

SOCIAL JUSTICE PRACTISE IN THE PROPHETIC TRADITION: AN OVERVIEW OF SELECTED CONTEMPORARY ISSUES

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Abstract

The contemporary era records skyrocketing social injustice issues worldwide that result in the downfall of morals, humanism, and civilization. Social justice discourses have been widely debated since World War 2. However, the discussions majorly highlight the secular perspective while abandoning the role of divine intervention in providing solutions to social injustice. In Islam, Prophet Muhammad acts as the best example for other mankind in engaging with the society. Therefore, the study aims to identify the issues in this contemporary context and investigate the prophetic approach in solving these issues. This qualitative study utilises document analysis in its data collection and analysis processes. The contemporary social injustice issues will first be identified and followed by the recognition of the related hadith that will undergo the process of *takhrij*. To analyze the data, books of hadith commentary and other supporting sources were used as reference to extract the reasons behind the revelations, individuals involved, and the locative and temporal elements. Results show that social justice issues in the contemporary era and during the time of the prophet are comparable. However, the complicated societal settings today necessitate concrete acumen in providing solutions and requires divine intervention from the prophetic Sunnah.

Keywords: Prophetic ways; Sunnah; Prophetic Methodology; Social Justice in Islam; Social Justice in Sunnah

Introduction

Despite huge technological advances, the twenty-first century continues to bear witness to numerous social justice issues on a global scale. The rise of social justice issues occurring all around the globe resulted in the collapse of moral values, and human development (Syed Qutb 2005). The public debates and discourses of social justice have received wide recognition since the late twentieth and early twenty-first centuries (Capenheart and Milovanovic 2007). Social justice can be divided into three different types, namely relational, distributive, and retributive justice (Hasan 2007). Relational justice concerns human relationships such as the relationship among family members, neighbours, or colleagues whereas distributive justice involves the fair distribution of wealth and opportunities. As for retributive justice, it refers to the matters of solving disputes and arguments or involving the crime committed by the people.

However, the secular perspective of social justice discussion appears to revoke the function of revealed knowledge by Allah SWT

to the best example, Prophet Muhammad SAW. Prophet Muhammad as the epitome of Islamic tradition is not only the messenger who is assigned by Allah to spread the word of Oneness (*tauhid*), he is also a leader of his generation, a judge, a statesman, a father, and a human being (Razali and Hamzah 2019). Being the leader of the Muslim ummah during his time, it was inevitable for Prophet Muhammad SAW to deal with social injustice issues and help the community resolve them. Thus, the various injustices and challenges the Prophet's companions faced then required the intellect and wisdom of an individual guided by the divine revelation which is Prophet Muhammad SAW.

The purpose of this study is to unfold the underlying wisdom in prophetic sunnah in solving the social injustice issues in the contemporary era. The indictment from the anti-Islam movement that accuses the prophetic sunnah as being insignificant and outdated to be applied today should be refuted to preserve the name of the Prophet and the reliability of the secondary source in Islam. By using a qualitative design, this study uses document

analysis to extract and explain the data in its data collection and data analysis phases. The social injustice issues in recent times will first be identified, and followed by the determination of suitable hadith that will go through the *takhrij* process (the validation of the narrator's reliability and hadith authenticity). In analysing the data, reference to the books of hadith commentary and other supporting sources will be conducted to derive the reasons of revelation, persons associated, and recognition of the time and locations of the event. The prophetic approach will then be proposed to inspire the application of managing social injustice issues in modern times.

Social Justice in Islam

Islam values the principle of justice seriously as the frequency of the word 'justice' or its synonymous terms are repeated more than a thousand times in the Quran (Nomani and Rahmena 1995). The Quran instructs people to conduct justice and benevolence through one of its important verses, "*Indeed, Allah orders justice and good conduct*" (An-Nahl 16:90) which proves the necessity of implementing justice in all conditions. The commandment of Allah to establish justice shows the high moral capacity commanded by Allah for the betterment of this world. Most importantly, Allah also ordains His beloved people, the prophets, to administer justice in the world. 25. "*We have already sent Our messengers with clear evidence and sent down with them the Scripture and the balance that the people may maintain (their affairs) in justice*" (Surah al-Hadid 57:25). Through this verse, it is understood that the prophets were mandated to spread the mission of oneness of Allah, to unite people in the axis of belief, and to rule the world in justice so that peace, prosperity, and harmony in society can be attained.

The notion of social justice has long been discussed by the scholars globally under the roof of secularism or within the divine revelation. Even though these scholars own different views, the consensus has been made that the term social justice revolves around the discussion of equality, fairness, freedom, and solidarity (Rahman 2013). From the divine point of view, Syed Qutb (2000) stated that the foundations of social justice in Islam are of three

elements: 1) freedom of conscience 2) equality of human beings and 3) mutual responsibility in society. On the other hand, in the secular view, John Rawls (1971) focused on the aspect of distributive justice whereby he suggested the idea of 'justice as fairness' to reduce inequalities. The notable difference between the secular and Islamic views on social justice is on the placement of divine revelations, which include the words of Allah in the Quran, and prophetic sunnah. Secular view exerts the attention on complexity of the networking and connection between the members of the society whereas Islam places the Quran and Sunnah as the primary resources in providing the solutions to social injustice.

Method

The qualitative method using document analysis was found to be the most suitable to conduct the study due to the nature of the data which requires a close examination on some documents. In the data collection and data analysis process, the social injustice issues from three different categories of justice - relational, distributive, and retributive justice - in the contemporary era were identified and followed by the determination of suitable hadith in solving the issues. The hadith then underwent the process of *takhrij* to confirm the hadith validity and originality. Sequentially, the interaction between prophet Muhammad and the companions were analysed by referring to the books of hadith commentary to identify supporting information such as the reason the hadith was uttered, the personalities involved, and the locative and temporal factors surrounding the event. The overall process is summarised in the following figure.

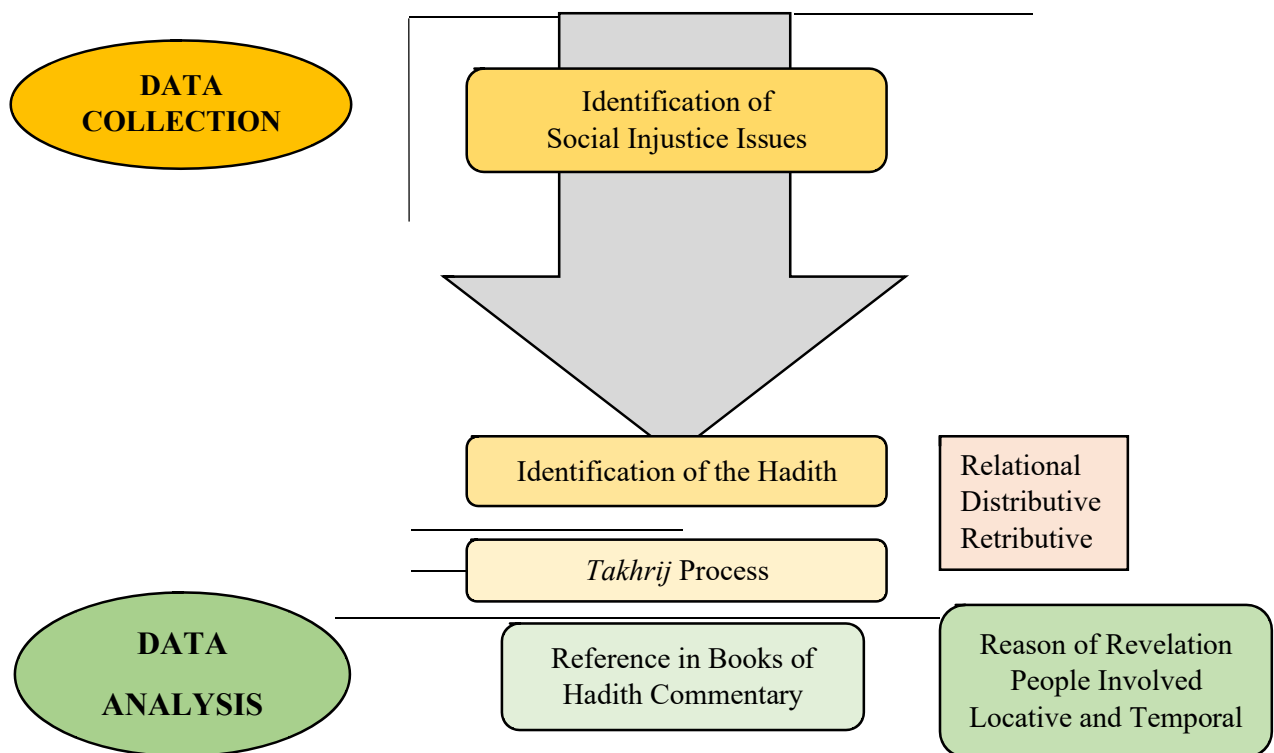


Figure 1

Result

The result shows that similar social injustice issues in contemporary settings also occurred during the time of the Prophet. However, the issues in the contemporary era are more complex due to the complicated societal circumstances and they demand high intellect and skills in providing the solutions. Hence, the prophetic approach that is guided by the divine revelation through Quranic and Sunnah's teachings is the perfect remedy to solve the social justice issues.

Discussion

Social justice is commonly associated with relational, distributive, and retributive elements. These three divisions shape the discussion within the social justice sphere, and it is considered comprehensive as it covers justice regarding the societal relationship, the notion of distribution of wealth and opportunity, as well as the cases of crime-related justice.

Relational justice

As social creatures, mankind is created in such a way that its members need to depend on each other to thrive as a society. Relational justice refers to interactions among members of society using the formal and informal rules on both macro and micro interpersonal level. Hence, it relates to the implementation and procedures that shape the organisation of various systems such as family, economic, political, and social institutions (Gewirtz 1998). An inability to establish relational justice will jeopardise interpersonal relationships that leads to the collapse of the overall fabric of the society.

Issue 1: Parent-Child Relationship

The family institution is considered one of the fundamental foundations of society. Due to that fact, Islamic teaching puts a strong emphasis on the importance of family values. Benevolent elements in society are difficult to be produced if there is an absence of strong family

institutions (Malik2015). In a family institution, the cooperation of both parents is crucial in the children's social and emotional development. Some studies reported that one of the factors of negative outcomes in emotional, social, psychological, and physical development is due to the absence of father's contribution in the children's upbringing (Lakhani and Nadeem 2017). Without both parents' participation in the development of children's upbringing, the children will be inclined to have insufficient love, and have difficulty to empathise and connect with others.

Apart from that, another similar issue pertaining parent-child relationship is the Parents' Differential Treatment (PDT) that can occur across a variety of domains such as parental affection, privileges, and support. PDT is found to be deeply connected with individual happiness and the degree of sibling relationship during childhood and adolescence (Shanahan et.al2008). Research on within-family disparities have shown that parental favouritism has a negative impact on children's mental health and relationships with their siblings during childhood and adolescence (Fingerman et.al2008). Meanwhile, the relationship between siblings who comes from parents who practise favouritism in their parenting is also found not to be in a harmonious position in comparison to the sibling's relationship who originates from a just parenting style (Boll et.al 2010). Therefore, it is vital that parents practice parenting style on the axis of just and fairness in ensuring the social, emotional, and psychological wellbeing of the children. In relation to these issues, Prophet Muhammad has offered a well-proven approach in confronting the relational injustice among parent-child relationship, which is discussed in the following section.

Prophetic approach

Encouragement on being merciful

The aforementioned issues elucidated about the absence of a father's participation in the growing phase of a child may result in poor emotional, social, psychological, and physical development. The Prophet, as a role model in every spectrum of life, was also virtuous in his treatment towards children. For instance, Prophet Muhammad was commonly seen stroking children's heads and being playful with them. On one occasion, when the Prophet was playing with his grandsons, Hassan and Hussain, he displayed his love and affection by kissing them.

A man who witnessed this told the Prophet that he had ten children and never kissed any of them. The Prophet responded, "He who does not show mercy to others will not be shown mercy" (Al-Bukhari, Hadith no 5997). From this event, it could be deduced that the Prophet encouraged the act of mercy, love, and compassion to be shown to anyone including to children. Physical acts such as stroking children's heads, hugging, kissing, and being playful with the children will breed compassion and grant calmness between children and adults.

Discouragement of favouritism

Apart from that, although the issue of sibling rivalry was not uncommon in a family, parents play a huge role in minimising the likelihood of the event through a just parenting style. The act of favouritism is strictly discouraged in Islam as it cultivates envy among the siblings. There is an event recorded pertaining to this issue during the Prophet's time. It is narrated that the father of Nu'man bin Bashir, Bashir bin Sa'd came to the Prophet to bear witness of giving the gift to Nu'man as suggested by his wife, 'Amrah bint Rawahah. She mentioned that she will not be contented until Bashir ask the messenger of Allah to bear witness. So, Bashir bin Sa'd took Nu'man by the hand as he was still a boy and went to the messenger of Allah. He said: "Oh messenger of Allah the mother of this boy the daughter of Rawahah, has asked me for a gift and she wanted me to ask you to bear witness to that. He said: Oh Bashir, do you have any other child apart from this one? He said: "yes". The Prophet further asked him: "Have you given him gifts like that which you have given to this one?" He said: "no". When the Prophet heard this, he said "Then do not ask me to bear witness for I will not bear witness to unfairness" (An-Nasa'i, Hadith no. 3683). The Prophet made it explicit that parents should not practice favouritism towards the children even in the small act like giving presents. The Prophet discouraged himself from approving the act of injustice towards Bashir who only bestow a gift to one of his children and did not provide it to the other. Islam places a balance in every aspect of life and even though balance might seem challenging when it comes to relationships, it is certainly not impossible.

In certain cultural settings, the parents display love and affections towards the son more than the daughters, and this is not a

practice of the prophetic teaching. As a messenger of Allah and a leader of his people, people would often think that the gender comparison between siblings is considered a minor issue and would not be highlighted by the Prophet. However, the character of the Prophet shows *rahmah* (mercy) in his every action, including in his dealings with children. Although competitiveness between siblings is natural, parents should not fuel the flames by providing extra treatment to their favourite children which might lead to children holding grudge to each other and thereby plant the seeds of future disputes. Therefore, these solutions provided by the Prophet offers a structured management of relational justice among parent-child relationship.

Issue 2: Marriage

The marriage institution requires values like mutual respect, trust, honesty, and understanding to remain strong. In Islam, it is incumbent for both husband and wife to preserve the sanctity of the relationship by using *rahmah* as the key to marriage. Without these elements, the marriage institution has the tendency to collapse. The inefficiency of dealing with marital conflicts would cause physical and emotional stress to the spouse.

In Malaysia, the case of domestic violence during the COVID-19 pandemic has been reported to increase in number whereby a total case of 2,287 was recorded in 2020 alone. The factors of this problem are due to the economic, social, and psychological pressure on individuals, families, and communities (Ministry of Women, Family, and Community Development 2020). Domestic violence may inflict physical, psychological, and emotional harm on the abused partner. The cases of domestic violence include physical torture, verbal abuse, and the inability to fulfil the rights of the wives in terms of provisions (*nafaqah*). In addition, moral support was also underestimated as it is often ambiguous in essence. With the growth of technology, some married couples direct their attentions towards their gadgets and disregard their spouses' feelings hence affecting the peace and harmony in the family. These actions are also regarded as an injustice to the spouse.

Prophetic approach:

Attentiveness to the commonly perceived as trivial matters

The holistic persona in Islam, Prophet Muhammad SAW, provided numerous guidelines to establish justice in marriage. Before he encouraged people to interact with the spouse with *rahmah*, he first ensures that he walks the talk in his relationships with his wives. When asked on the Prophet's personality, Aishah described that his character was the Quran, which indicates that the Prophet embodied commandments from the Quran and implemented them throughout his life. This display of Quranic actions does not only revolve around his interactions with society but also covers his wise communication skills with his wives. He noticed the small things in the relationship which might be ignored by an imperceptive husband. For instance, the Prophet noticed the difference in Aishah's term of endearment towards him when she was pleased or angry with him in which she mentioned 'the lord of Muhammad' if she was contented and 'the lord of Ibrahim' if she was resentful (Al-Bukhari, Hadith no. 5228). His recognition of the matters that are commonly perceived as insignificant made him an outstanding partner in a relationship.

Providing guideline in treating partner

Prophet Muhammad made an unforgettable statement that should be a guide to the husbands in building a harmonious marriage. It was narrated from Ibn Abbas, the Prophet said "The best of you is the one who is best to his wife, and I am the best of you to my wives" (Ibn Majah, Hadith no. 1977). In the ignorance (*jahiliyyah*) period, women are undervalued, depreciated, and seen as an object, and Islam came to elevate the status of women in many circumstances.

One of the guidelines in treating the wife is recorded in the following narration. Bahz bin Hakim reported on the authority of his father from his grandfather (Mu'awiyah ibn Haydah) as saying: I said: "Messenger of Allah, how should we approach our wives and how should we leave them? He replied: Approach your tilth when or how you will, give her (your wife) food when you take food, clothe when you clothe yourself, do not revile her face, and do not beat her" (Abi Daud, Hadith no. 2143). The prophet instructed men to provide the women with food, and clothes in similar quality to themselves and

disallow physical and emotional torture by beating and denouncing them. The act of justice towards their life partner is considered indispensable to preserve harmony and peace in marriage. Therefore, the guideline to establish relational justice in marriage includes fulfilling the rights of the spouse in terms of foods, clothing, home, and others and providing emotional support for each other. As Muslims, the perfect example who have showcased the complete morals and ethics in implementing justice should be followed to ensure a peaceful and harmonious relationship within the society.

Issue 3: Relationship with Neighbours

In Islam, neighbours are among the most important members in the society. Neighbours might be of different races, religions, and languages and these differences shall not be a wall to create harmony among the community. However, the interaction with the neighbours is often neglected nowadays as life is now centred in the workplace rather than where people live. Hence, it is encouraged to build a centre in the neighbourhood area to enhance the interaction, blossom the engagement with each other as it could lead to the growth of a peaceful society.

In the setting of Malaysia, as the children grow up and migrate to other places, they can barely allocate their time and energy to visit their parents. Hence, neighbours are often found to take over the role of the children, taking care of their old parents. The elderly who require social support always receive informal care from the neighbours. As a result, it contributed to maintaining the quality of life of the elderly (Md Nor 2020). Some of the informal care includes in the form of visiting them, assisting them to buy essentials, and offering transportation to go to the healthcare for medical check-ups and treatment. The support from neighbours relieves them from loneliness and depression. Despite not having blood ties, the spirit of community among neighbours will help infuse the love and goodwill to the elderly.

Prophetic Approach

Ensuring the neighbours basic needs are fulfilled

Neighbours play a vital role in the growth of the community and The Prophet has provided some guidelines to interact with the neighbours including ensuring the basic needs are fulfilled. The Prophet mentioned “One is not considered a believer if he is full but left his neighbour hungry” (Al-Bukhari in Al-Adab al-Mufrad,

Hadith no.112). No one should be left hungry as hunger could be one of the reasons for someone’s downfall. The rights of the body should be fulfilled, and Islam places the duty for us to take care of each other. In addition, compassion among members of the community could also be instilled through the act of sharing foods with neighbours. The Prophet once advised his companion, Abu Dzar to put plenty of water when he prepares broth so it could be given to his neighbours (Muslim, Hadith no.2625). In the name of solidarity, which is one of the vital elements in the soul of social justice in Islam, Islam encourages the believers to spread kindness and compassion to everyone including the neighbours.

Preventing ourselves from conducting offense to the neighbours

In preserving the relationship with neighbours, the prophet warned that someone is not considered a believer if his neighbour does not feel safe from his evil (Al-Bukhari, Hadith no. 6016). A person will be thrown into the hellfire if one harms the neighbour with his or her speech even though he/she prays, fasts, and gives charity. This is recorded in a hadith narrated by Abu Hurairah, A man asked, “Oh Messenger of Allah! There is a woman who prays, gives charity and fasts a great deal, but she harms her neighbours with her speech (by insulting them)” He said: “She is in the Hellfire.” (Ahmad bin Hanbal, Hadith no. 9675). Bad characters towards the neighbours that could pose an imminent danger is despised by Allah. Any disturbance to the neighbours in various forms such as privacy invasion, sound disruption or physical damage could impact the peace in someone’s life. The term “unhealthy neighbourhood syndrome” was even created by some scholars in the contemporary era to illustrate the effects of neighbours in people’s life (Alwaer et. Al 2021). These actions jeopardise the mutual love among each other and affect the harmony within society. Thus, it could be summarised that relational justice encapsulates the relationships between parents and their children, spouses, and members of a community. Therefore, the prophetic approaches offered in each element are believed to be effective remedies to preserve justice in society.

Distributive justice

Distributive justice is considered a huge part of social justice, and it involves the affairs of just distribution of wealth and opportunity to all

parties involved. In Western theory, distributive justice focuses more on the material aspects such as wealth and opportunity. For instance, John Rawls (1971) highlighted the matter of distribution while proposing the notion of 'justice as fairness'. In contrast, distributive justice in Islamic perspective encapsulates the guiding principles such as *kasb* (the requirement of effort to attain sustenance), *rizq* (the allocation of provision is upon Allah), *amanah* (people as trustees and will be held responsible and accountable in the day of judgement), *huquq* (rights of several parties who deserve our personal wealth), *infaq* (spending in the ways of Allah) and *'adalah* (implementation of justice in distribution) (Furqani 2018). People who do not abide by the Islamic guideline of distributive justice are likely to contravene the rights of other parties. There are many violations of justice found in the distribution components involving several parties such as towards the disabled community and women.

Issue 1: Justice to the Disabled Community

The attention towards the disabled community is often disregarded and dishonoured. Many people claim that they do not possess similar rights as fully able people due to their restricted contribution to the states and society. In pre-Islamic Arabia, the ignorance of people of *jahiliyyah* had caused the Arabs to associate people with special needs with bad omens and curses (Omar Suleiman 2021).

In Malaysia, the enactment of the Persons with Disabilities Act 2008 demonstrates Malaysia's commitment to assist the disabled community, even though the enforcement of this act is still considered weak. Despite its establishment for over a decade, the infrastructure provided to the disabled community is still not sufficient. Even though the facilities are commonly present in schools and university buildings, the access to public facilities are still very limited. Hence, this gives a message of denying their rights to enjoy their lives like other people (Ahmad et al. 2017).

Apart from the noticeable physical disabilities, the challenge extends to the mentally disabled people whereby these communities are often faced with prejudice and discrimination since mental illness is not something that is observable physically. Patients diagnosed with schizophrenia, bipolar disorder, and depression are reported to be the community that experienced the most stigma and

discrimination. Therefore, it is pivotal to address mental illness issues in civil society through education and health campaigns to raise awareness.

Prophetic Approach:

Government protection to the disabled community

There are numerous prophetic actions that showcased his concerns and justice towards the disabled community. For instance, as the leader of his ummah, the Prophet protect the right of this community to receive government protection. He once mentioned, "Whoever dies leaving some inheritance, his inheritance will be given to the heir, and whoever dies leaving a debt or dependants or destitute children, then I will be their supporter" (Al-Bukhari, Hadith no.6745). In interpreting this hadith, Badruddin Aini (2010) stated that it includes the special needs children who are not capable to manage their life affairs. This event signifies Prophet Muhammad's role as the state leader who rendered the right of this community. Despite the possible minimal contribution towards the society and the states due to their disabilities, Prophet Muhammad defends their right to obtain goodness and comfort in life.

Equal opportunity to the disabled community

In providing equal opportunities to the disabled community, the Prophet once sent Muaz bin Jabal, a crippled person, to Yemen to educate the Yemenites about Islam and to organise several affairs (Ibn Saad 1990). He faced a dreadful accident during the Battle of Uhud which caused him to become crippled. The disability of Muaz did not negate his right to contribute to Islam when the Prophet himself rendered him the trust (*amanah*). Apart from Muaz bin Jabal, the Prophet also appointed another companion from the disabled community, Abdullah Ibn Umm Maktum, a visually impaired companion to do an important task to become the *imam* (leader of prayer) when the prophet had an affair in Madinah. Besides, he also selected him as one of the *muazzins* (caller of prayer) besides Bilal bin Rabbah. Despite his disability, the Prophet gave him the trust to hold an important position and preserve his right to devote his effort to the development of the *ummah*. In contrast to the primitive tradition of the Arabs who mistreated the disabled and associated them with curses and bad omens, the Prophet changed the perception of the companions by treating them with kindness,

compassion, and respect. Islam does not perceive the special needs community as a burden for the society, yet an opportunity to implement the collective social responsibility to them. Whoever possesses the good knowledge about Islam and Quran deserved to be given the opportunity to contribute to the propagation of Islam.

Mental health issues are not regarded as insignificant in Islam. Thus, the Prophet did not abandon the needs of mentally disabled people during his time. There is an event where a woman with a partial derangement in her mind mentioned that she wanted something from the Prophet. Prophet Muhammad then continued to ask on which side of the road she would like to stand and talk so he could fulfil her favour. He then stood aside her on the roadside until she got what she needed (Muslim, Hadith no. 2326). He treated her with dignity and did not dismiss her or request other people to fulfil her needs. As an exemplary leader, Prophet Muhammad SAW showed humility and care towards everyone including the physically and mentally disabled community. He did not practice favouritism and fairly provided opportunities for them to contribute to societal development.

On the contrary to the Prophet's examples, the special needs people in recent times are often mistreated and neglected. For instance, the insufficient physical infrastructure provided by the states requires immediate plan and action from the authority. Besides, the disabled community also deserves equal opportunities in education. Some studies found that inadequacy in terms of facilities for the teaching and learning for the disabled group still occurs in Malaysia (Mohd Yasin et al. 2012). Continual efforts from all stakeholders are required to uphold social justice for these marginalized groups in our society.

Issue 2: Discrimination Against Women in Workplace

In recent times, the phenomenon of working women is no longer a bizarre and unusual sight as women start to join the workforce since the mid-nineteenth century. Women have been working hand in hand with men in various sectors in contributing to the development of society and the country. However, significant improvement in the status of women does not indicate the absence of injustice to women as income inequality and sexual harassment are

among the top injustice that happens to women in their workplace (Balto 2020).

Gender-based violence is recorded to happen to women in five different forms, namely sexual, physical, psychological, socio-economic, and domestic violence. Sexual violence includes harassment and assault meanwhile physical violence refers to the physical force that results in injury, harm, and even death. In addition, psychological violence is caused by emotional and mental abuse, while socio-economic violence refers to the denial of a person's legitimate access to resources, economic assets, and education. Domestic violence, on the other hand, is violence that occurs between household parties. (United Nations Relief and Work Agency 2015). CEDAW (Convention on the Elimination of All Forms of Discrimination against Women) recognises that gender-based violence is a form of discrimination against women and that sexual harassment in the workplace is among the branches of such violence (UN Committee on the Elimination on Discrimination Against Women 1992). The process of eradicating sexual harassment and defending women's rights is not opposing the nature of Islam as the secularists might have speculated. In fact, it aligns with the modern-day advocacy of upholding the justice and respect towards women and does not condone the practise of double standards. Therefore, women deserve the right to feel safe and comfortable in the workplace to be able to contribute to the state's development and function as good members of society.

Prophetic Approach:

The injunction of touching woman who is not permissible (non-mahram)

Islam has always been an advocate in uplifting women's status since the emergence of the religion by Prophet Muhammad SAW. In the chaos of women degradation during the *jahiliyyah* period, the Prophet shifted their dignity through various practices ordained by Allah SWT in the Quran. Women were once denied the right to own inheritance as wealth was accepted as exclusive for men. In addition, when the husband of a woman passed away, the wife could be inherited to another person similar to the wealth. Not only that, they were also once perceived as an embarrassment to the family and the larger society, and was denied the right to live. As a result, the Quraisy purposely murdered

daughters who were born out of the mother's womb (Fakhruddin al-Razi 1999).

However, the emergence of Islam transformed the cultural settings into a scene that upgraded women's status. Through the action of Prophet Muhammad, with the guidance from Quranic revelation, women are no longer being condemned and accused as a burden to society. Purposeful murder is prohibited, inheritance on women is recognised and women cannot simply be passed down to another person after the death of their husband without a legal marriage contract. Women are valued, appreciated, and their status is recognised as equal to men in terms of rights and responsibilities. Therefore, the action of sexual harassment that has been previously mentioned is strictly denounced in Islam. In fact, the act of touching a woman who is not permissible for a person (non-mahram) is condemned. It could be proved by the following hadith "If one of you were to be stabbed in the head with an iron needle, that would be better for him than his touching a woman who is not permissible for him" (Al Tabrani, Hadith no.486). The action of touching a woman has the potential to lead to further inappropriate actions that cause immorality and cause the rupture of societal fabric. The primary purpose of this rule is to preserve the woman's pride and dignity so that she will be respectfully secured. Islam's viewpoint of women is that they need to be respected in a similar action as men.

In summary, the distributive justice mentioned in this section encapsulates several issues involving the fair distribution of wealth and opportunities to those with special needs and women. The prophetic approach rendered in this section should be an inspiration for the application of distributive justice in modern times.

Retributive Justice

Retributive justice refers to the appropriate punishment of individuals or groups who are perceived to be conducting an offence, thus breaching the established laws and rules (Hermann 2017). Retributive justice obligates that the punishment is enforced by another party such as the judges in a legal system or the victim in an act of revenge. In earlier times, before the modern state is established, the manner a punishment was carried out is dependent on the parties involved. For instance, if the offenders come from the same tribe, they might be forced to pay compensation to avoid brutal disputes

among the tribe members (Braithworth 1998). However, offenders from different tribes might receive different treatments. For example, if a tribe member was killed by another member from a different tribe, the person who is found guilty might be killed or made a slave to the victim's tribe (Braithworth 1998).

The concept and objective of punishment in Islam include preventive, reformatory, retributive, and deterrent in nature (Munir1980). The punishment under Islamic law is based on the classification of the criminal offences which are *hudud*, *qisas*, and *ta'zir* whereby *hudud* is regarded as the most serious crimes which require strict conditions before the punishment is to be implemented (Wan Muhammad2018). *Qisas* (retaliation), on the other hand, involves criminal law for intentional murder, voluntary and involuntary killing, and intentional and unintentional physical injury. *Qisas* is equivalent infliction of physical injury against the convict or payment of '*diyah*' to compensate the victim (Al Maidah:45, Al-Nisa: 94 and 135, Al-Baqarah: 186). Meanwhile, *ta'zir* depends on the verdict of judge since the mechanism of *ta'zir* punishment is not specifically stated in the Quran and Sunnah(Shabbir2002).

Issue 1: Elitist Privilege

Regardless of numerous components of punishment in Islam, retribution must be implemented justly without any practice of favouritism. Many cases of injustice occur in recent times involving the elites and people from higher positions; they managed to escape from receiving punishments through acts of bribery and establishing connections with the judiciary system. Politicians, businessmen, conglomerates, property owners are the ones who always believe that they are above the law.

Prophetic Approach

Equality before the law

As a proponent of social justice, Prophet Muhammad enlightened the community during his time to establish retributive justice towards everyone without discriminating any social class showing favouritism towards certain elites in society. His earnestness in infusing the soul of equality and upholding the rule of law can be observed through numerous events that occur in his lifetime. For instance, a well-known event recorded in the prophetic tradition whereby a woman of Quraysh from

BanuMakhzum was caught stealing and brought to the Prophet. They further asked 'Usamah bin Zaid, a beloved companion of the Prophet to represent the Qurayshi woman. However, the Prophet strictly emphasized that the nations who come before them were destroyed due to the unjust act of punishment that lean on the wealthy community. If a rich person stole, they would let him go, but if a poor person stole, they would cut off his hand. He then further swore by Allah and stressed that he would dare to cut his own daughter's hand, Fatimah binti Muhammad, if she was caught stealing people's property (Al-Bukhari, Hadith no. 3733).

BanuMakhzum is one of the most powerful tribes in Makkah who were highly privileged and were not used to being held accountable if they made an offense. Swearing upon Allah to cut his daughter's hand if she was found guilty demonstrates the Prophet's commitment to upholding justice despite the strong blood ties (Al-Asqalani1959). Furthermore, the action of appointing one of the most beloved companions, 'Usamah bin Zaid, to present the case to the prophet did not deter him from implementing justice. Through this practice, he emphasized the rule of law in the dimension of equality of human beings before the law, regardless of family ties, class differences, race, and religion. Protecting the interests of the elites at the expense of the rights of other members in society is against the spirit of justice in Islam.

Being truthful when presenting the case

Since the prophet is a distinct leader, he also acted as a judge to solve the dispute among the companions. He warned people to speak the truth and avoid manipulating people who were in dire need of justice. This event is recorded in the following hadith. Umm Salama reported Allah's Messenger (ﷺ) as saying: "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" (Muslim, Hadith no.1713). He foresaw the event where an eloquence of an individual when presenting his argument might cause any judge to impose wrong judgement. Hence, he strictly warned people of the hellfire if that person

happened to oppress the other people by his confidence and verbal ability. The right of a person needs to be given despite his inability to articulate his arguments to the judge. The party who is aware of their fault should be honest and fear Allah and the consequence in the day of judgement. He should acknowledge that Allah is all-seeing and all-knowing who possesses extensive knowledge including the truth behind the disputes.

For the modern-day application, one can view this from the election process in a democratic country. One of the pillars of a democratic country is to apply the principle of freedom in appointing the government. Hence, the election process is a reliable exercise to execute the mission. In an ordinary setting, prior to the election, contesting politicians will present their manifesto to the citizens to convince them that their policy could offer the betterment of the country, showcasing their confidence and charisma verbally to persuade citizens to cast vote for them. However, many politicians play by the race card to win their sit in parliament even though they are not well versed in the country's constitution and do not own the intellectual capacity to manage the citizen's issues. Furthermore, it is common that the politicians who deliver their message in an eloquent manner tend to receive more attention from the media and society in comparison to those who are lacking in their public speaking skills despite having a comprehensive policy. Hence, an accountable politician would incorporate the Prophet Muhammad's teachings before contesting in the election, showing his or her awareness of the gravity of the responsibilities.

Conclusion

The principle of social justice has long been ingrained in the prophetic approach in solving issues during his time. With the guidance from revealed knowledge, the Prophet succeeded to manifest justice in his words and actions by abiding by the general principles from the Quran. As the best example to be followed, his approach should not be abandoned and accused as irrelevant due to the huge gap between generations. Instead, his approaches are relevant to be implemented at all times in providing solutions to the complicated social justice issues in the contemporary age. This paper therefore proposed three associated divisions of social justice, namely relational, distributive, and

retributive justice. The qualitative method using document analysis was employed in the study whereby two phases were included: data collection and data analysis. Social justice issues in the modern age were first recognised and followed by the hadith identification that undergoes *takhrij* process to determine the hadith reliability. Sequentially, the hadith content was further investigated by referring to the books of hadith commentary to extract the reason for the hadith revelation, individuals involved, and the locative and temporal factors surrounding the event.

The study showcased that several contemporary social justice issues are similar with the issues during the prophetic time, even though the modern age records a more complex background of society. In relational justice between parents and children, the prophetic approaches to solve the issues include the encouragement of being merciful and the discouragement of favouritism. In marital issues, the prophetic approaches envelop attentiveness to the commonly perceived as trivial matters and providing guideline in treating women. Since neighbours also play a huge role in society, the prophet also provides guidelines in maintaining justice between each other by ensuring the neighbours' basic needs are fulfilled and preventing ourselves from conducting offense against the neighbours. Apart from the relational spectrum, distributive justice is also considered a major section whereby two sub-sections were recognised in this study; justice to the disabled community, and justice to women. The prophetic approaches in implementing distributive justice to these groups in society encompass several elements of government protection to the disabled community, equal opportunities to the disabled community, and injunction of touching a woman who is not permissible for oneself. For retributive justice, two prophetic approaches were identified which are equality before the law, and being truthful when presenting the case during the judgement process. These approaches are derived from the hadith that has been verified on its authentication and referred to the books of hadith commentary. The allegation of sunnah as irrelevant to provide solutions to social injustice in the modern generation should be strongly refuted with reference to the evidence presented in this study. Therefore, it is suggested for the future study to dive into numerous other social

injustice issues; hence, to further investigate the solutions from the prophetic sunnah.

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