

# The Islamic Framework of Justice: Equity, Accountability, & Righteousness



Justice (الْعَدْلُ) stands as one of the most fundamental principles in Islam, encompassing not only the divine laws that govern human behavior but also the very ethical foundation of social interaction within the Ummah, within society, and with all living things around humanity. Rooted in the concept of (تَوْحِيد), Tawhid (the Oneness of God), justice in Islam is seen as a moral imperative that transcends personal desire, societal trends, and even the limitations of legal systems of some nations and international court systems. At the heart of this framework is the idea that all humans are accountable to Allah, who is the Most Just, the Most Wise, and the Most merciful, and it is through accountability to a Creator who beholds such divine qualities, that the concept of justice is enacted. The Prophet Muhammad ﷺ exemplified the principle of Justice through a comprehensive structure that balanced individual rights, collective responsibilities, and the pursuit of truth. We also find within the examples of the pious companions of the Prophet ﷺ, lived examples of how the judicial system was enacted through later generations. The framework of justice is not merely a matter of legal judgment; it is the embodiment of a deeper commitment to truth and fairness, which Allah ﷻ, in His Ultimate Wisdom and Mercy, has decreed for humanity to implement.

## The Nature of Justice in Islam: A Witness to Truth

The Arabic word for justice, Adl (الْعَدْلُ), derives from the root word 'adl, meaning balance and fairness. It is more than the mere enforcement of laws; it is the application of equity that ensures the protection of human dignity, rights, and responsibilities and doing this becomes a divine act of worship which reaps benefits in this world, and the hereafter and attains the pleasure of Allah ﷻ.

In the Islamic worldview, justice is a reflection of divine Will, and one that maintains cosmic balance and order according to the Wisdom of the One who has created the universe and cosmos. Islam provides a philosophy and through this objectives and principles are derived. Thus, the overall objectives of implementing justice are provided. In some areas, there are very specific prescriptions, and these are the things that remain static over time. In other areas, Islam provides holistic goals, and the means for implementation are circumstantial and may change from time to time, and place to place, depending on the context of people and society. The Qur'an commands that justice be upheld in every facet of life, both in individual actions and in social transactions. In Surah Al-Baqarah (2:286), Allah ﷻ declares: "Allah ﷻ does not burden a soul beyond that it can bear," which highlights that the principles of justice in Islam are inherently fair, compassionate, and considerate of human limitations.

لَا يُكَلِّفُ اللَّهُ نَفْسًا إِلَّا وُسْعَهَا لَهَا مَا كَسَبَتْ وَعَلَيْهَا مَا اكْتَسَبَتْ رَبَّنَا لَا تُؤَاخِذْنَا إِن نَّسِينَا أَوْ أَخْطَأْنَا رَبَّنَا وَلَا تَحْمِلْ عَلَيْنَا إَصْرًا كَمَا حَمَلْتَهُ عَلَى الَّذِينَ مِن قَبْلِنَا رَبَّنَا وَلَا تُحَمِّلْنَا مَا لَا طَاقَةَ لَنَا بِهِ وَاعْفُ عَنَّا وَارْحَمْنَا أَنْتَ مَوْلَانَا فَانصُرْنَا عَلَى الْقَوْمِ الْكَافِرِينَ ٢٨٦



*On no soul does Allah Place a burden greater than it can bear. It gets every good that it earns, and it suffers every ill that it earns. (Pray:) "Our Lord! Condemn us not if we forget or fall into error; our Lord! Lay not on us a burden Like that which Thou didst lay on those before us; Our Lord! Lay not on us a burden greater than we have strength to bear. Pardon us, and grant us forgiveness. Have mercy on us. Thou art our Protector; Help us against those who stand against faith."*

*Qur'an, 2:286*

One of the foundational aspects of justice in Islam is the central emphasis of bearing witness to the truth, or testimony (شهادة) -Shahadah, as a guiding principle in judicial processes. In a society built upon the foundation of justice, every individual is expected to be a witness to the Truth as a divine obligation that completes one's faith and duty towards the Creator and giving testimony is grounded in this principle. This responsibility extends to every member of society, who should commit to upholding these standards not only as a moral obligation but as a societal duty that strengthens the integrity of society as a whole. The Qur'an consists of several verses that clearly stipulate how to develop contracts, how to identify witnesses, and emphasizes the importance of recording contracts where no doubt is cast later and within this is the responsibility of testimony.

The Quran stresses the importance of testimony and the gravity of false testimony, where it states in Surah Al-Baqarah (2:283), "And do not conceal testimony. For whoever conceals it—his heart is indeed sinful, and Allah ﷻ is Knowing of what you do." As decreed by Allah ﷻ truth-telling and witnessing are paramount in maintaining justice. False testimony or hiding the truth is considered one of the gravest sins in Islam.

رَبَّهُ ۖ وَلَا تَكْتُمُوا الشَّهَادَةَ ۚ وَمَنْ يَكْتُمْهَا فَإِنَّهُ آثِمٌ قَلْبُهُ ۗ وَاللَّهُ بِمَا تَعْمَلُونَ عَلِيمٌ ۚ ۲۸۳



*And do not conceal the testimony, for whoever conceals it, their hearts are indeed sinful. And Allah "fully" knows what you do.*

*Qur'an, 2:283*

The Prophet Muhammad ﷺ highlighted the severity of false testimony in a hadith reported by Al-Bukhari, narrated by Abu Bakra(ra):

حَدَّثَنِي إِسْحَاقُ، حَدَّثَنَا خَالِدُ الْوَاسِطِيُّ، عَنِ الْجَرِيرِيِّ، عَنِ عَبْدِ الرَّحْمَنِ بْنِ أَبِي بَكْرَةَ، عَنْ أَبِيهِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ " أَلَا أَنْبِتُكُمْ بِأَكْبَرِ الْكَبَائِرِ " . قُلْنَا بَلَى يَا رَسُولَ اللَّهِ . قَالَ " الْإِشْرَاقُ بِاللَّهِ، وَعُقُوقُ الْوَالِدَيْنِ " . وَكَانَ مُتَّجِنًا فَجَلَسَ فَقَالَ " أَلَا وَقَوْلُ الزُّورِ وَشَهَادَةُ الزُّورِ، أَلَا وَقَوْلُ الزُّورِ وَشَهَادَةُ الزُّورِ " . فَمَا زَالَ يَقُولُهَا حَتَّى قُلْتُ لَا يَسْكُتُ .



where he said, "Shall I not inform you of the biggest of the great sins?" The companions replied affirmatively, and the Prophet ﷺ said: "To join partners in worship with Allah ﷻ, to be undutiful to one's parents, and to give false witness." The Prophet ﷺ repeated this warning so many times that his companions feared he would never stop.

Thus, false testimony is seen as a direct violation of a trust that is central to Islamic justice and its accountability is *with Allah ﷻ*, the One who is Most Just. In such a framework, the accountability of proper testimony is not with the system, not with socially acceptable norms, not with economic gains, but rather with the One who is Most Just.

## The Rights of the Accused

Along with this, within the Islamic framework, the accused holds specific rights that must be upheld. The accused person has the right to be heard, to be judged fairly, and to be defended by witnesses who are truthful and just. This protects individuals from unjust accusations or wrongful punishment, ensuring that the rights of all parties involved are respected and that human dignity is preserved. The integrity of providing shahada, testimony must be upheld according to a standard that is in congruence with the integrity of the person providing shahada. We see this in the example of Umar b. Khattab who provided a prescription for ensuring that decisions are taken through a system of justice that ensures that the one providing shahada is a person who's integrity can be endorsed.

عَنْ خَرَّشَةَ بْنِ الْحُرِّ قَالَ شَهِدَ رَجُلٌ عِنْدَ عُمَرَ بْنِ الْخَطَّابِ رَضِيَ اللَّهُ عَنْهُ بِشَهَادَةٍ فَقَالَ لَهُ لَسْتُ أَعْرِفُكَ وَلَا يَصُرُّكَ أَنْ لَا أَعْرِفُكَ أَنْتَ بِمَنْ يَعْرِفُكَ فَقَالَ رَجُلٌ مِنَ الْقَوْمِ أَنَا أَعْرِفُهُ قَالَ يَا بَنِي شَيْءٍ تَعْرِفُهُ قَالَ بِالْعَدَالَةِ وَالْفُضْلِ فَقَالَ فَهَوَ جَارُكَ الْأَذَنَى الَّذِي تَعْرِفُ لَيْلَهُ وَنَهَارَهُ وَمَدْخَلَهُ وَمَخْرَجَهُ قَالَ لَا قَالَ فَمَعَامِلُكَ بِالذِّينَارِ وَالذَّرْهَمِ اللَّذِينَ بِهِمَا يُسْتَدَلُّ عَلَى الْوَرَعِ قَالَ لَا قَالَ فَرَفِيقُكَ فِي السَّفَرِ الَّذِي يُسْتَدَلُّ بِهِ عَلَى مَكَارِمِ الْأَخْلَاقِ قَالَ لَا قَالَ لَسْتُ تَعْرِفُهُ ثُمَّ قَالَ لِلرَّجُلِ أَنْتَ بِمَنْ يَعْرِفُكَ

*Kharashah ibn al-Hurr reported: A man gave his testimony to Umar ibn al-Khattab, may Allah be pleased with him. Umar said to him, "I do not know you and it will not harm you that I do not know. Bring someone who knows you." A man from his people said, "I know him." Umar said, "What do you know about him?" The man said, "His justice and virtue." Umar said, "Is he your closest neighbor, such that you know him by his coming and going by day and night?" The man said no. Umar said, "Then, have you had business dealings with him, by which you are shown his piety?" The man said no. Umar said, "Then, have you traveled with him on a journey, by which you are shown his good character?" The man said no. Umar said, "You do not know him." Umar turned to the witness and said, "Bring me someone who knows you."*

The verification of the one providing shahada accounts for an acceptable witness and these guidelines show that the true integrity of a person can only be revealed through deeper interactions that will show consistency in character. Along with this is the duty to listen properly and attain the right amount of information required to pass a judgement that is just. In an authentic hadith narrated by Ali(ra), it was recorded that the Prophet ﷺ said:

حَدَّثَنَا عَبْدُ اللَّهِ، حَدَّثَنِي مُحَرَّرٌ بْنُ عَوْنٍ، حَدَّثَنَا شَرِيكٌ، عَنْ بِيَمَالِكٍ، عَنْ حَنْشِيشٍ، عَنْ عَلِيٍّ، رَضِيَ اللَّهُ عَنْهُ قَالَ بَعَثَنِي رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَاضِيًا فَقَالَ إِذَا جَاءَكَ الْخُصْمَانِ فَلَا تَقْضِ عَلَى أَحَدِهِمَا حَتَّى تَسْمَعَ مِنَ الْآخَرِ فَإِنَّهُ يَبِينُ لَكَ الْقَضَاءَ.

*The Messenger of Allah (ﷺ) sent me as a judge and said: 'If two disputants come to you, do not pass judgement against one of them until you hear what the other has to say, then the right verdict will become clear to you.'*

Islam specifically mandates that a process must be followed thoroughly and completely, to enable one to come to a clear verdict, wherein both due process of law must be followed, with both the accuser and the accused have been afforded their rights.

## Carrying out Judiciary matters with Integrity

During the khilafah of Umar (ra), as a period that witnessed vast growth of the Muslim world, legal issues started to surface more and more and during this time, Umar(ra) lay the foundations for institutionalized judicial systems. Several sahabah and tabi'een were appointed as judges, and this included Abu Darda (ra) who was a judge in Madinah; Shurayh ibn al Harith al Kindi, who was a judge in Kufa, Abu Musa al Ash'ari (ra), who was a judge in Basrah, and Uthman ibn Qays, who was a judge in Egypt. Umar (ra) set a standard for judgement, based on what he (ra) had learned directly from the Prophet ﷺ, and the revelation of the Qur'an, and set a standard for the judges that he appointed. From a letter that Umar (ra) wrote to Abu Musa al Ash'ari (ra) during his appointment as a judge in Basra:

*In the Name of Allah, the Most Gracious, the Most Merciful.*

*From the slave of Allah, the son of al Khattab, Amirul Muminin, to 'Abdullah Ibn Qays (رضي الله عنه) (Abu Musa al Ash'ari), peace be upon you.*

*Judging (the judicial system) is a confirmed obligation and a way to be followed. Try to understand when cases are presented to you, for there is no use in a person presenting his case if it is not understood. Treat people equally when you address them so that no noble man will hope that you side him unfairly and no weak man will despair of your justice. The burden of proof rests with the plaintiff and the oath is required of one who denies it. It is permissible to make a deal between Muslims, except a deal that permits something that is forbidden or forbids something that is permitted.*

*If you passed a judgement yesterday then examined it further in your mind and are guided to a different conclusion, then that should not prevent you from returning to the truth, for truth is eternal, and returning to the truth is better than persisting in falsehood. Examine carefully each issue which you are unsure about, where there is no text in the Qur'an and Sunnah, and try to find a similar case, draw analogies and see which is more likely to be pleasing to Allah and closest to the truth.*

*Whoever claims that someone owes him some dues, set a time limit for him to produce his evidence. If he provides evidence, then restore his rights to him; otherwise ask him to drop his claim. That is better so as to eliminate any doubt.*

*The Muslims are basically of good character, except one who has been lashed as a had punishment or who is known for bearing false witness. Allah is in charge of what is hidden in people's hearts. Judgement must be based on evidence and oaths.*

*Beware of becoming impatient, because judging in accordance with the truth bring a great reward from Allah and stores a great deal of reward (in the Hereafter). Whoever has a good intention and checks himself, Allah will be sufficient for him (and he need not worry about people), but whoever shows an attitude to people which Allah knows is not his true attitude, Allah will expose him. Think of the reward of Allah in this world and the Hereafter. And peace (be upon you).*

*[I'lam al Muwaqqi'een by Ibn Qayyim]*

The role of a judge is one that carries with it a heavy responsibility, as the judge must adjudicate between people in a manner that tries to reflect a justice that will be accountable to Allah ﷻ. The Prophet Muhammad ﷺ provided a framework for judicial conduct that emphasized fairness and transparency. A judge must not base his judgment solely on the eloquence or persuasive abilities of one party but must rely on the evidence presented and make decisions based on the principles of truth and justice, as has been eloquently outlined by Umar(ra)'s letter above. It is reported by Umm Salama (ra) that the Prophet ﷺ said:

حَدَّثَنَا يَحْيَى بْنُ يَحْيَى التَّمِيمِيُّ، أَخْبَرَنَا أَبُو مُعَاوِيَةَ، عَنْ هِشَامِ بْنِ عُرْوَةَ، عَنْ أَبِيهِ، عَنْ زَيْنَبِ بِنْتِ أَبِي سَلَمَةَ، عَنْ أُمِّ سَلَمَةَ، قَالَتْ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ " إِنَّكُمْ تَخْتَصِمُونَ إِلَيَّ وَلَعَلَّ بَعْضَكُمْ أَنْ يَكُونَ أَلْحَنَ بِحُجَّتِهِ مِنْ بَعْضٍ فَأَقْضِي لَهُ عَلَى نَحْوِ مِمَّا أَسْمَعُ مِنْهُ فَمَنْ قَطَعْتُ لَهُ مِنْ حَقِّ أَخِيهِ شَيْئًا فَلَا يَأْخُذْهُ فَإِنَّمَا أَقْطَعُ لَهُ بِهِ قِطْعَةً مِنَ النَّارِ "



*You bring to me, for (judgment) your disputes, some of you perhaps being more eloquent in their plea than others, so I give judgment on their behalf according to what I hear from them. (Bear in mind, in my judgment) if I slice off anything for him from the right of his brother, he should not accept that, for I sliced off for him a portion from the Hell.*

The Islamic judicial system is not concerned about how eloquently or strongly one presents their argument, but rather in the truth within the matter to be judged and the judge is reminded of the accountability to Allah ﷻ and the severe consequences of unjust rulings. A judge who makes an unjust decision is not only wronging the individuals involved but also risking punishment in the Hereafter. Hence, the integrity of judges and the application of justice is emphasized repeatedly. In a hadith found in Riyadh as-Saliheen, that was narrated by 'Amr bin al'as(ra), he says:

وعن عمرو بن العاص رضي الله عنه سمع رسول الله صلى الله عليه وسلم يقول: "إذا حكم الحاكم، فاجتهد، ثم أصاب، فله أجران، وإن حكم واجتهد، فأخطأ، فله أجر" ((متفق عليه)).



*I heard the Messenger of Allah ﷺ saying, "When a judge utilizes his skill of judgement and comes to a right decision, he will have a double reward, but when he uses his judgement and commits a mistake, he will have a single reward."*

The responsibility to apply justice is not only the duty of the judge but also that of every individual in society. Therefore, if one were to gain something unjustly through the legal system, Islam teaches that they must reject it, because the duty to adhere to justice is not enforced by an external and disconnected system, but rather through an internal compass that is deeply concerned and invested in upholding justice within a society.

## Conclusion: A System of Divine Accountability

The Islamic framework of justice and institution of judgement is a divine system that is designed to uphold equity, fairness, and truth for all of creation. It is not a human-made structure but, rather a divinely decreed system that ensures the protection of individual rights and the well-being of the collective community and the dignity of all of creation.

So great is the weight of speaking truth and the weight of bearing testimony, that it surpasses any human desire or power. In an authentic hadith narrated by Abu Sa'id al-Khudri (ra), he said that the Prophet ﷺ said:



عَنْ أَبِي سَعِيدٍ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ لَا يَمْنَعَنَّ أَحَدَكُمْ مَخَافَةُ النَّاسِ أَنْ يَتَكَلَّمَ بِحَقِّ إِذَا عَلِمَهُ  
مسند أحمد بن حنبل

*“Let not fear of the people stop one of you from speaking the truth, if he knows it.”*

Justice, as outlined in the Qur'an and exemplified by the Prophet Muhammad ﷺ, should be carried out with an attentiveness to the weight of the task and also a recognition that Allah's ﷻ encompasses a kind of mercy that is beyond the limitations of human conception. It is a form of justice that is merciful to all of creation, and it is through individual and collective accountability to this divine system that society can thrive. Ultimately, it is through the application of these principles of justice that the Muslim Ummah can create a society grounded in trust, equity, and righteousness.



يَا أَيُّهَا الَّذِينَ آمَنُوا كُونُوا قَوَّامِينَ لِلَّهِ شُهَدَاءَ بِالْقِسْطِ وَلَا يَجْرِمَنَّكُمْ شَنَا نُ قَوْمٍ عَلَىٰ أَلَّا تَعْدِلُوا أَعْدِلُوا هُوَ أَقْرَبُ  
لِلتَّقْوَىٰ وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ خَبِيرٌ بِمَا تَعْمَلُونَ ٨

*O you who have believed, be persistently standing firm for Allāh, 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 Allāh; indeed, Allāh is [fully] Aware of what you do. (Qur'an, 5:8)*