own rights. A right will be instituted as the result of work and activity. Martyr Motahhari sets forth two kinds of rights: actual rights and potential rights. Explaining them, he says:

“The ultimate relation between humans and God's blessings in the world of creation is a general relation. In this regard, no one has any specific individual right to benefit from. Since all the people are creatures of God on the earth, they possess the right to use the land because everybody is potentially rightful to it. Nobody may prevent others from their regaining their rights. But how the individuals ought to vindicate their rights is the second process in which the duty and right are brought together. The rights come to their actuality as the result of doing one's duty and everyone will have their appropriate right.”

To grant the right to the owner of the right means that the individuals' rights, which have resulted from their efforts, be respected duly, and whatever has been acquired through their activities be given to them.

#### **4. The Middle of Two Extremes**

The scholars in ethic have defined **justice** as a point being in the middle between the two extremes. Also, Imam Khomeini takes **justice** as the average of the affairs, defining it like this:

“Know that justice is the intermediate stage between

both extremes and considering it is one of the most important ethical virtues. More than that, the absolute justice comprises all the intrinsic, extrinsic, mental, cordial, carnal and physical virtues, because the absolute justice contains all the meaning proper.”

In the Imam's opinion, justice is the mother of all ethical virtues. We can even say that justice is the perfect virtues in itself. He considers justice as a moderation, as the average between both ends of extremes which are both of the reprovved manners and considered as oppressions.

Observance of moderation is a great virtue. Justice in this meaning points to the straight path and reality which leads man to prosperity.<sup>1</sup>

### **The Subject of Justice**

God, the unique, is **just** in the whole attribution. He is the manifestation of perfect justice; he does not do any acts and does not issue any decrees to straighten the laws of humankind except by justice. The just God has created the world of being on the basis of justice; therefore, the world is the place of God's favour and the source of the Lord's justice. God has enacted his justice in whatever has been issued from him. Then, God's justice is current in the world of existence and moderation is

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1. Definition of the Imam (s) from the concept of justice must be put in the domain of individual ethic in justice.



ruling throughout His created universe. Moreover, the world of existence is laid upon justice, the occurrence of some disasters and misfortunes or imperfections do not infringe on the divine justice, because evils and badness are issued from God.

All the calamities and afflictions happening in the world are not in contradiction with the Lord's justice. They are neither bad nor imperfect in their origin; they may be goodness and blessing in essence but human beings are unaware of the reality and the depth of worldly affairs.

Man's self can also be the subject of justice. Humankind is multidimensional. They might immerse themselves so much in evils that they become lower than animals or they could live such a good life that leads them to perfection and prosperity.<sup>1</sup>

By instituting moderation in their self, humans attain individual justice. Since everyone as an individual is the subject of justice, then the society that is made up of individuals can become the subject of justice too. Social justice is more important than individual justice because it is to the interest of a group of people not a particular person. Furthermore, a just person has their relationship with others and in this way justice becomes significant. Justice in the society is relevant to different areas of it including management justice, judicial justice, economic justice and so forth. Establishing justice in the society is of great significance, because one of the prophets' aims was to institute social justice.

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1. See the *Theory of Justice*, p. 480.

## Position for Justice in the Quran

Justice is one of the important subjects propounded in the holy Quran. The religion of Islam has emphasized Justice very much on account of its value. Goodness and impressiveness of justice is inherent and everyone is inclined toward it, because God has set justice in human nature. In order to clarify the importance of the subject, we will deal with the position of justice in the Quran.

### Justice of the Lord

God is just and He is the performer of justice. In some Quranic verses, it is referred to God, the Just and Exalted and He is denied of oppression. We read in the chapter Alé Imran, verse 18 as follows:

“Allah Himself is witness that there is no God save Him; and the angles and the men of learning too, maintain His creation in justice.”<sup>1</sup>

The above verse refers to a positive attribute of God, His being Just and His establishing justice.<sup>2</sup> The holy essence of God is free from treating His servants oppressively; His deeds

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1. شهد الله أنه لا إله إلا هو والملائكة وأولو العلم قائماً بالقسط.

2. It is meant that being just is a positive attribute of God and it is in His essence. Oppression is one of the negative attributes from which his essence is free. Whatever is issued from God is nothing but goodness or beauty; doing evil deeds is not possible on the side of God, because He is the origin of all goodnesses and beauties.

are on the basis of truth, fairness and justice. God the Exalted loves justice and the just person; He is disgusted with the oppressors. It is referred to this fact in some verses of the Quran.

### **Performing Justice, the Prophets' Aim**

Not only does God, being just, treat His servants with justice, but He also has planned to perform justice and spread it throughout the world of being among humankind. God has not left His servants in their own mood and behaviour; He has sent them prophets with clear proofs and heavenly Books so that He deals with the establishment of justice in the society and among the people. God has referred to this idea in the Quran in chapter Hadid, verse 25 as follows:

“We verily sent our messengers with clear proofs, and revealed with them the Scripture and the Balance, that mankind may observe right measure.”<sup>1</sup>

In another verse of the Quran, reference is made to the execution of justice by the prophets:

“And for every nation there is a messenger; and when their messenger cometh, it will be judged between them fairly (by justice) and they will not be wronged (chapter Yunus, verse 47).”<sup>2</sup>

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1. لقد أرسلنا رسلاً بالبينات و أنزلنا معهم الكتاب والميزان ليقوم الناس بالقسط....  
2. ولكل أمة رسول فإذا جاء رسولهم قضى بينهم بالقسط وهم لا يظلمون.

In these verses, God's aim of sending his messengers must be the performance of justice between people; it is the removal of cruelty. The Just God has sent the prophets, who have also been just to institute justice, which is a great aim of Allah. This is expressive of the fact that the establishment of justice in the society enjoys the emphasis God has laid upon it. In order to institute justice on the earth among people, God deemed it necessary to send His prophets with clear proofs as criteria to distinguish truth from falsehood. The messengers judge fairly and no one will be oppressed.

### **Recommending to Muslims for Justice in Judgments**

Justice has been recommended to be observed because God Himself is Just, and He is the origin of justice. Thus, he has recommended to the Muslims to observe this law. In some verses of the holy Quran, God has ordered the Muslims to perform justice and give it the highest priority in their affairs and treat each other by **right measure**:

“O ye who believe! Be steadfast witness for Allah in equity and let not hatred of any people seduce you that ye deal not justly. Deal justly, that is nearer to your duty (virtue and piety) Chapter Ma'eda, verse 8.”<sup>1</sup>

The above verse refers to justice in the judgments and

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1. يَا أَيُّهَا الَّذِينَ آمَنُوا كُونُوا قَوَّامِينَ لِلَّهِ شُهَدَاءَ بِالْقِسْطِ وَلَا يَجْرِمَنَّكُمْ شَنَاَنُ قَوْمٍ عَلَىٰ أَلَّا تَعْدِلُوا، اِعْدِلُوا هُوَ أَقْرَبُ لِلْمَقْرَى.

emphasizes that enmity or hostility must not prevent Muslims from issuing their orders justly. Acting justly is a righteous deal which is nearer to virtue and piety; it is so valuable to the Lord, the Just.

With regard to the verses we mentioned concerning **justice** and **being just**, the significance of the subject must have been confirmed more than before. The Quran has dealt with the topic of justice and its importance several times. This has always been a desire which human beings wanted to be realized. Now, we are going to investigate the position of narrations and traditions about justice quoted from the religious authorities.

### **Position of Justice in Narrations**

Just the same as God has emphasized the issue of justice in the Quran and recommended that the Muslims observe this precept, the prophet of Islam (MGSBH)<sup>1</sup> and the immaculate Imams (PBUT)<sup>2</sup> have also taken this fact greatly into their consideration. Those leaders, who were themselves the model of justice, showed justice through their words and actions. Our leaders in Religion always sought to institute justice, eliminate oppression, defend the oppressed, combat the oppressors and perform **right measure** giving it the highest priority as their great aim. In the traditions quoted from our religious leaders,

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1. May God sent His Benediction to him and his household.

2. Peace be upon them!

we perceive the emphasis laid on the value and importance of justice:

### **1. Preference of Justice over Worship**

The dignified prophet of Islam said about the value of justice in comparison with "God worshipping" for years:

Doing justice for an hour is better than God worshipping for 70 years keeping wakeful at night and going on fast during the day.<sup>1</sup>

This statement of the messenger of God is indicative of the great importance of **justice** in comparison with a devout worshiper of God who has spent many years in seclusion praying God in silence; because a just person, by using their justice, would prevent the others rights especially the oppressed people's rights from being trampled on; they would take the side of the owners of the right while judging and the rightful owners would attain their rights.

The immaculate Imams (PBUT) have also taken the justice fact into their consideration; they have given their ideas about the value and importance of **justice**. The Imams (PBUT) were themselves the performers of justice and used to combat the oppressors. They pursued the administration of justice all the time to make justice be realized in the society.

Imam Ali (PBUH), Leader of the Faithful, was a perfect model of justice. His name is associated with justice and the

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1. عَدْلُ سَاعَةٍ خَيْرٌ مِنْ عِبَادَةٍ سَبْعِينَ سَنَةً قِيَامَ لَيْلِهَا وَصِيَامَ نَهَارِهَا.

word **justice** has an association with the name of Ali (PBUH).

## 2. Superiority of Justice to Donation

Hazrat Ali (PBUH) says in “Nahj-al-Balāgha” concerning the value and preference of justice:

“Justice places everything in its own position; while, generously takes them out of their positions Justice is planning for the public; while donation involves a specific group. Then, justice is more honourable than and superior to donation.”<sup>1</sup>

He considers justice to be more important and valuable than donation and generosity because everything will be set in their own real positions and everybody will attain their own right. Also, from **justice** the public will benefit; public benefit is involved in it. It does not concern any special persons.

## 3. God's Reason to Institute Justice

Here, we will quote another tradition from Imam Ali (PBUH) regarding justice:

“The glorious God has assigned justice to be a firm basis for the people, to protect them from cruelties, to purify them from sins, and make them become inclined to Islam.”<sup>2</sup>

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1. العدل يَضَعُ الامور مواضعها، والجدود يُخْرِجُهَا مِنْ جِهَتِهَا، وَالْعَدْلُ سَائِسٌ عَامٌّ، فَالْعَدْلُ أُشْرَفُهُمَا وَأَفْضَلُهُمَا.  
From *Nahj-al-BalāghaHekmat*, p. 437

2. جَعَلَ اللهُ سَبْحَانَهُ الْعَدْلَ قِيَامَ الْإِنَامِ وَتَنْزِيهَاً مِنَ الْمَظَالِمِ وَالْإِنَامَ تَسْنِيَةً لِلْإِسْلَامِ.  
From *Ghurar al-Kekam*, vol.1, p. 374

The just God has established justice to be the basis of human life, to make them immune from oppression and cruelty. He has made Islam the religion of justice, the religion whose God, prophet and the Imams are just; those who perform the laws justly. Islam is a religion in which no oppression and no discrimination exist; and this causes the people to be inclined toward it and to be attracted to it.

#### **4. Sweetness of Justice**

Concerning justice, Imam Mūsa-al-Kazem says:

“Verily, justice is sweeter than honey.”

The Imam (PBUH) has made us know that performing justice seems more pleasant and tastes sweeter than honey. The sweetness of justice is felt when the judgment is made according to the truth, the result of which could be attaining of the owner of the right to their right and is conducive to the satisfaction of God and His servants.

The importance of the discussion on justice becomes more critical when the question of justice is brought up as one of the **Principles of Belief** in Islam. By justice as a principle we mean that God is just and His holy essence is exempt from the taint of oppression to His servants.

#### **The Relation between Justice and Equality**

The noblest values for humankind are freedom, equality, and justice. Comparing them and judging on which one is superior



to the others is a difficult task because the three of them are very valuable for the people. Here, we intend to discuss the relation between justice and equality, which is also one of its meanings and then deal with the relation between justice and freedom.

Equality means that the individuals in a society are similar and identical to one another. Equality in the form of an ideal principle emphasizes that all human beings are the same in meeting their welfare possibilities, social respect, and environmental movements. But there is no doubt that individuals are not similar to each other in all aspects of life. Their material needs are not identical, nor are their tastes and nor their abilities. Many other things such as age, sex, and physical built are different; geographical conditions and habitation shape the various material needs of the people too.

All these differences, however, do not change the principal similarity in human beings, regardless of their diverse tastes, perspectives or abilities. All of them are similar to one another in their basic material and social needs.

Equality will be comprehensively realized when everybody may benefit from general social possibilities in the way that they want but equal to other people. In other words, everybody must be equal with other individuals in their using the possibilities available in the society and can have access to opportunities present in the environment. They must attain their

desirable position or social status confirmed by the society and acquire the respectful situation just like anybody else if they are able too.<sup>1</sup>

Such an extent and such a demand of equality can be called absolute **equality**, which seems to be unattainable or unlikely to achieve. Although equality as a value is ideally taken into consideration, a homeland usually does not enjoy such plentiful resources to divide between its inhabitants equally. Moreover, it may be said about respectability that the jobs people do are not equal in their difficulty, value or specialty. Therefore they cannot be given the same value to acquire respectability. If we are to give equal reverence to all the jobs and not to differentiate between those who do the hard work and the easy jobs, we will destroy their motivations for doing hard, technical or important acts. This will do injustice to them. Then, absolute equality is never correct to be realized; rather, it is a kind of oppression against the individuals if carried out.

The idea of **absolute equality** is not wrong because it demands the most extent of equality; but it is wrong because it ignores special characteristics in some individuals. This idea is not able to understand that different planning in life or different rates of expertise and skilfulness will produce separate possibilities and situation for some people. If the society ever

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1. From *Akhlāq and Adālat* (Ethic and Justice), p. 141

wants to deny them, it has to violate the freedom and identity of some individuals.

Consequently, trying to establish absolute equality for all individuals does not only ruin the impetus for endeavour in some of them but also violates the rule of freedom in work which is in itself an oppressive act. By equality and similarity it is not intended an absolute equality in benefiting from favours of life. Although the meaning of justice in common use is equality, it does not only have this meaning. Equality is not to ignore the distinction between people of all strata. It is practically expedient to eliminate undue and unfair discriminations, but in the places where differentiation is for the sake of merit, worthiness or talent, we are not allowed to treat everybody the same. It is not justice when you reward all competent and incompetent employees equally such a treatment is completely oppressive.

Justice demands that you treat those of equal worthiness and qualifications the same. By justice it is not intended that you equalize all groups mathematically; it is not wise either to equate people's activities with wealth. It is not expedient that you treat the deserving and undeserving equally under the label of **justice**. It is not lawful not to differentiate between competent and incompetent people in community. If you do this; you will do injustice and oppression.

### **Relation between Justice and Freedom**

We will initially define **freedom** and its kinds; then, we will deal with the relation of them to **justice**: Freedom in general, is considered to be **individual freedom** in expressing one's ideas and thoughts and then trying to follow them to get them realized.

This general definition can be interpreted in the two ways of positive and negative. On the negative side, one's freedom will be obtained when there are no impediments and obstacles to prevent them from following their desires or stating their demands. So, the individuals can present their ideas and ask for their requirements to be met. According to this kind of interpretation the people are empowered to go on their own way and exercise their authority.

On the positive side, although the individual's freedom to express their ideas is also taken into consideration, this freedom is mainly dependent on the way how they have grown up and been trained; it is subject to a collection of possibilities provided for them by other members of the society. In the perspective of the second interpretation, lack of impediments and obstacles does not matter. What matters is the ability of the individual to reach their goals and the power to follow them to achieve their desires. This is the important factor to secure them.

So, in the negative perception of Freedom, there are no obstacles in the way of the individual, but in the positive perception, freedom will be obtained on the basis of their ability; and it is also subject to the social institutions which should have trained the individual so well that they could act authoritatively.

In other words, institutions can act as means for the individual to achieve their freedom. According to the negative interpretation of freedom, there must not be any external obstacles in the way such as customs, formalities and beliefs which prevent the individual from following their goals. In this perception, of course, it is believed that social institutions will limit the individual's freedom.

On the contrary, the opposite interpretation of freedom believes that the social institutions can provide the necessary potential and possibilities for the individual to exercise their will power and secure their freedom. As a result, the positive interpretation must be the correct perception of freedom but the negative interpretation must be incorrect; because this perception of freedom means a **limitless freedom**, which will lead to oppression and injustice.

However, what is the relation between justice and freedom? Do these two threaten each other? Imam Khomeini says in this regard:

“Settle Islamic justice in the Islamic government; by

doing this all and all will be in freedom, independence and welfare.”<sup>1</sup>

The Imam would consider the instituting of justice in a society as the preparation for achievement of freedom and welfare. In his opinion, justice never threatens freedom; rather it secures freedom. According to Islam and in the Imams' words and deeds, these two cannot be incompatible with each other in general; because freedom is nothing but a response to the innate, equal merits of human beings, and social justice. According to the Imam's explicit statement, it is based on human rights and on appropriate response to the natural, legal requirements of individuals in the society. With regard to this, the achievement of social justice is most feasible without considering human innate rights including freedom. Then, in order for social justice to be realized, we have no other choice except granting freedom to the individuals. Of course social justice itself is interpretative of everybody's limits of innate freedom and expressive of necessary conditions of it.<sup>2</sup>

Social justice will only be carried out in the society when individuals' freedom as their natural right can be accounted for. However such freedom must not be unlimited since it will injure the achievement of justice. Martyr Motahhari says about the limits of freedom:

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1. *Sahifeh-ye Imam*, vol. 7, p. 115

2. *Imam Khomeini's Judicial-Political thoughts*, p. 423

It is impossible for **absolute freedom** to exist in a society...the nature of the society demands that freedoms be limited; that is, an individual's freedom is limited to another individual. It is essential that social blessing be divided among individuals; social rules should not be complicated and the people should succeed in reaching their maximum possible perfection in the society.<sup>1</sup>

Freedom is a principle and a value for men, but the use of that freedom shall not disturb other people's freedom. In the case of confusion between individuals' freedom, it is the **justice** that limits freedom. Then, justice—to which it is referred many times in the Quran—is superior to freedom and equality.

By doing justice, individuals' freedom will be secured, but by giving freedom, (and especially limitless freedom) justice will not necessarily be provided.

### **Different Kinds of Justice**

The issue of justice is discussed both in the Islamic theoretical topics (Divine Justice) and in the practical domain of jurisprudence, ethic and human justice. Here, we intend to bring up and discuss different kinds of justice. The concept of justice, first of all, will divide into two general kinds: Divine justice and human justice. Each of them has some subdivisions that we will investigate here:

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1. *Philosophy of History*, p. 259

### **Divine Justice**

Justice is one of the attributes of God, the Exalted. It is one of the most important aims He has appointed prophets for. It is considered as one of the essentials in the Islamic worldview. It is adopted as a religious principle in Shiism, which is in itself indicative of the importance of justice matter. Divine Justice is taken to be superior to other subdivisions in the discussion. God's justice envelops human justice, God has created the world based on justice and His ordinance is that humans observe justice anyway. The world is the creation of the Just God; so it is the source of justice and His holy presence is away from any oppression and cruelty.

Imam Khomeini (s) recognizes **justice and being just** as one of the most important attributes of God, the Great: God, the just treats all His servants justly. He is exempt from oppressing His servants. Since oppression is unbefitting and disagreeable, this is never issued from God. We read in *Kash-al-Murad*:

“God deems it necessary to reward and recompense any injury, harm or suffering that his servants incur so that His blessings can be equal to them without any distinction, except according to the ability of themselves.”<sup>1</sup>

In this regard, God divides His blessings justly among His servants. If there is a difference, it is concerned to their

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1. *Kashf-al-Murad*, p. 469



worthiness. In God's justice, there are some subdivisions which we will discuss as follows:

#### **A. Justice of Creationism**

The only relation that human beings have with God is their natural need to him. This demands that God give existence to any possible thing in order to meet those needs to the extent of their capacity and the potential in their existence, or equip them with their perfect capability. Every prerogative or favour is divided according to their abilities; they are based on natural ranks in the objects. No refraining is ever seen, in any place or time in the world of being, from God's bounties to the servants.<sup>1</sup> Then Justice of creationism means that God's generosity toward His servants is laid on **justness** and the differences are due to their abilities.

#### **B. Explanatory Justice**

Master Motahhari has divided this kind of justice into two parts: Divine explanatory justice and human explanatory justice. He says in this regard:

“By explanatory justice we mean those precepts that are indicated to guide individuals in the society. This kind of justice can be divided into **Divine** and **human**. In Divine explanatory justice, it is explained that the divine laws are arranged in a just manner.”<sup>2</sup>

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1. *Social Justice in Islam*, Jamal-al-din Musawi, pp. 40-41

2. Motahhari's *Collection of Works*, vol. 4, p. 952

Also in the human explanatory justice it is emphasized that human laws must be just and no laws must be enacted unjustly. The subject of justice in the society or **social justness** is of a great significance because if the social system is not just, it may get involved in a kind of imbalance in the area of jobs, laws, and duties.

Therefore, by explanatory justice, it is meant the enactment of just laws by both God and legislators in human societies. All the commands of God in the Quran are exactly just for the Muslims, because the holy essence of God is not oppressive and He is exempt from oppression and cruelty toward His servants. For this reason, His law will never be oppressively enacted. As for human laws, the legislators must take official laws fairly in such a way that no oppression may be allowed to the rightful persons. Inasmuch as God's justice is pervasive in the whole world, human lawmakers too, ought to try, as far as possible, to develop just laws in their own communities.

### **C. Retributive Justness**

Retributive Justness is used about God, the Exalted, because He differentiates between those who do good deeds and those who do evil deeds. This means that God rewards the beneficent but punishes those who do oppression. If someone's action is good, they receive good rewards and if it is bad, they receive punishment.

God, the great reminds people of His retribution explicitly in

the chapter *zelzāl*, verses 7 and 8:

“Whoso does good an atom's weight will see it, and whoso does ill an atom's weight will see it then.”<sup>1</sup>

It is possible that the response to good or bad will be given in this world or in the other world, but what is important is that no action will ever be without a result. Far be it from God's justice not to respond! Now, we will discuss human justness:

### **Human Justness**

Human Justness will be achieved when persons are just and try to allow justice toward others. To practice justness is a command of God in order to make His servants attain worldly and heavenly prosperity.

### **Different kinds of Human Justness**

In this part we will deal with the justice in its human form and explain it under **individual justness** and **social justness** in the frame of their definitions, the requisite of those who want to establish justness, and their results:

#### **1. Individual Justice**

Individual Justice or justness is used in comparison with social justness. It is related to the people themselves and the arena for its presence is within the individuals themselves. The concept of individual justness can be studied in the two domains of jurisprudence and ethic, but sometimes these two are used as

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1. فَمَنْ يَعْمَلْ مِثْقَالَ ذَرَّةٍ خَيْرًا يَرَهُ ، و من يَعْمَلْ مِثْقَالَ ذَرَّةٍ شَرًّا يَرَهُ.

one instead of the other. As it was mentioned before, juridical justness is different from justness in the domain of ethic.

Juridical justness must be external since it applies justness in relation to others, but **individual justness in the area of ethic** means that every person can institute moderation inside themselves and between their sensual forces, that is: they should be just within their existence. Here, of course we mean that the individual justice is in the domain of ethic.

### **Definition of Individual Justness**

Imam Khomeini has defined individual justness as follows:

“Justice is an internal mood that makes a person observe virtue and forbids them from committing major sins even minor sins preferably, let alone insisting on them to do sins which is considered a major sin in itself. This kind of justness refrains people from doing things that commonly show their carelessness toward religion.”<sup>1</sup>

Then justice is an intrinsic state that produces moderation in someone and enables them to make use of their internal power which consequently leads to virtuousness and avoidance of sins.

Ibn-e Meskawayh construes individual justness as voluntary justice and says in its definition:

“Voluntary justness, existing particularly in humankind for which they are admired, is

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1. *Tharir-al-Wasila*, vol. 1, p. 310 (a translation).

development of peaceful coordination between their various carnal forces in such a way that no one of them might overcome another or rebel against each other. This peaceful cooperation of forces in men will constitute the same link with the soul health as it will with the body health. Whenever human forces are normal with moderate disposition, there will be no area left for any clash among them. So long as the superiority of the soul over the body continues, the soul health will keep its dominance in the situation.”<sup>1</sup>

In Meskawayh's opinion, moderation of forces and peaceful relation away from their conflict will lead to health, soundness, and the equilibrium of soul and body. Voluntary–ethical justice is in the meaning of **just relationship** between sensual forces in such a manner that one may not dominate another, and each of them be used at an average. It is in his way that the extremes will be prevented and the superiority of one force over another will be repressed. Human self needs justice; and the just state will only be attained when each one of a person's intrinsic forces are located in their own positions and a proper order could rule over their relations and the amount of their use.

In Islam, individual justice avails itself of a great significance, which is noticed in some of the traditions quoted

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1. *A Historical Outlook on the Philosophy of Law*, Meskawayh's treatise.

from the immaculate Imams (PBU Them). Hazrat Ali says in this regard:

“The aim of justice is that a person be just in their own selves.”

We understand from the above tradition that doing justice to one's own self and abstaining from doing oppression to one's self is so valuable that Ali (PBUH) introduces it as an **aim** and as the **greatest goal** in a sense. Imam Ali, the Leader of the Believers says in *Nahj-al-Balagha* about the same thing the best servant of God is one who allows justice to their own selves:

“O servants of God, verily the best and the most favorite servant of God is one whom God has assisted to be just...a quality whose commencement is to drive out their carnal desires from their hearts and then make the truth be known and be acted upon.”<sup>1</sup>

Having defined and introduced the importance of individual justice, we will now discuss the way how it should be established.

### **Conditions how to Establish Individual Justice**

How can individual justice be realized? As we said at the beginning of our discussion, individual justice means that someone may institute in themselves some harmony between their carnal forces. But what are human carnal forces? In order to clarify the topic, let us explain them first and then deal with

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1. *Nahj-al-Balagha*, sermon 87.

their functions one by one. Imam Khomeini says about the intrinsic forces in humankind:

“Know that humankind, after their first natural growth by intellectual force, are associated with three forces. First is the power of imagination, which is named **force of mischievousness**. This power is present even in a small child from the beginning in which it tells lies and acts deceitfully. The second is the power of infuriation which is called the **force of fierceness**. It is used to eliminate disadvantages and to ward off obstacles in the way of our utilization. The third power is that of lasciviousness. It is the force of aggression. It is the source of passions, rapacity and taking pleasure in eating, drinking, and sensuality.”

Therefore, God has set in man's nature these four forces so that they may use them accordingly: forces of intellect, imagination, infuriation and concupiscence. If these forces are used proportionately, they are not indecent and disagreeable, but if they are used unrestrainedly, there will be no difference between humans and animals. So, it suits human beings to make the best use of their intrinsic forces and be directed toward deliverance and salvation. As the Imam has said:

“Justice means to take a middle course, not to go to extremes.”<sup>1</sup>

So, the best of affairs is the middle of them: go neither to

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1. *An Exegesis of Tradition of Forces of Reason and Ignorance*, p. 149

extravagance nor toward negligence. The correct use of the internal forces is that we allow justice about them and abstain from both extremes. We should know that the average of both extremes in our intrinsic qualities is as Imam Khomeini says:

“Bravery is one of the good qualities in people. It is in the middle of **intrepidity** (where fear is deserving) and **cowardice** (where fear is not deserving). Wisdom is a good quality. It is in the middle of undesirable quality of **sliness** or **cunning** and bad quality of **mindlessness** (where your mind ought to operate properly but it doesn't). Generosity is a good quality between the extreme of **prodigality** and the extreme of frugality. Also moderation is a good quality in the middle of **greed** on one extreme and **languidness** on the other extreme.”<sup>1</sup>

The averages: **bravery**, **wisdom**, **generosity** and **moderation** are all observance of justice. It is evident that the adjustment of forces is a virtue but what is the criterion for the identification of the average in extremes? Authorities in ethic have recognized the standard for the indication of **average** as the Divine Religiousness. Mulla Ahmad Naraqı says in this regard:

“In order to establish equality and equilibrium, the just person can turn both extremes to their average

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1. *Exegesis on 40 Traditions*, p. 391



and moderation. Of course, the work is conditioned to their knowledge about the nature of the mean between the two extremes to render the judgment possible. The criterion is only God's religious law which has been issued from the truthful real source of Unity. The judge, here, must be a wise just theologian aware of the glorious God's laws which have been issued for the protection of equality in the society.”<sup>1</sup>

Then, one of the factors or conditions that can help individual justice to be institutionalized is familiarity with and performance of God's precepts. God's law will indicate the middle point for any affair and will forbid humankind from going on extremes and doing indecent acts. It is evident that God has recommended that they acquire good qualities of bravery, wisdom generosity, moderation or chastity which are in the middle of furiousness and concupiscence. If they become acquainted with God's laws, they will follow admirable qualities and will travel on **the straight path** to prosperity.

Another condition for human beings to achieve justness is that they allow **intellect** to be dominant over their other forces. In order to exercise individual justice they should cause intellect to control their internal forces and direct them toward their right path.

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1. *Jāme-al-Saādat*, p. 126

**The Effects of Individual Justice**

One of the effects of individual justice to which the authorities in ethic have referred is that individual justice can contribute to social justice. According to the scholars in ethic, individuals must first of all, be just in themselves (observe the rules of moderation in the forces of the self) and then seek to practice justice toward other people in the society. They believe that if an individual can exercise justice toward themselves, they can do justice toward others in a better way. We will explain this later in the conditions for social justice.

Another effect of exercising individual justice is that establishing it in the forces of self-causes humans to overcome their sensual desires and become dominant over them, which will consequently leads to virtuousness and abstinence.

**2. Social Justice**

Practicing social justice has always been taken into consideration by humankind as a valuable action and an important aim. The reason for this is the useful effects that social justice brings about in the society. Social justice is in contrast with individual justice but it is not in opposition to it because individual justness can help social justice to some extent. It is, of course, worth mentioning here that the individuals who have fixed justness in their selves cannot necessarily establish justice in the society; but individual justness may, to some extent, contribute to the achievement of

social justice anyway.

While individual justice attends to creating balance between internal forces of man, social justice takes account of balance between internal forces of men; social justice takes account of exercising justice among people in the society. The gravity of social justice becomes manifest when religious authorities emphasizes the issue so much in Islam. In the same way that Islam has recommended that individuals be careful about keeping equilibrium in their intrinsic forces, it has never been inattentive to social justice and has always encouraged Muslims to observe God's commands to exercise justice among themselves. God, in the Quran, has brought about the serious issue of justice as one of the great aims of His prophets. So the subject of justice must be very important in the True Religion of Islam. Imam Khomeini says about the necessity of justice to be realized in the society:

“All care and grief of the prophets was for justice to become institutionalized in the society. They also wanted an intrinsic justice to be realized in individuals.”<sup>1</sup>

However, what is meant by social justice? Does it mean that all the people are similar to one another and must be treated the same?

Martyr Motahhari says in this regard:

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1. *Sahifeh-ye Imam*, vol. 11, p. 386

“Some people have so perceived that social justice means: everybody under any circumstances and in any manner they have acted are to live similarly regardless of their talent and aptitude but on the basis of the work they do. In this idea all the people will be rationed to the amount of money they need to spend for their families.”

The above perception from social justice is merely social. It considers only the society but does not take the **individual** into account. In this view, the individual has no originality, only society is authentic. On the contrary, another perception from social justice says that the individual is independent. They must work to see what income they can have and **then**, they will appropriate it to themselves. It is no business of the individuals to appropriate it to themselves. It is no business of the individuals to ask whether other people's quotas are less or more than what they get. Of course, the government is eventually responsible to provide for the weak and the poor in the society by levying tax on the rich and not let the impoverished collapse.<sup>1</sup>

As we may see, there are two contradictory views here about social justice and individual freedom. The first refers to the school of **communism** and the second refers to the school of **capitalism**. Master Motahhari, however, brings about another

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1. From *Concerning the Islamic Revolution*, pp. 11 & 98-120

school called **socialism** by the side of those two:

“Socialism is a belief that accepts private ownership to some reasonable extent without considering all kinds of proprietorship as equal to exploitation. This school even says that the first social justice mentioned above is a kind of oppression...socialism's motto is: let us do something to eliminate exploitation completely without suppressing anyone's personality, free-will or freedom. Let's try to make individuals offer the surplus to their requirements to their needy brothers on the basis of humane purposes, compassion and benevolence without taking their property by force. If so, this is exactly what Islam has sought to acquire. It is ethical socialism: Social democracy and not a set of theories being customary in Europe. Unlike the western schools, Islam has specified definite solutions to practically attain that socialism and made known the way how to establish it in the society. Islam wants people's life to be brotherly. Islam wants cooperation and collaboration of the Muslims resulting from their spiritual partnership. First, the souls must become unified, then the individuals' purpose, not the way that the souls be in the state of separation.”<sup>1</sup>

In Islam, by social justice it is not meant the justice which is

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1. *Concerning the Islamic Revolution*, pp. 120-21

meant by the schools of communism or capitalism. Islam recognizes both the originality of individuals and communities. Islam accepts private ownership of the people and appreciates it on the condition that it has been gained legitimately. According to the Islamic law, if the people are spiritually exalted, they will certainly think of their needy fellow creatures and thus poverty will vanish.

In order to actualize social justice in the society, humankind as primarily the most important agents have to treat one another fairly and justly. Social justice is a multidimensional fact consisting of administrative justice, judicial justice and economical justice, each of which we will discuss as follows:

#### **A- Administrative Justice**

Administrative Justice is an important dimension of social justice; rather, its first requisite. In order for social justice to be realized, a just administrator as the head of government must manage and organize the individuals' affairs in proportion to their qualities, characteristics and merits in just manner. Administrating a nation that wants to attain progress and prosperity is not an easy job. An oppressive leader can never accomplish such an obligation. Imam Musa Kazem (PBUH) says about this:

“Justice will not be administrated except for someone who knows it and is able to do it well.”<sup>1</sup>

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1. *Al-Kafi*, vol. 1, p. 542 لا يُعَدَّلُ أَلَّا مَنْ يُحَسِّنُ الْعَدْلَ

The gravity of the issue becomes obvious when the Islamic jurisprudence construes **justice** as one of the qualifications in a governor. Also, in order to hold the position of a judge, a source of imitation, a religious leader in collective prayers, etc. you need to be just, because when some oppressive persons occupy such ranks, difficulties and deviations will arise for the communities. Imam Khomeini says about the requisite of justness for the head of government:

“The essential qualifications for the head of government directly originate from the nature of the government...after providing for common conditions such as **wisdom**, prudence, knowledge...the governor needs to have two more necessities: knowing **the law** and **justice**. The governor or the caliph must first of all, know the Islamic laws and secondly be a just person having benefited from perfect ethic and faith. Anyone who wants to execute Islamic penal code, be in charge of treasure house, audit the income and expenditure of the country and wants God to bestow him the authority of supervising His servants must not be a sinner. God, the exalted will never give such an authority to an oppressor. If the head of Government is not just, they will not act justly in serving the people taking taxes, spending them properly and perform the laws. They may impose or appoint their relatives, companions or close friends to the crucial

posts and spend treasure house money on their own desires and personal whims.”<sup>1</sup>

The best model of just rulers and the best example for justice and justness was Imam Ali (PBUH). He bore a lot of hardship and suffered from many adversities in his lifetime and finally, he was martyred for acting fairly. In a letter to Malek Ashtar, Imam Ali (PBUH) addressed him as follows for the execution of justice among the people and disregarding the chief men:

“Verily, a ruler usually has some relatives and chief persons who are self-centred and oppressive. They do not treat fairly in their transactions. Cut off the roots of their cruelty and do not donate any pieces of land to your relatives or companions. Treat them in such a way that no contract could be concluded to their profit and to the loss of others so that their costs are not imposed on the common people. If you take the chief persons' side, the benefits will be theirs but the disgrace will remain for you in this world and the afterlife. Pay the right to the owner of the right whoever they may be and be patient in doing that. Although the execution of the truth may bring about some difficulties for you, tolerate the burden in remembrance of the Day of Resurrection.”<sup>2</sup>

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1. *Velayat-e Faqih*, pp. 47-9

2. See *Nahj-al-Balāgha*, letter 53



### **B- Justice in Judgment**

Justice in judgment is another dimension of social justice, which is a very notable instance in the view of Islam. God, who is Himself the source of justice and justness, advises men in some of the Quranic verses to observe justice in their judgment and arbitration. This is so important that God calls people to deliberate on their opinions justly even if it is to their loss.

“O ye who believe! Be steadfast witnesses for Allah in equity and justice, and let not hatred of any people seduce you that ye deal not justly. Deal justly, that is nearer to your duty.”<sup>1</sup>

The above verse refers to the fact that you should not let personal problems interfere your judgment. The verse wants you to abstain from your grudge and revengefulness against other people. It wants you to deal justly on the basis of the Truth. In some other verses God also points to justice in our judgments

Now with regard to the emphasis the Quran lays on the subject, it is incumbent upon everybody, particularly those who are in the chair of judgment, to act justly in issuing orders between two parties and beware of supporting one side against the other. But who can exercise justice in their judgment?

In order to carry out a verdict, the judge must be just so that they can assume the responsibility of that crucial duty. How

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1. Ibid.

may someone who is oppressive themselves arbitrate in a dispute justly between two sides? So, one of the important qualifications of a judge is for them to be just in their issuing orders.

Justice in judgment means that the two parties or sides in a legal case are equal to a judge who will never discriminate one against the other. Judges are persons who do not prefer one party over the other. They treat everybody impartially and do not support one to be the winner unjustly in a dispute.

Imam Khomeini (s) says with regard to justice:

“It is incumbent upon the judge to do the following duties: to set up equality between the petitioners although they may be different in their social positions. This equality must be observed in greeting them, answering them, looking at them, speaking to them, remaining silent in front of them, cheerfulness in facing them, and some other courtesies, etc. Then, the judgment shall be performed justly between them.”

The judge is never entitled to teach one of the plaintiffs something that help them to become the winner in the case. The judge cannot help one side the manner of reasoning to gain victory.<sup>1</sup>

These duties are emphasized in Islam for the judge to

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1. Look at *Tahrir-al-Wasila* (translated), vol. 2, p. 436

consider. Judges and arbitrators must take account of them so that their judgment could be performed properly and justly.

Since all the people are equal before human rights in the society, an effort must be made to obtain from the oppressors the trampled rights of the oppressed. In order for the judge to institute justice, they must be provided with laws and regulations that have been enacted justly. If judicial justice is performed in the society, individuals will feel secure and tranquil; they will be certain that their rights will not be trampled.

### **C- Economic Justice**

Another branch of **social justice** is economic justice on which Islam has laid emphasis. We perceive this clearly in some verses of the Quran and some narrations from the immaculate Imams (PBU Them). The reason why economic justice is so important is that if it is observed in the society, we will not have two divisions of the well-off and the indigent, and everyone will meet their requirements. Doing justice economically will cause the people to enjoy economical convenience and comfort. Imam J'afar-al Sādeq (PBUH) says in this regard: “Verily, people will be needless when they are treated with justice.”

It is possible to provide a medium living for everybody and bring the gap between the rich and the poor close together economically.

Imam Khomeini says about the approach of Islam to

economic justice as follows:

“Islam is neither in agreement with the extremely oppressive capitalism that deprives the oppressed masses (Islam even condemns capitalism seriously according to the Quran and Traditions believing it is contrary to economic justice) nor is it in agreement with creeds such as communism, Marxism or Leninism. Islam is a moderate regime that recognizes ownership and consumption in a limited way and respects them when they are actualized. If these are practiced righteously, they will set the wheels of a sound economy in motion and economical justice, which is the necessity of a sound system, will become realized.”<sup>1</sup>

Islam agrees to private ownership of the people but not in a boundless manner. If Islamic laws are practiced properly, economical justice will be realized in the society. Imam Khomeini says about the adjustment of capitals and necessity for welfare for everyone:

“Justice must be Islamic justice, these capitals must be justified Islamic precepts must be put into practice. These plunderers must be eliminated. Islamic government is a just system...people must be comfortable. The government is for all the people. The administrators must work for everyone. They

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1. *Sahifeh-ye Imam*, vol. 3, p. 568

should work more for the weak so as to promote them to a higher level.”<sup>1</sup>

Here the Imam (s) points out that all the people must live in convenience in the light of the Islamic government and the Islamic just laws. The government is charged with the duty of providing welfare and financing all the classes of the society especially the impoverished and the indigent. But what is meant by economic justice? Does it mean that all people must be equal materially and economically, or does it mean that they must share in each other's products of labour? Sayyed Qutb says in this relation:

“Islam does not recognize illogical equality in wealth and property, because obtaining wealth is subject to different talents. Absolute justice requires that people's sustenance be different and one group be superior to another group. Of course, by the actualization of human justice, equal possibilities and favourable conditions will be provided for everybody in such a way that low standard of living in some families, racial or ethnic considerations or some other obstacles may not prevent anyone from making their efforts to progress.”<sup>2</sup>

According to Sayyed Qutb, justice in Islam does not mean that all the people should have equal income; rather, it means an

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1. *Ibid.*, vol. 4, p. 201

2. *Social Justice in Islam*, SayyedQutb, p. 88

individual or a group can acquire more wealth or appropriate some ownership to themselves. This is of course, acceptable when equal conditions are provided for everyone to enable them to take advantage of those conditions. Here, all the individuals will employ their efficiency and aptitude to make use of such conditions to acquire a higher degree than the others.

However, there will arise a question here: What about those incapable and inefficient to use such opportunities since they are weak and less intelligent? What should they do? Are they compelled to live in poverty and misery? Has Islam not done anything about them? Martyr Motahharei answers in this regard:

“In Divine Logic, even the disabled and the weak are not without their rights, they do have their rights, because **right** and **duty** are side by side, but the requisite of doing one's duty is strengthen and power. If someone is capable of doing a job but they don't, they will be deprived of their right due to their failure. But when a person does not have the power, they have no duty. However, their interests are protected and their right reserved. This right is potential not actual. By doing your duty, your right leads to actuality and results in ownership. If all the potential owners of their rights can afford to do their duty, they will use their right and will get their private ownership. But if they cannot afford to use the possibilities there is a

decree for them: If they were not disabled and impotent, they could appropriate themselves the right, but now that they are not but the ability is potential in them, they should be given a share of the right as much as they can earn their living.”

God, the just, has not forsaken the poor and the miserable; He has not let them to live on their own; He has indicated that the poor must have a share in the wealth of the rich so that the needy may earn a livelihood and not suffer from indigence. This is explicitly mentioned in the Quran:

“And in whose wealth (wealth of the rich) there is a right acknowledged for the beggars and the destitute.”<sup>1</sup>

While Islam acknowledges the private ownership of the rich and respects the situation, it asks them to pay or spend a share of their property on the livelihood of those who are not able to work.

### **3. Requisites for the Initiation of Social Justice**

Obviously, in order to actually establish **social justice** as a desirable and valuable institution for every freedom-loving and justice-seeking person, we need to create some foundations first of all because such an important affair will not occur in itself automatically. Therefore, all the people and organizations in the society have to work hard and try to undertake so crucial an

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1. والذين في اموالهم حق معلوم... للسائل والمحروم.

obligation as **justice** to be established. Here we will define the factors and conditions effective in social justice:

### **1. Individual Justice**

As we discussed before, individual justice means that the individuals must control their internal forces, and use them in moderation in the middle of the two extremes. In other words they should not wrong themselves. Imam Ali (PBUH), who believes that since individual justice is the requisite for social justice, it must be kept prior to it. He says:

“How will those who oppress themselves do justice to others?” As we understand from the above tradition, we cannot expect those who oppress themselves not to oppress others. When a person who does not have mercy on themselves will not show compassion to others. Imam Khomeini considers unpurified souls as the source of all troubles saying:

“All entanglements of the nation is for the fact that the souls have not been spiritually refined. The source of all difficulties everywhere is that those in charge of the people's affairs have not been edified, mentally improved... If the person who has authority over the nation observes justice, different levels in the hierarchy under them will be naturally inclined to do justice in all offices dependent on the very system. If the head of the government is spiritually refined, and has been purified, everyone in the society will follow



and when all the people are edified in the soul, this world will be their paradise and all the troubles will vanish.”

Imam Khomeini (s) considers purification and edification of the individuals to be conducive to the improvement of the society and the elimination of difficulties. He believes that if the individuals become virtuous, improve their souls and are just, they can do justice in their treating the others, which in turn will result in the development of justice in the society. Authorities in Ethic also emphasize that doing justice to oneself is prior to doing justice to others. One of such scholars is Khāje NasirToosi, who believes that someone's doing justice will be perfect when they first do justice to themselves and abstain from both extremes in using their forces of self, and then treat other ones justly. In this opinion, only such people are perfectly just and their behaviour is the utmost justice.

Although individual justice plays an important role in the actualization of social justice, an individual may be able to exercise justice in their personal domain but they may not manage to perform it in a more expanded area. Anyway, we do not deny the effects of individual justice and the function it fulfils in producing social justice.

## **2. Faith**

Martyr Motahhathi recognizes **Faith and intellectuality** to be the supports for ethic and justice. He says:

“Justice Discipline is the mother of all other disciplines. But if Faith, which is the support of ethic and justice, manifests itself in humans, they will be easily conducted toward good qualities by abandoning material profits. By Faith we mean the strong belief in justice. Now, when will human beings believe in justice or ethic as something sacred? It is the time when they believe in the basis and function of sacredness, that is, in God. Ethic and justice without **Religious Faith** is like publication of paper-notes without financial backing. It is the strength of religious faith that penetrates into the depth of our conscience and causes us to submit to justice and ethic.”<sup>1</sup>

In master Motahhari's opinion, the factor that causes man to observe standards of morality including justice is the faith in God, the exalted. Anyone who believes in God, the just, does not oppress other people and gives priority to the performance of God's commands which are based on doing justice and abstaining from oppression. Man's faith and intellectuality is an important factor to support the achievement of justice.

### **3. Fulfilment of Duties by Governors and People**

One requisite for justice to be realized in the society is that the governor and the people do their specified duties and perform

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1. *Intellectual Freedom*, vol. 9, pp. 134-35

the rights of one another. This is to say: people have some duties to perform toward their ruler, and ruler too, has to take the rights of the people into consideration and try to solve their problems. Imam Ali (PBUH) considers the observance of duties, by both the governor and the people, as the necessity for the achievement of social justice and says:

“People will not be improved except by the righteousness of governors, and governors will not be improved except by the convenience of the people. Then, when the governors pay or perform the people's rights and the people perform their duties by giving the governor's rights, justice will be administered firmly between them and the paths of religion will become straight and made smooth, with the signs of justice more settled and guaranteed.”<sup>1</sup>

#### **4. Governance**

The institution of justice in the society needs three kinds of organizations that may actualize it in a multilateral form: 1- Compilation of laws on the basis of justice, 2- Execution of laws based on justice and the just supervision on the execution of laws. The government and its subdivisions are responsible to carry out these three important jobs.<sup>2</sup> The function of the government in the actualization of justice is extremely

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1. *Nahj-al-Balagha*, sermon 2-16

2. *Theory of Justice from the Viewpoint of Farabi*, p. 488

important because it is by the Islamic government that canonical laws are enacted. In the same way that the prophet of Islam (MGSBH) established his government in Madina, an ideal Islamic regime must also control the enactment of just rules and regulations in the society. One of the important duties of the government is to institutionalize justice in the society. Imam Khomeini believed that if a just government was organized, the society would be improved:

“The fact that the prophets were concerned to establish a just government in the world was because they knew if such a government could be realized with a Divine motivation based on ethic and intellectual human values, it would authoritatively manage and control carnal desires and improve the society to a great extent.”<sup>1</sup>

#### **5. Negation of Authoritarianism and Egotism**

Seeking power, following sensual desires and self-centeredness are of principal obstacles in the execution of justice. The persons who are after acquiring authority and securing their carnal desires will always be thinking of their own benefits. Such individuals do not care for anybody else's rights but trample them easily in order to gain their own interests. Egotism causes man not to observe justice. For a person who is always seeking to obtain high positions, wealth, power and so forth, it

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1. *Sahifeh-ye Imam*, vol. 6, p. 162

doesn't matter for them any more to consider other ones' rights. They always try, by any means accessible, to attain their carnal desires even if they oppress their fellow countrymen. Imam Khomeini, who considers egotism and authoritarianism as sources of cruelty and corruption says:

“Power-seeking in whomever it is causes them to be overthrown, authoritarianism from anybody it comes from the devil's behalf. All corruptions found in the world emerge from self-centeredness, from egotism, from materialistic ideas and the like. But all of these emanate from the love of one's self which is the largest of the idols whose breaking is the most difficult of all.”<sup>1</sup>

Therefore, we should get rid of all indecent qualities in us so that we can act on the basis of the truth not on the basis of personal profits.

## **6. Altruism**

One of the effective factors for the execution of justice concerning other people is **altruism**. If everybody feels sympathetic toward their fellow- creatures, feel they are close to them, they will respect and value their rights and are never satisfied that they will be hurt or be oppressed.

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1. Ibid., vol. 19, p. 249

#### **4. The Impacts of Social Justice**

Undoubtedly, instituting justice in the society is the ideal of all beneficent people. In this regard and for the desirability of justice, governments put forward the execution of justice as their political motto and one of their plans. In general, what is understood from the concept of justice is nothing but excellence and generosity; it is apart from any indecency so, the effects of justice must also be beneficial due to so much excellence that is issued from it.

Islam has emphasized the performance of justice both inside the individuals and in their society because it leads to desirable results in both areas for them. Also, God and religious authorities have recommended that people should observe justice in their society because it will bring about good effect for them. Here, we will discuss some of the valuable impacts of justice if performed in the society:

##### **1. Creating Intimacy and relationship between individuals**

Imam Ali (PBUH) says about closeness and friendship as the outcome of doing justice:

“Justice eliminates discord and brings about intimacy and familiarity.”<sup>1</sup>

If justice is performed in the society and if differentiations or discriminations are reduced, enmities among people will be

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1. *Ghorar-al-Hekam*, vol. 1, p. 6

removed and different strata come closer together to live in congeniality and unanimity.

### **2. Creating Favourable, Tranquil Environment**

The Imam (s) believes that if the government is just and it executes justice, possibilities will be provided for talents and potentials to flourish. By executing justice, tension, confusion and agitation will decrease, so a quiet environment will be provided for every person.<sup>1</sup>

### **3. Survival of Society**

One of the effects of social justice is the survival, continuance, and stability of the society. Martyr Motahhari considers the existence of justice as the reason for the survival of a society:

“Does Islam not want the Islamic society to survive? It is obvious that Islam wants this. But it is not possible for Islam to remain firm and steadfast without people's rights being confirmed. Did our honorable prophet not say: the country remains by justice but not by oppression? So, when a society is just and balanced, it can survive even if the inhabitants are disbelievers; but when injustice and oppression emerges as the result of differences or discriminations, the society will not survive even if the inhabitants are Muslims in term of belief.”<sup>2</sup>

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1. Look at *Sahifeh-ye Imam*, vol. 20, p. 116

2. *Twenty Discourses*, p. 77

If oppression becomes dominant in a society instead of justice and justness, it will become too hard for the society to last because people cannot endure oppression; they will rise and confront the oppressors.

#### **4. Survival of Political Power**

The performance of justice in the society guarantees the state's power and the continuation of the ruling system, Imam Ali (PBUH) says in this relation:

“Nothing like justice will protect governments.”<sup>1</sup>

Just governors obtain people's support and partisanship by putting justice into effect. As the result of this support, their governments will gain more continuance. On the contrary, if a ruler is oppressive, the people will not support them; rather, they enforce them to leave office because no fair person will tolerate cruelty and oppression nor do they like an oppressor.

#### **5. Securing Human Rights and Magnanimity**

The great leader of the Islamic government recognizes social justice to be protection of people's rights and their magnanimity:

“Today, the most important requirement of the Islamic system is justice. All endeavours and efforts are made to secure justice. If justice is secured, people's rights and magnanimity will also be provided for and they

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1. *Ghorar-al-Hekam*, vol. 2, p. 743



will attain their freedom and rightful demands, because **justice** plays the central role in everything.”

If justice is performed in the society, nobody's right will be trampled and anyone being worthy will attain their rights, this: leading to the protection of individuals' magnanimity and honour.

### **6. Needlessness and Elimination of Poverty**

One of the results of social justice being in practice (economic dimension) is the elimination of poverty and indigence in the society. If the governments and also the wealthy in the communities are just and behave justly, there will not be deep gaps between the strata and division of the society into two poles of the rich and the poor. Imam Musā Kazem (PBUH) has said:

“If people are treated justly, they will become needless.”<sup>1</sup>

If in a society justice is not performed economically, only a few people control the country's wealth and use the enormous resources. In consequence nothing will be gained except poverty and deprivation of the majority. The outcome of such a situation will, in turn, create difficulties and damage both to the individuals and the society. Martyr Motahhari says about the bad impacts of poverty:

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1. لو عُدلَ في النَّاسِ لاسْتخفوا.

“Poverty and indigence, for whatever causes whether injustice or mistreatment, is one of the reasons for doing sins. In this regard, the great prophet of Islam (MGSBH) said: poverty is close to profanity; it renders the soul sinful and makes departure weak. Another effect of poverty is this: it distresses the mind and injures the brain. As a result of poverty and lack of necessities, the intellect and mentality lose their balance; the man will not be able anymore to think properly. The third effect is that poverty causes some people to rebuke and humiliate the poor, which brings about disturbance of the soul and frustration. This means: perhaps, the miserable feel hostile toward the others in the society and consider them to be responsible for their misfortunes.”

Consequently, if social (or economic) justice is carried out, in the society, poverty will be removed, relative welfare will result for everyone and they will live a better life mentally, spiritually and faithfully.<sup>1</sup>

### **Practical Policy of Imam Khomeini in Performing Justice**

Imam Khomeini (s) was a prominent figure in the performance of individual justice. As a great scholar in ethic, he had managed to bring about moderation between his intrinsic forces

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1. From *Twenty Discourses*, pp. 92-4

performing justice in his being. He would keep the forces of his self in the middle and avoid the two extremes in them.

Accordingly, the Imam Khomeini benefited from the virtue of **bravery** (in the middle of intrepidity and cowardice), **wisdom** (between slyness/cunning and mindlessness), **generosity** (between prodigality and frugality) or **contentment** (in the middle of greed and languidness); he had abandoned all vices on the other end of the extreme and he had, in general, followed God-fearing as his standard. By observing the middle points and moving on the straight path, the Imam had succeeded in keeping away from all human evils.

Here, one example will suffice to illustrate his **courage** which is proverbial among both the acquainted and the less familiar people. Consider the following narration about the Imam's bravery by a relative:

“In the most troublesome circumstances and the most dangerous situations on the day before the Revolution, the Imam would not agree that some of his friends stay at his home in order to protect him. Several times I would see him by chance at night when he was going somewhere only with one person and was not afraid of anything and anybody but God.”<sup>1</sup>

Imam Khomeini was endowed with bravery by which he stood against oppressors and bullies. He confronted the Shah

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1. *Perceptions*

and the superpowers in the world with America and Israel at the uppermost status. Courageously and fearlessly the Imam rose against them making antagonistic speeches and combated them openly and did not feel apprehensive about anything.

In addition to his individual justice and being just in himself, the Imam would do justice toward his family and other individuals in the society. He was a remarkable model in performing justice in the family and between its members. The speech and deeds of Imam according to what his relatives quoted from him as experiences are indicative of observing justice by him in the house. Imam Khomeini was too just for his wife and his children and did not discriminate against any of them. He did justice toward other individuals and abstained from supporting one group against another.

In short, the Imam (s) was a perfect man of justice, who performed it both in his individual affairs and in his social encounters. Here, we will quote a few memories from the Imam's companions and relatives about his observing of justice toward his family and the people.

### **Doing Justice at Home**

The Imam's daughter in law (Hāj Ahmad's wife) once narrated:

“The Imam's wife first would have to stay wakeful the whole night because the children cried very much. Then the Imam made an arrangement for the time as

follows: He would stay awake for two hours to take care of the children while she went to sleep and the next two hours she would stay awake and the Imam would sleep. On the days too, after the class was finished, the Imam spent an hour to entertain and instruct children so as to help his wife with her housework.”<sup>1</sup>

This is expressive of the fact that the Imam, in spite of his engagement in a lot of work he had, spent some of his time to help his wife and care for children. He didn't want to be negligent of his wife's rights and would observe justice toward his family by doing some housework. He didn't mind working a few hours at home, and did not want his wife to do all the job singly.

### **The Issue of Polygamy and Observance of Justice**

The Imam (s) considered the observance of justice to be very important and believed that it was unlikely that a man could do justice in its perfect manner. In this regard, the issue of **polygamy** seemed to be very unpleasant and improper to him. You must know that the Imam and his sons did not take more than a wife. They would impart the issue implicitly that they disliked a man who might choose two wives or more. Of course, in some circumstances and under some social

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1. Quoted from FatemehTabātabā'i.

conditions, polygamy may become necessary in Islam.

However a question would be raised: who is the man that can observe justice between his wives perfectly in all dimensions? Justice does not mean here that a man could supply the necessities of living at home. Justice involves many things about this specific affair.

So, the Imam (s) did not agree to polygamy at all because practicing perfect justice between the wives is too difficult to be actualized. How can a man of two wives or more institute justice in every field without allowing discrimination? How can he abstain from bias or indifference? Too few are those who can do the job! The importance of performing justice between the wives becomes obvious when God, the exalted, emphasizes in the Quran:

“Marry of the women who seem good to you, two, three, or four, but if ye fear that ye cannot do justice (to so many), then one only or (the female slaves) that your hands possess. Thus it is more likely that ye will not do injustice.”<sup>1</sup>

As we see, performing justice between wives is so critical that it can overwhelm the legitimacy of polygamy. The performing justice in all aspects prevents a man to get married to more than one wife.

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1. From *Keep in Pace with the Sun*, vol. 1, pp. 254-55

### **The Imam's Justice toward His Children**

The honoured daughter of the Imam acknowledges:

“The Imam would treat his children in such a manner that none of them would feel any differentiation. He did not discriminate against any of them and expressed his affection toward them fairly and equally. The situation at home was in such a way that after so many years, none of us ever understood which one of us he loved the most.”<sup>1</sup>

### **The Imam's Justice in the Society**

Here, we will deal with a few memories told by this companions or relatives: Just as the Imam (s) treated justly at home, he was the same outside being just towards other persons. Although he was the leader of the revolution and was able to obtain many privileges for himself and for his relatives, he never did so. Rather, he lived his simple life without making a distinction, neither between his close relatives and other people nor himself. Here, we will mention two memories quoted by his son, Hāj Ahmad Khomeini:

“One evening seven to eight missiles struck around Jamārān. I went to the Imam and said: if one of our missiles struck Saddam's palace and something happened to Saddam, how happy would we become?

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1. *Some Perceptions from Imam Khomeini's Policy*, vol. 3, p. 316

If a missile strikes nearer to us, here, this roof will fall down and something will happen to you, what can we do? The Imam answered: By God, I don't make any distinction between that soldier standing on the corner of this house and me. By God, if I were killed or he were killed there would be no difference for me! Then I said: We all know **you** are such a person, but it makes a difference for the **people**. The Imam said: No, people must know that if I go to a place where the bombs kill my guards but does not kill me. I will not be of any use of those people any more as a **leader**. I can serve the people at a time when my life is like **them**. If anything is to happen to the guards or to the people living in this area, let it happen to me too, so that they know that all of us are together.”<sup>1</sup>

The Imam (s) lived like anyone else. He was on the people's side and, in a word, he was a humane leader. This had made the Imam very popular with the individuals. He did not hide himself in a special place of refuge at the time of the enemy's bombardment, since all the people did not have places of refuge and the Imam did not consider his own life dearer than the others. So, he did not accept special protection and support. The Imam's daughter says about her father's life being the same as everybody else's:

“Imam Khomeini was not only kind and affectionate

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1. *Keep in Pace with the Sun*, vol. 1, p. 112



but also humble and modest. He was persistent in living in the same way that other people did, to the extent that he used coupons to buy a few goods that were subsidized by the government. In the same way that the coupons were not enough in some houses to buy the necessary means of living, this would also happen in the Imam's home: supplying some products would not become feasible due to lack of coupons.”<sup>1</sup>

The Imam's living was at the same level as the others. He also made use of goods rationed to the nation with coupons. His life as an individual at the highest rank was not different from the person at the lowest. This was because Imam Ali (PBUH), being the model of justice himself, was an example for him. Imam Khomeini did not make a distinction between his relatives and other people. He paid the same amount of tuition to his children as the other people did in the theological college:

“In the **Seminary**, in relation to the issues concerning the whole community of the clergy, the Imam would regard his own son as a student, and paid to him the same amount of tuition that would be paid to the other students. He tried to meet the needs of his son as much as he did to help other scholars in the seminary.”<sup>2</sup>

The Imam (s) took much care about making use of the

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1. Ibid.

2. *Perceptions from Imam Khomeini's Policy*.

treasure house. At the time when Hāj Ahmad (his son) had not yet become turbaned (as a clergy man) he was not to receive any tuition, but after he became a clergy man, he was paid as much as other theological students.

Another good quality of the Imam was that he was very careful that no distinction should be ever made between his kindred and other people. Of course, sometimes a specific relation might necessitate that the Imam would choose differently; but on the whole the basis was laid on the fact that no preference should be given to equal participations. There was an old man in the Imam's house working as a servant. One day the Imam said to him:

“O man, I have heard that they know you are a caretaker here. At the baker's you are called forward to be given as many pieces of bread as you want without standing in the line; is that right? Don't do this anymore. It is no good someone goes out from this house shopping without waiting in the line. Next time, you will wait your turn so that no distinction might be given to you!”<sup>1</sup>

Imam Khomeini always took much care that no distinction would ever be given to anyone concerning him or his household.

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1. *Keep in Pace with the Sun*, vol. 1, p. 215

### **What is the Difference between Them?**

“One of the ministers' son had become martyred. They asked the Imam to send a message of condolence to the minister. Imam Khomeini said: Shall I send a message because he is a minister? Do you think only his son has been martyred? All the martyred young men are my sons. If I want to send a message to him, I should send messages to all of them; there is no difference between them for me.”<sup>1</sup>

To the Imam the value and status of the martyrs were the same. For him, it did not make any difference whether the martyr was one of the authorities' children or not. The position of the individual did not matter. It did not affect the Imam's behaviour.

Imam Khomeini was a perfect model at performing justice in every domain. He was as humane sample for justice in the position of husband, father, leader, teacher, etc. to observe equity and abstain from oppression.

Memories that his relatives or companions quote from his just behaviour and fair conduct toward his kindred or other individuals may serve as good example for all of us in any positions we are.

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1. Ibid.

With regard to his being the leader of a nation, the Imam (s) had a lot of work to do, but this did not cause him to forget his family or not to control his home affairs. By dividing the housework at home including his own helping, Imam Khomeini did not let his wife be burdened with the heavy load of work and be oppressed. So he always took into his consideration that she should be treated justly in any case.

The Imam's behaviour toward his children was also just. He expressed his affection equally to all of them. As a kind father, he would not differentiate between them at all and loved them equally.

His just conduct toward his children can be imitated by all the parents so that they may not discriminate between their children and may not oppress them. The Imam (s) performed such justice in the house arena.

The Imam's simple life was free from luxuries, and this was indicative of his being fair and just, while the majority of the Iranians were deprived or impoverished. He said he would accept welfare possibilities only when the **whole society** could benefit from them.

The events throughout the blessed lifetime of the Imam suggest that he had managed to observe and perform justice in all areas and domains. In performing individual justice (adjustment of self-forces) and social justice (behaving justly toward the wife, children and other people), Imam Khomeini

was a unique, unparalleled model of a man. He was all in all a just personality who paid attention to both his individual and social life. Studying the biography of such an honourable man can teach us a lesson to perform individual and social justice in our life.

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**Development and Justice from  
the Viewpoint of Imam Khomeini**

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**Morteza Ezzati**



Justice and development are two important concepts and the realization of each one of them is among the major human ideals. Various thinkers have devoted particular importance to these two subjects and have discussed them at length. At times, these two great ideals are in conflict with one another. In this regard, there are major problems as to which one of them should take precedence when the two of them are in conflict. There are divergent points of view expressed on this subject as well and His Holiness Imam Khomeini has also expressed his views on them. However, the viewpoints of His Eminence the Imam have not been presented by him in a coherent and orderly manner. This research aims to explain these in a coherent form. In this explanation, attempt has been made to show the importance that Islam attaches to these two objectives and ideals from His Eminence Imam Khomeini's point of view. Towards this end, His Eminence the Imam's viewpoints about the concept of development; the concept of justice and the

importance of justice in the aims and objectives of the Islamic order and the importance of development in the objectives of the Islamic order have been elucidated. Finally, the relative significance of these two concepts in the aforesaid objectives has been expounded and the result of priority and posterity between the two has been made clear.

### **Foreword**

Justice is one of the critical human concepts and its realization is one of the great human objectives. Development too is one of the important goals and its achievement is among the great objectives of modern societies. Nowadays, the attainment of these two critical objectives is regarded as being among the solemn ideals and aspirations of societies. However, in some cases, due to various reasons the simultaneous achievement of the two is in conflict so that in such a situation, the society's thinkers, policy-makers and planners need to select one of the two and discard the other. The problem that arises in such circumstances is that which one to choose and which one to sacrifice. The solution to this problem differs in different societies and it depends on the relative standing of these two objectives in the vision and beliefs of societies. The visions and beliefs of our society are based on Islam. What is the position of these two concepts in Islam? In this field too, because one can assume various perceptions and interpretations of Islam, the

question arises that which of the perceptions and interpretations are more accurate? This article attempts to explain the perception and interpretation of Imam Khomeini on the subject—a perception and interpretation that are accompanied with sufficient reasoning to justify their authority. Thereafter, initially the concepts of justice and development are explained from the point of view of the Imam; and next, the importance of development and justice in the objectives of the regime is elucidated from His Eminence the Imam's standpoint. Sequel to it, the article describes the relative standing of these two objectives from the point of view of His Eminence and finally presents conclusion of whatever has been discussed.

### **Concept of Attaining Development**

Concerning development, most scholars consider it to be the process of shifting of societies from the status quo towards the desired situation. In spite of this agreement of view on the concept of development, the difference in viewpoints lies in the concept of achieving development and the methods and factors of attaining it. Certain points of view consider development as being the same as economic growth but nowadays, the concept of development and attaining development (becoming developed) has expanded. Thus, in addition to economic growth, scholars have added the societal and cultural dimensions to the concept of development and attaining

development as well. These new definitions are the outcome of the efforts of the societies' thinkers, policy-makers and leaders. Some scholars acknowledge the emergence of new concepts of attainment of human development with the aim and objective of material and spiritual progress and prosperity to be the result of His Holiness Imam Khomeini's efforts and his revival of Islamic administration.<sup>1</sup>

In his viewpoints, His Eminence Imam Khomeini emphatically considers the dimensions of progress to be further than purely economic ones. He states categorically that he believes in development and has always desired the country's development. Thus in response to the query of a journalist who enquired about His Eminence's point of view on development and its manifestations, the Imam responds:

“It is fifteen years that in my communiqués and statements addressed to the people of Iran, I have been emphatically demanding the economic growth and development of my country.”<sup>2</sup>

From these words one can conclude that he has in mind the concepts of economic and social progress in development. However, concerning purely material growth and progress, while acknowledging the essence of progress, he does not

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1. Lewis Basek; Transformation in Concepts and Objective of Development, *Name-e-Farhang* (Culture newsletter) nos. 5 & 6.

2. *Sahifeh-ye Imam*, vol. 3, p. 368



regard it to be an exceptional objective and according to him, it is not the ultimate destination. The Imam states thus on the subject: “Islam accepts materiality as a sequel to spirituality.”<sup>1</sup> Some of the latest viewpoints consider development to be synonymous with industrialization while some other viewpoints reckon development to be the same as economic growth. However, this not how His Eminence the Imam views this concept; rather, he considers development to go beyond these considerations. He emphasizes that we should work hard towards industrialization of the country as well as that we should make progress in agriculture and trade; he pursues both the various social aspects of society for progress as well as takes onto account the spiritual dimensions. In particular the Imam remarks thus on this subject:

“All the hopes and aspirations of our country’s people and government and officials lie in that poverty and deprivation be wiped out someday from our society and the beloved, patient and honourable people of our country come to enjoy a life of material and spiritual welfare.”<sup>2</sup>

It means that from His Eminence Imam Khomeini’s point of view, the concept of economic progress lies hidden in the concept of development as well as in the human dimension and

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1. Ibid., vol. 7, p. 533

2. Ibid., vol. 20, p. 340

lofty position and dignity of humanity. In brief, the Imam explains this concept thus: “Islam came into existence for the purpose of granting the true dimensions of human dignity to man which means transforming human beings in terms of social, personal and political life and assisting in the spiritual enrichment of man.”<sup>1</sup> For further clarification of the concept of development, it is appropriate to mention its objectives, because it is the objective of development or concept of its attainment that accords a meaningful difference to the concept of development from various viewpoints.

### **Objectives of Development**

His Eminence the Imam considers achievement of spiritual prosperity by mankind to be the chief objective of progress. However, in this regard, he pays sufficient attention to the economy and economic progresses as a part of the Islamic community’s objectives in the evolutionary process and considers economic progress to be one of the objectives of Islamic development. From the sum of statements and viewpoints of His Eminence the Imam in the sphere of society’s progress and development, one can conclude that in his opinion, development and progress are important in various dimensions. Towards this end, His Eminence the Imam considers three sets of fundamental objectives for development as:

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1. Ibid., vol. 4, p. 243

Economic objectives

Social objectives

Spiritual objectives

His eminence the Imam has specific and established viewpoints in each one of these areas that could pave the way to determining the objectives of the country's development programs. In particular, he states:

“The basic mission of an Islamic republic is to secure the country's independence and freedom of the people; and to combat corruption and immorality; and to regulate and compile laws that bring about necessary reforms in all economic, political, social and cultural spheres by taking into consideration the Islamic yardsticks. These reforms shall be undertaken with the participation of all people and their objective before everything else is to get rid of poverty and improve living conditions for the vast majority of our people...”<sup>1</sup>

In this manner, we observe that His Eminence Imam Khomeini considers different objectives for progress and development. In the economic sphere in particular, he states:

“About industrialization of the country, I am in total agreement with this issue; but I would like to have a national and independent industry that has been integrated into the country's economy and together

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1. *Sahifeh-ye Imam*, vol. 5, p. 155

with agriculture renders service to the people.”<sup>1</sup>

From another dimension he states: “From the economic aspect, Islamic Iran should grow in such a way that it captures the world markets.”<sup>2</sup> From other aspects he remarks thus: “Profits derived from sale of landed properties should be devoted to our economic progresses; and in this regard we will certainly be having relations with the industrial world. However, the right to take decisions for the direction that our economy chooses will be our own responsibility.”<sup>3</sup> On another occasion, he asserts: “Agriculture must...be developed.”<sup>4</sup> On this basis, from His Eminence Imam Khomeini’s point of view, the objectives of the development economy include the following:

Economic progress  
 Agriculture growth  
 Economic welfare of society  
 Growth in production  
 Increase in exports  
 Industrialization and so forth<sup>5</sup>

Despite the importance of economic objectives in the development process, His Eminence the Imam is convinced that

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1. Ibid., vol. 3, p. 375

2. Ibid., vol. 21, p. 178

3. Ibid., vol. 7, p. 533

4. Ibid., vol. 11, p. 402

5. For more information see: Ezzati, Morteza, *Concept of Development and Attaining Development from Imam Khomeini’s Point of View*.

these are not the main objectives; rather, the major and principal objectives are the socio-humanitarian ones. The socio-humanitarian objectives that His Eminence Imam Khomeini reckons their achievement to be one of the objectives of progress include the following:

Honour

Independence and human dignity

Freedom

Prosperity and general well-being

Economic independence

Social justice

Elimination of poverty and deprivation<sup>1</sup>

“The period of reconstruction is the period in which the deprived and oppressed people of Iran must benefit from the fruits of our Revolution; it is period in which they ought to feel the splendour of the Islamic regime; it is a period in which they must join hands in order to eradicate poverty and deprivation.”<sup>2</sup>

On this subject, His eminence the Imam emphasizes that the social and humanitarian objectives of development take have priority over the economic ones. On the importance of these objectives, he asserts:<sup>3</sup>

“I am confident that the beloved people of Iran will

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1. For more information see Ezzati, Morteza; Ibid.

2. *Sahifeh-ye Imam*, vol. 6, p. 518

3. For more information see Ezzati, Morteza; Ibid.

not exchange a single moment of their independence and honour with a thousand years of living in comfort and luxury but being dependent on aliens and strangers.”<sup>1</sup>

In addition to these two sets of objectives, His eminence the Imam takes spiritual objectives for development into consideration as well. In this sphere, he mentions spirituality both as an objective as well as gives priority to the objective of spiritual development of society over the rest of the social and economic objectives. In this context, his eminence Imam Khomeini considers the main difference of development as defined by its Islamic concept with development from the viewpoint of non-Islamic doctrines as lying in the spiritual dimensions and objectives of development. On this subject he asserts:

“None of the world’s regimes except this Unitarian regime of Divine prophets, have taken the spirituality of man into consideration and they have not sought to promote spirituality.”<sup>2</sup>

Similarly, on the significance of this objective, he notes:

“It is evident that from the Islamic viewpoint all the problems and complexities of human life are not solved and will not be solved simply by regulating economic relations in particular; rather, the problems

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1. *Sahifeh-ye Imam*, vol. 21, p. 201

2. *Ibid.*, vol. 8, p. 255

have to be solved all the way through an Islamic system; and spirituality should not be neglected for it is the panacea to all pains.”<sup>1</sup>

His eminence the Imam emphasizes the point that realization of spirituality is the main objective of progress and development; and economics is a means of realizing social and spiritual objectives.<sup>2</sup>

### **The Concept of Justice**

In the sphere of justice, His Holiness Imam Khomeini has stated his views on the subject in an exclusive anthology in a coherent manner. However he has typically clarified his viewpoints on the issue in different cases and on various occasions. Here we attempt to explain his points of view in this sphere using the Imam’s statements and writings. On the whole, on examining his words and writings on the subject of justice, one can discern that from the Imam’s point of view as well, justice has been discussed from three aspects. From the general perspective, in the common definitions put forward by thinkers, each of these three aspects has its own particular position and ramifications. These three aspects consist of the following:

“Justice as a Divine act: In this sphere from His eminence the Imam’s point of view, justice is

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1. For more information on these topics, see: Ezzati, Morteza; Ibid.

2. Ibid.

mentioned as a unique characteristic and main attribute of God. In this aspect the concept of justice implies that the unique characteristic of justice accompanies all divine actions.<sup>1</sup>

Justice as a moral-individualist faculty: In this sphere too, justice is regarded as a superior attribute for human beings. From this aspect, justice is mentioned as a moral attribute which His eminence lays emphasis on as well.<sup>2</sup>

Social justice: the most critical aspect of justice is its social concept which has devoted to itself the major part of discussions by thinkers on the subject of justice. Due to its significance, more attention has been paid to this aspect of justice. His Holiness Imam Khomeini has paid greater attention to this aspect as well. Likewise, this aspect of justice is more compatible with development and its definition and the subject of justice and development with theorists and thinkers have been discussed mostly from this angle as well. As was pointed out, various thinkers have paid more attention to the social aspect of the concept of justice and accordingly, various definitions on its concept have been presented. His eminence

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1. For more information, see *Divine Justice*, an anthology of His Holiness Imam Khomeini's viewpoints on Divine justice.

2. See *Sahifeh-ye Imam*, vol. 7, p. 533



Imam Khomeini has taken note of these definitions as well. In order to clarify the concept of justice from Imam Khomeini's point of view, while mentioning the main definitions available on justice, we refer to His eminence the Imam's point of view on the subject.

Justice in the sense of granting of right; one of the principal definitions of justice which various thinkers have taken note of<sup>1</sup> is granting right to its owner. His Holiness Imam Khomeini has in certain instances referred to this interpretation and the obligation to grant the rights of individuals in particular while stating that Islam is the rule of justice, he remarks: "If the commandments of Islam are implemented, all strata of the nation shall attain their lawful rights."<sup>2</sup>

From this statement and other statements of his eminence the Imam, one can conclude that his eminence had taken this definition of justice into consideration:

Justice in the sense of acknowledgment of merits: According to this definition, exercise of justice is justified when it conforms to the unique attributes and status of individuals. This implies evaluation of any individual on the basis of his abilities and merits.<sup>3</sup>

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1. Including His Holiness Imam Ali (as) who states: العدل اعطياكل ذى حق حقه.

2. *Sahifeh-ye Imam*, vol. 6, p. 525

3. On this subject Imam Ali (as) has been quoted to have said that:

”العدل يضع كل شئ على موضعه“<sup>1</sup> Likewise, the Holy Quran states clearly that ”ان اكرمكم عند الله اتقياكم“<sup>2</sup> or ”يستوى الاعمى والبصير“<sup>3</sup>

His eminence Imam Khomeini has also taken note of this definition of justice and in this regard he states:

“It is the Islamic Republic’s program to establish a government that behaves justly with all strata and does not distinguish among strata in conferring merits except in consideration of humanitarian ones which they themselves possess (intrinsically).”<sup>1</sup>

Similarly, in other instances too, His eminence the Imam considers acknowledgement of merits of individuals to be synonymous with justice.<sup>2</sup> Thus, one can claim that he endorses this definition of justice.

Justice in the sense of equality: based on this definition, justice implies considering all individuals to be equal in matters. This definition is also applicable in certain instances. His eminence Imam Khomeini laid emphasis on this definition as well. In particular he asserted that:

“Islam’s agenda is neither to distinguish between poor and rich nor between Kurds and Turks and Lor (west Iranian) ethnic groups. (From the standpoint of Islam) all are brothers and equals...”<sup>3</sup>

“Islam has not given preference to one class over

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1. *Sahifeh-ye Imam*, vol. 9, p. 72

2. On this subject, likewise, one can refer to the book: *Position and Powers of the Qualified Islamic Jurisprudent*, p. 201; *Kashf-e Asrar*, pp. 9 & 259

3. *Sahifeh-ye Imam*, vol. 9, p. 458

another class ...Islam considers all classes to be equal.”<sup>1</sup>

His eminence Imam Khomeini has made numerous statements on this subject and one can conclude from them that he endorses this definition of justice:<sup>2</sup>

Justice in the sense of social equilibrium: In this concept, everything has to be taken into consideration to the required measure. The criterion for this required measure is creation of balances in society. His Holiness Imam Khomeini has endorsed this concept in his writings and statements as well.<sup>3</sup>

Justice in the sense of carrying out the tasks correctly and in befitting manner: this definition of justice is based on the concept that any task if carried out correctly and in befitting manner is fair and just. His Holiness Imam Khomeini has taken note of this form of view of justice as well and has in certain instances, considered the implementation of affairs in a correct manner and their improvement to be consistent with justice.<sup>4</sup>

Justice in the sense of equity: among the proposed definitions of justice is the interpretation of justice

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1. Ibid., vol. 7, p. 328 (dated December 17, 1979)

2. Ibid., vol. 11, p. 2 (dated November 09, 1979)

3. Ibid., pp. 315-16 (dated December 17, 1979)

4. In particular, one can refer to Imam Khomeini's speeches on September 09, 1981 & November 25, 1978.

that implies equity and acting impartially as being an act of justice. His Holiness Imam Khomeini has endorsed this definition as well and on one occasion states: “We will confiscate the riches that these wealthy owners have accumulated unfairly and we will distribute them among the needy on the basis of justice and equity.”<sup>1</sup>

Justice in the sense of impartiality: In this concept which has a social aspect to it, justice has been interpreted as impartiality. This means that it is impartial if we do not act in an unfair manner in social dealings. However, this interpretation is more judicial and administrative (managerial) and not political and so forth which His Holiness Imam Khomeini has laid emphasis on as well.<sup>2</sup>

Based on what has been mentioned so far, the definition of justice according to Imam Khomeini’s point of view is quite broad and embraces the spiritual, individual and societal aspects. However, the societal aspect of it is closer to the definition of development. From this point of view too, the definition of justice has various dimensions to it and His Holiness Imam Khomeini has endorsed these numerous and diverse definitions of justice.

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1. *Sahifeh-ye Imam*, vol. 3, p. 366

2. One can refer to Imam Khomeini’s speech dated December 17, 1979.

## **Place of Development in Objectives of the Islamic System**

On certain occasions, His Holiness Imam Khomeini has used the comprehensive term of progress instead of development which is almost synonymous with the modern term of development. With a view to the definition of development and objectives of development offered from Imam Khomeini's point of view, one can say that this definition is of consideration from three levels:

Economic development

Social development

Spiritual development

In the Islamic system, spiritual development is the basis and foundation of any action and is the ultimate objective of all activities. In general, development is the objective of preparing the necessary groundwork for the evolutionary movement of man. His eminence Imam Khomeini has made various statements on the subject including:

“Islam has essentially wanted that supreme objective in all its matters...if it gives importance to a human being it is because he is a creature that is capable of being turned into a divine being.”<sup>1</sup>

On the basis of this point of view, His eminence states:

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1. Speech at a gathering of Tehran University's professors in the afternoon of July, 04, 1979.

“Islam accepts materiality in the shelter of spirituality.”<sup>1</sup> This implies that the spiritual objectives of development take precedence over all other objectives. Social development too, consists of those objectives that have a more preliminary aspect for spiritual uplift from the religious point of view such as magnanimity, freedom, human dignity, public health, social well-being, elimination of poverty, establishing social justice and so on and so forth. On this basis, spiritual objectives take precedence over these objectives. On this subject His Holiness Imam Khomeini states:

“The material world was not the object of divine prophets in their uprisings and revolutions. If they reformed the world, it was spiritual; it was divine reason.”<sup>2</sup>

“Under no circumstance must the Islamic Republic of Iran give up its sacred Divine principles and ideals.”<sup>3</sup>

The economic objective of development too is only acceptable as a means for realization of the social and spiritual objectives. As Imam Khomeini states: “Food and bread and water are not the yardsticks; the most important (criteria) is human dignity.”<sup>4</sup> Or that:

“I am confident that the beloved people of Iran will

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1. *Sahifeh-ye Imam*, vol. 7, p. 531

2. *Ibid.*, vol. 20, p. 203

3. *Ibid.*, vol. 21, p. 36

4. *Ibid.*, vol. 18, p. 132

not exchange a single moment of their independence and honour with a thousand years of living in comfort and luxury but being dependent on aliens and strangers.”<sup>1</sup>

Based on this premise, from the point of view of His Holiness Imam Khomeini, the aim and objective of the Islamic system is to furnish the necessary groundwork for spirituality of man meaning that the principal and ultimate objective is to become divine.<sup>2</sup>

### **Place of Justice in the Islamic System’s Objectives**

From the viewpoint of His eminence Imam Khomeini, implementation of justice is the most important of the Islamic system’s objectives. He has mentioned this importance on various occasions and in different forms. In particular he had stated:

Justice was the objective and motive of establishing administration by the prophets;<sup>3</sup>

Justice is the cause of the prophetic mission of the divine prophets;<sup>4</sup>

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1. Ibid., vol. 21, p. 201

2. For further explanation, see: Ezzati, Morteza; *Development and Attainment of Development from the Viewpoint of His Holiness Imam Khomeini*.

3. In particular, one can refer to the *Divine-Political Last Will of His Holiness Imam Khomeini*, pp. 13-14

4. In particular, one can refer to *Sahifeh-ye Imam*, vol. 15; vol. 11; vol. 7

Justice is the will of God;<sup>1</sup>

Justice is the will of the people;<sup>2</sup>

Justice is the unique characteristic of the Islamic administration and system in comparison with other systems<sup>3</sup>

Similarly, His eminence Imam Khomeini considers justice to be a condition for the ruler;<sup>4</sup> its realization to be the duty of the ruler<sup>5</sup> and to be the reason for devising Islamic laws<sup>6</sup> and so on.<sup>7</sup> With this explanation one can claim that from the social perspective, justice is one of the most essential objectives of the Islamic regime. However, in addition to the societal dimension of justice, realization of individual justice is among the objectives of Islam and the divine prophets as well such that His eminence Imam Khomeini states:

“All the toil and troubles of the prophets were in order to establish social justice...in society; and an inner justice (personal) for human beings at the individual level.”<sup>8</sup>

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1. In particular, one can refer to Ibid., vol. 3

2. In particular, one can refer to Ibid., vol. 3; vol. 12; vol. 8

3. In particular, one can refer to Ibid., vol. 5; vol. 6; vol. 7

4. In particular, one can refer to: *Position and Powers of the Qualified Islamic Jurisprudent*, pp. 29-30

5. In particular, one can refer to: Ibid.

6. In particular, one can refer to: Ibid.; *Kashf-e Asrar*, p. 255.

7. For further information on this topic see: Ezzati, Morteza, *Importance of Justice in the Islamic System*

8. *Sahifeh-ye Imam*, vol. 11, p. 376



The above statement raises the standing of individual and inner (personal) justice to the level of being the objective of prophetic missions; of it being the object of the prophets' movements and to the level of social justice. On the basis of this premise, attainment of individual and inner (personal) justice is among the objectives of the Islamic regime. On the other hand, justice is one of the Divine attributes; and he emphasizes this point as well<sup>1</sup> because when His Eminence Imam Khomeini states that from the Islamic point of view the objective of society and the individual is to become godly, then attainment of justice in all aspects becomes an objective. This is because justice is a divine attribute and to become divine is synonymous with dissolving in justice. Based on this argument, justice is an important and fundamental objective but the relative position of the objective of justice and objectives of development are important as well and which need to be discussed. Justice is a multidimensional objective and its realization in each one of the dimensions could be an objective. Its two human dimensions are inner individual justice as a moral faculty and social justice and it has one divine dimension as well. The individual (personal) dimension is mostly internal (private) while the social dimension has an external dimension to it. The social dimension of justice can be extended to all social spheres such

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1. See: *Divine Justice*, A Series of Viewpoints of His Eminence Imam Khomeini on Divine Justice.

as economics, law, culture, the judiciary, politics, behaviour and so forth.

With the comprehensive definition of development that His Eminence Imam Khomeini had in mind, development could be expanded at the economics, social and spiritual levels as well. The economic level of development encompasses mostly the aspects of growth as well as qualitative and quantitative improvements in production and consumption. The social level of development is a step further than that and is concerned with the manner of distribution of available resources; with the qualitative and quantitative possession of the resources and facilities by the whole society; with the way the executives and administrators deal with the people; the attitude towards others and with the functioning and implementation of laws, regulations et cetera. The supreme level of development which embraces the spiritual dimension is mostly concerned with achievement of individual (personal) dimensions and the evolutionary movement of man towards God for which the groundwork has to be laid by the society.

In this manner, it could be said that in some sections justice and development overlap. On the economic plane, development is not quite on the same level as justice whereas social development in its various dimensions finds itself on the same level as social justice. Spiritual development is on the same level as inner (personal) individual justice. In the definition and

objectives of development from Imam Khomeini's point of view we observed that objectives such as increase in production, industrialization, agriculture, economic welfare, increase in exports et cetera are positioned on the level of economic development. These objectives are the objectives of society; however, concerning purely economic objectives of the society and with regard to the aforementioned definitions of justice, one can say that individual (private) justice and divine justice are not in any way compatible with these objectives. Social justice too, which is of the type of justice in society, could be compatible with the society's objectives but the concept of social justice is placed at a higher level than simply increase in production et cetera. This means that social justice takes into account the manner of dealing with society's individuals; the manner of distribution of resources and facilities; the attitude of human beings and so forth. Therefore, the levels of these concepts are different. The social level of development from the point of view of Imam Khomeini takes into account objectives such as human dignity, independence and honour of human beings, freedom, public wellbeing and prosperity, economic independence, elimination of poverty and social justice as well. We observe that in these levels, development itself pursues the objective of social justice and alongside it the other objectives which are on the same level as justice from the point of view of compatibility, are mentioned.

Objectives of development that are significant at the social level are social objectives meaning they revert to the whole society. Here one can claim that this type of development is at the same level as social justice. Considering that from His eminence Imam Khomeini's point of view development at the social level takes precedence over development at the economic level, thus justice which is one of the objectives of development at the social level shall take precedence over economic development. However, with regard to this view, could it be said that social justice is on the same level as the rest of the social objectives of development?! Considering the fact that His eminence Imam Khomeini has given special importance to social justice and in terms of the numerous statements and greater emphasis has paid more attention to social justice, then perhaps it could be claimed that from Imam Khomeini's point of view social justice has priority over the rest of the social objectives of development. Nevertheless, justice particularly at the individual and personal level is a spiritual objective. Realization of the internal individual justice which is a moral faculty is placed in the same ranking as spiritualities and on the same level as the spiritual objectives. Thus, it could be claimed that individual and internal (personal) justice is one of the ultimate objectives of development. Therefore, internal (personal) justice—meaning one of the aspects of justice—takes precedence over development at the social level as well. On the other hand,

according to certain available elucidations from His eminence Imam Khomeini—some of which were referred to earlier—when this justice filters through the society, it embraces all aspects of society and here the whole society becomes the target. In addition, by relying on His Holiness Imam Khomeini's elucidations that were mentioned earlier including that justice is the Will of God, that justice is the objective of the mission of the divine prophets; that justice is the ultimate aspiration of the toil and troubles of the divine prophets and so forth, it could be claimed that from Imam Khomeini's point of view, social justice takes precedence over some other objectives of social development. However, considering that according to His Eminence the Imam the objective of man is to proximate to God and justice is a Divine attribute, thus attainment of justice both individually and socially is realization of man becoming Godly. Social justice which is one of the aspects of justice as well and can from an aspect be measured with the manner of God's attitude towards human beings, legislating Divine laws and so forth, could lead to the objective of man becoming Godly. On the other hand, none of the other dimensions of social development from the viewpoint of objectives in terms of Divine Attributes are not on the same level of Divine justice. Therefore, in this respect it could be claimed that justice takes precedence over the rest of social objectives of development. However, what could be said for sure is that from His Eminence

Imam Khomeini's point of view:

Social justice most probably takes precedence over the rest of social objectives of development or at least, takes precedence over some of them.

Attainment of internal individual (personal) justice for all human beings takes precedence over social objectives of development and sequel to that, takes precedence over the economic objectives of development.

Because the objective of human beings is to become Godly, all dimensions of economic and social development are means for reaching to that objective; and one of the aspects of becoming Godly (attaining spirituality) is for human beings to attain the attribute of justice.

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# **Justice from the Viewpoints of Imam Khomeini and Martyr Sadr**

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**Manijeh Haqkhah<sup>1</sup>**

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1. Doctoral program student and member of the Academic Board of Imam Sadeq (AS) University.





## **Abstract**

As one of the most important issues of cognitive sciences and social sciences, justice has always drawn the attention of thinkers to itself. The concept of justice in the two spheres of cognitive sciences (philosophy, religion, Islamic theosophy) and social sciences are in some respects similar and in some respects different. In both spheres justice is an attribute of action and behaviour but in cognitive sciences, it is either the attribute of the Supreme One or the attribute of the perfect man or the attribute of the world of existence while in social sciences, justice is the attribute of behaviours, relationships and laws of mankind.

Imam Khomeini and martyr Mohammad Baqer Sadr, two great Shiite erudite scholars with full proficiency in cognitive sciences and the practical sciences of Islam, tried hard to explain the relationship of these two classes in terms of 'is' and 'should'. In this article, while presenting the points of view of these two eminent scholars, justice has been described as being

a manifest reality in the world of existence and at the same time, the objective of the Divine law of Islam in the two individual and social dimensions. Also, their points of view on the strategies of attaining justice shall be explained as well.

**Keywords**

Individual justice, economic justice, social justice, social security, social equilibrium

As the most essential issue of individual and societal living of a person, justice has always been of interest to thinkers. In the divine religions as well, this issue has been presented as one of the most important objectives of the divine prophets' prophetic missions (Surah Al Hadid, verse 25). Schools of thought, men of wisdom and philosophers have offered diverse explanations in interpretation of this term. This diversity is one of the major reasons for the deep divide between schools of thought and religions.

The abundance of these interpretations has in turn been the effect of the difference of the schools of thought in world view and philosophical perception. Just as in the socialistic perception which is based on the primacy of society, justice in principle implying justice in distribution of products and services, places greater emphasis on economic justice. According to the western perception, which is based on humanism and primacy of the individual, justice denotes preservation of fundamental rights.

In Islamic thought too, there is no unanimity of view among the different schools of thought concerning the definition of this principle. Asharites belonging to the Sunni school of thought by rejecting the noumenal nature of good and evil offer a peculiar interpretation of justice and injustice. In relation to justice, by believing in the noumenal nature of good and evil, they consider justice to be essentially good and injustice to be essentially objectionable and present yet another image of justice. It is evident that each of the aforesaid interpretations is the source of specific theories in the field of social sciences.

The Shiites accurate elucidation of justice from the philosophic, theological and jurisprudential perspectives has always been the source of positive social implications. The Shiites belief in divine justice and its relationship with a human being's free will and similarly his belief in justice and injustice being intrinsic and rational as also his belief in justice being the objective of the laws of Islam has always necessitated weakening of the oppressor regimes and making efforts at achieving individual and societal justice.

These principles were developed from the enlightening words of the Shiite Infallible Imams (PBUT) and gradually reached to their peak in Shiite philosophy, theology and Islamic theosophy. Just as the elucidation of social justice in Farabi's 'Hikmat' philosophy and interpretation of justice in Islamic theosophy and likewise, in the 'Hikmat' philosophy of Sadr al-

Muta'aleheen themselves speak of this evolutionary trend which has prepared the bedrock of scientific and applied theorization of reputed Islamic scholars such as Imam Khomeini and Sayyid Mohammad Baqer Sadr in the field of justice.

Imam Khomeini, the Leader of the Islamic Revolution of Iran is one of the outstanding Islamic jurists of the time and an expert on philosophy and Islamic theosophy with a philosophic thinking that is based on 'Sadrism'(of Sadr al Muta'aleheen) transcendent theosophy. The collection of these sciences in him and similarly, his theorization in the field of the political philosophy of Islam and leadership of the Islamic community based on profound political insight placed him at the apex of Shiite jurisprudence in the Era of Occultation of the Saviour Imam of the Final Era (may Allah expedite his blessed Reappearance).

Ayatollah Sayyid Mohammad Baqer Sadr famously known as "ShahidRabe"—the Fourth Martyr—is also among those Islamic jurists, philosophers and theoreticians in the fields of politics and Islamic economics possessing the 'Sadrism' philosophic thought who in addition to having numerous shared aspects in intellectual and scientific elements, has certain resemblances to Imam Khomeini in political actions as well. Had the great salvation of attainment of martyrdom in the path of his ideals been delayed, yet another Shiite leadership

alongside the leadership of Imam Khomeini would have been established in the Iraq sector.

As one of the key terms that is used in sciences such as philosophy, Islamic theosophy, Islamic theology and Islamic jurisprudence, the word 'justice' has been examined both in its individual and social contexts in the scientific writings of these two august erudite scholars. On examining this subject in the writings of these two philosophers, we can observe lots of mutual horizons in the scientific dimensions of the two departed souls. Likewise, we can appreciate the highpoint of the impact of these two erudite scholars' shared cognitive fundamentals on theories pertaining to social justice.

This article attempts to elucidate the common approach of these two thinkers concerning the concept of justice from the philosophical, theosophical and jurisprudential and likewise, discusses the methods of its realization.

For this reason, the first part of the article has been devoted exclusively to explaining the concept of justice and the importance of justice from the philosophical, theological and theosophical dimensions. In the second part, we shall discuss the importance of justice in personal and social Islamic jurisprudence and its relationship with cognitive Islamic fundamentals and likewise, strategies for realization of justice in society from the standpoint of these two great erudite scholars.

### **Concept of justice in the philosophical, theological and theosophical perceptions of Imam Khomeini and Martyr Sadr**

Justice has been mentioned in the dictionary as meaning perseverance and the medium limit between extremes in the same way that injustice is mentioned as meaning deviation from moderation (Ibn-e Manzour, circa 1984 A.D., vol. 4, page 153). The idiomatic definitions of justice have been established on the basis of the terminological meaning.

The concept of justice has been mentioned randomly and in relation with the rest of their cognitive fundamentals in the philosophical, theological and theosophical writings of Imam Khomeini and Martyr Sadr. This concept which in a way could also be called existential justice has become the infrastructure of the theories of these two renowned Islamic jurists in the spheres of individual (personal) jurisprudence and political jurisprudence and in other words legislative justice. On this basis, we initially undertake to explain the fundamentals influential in the jurisprudential theories of these two reputed Islamic jurists in order to make known the connection between the two spheres. The explanation of the fundamentals and concepts can be summarized in the below instances:

### **A - Justice is an Attribute of the Supreme Truth and the Perfect Man**

In cognitive sciences, justice is examined and explained as an attribute of action of the Creator or as an attribute of the perfect human being or as an attribute of the world of existence. From Imam Khomeini's point of view, justice is the most outstanding attribute of the Lord of the Universe and justice in this sense of the term implies total and perfect justice and resistance and comprises of all virtues and excellence. Likewise, justice in this sense is the sole reserve of the perfect man; whereas justice of the Supreme Truth is autonomous and justice of the perfect human being is in the manner of dependency.

He states: "Know that justice comprises of the mean between two extremes; and it is among the most important of moral virtues; rather, absolute justice comprises of the entire internal and external and spiritual and mutative and sensual and corporeal virtues. This is because absolute justice is direct in the complete sense of the term: whether in the manifestation of the Divine Names and Attributes and in its investigation which is absolute resistance and is exclusive reserve of the perfect human being; and its lord is the presence of the Exalted Name of Allah which is on the straight path of the presence of Divine Names. As it (the Glorious Quran) states:

“ما من دآبه الا هو اخذ بناصيتها ان ربي على صراطٍ مستقيم”

The lord of the perfect human being—which is His Holiness

The Seal of the Prophets (PBUT)—is on the straight path and in perfect state of moderation; and His worshipper is on the straight path and perfect state of moderation as well except that the Lord—the Supreme One—is on the path of autonomy and the worshipper is on path of dependency. (Al Musawi Al Khomeini; year 1999, page 22; *ibid*, year 2001, page 147).

Martyr Sadr’s point of view on the subject of divine justice is similar to Imam Khomeini’s point of view as well although these two differ in the form of their explanations. The Imam’s explanation of divine justice is theosophical whereas martyr Sadr while presenting a theological approach, takes into consideration the role of social justice as well. He states:

“God is just; and rationally, nothing except beautiful and splendid deeds emanate from God; and rationally, evil deeds are undesirable for Him; and His Wisdom demands His Justice because the mind and wisdom are at variance with injustice and oppression.” (Sadr, year 1981, page 54).

“Divine justice demands that emanation of the world of existence from Divine virtue be based on justice; and the principle of causality in the world of creation and likewise, compatibility between cause and effect speaks of the realization of order and justice in the world.” (By the same author, circa 1987, pages 261 to 275).

Therefore, he refers to justice as being an attribute of the



Supreme Truth and contrary to injustice and oppression; and considers the order of the world of existence to be based on justice.

In describing justice as the second most important fundamental of religion, he believes that from among the divine attributes, this attribute has been acknowledged alongside Unitarianism as being one of the fundamentals of religion. This is because justice is an attribute which due to its social leadership aspect and educative concept is a more important need of man directed towards his social movement than any other attribute. (By the same author; undated, page 198)

### **B- Justice, Ultimate Human Perfection and Objective of the ‘Shariah’ Laws of Islam**

In line with the previous theoretical principles, Martyr Sadr and Imam Khomeini believe that justice is the ultimate human perfection and objective of the Shariah laws of Islam. On this basis, they discuss the below fundamentals of Islam:

### **Realization of Justice in the Three Dimensions of Existence**

While considering the regulation of the sensual faculties as being the ultimate human perfection and objective of the evolutionary trend, Imam Khomeini believes that:

“Because justice is the mean between two extremes, from the point of sincere servitude of God to

perfection of glory of divinity, it is justice which is the straight path and moderate development. True moderation is not attainable and possible except for the perfect human being who from the beginning of the (spiritual) journey until the final destination of communion has not become deviant and corrupt—and that is in the fullest sense of the term, the true ideology of (prophet) Muhammad and Ahmad (the prophet's nom-de-plume). Others follow in the footsteps and not out of originality; and because the straight line (of ideology) arrived at by connecting two points is not more than one, for this reason, based on the absolute (spiritual) journey and tradition of justice, virtue is not more than one either. However, evils are of many or rather are of infinite types.” (Al Musawi Al Khomeini, year 2002, pages 152 & 153)

Imam Khomeini illustrates the ultimate human perfection in the three dimensions of soul, dogma and ethics and states:

“...and whether in the manifestation of divine sciences and manifestations of Unitarianism in the heart of men of knowledge wherein justice comprises of lack of concealment from truth to the people and from people to the truth. In other words, noticing unity in plurality and plurality in unity; and this is unique characteristic of all followers of Allah; and going from one extreme to another in this station is concealment of each of the

truth and the people from the other. It is likely that what is implied by ‘followers of Allah’ in the blessed Quranic verse “اهدنا الصراط المستقيم” is attainment of this station whether it be in beliefs and realities of faith in which justice involves perceiving the realities of existence “على ما هي عليه” from ultimate end of perfection of Divine Names to the farthest point of return of manifestations to outward aspects which is the reality of Resurrection; and whether in ethics of carnality which is the equilibrium of the three faculties meaning the appetitive faculty, the irascible faculty and the satanic faculty.” (ibid, page 24; ibid, page 148)

Like Imam Khomeini, Martyr Sadr too by presenting anthropological fundamentals lays the foundations of his jurisprudential opinions. He states:

“Man has the honour of being appointed by God to vice-regency on earth; and the scope of this succession comprises of every kind of power that God has over the world and every issue that reverts to Him as well. This rule of vice regency in Divine ethics consists of justice, knowledge, and power, compassion towards the downtrodden and taking revenge from tyrants. Therefore, a human being attains true development only when as the chosen vicegerent of God he is able to manifest in his being

values similar to those that God possesses; and considering that these values are absolute in God and limited in human being, thus man's continual and long journey is towards Him; and because in this route, justice is the basic condition for development of all other values and without it, the rest of the values are not achieved in society, thus the vice regency of man is a continual movement towards justice." (Sadr, undated, pages 141 & 142; by the same author, year 1999, page 17)

Like Imam Khomeini, Martyr Sadr also believes that man's transformation towards perfection and knowledge has to take place in three dimensions including, 'intellectual and ideological' transformation, transformation in 'human action, behaviour and disposition' and transformation in 'feelings and sentiments'. He states:

"...and this is the thing that Islam seeks to achieve and gives importance to; it means creation of a model human being that possesses these three faculties. It includes an intellect that is involved and has interaction with the living environment; an ethical behaviour that is in reciprocal operation with society and the community and which flourishes; and a soul that communions and bonds with God the Creator of the Universe." (ibid, circa year 1983, pages 139 & 140)

Therefore, one can claim that in their political philosophy and likewise in their political actions both the outstanding Islamic jurists had envisaged realization of such a justice in society.

In addition to considering the presence of justice in the creation of the world in proper to be realized as an act of the Supreme Creator and the cause and effect system to be its outcome, Martyr Sadr reckons promotion of justice in human society to be the reason for nature's development and for the abundance of sustenance. Further, by referring to the verse of the Holy Quran "وان لو استقاموا على الطريق لاسقيناكم ماء غدقا" ("And that if they be steadfast, on the right way, We would certainly give them water in abundance." Surah Al Jinn, verse 16) and the verse

”و لو ان اهل القرى آمنوا وتقا لفتحنا عليهم بركات من السماء والعرض ولكن كذبوا فاخذناهم بما كانوا يكسبون“

“And if the people of the towns had believed and guarded (themselves against evil) We would have opened for them blessings from the heavens and the earth but they belied, so We seized them for what they did earn.” (Surah Al-A'raf, verse 96) he concludes that one observes prosperity in the just society's relations with nature whereas the unjust society's relations with nature do not yield prolific results, and remarks: “This relationship does not only have supernaturalism contents; but we believe in its supernaturalism contents as well. However,

apart from its super naturalistic contents, these relationships expose one of the Divine traditions.” (Sadr, undated, page 237) Therefore, he considers justice to be creation of effect by the Almighty God and justice of the human society to be the cause of the abundance of nature’s blessings. On the other hand, he views injustice to be the cause of many of society’s disorders and the destruction of nature as a Divine Tradition.

It is evident as to what extent this thought and perspective of the world is distinct and different in its illustration of mankind’s prosperity and prototypes of the equitable society in comparison with capitalist and socialist systems ideologies which are based on rejection of the principle of the existence of God and or agnosticism and or theism and rejection of the Contriver and the Creator God. While discussing these fundamentals, Martyr Sadr does not simply engage in cognitive discussion and makes a note of the differences between the just society and the unjust society as well.

### **Justice Being the Philosophy of Legislation of Divine Laws and Divine Missions of the Prophets**

On the basis of the divine anthropological and global perspectives presented, the philosophy of the prophetic mission from Imam Khomeini’s point of view is realization of justice in individual human souls and in society as well. He states:

“All divine prophets came in order to cause man to

develop. There was not a single prophet who came with an objective other than to reform human beings. Establishing justice is the same as developing human beings...to establish justice is to transform the unjust into a just human being; it is the transformation of a pagan into a pious (Unitarian) believer.” (Al Musawi Al Khomeini, year 1999, page 28)

Imam Khomeini discusses the political philosophy of Islam and other religions on the basis of this perspective and states:

“In fact the most important duty of divine prophets was to establish a just social system through implementation of divine laws and teachings which of course, necessitates enunciation of the divine laws and promotion of divine teachings and dogmas. Just as it is quite evident from the meaning of this blessed verse that:

”لقد ارسلنا بالبينات و انزلنا معهم الكتاب والميزان ليقوم  
الناس بالقسط“

which goes to show that the purpose of the prophetic missions in general was that the people become disciplined and organized on the basis of just and fair societal relations; to develop an upright humanity—and this is possible by means of formation of an (Islamic) administration and implementation of (Islamic) laws.” (Al Musawi Al Khomeini, year 1999, page 28)

Therefore, as a qualified Islamic jurist or 'Faqih', Imam Khomeini deduces the Divine laws on the assumption that the objective of Islam's 'Shariah' prescribed laws is realization of justice.

Like Imam Khomeini, Martyr Sadr believes that the Divine prophets were sent down with the aim of bringing about intellectual, emotional and moral transformations in man and bringing him close to his ideal. (Sadr, undated, page 139)

With a precise and interesting interpretation, Martyr Sadr illustrates the method of realizing such a transformation in mankind and describes the effective role of religion in this sphere. He also proves the weakness of the other intellectual doctrines in solving the social problem of humanity and reaching human beings to happiness, good, well-being and justice. He believes self-esteem is the most essential and comprehensive instinct of mankind and the rest of the instincts are subsidiary to it for it is the craving of pleasure and happiness and aversion to pain and miseries that propel a human being towards living and acquiring material needs—and this precisely is self-esteem. (ibid., 1979, page 75)

In his opinion, the instinct of self-esteem in a human being occupies a very sensitive position; and just as 'essence' in the opinion of man consists of object and material force and 'pleasure' consists of the enjoyable material pleasure. Thus naturally, a human will assume that the scope of his business is



limited and he has limited time and that the ultimate objective is to attain materialist pleasures and that the only way of attaining it is through wealth. In the meantime, the instinct of self-esteem has necessarily played its role so that he even leads the governing authority and leaders of society towards giving priority to personal interests over interests of society. It prevents a human being from sacrificing even an iota of his individual interests for the sake of the larger interest of society without his gaining any profit; and as long as materialist interest—on the strength of inclination towards materialism—rules over the society's individuals, competition and fighting and social schism begins anew so that various types of dangers as well as independence and exploitation in the social sphere shall become apparent. (Sadr, 1979, page 80)

Martyr Sadr considers both the doctrines of capitalism and socialism as failures in their ability to achieve prosperity and justice for mankind and to free him from problems and dangers arising from self-esteem. It is because he believes that the danger which threatens mankind lies concealed in the materialist mind-set and its yardsticks. Undoubtedly, the merger of micro and macro wealth and its submission to the governing body without bringing about intellectual transformation as well does not get rid of this danger. (Ibid.)

He is convinced that the religion of Islam by guiding 'self-esteem' is in a position to lead man towards happiness and

justice. For this purpose, firstly, religion brings about an intellectual transformation in man and convinces him that materialist living is limited in scope whereas man's efforts at earning Divine Consent includes being rewarded in the everlasting world. Therefore the entire societal activities of a human being are directed by personal interest. Likewise, by bringing about transformation between individual and social wants, Islam achieves a unique harmonization and guides a human being towards participation in order to preserve and stabilize social justice. Secondly, religion entrusts the proper training of mankind to an immaculate leadership so that with the comprehensive development of man's emotions and sentiments, it guides his self-esteem. (Ibid.)

From the total viewpoints of both Martyr Sadr and Imam Khomeini, one can conclude that the objective of Divine Prophets is to realize justice and happiness in human society. This is made possible by transforming the thinking, belief and moral education of every single individual of mankind and consequently, by transforming the ignorant and unjust human being into a knowledgeable and just human by means of the divine prophets.

### **Realization of Justice under Aegis of the Leadership of a Just and Fair Ruler**

Imam Khomeini considers the realization of justice to be possible solely with the philosophy of His Holiness the Saviour

Imam Mahdi (may Allah expedite his blessed Reappearance). Towards this end, he mentions the philosophy of the Shiite belief in ‘Mahdawiyyah’ or the appearance of the saviour Mahdi (may Allah expedite his blessed Reappearance) to rid the world of injustice and tyranny and states:

“Such an enormous task of that of implementing justice in the true sense of the term all over the world has not existed throughout the history of mankind with the exception of the Promised Saviour Mahdi (may Allah expedite his blessed Reappearance) whom the Supreme and Exalted God has reserved for mankind. Implementation of justice all over the world was the objective of each one of the Divine Prophets that were sent down—but they did not succeed. Even the Honourable Prophet of Islam (PBUH) who came in order to reform mankind, implement justice and guide mankind again did not succeed in his mission to accomplish this in his own time. The one who shall succeed in achieving this objective and who will implement justice all over the world and that too not a justice which the common man understands and which simply means establishing justice for people’s welfare; rather, justice in all circumstances of humanity, is the Saviour Mahdi (may Allah expedite his blessed Reappearance). If a human being becomes deviant in any way including in his practical, spiritual

and intellectual ways, to correct these deviations in the true sense is to realize justice in that human being. If he is morally deviant, then justice has been realized when this deviation is corrected and he returns to equilibrium. If there is a deviation or crookedness in his beliefs and when those crooked beliefs are corrected and he is placed on the straight path, then again justice has been realized in relation to the person's intellect." (Al Musawi Al Khomeini, year 1999, page 30)

Based on this thinking, in his book 'Velayat-e-Faqih' (administration of the qualified Islamic jurisprudent), Imam Khomeini explains the fundamentals and documentary evidences of the legitimacy of the rule of the just 'Faqih' Islamic jurisprudent during period of Occultation of the Saviour Imam Mahdi (may Allah expedite his blessed Reappearance) as well as the scope of its powers. He considers the just 'Faqih' qualified Islamic jurisprudent alone to have the legitimacy to enforce the prescribed laws of Islam and realize the ruler's justice. In carry-over of the Divine Prophets' actions, Martyr Sadr too like Imam Khomeini considers the presence of a just ruler to be necessary. He is convinced that perpetuation of the objectives of Divine Prophets is possible through appointment of leadership of the Infallible Imams (PBUT) or a person who has attained a high level of justice and proximity to infallibility. (Sadr, undated, page 147)

Considering that the sum of these fundamental principles play a significant role in shaping the jurisprudential opinions of His eminence Imam Khomeini and the late Martyr Sadr, here we undertake a discussion of justice according to the jurisprudential thought of these two thinkers:

### **Justice from the Jurisprudential Standpoint of Imam Khomeini and Martyr Sadr**

As mentioned earlier, the term justice is the antonym of injustice. In jurisprudential parlance, it is opposed to the meaning of the term tyranny and immoral behaviour. In contrast with the term 'immoral behaviour,' justice implies balance of the internal forces and is a faculty that prevents a person from committing cardinal sins and insisting on committing the lesser ones. This definition of justice pertains to the individualistic functioning of justice and in contrast to it, tyranny and immoral behaviour consists of destruction, corruption, deviation and selfishness. However, the definition of justice in its socio-political functioning is vis-a-vis tyranny and tyranny implies lack of resistance and gross deviation in the sphere of socio-political relations. (Shakeri, year 2006, nos. 41 & 42, pages 6 & 7)

Justice has been examined from various dimensions and here, we discuss each of them:

### **Justice as a Criterion in Deduction of Islamic Laws**

In the books on the rules of Islamic jurisprudence, there is a rule called the rule of ‘justice.’ Likewise, in books on religious fundamentals too, there is a discussion purely on the rational good and evil of justice and injustice as one of the lesser logical concomitances and there is no mention concerning the methods of attaining justice and deduction of injunction based on it. However both Imam Khomeini and Martyr Sadr reckon justice to be a criterion for deduction of religious injunctions.

In his writings, Imam Khomeini considers justice to be the mainstay of Islamic laws and states:

“Islam came into being in order to establish the rule of justice; and all the financial and penal laws of Islam are based on justice and straightforwardness.” (Al Musawi Al Khomeini, undated, vol. 2, page 460)

Based on this premise, he gives importance to the principle of justice in deduction of Islamic laws as well and uses it as a criterion of analytical thought and ‘fatwa’. One can refer to the below instances as being among his ‘fatwa’ which are based on this principle:

Imam Khomeini considers taking possession of a property that has no financial value to be ‘haram’ prohibited by Islamic law. He believes that one cannot take possession of something without the permission of its owner if it does not have financial value. The

argument that he presents is that the aforesaid possession is an injustice and is rationally despicable. (ibid, vol. 1, page 451) Therefore, in his opinion justice is a criterion for deduction of an Islamic ruling.

Imam Khomeini believes that each party to an agreement should submit to the opposite party whatever it has given an undertaking to submit to. In deduction of this 'Fatwa' he states:

“The reason for it is that holding on to property is not injustice and the injustice of one person does not necessitate a licence to commit injustice by the other.” (Al Musawi Al Khomeini, undated, vol. 5, page 371). Therefore justice is the criterion of this fatwa as well.

Concerning the religious prohibition of usury, the Imam states:

“By referring to the verse (in the Holy Quran) about usury or 'Riba' it is deduced as implying that prohibition of usury is the consequence of injustice and on the basis of this thinking he does not consider the permissibility of usury in usury cases on loan and business transaction of items that are of the same market price to be valid. He believes that in such instances narrated traditions on the licence of its religious permissibility are debatable; and even if these narrated traditions were sound traditions, they ought to have been interpreted. This is because the religious permissibility of 'Riba' usury does not rid it

of being an injustice and a corrupt practice and thus, ‘Riba’ usuries with religious permissibility are insinuations of injustice and are prohibited by religion as well.” (Ibid., vol. 2, page 409)

Therefore, one can say that His eminence Imam Khomeini is of the opinion that the Islamic jurispudent ought to pay attention to the principality of justice in his deductions of religious injunctions. Even in cases when this principle is in stark contrast with the rest of the proofs such as sound narrated traditions, the criteria for issuance of religious injunctions or ‘fatwa’ shall be the principle of justice in the same way that the proof of permissibility of ‘Riba’ usury is the use of this same determinant principle. However, he has not discussed in detail about the qualified Islamic jurispudent’s criteria of assessment concerning the implications of justice and injustice and the issuance of injunction based on it.

Martyr Sadr considers justice to be the objective of the Islamic ‘Shariah’ laws and regards it as an indicator and yardstick in independent reasoning and in deduction of its injunctions. In his analyses of Islam’s social and economic injunctions the distinctive appearance and occurrence of this point of view which we shall discuss in detail, is an established fact. The social and economic Islamic jurisprudence which he presents is focused on justice being the pivot and objective of Islam’s legislative regime; and in stark contrast with many of



the qualified jurists who have discussed Islam's economic injunctions in the form of random statements and without giving importance to their direction, Martyr Sadr presents these injunctions in a unique manner by centring it around justice and in the form of an Islamic economic system. In the discussion on social justice, we shall deal with various jurisprudential examples which in his opinion reveal the importance of justice in deduction of Islamic injunctions and here, we refer to some of those examples.

On the basis of the criteria of justice, he divides the society's economic laws into three groups and analyses the Islamic injunctions related to fixed phenomenon which reveal division of wealth in society, on the basis of social justice benchmarks. Similarly, he considers Islamic injunctions related to variable phenomenon such as determining the legal limit of land development by the administration to be inspired by fixed phenomenon guidelines and believes that the Islamic ruler ought to deliver his verdict on the subject on the basis of observance of justice in society. (Sadr, undated, pages 69 & 70; *ibid.*, year 1980, pages 42 & 43). He considers the principle of no harm to be based on justice. (*Ibid.*, page 33)

### **Individual and Social Justice in the Divine Legislative System**

From Imam Khomeini's standpoint, realization of justice in

each and every individual and likewise, in society is the objective of religion and ‘Shariah’ Islam’s legislative system.

He remarks:

“All the efforts of divine prophets were directed towards establishing social justice for mankind in society and an esoteric justice for the human being individually.” (Al Musawi Al Khomeini, year 1999, vol. 11, page 376)

Therefore from his point of view, realization of social justice is as important as realization of individual justice and both of these dimensions complement one another. Individual justice paves the way for social justice while social justice leads to promotion of justice among individuals. We pursue the explanation of these two categories of justice in the divine legislative system from the standpoints of both Imam Khomeini and Martyr Sadr in two sections; and explain the connection of each one of them with the cognitive principles of those two eminent personalities. Finally, we shall refer to the fundamental role of cultural justice in relation to the other dimensions of social justice.

### **Individual Justice**

Like many of the Shiite and Sunni jurisprudential authorities, Imam Khomeini defines justice in the individual jurisprudence sphere as:

”العدالة عبارة عن ملكه راسخه باعته على ملازمه التقوى من ترك المحرمات و  
فعل الواجبات“

(Al Musawi Al Khomeini, year circa 1970, vol. 1, page 10)

He considers justice which is discussed in Islamic jurisprudence as a characteristic of the individual competent to undertake religious obligations, to be a firmly established faculty in human soul that urges the person to observe moral integrity and perform religious obligations (undertaking religious duties and shunning inviolable things) and under the guidance of this faculty, a human being desists from sinful deeds. Therefore, individual justice in Islamic jurisprudence is an esoteric affair and one of its effects is the external sense of the individual competent to undertake religious obligations to practice the divine Islamic injunctions. Thus he believes that by committing sinful deeds, this attribute is obliterated; and in case this faculty is present, he reverts by means of repentance which is itself an esoteric reality. (Ibid.)

In Islamic law it is necessary for all individuals competent to undertake religious obligations to achieve the faculty of justice and concomitance of observing moral integrity; and especially in view of Imam Khomeini’s anthropological fundamentals, an equitable behaviour is necessary for every individual competent to undertake religious obligations. Just as we mentioned earlier, justice indeed is spiritual journey on the straight path and the objective of the Divine prophets’ mission and communication

of the divine legislations of religion was realization of this great objective. However, in books on Islamic jurisprudence, there are discussions on the necessity of justice in some of the social stances. Imam Khomeini considers justice to be the condition of leadership of the Muslim congregation or society and of testifying and judgement. In fact, justice in this sense of the term is synonymous with moral integrity and since attainment of this attribute in these jurisprudential stances because of its esotericism is not possible for all people, it requires to be proven in order to put into effect the Islamic laws in society. From Imam Khomeini's point of view, the ways to prove individual justice consist of the following:

- 1-Testimony of two impartial individuals;
- 2- Consultation based on knowledge and assurance;
- 3- Promotion of the determinant of knowledge;
- 4- apparent fairness and the person's adherence to religious affairs. (Ibid, page 10)

Imam Khomeini gives importance to the individual attribute of the social dimension and states:

“The God of Islam is just; its prophet is just and is infallible too; its Imam is just and is infallible; its judge too is trusted to be just; its qualified Islamic jurist too is trusted to be just; its divorce witness too is trusted to be just; its Friday prayer leader too has got to be just—right from the Sacred Essence of the Almighty to the end (they all have to be just). The

leader has to be just; its administrators too have to be just.” (Al Musawi Al Khomeini, year 1999, vol. 1, page 29).

Martyr Sadr defines individual justice in Islamic jurisprudence as being perseverance on Islam’s legislative system and states:

“العدالة عباره عن الاستقامه على شرع الاسلام و طريقه“

(Martyr Sadr, year 1981, page 120)

Justice implies the necessity to move on the straight path and steadfastness in this movement. In his view this situation is achieved on the provision that a person does not commit the cardinal and the lesser sins out of habit and disposition. In contrast with His eminence Imam Khomeini who does not consider abstinence from lesser sins as a provision for realization of justice, he (martyr Sadr) believes that committing the lesser sins (without insistence on committing them) is detrimental to justice as well. (Ibid.)

Like the rest of the Islamic jurists too, Martyr Sadr considers justice to be the condition for judgment, testimony and leadership of the society and ‘Marja’iyyat’ or Shiite religious authority. He further believes that justice in these matters consists of certain orders and the highest order of justice is a provision reserved for ‘Marjaiyyat’ or Shiite religious authority and leadership of the society. (Ibid., undated, page 147; ibid, year 1999, page 25)

On the manner of achieving and establishing justice, Martyr Sadr mentions four ways namely: by means of faculty of sensation, testimony of two just and impartial persons, apparent fairness and the good name and relations of the individual among the people. (Ibid., year 1981, page 121) In contrast with Imam Khomeini who does not reckon reliable testimony to be in favour of justice; rather, considers the useful dissemination of knowledge to be in its favour, he (martyr Sadr) considers this to be sufficient for establishing justice. It seems that Imam Khomeini mentions more rigorous conditions for establishing justice even though in some cases, his (Imam Khomeini's) fatwa (or religious decree) and that of Martyr Sadr's are one and the same as well. With a view to Martyr Sadr's stress on social justice, from his point of view the conditionality of justice in the above-mentioned situations is important in the social sphere for the individual competent to undertake religious obligations. However, with a view to his anthropological fundamentals, as the context and outcome of social justice, the transformation of human beings into upright and balanced individuals that move along the path of justice is of special significance. Therefore, according to his individual Islamic jurisprudence, it is necessary for all individuals competent to undertake religious obligations to attain justice and it is mandatory to acquire the correct world view and similarly, divine education and move on the path of

transformation in the triple dimensions (of soul, thought and ethics).

### **Social Justice**

As mentioned earlier, in the broader sense, justice is the antonym of tyranny and injustice and is related to the field of socio-political relations. Therefore, it could be claimed that social justice is a concrete symbol of justice within the society which becomes manifest in the form of social actions, in ratification and implementation of laws as well as in various political, economic, cultural and judicial dimensions such that true symmetry and balance governs over the entire social system. (Jamshidi, year 2001, page 581) Social justice has been explained from different focal points according to the viewpoints of Imam Khomeini and Martyr Sadr:

#### **1- Rejection of the Rule of Tyranny and Injustice and Fighting it as a Prelude to Social Justice**

From both Imam Khomeini and Martyr Sadr's points of view, the theory of tyrannical rule based on hegemony is condemned and only just rule is considered legitimate. Martyr Sadr states:

“نرفض اسلامياً نظريه القوه والتظب”

(Sadr, undated, page 17). For this reason he considers it necessary to fight the regime of injustice just as is evident from his political style too and his struggle against Iraq's tyrannical rulers and in his calling upon the rest of the

population to join the struggle.

Similarly, as opposed to the theory of determinists and likewise, theory of tyrannical rule, Imam Khomeini believes in rejection of determinism and opines:

“The Wisdom of the Creator is based on the rationale that people should live in an equitable manner and take actions within the prescribed Divine Laws. This wisdom is permanent and is among the traditions of the Almighty God and is not amenable to change.” (Al Musawi Al Khomeini, year 1994, page 31)

Therefore it is the duty of every Muslim individual to fight oppression and engage in struggle to overthrow the tyrannical regime. In putting this dogma into practice, his political style has been inimitable all through history and among the erudite scholars of Islam as well.

## **2-Establishing Islamic Rule is the Most Important of the Tools of Attaining Social Justice**

According to the viewpoints of Imam Khomeini and Martyr Sadr, basically, it is impossible to achieve social justice without establishing a theocracy whose appointed leader is a just individual and is headed by a just Islamic jurisprudent. In his book ‘Velayat-e-Faqih’ (administration of the qualified Islamic jurisprudent), Imam Khomeini mentions the standpoint of Islam on the necessity of the rule of a just Islamic jurisprudent in the Era of Occultation (of the Messiah Mahdi—may Allah expedite



his blessed Reappearance) and the scope of his powers. He considers justice to be the guarantor of the survival of the administration's constitutionality and states: "Even if the qualified Islamic jurist—the Faqih—commits one of the lesser sins, he is deposed from the authority of 'Velayat.' (Al Musawi Al Khomeini, year 1999, vol. 11, page 306) Or concerning the Islamic judge, he states: "A person who violates the law and is a sinner does not have the right to pass judgment." Therefore, from Imam Khomeini's point of view, after toppling the tyrannical regime, the legitimacy of the regime and appointment of administrative officials for realization of justice rests with the just Islamic jurist's—the Faqih's—administration.

Martyr Sadr also considers realization of social justice as being possible under the auspices of the Divine administration and envisages Divine instructions for a religious person in two domains. He states: "Islam's economic instructions have in certain instances been compiled for the believer and Muslim individual person who lives in a non-Islamic society. Its objective is not consolidation of the economic order in the Islamic society; rather, it opens the way for the righteous individual living in an unrighteous society to act as far as possible on the basis of Islam. However, a group of the Divine Laws cannot be implemented except in the Islamic society and with the sponsorship of a Muslim government. As an example,

the manner of legislating laws in the religion of Islam have to be based on fighting hoarding and profiteering or should be based on eliminating usury. However, it is not possible to achieve such an objective except under the auspices of an Islamic regime and for this reason, he believes that in the former system, taking into consideration the potential of the pious individual only a part of the social justice that Islam demands is achieved. (Sadr, year 1990, pages 26 & 27)

### **3- Cultural Mechanisms of Islam for Establishing Social Justice**

As was mentioned in the first part of the article, from the viewpoints of both Imam Khomeini and Martyr Sadr, establishing social justice is possible on condition of purity of human spirit and transformation in thinking, moral behaviour and soul of individuals towards divine consent. Similarly, it was mentioned that Martyr Sadr considers ego and self-esteem to be the chief cause of societal problems, injustice and moral decadence. Therefore, one of the ways of attaining social justice from the viewpoints of Imam Khomeini and martyr Sadr is through cultural transformation. Bringing about this transformation in certain areas depends on the individual himself while in some areas it is the duty of the Islamic administration to do the needful. Martyr Sadr believes that Islam applies two methods to bring about this transformation such as:

The *first* method is that it corrects man's perspective of the world and living so that it becomes clear to him that the limited materialist life is a prelude to the eternal life and immortality and the more effort a person puts in towards earning Divine Consent in this life, the more shall be his salvation in the everlasting afterlife. Thus, a person's temporary losses in this finite materialist life will earn him permanent profit in the infinite afterlife.

The *second* method is that it entrusts mankind's moral behaviour and evolution of emotions and sentiments to an infallible leader so that with proper education and development of ethics and sentiments, he forgoes personal interests that prevent the growth and development of his ethical inclinations and checks the domination of his spiritual inclinations. (Sadr, year 1979, pages 90 to 95)

In the light of these two methods, Martyr Sadr views 'self-esteem' of human being as being guided towards Divine Consent; and with evolution in their thought and idea, soul and ethics, he perceives all human beings in society to be guided on the path to achieving social justice because in such a situation, human beings do not commit injustice for the sake of materialist interests. As is quite evident from Martyr Sadr's point of view, for such an evolution to take place, both the society's individual and its leader have certain solemn duties to perform and in order to establish social justice one cannot be

content with attaining economic justice alone. This is because social justice shall not be achieved fully in case of absence of this perspective and this aspect; in case of absence of economic strategies and with the current supervision in the sphere of regulation of wealth and equitable distribution of resources and incomes of society.

Martyr Sadr sees the root cause of injustice in society to lie in the perception of human beings. Although he describes Islam's approaches concerning realization of economic justice exhaustively, however, with a view to his principles one can recognize the profound importance he attaches to cultural justice as being the basis for establishing economic justice.

Imam Khomeini too considers cultural evolution and education and upbringing to be the most important practical approaches of establishing social justice. He states:

“Certainly, these egocentricities are at the head of all wrongdoings and transgressions. As long as this self-centeredness is present in mankind, these wars and these corruptions and these injustices and oppressions are there to stay. The divine prophets sought to establish a just rule in this world because if there is a just administration; if it is a regime with divine aspirations; with aspiration of moral behaviour and spiritual human values, if such an administration is established, then it would rein in society and reform it to a large extent.” (Al Musawi Al Khomeini, year 1999, vol. 11, page 162)

In his socio-political stance, whether before the establishing of an administration or after it, he gave particular importance to utilizing cultural mechanisms for bringing about cultural upheaval and putting social justice into practice. A study of the collection of Imam Khomeini's writings and policy-making speaks of the importance he attaches to this subject.

#### **4-Islam's Economic Mechanisms for Establishing Social Justice**

Economic justice is one of the aspects of social justice. A large part of social justice is established with its realization. From Islam's point of view economic justice is defined as: "comprising of public welfare and creating balance and equilibrium in (the distribution of) wealth and incomes." This definition has been adapted from the standpoints of thinkers such as Martyr Sadr. On the basis of this definition, social justice is established only when the economy succeeds in instituting public welfare and creating balance and equilibrium between wealth and income (distribution).

In his writings, Imam Khomeini repeatedly emphasizes and proposes numerous guidelines for eradicating poverty and protecting the society from class distinctions. In order to establish social justice, apart from explaining his economic opinions on ownership, usury, weaknesses of the capitalist and socialist systems, he furnishes the grounds for establishing social justice in two ways: first, by means of implementation of

administrative policies and planning for eradication of poverty and reducing the gap in income levels of classes and second, by means of promotion and training of human spirit as the nation's guide towards helping the poor and needy, discharging the mandatory and recommended financial levies and establishment of religious values.

The simplicity of Imam Khomeini's lifestyle and his cautioning about the reprehensibility of opulent lifestyle and having affinity for it and also his support for the deprived through creation of the Reconstruction Jihad Organization; the special bank account no. 110 of the Imam (devoted to the deprived and needy), etc. all speak of Imam Khomeini's cultural and economic machinations that were directed towards establishing social justice. Therefore, before arriving at them in a coherent manner from his writings, by examining his practical life history and placing them within the framework of Islamic economics, it is possible to make deductions of Imam Khomeini's points of view on the subject of social justice.

In contrast, in the theorization aspect, Martyr Sadr has made tremendous efforts at presenting a coherent economic system of Islam and economic practices of Islam aimed at establishing social justice. Perhaps by referring to Martyr Sadr's theories and Imam Khomeini's practical approaches for administration of the Islamic society, we may arrive at a comprehensive perspective of Islam's social justice.

However, considering that the aim and objective of this article is to examine the theory of Islam's social justice, thus we shall analyse the practical techniques of Imam Khomeini at another opportune moment and in this part, we solely examine Martyr Sadr's points of view.

In his book 'Iqtasadana' Martyr Sadr attempts to illustrate the economic doctrine of Islam and considers social justice to be among the cornerstones of Islam's economic doctrine. He reckons the aggregate of the economic directives and laws as being directed towards this objective and for determining the rightful person and legally obliged person to fulfil the right. He explains the economic instruments of Islam for establishing justice in the light of two principles namely: 1- social welfare and 2- social equilibrium. (Sadr, year circa 1981, pages 697–699)

**First Principle: Social Welfare**

According to this principle, Islam has made the government responsible for securing all the means of livelihood of the general public. Normally, the government performs this duty in two stages. In the first stage, by establishing economic institutions, the government makes it possible for the people to participate in economic activities and to work and strive for making a living. In the second stage, if the government fails to provide the means of earning livelihood for individuals, then in that case it has to secure the needs of the individual on its own.

From Martyr Sadr's point of view, two things are the source and origin of social indemnity as below:

**A - Public Surety**

The term 'surety' implies becoming guarantor of bail or bailman for somebody. Here it implies that all individuals of society have responsibility towards one another so that to the extent of the means at their disposal, they take steps towards meeting the essential needs of each other. This affair involves having a collective obligation.

Martyr Sadr deduces this principle from two narrated traditions. In a correct narrated tradition quoted from Sama'a, it is mentioned that,

“Imam Sadiq (AS) was asked about a group who were extremely wealthy whereas their coreligionist brethren were living in profoundly straitened circumstances such that payment to them from the 'Zakat' levy too did not improve their situation. Therefore, in such a difficult situation could the wealthy lead a life of gluttony while their brethren were hungry? His Holiness replied that Muslims were brothers of one another and must neither commit injustice to one another and nor demean each other and (as a result) be the cause of the other person's deprivation. Muslims must strive in this path and cooperate with one



another and come to the aid of the needy.”<sup>1</sup> (Al Hurr Al Aameli, undated, vol. 11, page 597)

In the second narrative from Imam Sadiq (AS) it is quoted that,

“A believer who is in a position to meet the need of another believer and does not do so; or that he prevents another person who is in a position to meet his need from doing so, the Almighty God shall raise him on the Day of Resurrection with a darkened face and an awestruck countenance and with his hands tied round his neck. Then he will be addressed as, ‘He is the one who has betrayed God and the Messenger of God’ and next the order is given to take him to the Fire.”<sup>2</sup> (Al Hurr Al Aameli, undated, page 599)

On the basis of the two aforesaid narrated traditions, Martyr Sadr has made the subject of the religious decree and the source of the decree of public surety quite clear. He states:

“From the narratives one comes to the conclusion that the subject of general surety is the essential needs and urgent wants of individuals and not the entire of the needs. Likewise, from the above narratives the collective obligation of public surety is made clear

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1. ”سأل الامام جعفر بن محمد عن قوم عندهم فضل، و باخانهم حاجه شديده، و ليس يسعهم الزكاه ايسعهم ان يشبعوا و يجوع اخوانهم؛ فان الزمان شديد. فرد الامام عليه قاتلا: ان المسلم اخ المسلم لا يظلمه و لا يخذله؛ ولا يحرمه، فيحق على المسلم الاجتهاد فيه و التواصل والتعاون عليه، والمواساء لاهل الحاجه.“  
2. ”ايما مؤمن منح مومتاً مما يحتاج اليه، و هو يقدر عليه من عنده او من عنده غيره، اقامه الله يوم القيامه مسودا وجهه، مزرقه عيناه، مغلوله يداه الى عنقه، الخائن الذي خان الله و رسوله، ثم يوم به الى النار.“

because the individual who shuns it faces punishment in the afterlife. Similarly, Islamic brotherhood is the cause and source of the religious decree implying that because of brotherly ties that human beings have with one another, they should take steps to meet the essential needs of one another.”

From Martyr Sadr’s standpoint, Islam has not left this collective obligation without performance guarantee and has made the government’s supervision and likewise, government intervention in connection with the fulfilment of this collective religious obligation as guarantor of its performance. (Sadr, circa year 1981, page 703)

### **B - Principle of Government Guarantee of Fulfilment of the Society’s Right in Relation to Sources of Wealth**

According to the *first principle*, with regard to the needy, it is the government’s obligation to provide for their essential needs and it has to meet the needs of the deprived to the extent sufficient. However, on the basis of this principle, the government is obliged to provide for the means and mechanisms of livelihood of the society’s individuals to the extent of surety and to establish a comfortable living standard consistent with the conditions of the times.

Martyr Sadr arrives at this principle from the context of the narrated traditions and believes that there are explicit Islamic injunctions which have laid stress on this government

obligation. Likewise, from beneath the verses 6 and 7 of the Surah ‘Al-Hashar’, that commands:

”و ما افاء الله على رسوله منهم فما اوجفتهم عليه من خيل و لا ركاب؛ و لكن الله يسلط رسله على من يشاء والله على كل شئ قدير؛ ما افاء الله على رسوله من اهل القرى؛ فله وللرسول ولذی القربى والیتامى ، والمساکین وابن السبیل، کی لا یكون دولة بین الاغنیاء منکم“

(And whatever God hath bestowed on His Apostle from them, ye pressed not against it any horse or camel, but God granteth authority unto His apostles against whomsoever He Willeth; and God over all things is All-Powerful. Whatever hath God bestowed on His Apostle from the people of the towns, belongeth unto God, and for the Apostle, and for his (Prophet’s) kindred, and the orphans and the needy and the wayfarer, so that it may not circulate among the rich ones of you...) Martyr Sadr concludes that the general term “فی” (for natural resources) used is because it is guaranteeing the society’s mutual rights in natural assets as well as absence of its monopolization at the hands of a few affluent individuals. In order to establish social justice and the rightful owners obtaining their share of the natural resources, the government is responsible for distributing “فی” (the general term in the aforesaid verses implying natural assets and resources) equitably among the needy. (Sadr, year circa 1981, pages 314-16)

**Second Principle: Social Equilibrium**

Equilibrium implies equality and equal weight. Social equilibrium implies equality and equilibrium in all aspects of social living for all individuals of the society. Martyr Sadr explains the meaning of equilibrium by consenting on two issues. First, that there are natural and genetic differences among the society's individuals that becomes the source of the difference in the standard of living of individuals; and second, that work is the basis of ownership and proprietary rights. With a view to these two realities, he concludes that the objective of social equilibrium among individuals of the society is equality at the sustenance level and not equality at the income level meaning that due to characteristic differences of individuals, the amount of assets of individuals varies. However, while acknowledging this variation, Islam is opposed to the presence of profound class distinctions and it is the duty of the Islamic ruler to achieve a standard of living for the society's individuals that is higher than adequacy—meaning to the limit of making them self-sufficient. Thus in Martyr Sadr's ideal society, the economic difference of individuals is of variation in degree and is not difference in their standard of living as opposed to the profound class differences seen in the capitalist system.

Therefore, in addition to social welfare, Martyr Sadr reckons that the way to establish social justice is through establishment of social equilibrium. It is necessary to point out that by

mentioning the principle of equilibrium, Martyr Sadr has the subject of development in mind and believes that the government in the guise of promotion of science and technology, needs to bring about development in the living standards of the society's individuals. This development does not mean simply with regard to the materialist concerns of individuals; rather he believes that the government has a duty to create balance and equilibrium in political, cultural and social issues of individuals as well.

Martyr Sadr is of the opinion that in order to establish social justice and create public welfare, Islam has determined certain powers and specific financial tools for the government and the economic laws of Islam find their respective positions in this arrangement. Martyr Sadr discusses these powers and tools in three spheres as:

State of affairs of fixed taxes ('Zakat' and 'Khums' religious levies) which in order to meet the essential needs and secure social welfare and likewise, social equilibrium according to certain conditions become obligatory on the individual and the government is charged with the duty of collecting and expending them.

Placing "فـىء" (specific assets and wealth that are at the disposal of the ruler) for expenditures on public welfare and for establishing social equilibrium.

Devising specific laws that improve social

equilibrium; laws such as prohibition of treasure, usury, laws of inheritance and / or taking possession of landed properties from a person who has abandoned it.

Martyr Sadr considers government powers in 'autonomous regions' to be one of the economic mechanisms of Islam for creating balance and equilibrium as well.

Here the point that is significant is that how much power the Islamic ruler enjoys in order to create social equilibrium. Martyr Sadr is of the opinion that the scope of the ruler's powers is with regard to matters whose religious permissibility has been obtained beforehand. The custodian of the affairs (the Islamic ruler) is allowed to announce either the prohibition or mandatory implementation of any activity or step whose prohibition or mandatory implementation has not been categorically stated as a secondary order. However activities that have legally and categorically been forbidden such as prohibition of usury are not liable to alteration. In the same way that affairs whose implementation have been recognized as being religious obligations such as granting alimony to the spouse cannot be altered by the Islamic ruler as well because this leads to infringement of the divine legislators aim and objective from implementing the Divine Islamic laws. (Sadr, year circa 1981, page 726)

In contrast, Imam Khomeini is convinced that Islam's

administrative laws can be applied in all spheres of the primary and secondary injunctions and have precedence over them "... the administration (Islamic) is in a position to abrogate unilaterally legal contracts that it has entered into with the people when those contracts are deemed to be against the country's interests." (Al Musawi Al Khomeini, year 1999, vol. 20, page 74)

The reason and basis of Imam Khomeini's argument is that in the same way that the Islamic judge should at the stage of issuing a fatwa resolve the conflict between important and most important affairs, he needs to do this at the implementation stage too. Sometimes it is possible that a religious obligation leads to frittering away of a more important task, so that in this case if the sphere of the administrative Islamic injunction or 'fatwa' is restricted to only permissible affair, it necessitates that the matter which has been of utmost importance to the Islamic judge is eliminated and is replaced by the matter which is of lesser importance. Therefore, the administrative decree is a temporary injunction which has been issued on the basis of greater good and is not a violation of the Islamic judge's aim and objective as well. (Kausari, year 1981, page 403) the difference in these two points of view will have a special impact on the limits of the Islamic ruler's powers. It is evident that establishing social equilibrium and social guarantee on the basis of each of these two viewpoints takes on specific forms.

Towards the objective of establishing social justice Imam Khomeini adopted policies in society on the basis of his own principles and an examination of his practical biography could reveal his principles and also, reflection of his thought which itself requires yet another analyses and investigation. The place of justice in the intellectual doctrine is influenced by the study of that doctrine's principles and it is on the basis of this rationale too, that the processes of establishing justice takes shape. With their scholarly perception, Imam Khomeini and Martyr Sadr, the two eminent erudite scholars of the Shiite school, explain the fundamental principles of justice and its working procedures from the standpoint of the religion of Islam.

### **Research Conclusions**

Justice is the most outstanding attribute of the Creator and Nurturer of the Universe and of the perfect man His Holiness the Seal of the Prophets (SA). It implies the Straight Path, absolute steadfastness and perfect equilibrium.

The reality of existence which stems from absolute justice is devoid of distortions and is based on justice and steadfastness.

Man's ultimate aspiration is to traverse the spiritual journey in accordance with justice and this objective shall be achieved by justice becoming manifest in the



soul, belief and moral behaviour.

The aim and objective of all Divine Prophets and leadership of the Infallible Imams (peace be upon them) was to establish justice in these triple dimensions and in human society. However, the Promised Saviour Mahdi (may Allah expedite his blessed Reappearance) is the only person who will succeed in establishing justice in the spirit, mind and ethics of human beings all over the world.

Justice is the mainstay of the laws of Islam. Therefore, in the station of deductive reasoning, the ‘Mujtahid’—expert on Islamic jurisprudence—has got to take care that alongside the rest of the proofs, the ‘fatwa’ is not inconsistent with justice as well.

It is mandatory for all individuals competent to undertake religious obligations to attain justice and its presence is a provision for some of the social nominations.

Considering that establishment of social justice is an objective, from the point of view of Islam it is mandatory to fight the rule of tyranny and to establish Islamic rule.

The cultural power of human beings is the instrument of establishing social justice and this is made possible by correcting a person’s perspective and by his moral education at the hands of the Infallible Imams.

Economic justice is one of the dimensions of social

justice; and it is attained by creating balance and equilibrium in wealth and income earned.

In order to establish economic justice, it is a collective obligation of all Muslims and the Muslim ruler to satisfy the essential needs of the deprived individuals of the society.

In addition to satisfying the needs of the needy, total realization of economic justice necessitates bridging the class gap and improving the people's standard of living—and this responsibility lies with the leader of the Islamic society.

During the period of the Saviour Mahdi's (may Allah expedite his blessed Reappearance) Occultation, the leadership of the administration lies with the just Islamic jurisprudential authority or 'the Faqih'. In the sphere of permissible acts, according to the viewpoint of Martyr Sadr, he (the Faqih) can act on the basis of what is in the best interest whereas according to Imam Khomeini's point of view, the Islamic ruler can issue administrative order in the sphere of all Islamic laws in case it is established that it is in the best economic interests of the society.

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# **Political Justice in Islam's Political- Jurisprudential Discourse**

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**Dr. Mansour Mir-Ahmadi<sup>1</sup>  
& Ms. Akram Shiri<sup>2</sup>**

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1. Associate Professor in Political Sciences Department, Martyr Beheshti University, Tehran, Iran.
  2. Senior Expert in Political Sciences, Martyr Beheshti University, Tehran, Iran.





## **Preface**

It is the question of 'better living' that causes us human beings to think about justice. Justice is a universal, ultra-historical and human subject which means it is not confined to a particular religion and particular period of history; rather, it has always been and will be an important discussion among all religions and schools of thought. Justice is regarded as an issue which if observed, shall make our lives to become better than what it is. Justice is the primary value of social institutions. This conception is concerned with the entire existence of a human being. In order to identify the pathways and frameworks for establishing justice, we need to first get acquainted with its various aspects. The best method of examining the question of justice is to examine it in its inter-subject context in the sense that if the legal aspect of justice is examined, we cannot say it is irrelevant because the law can be unjust. In the same way, it is necessary to pay attention to and examine the political, economic, psychological, sociological, religious etc. aspects of

justice as well. Here we focus on the political aspect of justice and for this purpose, at first we determine the benchmarks of political justice and then examine these benchmarks in Islam's political-jurisprudential discourse. Considering the fact that Imam Khomeini is the chief commentator in this discourse, we make use of his opinions and views on the subject:

### **1. The Conception of Political Justice and its Benchmarks**

The relationship of justice and politics leads to the development of the conception of political justice as one of the most important aspects of social justice. Political justice means running the affairs of the country in a befitting manner so that people carry on with their lives in an atmosphere of fairness. This atmosphere of fairness shall be secured with the possession of freedom, security and well-being as the inherent rights of the society's individuals.<sup>1</sup> John Rawls, the most distinguished political philosopher of the twentieth century, believes that in addition to guaranteeing the conception of political equality, justice comprises of observing impartiality in making decisions related to social relations in its general sense and consequently, social justice obtained from these making of decisions as

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1. Mohammad Ashouri; *Human Rights and the Concepts of Equality, Equity and Justice*, (Tehran, Published by the University of Tehran, College of Law and Political Sciences, year 2004), p. 207

well.<sup>1</sup>In the tradition of the social contract envisaged by Rawls, justice in the context of fairness ought to be understood and explained in the context of a political conception with reference to specific political values. According to him, the principles of justice provides for the manner of determining rights and duties of the society's political establishments, the appropriate distribution of privileges and the responsibility of societal cooperation. In fact, under the profound influence of criticisms following the publication of his book 'Theory of Justice' and his personal deliberations, Rawls has inclined towards a conception of justice which although in terms of content and principles was not much different from the contents of the theory of justice portrayed in his earlier works, but had attained a new structure in terms of objectives, application and method of rationalization. He named this novel interpretation of justice 'political justice' or a 'fully political form of justice.'<sup>2</sup> Political justice has two aspects to it: first, that the law devised to fulfill the demands and requisites of equal freedom should be equitable; and second, that it be framed in such a manner that in relation to all possible equitable systems, there is a greater

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1. Mansour Mir Ahmad; *Islam and Consultative Democracy*, (Tehran, Ney Publishers. Year 2005), p. 207

2. Ahmad Vaezi; *John Rawls, From The Theory of Justice to Political Liberalism*, (Qom, Department of Islamic Propagation of the Theological Seminary) p. 199

probability of it leading to a fair and efficient system of legislation.<sup>1</sup> In Rawl's opinion, in true situation, individuals seek to define the fundamentals of an equitable reciprocal cooperation in a well-organized society. This society needs to be established on the basis of a shared political conception of justice and the principles of justice agreed upon in the true situation, places such a general conception of justice at its disposal.<sup>2</sup> The two principles of justice of Rawls that need to be agreed upon are as follows:

*First principle:* Every individual person is expected to enjoy the right to equality in relation to the most universal basic freedom compatible with similar freedom of others.

*Second principle:* social and economic inequalities are to be systematized in such a way that: a) they are rationally expected to be in the interest of all; and b) are tied to occupations and positions that are accessible to all people.<sup>3</sup>

The first principle is concerned with justice and with equality in ascertaining the fundamental rights and duties. The basic freedoms of citizens in general, consists of: political freedom (right to vote and right to candidacy for appointment to

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1. John Rawls; *Theory of Justice*; translated by Mohammad Kamal Sarvariyan&MortezaBohrani, (Tehran, Cultural and Social Studies Research Centre, year 1999) p. 342

2. John Rawls; *Political Liberalism*, The John Dewey Essays in Philosophy, Columbia University Press, New York, year 1993, p. 17

3. Ibid., p. 110

governmental and public positions) together with freedom of expression and congregation; freedom of conscience and freedom of thought; individual freedom accompanied with right to (private) ownership and freedom from arbitrary arrest and detention that are defined on the basis of the concept of rule of law. Based on the first principle, all these freedoms must be equal because the fundamental rights of citizens in an equitable society are exactly the same.<sup>1</sup> In fact, none of these freedoms takes precedence over others and all are acknowledged to be the objective of political and social justice. Therefore, the first principle of justice consists of these types of freedoms and a part of the basic structure of society and institutions present in it such as the constitution, the government, the police and judiciary forces concerned with rendering security services and securing these basic freedoms correspond to the first principle.<sup>2</sup>

The second principle is related to social and economic inequalities. Social and economic inequalities should be addressed in such a way that they both take the interests of all people into account as well as make it possible for each and every individual to attain position and standing (factor of inequality) on an equal basis. From the viewpoint of Rawls, this equality is not purely concerned with equality of governmental positions and social status being open to each and every

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1. Ibid., p. 111

2. Ahmad Vaezi, *ibid*, p. 123

individual; rather, it implies that all must enjoy equal opportunity and chance to attain them.<sup>1</sup>With a view to the two principles of Rawl's justice and the explanations given concerning these two principles, we enumerate the yardsticks of political justice as:

**1. Equal Political Participation:** When in accordance with the definition that the constitution gives for it he employs equal freedom for political approach, Rawls prefers to call it the principle of (equal) participation. The requisite of this principle is that all citizens enjoy equal rights of participation in the process of writing the constitution because in his opinion, the constitution is the basis of the rest of the laws that are to be observed. The principle of equal freedom necessitates that the citizens be given the opportunity to participate in the political processes which in the best sense of the term is called democracy based on the constitution. Rawls believes that the first principle should form the main axis for the creation of the well-organized society's constitution; and that the constitution should take steps towards improving the worth of the rights of equal participation for all members of the society.<sup>2</sup>

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1. John Rawls; *Justice as Fairness*, edited by Erik Kelly; London, the Belkap Press of Harvard University, year 2001, p. 43

2. Ibid.

Taking into consideration that the constitution is the foundation of the societal structure, it is essential that all should have equal access to the political process. When the principle of participation has been actualized, everybody enjoys the general status of the equal citizen. The principle of participation not only does not define the ideal citizenry; it also does not illustrate the duty of demanding from everybody to have an active share in political affairs.<sup>1</sup> Rather, it has certain topics on the subject of the employment of citizens which we shall discuss in the section on political selection process or in other words, meaning the second yardstick of political justice.

**2. Equal Political Selection Process:** Wherein Rawls refers to fundamental freedoms including political freedom in addition to the right to vote, he speaks of the right to nomination for appointment to government and public office as well. In this way all citizens at least in the official and formal meaning of the term, enjoy equal access to public (governmental) offices. Every citizen is qualified to join political parties in order to occupy electoral positions and reach to administrative power. The second principle of justice applies to the distribution of income and wealth and for organizations that in their chain of command (based on handing over positions and

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1. Ibid., p. 346

responsibilities) take the dissimilarities of individuals into account. From Rawl's point of view, the second principle shall be implemented only when all occupations are within reach of all individuals and on the provision of this condition, the societal and economic inequalities are arranged in such a way that they are to the benefit of all individuals.<sup>1</sup>As was pointed out, the law has got to guarantee equal and appropriate opportunity for participation in the political process and for influencing it. It means that ideally, those who possess similar talents and motives ought to enjoy almost equal chance of attaining political office notwithstanding their social and economic class.<sup>2</sup>Certainly it is likely that there are age, domicile and so forth related stipulations for attaining governmental positions, but these conditions and credentials have a rational relationship with government duties and jobs. Probably, these conditions and provisions are in the interest of all concerned and do not discriminate unfairly among individuals or groups.

It needs to be stated that the constitution has got to lay the foundation for equal rights of employment and steps be taken in order to safeguard the fair worth of these freedoms. In an

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1. Ibid., p. 111

2. Ibid., p. 342



organized government, it is possible that a few individuals devote a large amount of their time to politics; the good of human beings takes numerous other forms as well.

**3. Political Security for All:** Rawls emphasizes that the administration is the policeman of the person's rights and as long as the public affairs and regulations are applied impartially for the legal regime, it leads to the rule of law. In fact, he calls the impartial and orderly implementation of the law or in other words, the even-handed application of the law as justice akin to orderliness. However, in case of absence of the above conditions, Rawls sketches the spectacle of principles of compulsion and inherent duty by means of expounding the theory of civil disobedience. Rawls does neither emphasize and nor insists that we must obey the law under all and every circumstance even though according to ideal conditions we can assume that there will be complete obedience of the law but in the non-ideal and unrealistic conditions we can assume there will be only incomplete obedience. Considering that there will be injustice and oppression that both the citizens and the law commit, in this manner, for instance there will be punishments and civil disobediences that cannot be discussed according to the ideal theory.

Rawls' argument about civil disobedience only takes into

account the scope and duty of justice and in fact, is sufficient reason of endorsement of the threat of the insinuations of civil disobedience. These insinuations include breach of the foremost principle of justice meaning equality of freedom as well as the flagrant violation of the second part of the second principle of justice meaning principle of equality of equitable opportunity. Of course, it is not always easy to establish the execution or violation of these principles. However, if we think about them as being guarantors of basic freedoms, it often becomes clear that these freedoms are not safeguarded. Similarly, those principles demand accurate provisions that have to be manifested openly in institutions. Based on this premise, when the right to vote or right to occupy a political office or the right of ownership of anything or right to relocate from one place to another for some minorities is not recognized officially; or when some particular religious factions are suppressed and some others are denied different sorts of opportunities, these injustices are seemingly apparent to everybody. Unjust actions are instances of disorders and disturbances arising from bias and discrimination against some particular factions in the judicial process.

Considering that civil disobedience is a method of the instruments of demands that takes place through the forum of the public, thus efforts ought to be made and care must be taken to understand the demand and protests of the disgruntled

elements by the general public.<sup>1</sup>

Civil disobedience is similar to a general, non-violent, responsible and at the same time political action but which is opposed to the (ordinary) law that is normally established with the objective of bringing about change in the regime's law or policies. With this method, construal and sense of justice, the individual makes out the majority of the society as his opponents and announces that from his balanced point of view, the principles of social cooperation are not being respected by the free and equal human beings; and if it seems as though he is justifying civil disobedience, he informs of difference of opinion and civil dispute. The responsibility for this lies not with those persons who protest; rather, it is with those whose misuse of power and position has justified such an opposition.<sup>2</sup>

In this section, we discuss the epistemology of Islam's political-jurisprudential discourse in order to examine the yardsticks of political justice in the aforesaid discourse.

## **2. Discourse of Political-Jurisprudential Islam**

The theocracy ruling over Iran is the sole example of the establishment of political Islam. After passing through various

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1. Ibid., p. 565

2. For further research see: Ronald Durkin; Disobedience, translation and foreword by Mohammad Rasekh, *Kiyan journal*, tenth year, April-May 2000, no. 51.

historical and theoretical stages, political Islam has become conspicuous as the dominant ideology in the structure and prototype of politics and administration in Iran. This discourse lays emphasis on ‘Velayat-e-Faqih’ or ‘authority of the competent Islamic jurist’, on Islamic jurisprudence and the clergy as the main exponents of the ‘Shariah’ laws of Islam. Imam Khomeini is the chief exponent of political-jurisprudential Islam’s discourse. For the purpose of better understanding of this discourse, we undertake a detailed elucidation of it. In the detailed elucidation of Imam Khomeini’s discourse, the genuine Islam could be considered as the central theme. The buoyant signs and themes too are republicanism, role of people in the Islamic order, the deprived stratum, legalism, spreading the (Iran’s Islamic) Revolution, freedom, establishing social justice and other themes. In continuation, we discuss the central theme and the buoyant themes in detail as below:

## **2.1. Central Theme**

### **The Genuine Islam**

The genuine Islam is the ingredient of the Islamic Republic administration and constitutes the principal essence of this regime. Islamic laws and criteria are considered to be the mainstay of its laws and policies. Islamism is a fundamental aspect of this regime and is the pivot and nerve centre of all

theorizations in this form of administration. It is thus regarded as its integral and unbreakable part and considered to be a framework for all political readings. In stating the origins and philosophy of the administration established on Islam, Imam Khomeini remarks:

“Islam is the founder of an administration in which neither the style of totalitarianism dominates so that it imposes the opinions and sensual desires of a single person over the entire society nor the styles of constitutionalism (monarchy) and republicanism so that it relies on laws that a group of the society’s individuals devise for all of them. Rather, an Islamic administration is a regime that is inspired and emanates from Divine Revelation and seeks assistance from Divine laws in all spheres and none of the rulers and executives of the society’s affairs have the right to totalitarian opinion. (In the Islamic administration) all programs that are implemented in the sphere of the society’s management as well as its traditions and requisites aimed at fulfilling the needs of the people should be based on Divine laws. This general principle is valid and applicable even concerning obedience of rulers and executives of the administration’s affairs.”<sup>1</sup>

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1. Imam Khomeini, *Sahifeh-ye Imam*, vol. 6 (Tehran, Institute for Compilation and Publication of Imam Khomeini’s Works, year 1999), p. 270

“Islam has determined the rights, duties and reciprocal relationships of the Islamic ruler and subjects and the people; and with a view to this thought, to eliminate Islam from administration and politics is to alter the reality of Islam. Based on this idea, Islam possesses political thought and dimension and Islamic opinions have been included in the political jurisprudence section and Islamic injunctions and criteria are considered to be the cornerstones of its laws and policies. Likewise, the term Islamization finds manifestation in the concept of ‘Velayat-e-Faqih’ or rule of the Islamic jurisprudential authority and it was only Imam Khomeini who succeeded in presenting an interpretation of ‘Velayat-e-Faqih’ which is positioned alongside republicanism and democracy and which itself is the beginning of a new era in Shiite political thought and action.”<sup>1</sup>

## **2.2. Floating or Buoyant Terms**

### **2.2.1. Republicanism**

In Imam Khomeini’s discourse, the term Islamic Republic is a composite term. In this combination, republicanism is the form of the political system which heralds a new dimension of contemporary Islamic thought. That which stands out about the

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1. Imam Khomeini, *Positions and Powers of the Velayat-e-Faqih* (Rule of Islamic Jurisprudential Authority); from the book *Al Bai'*, (Tehran, Ministry of Culture and Islamic Guidance, p. 197

term 'republic' in Iran's political system is existence of the rule of the Islamic jurisprudential authority alongside the current institutions in the republic. In fact, the bond between religion and politics is the outcome of this religion ability to systematize in all spheres of social living resulting in the formation of a unique type of administration in Iran.

Imam Khomeini states:

“As to the reason why we say ‘Islamic republic’ is because both the nominated conditions and the Islamic laws that are implemented in Iran are based on Islam. However the choice lies with the people; and the ‘republic’ mode is the same mode which is in place everywhere.”<sup>1</sup>

Or that on another occasion, he states:

“We want an Islamic republic; and that is an administration which is based on public ballot. The ultimate form of the administration will be decided by the people themselves taking into account the current situation and demands of our society.”<sup>2</sup>

He further emphasized that;

“The vote and opinion of the people is not only a condition in the initial stages of the formation of the administration; rather the Islamic Republic believes in

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1. Mohsen Kadivar; *Administration of the Islamic Jurisprudential Authority* (Tehran, Ney Publishers, year 1999), p. 129

2. Imam Khomeini; *Sahifeh-ye Imam*, vol. 2, p. 260

their continual presence and constant supervision; and the people always have the right to criticize the officials and to keep a watch over them.”<sup>1</sup>

In this way, Imam Khomeini believed that republicanism in the current sense of the term meant that the administration was democratic; and the will of the people, in the form of their participation in determining the political regime, had led to the creation of the Islamic republic.

### **2.2.2. Role of the People in the Islamic Regime**

In his proposal of the Islamic administration, Imam Khomeini believes that acknowledgment of the people’s right to self-determination over their destiny to be the best way of taking decisions for solving the problems of the society in both their internal and external aspects. He further believes that this aspect of Islamic administration alongside the legislative sovereignty of God should continually keep up its special standing and welcome people’s constant participation. He believes that achievement of divine sovereignty is not possible except through establishment of a democratic rule meaning an administration that is formed by the people and through the expression of their opinion; and opines that popular acceptance gives the power of enforcement and establishment of the law to the administration. In fact, the people have a critical role to play

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1. Ibid., vol. 6, p. 256



in realizing the political regime of Islam, in case by case discovery and selection, in actualization of the rule of Islam and in critiquing, counselling and supervising for the administration's continued existence.<sup>1</sup>

Imam Khomeini considers the people's place in the administration to be much higher than giving and taking of advice and states:

“In no other administration except in the Islamic Republic, all affairs at all stages—even its leadership—are established on the basis of the people's opinions. This role for the people is higher than that of consultancy for consultancy is not in conflict with the independence of the leader and of the Imam whereas according to this theory, the people are instead of the leader and are his partner so that naturally, the consent and permission of both is valid.”<sup>2</sup>

For this reason, those who are elected by the people as lawmakers, executive managers, judges and arbitrators are responsible to the people for their actions and must take decisions taking into account the wishes of the people.<sup>3</sup>

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1. Ahmad JahanBozorgi; *Imam Khomeini's Political Ideology*, (Qom, KanouneAndishehJawan Publishers, year 2006), p. 86
  2. Imam Khomeini, *Sahifeh-ye Imam*, vol. 4, p. 190
  3. Ahmad JahanBozorgi, *ibid*, p. 87

### 2.2.3. The Downtrodden

One of the most important signs of the discourse on political-jurisprudential Islam is the concept of the downtrodden and this is because of the importance that Imam Khomeini reserved for the downtrodden, the weak and deprived stratum of society. Emphasis on the downtrodden revealed the political-jurisprudential Islam's stance in favour of the masses of people. Imam Khomeini asked the enlightened intellectuals to serve the deprived and the poor with their writings and speeches.<sup>1</sup> The Imam likewise, put forward the idea of establishing 'Party of the Downtrodden' in the world as:

“I am optimistic that a party in the name of the downtrodden is established all over the world; and all the deprived and the poor come together in this party and solve the problems that the downtrodden are faced with; and that they revolt against the arrogant and the plunderers of the east and the west; and that they no longer allow the arrogant affluent to do injustice to the weak and downtrodden of the world; and that they achieve the call of Islam and the promise of Islam which is the rule of the weak and downtrodden over the arrogant rich and the inheritance of the earth by the weak and the downtrodden.”<sup>2</sup>

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1. Imam Khomeini, *Sahifeh-ye Imam*, vol. 10, p. 475

2. *Ibid.*, vol. 8, page 250.

For this reason, Imam Khomeini recommends serving the entire nation and in particular the poor and the downtrodden because of their role in the Revolution (of Iran). He states: “In fact, the heavy burden of the Revolution from the time of the despotic monarchy until the victory (of the Iranian Revolution) and until today lies on their shoulders; and we are all indebted to them.” The Imam further counsels: “The officials should have their roots in a class that has experienced deprivation and injustices such as the society’s poor and downtrodden have experienced; and they should be concerned about their welfare.”<sup>1</sup> It is thus that they recognize the needs and plights of this stratum and endeavour to serve them.

#### **2.2.4. Legalism**

In Islam, administration means respect for the law and only the law governs over society; however, the Law of God and the opinion of individuals have no say in the rule of law.<sup>2</sup> The canons of the religion of Islam are the same for all and all individuals are equal in front of Divine sovereignty and the laws. The law that Imam Khomeini has mentioned in his written works forms the main theme of his political ideology. In the

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1. Imam Khomeini; *The Genuine Islam in the Words and Statements of Imam Khomeini*, (Tehran, Institute for Compilation and Publication of Imam Khomeini’s Works, year 1995), p. 324

2. Imam Khomeini; *Velayat-e-Faqih* (Rule of the Islamic Jurisprudential Authority), Islamic Rule, (Tehran, Amir Kabir press, year 1982), p. 48

Imam's view, 'the law' implies the law of Islam:

“The rule of Islam is the rule of law...indeed the administration is the law. All are under the security of the law; they are in the protection of the law of Islam... no ruler has the right to take a single step contrary to the rules and regulations of the purified Islamic Law.”<sup>1</sup>

Individuals have a duty to obey the Divine laws; and if these laws are not compatible with the laws of God, then in that case the individual has no liability whatsoever to obey them. Islam is the religion of law. In this regard Imam Khomeini asserts:

“God tells His prophet that if he utters a single word against the law, He will sever his lineage and progeny. It is the rule of law. Nobody except Divine Law enjoys public authority. There is no public authority for any individual; neither the 'Faqih' Islamic jurisprudential authority nor other than him (the Faqih). All are subject to the law; they are executives of the law.”<sup>2</sup>

### **2.2.5. Promoting the Revolution Overseas**

Promotion of the Revolution overseas was a concept was put forward by Imam Khomeini soon after the victory of the

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1. Imam Khomeini; *Velayat-e-Faqih* (Rule of the Islamic Jurisprudential Authority), (Tehran, The Institute for Compilation and Publication of Imam Khomeini's Works, year 1997), pp. 80-81

2. Imam Khomeini, *Sahifeh-ye Imam*, vol. 10, p. 53

Islamic Revolution (of Iran). It has its origins in the principle of ‘calling to Islam’ as enshrined in the doctrine of Islam. It is clear that the ‘call to Islam’ means Muslims asking non-Muslims by various means including verbal statements, writings and conduct to believe in Islam. As is evident from the life history of the early prophets and of the Prophet of Islam (SA) himself, the principle of ‘Call to Islam’ was the foremost theme of the principles of external relations as well as the foremost Islamic actions from the beginning of the prophetic mission of the prophet of Islam. However, it should be noted that the principle of power and freedom in choosing the call to Islam is considered to be important and is based on the principle of “لا اكراه فى الدين” meaning there is no compulsion in religion. Soon after the triumph of the Islamic Revolution of Iran, by using this principle, Imam Khomeini mentioned the concept of promoting the Revolution overseas thus:

“We must back the downtrodden people of the world. We must strive to spread our Revolution overseas...all the superpowers and the powers are bent on destroying us; and for sure we will be faced with defeat if we remain passive in a confined environment.”<sup>1</sup>

“God willing, we shall fracture the hands of aggression and oppression of all oppressors in Islamic

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1. Ibid., vol. 12, p. 285

countries; and by spreading our Revolution overseas which is in fact the spreading of the righteous revolution and statement of the Islamic commandments enunciated by prophet Muhammad (SA), we will put an end to the subjugation and hegemony and oppression of the global plunderers; and with the help of God, pave the way for the Appearance of the Saviour Reformer of all Mankind and the Spiritual Leadership of the Absolute Truth—the Imam of the Final Era—(may our souls be sacrificed at the altar of his mission).”<sup>1</sup>

In the constitution of the Islamic Republic of Iran too, out of nineteen principles on foreign relations, eight of them are related in one way or the other to the promotion of the Revolution (of Iran) overseas. The mention of this concept has been influential in arousing hostility of countries towards Iran even though Imam Khomeini had emphasized that promotion of the Revolution (of Iran) abroad did not mean interference in the affairs of other countries.

#### **2.2.6. Independence**

In Imam Khomeini’s thought, this concept has been adapted from the principle of ‘negation of the ways.’ ‘Negation of the ways’ of the unbelievers over Muslims means putting a stop to

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1. *Ibid.*, vol. 20, p. 132 (dated July 27, 1987), Imam Khomeini’s message to the pilgrims of the Inviolable House of Allah.

the domination of infidels over Muslims. In this concept any form of communication and action that leads to the domination and hegemony of infidels over Islamic territories, Muslims and their resources and values is prohibited by Islamic laws.<sup>1</sup> The Glorious Quran explains this principle thus:

“وَلَنْ يَجْعَلَ اللَّهُ لِلْكَافِرِينَ عَلَى الْمُؤْمِنِينَ سَبِيلًا”<sup>2</sup>

(And never will God make for the infidels a way (to triumph) against the believers.) This rule shall thwart the domination and hegemony of non-Muslims over the Islamic nation under all circumstances. Considering that in Islam the happiness and prosperity of mankind is tied to the implementation of the Divine laws, thus, by guaranteeing the independence, freedom and self-reliance of the Islamic community, the principle of ‘negation of ways and means’ blocks all the pathways that enhance the probability of taking away the honour and dignity of Muslims.<sup>3</sup> Imam Khomeini lays emphasis on safeguarding the country’s independence and getting rid of the influence of foreigners in the country totally such that the motto ‘neither the East nor the West’ became the Revolution’s (of Iran) foreign policy slogan. In fact, concerning the post-Revolution society of

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1. Mohammad Ghaffouri; *Principles of Diplomacy in Islam and Political Behaviour of the Prophet of Islam (SA)*, (Tehran, Mohajer Publishers, year 2007) p. 77

2. Surat Al-Nisa (women): 141

3. Mohammad Ghaffouri; *ibid.*

Iran, the Imam remarks:

“We must build an Iran which is able to take charge of its political, military, cultural and economic independence and stand on its own two feet without relying on (the United States) America, the (former) Soviet Union and the United Kingdom—these international plunderers.<sup>1</sup>

### **2.2.7. Freedom**

Freedom is one of the ultimate objectives of every administration and is among the concepts which reveal the source of administration from the viewpoint of Imam Khomeini. Like many of the philosophers and men of wisdom, he considers freedom to be a fundamental right for entire mankind and exhorts them on the basis of this thinking to attain such a right which is among the inherent rights.<sup>2</sup> However it is the law that restricts the sphere of a human beings freedom of action:

“They do not define freedom correctly. In any country, freedom is within the (prescribed) limits of the law; it is within the limits of that country’s laws. People are not free to break the law. Freedom does not mean that any person should utter anything that he

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1. Imam Khomeini; *Sahifeh-ye Imam*, vol. 9, p. 25

2. Mohammad Hossein Jamshidi; *Political Ideas of Imam Khomeini* (Tehran, Imam Khomeini and Islamic Revolution Research Centre, year 2006) p. 246



wishes against the laws, against the constitutions of a nation; against the laws of the nation. Freedom is within the prescribed limits of the laws of a state. Iran is an Islamic state and the laws of Iran are the (same as) laws of Islam.”<sup>1</sup>

Freedom has certain prescribed limits and dimensions and is divided into two inviolable territories including:

1. The general inviolable territory which reveals liberties at the level of society meaning civil liberties.
2. The private inviolable territory mentions liberties at the private and individual level and comprises of the ideological, expression, occupation, style of living and so forth territories.<sup>2</sup>

When discussing freedom, Imam Khomeini focuses on its two societal and individual aspects and takes into consideration both spheres of benefits of freedom to human beings. In Imam Khomeini’s view, some specimens and forms of freedom include the following:

1. Freedom of thought and expression;
2. Freedom of the press;
3. Freedom of (joining) political parties;
4. Freedom of religious minorities.

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1. Imam Khomeini; *Sahifeh-ye Imam*, vol. 7, p. 18

2. Mohammad HosseinJamshidi, *ibid*, p. 255

### 2.2.8. Social Justice

The concept of justice is the last buoyant theme that we discuss in Islam's political-jurisprudential discourse. The term justice, which means putting everything in its proper place is the antonym of the word 'injustice' in the same way that injustice means not putting everything in its proper place. Justice, which in the parlance of all societies is an accepted and desirable concern has been defined variously on the basis of the preconceptions of each doctrine and society. In Shiite logic, this term has gained added importance such that the Shiite school has been called the 'school of justice' by other schools of thought.<sup>1</sup> Social justice is justice related to institutions, organizations and the social situation. It is not enough only that the individuals of an organization are just and fair but the organization is not; rather, the organization ought to be made equitable and fair as well. In his speeches, Imam Khomeini has mentioned the objectives of the Islamic administration as being attainment of justice, freedom, independence as well as revival of indigenous identity. Justice is one of the important concepts that Imam Khomeini has always emphasized and is considered to be the most pivotal political and social posture of the political system from his point of view. Thus, in his divine-political last will, Imam Khomeini has taken note of and discussed the

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1. SayyedSajjadIzadhi; *Supervision over Power in Political Jurisprudence* (Qom, Islamic Sciences and Culture Research Centre, year 2008) p. 65

importance and criteria of justice becoming the criteria for issues and the social and political dimension of justice in such a way as to form the basis of the prescribed religious limits, of the laws of retaliation and discretionary punishments and of all political and social principles.<sup>1</sup>

Imam Khomeini considers attainment of justice and equality in society in all its dimensions to be the most critical duty of leadership and believes that there are two essential conditions for implementation of justice in case Islamic rule is established such as:

“The ruler has got to be just. If the ruler is not just he will not behave in a just and equitable manner in giving Muslims their rights, in receiving taxes and spending them properly and in implementing the penal laws.”<sup>2</sup>

The other is that the political system and the constitution should be planned in such a way so that public bodies are in a position to supervise one another—and this is the same charter of “reward and punishment” that brings the administration closer to justice. Some of Imam Khomeini’s statements concerning the rule of justice are as below:

“When we say Islamic rule we mean the rule of

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1. YahyaFowzi; *Imam Khomeini's Political Ideology*, representative body of the Supreme Leadership of the Revolution in the University (Qom, Ma'aref Publishers, year 2005), p. 300

2. Imam Khomeini, *Sahifeh-ye Imam*, vol. 13, pp. 217-18

justice.”<sup>1</sup>

Or

“The God of Islam is just; its prophet is also just and infallible; its Imam (spiritual leader) is also just and infallible; its religious judge is also reliably known to be just; its ‘Faqih’ jurisprudential authority is also reliably known to be just; its divorce witness is also reliably known to be just...the ruler has got to be just; its administration must also be just.”<sup>2</sup>

In the discussion on justice in the true sense of the term, Imam Khomeini takes all its dimensions into consideration. Social justice means justice at the level of communal living. Justice at the level of communal living has certain dimensions and here we discuss from Imam Khomeini’s point of view, three dimensions of social justice meaning economic justice, judicial justice and political justice:

#### **2.2.8.1. Economic Justice**

According to Imam Khomeini, this dimension of social justice focuses on the subject of social recompense (security) of individuals and equality of opportunities in society. Social security means societal commitment and responsibility aimed at building confidence and giving support; and to provide for public security and relative welfare of the society’s individuals

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1. Ibid., vol. 3, p. 509

2. Ibid., p. 304

in all aspects of living is one of the reasons for forming an administration in society. Similarly, if in a society there is equality in relation to (implementation of) the laws and there is no room left for discrimination and double standards so that all strata of society attain their rights, in such circumstances a secure environment is created in which talents reach to their potential and bear fruit and the society is placed on the path of development. Imam Khomeini reckons welfare to be one of the national objectives of the Islamic government and states:

“It is the entire hope and aspiration of our nation and government that poverty and destitution is someday eradicated from our society and the esteemed, patient and honourable people of our country enjoy welfare in both material and spiritual living.”<sup>1</sup>

On the issue of equality of opportunities, just as we mentioned earlier, this can only be achieved when there is no discrimination and double-standards in society and there is equality in relation to the laws. Article 19 (nineteen) of the (Iranian) constitution stipulates thus in connection with absence of discrimination among members of the nation:

“The people of Iran, of whatever ethnic group and clan they belong to possess equal rights; and race, language and so forth shall not be (considered as) a privilege.”

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1. Ibid., vol. 20, p. 129

Similarly, according to Article 20,

“All individuals of the nation including both men and women are equal in the eyes of the law and enjoy human and political rights taking into consideration observance of Islamic principles.”<sup>1</sup>

### **2.2.8.2. Judicial Justice**

Judicial justice implies executive justice and is itself a part of the bigger issue of justice of the laws. Concerning judicial justice it is usually said that the impartial judge is one who acts in accordance with the law and in an unbiased manner. However, the question is one of the laws themselves being just and equitable.<sup>2</sup> The heavy weight that has been accorded by the laws of Islam to the matter of dispensing justice and to the eminent station of the judge is seldom observed for other things such that in the narrated traditions the position of dispensing justice is the sole domain of the Messenger of God (SA) and the Infallible Imams (AS).<sup>3</sup> Soon after the victory of the Islamic Revolution (of Iran), Imam Khomeini has dwelt on the importance and position of the subject of the judiciary; the

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1. Mansour Jahangir; *Constitution of the Islamic Republic of Iran*, with amendments and changes, year 1989 (Tehran, Dauran Publishers, year 1999), p. 38

2. Mohammad Ashouri; *Human Rights and the Concepts of Equality, Equity and Justice*, (Tehran, Published by the University of Tehran, College of Law and Political Sciences, year 2004), p. 53

3. SayyedSajjadIzadhai, *ibid*, p. 241

objective from implementing the laws and punishments; the philosophy of punishments in Islam; the crimes against the people's rights; supervision by the legal guardians and so forth:

“The judges ought to be very careful; the public prosecutors; those who are responsible for this important Islamic concern that the responsibility is great; and it is necessary too that you accept the responsibility. One should get involved but it is a big issue. They should take care since the lives and properties and honour of a nation is in the hands of this dispensing of justice and is in the hands of these courts of law; and they are the ones who are in charge of these issues. They should pay attention to public interests to the extent of their ability; to the extent of their power. They should not overlook the offender and God forbid, mistakenly sentence one who is not an offender.”<sup>1</sup>

### **2.2.8.3. Political Justice**

Political justice means that the country's affairs are managed in a proper manner so that people carry on with their lives in a just and equitable atmosphere. This just and equitable atmosphere shall be secured with the possession of equality, freedom, security and welfare as the inherent rights of the society's individuals. In this way a logical relationship is established between justice and politics in which the administration elected

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1. Imam Khomeini, *Sahifeh-ye Imam*, vol. 16, p. 252

by the people is answerable and liable to indictment.<sup>1</sup> Equal participation is one of the benchmarks of political justice from Imam Khomeini's point of view. In his written works, he strongly emphasizes on the necessity of people's participation in the political process, in establishment of the government on the basis of people's vote; in people's supervision of the government etc. such that in the initial days following the victory of the Islamic Revolution (of Iran) Imam Khomeini seeks the people's opinion on the type of political system they wish to have. Thereafter, he seeks the people's opinion through their ballot for establishing the Islamic Consultative assembly, for gaining people's approval of the constitution, for the election of the members of the Expert Leadership Council, for the presidential election etc...In fact, from Imam Khomeini's point of view, "People's awareness and their general involvement and supervision of their elected government shall by itself guarantee maintenance of security in society."<sup>2</sup> Imam Khomeini considers political participation to be the right of all people and believes that the society's individuals shall have the right to participate in all their political affairs. There must be no discrimination among the people as far as public participation is concerned; all should feel they have attained their respective rights and considering that the people possess political awareness and maturity, it is necessary that they

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1. Mohammad Ashouri; *ibid*, p. 207

2. Imam Khomeini, *Sahifeh-ye Imam*, vol. 4, p. 248



oversee all affairs:

“We should involve them in all affairs...the government is their (the people’s) representative. The judiciary is their representative; the legislative power is their representative; they must perform their duty; they should involve the people in all matters...”<sup>1</sup>

In fact, it is not possible to establish Divine Rule except through establishment of a government of the people meaning a government that is formed by means of the people through expression of ballots and with popular approval that gives the government the power to carry out and establish the law. Based on this premise, divine authority cannot be established in practice without the people’s approval.

### **3. Examination of the Benchmarks of Political Justice in Islam’s Political-Jurisprudential Discourse**

In this part an examination of the benchmarks of political justice in Islam’s political-jurisprudential dialogue is undertaken. The three benchmarks of political justice include as below:

1. Equal political participation
2. Equal political selection
3. Political security for all people

**3.1. Equal Political Participation** is the first benchmark of

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1. Ibid., vol. 20, p. 55

political justice. Included among political liberties is equal political participation, the right to criticism and supervision. If we consider political participation in the general sense as meaning involvement of individuals at various levels of activity in the political system, then the right to election, criticism and supervision and the accountability of the officials and freedom of political parties could be discussed in this topic. In fact, people's right to elect is attained by various methods including participation in political organizations and parties that is aimed at following their wishes in order to be able to elect the individual of their choice to the position of power.

**3.1.1.The Right to Elect:** as the founder of the political system based on rule of the Islamic jurisprudential authority or 'Velayat-e-Faqih' Imam Khomeini believes that even though the authority over the affairs of Muslims and formation of theocracy is blended with Divine constitutionality and legitimacy, however, it becomes apparent and manifest with the reception and approval of the majority of the society's individuals. In this way people have been granted the right to elect.<sup>1</sup> Imam Khomeini states:

“Velayat or authority has forms in its entirety; but the custodianship of Muslims' affairs and the establishment (of authority) depend on the opinions of

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1. Sharif Lakzai; *Comparative Study of Theories of Velayat-e-Faqih*(Qom, Islamic Sciences and Culture Research Centre, year 2006)

the majority of Muslims. This has been mentioned in the constitution as well; and at the dawn of Islam it was interpreted as swearing of allegiance to the ruler of Muslims.”<sup>1</sup>

In this way, the constitution too, which Imam Khomeini has endorsed, grants such a right to the people and so there is no limitation to people’s participation in the presidential elections, elections to the Assembly of Experts and to the Islamic Consultative Assembly. It could be claimed that people are empowered either to accept or reject theocracy based on the rule of the Islamic jurisprudential authority or ‘Velayat-e-Faqih’:

“It is one of the fundamental rights of any nation that it should have the power to determine its own destiny and to establish the form and type of regime it seeks.”<sup>2</sup>

**3.1.2. The Right to Criticism and Supervision** is yet another of the people’s political rights and freedoms in the sphere of political participation. This principle has been the focus of much attention in Islamic jurisprudence. Considering that in the Era of Occultation of the Saviour Imam (may God expedite his blessed Reappearance) the rulers and administrators are not infallible and there is the likelihood of them committing wrongs and making mistakes, the subject of

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1. Mohsen Araki; Status of People in the Islamic Regime; *Rawaq-e-Andisheh journal*, first year, no. 6 (March 2002), p. 9

2. Imam Khomeini, *Sahifeh-ye Imam*, vol. 21

criticism and supervision by the people and the necessity of accountability of the authorities (impeachment) is of significance. In a section of his speech, Imam Khomeini opines that in the administration of the Islamic jurisprudential authority—the ‘Velayat-e-Faqih’—all are accountable for their respective actions and citizens supervise all affairs and even the Islamic jurisprudential authority. In case the administrators deviate from Islamic norms and commit mistake, the people can protest, point out the mistakes and prevent their reoccurrence.<sup>1</sup> Concerning the subject of criticism too, he asserts: “In the Islamic Republic, all should pave the way for the society’s happiness and prosperity with their criticisms and mention of the shortcomings.”<sup>2</sup> Imam Khomeini is convinced that there is no particular limitation to criticism of the government or the leader as long as the subject of criticism is protected. The only restriction to criticism is when it is converted into a conspiracy and there is the intention to topple the regime. Concerning supervision too, it has to be restricted to matters that are relevant to the power and administration of individuals and personal affairs are outside the scope of supervision.

**3.1.3. Freedom of Political Parties** is yet another of the political liberties of the people. In fact, achievement of citizens’ participation in politics and the country’s affairs as well as selection of executives is almost impossible without

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1. Sharif Lakzai, *ibid*, p. 163

2. Imam Khomeini, *Sahifeh-ye Imam*, vol. 21, p. 78

cooperation with one another. Thus, in defining the political party, one can say that it is “the gathering of individuals who share similar views on certain issues and would like to work together in order to achieve mutual objectives.”<sup>1</sup> Also, Imam Khomeini considers activities of political parties to be within the framework of national interests:

“Political parties, political and religious societies are free (to operate) as long as their activities are not contrary to the Islamic Republic and do not violate the sovereignty of the nation and the country.”<sup>2</sup>

According to him, political parties should possess certain characteristics in order to be able to operate in the political system. Some of these characteristics include the following: desisting from armed confrontation with Islam’s political regime; stating criticism and shunning conspiracy; being independent of foreign powers; enjoying the approval and support of the people and having compatibility with national and societal solidarity and unity.<sup>3</sup> Similarly, political parties

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1. Abdul Rahman Alem; *Foundations of the Science of Politics*, (Tehran, Ney Publishers, year 1994), p. 343

2. Imam Khomeini, *ibid.*, vol. 10

3. See: Ali Ahmadi; *Political Parties in Imam Khomeini’s Ideology*, collection of articles on Imam Khomeini and the idea of Islamic rule, political institutions and civil principles (6), first edition, (Tehran, The Institute for Compilation and Publication of Imam Khomeini’s Works, year 1999), pp. 8-12

including both pro-regime and anti-regime have certain restrictions. The pro-regime political parties do not have the right to bypass the government and the legal mechanisms and take direct action on their own to implement Islamic laws and get rid of prohibitions and unlawful things. The anti-regime political parties in addition to having the aforesaid characteristics cannot have a share and infiltrate the administration through elections and sending their representatives to the legislative or executive powers because it is possible that by penetrating the administration, they may take steps to weaken the government and consequently, topple the administration.

**3.2.The second benchmark is equal political appointment.** By equal political appointment is meant the equal right of citizens in attaining political offices and positions which indeed, we call the right to get elected.

In contrast with electing, getting elected to public office is the highest level of political participation. Getting elected to public office requires the most commitment and begins after the stage of electing. For this reason, the level of participation in it is always limited and is accompanied with countless impediments and restrictions. The motivation to participate and efforts to attain a political position through election exists in a limited number of individuals. Of course apart from the desire

of individuals to participate at high levels of politics, in the political system the law imposes certain limitations and conditions for admission to a political and administrative office. These limitations include the restrictions that have been placed on the candidate nominated for leadership and rest of the public offices and positions and also the gender factor restriction that removes half the society's members—meaning females—from the sphere of the right to get elected to public office. In addition to these, in every political system, there are a certain number of posts that are by appointment and are determined and selected by superior authorities. Therefore, such a mechanism also eliminates the path of getting elected by means of the people's votes. For instance, in the Islamic Republic of Iran's regime, the head of the judiciary is appointed by the supreme jurisprudential authority (the leader) and therefore, it restricts the path of getting elected to public office in democratic style.<sup>1</sup>

In fact, in Islam's political-jurisprudential discourse many of the social appointments in addition to being regarded as the right of individuals are in fact religious obligation and responsibility for them. Thus, this heavy obligation can lessen the appetite of individuals for involvement in the political arena. In addition, this discourse does not take into consideration the right to political post for all individuals and this topic has been discussed at the level of the supreme

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1. Mohammad HosseinJamshidi, *ibid.*, p. 561

jurisprudential authority and the leadership establishment. This system considers certain conditions and qualifications to be essential for appointment to the leadership position and the possibility of meeting them is almost impossible for most individuals. These special qualifications have been mentioned in the dissertations of Islamic jurists and in particular, of Imam Khomeini. Upon examining the written and spoken works of Imam Khomeini, one can infer that conditions of appointment for administrators and the leader (the Wali guardian) for instance include the following: erudition, analytical thought, justice, piety, public relations, courage, bravery, astuteness, knowledge of latest issues and the demands of the time, ability to discern what is in the best interests, broadmindedness, orthodoxy, sense of responsibility, absence of worldly avarice and desire and its manifestations (such as position, power, money, worldly ambition, fear of God), respect for the law, intellectual superiority, trustworthiness et cetera.<sup>1</sup> For this reason, with the stipulation of ‘Islamic jurisprudence’ almost all citizens are eliminated; and with the provision of ‘justice’ those Islamic jurists that lack the attribute of justice are automatically excluded while with the provision of ‘strategy and management,’ those that are lacking in managerial capability are eliminated.

On the other hand, the question of sphere of jurisdiction and duties of the legal Islamic ruler or ‘Vali-e-Faqih,’ can also lead

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1. Sharif Lakzai, *ibid.*, p. 148



to certain restrictions concerning election of individuals to political office. Although, the opinions and interpretations of Islamic jurists on the issue vary widely, but some of the Shiite jurists including MohaqeqKorki, AkhoundKhorasani, Ayatollah Boroujerdi and Imam Khomeini believe that the scope and limits of the Islamic jurisprudential authority includes all matters that were obligatory for the honourable Prophet of Islam (SA) and the Infallible Imams (PBUT) vis-a-vis the ruler excepting certain instances that due to a particular reason are included among the unique characteristics of the Prophet of Islam and the Infallible Imams because those instances are connected to the personality aspect and station of infallibility of those revered personalities. Therefore, in addition to the positions of dispensing justice and issuing injunctions, the scope of the Islamic ruler's religious duties shall include political leadership and supervision of the Islamic nation as well. In this way, all matters that the political leader is in a position to accomplish and should accomplish in the sphere of the society's public interests are all among the religious duties of the Islamic ruler or the 'Wali-e-Faqih.'<sup>1</sup> The leadership is responsible for supervision and control of the three executive,

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1. See: MohaqeqKorki, *Al Rasa'il*, vol. 1, p. 142 and Molla Ahmad Naraqi, '*Awa'id Al Ayam*', p. 536 and Muhammad Hussein Al Najafi, '*Jawahir Al Kalam Fi Sharh Sharaye' Al Islam*,' vol. 21, p. 359 and Muhammad Al KazimKhorasani, '*Hashiyeh Al Makasib*', p.93; Sayyed Hussein Boroujerdi, *Al Badar Al Zahra Fi Salat Al Jum'ahwal Musafir*, penned by Hossein Ali Montazeri, p. 57 and Imam Khomeini, "*Kitab Al Bay'*", vol. 2, p. 472

judicial and legislative powers. Of course, his supervision and control over the three powers of the system goes beyond the usual supervision and for this reason, in Iran the separation of the three powers differs from their separation (of the three powers) in the rest of the political systems.

**3.3. The third benchmark is political security for all.** In a just society political security is established through rules and criteria that enable citizens to enjoy certain liberties and opportunities created for achieving their respective objectives in an effective manner. In case of breach of these conditions, individuals rise in opposition to the law with the aim and objective of bringing about changes in it. In a sense one can say that there is political security for all individuals in the shadow of equality before the law—both from the point of view of its legislation as well as from the point of view of its implementation.

Political security means the assurance to citizens of the restoration of their rights by the government. The society's individuals achieve political security when they obtain the assurance from the government concerning their personal, civic and social securities. The government's duty in this case is that during various stages of the law's legislation, judgment and implementation, it should maintain its neutrality in relation to the citizens and the citizens are assured of this neutrality. According to Imam Khomeini, security has not been defined but there are statements about the importance and necessity of

security. He considers security to be a blessing and lauds it on numerous occasions. On one occasion while making a comparison of the Islamic Republic regime with the Pahlavi monarchy, he remarks that in the Islamic Republic regime, the era of insecurity and fear of the people and the elites has come to an end. On another similar occasion he asserts:

“The government is at the disposal of the people; and there will be no reports of bullying and despotism which are considered to be the main source of insecurity and fear and anxiety in a society.”<sup>1</sup>

In this manner, the confidence of citizens is earned in two ways; 1. Equality before the law; and 2. Equality in dispensing justice and implementation of the law:

1. Equality before the law occurs when in society, individuals apart from their inherent and acquired positions and privileges enjoy the same and equal standing before the law and that individuals are not classified on the basis of the colour of their skin, political beliefs, religion, ethnicity, language and faction. Also, in the course of implementation of the law and dispensing justice, the aforesaid positions and privileges are not taken into consideration. This has been mentioned in Article 19 of the Islamic Republic of Iran’s constitution while Article 20 states that all individuals including both men and women enjoy the same support of the law and possess human, economic,

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1. Imam Khomeini; *Sahifeh-ye Imam*, vol. 6, p. 256

social and cultural rights taking into consideration adherence to the principles of Islam.<sup>1</sup>

2. The manner of dispensing justice and implementing the law is among the major manifestations of political security. Accurate, thorough and balanced legislation alone is not enough because it is possible that there is nothing wrong with the law but the one who implements the law due to political reasons tramples upon the rights of some citizens for the 'crime' of their ethnic, linguistic and religious affiliations. Thus, the executives of the law must believe in it and guarantee its implementation in earnest and without regard to factional interests. The judiciary should bring the violators of the law to justice; the security and police forces too should defend the inviolable territory of liberty as well as of legitimate movements and also safeguard the boundaries of national security and foil threats to it. In the midst of these, it is the law that must have the first and last word.<sup>2</sup> From Imam Khomeini's point of view too, all are equal before the Divine Law and in the presence of Islamic justice; and no individual is made an exception as far as the implementation of Divine laws and ordained punishments is concerned:

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1. Mansour Jahangir; *Constitution of the Islamic Republic of Iran*, (Tehran, Dauran Publishers year 2008), p. 37

2. Mohammad Mansournejad; National Security and Political Liberty, *Political Science Quarterly*, ninth year, thirty-third issue; year 2006, p. 163.

“In Islam there is no difference between groups when it comes to punishing the criminals and all are equal before the law.”<sup>1</sup>

Thus, Imam Khomeini does not consider any individual as having judicial immunity and he takes the lead himself in this matter stating:

“Any group or person even though if they are closely related to me is responsible for their own actions and statements; and the judicial machinery has a duty to prosecute them if God forbid, they violate the laws of Islam.”<sup>2</sup>

The constitution too, in order to guarantee equitable judicial protection in various articles refers to the principle of the sovereignty of the law as in Article 34 stipulating that:

“It is the inalienable right of every individual to seek justice; and any individual can refer to the competent courts of law in order to file a complaint. All individuals of the nation have the right to have access to such courts of law and no person can be prevented from referring to court of law which by virtue of the law, all individuals have the right to refer to.”<sup>3</sup>

However, this same law has created certain restrictions in order to establish security for individuals, some instances of

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1. Imam Khomeini, *Sahifeh-ye Imam*, vol. 6, p. 253

2. *Ibid*, vol. 14, p. 145.

3. Mansour Jahangiri, *ibid.*, p. 42

which we mention as below:

With a view to the principle of the government's judicial sovereignty, according to clause 4 of the article 156, the judiciary is the sole authority of determining a crime, prosecution, punishment, discretionary punishment and implementation of the prescribed limits and compiled penal laws of Islam. Also article 44 emphasizes that, "Verdict of punishment and its implementation must take place through a competent court of law and in accordance with the law."<sup>1</sup>

However, unfortunately, the aforesaid article has been violated in various instances of the Islamic penal code and this has seriously jeopardized the judicial security of citizens. In particular, one can refer to Clause 226 and its sub-clause (killing of an outlaw), to clause 184 (any individual or group that take up arms in order to fight those that engage in armed rebellion against an Islamic state and to eradicate corruption on earth are not enemy combatants.) and to clause 630 (homicide in skirmish).<sup>2</sup>

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1. Ibid., p. 43

2. Amir Hamzeh Zainali; *Nameh Journal*, vol. 43, mid-November 2005, p. 15

#### **4. General Conclusion**

In Islam's political-jurisprudential discourse, the concept of political justice has been acknowledged; and as mentioned earlier, political justice has three benchmarks that include equal political participation, equal political appointment and political security for all individuals.

Equal political participation is participation of all the nation's individuals in the political processes. In fact, it is having the right to elect, the right to criticize and to supervise and freedom of the political parties of the citizens. Citizens participate in the election process and vote freely for the candidate of their choice and elect him to office. In the stage of wielding power too, they can supervise the performance of the officials and to censure them whenever necessary. This for instance, can occur in the form of impeachment of officials. Individuals are also in a position to support a faction or an individual of their choice through the political parties.

The benchmark of equal political appointment is the equal right of citizens in getting elected to political offices and positions which were referred to earlier as the right to be elected. In the process of getting elected—which is the highest level of political participation—the level of participation is always limited and is accompanied with a countless number of impediments and limitations which in addition to dampening

the appetite of individuals for participation at the upper levels of politics, the law too has devised certain limitations and conditions for admission to political and administrative positions. Similarly, in addition to being regarded as the right of individuals, many of the societal positions are in fact a religious obligation and responsibility for them. Thus, this heavy obligation can also dampen the appetite of individuals for involvement in the political arena. With a view to the fact that Islam's political-jurisprudential discourse has not taken into consideration this right for all individuals, thus this category was examined at the level of the supreme Islamic jurisprudential authority and the leadership establishment. We expounded on the conditions, attributes and duties that have been taken into account for the leadership in order to make it clear that a wide spectrum of individuals become ineligible for reaching to this position.

Political security for all individuals is the assurance given to citizens of the restoration of their rights by the government. When the society's individuals attain the assurance from the government of their personal, public and social security, they have achieved political security. This is acquired when individuals are treated equally by the law without discrimination on linguistic, cultural, ethnic, religious and racial grounds and this equality is taken into account in dispensing of justice and implementation of the law as well.



In sum, one can claim that in spite of certain limitations, the three benchmarks of political justice have gained acceptance in Islam's political-jurisprudential discourse.