

RESEARCH ARTICLE

Sabri Orman's Inquiry into Social Justice Regarding al Ghazali's *Adalet-i İjtimâ'îye* Doctrine

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Abstract

Contemporary economics scholars are increasingly trying to understand the interplay between social justice and economics, with Adam Smith's idea of the rational agent behaving according to the economic tides, detached from any semblance of justice, morality, or fairness being questioned. The contemporary socioeconomic complexities exacerbated by overexploitation of the Earth's limited natural resources have exposed environmental agendas as a current priority. The Islamic Golden Age gave birth to a documented socioeconomic and sociopolitical literature spanning over 500 years, while mankind faces serious socioeconomic and environmental challenges that call for a unified effort to find tangible solutions, with socioeconomic justice being crucial for this to occur. Al Khaldun's *Muqaddimah* [Prolegomenon] and al Ghazali's *Ihyâ' 'Ulûm al-Dîn* [Revival of the Religious Sciences] shed a unique light on social justice, with both scholars being strong advocates of justice as a basic tenet of a prosperous society. However, the concept of social justice is normally attributed to contemporary Western democratic thought. Sabri Orman's analysis of al Ghazali's doctrine *adalet-i ijtimâ'îye* [on social justice] provides an alternative view with some solid scholarly arguments. This paper presents some of the key conclusions from Sabri Orman's work on Ghazali's doctrine *adalet-i ijtimâ'îye* and also examines some of the misconceptions about al Ghazali's doctrine on social justice.

Keywords: Social justice • Justice • al Ghazali • *Al-adl* • Islamic jurisprudence • Islamic economics

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The history of Islamic economics is intrinsically linked with the history of Islam. The Prophet of Islam, Muhammad (may peace be upon him and his family), was a prominent trader and business person in the community of Mecca, the birthplace of Islam in the 6th century AD (Khan, 1994). The recorded knowledge of the Islamic scholars during the Islamic Golden Age (7th-12th centuries AD) has had a profound impact on contemporary Western arts and sciences (Falagas et al., 2006). Islamic scholars from the Islamic Golden Age also greatly influenced the re-introduction of the philosophical works of ancient Greece that had become lost as a result of the Inquisition in the pre-Renaissance period (Günther, 2005).

Contemporary Islamic economic principles consider social justice as an intrinsic part of the Islamic economic system. The ideals of social justice flow from the moral principles that underlie the society at any given time. The episteme of social justice within Islamic thought is the realization of the highest moral values within a society that eliminate the collective injustices of economic and social wellbeing and include all fundamental rights within the society. The interpretation of the moral ideals as defined in the Quran are based on Islamic jurists' *ijma* [consensus] and *ijtihad* [interpretations].

Sabri Orman's inquiry into social justice regarding al Ghazali's doctrine *adalat-i-ijtima'iye* [on social justice] shed new light on some of the fundamental concepts of *al-adl* [justice] within the context of the contemporary socioeconomic challenges capitalism has caused (Orman, 2018). This paper examines Sabri Orman's work regarding al Ghazali's intent to understand the concept of social justice with an application to the contemporary world and attempts to decipher the origins of social justice as well as Orman's view regarding Islamic scholarship's impact on the ideals of social justice al Ghazali presented.

Is Social Justice a Contemporary Concept?

The scholarly debate within the Western literature regarding the definition and origins of social justice has yet to be settled. Social justice emerged as a prominent theme in Western literature as part of social science and philosophy in the 18th century (Jordan, 1998). The 1789 French Revolution had aimed to eliminate the feudal society in France and paved the way for social causes to become a leading agenda for socioeconomic justice (Cobban, 1999).

The start of the Industrial Revolution has been attributed in part to the efforts at eliminating the socioeconomic disparities within the Western world (Jones, 2001). The emergence of company culture through the royal charters awarded to the wealthy aristocracy of the British and Dutch Royal Courts in the 17th century led to the socioeconomic exploitation of Asia, Africa, and the Americas by the British, Dutch, French, Spanish, and Portuguese collectively (Cook & Wroughton, 1980).

The European colonization of Asia, Africa and, the Americas through these chartered companies led to massive socioeconomic upheaval within the colonized societies, especially with regard to the global slave trade, and the shifting of natural resources and intellectual talents to the West from the East. The European colonization of the East also led to the massive looting and plundering of their artefacts, ancient works of literature, and heritage (Small, 2011). Most of the notable museums within the Western world today exhibit some of these artefacts, while the notable literary treasures have been locked away in the vaults of prominent Western libraries and private collections of the Western aristocracy to mostly gather dust (Pankhurst, 1999).

European colonization also played a vital role in building a Eurocentric global education, healthcare, communication, and economic system that not only marginalized the great works of art and science of the colonized world but also made active efforts to so-called civilize the colonies in the ways of the colonizers (Zidani, 2021), with the moral, religious, social, and economic ideologies of the colonized nations being replaced by a Eurocentric world view. The critical imposition of this Eurocentric world view replacing the Eastern socioeconomic and philosophical worldview happened in the realm of higher education and the way knowledge had been disseminated (Alatas, 2006).

Orman's Analysis Method of Classical Resources

This study examines the long introduction Orman had written to ground the issue of social justice regarding al-Ghazali while making inferences based on Orman's (2018) work. He step by step establishes the methodology he uses and the system upon which he builds it. This introductory chapter also facilitates following the process of how he eliminated the anachronism he wished to avoid in his first step while drawing on traditional sources for modern problems. In this respect, Orman also reflected an important example and method proposal while discussing modern problems by using traditional sources. Such evaluations utilizing quotes and allusions are at least one-dimensional and out of context. Nevertheless, the method he suggested does add depth, meaning, and reality to the discussions.

Additionally, Orman's effort can be regarded as an attempt at a re-reading, which is truly an effort faithful to the aims of al Ghazali. The examples of this understanding are frequently observed in Orman's works, and most likely he became so successful because he had seriously avoided falling into anachronism. In this way, Orman adheres strictly to the meanings and concepts al-Ghazali gave. To be fair, every effort at re-reading is directly related to the extent to which a researcher serves their own fiction rather than a series of explanations. These two are very evident in Orman's relationship with the classical sources. In addition, the method of evaluating by discussing that Orman used while constructing his texts allows this method to be followed easily.

Consequently, this discussion and evaluation method mentioned here is easy to find in all his works. Likewise, Orman shares these discussions with the reader both with regard to the flow of his works and sometimes in the conclusion section.

The method Orman uses is very suitable for associating concepts expressing modern problems with their possible projections in the traditional world. He easily made use of the tools of classical logic and philosophy while establishing his method and preferred to create a classical system for the transitions he established between the concepts discussed by social sciences and their traditional meanings. Although this first part seems to be simply from an analytical standpoint, his nature of applying it directly affects the quality of his inferences. He easily recognizes and uses the link between classical logic and modern scientific methods, thus ensuring that the systematic he established will produce strong results.

He first pays attention to the social emergence of the concept he considers discussing. At the same time, he attempts to have a knowledge of the methodology, background, and philosophical arguments on which the debates are based through those who discuss the concept. In our example, this is the organismic approach, and in this way, he produces the pillar of the first bridge he wants to build. The fact that the terms of contemporary social sciences correspond to the debates and/or social problems in the 19th century in terms of their origins, and the effect of classical logic and philosophy in the method of social sciences in this century, may have facilitated the establishment of these relations. Recognition of this simple but effective phenomenon can be considered critical to positioning all of his research on generating an approach and a method based on this background.

This system Orman established and the method he used as well as his own words indicate him to be an intellectual historian, rather than simply being an economist, an economic historian, or just a historian. Positioning himself in this way in his research is probably his most significant advantage. This aspect of Orman enabled him to make the first attempts at his distinctive Islamic economics. Carrying this claim a little further within the framework of the heterodox economics debates or criticisms and searches regarding economic thought, Orman's method can be considered and offered as an alternative for discussing and bringing up philosophy with modern economics, but only through his methodology. However, because this topic exceeds the scope of the article, any further discussion will have to occur elsewhere.

Orman additionally uses the logic and method of classical philosophy as a means of thought. As a historian of thought and a social scientist, he conducts and concludes his research using modern scientific techniques. Thus, what he wants to achieve is to evaluate philosophy as a method for producing ancient knowledge and research method for producing modern scientific techniques.

The most noteworthy example that can be given in this regard involves the subject of *fard al-kifayah* [Muslim communal obligation]. This concept usually has a customary meaning for religious activities. By adhering to al-Ghazali's classification, Orman draws attention to the meaning of people's lives and livelihood. Using this rule, he refers to the concept of social responsibility and all its meanings. To that end, these references eventually become useful to illuminate the concept of social justice. He also discusses how the understanding of public authority can be shaped around this concept and how this concept can become functional for society. In this way, the functionality of such a common and well-known concept in society in the context of social justice almost certainly becomes open to discussion. His extremely comfortable and convincing use of this concept gives clear information about his style of thinking. After all this, the article can now move on to the evaluations of social justice based on Orman's (2018) work.

Is Social Justice a Eurocentric Idea?

Historical perspective is important for understanding, as any scholarly attempt to examine topics such as justice or social justice as found in ancient Eastern texts will come to face the dilemma of inquiring about this literature using Eurocentric works as resources. All major publishing houses, research institutions, and reputable libraries follow the scholarly standards set by contemporary Western institutions (Selvaratnam, 1988). Thus, Sabri Orman also faced the same dilemma while examining al Ghazali's doctrine on social justice. Sabri Orman acknowledged the limitation, stating:

The history of justice as a term, concept, and an institution is at least as old as the written history of humanity. Therefore, it does not need much introduction in the present context. However, this is not the case with social justice, as it is in a narrower sense a modern phenomenon. (Orman, 2018, p. 2)

Orman's subtle reference to the narrow Eurocentric view of social justice is highlighted in the quote above. Orman goes on to explain the difficulty of trying to satisfy and find the exact label for social justice within al Ghazali's doctrine. Orman succinctly explains the Western need to coin the word social justice to be because the ill-fated Western capitalist system of the post-19th century had created existential challenges for the entire world. Orman states:

The Industrial Revolution deeply shook up and seriously upset West European societies starting in the last quarter of the 18th century, and a state of social unrest embarrassed these societies throughout the 19th century. The pressing problems of the newly emerging class of industrial workers became a particular source of real trouble and worry for the societies involved in the process of industrialization, to the extent that even the survival of these societies became a matter of serious concern. (Orman, 2018, p. 4)

Orman views the pros and cons of European capitalism as leading factors that led to the emergence of socialism and even the development of sociology as a branch of

knowledge in the industrialized Western world of the post-18th century. In Orman's view, the Western concepts of social justice started to take shape in the early 20th century as a consequence of some of Western capitalism's socioeconomic challenges. Orman relied on David Miller's (2001) seminal work to support his arguments regarding contemporary Western views on social justice. Orman concludes the discussion on the conceptualization of contemporary social justice by stating:

The idea (and ideal) of social justice, although now quite removed from the concrete circumstances of its historical context, is still in strong demand today for enduring reasons, old and new. However, it should be noted that almost every issue related to social justice is controversial, including its very name. Some call it "social justice," whereas others prefer "distributive justice" or "economic justice," whereas others still only use the word "justice" to express it. Then again, some use all of these terms depending on the context. Furthermore, there is no consensus regarding the meaning, scope, or even principles of social justice. (Orman, 2018, p. 5)

Orman provides a systematic and historic explanation of the social justice lexicon within the ancient, medieval, and contemporary literature. Orman supports his arguments by quoting seminal research carried out in 1995 (Irani & Silver, 1995) and 1998 (Lowry & Gordon, 1998). Both research projects present an authoritative review of social justice as a norm of human legal history. Orman states that, while reluctance exists on the part of academia, research institutions, and scholars to research controversial topics of global importance, knowledge development must undertake such research. Sabri Orman states, "Obviously, encouraging rather than discouraging, or even worse prohibiting, research and discussion on controversial issues is more conducive to the development [of] scientific knowledge." (Orman, 2018, p. 6)

Orman disagreed with the contemporary Western view that social justice is a recent phenomenon and a result of the contemporary Western/Eurocentric democratic ideals and supported his argument based on the seminal work conducted by Irani & Silver (1995). Orman states, "The origins and development of the idea of social justice [exist] in ancient Chinese, Indian, Iranian, Mesopotamian, Egyptian, and Greek civilizations, and later in Roman and Islamic civilizations." (Orman, 2018, p. 6) Orman's view is a rare attempt by scholars to challenge the Western approach of neutrality when faced with contradictory facts.

Orman questioned the reasons behind Western scholarship's endeavors to obfuscate the contributions medieval Islamic scholarship made in developing the sciences and provided an answer to the confusion prevailing in the contemporary literature regarding the unsettled views on important topics such as social justice, stating:

I believe that a major source of confusion and counter-productivity in the fields of socioeconomic history and history of social sciences, or rather of history and the history of sciences in general, is that studies in these fields have been conducted oblivious of or without giving due consideration to the Islamic era, the factually inseparable and indispensable partner to European history since the 8th

century. This has resulted in such an awkward situation that, whereas the factual history of Europe heavily carried and reflected the influences of interactions with Islamic history and civilization, academic studies on the subject have remained oblivious of this enormous fact. (Orman, 2018, p. 10)

Perhaps Orman is not alone in stating this obvious fact about the blatant efforts of Western academia or Eastern scholars toeing the line of Western academia to dispense with the acknowledgement of Islamic scholarship in developing contemporary socioeconomic and scientific knowledge. Scholars like George Makdisi (2019) have also eloquently stated this dichotomy within Western scholarship. The candid views on the development of social sciences and the vital role Islamic scholarship has played makes Orman's work important for scholars in general as it provides a rare but divergent view against the propagated misbeliefs.

The disingenuous effort by contemporary Western academia in general to obliterate and obfuscate the traces of Islamic scholarship in the development of modern sciences has resulted in social media picking up such misleading information as facts disputing Islamic scholarship (Civila et al., 2020). This situation also conveys the Western hegemony on truth and knowledge in all spheres of contemporary scholarship. Orman concludes and conveys an important message about the half-truth regarding the role of Islamic scholarship in the development of social sciences, stating, "So, it is not quite a surprise that such a state of affairs should result in questions that are not and cannot be adequately answered, or in problems that are not and cannot be properly solved." (Orman, 2018, p. 10)

Orman's View of al Ghazali's Doctrine on Social Justice

Sabri Orman's (2018) work on Al Ghazali's doctrine on social justice includes a review of all the currently available prominent texts Al Ghazali wrote, such as *Ihyâ Ulûm al-Din*, *Jawâhir al-Qur'ân*, *al-Maqsad al-Athnâ fî Asmâillah al-Husnâ*, *al-Iqtisâd fî al-Itiqâd*, *Fadhâih al-Bâtiniyya*, *Tibr*, and *Nasîhat*. This is by far the most extensive review of al Ghazali's work on justice and social justice in contemporary literature. The unique distinction of Orman's review of Al Ghazali rests on his selection of al Ghazali's texts that are beyond any suspicions of authenticity and unanimously considered to be original works from al Ghazali.

According to Orman (2018), al Ghazali considered justice to be classified under two distinct categories: divine justice and human justice. Divine justice is God's universal justice and includes human justice. In divine justice, God is the *subject* of justice and the universe is the *object*. Human justice, on the other hand, is subcategorized as individual justice and social justice. Individual justice is where both the object and subject of justice are individuals, whereas social justice is where the subject is a group or an individual, but the object is always a group, a community or society at large. This mapping of al Ghazali's classification of justice permits a neat schematic for the jurists who chose to follow the jurisprudential doctrines of al Ghazali.

Quoting from al Ghazali's work, Orman defined justice (al-Adl) as:

"Giving everybody what is their due" (Ihyâ: III, p. 368). In another place, he refers to justice as "a situation where a person gets no less or no more than their due" (Ihyâ: III, p. 181). In still another place, he defines justice as "putting things and matters (umûr) to their proper places as specified by Sharia and custom" (Ihyâ: III, p. 369). However, one also sees him referring to justice simply as putting things in their proper places (Maqsad, p. 100). Again, concerning human behavior, he defined justice as "being free of excess and deficiency (ifrât and tafrîf) and keeping balance between a pair of scales" (Ihyâ: IV, p. 103). Concerning human attitude towards hope and fear, he finds justice in keeping the two in balance (Ihyâ: II, p. 337). (Orman, 2018, p. 14)

Orman highlighted a unique aspect of al Ghazali's that links the intellect with justice. Orman found al Ghazali's emphasis on a maturity of intellect to be the key to recognizing the true state of beings as they are and not being deceived by appearances. This interpretation of al Ghazali's emphasis on intellectual maturity as the key to justice is crucial in not mistaking justice for equality. Al Ghazali gave the example of presenting swords to scholars for seeking knowledge and giving pen and paper to soldiers for fighting battles; this can be seen as equality but is removed from reason and intellectual maturity (Orman, 2018). The example may seem simplistic, but a deeper reflection on its essence can reveal a comprehensive definition of justice as the means to preventing excess and deficiency through the use of intellectual balance.

According to Orman (2018), al Ghazali defined social justice within the context of causing harm to others. Commenting on the commercial and economic activities within the context of contract law, Orman provided a useful interpretation of al Ghazali's social justice doctrine, stating:

Al-Ghazali thinks that, even when the legal requirements of a contract or a transaction are met and thus a situation manages to survive legal procedure in terms of the letter of the law, this situation may still involve elements of injustice in its essence or spirit, a situation to which he drew attention in order to help avoid it. In other words, what is called for here is not to stay content with the legal form of transactions but to look at their essence and try to assess this essence in light of the principles of justice and fairness. (Orman, 2018, p. 35)

Al Ghazali had the distinction of defining *Maqâsid al-Sharîa* [fundamentals of Islamic jurisprudence] within the context of social justice. According to Orman, al Ghazali explained the legal obligations regarding Islamic law under two distinct categories as follows:

Religious and legal duties or obligations in Islam can be divided into two categories: fardh 'ayn and fardh kifâya. In general, fardh 'ayn can be said to represent the area of personal or individual responsibility with regard to duties and obligations. On the other hand, fardh kifâya represents the area of collective and social responsibility. (Orman, 2018, p. 39)

According to Al Ghazali, *fardh kifaya* is “anything that Sharîa commands but for which does not hold any specific person (*mu'ayyan*) responsible” (Orman, 2018, p. 40). In essence, these are the commands under Islamic jurisprudence that bind the society at large and individuals who are participants within the society to undertake certain obligations. The obligations according to al Ghazali are: (1) collective religious obligations such as building mosques, schools, or Islamic research activities; (2) matters regarding the lives and livelihood of those who are a part of the society without any distinction toward faith, race, or ethnicity; and (3) the combination of the two.

According to al Ghazali, if *fardh kifaya* obligations are being ignored in a society, then anyone capable of performing them within that society or knows about them and ignores them is guilty of injustice and commits a digression of Islamic law. Al Ghazali considered adherence to the *fardh kifaya* obligations to be the crucial element of a just and orderly society.

Orman discussed at length the Islamic institution of *Zakat* concerning *fardh kifaya* and al Ghazali's work on the obligatory *zakat*. The institution of *Zakat* as one of the pillars of Islam presents the perfect example of social justice. While giving *zakat* is an individual act, society as a whole is responsible for sharing their wealth and prosperity with those who are unable to fully participate or benefit from the collective prosperity.

Conclusion

Sabri Orman's work on al Ghazali as reviewed in this paper highlights some of the crucial elements of al Ghazali's doctrine that had not been highlighted in earlier studies. Orman has provided an insightful and objective review of social justice within the Islamic scholarship using al Ghazali as the platform. Humans currently live in a world with stark tensions between the West and the East, mostly due to the socioeconomic imbalances created by the contemporary economic systems devised by the Western world. The academic hegemony of Western education and the higher education system have generally promoted the view of Islam as a faith that is still living in medieval times. The reality is far removed from this Western misconception. In fact, the negative public view of Islamic scholarship, both medieval as well as contemporary, has been driven and guided by the various lobbies that seek to benefit from this situation. The work of Sabri Orman highlights al Ghazali and reflects a middle-ground that seeks to bridge the gap between the East and the West. The contemporary Western advancements in hard sciences and sociology have immensely benefited from Islamic scholarship after the European Renaissance, simply because Islamic scholars like Averroes and Avicenna had preserved and re-introduced Greek philosophy and science to the West. The time has come for all to work together and find solutions to the crucial and existential socio-economic challenges currently facing the world, and the solution lies in working together and learning from knowledge that is unbiased, regardless of its origins.

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