

## THE CONCEPT OF JUSTICE IN SHARIA ECONOMICS: A PHILOSOPHICAL PERSPECTIVE AND ITS IMPLEMENTATION IN ECONOMIC PRACTICE

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### ABSTRAK

This study aims to analyze the concept of justice in Islamic economics from a philosophical perspective and its implementation in modern economic practices. This research uses a qualitative approach with philosophical and descriptive analysis, as well as case studies to evaluate the application of Islamic economic principles. The main data sources used are the Qur'an, Hadith, and the works of classical and contemporary scholars. The aim and benefit of this research is to provide a deeper understanding of Islamic economic justice rooted in the values of tawhid, ukhwah, and balance, and explain how these principles are applied in practice, such as through zakat, waqf, and Islamic banking. This research is important because the gap between theory and practice often hinders the achievement of the goal of a fair and equitable Islamic economy. The research findings show that the implementation of equity principles in the Islamic economy faces various challenges, including a lack of Islamic financial literacy and competition with conventional economic systems. However, the potential to create an inclusive and sustainable economic system is enormous. The recommendation of this study is to strengthen regulation, supervision and literacy of Islamic finance, to ensure more effective and fair implementation. The novelty of this research lies in its contribution in emphasizing the importance of a philosophical understanding of fairness in Islamic economics to create a more just and sustainable system in society.

**Kata Kunci:** Justice, Islamic Economics, philosophy, Implementation, perspective

### Introduction

According to Ibn Khaldun, justice is the main foundation of Islamic economics. He emphasized that the principle of justice must be applied in every aspect of the economy, including production, distribution, dealings, and trade. For him, justice is the core and pillar of economic strength; without justice, a country will collapse.<sup>1</sup> Justice in Islamic economics refers to the principles of fairness and equity in trade, business, and other economic activities in accordance with Islamic law. This includes fairness in the distribution of income and wealth, fair treatment of customers and employees, and the prevention of fraudulent practices. In Islamic economics, money should not be seen as an end in itself but rather as a means to achieve happiness and well-being (Aris Munandar 2022).

The principle of justice in Islamic economics is a key element that distinguishes it from other economic systems. However, the gap between the idealism of theory and the reality of practice remains a major challenge. With a serious and innovative approach, the Islamic concept of economic justice can be implemented to create a more equitable and sustainable economic system in the future. Economic justice is a fundamental principle in Islam that distinguishes the Islamic economic system from capitalism and socialism. The Islamic economic system is claimed to be able to achieve a higher level of economic justice compared to the existing capitalist and socialist systems.<sup>2</sup> Economic justice is a key pillar in the Islamic economic system that distinguishes it from capitalism and socialism. The Islamic economic system is claimed to have the ability to achieve higher economic justice than the capitalist system, which often creates inequality, or the socialist system, which tends to reject individual ownership. In Islam, economic justice encompasses more than just equitable distribution of wealth; ethical and moral aspects such as shared prosperity (*al-maṣḥala*) and halal business practices are also integral to the concept.<sup>3</sup>

Islamic economics emphasizes the importance of distributive justice, where the

improvement of individual welfare must not harm others. Unlike capitalism, which often results in extreme inequality, Islamic economics applies redistribution mechanisms such as zakat to ensure balance and social welfare. The principle of justice in Islamic economics also includes the concept of distributive justice, which emphasizes that the improvement of individual economic welfare should not harm other individuals.<sup>4</sup> This principle is a solution to various inequality problems that the conventional economic system is unable to overcome.<sup>5</sup> Although the theory of justice in Islamic economics is ideal, its practice still faces various obstacles in the modern context. One of the main challenges is the translation of the Qur'anic and Hadith values of justice into concrete economic policies that can be widely implemented. Many countries that claim to implement Islamic economics still face problems of inequality and unequal distribution of wealth, showing a gap between theory and practice.<sup>6</sup>

Most of the current Islamic economic literature has not explicitly pointed out the difference between justice in Islam and capitalism. As a result, the Islamic finance sector often adopts the same indicators of success as conventional finance, which are not always in line with Islamic principles of justice. This poses a serious challenge for Islamic economics in building a truly differentiated system.<sup>7</sup> To answer this challenge, concrete steps are needed to contextualize the concept of justice in Islamic economics into policies and practices that are relevant to the needs of the times. The development of an operational and adaptive wealth distribution model is key to integrating Islamic values into the modern economic system. With this step, Islamic economics can make a real contribution in realizing global economic justice.<sup>8</sup>

### Research Methodology

This research uses a qualitative approach with philosophical and descriptive analysis. This approach aims to explore the concept of economic justice in Islam in depth, both in terms of philosophical value and its implementation in the modern context. And also using analysis methods such as text analysis of the concept of justice in Islamic sources. And case studies of the implementation of justice in Islamic economic practices. Philosophical analysis is conducted to understand the basic values in the concept of Islamic economic justice, while descriptive analysis is used to reveal the application of these values in various practical situations. With the combination of a qualitative approach, comprehensive data sources, and structured analysis methods, this research is expected to provide an in-depth understanding of the concept and application of Islamic economic justice.

### Discussion

Justice in Islam has a strong foundation in the Qur'an and Hadith. The Qur'an emphasizes the importance of justice as the primary mission of the prophets, including economic justice and the elimination of income inequality.<sup>9</sup> The principles of justice contained in the Qur'an and Hadith have greatly influenced the enforcement of law and justice in Indonesia. The Qur'an also commands justice even against enemies, indicating that justice in Islam transcends all human laws and systems. Classical and contemporary scholars emphasize the importance of justice in Islamic economics. They see justice as an integral part of maqasid sharia (the ultimate goal of sharia) which includes social and economic justice. Justice in Islamic economics is different from justice in capitalist and socialist systems, where Islamic economics offers solutions such as mudharabah contracts that are fair to all parties.<sup>10</sup>

The distribution of wealth in Islamic economics is based on the principles of justice and balance. Every individual has the same right to a decent and prosperous life based on divine justice and mutual need. Justice in wealth distribution also includes the elimination of income inequality.<sup>11</sup>

In the Qur'an and Hadith, justice has a strong foundation. The Qur'an emphasizes the importance of justice as the primary mission of the prophets, which includes social, economic

justice and the elimination of social inequalities.

Allah Subhanahu wa Ta'ala says:

بِهِ مِعْطُكَ نِعْمًا اللَّهُ إِنَّ ۖ بِالْعَدْلِ تَحْكُمُوا أَنْ النَّاسِ بَيْنَ حَكْمَتِهِمْ وَإِذَا أَهْلَهَا إِلَى الْأَمْنِ تَوَدُّوا أَنْ يَأْمُرُكُمْ اللَّهُ إِنَّ ﴿٥٨﴾  
بَصِيرًا سَمِيعًا كَانَ اللَّهُ إِنَّ

*Verily, Allah enjoins you to deliver the trust to its owner. And when you judge betweenmen, judge justly. Verily, Allah gives you the best teaching. Indeed, Allah is All-Hearing, All-Seeing (An-Nisā' [4]:58).*

In this verse there is an affirmation that justice is a basic principle in the life of society that must be upheld by every individual and leader. In addition, the Hadith of Prophet Muhammad SAW also emphasizes the importance of justice, both in personal and community affairs. One of the relevant traditions states that:

"Indeed, you will be asked about what you have led, whether you have been fair or not." (HR. Bukhari).

This Hadith shows that justice is not only in human relations, but also in leadership and state policies that must be based on fair principles. Justice in Islam covers all aspects of life, including in the economy, which affects the welfare of society at large. Justice in Islam is not only legal but also moral and spiritual. Justice is a core value in Islam that inspires the struggle for social justice. Moral justice includes the human freedom to choose and act justly, as well as the importance of justice as a quality to be possessed by individuals who discuss and promote justice.<sup>12</sup>

Meanwhile, the philosophical approach in understanding Islamic economic justice is rooted in the teachings of the Qur'an and Sunnah. The concept of justice in Islam includes al-adl (justice), al-haqq (truth), and al-qist (equality) which all contribute to the achievement of Maqasid Shariah or the objectives of sharia. This approach emphasizes the importance of balance and harmony in economic life, aiming to avoid exploitation and injustice.

### **Pillars of Justice in Islamic Economics**

#### 1. Wealth Distribution

The distribution of wealth in Islamic economics is based on the principles of justice and balance. Every individual has the same right to a decent and prosperous life based on divine justice and mutual need.<sup>13</sup> Justice in wealth distribution also includes the elimination of income inequality.

#### 2. Balance of Rights and Obligations

The balance between rights and obligations is a key principle in Islamic economics. Each party to an economic transaction, such as in a mudharabah contract, has the right to be rewarded in proportion to the risk and effort expended. This balance ensures that no party is disadvantaged in economic transactions.<sup>14</sup>

#### 3. Prohibition of Usury, Gharar, and Unjust Practices

Islam prohibits usury (interest), gharar (uncertainty), and zalim (unfairness) practices in economic transactions. This prohibition aims to build an honest and fair society. The practice of usury is considered unfair because it does not provide justice for the community.<sup>15</sup>

### **Implementation of Justice in Sharia Economic Instruments**

The implementation of the principle of justice in Islamic economics is an important aspect that distinguishes this economic system from the capitalist and socialist systems. The principle of justice in Islamic economics aims to create economic balance and the welfare of society as a whole. Here are some Implementations of Justice in Islamic Economic Instruments:

1. **Waqf:** Waqf is one of the instruments used to achieve economic justice. Waqf can be used to empower the economy of the community, especially the weak economic class, by managing assets for public welfare.<sup>16</sup>
2. **Mudharabah:** Mudharabah contracts offer fairness to all parties involved, both capital owners and capital managers. Profits and losses are shared according to the initial agreement, so that no party is disadvantaged.<sup>17</sup>
3. **Zakat:** Zakat is an important instrument in Islamic economics that aims to redistribute wealth from the rich to the poor, thereby reducing economic disparities and improving social welfare.

Justice in Economic Policy is divided into two:

1. **Sharia-based Economic Policy:** The implementation of the principle of justice in Islamic economic policy involves the development of financial institutions that are in accordance with the teachings of the Qur'an and Sunnah. These include Islamic social banks, zakat, and waqf institutions that aim for financial inclusion and community welfare.
2. **Education and Awareness:** Education on the principles of fairness in Islamic accounting is also important to ensure that profit allocation is done fairly to all stakeholders, including fund owners, shareholders, and employees.

### Challenges and Solutions in Implementing Justice

Implementing equity faces challenges ranging from implementation gaps to barriers in the adoption of new technologies and approaches. Effective solutions involve collaborative approaches, the use of implementation frameworks, the integration of social equity in economic evaluation, comprehensive policies, and careful planning for digital transformation.

#### 1. The Gap Between Theory and Practice in the Islamic Economic Sector

Although Islamic economics offers an ideal financial system model based on justice and balance, its implementation faces various challenges, such as:

##### 1. Domination of Non-Profit Sharing Products

- a. *Murabaha-based* products dominate the market compared to risk-sharing products such as *mudharabah* or *musyarakah*. This reduces the potential for equitable profit distribution in accordance with Shariah principles of fairness.
- b. **Solution:** Regulations need to incentivize profit-sharing-based products and improve the risk management capacity of Islamic financial institutions.<sup>18</sup>

##### 2. Lack of Education and Literacy

- a. Many people only understand Islamic economics as a system that prohibits usury, without exploring the values of distributive and commutative justice.
- b. **Solution:** Islamic financial literacy programs should be integrated into the formal education system and training for the general public.<sup>19</sup>

##### 3. Conventional System Competition Pressure

- a. In order to compete, Islamic financial institutions often adopt practices that resemble the conventional system, resulting in the neglect of Shariah values such as balance and risk distribution.
- b. **Solution:** Product innovation based on maqasid sharia that is not only competitive but also in accordance with sharia principles.<sup>20</sup>

## 2. The Role of Regulation and Supervision in Realizing Sharia Economic Justice

Regulation and supervision are key factors to ensure the implementation of the principles of fairness in Islamic economics.

### 1. Regulations that Support Sharia Implementation

- a. Many countries do not yet have a unified regulatory framework that thoroughly integrates Shariah principles.
- b. **Solution:** The government needs to establish policies that incentivize institutions that are consistent with sharia values. The establishment of a specialized supervisory authority to ensure sharia compliance, such as the National Sharia Council (DSN) in Indonesia.<sup>21</sup>

### 2. Supervision to Prevent Non-Sharia Practices

- a. Some Islamic financial institutions face challenges in avoiding practices that violate Shariah, especially in complex transactions.
- b. **Solution:** Periodic audits by independent Shariah bodies to ensure transparency and fairness in every transaction.<sup>22</sup>

### 3. Improved Accountability

- a. Accountability in Islamic financial institutions often receives less attention.
- b. **Solution:** Transparency of financial data and activity reports should be a standard required by regulators.

## Conclusion

The concept of justice in Islamic economics is the main foundation that directs economic practices towards balance, harmony and social welfare. From a philosophical perspective, justice in Islam includes the principles of tawhid (oneness of God), ukhuwah (brotherhood), and balance which aims to avoid inequality and exploitation. This justice is manifested in the form of al-adl (distributive justice), al-qist (equality), and al-haqq (rights and obligations) which are an integral part of Maqasid Shariah or sharia objectives.

In its practical implementation, justice is realized through instruments such as zakat, waqf, and the prohibition of riba (interest) and gharar (uncertainty) practices. Islamic banking with profit-sharing-based contracts such as mudharabah and musyarakah reflects the commitment to apply the principle of justice in economic transactions.

However, there is a gap between theory and practice caused by a lack of understanding, weak regulations, and competitive pressures with the conventional economic system. Therefore, efforts to improve public literacy, strengthen supervision, and harmonize regulations with sharia values are important steps to strengthen the implementation of the concept of justice.

With an approach that integrates philosophical values and practical solutions, Islamic economics has great potential to create a system that is not only just, but also sustainable, inclusive, and able to address global economic challenges. This concept of justice emphasizes that Islamic economics is not only about material gain, but also about welfare distribution and social justice.

## Reference

- Ahmed, H. (2011). *Maqasid Al-Shariah and Islamic Financial Products: A Framework for Assessment*. ISRA International Journal of Islamic Finance.
- Berenjkar, R., Baqeri, S., & Norouzi, A. (2017). Investigating the Status of Free will and Ethical Justice in the Sphere of Islamic Social Justice. *Bioethics*, 7, 23-36.
- Chapra, M. U. (2000). *The Future of Economics: An Islamic Perspective*. The Islamic Foundation.

- Chapra, M. U. (2000). *The Future of Economics: An Islamic Perspective*. Islamic Foundation. Page 157.
- Dusuki, A. W. (2008). "Understanding the Objectives of Islamic Banking: A Survey of Stakeholders' Perspectives." *International Journal of Islamic and Middle Eastern Finance and Management*. Page 36.
- El-Gamal, M. A. (2006). *Islamic Finance: Law, Economics, and Practice*. Cambridge University Press. Page 74.
- Emamzadeh, M. (2020). Analysis of economic convergence of Islamic justice in selected Islamic countries. *Journal of Economic Structures*, 9, 1-10.
- Kahf, M. (1999). *Islamic Economics: What It Is and How It Developed*. Islamic Research and Training Institute.
- Khan, F., & Bhatti, M. I. (2008). "Islamic Banking and Finance: On its Way to Globalization." *Managerial Finance*. Page 242.
- Kuran, T. (1989). On the Notion of Economic Justice in Contemporary Islamic Thought. *International Journal of Middle East Studies*, 21, 171 - 191.
- Lita, H. (2020). The Implementation of Waqf to Actualize Economic Justice Based on Islamic Law. , 07, 1-18. <https://doi.org/10.22304/PJIH.V7N1.A1>.
- Malahayatie, M. (2018). JUSTICE, THE STATE AND ECONOMIC DEVELOPMENT: AN ISLAMIC ECONOMIC PERSPECTIVE. , 2, 64-99.
- Munandar, A., & Ridwan, A. (2023). JUSTICE AS A PRINCIPLE IN ISLAMIC ECONOMICS AND ITS APPLICATION IN MUDHARABAH. *Maqdis: Journal of Islamic Economic Studies*.
- Munandar, A., & Ridwan, A. (2023). JUSTICE AS A PRINCIPLE IN ISLAMIC ECONOMICS AND ITS APPLICATION IN MUDHARABAH. *Maqdis: Journal of Islamic Economic Studies*.
- Munandar, A., & Ridwan, A. (2023). JUSTICE AS A PRINCIPLE IN ISLAMIC ECONOMICS AND ITS APPLICATION IN MUDHARABAH. *Maqdis: Journal of Islamic Economic Studies*.
- Munandar, A., & Ridwan, A. (2023). JUSTICE AS A PRINCIPLE IN ISLAMIC ECONOMICS AND ITS APPLICATION IN MUDHARABAH. *Maqdis: Journal of Islamic Economic Studies*. <https://doi.org/10.15548/maqdis.v7i1.453>.
- Nasr, S. H. (2007). *The Heart of Islam: Enduring Values for Humanity*. HarperOne
- Obaidullah, M. (2005). *Islamic Financial Services*. Islamic Economics Research Center. Page 101.
- Robiati, S. (2021). Implementation of Justice in Islamic Perspective. *Moderation: Journal of Islamic Studies*.
- Siddiqi, M. N. (1981). *Muslim Economic Thinking: A Survey of Contemporary Literature*. Islamic Foundation.
- Syibly, M. (2015). SOCIAL JUSTICE IN ISLAMIC FINANCE, 15, 73-100.