

Justice Construction In Qur'an Perspective

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ABSTRACT

This study aims to determine the construction of justice in Qur'an. It used normative approach (syar'i) and historical approach. It included into library research. Data collected by quoting, adapting, analyzing using content analysis to the relevant literatures, reviewing and taking conclusion. The results showed that the construction of justice in Qur'an can be seen in the principles of justice, equality of justice without symbols, the principle of honesty, balance in life, and purity principle of intention that will provide a guarantee of peaceful feelings for all parties. Besides, the justice aspects, include of aspects of accounts payable recording by no cheating of each transactions, aspects of law enforcement which is a guarantee of the survival of the safe, moreover, there are aqidah and beliefs aspects, justice in polygamy, reconciliation, and restoring problems.

Keywords: construction, justice, Qur'an

INTRODUCTION

Essentially, Qur'an is the word of Allah swt revealed to the Prophet Muhammad that contains matters relating to faith, science, rules that regulate the behavior and ways of human life, both as individual beings and social beings. Among the purposes of the revelation of Qur'an, is to be a guide (hudan) for mankind in order to organize their lives, and as an explanation of the law and everything that mankind needs in regulating his life. Even in the Qur'an Surah 6 verse 38; "And there is no creature on [or within] the earth or bird that flies with its wings except [that they are] communities like you. We have not neglected in the Register a thing. Then unto their Lord they will be gathered." Allah swt affirms that there is no benefit to mankind except there is an explanation in the Qur'an.

Qur'an is filled with various concepts of life among them is the concept of justice. Justice is a balance in everything. According to Sa'adi (2000), "Justice is the foundation of the upright of

heaven and earth." As well as what Allah says in Quran Surah 23 verse 71, that is, But if the Truth had followed their inclinations, the heavens and the earth and whoever is in them would have been ruined. Rather, We have brought them their message, but they, from their message, are turning away."

Al-'Adlu term, that means justice is mentioned in the Qur'an 21 times and all forms of the word change, either in the form of verb or in the form of a noun. Each of these mentions of the word with its change gives diverse argument. It shows the magnitude of attention to the question of justice in life.

A study conducted by Mardan, in his book entitles "Insight on Justice", is an analysis *al-Tafsir al-Maodhui*, with the sub-issues raised that is how the essence of justice and its existence in the Qur'an by expressing the views of scholars and philosophers on justice, type of justice and the relationship between justice and prosperity. The difference with this current research is, in this study the authors focus on the construction of justice in Qur'an with the main issues raised, that is, how the construction of Justice in the Qur'an is, by analyzing the principles and aspects of justice in Qur'an.

Construction defined as an arrangement or model of a building. It can also mean that the house is sturdy since the model that uses reinforced concrete. However, in this study, the authors intended the construction is a model of justice in the Qur'an, so that it can be realized in life for shortcoming problems that arise in the life.

The word *al-'Adl* udi in Arabic means balance and straightness (Al Muhit, 199, p. 569). According Al Ifriqy, 1990) *Al-'Adlu* (justice) is a trait that is stored within the self to act righteously, and it is also an antonym of sin and deviation. Justice, according to Ibn Taimiyah (1403 H) is a key of religion and truth and all good, since it is the establishment the heavens and the earth. Hence, justice is able to give each person his right to the right without diminishing it at all. Perspective is point of view, so in this case, the perspective referred to the construction of justice in the view of Qur'an.

Qur'an in the study of Ushul Fiqh is the first and main object of research activity in solving a law. It means "reading" and according to the term Ushul jurisprudence the Qur'an means "*kalam* (word)" of Allah that He revealed by the mediation of the angel Gabriel to the Prophet Muhammad by Arabic language as well as considered to worship by reading it.

Al-Qur'an serves as a guide for life and human life to achieve happiness, both in the world and in the hereafter. Muslims need to the Qur'an since Qur'an; 1) Invites mankind to dig its contents, as it says: in Qur'an surah Ibrahim (14) verse 52, This [Qur'an] is notification for the people that they may be warned thereby and that they may know that He is but one God and that those of understanding will be reminded.; 2) Becomes a warning to all human beings that are universal, as mentioned in Qur'an Surah Al-Furqan (25) verse 1, that is, "Blessed is He who sent down the Criterion upon His Servant that he may be to the worlds a warner."; 3) Becomes as a source of information for everything, as cited in Qur'an Surah An-Nahl (16) verse 89, "And [mention] the Day when We will resurrect among every nation a witness over them from themselves. And We will bring you, [O Muhammad], as a witness over your nation. And We have sent down to you the Book as clarification for all things and as guidance and mercy and good tidings for the Muslims."

Above description can illustrate that the Qur'an is a guide (*hudan*) for mankind in order to organize their lives, and become an explanation of the law and everything that mankind needs

in regulating his life. In addition, a revelation is the handle of human beings in doing all activities, such as people who are given trust.

This research is very significance to conduct in order to provide input to policy makers in the future so that the construction of justice in Qur'an is a prerequisite in choosing a leader, because the concept of justice for a leader in exercising power gets serious attention so that justice becomes the universal norm that should not be tainted by an element of hatred or love for someone.

RESEARCH METHODOLOGY

This study used library research which is qualitative descriptive design. It gives an idea that justice in the midst of society must be enforced without any differences between one another. The method used in this study is a descriptive analysis with normative and historical approach (Maman, et. al, 2006, p. 29). By this method it is intended that the verses of the Qur'an concerning the discussion are described in full both in the primary and secondary sources, so that it can be analyzed in a comprehensive way. While the normative approach (*syar'i*) used to find answers basically. The assessment used by looking at the passages of the Qur'an and Hadith. So, it can be understood that Allah Almighty, in determining His laws, constantly wants something beneficial to man, if it is not implemented, then he will lose. In addition, the final approach is the Historical Approach. This approach is used to help knowing and understanding the principles of justice applied by the authorities from time to time.

With regard to data retrieval, the method used is library research, concrete steps of this method is read and examine the depth of written materials, which are representative and relevant to the object of research, especially the primary reference in this study is the Qur'an And hadith. While secondary sources are various forms of books, books and other reading media, which have a relationship with the topic of discussion being studied. After all the data collected, the next step is conducting the analysis deductively, inductively and comparatively. Deductive method is done in order to obtain a picture of the leadership model in the Qur'an. Meanwhile, inductive methods used to obtain a complete picture of the problem studied, especially regarding the methodology of Qur'an interpretation. In the end, the comparative method is made to compare with the existing theory, and simultaneously tested by connecting the facts found in the study. The steps taken are: inventory of data found in literature research, connecting one source to another, interpreting the data obtained, and comparing them against each other, Formulating and describing the data in the form of research report, checking techniques, data validity and reliability.

Qualitative research established the validity of data to avoid invalid data, in an attempt to increase the degree of data confidence. The credibility criteria of the data in question to prove that what has been successfully collected contains the truth for both the reader and the subject studied. As for checking the validity of data, it is done through extension of observation, improve the provisions and triangulation. There are three forms of triangulation used, they are triangulation of sources, namely testing the credibility of data by checking the data that has been obtained through several sources, triangulation techniques, namely testing the credibility of data in different ways that is document studies and observations, and time triangulation that also sometimes affects the credibility of data collected by the author. By reading and reviewing repeatedly in depth the ingredients found in different times or circumstances.

FINDING AND DISCUSSION

The results show that the construction of justice in the Qur'an consists of principles of justice, aspects of justice in the Qur'an, and justice urgency.

Principles of Justice

Generally, Qur'an explains about the principles of justice in life as revealed by Allah in Qur'an surah Al Maidah (5) verse 8, "O you who have believed, be persistently standing firm for Allah, witnesses in justice, and do not let the hatred of a people prevent you from being just. Be just; that is nearer to righteousness. And fear Allah ; indeed, Allah is Acquainted with what you do." This verse enlighten some justice principles in Qur'an, they are, as follows,

Al-Musa'wa'ah (Equality)

The principle of equality in religious literature is known by *Al-Musa'wa'ah* term, which means making the same thing, or it can mean treating something no more and no less (Ukawi, 1992, p. 648). Equality is one of the principles of justice commanded in the Qur'an as a creature of Allah swt. All human beings are equal before God Almighty distinguished the nature of devotion. There is no difference between men and women in their righteousness to obtain justice, even the faithful and *kuffar* even in the matter of justice are equal, as contained in the above verse and in the verse of QS. Al-Mumtahanah / 60: 6, that is, There has certainly been for you in them an excellent pattern for anyone whose hope is in Allah and the Last Day. And whoever turns away - then indeed, Allah is the Free of need, the Praiseworthy. Therefore, it is the duty of every Muslim to do justice to all human beings without seeing the differences, and of course the forms of justice intended in this verse that are still guided by the provisions that have been revealed by Allah Almighty in *Shari'a* system. It suppose to avoid causing disagreement among human beings toward the standard of justice itself.

The measure of justice is everything that comes from Allah Almighty. Both principles and forms of application are because Allah swt is a righteous God who does not injure His servant. With regard to this, it can be seen in Qur'an surah Ali Imran (3) verse 182, Qur'an surah Al-Anfal (8) verse 51, Qur'an surah Al-Hajj (22) verse 10, Qur'an surah Fushilat (41) verse 46, and Qur'an surah Qaf (50) verse 29. The application of justice in Islam is not a relative question since the guidance is very clear, it can be found in the form of afflictions or signs. Hence, there is nothing left for the justice enforcers except to live up and follow.

According to al-Thabari (1420 H, p. 95), every Muslim should uphold justice in his attitude and deeds to his friends and opponents and not beyond the limitations of Allah swt. In the face of any of them, enmity can not make human violates Allah rules. All human beings in Islamic view are same, for leaders and people, men and women, Arabs and non-Arabs, both white and black, Islam has wiped out differences among human beings caused by differences in sex, color, offspring and social status, leaders and people, all the same in the view of *syara'* (As shalabi, 1990, p. 50).

Al-Shiddiq (Honesty)

Al-Shiddiq as in *Maqayisu al-Lughah* means strength, the opposite of a lie, since lies or falsehoods have no power, the suitability between attitudes and beliefs which can also mean the means that prove between words and deeds (Munawwir, 1997). Justice in this verse relies on the nature of honesty in each Muslim so that it can be perfectly established without limit. According to Imam ibnKatsir (1420 H, p. 433), honesty in doing justice applies to self and relatives, because truth is the judge of every human being and should be prioritized to every interest of anyone. It must be bitter in making it happen. Qur'an teaches Muslims that justice is upheld on the principle of honesty so that it can provide results and objectives of security and balance in life.

Al-Ikhlas (Pureness)

Pureness of intent and purpose is also one of the principles in applying justice in Islam. In Qur'an Allah swt implies on Himself the intent of every fair testimony, as contained in Qur'an surah An-Nisa (4) verse 135, "O you who have believed, be persistently standing firm in justice, witnesses for Allah, even if it be against yourselves or parents and relatives. Whether one is rich or poor, Allah is more worthy of both. So follow not [personal] inclination, lest you not be just. And if you distort [your testimony] or refuse [to give it], then indeed Allah is ever, with what you do, Acquainted." Ibnu Katsir (1420 H) states that this command indicates that justice should be done merely to seek Allah's pleasure. Justice that is enforced with full purity of intent and purpose will provide assurance of peace of mind for all parties.

Aspects of justice in the Qur'an

In Qur'an, there are several aspects of justice, as follows;

Recording of accounts payable

Qur'an verse which states about accounts payable is contained in Qur'an surah Al-Baqarah (2) verse 282. According to ibn Katsir (1420 H, p. 433), what is meant by doing justice in recording debt transactions is not to commit fraud by adding or subtracting the rights of one of the transacting parties, but registering it as they agreed.

Debt is one of the many transactions done by mankind. As known to all kinds of transactions that are vulnerable to dispute, the transaction of debt is ordered to be witnessed. In Islam, a witness is required from among trusted people in both his character and his testimony, then when the debtor does not get a witness who fulfills such requirements, it is ordered to write the transaction correctly as existence, and if they are not able to do so, it is directed to a third party who is able to help him for it. Then, the transaction agreement that has been written is order to be re-witnessed to two men of faith or two women substitute a man (Ibn Katsir, 1420 H, p. 724). According to ibn al-'Arabi in As Shalabi (2009, p. 2009) the command of testimony after the recording is *sunnah* or not compulsory (. The justice referred to this paragraph is not an inherent property to the person but the truth as agreed between the party who made the transaction without exaggerating or reducing it.

Law enforcement

The verses that explain about law enforcement are in Qur'an surah An-Nisa (4) verse 58 and 135, Qur'an surah Al-Maidah (5) verse 95 and Qur'an surah Al-An'am (6) verse 152. The issue of justice in law enforcement is the most crucial aspect in Qur'an. For that reason, the verses mentioned do not include the word *al-'Adlu*. According to Muhammad in Ka'ab dictated by Imam ibn Kasbah (1990, p. 219), the command to uphold justice in the legal aspect is more directed to the rulers especially the judges according to their competence (Ibn Katsir, 1420 H, p. 341).

The justice referred to the legal aspect is conveying the right to each side regardless of the differences. In line with Umar ibn al-Khattab justice which stated that among the most important principles is the principle of justice and equality, there is no Islamic existence in a society which is covered by the practice of injustice and do not know justice (Al-Najar, 1990, p. 219). Justice makes life still exist, but if justice is lost then it will happen destruction. In term of justification, Prophet's *hadith* (Al Bukhari 1409 H, p.89), states that the one who destroys the people before you is (the nature of injustice) if those who steal the nobility then they ignore, but if those who steal the weak, then they immediately take legal action. In addition, justice in law perspective is a guarantee of the safe survival, as contained in Qur'an surah An-Nisa (4) verse 58, "Indeed, Allah commands you to render trusts to whom they are due and when you

judge between people to judge with justice. Excellent is that which Allah instructs you. Indeed, Allah is ever Hearing and Seeing.”

Aqidah and beliefs

The verse that explains about beliefs is in Qur'an Surah An-Nahl (16) verse 76. Justice in the matter of *aqidah* is the core of Islam teachings that were brought by the Messenger of Allah. What is meant by justice in this case is *aqeedah tauhid*. Islamic teachings teach to do justice in everything, putting everything in its place as described in the preceding point. If it is against a fellow human being that a Muslim is commanded to be fair, then it against the rights of Allah surely will be more mainstream. The greatest of Allah's swt is pure worship and denial of all forms of mine besides Him.

The act of theft or the sake of God Almighty is the greatest tyranny which man has committed to his creator. This is described in the Qur'an surah Lukman (31) verse 13, which is, “And [mention, O Muhammad], when Luqman said to his son while he was instructing him, “O my son, do not associate [anything] with Allah . Indeed, association [with him] is great injustice.” Since this does not give to Allah swt. His right and on that basis the act of shirk are referred to as tyranny. In this case, One day, the Messenger of Allah, met by his friends *radhiyallohu 'anhum* to ask the meaning of the word cruelty on Qur'an surah Al-An'am (6) verse 82, then the Messenger of Allah answered as tyranny as mentioned in Lukman's verse is *shirk* (polytheism), that is, an explanation which shows that justice is essential to the aspect of *aqidah* and belief (Al Syaibani, 1325 H, p. 378).

Ihsan (Perfection)

The verse that describes *ihsan* is contained in Qur'an surah An-Nahl (16) verse 90, that is, “Indeed, Allah orders justice and good conduct and giving to relatives and forbids immorality and bad conduct and oppression. He admonishes you that perhaps you will be reminded.” The justice referred to this aspect is to reciprocate the favor with the good or generalize the distribution to the proportionally entitled. A perfection done by a person is entitled to get the same reward, so in this case Qur'an advocates to do justice to anyone who has done good deed to others. Justice in this sense can be the same kind as the good done by that person. Like answering greetings as contained in the Qur'an surah An-Nisa (4) verse 86, or not the kind as mentioned in the hadith of the Prophet (Al Sijistani, 1971, p. 310), “Whoever does good to you then repay (with kindness anyway), if you do not get to repay his kindness, then pray for you to feel that you have responded well.”

Islam teaches people to be faithful and trustful, so it commands every Muslim to do justice to anyone who does well to them by repaying the good by good deeds.

Islah (Reconciliation)

The verse explaining reconciliation is contained in Qur'an surah Al-Hujurat (49) verse 9, “And if two factions among the believers should fight, then make settlement between the two. But if one of them oppresses the other, then fight against the one that oppresses until it returns to the ordinance of Allah . And if it returns, then make settlement between them in justice and act justly. Indeed, Allah loves those who act justly.” The meaning of justice in this context according to Ibn Jari Al-T abari (1420 H, p. 292) is to restore the problems that occur between the two parties who disagree to Qur'an and hadith, and ask both to be honest and sincere in accepting the law which has been established by both of guides. The believer is the brother of his bond as the faith that is built on the Qur'an and the hadith, so that if there is a dispute between the two sides of the believers, then Allah Almighty commands to reconcile between them with the bond and foundation. By strength of faith that exist in each, they are expected to

be able to return both to the normal state of brotherhood and to renounce the dispute. This is the justice commanded in this verse.

Polygamy

As for the verses that explain about polygamy, this is contained in Qur'an surah An-Nisa (4) verse 3 and 129. The meaning of justice in this aspect is the distribution of rights to each wife. According to Imam Ibnul 'Arai, wife's right must be treated fairly, which is overnight and other marriage rights outwardly, while the right connected with the heart has been negated by Allah swt. In verse 129. According to Shaykh Muhammad al-Mukhtar al-Syinqiti, the right of one's wife to her husband consists of three terms, namely: shopping, clothing and shelter.

For a man who marries more than one wife, he should uphold justice as instructed in these verses so that his marriage can be safeguarded according to the guidance of Islam, although it is also suggested in this verse that it is not easy.

Syahadat (shahadah)

The verse that describes shahadah is contained in Qur'an surah Al-Maidah (5) verse 8, that is, "O you who have believed, be persistently standing firm for Allah, witnesses in justice, and do not let the hatred of a people prevent you from being just. Be just; that is nearer to righteousness. And fear Allah ; indeed, Allah is Acquainted with what you do."; and Qur'an surah At-Thalaq (65) verse 2, "And when they have [nearly] fulfilled their term, either retain them according to acceptable terms or part with them according to acceptable terms. And bring to witness two just men from among you and establish the testimony for [the acceptance of] Allah . That is instructed to whoever should believe in Allah and the Last day. And whoever fears Allah - He will make for him a way out."

The justice referred to in those verses is the inherent nature of a witness, which is trustworthy in his daily behavior by not committing a major sin and guarding against a minor sin. A witness can give or take the rights of another person by his or her testimony a person can be happy or not. It is required that the witness can be from a person who can be promoted to uphold justice, since a judge does not drop the law except on the basis of the existing shahadah.

Urgency of Justice

Justice in Islam is a major buffer in the upholding of society and government. There is no existence of Islam in a society that is overwhelmed by injustice and does not recognize justice. It makes people be good and their wealth will be abundant (Badawi, 2000, p.10). The enforcement of justice between individual human beings, groups and states, is not a matter that is allowed to proceed in accordance with the will of the leader's lust. The upholding of Islamic religious perspectives is a sacred and important issue. Muslims have consensus that the law of justice is mandatory (Ash-Shalabi, 2009, p. 137).

On the first issue, the results show that the principles of justice are equality in the sense that all human beings in the Islamic view are the same, leaders and people, men and women, both black and white. Islam has erased the differences among human beings caused by these differences, all the same in the view of the syara ', the principle of justice also rests on the nature of honesty in each Muslim so that it can be perfectly established infinitely. The Qur'an teaches Muslims that justice is upheld on the principle of honesty so that it can deliver results and objectives of security and balance in life. Justice also deforced with full purity of intent and purpose will provide assurance of peace of mind for all parties.

The second problem is the aspects of justice in the Qur'an found that all kinds of transactions are vulnerable to cause disputes, the transaction of debts is ordered to be witnessed from among the trusted people neither its nature nor its testimony, to commit fraud by increasing or reducing the rights of one of the transacting parties by registering it as agreed. The issue of justice in law enforcement is the most crucial aspect so that in the Qur'an the order to uphold justice in the legal aspect which is more directed to the rulers especially the judges in accordance with its competence. The justice convey the right to each person regardless the difference. Fairness is mainly demanded on the aspect of *aqidah* and belief. If Muslim is commanded to make fair, then to the rights of Allah swt are certainly more important.

The greatest right of Allah is pure worship and denial of all forms of contentment other than Him. Justice referred to perfection is to reciprocate kindness with kindness or generalize the distribution to people. Besides, reconciliation is meant if there is a dispute between two sides of the believers then Allah Almighty is ordering to reconcile between them with the bond and foundation of faith. Then, by the power of faith they are expected to return both to the normal state of brotherhood and to leave the dispute. This is the justice commanded in Qur'an verse. In other case, the meaning of justice in aspect of polygamy is the distribution of rights to each wife. The rights of wives who are obliged to be treated fairly are overnight and other marriage rights in an outer limb, such as shopping, clothing and shelter. Then, Fairness is meant in the aspect of shahadah is the inherent nature of a witness, that is trusted in his daily behavior by not committing a major sin and keeping away from minor sins.

CONCLUSION

The principles of justice in the Qur'an, are equality, honesty and sincerity (purity). The principle of Islamic politics is to preserve the principle of equality perfectly. There is no difference on the basis of kind, skin color, or due to kinship or other common symbols. Fairness is not a relative question because the guidance is very clear, can be found in the form of afflictions or shaped signs. Aspects of justice include: recording of accounts payable, law enforcement, *aqidah* and beliefs, perfection, Polygamy and shahadah. Justice is very important to be preserved in absolute terms between human beings who are not triggered by personal resentment or because of love. Open access results every people achieve their rights. For justice enforcement, including sacred and important matters, especially for people given trust, with justice, wealth, it will be abundant so people will feel prosperity and opulence. Based on these conclusions, the implication is expected to all Muslims to bring about justice, preceded by an effort to know the limits as described in the Qur'an and in the hadith of the Prophet, starting from self, family, nation and country and its community.

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