

The Basics of The Discourse “Justice for Everybody” in The Quran

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Abstract: The aim of this study, which will contribute the discussions of worldpeace in an humble way, is to evaluate the Quranic verses that we consider related to *justice for everybody*, taking into account classical and modern approaches, especially the ones in Quran exegesis literature. In this paper, various questions related to this matter will be discussed: What is the content of justice? What does the Quran mean when it says “judge among men in truth (and justice)”? Is there any ambivalent attitude in implementing justice related to close relatives? What does the Quran advise Muslims about the justice demands of non-Muslims? Is it a problem if the persecuted ones are Muslims or not? Does the Quran impose its own law upon the ones who want to practice their own (canonical) law? Does the Quran present all non-Muslims as a single category, or distinguish between non-Muslims who fight against Muslims and those who do not? Does hatred against a community legalize unjust behavior against that community?

Keywords: the Quran, justice, right to choose another law system.

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Introduction

Justice, which means equality, judging equally, is the opposite of oppression (*jawr*) (Ibn Faris, 1979: IV: 246, 247; Ibn Manzur, h. 1414, IV: 153). It is expressed in the Quran with the words *adl* and *qist*. The words deriving from the root alphabet letters *a-d-l* mean right (Ibn Manzur, h. 1414, XI: 430), rectifying (*addalah*), balancing, coequal (Fairuzabadi, 2005, I: 1030), the person whose witness is persuasive (*rajulun ad-lun*) etc. (Ibn Faris, 1986, V: 1760).

The aim of this paper is to evaluate the Quranic verses which we think they incorporate the emphasis of *justice for everybody whether s/he is Muslim or not* by considering classical and modern approaches. In this context we will explore the scope of social justice, the content of judging people justly, whether there are ambivalent practices when realising justice among family members, the duties of Muslims related to justice demands of the ones who do not define themselves as Muslims, whether the religion/ideology of the oppressed is a problem or not, if there is an Islamic law enforcement upon non-Muslims, whether there is a categorization between non-Muslim groups fighting or not fighting with Muslims and additionally whether behaving them unjustly because of hatred against them is legal.

A. Justice Emphasis of the Quran and Social Justice

As it is in the Western tradition, in Islam as well, justice, which is an ethical virtue and a human feature (Abdullah, ds., VI/3: 275), is the most frequently emphasised concept in organizing human relations. Justice, which includes delivering and observing right and respecting human rights, is a moral, legal, philosophical, religious, and at the same time universal value. So, justice in Islam has been considered the basis of social life and the essence of governing (Öztürk, 2012: 19). Although justice differs from country to country, culture to culture, its definitions have some common aspects. Because of human nature, perfect justice cannot be implemented, yet it should be kept as an ideal. Justice is to give everybody -Muslim or not- her/his rights and *the true teaching* shows

what the inalienable rights of all people should be (Hatemi, 1989: 81). It is impossible for a believer to be an enemy of a race, colour, family, language or nation. Her/his only hostility is against superstition, oppression and imperialism (Hatemi, 1989: 33).

As the aim of law nearly in all human law systems, justice (Karaman, 2002: 895) does not mean *equal-share distributing* as it is not natural. In reality, justice is to distribute rights, sometimes equally. For example, all citizens must be equal from the aspect of citizen rights but in other situations in terms of having equal rights it is out of justice. For instance, the equality of children and parents, from the aspect of social position and rights, is of course wrong. Likewise, the ones serving in a highly prestigious business do not get equal payment with the ones who serve in a respectively less prestigious one. What Allah orders is to provide everybody her/his all rights such as ethical, social, economic, legal or political to the extent that s/he deserves (Mawdudi, 1986, III: 48).

To be just -it does not matter if the one who requests it Muslim or not- is not extra worship (*ibadah nafilah*), but a responsibility emphasised in many Quranic verses and sixteen verses are related to the visibility of justice in society (Mutahhari, 2005: 43): "*And if you judge, judge with justice between them. Verily, Allah loves those who act justly.*" (Maida, 5: 42). In this verse, from the aspect of the responsibility of realising justice, the forefront ones are people more than prophets (Sarmış, 2010: 317): "*We verily sent Our messengers with clear proofs, and revealed with them the Scripture and the Balance, that mankind may observe right measure.*" (Hadid, 57: 25). So, the reason why prophets were sent was to make justice the dominant principle in social life (Mutahhari, 2005: 42) and provide a milieu in which nobody oppresses anyone (Nasafi, 1998, III: 441).

The Prophet, Muslim rulers and judges are obliged to act in harmony with God's order and exert their efforts to establish justice because God loves those who deal justly (Qutb, 1991, III: 261). It is requested from the Prophet Muhammed that he declare and commit divine orders and shariah, establish justice for everybody for the sake of Allah with His right orders by throwing pagan and transgression orders which are the

source of oppression and done according to this/that person's wishes (Yazır, 1979, VI: 4231): "*Unto this, then, summon (O Muhammed). And be you upright as you are commanded, and follow not their lusts, but say: I believe in whatever Scripture Allah has sent down, and I am commanded to judge justly between you. Allah is our Lord and your Lord. Unto us our works and unto you your works; no argument between us and you. Allah will bring us together, and unto Him is the journeying.*" (Shura, 42: 15). From the part *I am commanded to be just among you*, it is clear that, when the people disagree among each other (Nasafi, 1998, III: 249) one of the most important visions of strengthening the religion is to rule with justice by repealing oppressive laws (Yazır, 1979, VI: 4231). This leadership is an efficient one which has political authority and declares universal justice among all people on earth. Also, the message in the verse came when the message of Islam -with its exponents- was under pressure in Macca. Nevertheless, this (just) character of the message and its universality could be seen clearly (Qutb, 1991, IX: 68).

Islam forms the basis of law, ethics and social system and brings justice to the fore with *its legal and international kinds* (Karaman, 2002: 887): "*Lo! Allah commands justice and kindness (ihsan), and giving to kinsfolk.*" (Nahl, 16: 90). Thus, Islam brings moderateness to the merciless and the infallible certainty of justice. Additionally, it leaves the door open to the ones who wish to make sacrifice some of his/her rights, -by doing good (ihsan)- and so to the ones preferring the love of hearts. Islam does not employ justice, which is the basic principle of life, as a stumbling block before the ones trying to treat wound or wishing to present a virtuous example. Ihsan incorporating every good deed has a very wide meaning indeed and as a divine commandment it includes man's relationship with God, his/her family, society and all people (Qutb, 1991, VI: 563).

In all facets of life, whether it be shopping agreements (Sa'dî, 2000, I: 447), behaviours, ruling and deciding, human rights, loving and caring, governing and educating; acting rightly, doing a job properly, providing human rights or putting something in its proper place is justice. Similarly, justice means not to behave differently to people and

not to mistreat people because of their colour, race, region, culture, education level and status (Ece, 2012: 40). Allah holds Muslims responsible for justice in their judgments, words, actions and moral behaviours (Rida, 1990, V: 145).

The Quran came to form an Islamic ummah and organize society. Its call is a universal one encompassing all people. It is not based on a tribe, nation or race. According to Islam the only acceptable bond connecting people with each other is belief. Namely, belief takes the place of nationalism and conservatism. The Quran would like people to obey the principles which will bring peace to individuals and nations, provide trust in relations, promises and agreements (Qutb, 1991, VI: 563).

The Quran's justice principle, the right and midway between two excessive points, is a sturdy handle (Abyârî, h. 1405, II: 226) which can be held by every individual and society in human relations. This principle does not change its form according to the wishes and desires of human beings and is not affected by personal caprice such as love or hatred, does not change according to kinship ties, richness or poverty or according to the powerful or oppressed. Again, this principle evaluates everybody with the same criterion and uses the same pair of scales for everyone (Qutb, 1991, VI: 563).

Islam's feature of being *ummatah wasatah*,² a guardian of justice and a just governing center which will be a good example for human beings, is based on fundamentals, principles, strategies and directives forming the base of the Islamic message: "*Thus We have appointed you a middle way, so that you may be witnesses before all mankind, and that the messenger may be a witness before you.*" (Baqara, 2: 143). This ummah follows the path of justice and equity, of balance and moderation. It is a group which occupies a central position among the nations of the world so that its friendship with all is based on righteousness and justice and no specific group receives its support in either wrong or injustice (Mawdudi, 1986, I: 107). The Muslim ummah is an exemplar

2 Some say that this concept means just ummah (Muqatil b. Sulayman, h. 1423, IV: 407) and good ummah (Nasafi, 1998, I: 143). It can be said that a translation into English such as "balanced ummah" reflects the meaning of the Arabic word as well.

community which is a good example for all human beings and has adopted the middle way. It renders justice and rightness as dominant principles for all dealings among people and it puts forth the criteria and value provisions which can be adopted by human beings (Qutb, 1991, I: 198).

Witnessing before all mankind on behalf of God, a serious duty which has been conferred on this community, amounts to its being invested with the leadership of all mankind. This is at once a great honour and a heavy responsibility. For what it actually means is that just as the prophet served as a living example of godliness and moral rectitude, of equity and fair play before the Muslim community, so is the Muslim community required to stand vis-a-vis the whole world. Believers will be held responsible along with the protagonists of evil for all the errors of belief and conduct which have spread during their term of leadership. They will have to face the grim question: What were they doing when the world was convulsed by storms of transgression, injustice and error (Mawdudi, 1986, I: 107)?

B. Restoring Deposits to Their Owners and Judging Justly

The Quran mentions David in relation to justice: “O David! We did indeed make you a vicegerent on earth: so judge you between men in truth (and justice): nor follow you the lusts, (of thy heart), for they will mislead you from the Path of Allah.” (Sad, 38: 26). Similarly, it tells us about Muhammed: “Lo! Allah commands you that you restore deposits to their owners, and, if you judge between mankind, that you judge justly. Lo! comely is this which Allah admonishes you. Lo! Allah is ever Hearer, Seer.” (Nisa, 4: 58). So, it advises finely and permanently to judge justly, rightly among the people without considering social status, friend-relative relationships and to save rights and deposits. This is a style determined by the Islamic shariah and it has been used in some Quranic orders repeatedly (Darwaza, 1997, VII: 149). The expected thing from Muslims is to behave justly to the other creatures, to save the rights of everybody and everything, to give everybody their rights and not to harm them (Candan, 2012 : 28).

In the verse above, the addressees of *restoring deposits to their owners* and ordering justly among the people are everybody in general, in particular believers and more particularly the persons and establishments like Muslim administrators who are responsible for deposits and justice in the name of people (Karaman, 2007, II: 82). Allah keeps this task limitless, common, wide and comprehensible which can include everybody. In other words, justice aimed at by Islam is not the one prevailing among Muslims or the one including Ahl al-Kitab as well but excluding others. Justice according to Islam is a natural right of everybody just because of her/his being human and when establishing justice among the people segregation of believer-disbeliever, friend-enemy, black-white, Arab-A'jami (non-Arab) cannot be applied (Qutb, 1991, II: 519-520).

The Muslim community is responsible for judging justly when it has this task among people. Humanity has seen the indiscriminate and neutral practice of justice during the periods of Muslim rule where and when Muslims were leaders of peoples. The human beings could not see such an honourable and even-handed justice system either before Islam or after its rule. The practice of justice considering nothing but *humanity* can be nothing but a pleasant dream in societies far from Muslim rule (Qutb, 1991, II: 520). Allah warns believers against injustice and orders them to tell the truth and judge justly whether the person involved is an enemy or not (Mawdudi, 1986, I: 329).

C. Upholding Justice Even Against Relatives Interests

It is decreed in the Quran to practise justice not only for Muslims but also for all, to the same value and extent and without considering the difference of culture, knowledge, career, sex, race, language or religion, but just because they are humans and therefore, deserving of our full consideration: *"O believers, be you the standard-bearers of justice and witnesses for the sake of Allah, even though your justice and your evidence might be harmful to yourselves, or to your parents, or to your relatives. It does not matter whether the party concerned is rich or poor: Allah is their greater well-wisher than you; therefore, do not follow your*

own desire lest you should deviate from doing justice. If you distort your evidence or refrain from the truth, know well that Allah is fully aware of what you do." (Nisa, 4: 135). The words in this verse, *be you the standard-bearers of justice*, are very significant. They imply, "You not only have to do justice but also have to bear the standard of justice in order to eradicate injustice and establish right and justice in its place. As believers, you have to gird up your loins to support justice, whenever your support is needed." (Mawdudi, 1986, I: 415).

It is difficult to provide justice and equality but Muslims are obliged to practise and promote both as much as they can. Also, they should be just when they speak. So they must tell the truth and right in judging and witnessing and also in other situations. Because it is prohibited to speak against justice and right. They should not take sides even if they witness in favour of or against their relatives (Yazır, 1979, III: 2096).

D. The Matter of One's Being Muslim or Non-Muslim Who Requests Justice

The war can be legal, when one wants to please God, to save the oppressed from oppressors' paws and rule with Allah's just orders. Otherwise, it is not legally permissible to make war, with a purpose of assaulting and attacking in order to promote oppression and repression, occupy lands (Yazır, 1979, II: 1393): "*How should you not fight for the cause of Allah and of the feeble among men and of the women and the children who are crying, 'Our Lord! Bring us forth from out this town of which the people are oppressors! Oh, give us from Your presence some protecting friend! Oh, give us from Your presence some defender!'*" (Nisa, 4: 75).

Moses' struggle for Israelites to make them free and save them from slavery by addressing Paraoh, "*Send you with us the Children of Israel.*" (Shuara, 26: 17), whose wretchedness being at the forefront more than their religion (Ibn Ashur, 1984, XIX: 110), is an example of not considering the oppressed people's religion. Because none believed in Moses, save some scions of his people, (and they were) in fear of Pharaoh and their chiefs (Yunus, 10: 83) who hold on to the rethoric of "*He wants*

to expel you from your land." (Shura, 26: 35) as they sense the call for truth and justice as security threat when they see the miracles of Moses (İslamoğlu, 2009: 602).

Similar to Moses who struggled for justice, Dhu al Qarnayn, whose power on earth was established by Allah, reached (a tract) between two mountains. Beneath them he found a people who scarcely understood a word. They wanted help from him against the Gog and Magog (people) who were doing great mischief on earth. He answered their request positively (Kahf, 18: 84, 93-94).

According to Muslim jurists, in the past and today, the basis of creating legislation and of executing is justice (Souaiaia, 2008: 1). In parallel to that, Islamic Jurisprudence allows non-Muslim minorities to be organized as communities under their religious leaders' authority and to execute their own traditional laws (Şentürk, 2006: 59). Once peoples' religions are guaranteed by the constitution, there will remain no excuse for nation-states which are vying with each other (Faruqi, 2003: 146). Also a universal sense of humanity is dominant over all the rules, principles and orientations of Islam. It is mercy for the peoples and guidance unto human beings. Islam is not a law system for a certain group of people or a part of the world. Contrarily, Muslim law is for every human being whether s/he is white or black, Arab or non-Arab, in the East or the West, and no matter which career or status s/he occupies. In this law system, there is no discrimination, racism or polarization. People are equal in front of it (Qaradawi, 1997: 37). There is no limitation of freedom or the rights of people, no exposure of people to legal demands in different ways, no humiliation of them because of their colour, language, culture or geographical differences (Çınar, 2012: 48).

If a person or a community had determined the Islamic law, rather than Allah, that person or community would certainly take -consciously or unconsciously- his/their sex, land, class and benefit to the fore. Islamic law aims at realising absolute justice, establishing brotherhood among peoples, keeping their blood, honour, goods and minds as well as their religions and ethics (Qaradawi, 1997: 37).

Allah wants from the Prophet Muhammed to judge people according to divine inspiration and not to be pleaders for the treacherous i.e. not to be an enemy to the (morally) good people in order to defend those treacherous ones whether they are Muslims or not, in other words more openly not to be defense attorney or a lawyer for the treacherous (Yazır, 1979, III: 1457): *“We have sent down to you the Book in truth, that you might judge between men, as guided by Allah: so be not (used) as an advocate by those who betray their trust. But seek the forgiveness of Allah; for Allah is Oft-Forgiving, Most Merciful. Contend not on behalf of such as betray their own souls: for Allah loves not one given to perfidy and crime.”* (Nisa, 4: 105-107). Whatever it is, i.e. the career, fame, wealth, rank s/he has and again, the benefit s/he provided, the judge and the attorneys would not take side of her/him though s/he is guilty and not show an effort to be given a verdict on the behalf of her/him. Especially, the lawyers should use their knowledge and abilities for the right to come out and to make it return to the owner but not to provide a positive verdict on behalf of their clients although they are unfair (Karaman, 2007, II: 138).

The Shariah holds everybody who depends on its rules responsible for not doing any injustice to anyone because of her/his religious, social, domestic, economic and national causes. The group of verses above is about the unjust treatment to a Jew who entrusts his iron armour to a Muslim. That Muslim denied to having it and his tribe witnessed on behalf of him. With that, the Prophet Muhammed tended to accept their expression as true. Thereupon, the Quran accused Ansar (Madinan Muslims) related to the case and defended the Jew’s right (Muqatil, h. 1423, V: 132; Qaradawi, 1997: 77-78). It shows us that, being non-Muslim is not a stumbling block for equality before the court.

During the time of the Prophet Muhammed, there was a bitter confrontation between Islam and kufr (infidelity), -when we consider the historical context of the verses above- if the Prophet had decided the case (by looking outwardly) against the Jewish person at that time, when a bitter conflict was raging between Islam and kufr, the enemies

of Islam would have gotten with a strong moral weapon against him, the Islamic Community and the Islamic Mission. They would have carried on a bitter propaganda against Islam by saying, "There is no justice among Muslims; they practice prejudices and partisanship in spite of the fact that they preach against them as has been shown by this decision against the Jew". That is why Allah directly intervened in the case to save them from this danger (Mawdudi, 1986, I: 357).

In the verses which we have mentioned above, on the one hand, those Muslims who tried to shield the guilty one of their own clan, have been strongly rebuked for their partisanship, and, on the other, the fact that Muslims in general have been taught that they should not allow partisanship to stand in the way of justice. It is sheer dishonesty that one should plead the cause of one's own party man, even though he may be in the wrong, and go counter to the man of the opposite party, even though he may be right (Mawdudi, 1986, I: 357).

For the matter which Jews request Prophet Muhammed to give a verdict, Allah wants him to judge according to Quranic principles emphasising justice and righteousness repeatedly. This means not to be affected by the hatred towards a community and not to behave them unjustly because of that hatred (Darwaza, 1997, VII: 101): "*O you who believe! Be steadfast witnesses for Allah in equity, and let not hatred of any people seduce you that you deal not justly. Deal justly, that is nearer to your duty. Observe your duty to Allah. Lo! Allah is Informed of what you do.*" (Maida, 5: 8). Namely, your strong hatred to a community/nation or theirs against you should not lead you injustice. Similarly, it should not make you witness for them unjustly, not judge justly, torture, break your promise etc. Again it should not cause you to do something non-halal (unlawful), oppress them or show enmity namely, to commit sin. Treat justly, as it is closer to pioussness and the most adjacent means to be under God's aegis (Yazır, 1979, III: 1593-1594). The order of treating justly even to the hostile communities and also connecting this treatment with pioussness are highly remarkable (Karaman, 2007, II: 229).

Islam, which considers itself responsible for providing peoples a life under the shade of justice and ordain to its followers justice *even against the ones whom they feel hatred* for the sake of Allah, is the universal last

religion sent to all peoples because of these principles. Justice necessitates power, effort and it is an obligatory task of this ummah for peoples. This ummah, when it lived in harmony with Islam, has fulfilled the requirements of the equitable principles and held itself responsible from these principles. This is not an abstract advice but a reality practised in real life (Qutb, 1991, III: 204-205).

E. Freedom of Choice of Law in the Context of Justice

Jews are condemned in the Quran because they ignore their Book although they are Jews: “*But why do they come to you for decision when they have (their own) Torah before them? Therein is the (plain) Command of Allah; yet even after that, they would turn away. For they are not (really) people of Faith.*” (Maida, 5: 43). In the Quran, it is expressed that every prophet will judge the Jews -as long as they remain Jews- according to their religion and shariah (Karaman, 2007, II: 278): “*It was We who revealed the Torah (to Moses); therein was guidance and light. By its standard have been judged the Jews, by the prophets who bowed (as in Islam) to Allah’s will, by the rabbis and the doctors of law: for to them was entrusted the protection of Allah’s Book, and they were witnesses thereto.*” (Maida, 5: 44). Some commentators say that *the prophets who bowed (as in Islam) to Allah’s will* in the verse means only Prophet Muhammed. Plural form is used for glorifying him (Ibn Ashur, 1984, VI: 161). According to this comment, the one who judges Jews according to Torah is Muhammed (Karaman, 2007, II: 278).

Well, how will the communities having an agreement with an Islamic state or dhimmis (non-Muslim citizens of an Islamic state) solve their matters in case of not bringing a suit to Islamic courts? If they do not bring their case to the Islamic court, their own courts are obliged and authorized to solve the case. This is the opinion of the majority of Muslim scholars. Here we can see how Islamic shariah considers religious freedom, and its perfectness and brilliance from this aspect. This does not keep any of non-Muslims obeying Islamic authority from applying a Muslim court to have a case fairly judged (Darwaza, 1997, VII:

102). People are free to believe and accept a religion, ideology, a system and perform or not perform its requirements. Nevertheless, they have no right to subvert, exploit, slander others' religions, belief, systems and ideologies by mixing right and wrong, scorning and brainwashing their followers in order to affirm their own beliefs and thoughts or impose them on others (Sarmış, 2010: 443).

There is a warning for the People of the Gospels in Quranic verses related to the obligation of judging in accordance with the orders in the Gospels. If they do not do that, they will be considered the ones who are disobedient to divine order: "*Let the People of the Gospel judge by that which Allah has revealed therein. Whoso judges not by that which Allah has revealed: such are evil-livers.*" (Maidah, 5: 47). Because the wisdom of divine inspiration necessitates mentioning Jesus and the Gospel given to him after expressing the Torah and the Israelites. After telling about the obligation of Jews to judge with the Torah, the Quran mentions the obligation of Christians to judge with the Gospels (Darwaza, 1997, VII: 111). It should not be forgotten that those Jews and Christians who are directed to judge in harmony with their own Holy Books are not people who accept Islam.

When it comes to the question of a case in which on one side there are dhimmis and the ones having an agreement with Islamic state and on the other side there are Muslims, it is possible to say that the opinion available in Bagawi and Khazin such as "In a case like that only Islamic courts are authorized." (Darwaza, 1997, VII: 102).

F. Justice and War in the Context of International Relations

Behaving unjustly -whether for no reason or transgressing when reacting against an evil- to others is something that does not please God (Karaman, 2007, IV: 755): "*And those who, when an oppressive wrong is inflicted on them, (are not cowed but) help and defend themselves. The recompense for an injury is an injury equal thereto (in degree): but if a person forgives and makes reconciliation, his reward is due, from Allah: for (Allah) loves not those who do wrong. But indeed if any do help*

and defend himself after a wrong (done) to them against such there is no cause of blame. The blame is only against those who oppress men with wrong-doing and insolently transgress beyond bounds through the land, defying right and justice: for such there will be a grievous Penalty. But indeed if any show patience and forgive, that would truly be an exercise of courageous will and resolution in the conduct of affairs.” (Shura, 42: 39-43). When Muslims lived under heavy pressures of idolaters who did not accept the freedom of practising belief in Macca, they did not have an organization which would provide for the punishment of the guilty in the name of the people.

Even in the verses above sent during that time, Muslims are directed to think over the character and results of a social and individual reaction against an action which violates another’s right, i.e. to focus on the intellectual basis of crime and punishment. The companions of the Prophet were prepared intellectually ready on an important subject among individuals and societies namely, on observing the principles of not violating rights, suitability for the aim and equivalence in case of responding to an attack. Although verses 39 and 41 are considered by some exegetes to be limited to the relations between Muslims and non-Muslims (Karaman, 2007, IV: 754-755), Tabari insists that Allah praises -without making any distinctions or limitations- everybody trying to keep her/his rights as s/he has been attacked unjustly and correct the oppressor (2000, XXI: 547).

It should be noted that the interlocutor of *oppressive wrong* is plural in the expression *when an oppressive wrong is inflicted on them* in the group of verses above. This shows that *oppressive wrong* is potentially related to anybody. Some think that this is exclusive to an outside attack and consider it praising a Muslim seeking revenge against an idolater who attacks him. Nevertheless, absolute right protection belongs to Allah i.e. it is of peoples’ right whether it is Allah’s or His subjects’ right. So, every attack against a believer means an attack against the peoples’ right from the aspect of being every believer’s right under the society’s commitment. Averting or punishing an attack done externally

or domestically, publicly or privately is the task of the society at least some of them. Providing justice in the courts against domestic attacks and taking political precautions against external ones are among the most superior virtues showing the society's loftiness. Therefore, some exegetes say: "Revengeing from any transgressing person is praiseworthy." (Yazır, 1979, VI: 4249-4250).

We should stand against those who transgress the law and oppress people. The world does not get better as long as oppressors exist and they are not opposed, discouraged by (just) people. Life does not follow its normal course as long as transgressors oppress as they wish and are not hampered and opposed by anybody. Allah almighty threatens with a painful doom the oppressor and the wicked but people are also obliged to oppose oppression and wickedness and hamper them as best they can (Qutb, 1991, IX: 94).

Islam's relation with other communities is based on goodness, friendship, justice, retaliation and loyalty to agreements (Karaman, 2002: 888). Allah allows Muslims to establish friendship and observe justice in their relations with idolaters who do not fight against Muslims because of religion and do not banish Muslims from their lands. Allah also encourages Muslims not to violate idolaters' rights (Qutb, 1991, IX: 622): "*Allah forbids you not those who warred not against you on account of religion and drove you not out from your homes, that you should show them kindness and deal justly with them. Lo! Allah loves the just dealers.*" (Mumtahina, 60: 8). Allah requests from Muslims to behave justly when judging a matter related to idolaters and not oppress them (Nasafi, 1998, III: 469), keep their promise and pledge (Zuhaylî, h. 1418, XX-VIII: 135). Also, there is no Muhammed's tradition ordering to make war with idolaters suggesting peace, behaving impartially, leaving the war field; and again no tradition refusing a peace proposal or patronage request (Darwaza, 1997, V: 198-199). The message in this context is not limited to specific events. Relations based on goodness and justice can be established with all members of international society no matter what religion and ethnic roots they have as long as they do not have the negative features mentioned in the verse above (Tabari, 2000, XXIII: 323; Karaman, 2007, V: 315).

The Quran presents a basic principle related to international relations which can be found intelligible and persuasive by everybody. The actual situation is the state of peace and it is necessary to obey these two rules in order to maintain amicable relations: a) Having good will and reflecting it in the relations. b) Considering justice and rightness essential, in case of a disagreement, in arrangements and practices which will be done in this field. The rationale of adopting exceptional hostile relations is the other community's declaration of war aiming at abolishing freedom of religion and showing a *de facto* behaviour threatening the security of the state. The Quran's objective rudiments on this matter are not principles and rules giving privilege to Muslims nor are they dependent upon subjective values (Karaman, 2007, V: 315).

The Quranic verse above incorporates a general rule related to maintaining friendly relations and the verse coming after it, "*Allah only forbids you, with regard to those who fight you for (your) faith, and drive you out of your homes, and support (others) in driving you out, from turning to them (for friendship and protection). It is such as turn to them (in these circumstances) that do wrong.*" (Mumtahina, 60: 9) brings limits to the relationships of friendship and cooperation and also points out that the community with which Muslims make alliances should not help the enemies of Muslims (Karaman, 2007, V: 316).

Allah does not prevent believers from doing a favour to non-Muslims who do not oppress Muslims actively, not banish them from their lands and make them leave their countries forcefully as well as giving presents, helping financially, behaving justly, bestowing the things they deserve, respecting their rights. Humane, fair treatments have been approved by Islam and they are not prohibited. Surely, Allah, Wise and Creator, loves those who practise justice. He is not pleased with atrocities committed against anybody (Bilmen, 1991, VIII: 3696).

The just-treatment principle towards those who do not declare war against Muslims is the basis of international Islamic law. According to that principle, the state of peace among the peoples is the main unchanging attitude. This situation and attitude do not change unless there is

a declaration of war and an obligatory response to it or betrayal after making an agreement. Blocking the freedom of practice of the da'wah (the message of Islam) and the necessities of belief is an attack as well. Excluding these negative attitudes, Islam considers peace, love, goodness and justice for everybody important (Qutb, 1991, IX: 623).

Whenever any group has an agreement with a Muslim society, does not interfere with their beliefs and religious mission nor prevents peoples from listening to and understanding Islam, nor otherwise hampers the believers, is at peace with Muslims. Islam does not forbid to do a favor and behave justly towards them (Qutb, 1991, IX: 623). Muslims can cooperate with the people in that category. They can head towards many solutions and make an agreement on many matters (Fadlullah, 1996: 198). Once they have pledged, there should not be a compulsion anymore (Khadduri, 1991: 195).

Conclusion

The Quran says that one of the motives leading to Hell is to kill the person who is just and enjoys right conduct and forbids indecency (Mawardi, ts., I: 381): "*Lo! those who disbelieve the revelations of Allah, and slay the prophets wrongfully, and slay those of mankind who enjoin equity: promise them a painful doom.*" (Al-i Imran, 3: 21). The ones enjoining equity are just in their morality, opinion, thoughts and again they are wise and intelligent ones of the peoples (Rida, 1990, VIII: 127). Today, we have public opinion and evaluation foundations evaluating the prestige of the circles and the countries sensitive for human rights issues. When the pursuit of justice and the existence of the will opposing the violation of rights based on prejudice are taken into account in the formation of these (public opinion and evaluation foundations), it is possible to say that the verse praises those kinds of efforts because, according to this description from the Quran, there is a strong correlation between preferring to use force instead of considering justice important and nonbelief. Moreover, in some traditions of the Prophet, the ones defending the truths during the time of oppression and tyranny

follow right after the position of the prophets in (piousness) the rank of piety (Karaman, 2007, I: 527-528).

Indeed, believing in God necessitates obeying His verses, practising the orders in His books, respecting His prophets, cooperating with the ones who invite people to truth and behave justly (Darwaza, 1997, V: 405).

Perhaps the clearest social emphases of the Quran is justice. The verses of the Quran emphasising justice for non-Muslims as well, order to behave justly even when they are hated (because of their oppression), permit Ahl al-Kitab who are not subjected to Muslim jurisprudence practising their law, not to consider exceptional the necessity of being just even during the war and to establish justice without considering religious differences. During this struggle for justice, it will be a right and virtuous attitude to determine common fields of struggle and liaise with groups who do not have Quranic references in establishing a more just world. Islam is not just continuously praying, fasting or going to the pilgrimage while closing our eyes, having a deaf ear, and turning our backs to the world where oppression and injustice stalk. On the contrary, it is to struggle against all manifestations of injustice in the world such as political, military, economic, social and cultural ones. If necessary, for this aim, starting from the *Hilf al Fudul* approach Muslims should never retreat from hearty cooperation and solidarity with other communities of the world disregarding their religious, racial and local differences (Kırbaşoğlu, 2010: 223). As Umara says, justice is the first aim of Islamic jurisprudence and every way of guaranteeing the truth of justice is in harmony with shariah and an Islamic way whether there is a nass or a tradition about it or not (Birsin, 2012: 362).

The *justice for everybody* emphasis of the Quran has important contributions to humanity for both the freedom of expression and of worship and both of them are such complex issues that they each deserve their own independent studies.

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Özet: - Herkes İçin Adalet” Söyleminin Kur’anî Temelleri- Mütevazı bir şekilde dünya barışının sağlanması tartışmalarına katkıda bulunacak bu araştırmanın amacı, Kur’an’ın adaletle ilgili ayetlerindeki “Müslüman olsun, olmasın herkes için adalet” vurgusunu içerdiğini düşündüğümüz ayetleri klasik ve modern yaklaşımları dikkate alarak değerlendirmektir. Bu tebliğde konuyla ilgili ayetler bağlamında şu soruların cevapları aranacaktır: Toplumsal adaletin kapsamı nedir? İnsanlar arasında adaletle hükmetme emri ile ne kastedilmektedir? Aile bireylerine adaletin uygulanması konusunda ikircikli bir tavır söz konusu mudur? Kendilerini Müslüman olarak tanımlamayanların adalet talepleri karşısında Müslümanlara ne yapmaları öğütlenmektedir? Zulme uğrayan kimselerin Müslüman olup olmaması sorun mudur? Müslüman olmayıp kendi hukuklarını uygulamayı isteyenlere Kur’an kendi hukuk prensiplerini dayatmakta mıdır? Müslüman olmayanlar tek bir kitle olarak sunulup ötekileştirilmekte midir? Yoksa müminlere savaş açmayanlarla açanlar arasında bir fark olduğu vurgusu mu yapılmaktadır? Bir topluluğa olan kin, onlara adaletsiz davranmayı meşrulaştırır mı?

Anahtar kelimeler: Kur’an, adalet, hukuk seçebilme.