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Justice's position in the political thought of Islam (Case study: Ayatollah Mahdavi Kani thoughts)

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Abstract

Justice is one of the old topics in the human thought history. It has occupied the minds of thinkers throughout history and they has offered various opinions about it. In Islamic thinkers, justice is one of the most important and controversial concept. In Shiite thought – that have historically relied less on government - it has been reduced as individual subject. After the victory of the Islamic Revolution in Iran and the formation of the Shiite government, it became necessary to present social ideas to govern the government in various fields. Ayatollah Mahdavi Kani is one of the jurists and thinkers of the Islamic Republic, who has expressed theories about justice based on Shiite teachings and the Holy Quran. By collecting his views in the field of justice and categorizing them, the researcher seeks to explain Ayatollah Mahdavi's views on justice. He defines justice as meaning giving the rights of others and believes that this level of justice of individuals has strengths and weaknesses that increase or decrease in proportion to the responsibilities and duties of individuals. In the following, two steps of justice, ie revolutionary consciousness and culture, are pointed out, and finally, the increase of social capital, the establishment and survival of governments, and the growth and introduction of capital and economic growth as political effects of justice in society are explained.

Keywords

Ayatollah Mahdavi Kani, Awareness, Justice, Politics, Security.

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Introduction

Justice is one of the most fundamental concepts that man has been involved with since the beginning of creation and has thought about it until today. The concept of justice in Islamic and Western thought has been developed differently, and Islamic and Western thinkers have reached sometimes conflicting solutions that need to be defined and the limits of justice from each perspective. In Islamic thought, justice is something beyond religion and is something that should be observed in the face of fellow human beings, albeit unkindly, because in this thinking, creation is based on justice and should not be treated unfairly, because human happiness in this world and the hereafter depends on justice. In contrast to Islamic thought, there is Western thought that studies the world without considering its beginning and end and limits human life in the context of the world. Most Western thinkers seek to ensure the worldly happiness of man regardless of his happiness in the hereafter, and therefore have defined justice in this way and have limited it in the context of the world.

In this study, the main question is presented - by studying the views of Ayatollah Mahdavi Kani- that what is the place of justice in the political thought of Ayatollah Mahdavi Kani? To answer this question, the author needs to answer a few sub-questions as well. First, what is the definition of justice in Ayatollah Mahdavi's political thought? Secondly, in his opinion, what is the relationship between justice and politics? This research has been done with library tools and descriptive-analytical method.

1. Conceptual framework

It is first necessary to give a brief overview of the general definitions of justice and then Ayatollah Mahdavi Kani's definition of justice.

1-1.Definition of justice

Throughout history, although the concept of justice has been considered by Islamic and Western thinkers, but this concept has been presented in accordance with the intellectual system of each thinker, with different literature and concept, and it can be boldly said that the many definitions of the concept of justice date back to human thought. The following is a brief overview of some definitions of justice.

1-1-1. Definition of justice in the West

Among the classical thinkers, Plato considers justice as an ideal that can only be achieved by those who are educated in philosophy and cannot be achieved with the help of experience and sense (Plato, 1981: 38). In Plato's thought, the performance of one's duties is one of the key concepts and introduces justice in such a way that man performs the duties he owes to others (Plato, 1981:

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40). Therefore, in the Platonic system, if one does not perform his duty, He is not just but he is Oppressor.

Aristotle, another of the classical philosophers of the West, considers justice in the general sense to include all virtues, because everyone has done wrong, and in other words, justice is defined as the opposite of oppression (Aristotle, 1999: 168).

Russell, a contemporary philosopher, defines justice differently. He believes: "Justice is anything that the majority of people consider fair or it is a system that minimizes what, according to the public, provides grounds for public dissatisfaction" (Russell, 1970: 43). In this definition, a negative meaning of justice is presented, in which justice means reducing the field of dissatisfaction.

Rawls also revitalized the field of justice in the 20th century in the liberal world by presenting the theory of Justice as Fairness. Rawls believes that some principles are the most important principles on which justice is based. He writes: "The principles of justice are the same principles that wise people interested in advancing their interests, if they were in such an equal situation, would accept them to determine the basic rules of their society" (Rawls, 2014: 147).

1-1-2. Definition of justice in Islam

Farabi is one of the first Islamic thinkers to pay attention to the issue of justice. He tries to connect reason with religious teachings by offering different definitions of justice.

In a definition of justice, Farabi believes that after the appearance of the substance of an object, it is necessary for the form of the substance to belong to it or, in a better sense, everything to be in its place. This definition is very close to religious literature as it is stated in a hadith of Amir al-Mo'menin in the definition of justice that puts everything in its place (Imam Ali, 1986, Wisdom 429: 1290). Among contemporary Islamic thinkers, Ayatollah Javadi Amoli, citing the same narration, defines justice as follows: "Justice is to put everything in its position and place" (Javadi Amoli, 2014, 212).

In the above definitions, justice is the opposite of disorder and oppression, but the differences are in how justice is established and its place. For example, justice in Russell's system of thought is secular and disconnected from the system of evolution, but the same concept in the system of thought of Aristotle and Farabi means more adaptation of the system of legislation to evolution.

2. Justice definition in Ayatollah Mahdavi Kani's thought

Justice is defined in the thought of Ayatollah Mahdavikni based on the verses of the Holy Quran and hadiths. He consider justice as a positive thing and

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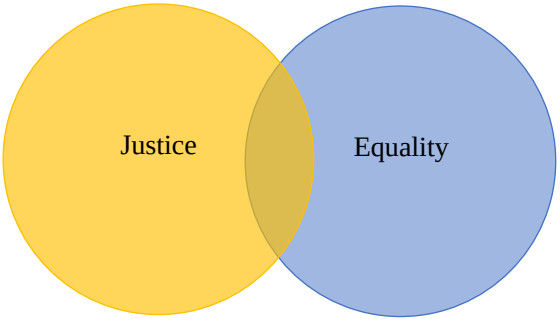
define it as "giving the rights of others" and therefore in the opposite point of this definition, the concept of oppression is the loss of the rights of others. Ayatollah Mahdavi Kani distinguishes the concept of justice from equality and uses the word "equality" in the definition of justice because he believes that sometimes in the use of the word justice, suspicion of equality and equation occurs. He introduces the word "Qhest" which is used in the Arabic word meaning share, the Qur'anic interpretation of justice and at the same time, believes that equality is a wrong concept that is not mentioned in the Qur'an (Jafari Haftkhani, 2014: 342). Equality, which means equal distribution of shares, may not only eliminate class gaps but also help to stabilize them. Justice and equality, although they have different meanings, but to some extent overlap with each other, i.e. sometimes justice may be equal and sometimes inequality, but it should be borne in mind that originality is with justice and not equality, and in the preference of justice and equality should be justice. (Jafari Haftkhani, 2014: 35).

Figure 1: The ratio of justice and equality



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According to Ayatollah Mahdavi Kani's definition of the concept of justice, it can be said that justice is a fixed thing and, as Russell thought, it is not relative and people are not the extent to which a verb is just or unjust; Rather, justice has a divine aspect, and therefore the prophets are responsible for this. On the other hand, although justice is a fixed thing, but as Plato believes, it is not abstract but has a hierarchy from which individuals can reach levels.

Ayatollah Mahdavi Kani distinguishes moral justice from legal justice and believes that if legal justice acts justly for fear of punishment, it will do its duty and will not have moral growth, but if it is motivated by virtue, legal

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justice is combined with moral justice and determines the moral growth of individuals (Jafari Haftkhani, 2014: 34).

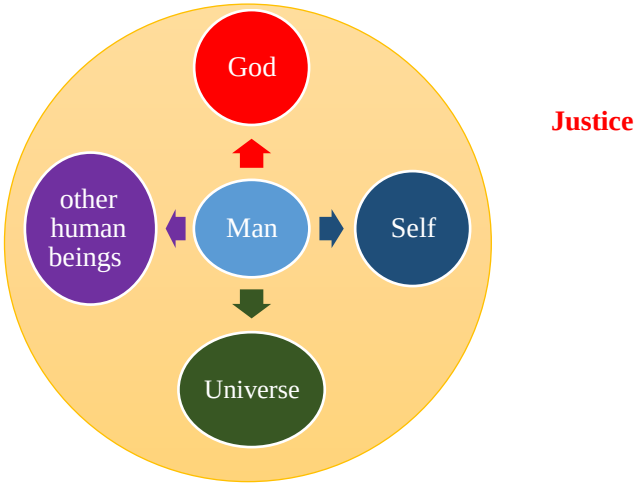
3. The status of justice in the views of Ayatollah Mahdavi

In order to address the place of justice in Ayatollah Mahdavi Kani's political thought, it is necessary to pay attention to several issues, including the justice of officials, the end of the Islamic government, and issues such as these that are addressed as much as possible.

3-1. Justice and quadruple relations

Justice is related to human relations with God, self, other human beings and the universe, and all these relations are real and not credible (Mahdavi Kani, 2011: 188). When dealing with justice in Ayatollah Mahdavi's political thought, the relationship between man and his fellow human beings is emphasized, although this relationship cannot be defined independently of other relationships, especially the relationship with God. In relation to right and duty, it should be said that although the flow of truth is two-sided, it should be noted that God can impose duties on human beings, but man does not have such a possibility in relation to God. However, if we are talking about man's right to God or God's duty to man, it means those things that God deems necessary for Him to do for human beings. Referring to this point, Ayatollah Mahdavi cites verse 47 of Surah Al-Rum as an example and states in his translation that God has made it necessary for Himself to help the believers (Mahdavi Kani, 2011: 188).

Figure 2: Justice, Man, and the Quadruple Relationships



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3-2. Justice as a middle school

The path of justice is a path that does not deviate man from the path of truth and does not deviate and distort. Ayatollah Mahdavi Kani, citing a hadith from the Amir al-Mo'menin (pbuh), considers the path of truth to be a path that does not deviate to the right and left, and considers both to be misguidance. To bring the truth (Jafari Haftkhani, 2014: 29) and to achieve justice. According to this definition, there is no discussion about the legitimacy of the minority or the majority, and Ayatollah Mahdavi said that the mission of the Prophet is to make people understand that the facts are not necessarily true, even if the majority follow them. It can be seen repeatedly in the Holy Quran and history that the prophets fought against the majority because they were accustomed to reality and did not want to abandon false traditions (Jafari Haftkhani, 2014: 25).

3-3. Justice as the ultimate goal of governments

Ayatollah Mahdavi kani believes that the prophets and the Imams were always concerned about the leadership of the society, and while referring to verse 25 of Surah Hadid, they consider the first purpose of sending the messenger to bring all people to justice and Qhest. But this is not the only goal, but the establishment of justice is a necessary prelude to a secondary goal. He believes that the secondary goal is the emergence of human conscience talents and their developments, and this will not be possible without justice in society, so the definition can be said that justice is the purpose of governments and the middle goal of human beings. Some Islamic thinkers such as Mullah Ahmad Naraqi also introduce justice as the goal of government (Sajjadi, 2001: 127).

In the political thought of Ayatollah Mahdavi, the realization of justice as the ultimate goal of the government is simply not possible. He believes that the movement of the prophets may not be fruitful and justice may not be achieved in the short term, but this effort should not be considered in vain, because this process, even if it does not lead to justice and the helpers of the prophets all be killed or martyred in this way,it provide the ground for the growth and perfection of other human beings (Jafari Haftkhani, 2014: 23). Therefore, it is necessary to consider the principle of gradualism in moving towards the realization of justice of all components of the Islamic Republic and be careful of its deviation (Jafari Haftkhani, 2014: 62).

3-4. The relationship between justice and politics

Ayatollah Mahdavi Kani, like many Muslim thinkers, considers the roots of justice and politics to be divine, and from this perspective believes that the system of creation is based on justice, but in social systems, justice takes a hierarchical state. In other words, just as an organizational chart, so justice has

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its strengths and weaknesses. In this organizational chart, the guardianship starts from God and reaches the prophets and imams and ends in the time of absence, to jurists (Jafari Haftkhani, 2014: 100) and the officials of the country who have the guardianship over the people, all act under the supervision of the jurist. Ayatollah Mahdavi in the issue of regulating the affairs of the Revolutionary Committees states that he has appointed a cleric at the head of each of the committees in Tehran and the responsibility of the country's committees has been with the clerics (Khajeh Sarvi, 2017: 256).

Ayatollah Mahdavi Kani, regarding the relationship between justice and piety, referring to verse 8 of Surah Ma'idah, states that justice is the closest thing to piety (Jafari Haftkhani, 2014: 342) and since the first stage of piety is justice, so it can be said that the path of piety is inevitable. It goes beyond justice. On the other hand, Ayatollah Mahdavi believed that the greater the position and duty of individuals, the greater the piety of individuals (Jafari Haftkhani, 2014: 113) and therefore it can be said that the greater the responsibility, the justice of individuals should increase. Ayatollah Mahdavi Kani, while referring to verse 25 of Surah Hadid, introduces iron as a tool for administering justice. Although iron has severe harms and inconveniences for people, but it has many benefits, including the performance of justice (Jafari Haftkhani, 2014: 23). He believes that there should be no compromise and deviation in the path of justice (Mahdavi Kani, 2011: 209). In the Alawite government, although with the implementation of justice, there were few people left to support the government of justice, but the government of Amir al-Mo'menin (pbuh) has set an example for history and humanity.

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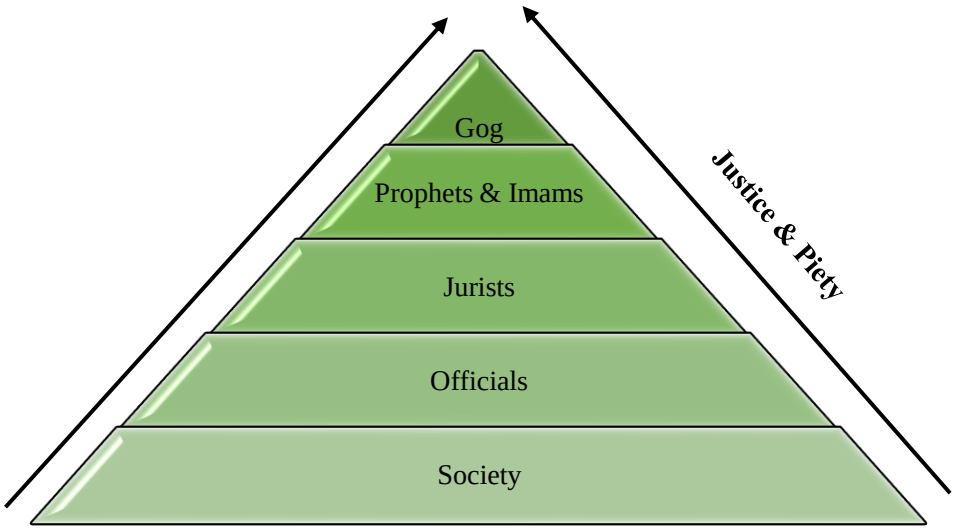
Figure 3: The relationship between guardianship and duty and justice and piety



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Although this system is hierarchical, but in the political thought of Ayatollah Mahdavi, it is not the case that society always remains at the level of followers, but the people of society should always seek leadership and these people who seek leadership are models for others(Jafari Haftkhani, 2014: 60).

In the opinion of Ayatollah Mahdavi, although the prophets are the leaders and pioneers of justice in society, but this important thing cannot be done only by them and the special followers. The realization of justice requires the will of the people, that is, if there is a general uprising in society, justice can be achieved in society (Jafari Haftkhani, 2014: 35).

The uprising for setting justice for the people needs grounds. Ayatollah Mahdavi Kani believes that cognition is the first step for the uprising and movement of people and until people are aware of their situation and time and do not know the flow of truth and falsehood and its owners, they will not wake up and will not run away from falsehood and movement and will not find and therefore justice will not be established (Jafari Haftkhani, 2014: 25). The second step for uprising and revolution in Ayatollah Mahdavi's thought is revolutionary culture, because if justice is done by force, it will be unstable and after a while, it will return to its previous state, so in order for

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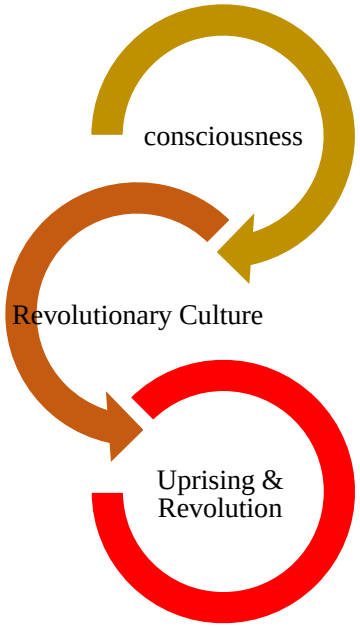
justice to be successful, it is necessary to rise from culture and revolutionary and popular not by force of arms (Jafari Haftkhani, 2014: 27).

Figure 4: Essential steps for uprising and justice



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The task of informing the people is the responsibility of the leaders and the prophet is called the prophet because he is aware and informing (Jafari Haftkhani, 2014: 25) and according to Ayatollah Mahdavi, officials and leaders should only give criteria to the people so that they are qualified. Measure people with criteria and select the right person to do government affairs (Jafari Haftkhani, 2014: 33). He believes that the masses of the people, because they are less dependent and aroused and pursue their natural desires, can recognize better than some officials and the affluent and capitalist classes (Jafari Haftkhani, 2014: 44).

The indicators for the supreme leader who is at the top of the organizational chart of the Islamic Republic are justice, knowledge, courage and prudence, and these four indicators must be present in the jurist who wants to take over the government, and mere jurisprudence or resourcefulness

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cannot be a sufficient condition for the Supreme Leader (Jafari Haftkhani, 2014: 101).

The tasks of the Assembly of Experts in this structure are not only to determine the future leader, but also to oversee the leadership. Ayatollah Mahdavi believes that those who are experts in the discussion of authority and leadership have the authority to attend the Assembly of Experts (Jafari Haftkhani, 2014: 102) and are recognized as a scientific pillar, piety and honesty and have revolutionary vision and revolutionary spirit to be the enemy. (Jafari Haftkhani, 2014: 93).

The existence of a revolutionary school and culture prevents the society from deviating in the path of justice. Ayatollah Mahdavi states: "According to sociologists, any revolution that fails is because it deviates from the path of its school. That is why the enemy has tried with very knowledgeable and experienced experts and has known these issues. Do you think that the United States and Israel and the Zionists, the enemies of humanity, are comfortable doing whatever you want? After the revolution, they evaluated our revolution and realized that our revolution cannot be beaten and destroyed by machine guns alone. Unaware that this revolution will not be hit with a machine gun. The people who have made a revolution with the love of Ali and the love of Ali's son - Imam Khomeini - cannot be expelled from the square with a machine gun "(Jafari Haftkhani, 2014: 30).

With these definitions, although Islam seeks to raise the level of individuals in society, but the implementation of justice by all is not possible because it will cause chaos in society. For this reason, the people who have reached the desired level of perfection and are aware of the indicators, choose the righteous people as their representatives to administer justice and always support and help it in performing its duties and responsibilities. Ayatollah Mahdavi also cites the words of Hazrat Amir (PBUH) in this regard that people inevitably need Amir and leader (Jafari Haftkhani, 2014: 99).

4. Political effects of justice

The implementation of justice in society has many effects and benefits. In this section, by examining the views of Ayatollah Mahdavi Kani, the political effects of justice are categorized and explained.

4-1. Public trust

At the beginning of the revolution, Ayatollah Mahdavi complained that although everything that happened in the Islamic Republic was not the same as justice, he tried to gain the people's trust in the government and prevent the people's despair and discouragement (Jafari Haftkhani, 2014: 103).

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Failure to observe piety and justice will weaken the people and discourage them from governing. Ayatollah Mahdavi Kani criticizes some writings and says: "Some writings do not have political piety; When someone writes in his article that Mahdavi Kenny has issued a fatwa that elections should be rigged, this is no longer informing; This is oppression of the clergy; This is the oppression of a revolutionary who has suffered so much in the way of this revolution. The beliefs of young people should not be weakened by unverified professions" (Jafari Haftkhani, 2014: 350 and 349).

Earlier in the definition, it was said that justice means giving the share and rights of individuals, and if there is no security and people do not get their rights and justice is not done, social capital will decrease. Referring to the judiciary, which is a symbol of justice in the government, Ayatollah Mahdavi said: "Important institutions such as the judiciary and other relevant authorities should treat social capital in such a way that people feel safe, because insecurity in any field leads to capital flight. (Khajeh Sarvi, 2017: 327).

4-2. Establishment and survival of governments

"People's government is not to be created only in the position of occurrence with the support of the people, but it is a people's government that also enjoys the support and consent of the people in the position of survival, and this cannot be achieved except by educating Muslims with justice and the implementation of divine limits." In such a way that the oppressed feel safe in the shadow of that government and the oppressors are afraid of continuing oppression" (Mahdavi Kani, 2011: 200).

Governments must have popular support not only for their establishment but also for their survival, and this support will disappear if the system acts oppressively, and it is necessary for the system to move towards more equitable structures. Ayatollah Mahdavi Kani says about the implementation of limits and the establishment of justice:

4-3. Ensuring security and economic growth

Economic growth and capital attraction require security because in a country where all people's capital may be rapidly destroyed or devalued, capitalists are reluctant to do projects and invest in the country's affairs and inevitably migrate to a more secure country. Therefore, security is an important condition for economic growth. Ayatollah Mahdavi Kani believed that moral and legal security is achieved through faith in the law and the implementation of justice (Khajeh Sarvi, 2017: 327). Citing verse 112 of Surah An-Nahl, he considers security as the basis for the influx of sustenance, blessings and capital (Jafari Haftkhani, 2014: 225).

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Conclusion

Justice was a sacred subject whose first executors were the divine prophets. Although the sending of the messenger has stopped, but the flow of justice of the prophets has not stopped. As Ayatollah Mahdavi kani believes, the implementation of justice is not only for the divine leaders, but also for the general public to reach this growth and maturity and seek justice in order to launch a general uprising and implement justice in society. Such maturity is not achieved by mere means of punishment and legal incentives, but it is necessary for moral virtues to spread in society to such an extent that it becomes the queen of individuals' existence to act justly and give rights to others, regardless of legal punishment and fear of it. Granting the rights of others, or in other words, observing justice, will sometimes be in observing equality and sometimes in violating it, so there are different ways to implement justice depending on the circumstances. However, justice cannot be considered as the final goal of man in this world and the hereafter, but justice as an ultimate goal of government and the intermediate goal of human beings, is the basis for growth and development, and in terms of the premise of necessity, the necessity of justice is proven. Justice has a hierarchy and the degree of guardianship and duty has a direct relationship with justice and piety. The establishment of justice at various levels of society and in the judicial, political, economic, etc. areas has many positive effects and results, including increasing trust and social capital, strengthening and surviving governments, and a prelude to attracting capital and economic growth.

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