

## **Justice in International Relations: An Islamic Perspective**

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### **Abstract**

Justice has invariably been one of the most contentious concepts of religious and political literature among the various schools of thought and philosophy throughout the entire history of humankind. The different definitions, interpretations, and applications philosophers and intellectuals have postulated in relation to the topic of justice have constituted the focus of profound and contentious debates, the result of which has been the formation of numerous intellectual trends and schools. One of the more specific topics of discussion among these different schools of thought has been the scope of implementation of justice and the boundaries in which it ought to be enforced. It has been the conviction of many scholars and intellectuals that the enforcement of justice is necessarily confined within the boundaries of the state and as such to seek the rule of justice on a border scale in the international arena would be impracticable and unrealistic. In the course of the present article this author intends to examine Islam's perspective and approach on the topic of justice in international relations, thereby underscoring Islam's distinctive theoretical principles and approach, which differentiate it from other schools of thought concerning this topic.

### **Keywords**

justice, Islam, international relations, realism, idealism.

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## **Introduction**

Islam identifies justice as one of the requirements for human prosperity and wellbeing. In other words, from the Islamic perspective, justice is necessary for human society because without it the human being cannot attain to the highest levels of perfection. If we wish to summarize Islam's reasoning and logic on the necessity of justice in a formulation whose premises follow a logical sequence, starting with the human being's purpose of creation and ending with his final end, the following outline may be a decent attempt:

- 1) The human being came into existence on account of Divine Will and in the framework of a cosmic divine design encompassing the entire creation as a harmonious whole, and as such human creation was purposive.
- 2) To seek the purpose of his creation, the human being must necessarily coexist with fellow human beings. In this light, it is neither commendable nor possible that he lead a reclusive life away from human society.
- 3) In order to live in a society in which the purpose of human creation can be realized, human beings have no choice but to agree on a set of principles and regulations that would endow their social coexistence with order and organization.
- 4) This order and organization does not possess in itself intrinsic value. It is rather a secondary and instrumental value aimed at the realization of human prosperity and salvation in the social environment, and it is the latter that is the final purpose and partakes of primary value.
- 5) Upholding justice in the social environment is a necessary requirement for the realization of human perfection and, consequently, the cosmic purpose of creation.

Based on the above five points, the role of justice in bringing order to human society and regulating the interactions among human beings is indispensable. Another important point in this connection is the necessity of justice at different levels. From the Islamic perspective, every level of human and social relations must be governed in accordance to justice. As such, the relations between one individual and another, between one individual and the society, between the society and an individual, and finally between multiple societies (regardless of the number of individuals and societies involved in the enumerated relations) are all subsumed within the jurisdiction of justice.

In other words, whether we speak of the relation between two individuals or between an individual and the society he lives in (regardless of the size of the society: it could be a village, a tribe, a city, or a country) or between two societies (and again the societies between which this relation exists can be of any size or shape: tribes, villages, cities, and countries are all

forms of society), in every case, the relation must be based on the principle of justice. For, if justice is not the governing principle of these mutual relations, then, from the perspective of the Islamic worldview, the natural and logical connections between the parts of the cosmic whole will unravel, and consequently, the human being- one of the primary parts of this whole- will fail to achieve his final perfection. Many Muslim scholars and intellectuals have affirmed the existence of this structural and essential connection between justice and the reality of the cosmos.<sup>1</sup> The martyred scholar, Murtaza Mutahhari, elucidating this connection based on the words of the Master of the Faithful,<sup>2</sup> asserts that justice is a divine obligation, a divine mandate (Mutahharim, 1354, p.114).

As such, the aim of the present article is to clarify the Islamic perspective regarding the role of justice in regulating the relations between the largest human entities- that is, nation-states- in the contemporary age. Therefore, this article cannot concern itself with the more extensive discourse on the philosophy of justice and its role in the context of the relations between individuals; that could provide the subject of another article.

Irrespective of what constitutes a legitimate unit in dividing human societies and what are the criteria we may employ for such a division, it is nonetheless true that the attainment of human societies to the heights of human perfection in every region of the world is the ultimate objective. Accordingly, the necessity of establishing justice in the relations between countries and states in the twenty first century is as vital and crucial as it was in prehistoric and primitive societies. Islamic international law clearly determines the role of justice in the international arena. Islam advocates- both in theory and in practice- an international order based on justice in the framework of which the realization of justice constitutes the primary principle that should be pursued in the interactions that states have with one another.

### **1. The Concept of Justice in Islamic Religious Texts**

There are two terms that are used in Islamic religious texts, particularly, the Qur'an to indicate the concept of justice; they are *'adl* and *qist*. These two terms recur in numerous verses of the Qur'an, and there has been much exegetic debate about the differences and similarities in meaning between these two terms. The conclusion we reach if we are to summarize the different opinions offered on this debate is that *'adl* generally denotes taking an equal and balanced approach in dealing with every creature, person, or other phenomenon (including the relations within a society), whereas *qist*

refers mainly to human interactions in the social sphere. As such, *qist* applies to political, economic, legal, and social interactions and characterizes the just relations between individuals and societies, and on a cosmopolitan scale it can also be used to describe the just relations between states and countries (Cf. Ayoub, 1996, p.19).

In verse 8, Surah Ma'idah, God proclaims, "O you who have faith, for God's sake uphold justice and be just when you bear witness and let not your rancor for a people lead you to be unjust: Be just; that is nearer to Godwariness. And be wary of God, for indeed God is aware of what you do." This verse explicitly orders the faithful to be just even when dealing with their enemies. The above-quoted verse is one of the Qur'an's amazing passages in setting forth the general guidelines for regulating the interactions between nations, including the relations between hostile countries. The approach propounded by the Qur'an is in stark contrast to the so-called realistic approaches that condone power politics.

Verse 47 of Surah Yunus reads, "For every nation there is a prophet: When their prophet comes, the disputes between them are judged with justice, and they will not be wronged." This verse is another indication that within the context of the divine scheme of things (*al-sunnah al-ilahiyyah*) justice is the primary principle in managing the affairs of human societies. On the topic of how to engage and interact with other nations, God thus commands the faithful: "God does not forbid you in regard to those who did not make war on you and did not expel you from your homes that you deal with them with kindness and justice. Indeed God loves the just." (Qur'an 60:8). Another instance where the Noble Qur'an is explicit in its affirmation that the principle of justice transcends temporal and geographical boundaries is the following verse, which posits justice as the purpose of the ministry of God's prophets: "Verily We sent Our prophets with manifest proofs and We sent down with them the Book and the Balance so that humankind may uphold justice" (Qur'an 57:25). Sayyid Qutb refers to the above verse and the other verses of the Qur'an that treat of the topic of justice as Islam's enduring legacy for humankind (Sayyid Qutb, 1971, vol.2, p.689).

The tradition of the Prophet of Islam and the reported words of the infallible imams- particularly those of the Master of the Faithful- all convey that from the Islamic perspective, justice cannot be constrained within regional, temporal, or ethnic confines. On reading the correspondence between the Prophet and the Christians of Najran and the pacts the two sides signed, we clearly grasp that one of the principles that the early Islamic state observed in its foreign affairs was justice. The following passage is one example that supports this point: "The lands [of the Christians] shall not be

trampled on and they shall not be assailed by the army [of the Muslims], and if anyone of them professes to have a claim on us, that claim shall be considered without there being any injustice perpetrated against them or us.” (Ahmadi Mianiji, 1363, pp.135 & 321).

Furthermore, the sayings reported from the Prophet that commend justice and condemn injustice without any qualification manifestly demonstrate that Islam does not view the implementation of justice as restricted to within the borders of the Islamic state. For instance, it is reported that the Prophet said that if a ruler governs his people- even if they be a community of no more than ten people- in violation of the requirements of justice, he will incur painful punishments on the Day of Judgment.<sup>3</sup> This report and the likes are unqualified in their mention of the ruler and the ruled: The necessity of justice in these reports is not premised on the ruler’s or the people’s being Muslim. From this we may infer that from the point of view of Islam the necessity of justice and its implementation extends beyond the boundaries of Islamic states and thus subsumes all human societies.

Arguing that the cosmos, the society, and the human being constitute the three spheres of the application of justice, many scholars and authors have, at least implicitly, expressed that justice is a universal and international value, transcending the conventional boundaries of states, and as such its scope encompasses the entire cosmos, all human societies (including the relations between societies), and the human being (the relations between individuals and between the individual and the society) (Alikhani et. al. 1386, p106).

## **2. Justice Defined in the Discourse between Realism and Idealism**

As the predominant debate on international relations has developed out of an exchange between the two schools of idealism and realism, at this point it seems appropriate that, in order to bring to light Islam’s perspective in this relation, we should consider these two approaches to international relations and then analyze Islam’s position.

Idealism and realism are two schools of thought in the study of international relations. Owing to its origins of thought and the factors and elements that led to the crystallization of the body of views and opinions associated with it, each of these two schools holds a distinct position on justice and its role in international relations. In the literature of international relations, in addition to justice, there are other such key concepts as peace, security, power, and welfare that are of importance in this context. While idealists look on justice and the struggle to uphold justice in the context of the political, economic, and social relations of human societies as a fundamental principle and objective of their political doctrine, the realists-

who give priority to power and its maintenance as the ultimate principle alongside the maintenance of peace and security- dismiss any other concept, like justice, as unrealistic or, at best, marginal in importance.

The proponents of the priority of peace and security over justice argue that peace and security are significant concepts possessed of a definite content, which is not subject to different interpretations, and of concrete and tangible instances. In contrast, justice is in this context the polar opposite of peace and security, for it is a subjective and abstract concept that allows of different interpretations and as such can easily fall prey to the dispute and disagreement between two persons, groups, schools of thought, or governments. For this reason, the United Nations, which is supposed to safeguard global peace and security, cannot, in the event of a war or an imminent war, stand by and await to see the theoretical disputes on justice resolved: it must, rather, take swift action and adopt concrete measures to counter the threats against international peace and security (Chakste, 1948, vol. 42, no. 3, pp.590-600). There have always been, however, a handful of theorists of international relations whose main concern has been justice. But the scholars of this minority persuasion- like John Rawls, Hedley Bull, Stanley Hoffmann, and Terry Nardin- are not themselves of one mind as regards the scope and criteria of the application of justice (Cf. Brown, 1997, vol. 27, no. 2, pp.273-297).

In the 1990s the major theories on international relations were still dominated by the doctrine of traditional realism, which emerged after the Second World War and reached its culmination in the thought of Hans Morgenthau.<sup>4</sup> This doctrine maintains that states are the main players in the international arena and their sole concern is acquiring power and securing their national interests. The pursuit of this concern in turn provokes them to seek to maximize their power in the context of the international order. As states are motivated by this concern, there remains little interest in abiding by and seeking justice. In his attempt to reason why it is impracticable for states to act in accordance with justice in an international environment dominated by the priority of power and national interests, Chris Brown maintains that states are intrinsically incapable of taking the interests of the other states they interact with into consideration unless those interests overlap with theirs (Brown, 1997, vol. 27, no. 2, p.276).

The scholars who are of the opinion that international relations can in fact accommodate a certain degree of reconciliation between justice and the fundamental principles of realism invoke such concepts as just war, nonintervention, and international humanitarian law. According to a number of scholars, Chris Brown among them, recourse to such concepts is in fact a

way out of the impasse posed by classical realism- a way that has resulted in the formation of neorealism and neoliberalism (Brown, 1997, vol. 27, no. 2, p.281).

One of the more complicated topics concerning the role of justice in international politics is the relation between justice and international order or disorder. The discussion on this topic revolves around the reasons for the necessity of establishing justice, on the one hand, and the importance of avoiding war and mayhem, on the other, and this discussion ultimately leads to the question of how are we to prefer one over the other: Is implementing justice more important or maintaining order and avoiding mayhem?

This is the single most important and at the same time contentious question that has challenged the scholars and theorists of international relations. Answering this question in a convincing way determines to what camp the scholar and theorist of international relations belongs. The answer of the majority of the scholars is, of course, that the maintenance of order and the avoidance of mayhem and its consequences in the international arena is of paramount importance and takes precedence over the establishment of justice.

There are, nevertheless, theorists, such as John Rawls and Hedley Bull, who reject this view as unacceptable (Cf. Bull, 1977). According to the latter theorists, the establishment of the rule of justice on an international scale and beyond national boundaries is achievable through the creation of a "global regime" (or in the words of Rawls, "the realistic utopia"). The problem with this approach, however, seems to lie in its reducing the options to two mutually exclusive alternatives: it is either chaos or justice.

It may have been for the purpose of finding a way out of this impasse that a third group of theories emerged that appealed to scholars of international relations. Of the theories of this group, constructivism is the closest one to the justice-seeking approach in international relations. Constructivism succeeds in addressing many of the questions that are left unanswered by liberalism and neoliberalism. Nonetheless, there are still numerous questions and problems concerning how justice is to be established in the international arena that are yet to be satisfactorily resolved.

Noam Chomsky, in his debate with Michel Foucault, points to the deficiency of states in the contemporary world in that there is a certain degree of incongruence between the laws of states and justice, making the case that many of the actions of states are, in spite of their being legal and in conformity with international law, unjust. Michel Foucault criticizes Chomsky's view on the ground that the justice that Chomsky is invoking is a more pure, more elevated, and more idealist justice than is commonly understood by the term.

Foucault goes on to say that the more commonly understood sense of justice is a means exploited by states for justifying their actions, and he looks forward to a day when people would receive the just rewards of their good deeds and also the just punishments of their wrongs (Chomsky and Foucault, 1971).

Moreover, Chomsky states that “being legal” is not necessarily synonymous with “being just”: the two terms are often contradictory. Chomsky offers some interesting instances of such a dichotomy: objecting to the Vietnam War, refraining from joining the armed forces and participating in the war in Vietnam, giving speeches and writing articles in condemnation of the atrocities perpetrated by the United States in Vietnam. All of these instances are illegal according to the law of the United States but they are all acts of justice (Chomsky and Foucault, 1971).

Following the same line of thought, we may point to many cases in the context of international relations in which the actions of states and the decisions of international bodies are considered legally justified but are at the same time fundamentally opposed to justice. On the other hand, there are cases in which the actions of a state violate international law but, nevertheless, conform to justice. In this light, many of the regulations ratified by the international legal bodies at the behest of world powers in the form of resolutions serve solely the interests of those powers and, though cloaked in the guise of law, violate the sovereignty of the less powerful states and as such are contrary to justice.<sup>5</sup>

### **3. Islam’s View on Power Politics in International Relations**

International politics has traditionally been a field of thought dominated mainly by realistic views concerning international relations. In other words, the literature of power politics has for the past several centuries, and especially throughout the twentieth century, dominated the theoretical discourse on international politics. From an Islamic point of view, the realistic approach to international relations is utterly false and unacceptable for a number of reasons.

One of the most important reasons is that it sacrifices justice to power. Looking at the interactions of states in the international arena from a realistic approach, the sole concern of the actors should be to maintain and increase their power and to secure their national interests. From this perspective, justice is, at best, a secondary objective and a peripheral advantage. The great rift between the Islamic perspective and the realistic mentality begins at this point. The realist views power and the arrangements that sustain it as the overriding principle in international relations, whereas in the framework of Islamic thought, justice is the fundamental principle according to which international order should be structured.



#### **4. The Implications of Accepting the Islamic View on Justice for the Study of International Politics**

The first and foremost effect of accepting justice as the primary guiding principle in international relations, as required by the Islam, is that the justice- versus- chaos dichotomy is deprived of logical credibility. For, from the Islamic perspective when peace and security are grounded on injustice or reconciled with it in some imperfect arrangement, they are rendered precarious and temporary. Therefore, the reasoning that we have no choice but to concede to a certain degree of injustice in order to secure peace and stability is shown to be devoid of substance and merely a specious justification. The only way for accomplishing lasting peace and security is by upholding justice in the international arena.

One question that immediately comes to mind in this connection is how justice can be realized. Another problem, which casts doubt on the possibility of accomplishing justice, is that this ideal has eluded humankind for the past two thousand years- even after Westphalia and the institution of the nation-state. That justice has historically lacked a solid footing in international relations is beyond doubt. This, however, has not discouraged philosophers and thinkers from taking on the topic of justice: Much debate, especially in recent history, has centered on justice and its role and importance in the context of international relations. That is, of course, not to deny that the champions of justice have always been in the minority, their views being relegated to scholarly books and treatises. Besides these instances, which are confined to the idealistic camp in the study of international relations, we do not come across any major contributions to this field that promote justice as the overriding principle in international relations. As said previously, it is sad and disappointing that the views of these scholars and politicians have never had the chance of becoming reality.

A frank appraisal of the current circumstances of the international order fails to provide any meaningful reason to hope that justice could be established in the international arena in the near or intermediate future. So long as the nation-state is the primary unit and the principal player in the international arena and the realistic approach- which posits self-preservation and advancing national interests and power as the only legitimate concern of the nation-state- prevails, to imagine that justice could figure in the world order as a driving force in directing the conduct of the principal actors would be far-fetched.

Although this author considers the above facts to reflect the prevailing factors in the international arena, they are not the only truth. When studying a

concept, we are not justified to conclude that its content is unrealizable based on the premise that it did not come into existence in a certain spatio-temporal context, regardless of how long and vast that context may be. In spite of past failures and present disappointments concerning the future, the aspiration to strive for justice is as strong as it has ever been among the nations of the world: people around the world envisage a future in which the world order is founded on justice. This idealistic hope and aspiration and its survival throughout the course of human history despite all the disappointments demonstrate a fundamental truth: this aspiration is consistent with the human being's individual and social nature.

It is for this reason that the necessity of establishing the rule of justice in human society constitutes a principal doctrine of the Islamic worldview and one of the main elements of the paradigm that Islam postulates for regulating the interactions of nations and states. Islam, and especially the Shia school, envisages a future wherein a universal community based on justice will inevitably take shape as this is a divine mandate, a promise God has made to humankind. This belief renders the anticipation of a future world governed by justice as a realistic view that will be realized, albeit in the distant future. But since it is an inevitable future, all nations that cherish this aspiration must embark on a vigorous and comprehensive course of action in order to prepare for it.

### **Conclusion**

Based on what has been said in the present article, we may arrive at the conclusion that, from the point of view of Islam, justice- since it is the only foundation that can guarantee the stability of human societies-transcends ethnic and regional boundaries. The unqualified command to uphold justice that finds expression in so many verses of the Qur'an is a strong proof that supports this claim. In addition, the example of the Prophet's life and his words as well as the words of his infallible successors- especially those reported from the Master of the Faithful on the topic of justice- demonstrate that the Islamic worldview conceives of justice in universalistic terms and that the attainment of justice is a sacred aspiration that Islam commands humankind to strive for. It is in this light that, in articulating the necessity of believing in the coming of Mahdi, Islamic tradition portrays the establishment of the universal rule of justice as one of the characteristics of the Age of Presence.<sup>6</sup>

In contrast to this bright and utopian future, we live in an age in which the relation between justice and international politics is obscure: The theories offered by scholars of this field for reconciling the dominant

realistic approach in the international arena-which gives preference to the promotion of national interests-with the opposite approach - for which justice is the ultimate guiding principle- in regulating the interactions of states and nations are unsatisfactory. A satisfactory articulation of this relation and the relevant questions provides the topic for an extensive and profound study that must be taken up by the scholars of this field.

Taking the above points into consideration, we may conclude that abiding peace and security can be achieved only by recourse to the doctrine of the necessity of justice in the world order, as promoted by Islam. And only when such peace and security are in place is peaceful coexistence among nations possible-a coexistence that requires justice in the universal distribution of wealth and opportunity.



## Notes

1. On this topic, Cf. Lakhani et. al., 2007, pp.26-28.
2. The Master of the Faithful: An honorific epithet reserved in Shia literature exclusively for Imam 'Ali, the first of the imams and the immediate successor of the Prophet according to Shia doctrine.
3. There are three distinct reports from the Prophet that, despite their different wordings, convey this same meaning. These reports are as follows:
  1. "There is none that rules over ten people or more and that is unjust to them but that he shall come on the Day of Judgment enfeathered in chains" (Nūrī Ṭabarī, 1407, vol. 4, p.89);
  2. "He who presides over ten people but is not just to them shall appear on the Day of Judgment with his hands, legs, and head in " Muhammadi Riyshahri, 1404, vol. 6, p.90; Shaykh Ṣadūq, 1376, p.592);
  3. "The first to enter hell is a domineering and unjust ruler" (Shaykh Ṣadūq, 1373, vol. 2, p.28, no. 20; Muhammadi Riyshahri, 1404, vol. 6, p.90).
4. For a well-rounded understanding of Morgenthau's views, see his *Politics among Nations*.
5. The resolutions the Security Council has passed against Iran during the Iran-Iraq War and, more recently, in relation to the nuclear issue are clear examples of this dichotomy between what is legal and what is just.
6. Age of Presence: This is the age that follows the coming of Mahdi, the promised savior of Islam, and is characterized as an age in which justice and equity prevail and humankind flourishes in an environment of utopian prosperity.

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