

## The Theory of Islamic Justice and its Relationship with Desirable Government based on Martyr Motahhari's View<sup>1</sup>

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### Abstract

The present study aims at explaining the relationship between justice and one's innate nature and its relation to government based on Martyr Motahhari's views. In this regard, we attempted to refer to his views about society, government, justice and innate nature to explain the philosophical foundations proper for the theory of justice and, accordingly, to investigate the duties of the Islamic regime that must pursue, continuously, the realization of progress based on justice. The research method was descriptive-analytical and the results showed that social justice will realize if the government fulfills the natural and acquired rights of the individuals and the society totally. According to the

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theory of Islamic justice, the first duty of the government is to prepare the ground for flourishing of the natural talents of members of the society. Another duty of the government is to realize the natural affairs of the society that will be acquired through the extension of the individual innate features. And its third duty pertains to the affairs that create natural rights through ultimate causality. Besides, according to the principle of association of 'right' and 'obligation', people also have duties in relation to the government.

**Keywords**

society, desirable government, justice, innate nature, Martyr Motahhari, the theory of Islamic justice.

## Introduction

‘Justice’, with all its positive and affirmative importance for the felicity of the individual and the society, has not been organized comprehensively and theoretically yet. For most economists, justice is restricted to the economic dimensions and establishing equilibrium in the process of development, with a more modifying aspect in relation to the weak persons; and it is even, for some, disturbing the growth and development. The liberal philosophers also often have either denied the discussion on justice or paid heed just to one aspect of it, i.e. freedom in the economic dimension (Larijani, 2020). Iran, in view of some ten years of the lifetime of Islamic Republic government, has deficiencies in theorization in the sphere of development and its relation to justice; and this – in addition to challenges it has created in the sphere of politics – had impaired the efficacy of the government. Explanation of the relationship between the theory of Islamic justice and its relationship between desirable government is the problem studied in the current research.

The prominent point in the thought of the Islamic thinkers regarding the social justice is their reliance on all aspects of the individual and social life. Among them, Martyr Motahhari’s theory of justice has been presented in line with Allameh Tabatabaie’s theory of justice based on ‘innate nature’ or *fiṭrat*. The question of this study is focused on Martyr Motahhari’s theory of justice. It supposes that the fundamental rights – or religiously speaking – ‘natural rights’ are the rights that humans enjoy because of their [innate] nature; and ‘justice’ in its general sense is “granting any rightful person his right”. Thus, it is related to the human’s fundamental rights and gets away from theories such as ‘social contract’ or ‘utilitarianism’. In correspondence to any talent, there is a ‘right’; and in this way, one can explain the duties of the government and its relationship to justice. Accordingly,

we have attempted to refer to Martyr Motahhari's views regarding society, government, justice and innate nature to prepare philosophical foundations proper for the theory of justice and present a general model for the Islamic-Iranian progress. This theory includes both the duties of the government and – based on the principle of association of 'rights' and 'obligations' in Islam – the people's duties in relation to the government.

### 1. Background of research

Since long ago, the scholars have variously discussed 'justice', and each have dealt with it from a certain angle. Similarly, the discussion on innate nature and natural rights has also been focus of attention for some thinkers. However, investigating justice on the basis of innate nature has been considered precisely and in an organized way in Martyr Motahhari's opinions; and in various studies, researchers have attempted to review and investigate the views of various thinkers including that of Martyr Motahhari.<sup>1</sup> However, no theoretic system has been created for an all-out perception of social justice that includes the theory of development along with justice. In his article, Dr. Larijani uses Martyr Motahhari's theory of innate nature (*fiṭrat*) to propose the general principles of the model of development consistent with justice (Larijani, 2020). In this study, we have attempted to use the foundations proposed in Martyr Motahhari's works and expand the items stated by Dr. Larijani to offer the theory of Islamic justice and its relation to desirable governance.

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1. For instance, see Vaezi, A. (1388 SH). *Naqd va Barrasī Naḍariyahāyi 'Idālat*. Tehran: Imam Khomeini Educational and Research Institute; 'Alikhani, 'I. A. (1388 SH). *Darāmadībar Naḍariyyayi Siyāsī 'Idālat dar Islām*. Tehran: Research Center of Cultural and Social Studies; Jamshidi, M. H. (1380 SH). *Naḍariyya 'Idālat az Dīdgāh Fārābī, Imām Khomeini and Shahīd Ṣadr*. Tehran: Research Center of Imam Khomeini and Islamic Revolution.

## **2. The conceptual framework of the study: explaining the foundations of the theory of justice.**

First, we attempt to refer to Martyr Motahhari's works to extract the foundations of the theory of Islamic justice.

### **2-1. Society**

Speaking of desirable government will not be precise without specifying the nature of the society. Accordingly, the issue of 'society' is among the discussions to which Martyr Motahhari paid special heed. Like Allameh Tabatabaie, he believed that the composition of the society is true; that is, as the result of mutual effect of the elements and the composition of individual souls, a new live reality named society with an objective existence and a character and nature independent of individuals emerges. And this collective spirit will have an existence homogeneous with the existence of individual members of the society. He adduces verses of the Quran that show the Quran believes in a separate existence for the society (Motahhari, 1996b).

On the other hand, the theory of the independent character and identity of the society will have some important results, including the existence of the nature for the society homogenous with the nature of the individual members of it (Motahhari, 1990 a). Consequently, we can extract the natural features of the society in proportion to the natural characters of the individual humans. Another result will be the unity of the societies from the viewpoint of nature, which will result in the project of single ideology for all societies (that enjoy some fixed general principles and variable branches in proportion to demands of time and place) (Motahhari, 1996 b).

### **2-2. Government**

In Martyr Motahhari's view, since the government is of the type of conventional affairs (created due to the need for them), to define the

desirable government, we must first specify the need for it. He considers the reason for needing a government of two types: the essential elements of the government and new roles of the government. Like Allameh Tabatabaie, he considers the existence of the government necessary as the institute that administers the policies and orders of the society, and takes the foundation of the government from the divine right. Like that of most Islamic philosophers, his theory of government originates from the philosophy of prophethood. Of course, Martyr Motahhari considers the character of the government as having two modes: the mode related to the public guidance and showing the path to felicity is related to the divine aspect and the ruler's authority, who must have the features of jurisprudence and justice. This mode has the nature of authority, not representation. But the mode of the government related to the administration of the normal daily affairs, such as executive and legislative affairs, is dependent on people's vote and opinion, which has a representation aspect. On the other hand, since the government is defined as an extension of the prophethood, its duties are the same as the duties of the prophet; that is, realization of justice and leading the society to real felicity (Motahhari, 1990 b). This is while according to liberal philosophers, the most important duty of the government is providing freedom, and the justice must be defined in a way that is not in conflict with freedom. Otherwise, it disturbs the growth and development (Larijani, 2020). Thus, it is necessary to precisely investigate the issue of justice for discerning the government's duty in Martyr Motahhari's view.

### **2-3. Justice**

Among the various types of definitions for justice, two of them have more importance.

#### **1. Equality and negation of any discrimination**

## 2. Granting any rightful person his right.

In Martyr Motahhari's view, the definition of justice as 'complete equality among individuals', which confirms more to the socialist schools, is not right; rather, it is impossible, undesirable and contrary to the good of the community and is itself a kind of oppression. He considers the right definition of justice to be 'granting any rightful person his right'; that is, there are real rights in the context of the creation, and justice means observing the deserts in a way that the rights of any rightful person is granted to him (Motahhari, 1983 a). This opinion has its roots in the view of '*adliya* (i.e. justice) to the effect that the right and justice are real ideas and the orders of Islam are dependent on the real good and evil of things. Therefore, one can insert reason and knowledge in inferring the Islamic laws, and where there is the explicit judgment of reason or knowledge, one must discern the requisites of right and justice (Motahhari, 1990 a). Coincidence of reason and religious law (*shar'*) originates from the principle of justice. This principle is among the pillars of Islamic theology and jurisprudence and dominates other jurisprudential rules to the extent that 'from the viewpoint of Islam, justice is the criterion for religion, not vice versa' (Motahhari, 1999 b, p. 52).

The important result of this fact is the possibility of the existence of Islamic social philosophy and legal foundations [of Islam], and one can investigate to see what Islam has considered as the foundations of being rightful and on what basis it has enacted laws. Then, one must modify the methods to extend the criterion obtained to other cases. According to the foundations of the Islamic rights, the human rights are divided into two groups: natural and acquired. The 'natural rights' are those rights that all human beings share due to being equal in their creation; and the 'acquired rights' are those rights that are granted to individuals in proportion to their efforts and their deserts, abilities and perseverance (Motahhari, 1376 SH). These items are shown in figure 1.

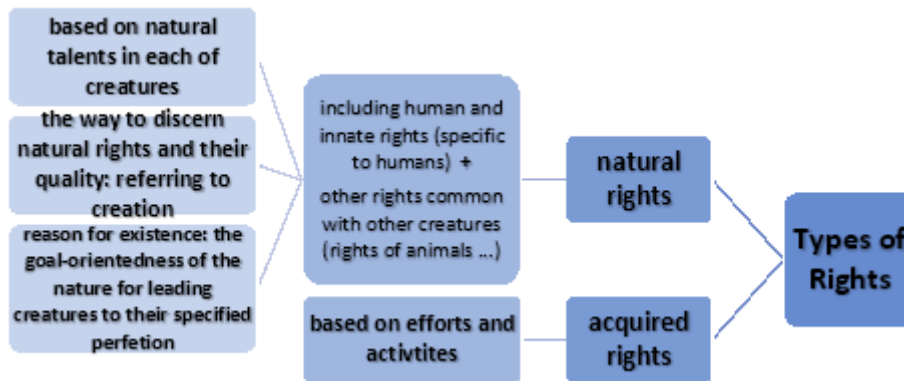


Figure 1: Types of rights in Martyr Motahhari's view

Different schools have different opinions on the nature of 'natural rights', but for Martyr Motahhari, one must know the human's innate potentials to discover his natural rights. In his words, the discussion on 'natural rights' has its roots in the fact that "the system of creation leads – with insight and considering the goal – the creatures to the perfections that their potentials have devised inside them. Any natural potential is the foundation for a 'natural right' and is considered as a 'natural document' for it" (Motahhari, 1997, p. 144). Besides, according to Islam's view, any right corresponds to an obligation and whenever someone becomes a rightful person, he will certainly have an obligation too (Motahhari, 1983 a, p. 192).

In his view, since the system of universe is a causal system, there is a causal relationship between the right and the rightful. One can have right to something in two ways:

1. Agentive relation: the individual is the agent and creator of the right, which causes the desert to acquired rights due to the individuals' efforts and movements. That is, it causes an actual right.
2. Ultimate relation: something is created for something else and is



aimed at it, which causes the individuals' natural and innate rights that exist for all equally. That is, it causes a potential right.

The acquired rights pertain to agentive causality, and the natural rights pertain to ultimate causality, because in the Islamic worldview, the system of creation leads the creatures towards the perfections whose potentials it has deposited inside them; and the natural perfection of something will be its natural right (Motahhari, 1990 a; Motahhari, 1988).

In his view, all human beings alike have the right to use the blessings of creation, to work and to actualize their inner scientific and practical potentials. However, the difference is in the way these natural potentials are actualized (which are the origin for equal natural rights) causes difference in individuals' acquired rights and the individuals deserve to receive certain acquired rights in the light of their own activities, potentials and efforts, which is different dependent on their efforts and potentials. If the individuals' acquired rights are considered equal like their natural and primary rights, they will lead to oppression and transgression (Motahhari, 1988).

In answering a question on whether the existence of any kind of difference and privilege among the members of the society is inconsistent with justice, he believes that these differences are not inconsistent with justice. Rather, they are masterpiece of creation, especially that the existence of natural differences and distinctions causes the mutual needs of individuals and formation of some kind of 'mutual employment relation' between individuals (Motahhari, 1990 a, pp. 97-98).

Thus, the meaning of social justice is not the cancelation of all differences and establishment of complete equality; rather, justice means preparing the ground for a rivalry and fair facilities for holding free competence between individuals in order to reveal their essential and innate potentials and confront the factors of discrimination and

oppression. And the reward is enjoying social rights that they win. Therefore, the duty of the government in realization of social justice is preparing the ground for acquisition of individuals' social rights, which is rooted in their potentials and efforts. Consequently, it must be investigated what the human's innate potentials, which will be the foundation for their natural rights, are. This can be found by exploring the theory of innate nature.

#### **2-4. Innate nature (*fiṭrat*)**

The innate nature or one's disposition is so important that not only the Islamic anthropology and worldview but also the Islamic school and ideology will not be recognized without knowing it. In Master Motahhari's words, the principle of innate nature is the 'mother of issues' in the Islamic culture and teachings (Motahhari's, 2019 a).

The innate nature is the human's special type of creation and, in philosophical terminology, it is his typical form with no record before him. In the Quran's words, the human has become distinct from other creatures by accepting the divine nature. In Martyr Motahhari's view, proving innate nature is similar to proving nature and instinct in other creatures through its effects (Motahhari, 2019 a). The features of the natural affairs are being public and perpetual, not being eradicable, and with no need for being taught (Motahhari, 2019 b). These features are discoverable through various methods. Martyr Motahhari classifies them into two general groups of 'innate perceptions' and 'innate proclivities'. The innate perceptions include the talent to perceive the individual identity and affirming the primary axioms and affirming the innate propositions in a potential way in human. And the innate proclivities are the sacred spiritual or humane proclivities that include five proclivities as follows: (1) seeking truth and knowledge; (2) benevolence and seeking virtues and morality; (3) art and beauty; (4) creativity and innovation; and (5) reverence and worship (Motahhari,

1990 b). For him, all these humane proclivities can be classified under the single category of seeking perfection, infinity and God (Motahhari, 2019 a). That is, the human's perceptions and proclivities conform to a truth and reality beyond the thoughts and minds, i.e. the pure right and absolute perfection (or monotheism); and all human beings have innate leaning towards harmonizing their behaviors and beliefs with this sublime truth or, in other words, getting divine character. He rejects various justifications introduced by different schools for the origin of this sublime proclivity in human being, and believes that the only possible and right justification for the existence of humane values is to maintain the human nature exists and that the creation has deposited these talents inside humans in view of the goal of creating them (i.e. their perfection) (Motahhari, 2019 b). In brief, in his view, the existence of innate nature contains the following propositions:

- The human's proclivity towards humane values including justice is rooted in his innate nature and his sublime dimension (Motahhari, 1398 SHa). This opposes Allameh Tabatabaie's view that – like utilitarian schools – considers individuals' leaning towards moral principles such as benevolence, justice and fairness as pertaining to human's individual lower aspect and his habit of employing others (Tabatabaie, 2011).
- Definition of justice and oppression is based on natural rights and includes both oppressing oneself and oppressing others (Motahhari, 2018).
- The meaning of being innate is the existence of potential talents that individuals must move personally to actualize them (Motahhari, 2019 a).
- Human's character and nature depends on the extent to which his humanity or animal character is actualized during his life (Motahhari, 1996 a).
- Brotherhood exists just among those whose humanity has been

actualized, not among all human beings (Motahhari, 2019 a).

- The existence of divine nature causes individuals not to be forced and with no volition before the collective spirit governing the society, and made them enjoy some sort of independence in specifying their own fate (Motahhari, 2017 a).

With specification of human's essential talents, which are the basis for his natural rights, we can compile the duty of the government accordingly.

### **2-5. The duty of the government**

In Martyr Motahhari's works, there are three main expressions as the duties of the government: growth, perfection, and felicity.

- 'Growth' means knowledge and ability of maximal use of the humans' individual and social assets, facilities and talents (Motahhari, 1374 SH).
- 'Perfection' means the growth of 'all talents at the highest level in a harmonious way', which makes sense both for the perfect man and the perfect society (Motahhari, 1988)
- 'Felicity' means actualization of all innate talents and of the human and the society. And since all innate features of the human are collected under the category of seeking perfection, the true felicity is in achieving the highest order, i.e. the realization of the perfect humanity and the ultimate level of it, which is called, in the religious literature, the divine vicegerency and gaining divine characters and is the very objective existence of religion. (Motahhari, 2011 b; Motahhari, 1990 b).

By comparing these concepts, we can conclude that the ultimate limit of growth (i.e. the maximal enjoyment of one's innate assets) is the very true perfection (i.e. actualization of all innate talents of humans in the highest level and in a harmonious way), and it is equal to the true felicity of the individual and the society. As a result, the

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social justice, in the sense of granting any rightful person his own rights, means the maximal growth and the perfection and felicity of the human society; that is, the society wherein all talents and innate features of the individuals and the society are actualized and completed. Since in the Shiite view, the government is defined under the prophethood and its duty is leading the society to felicity, we can conclude that the duty of the government will be the realization of justice.

Martyr Motahhari enumerates three items as the factors needed for the growth and desired perfection:

- ‘Education’ is the affirmative factor of growth and means nurturing the human’s innate and natural talents with no negligence or extravagance.
- ‘Security’ is the negative factor of growth and means the human must not be deprived of his material and spiritual assets by the enemies of humanity and foreign factors, which depends on human’s being equipped with the two wings of knowledge and faith.
- ‘Freedom’ is the negative factor of growth and means no obstacle for growth (Motahhari, 1999 a).

In view of the importance of freedom, this issue is discussed more precisely.

Freedom is among the issues without which no desirable perfection and no true growth is realized in principle. In Martyr Motahhari’s view, it is possible to force people through social rules to avoid betrayal, theft, transgression and infringement of others’ rights. In that case, however, the individual has not experienced any growth, because the true growth takes place when the individual personally actualizes his own innate and humane talents with his own movement, not when he acts according to moral rules or refrain from immoral actions

merely by force of law and punishment (Motahhari, 1983 b).

He considers freedom consisted of two types: social freedom and spiritual freedom, which are mutually dependent, and until both of them are realized, no freedom exists in its real sense. The social freedom means the human's freedom from other members of society, and the spiritual freedom means freedom of human's upper dimension from his lower dimension and the equilibrium of all instincts inside him. He considers spiritual freedom more important and believes that the mistake in today's world is that people want to realize social freedom without spiritual freedom, while individuals' transgression and their infringement on others' rights are rooted in human's profiteering and seeking benefits. Neither knowledge nor law can prevent humans' oppression, especially in conditions when he sees no obstacle before him, and the only factor that can realize true freedom is the existence of faith and spiritual freedom (Motahhari, 1999 a). Difference in definition of freedom is among the distinctions between the Islamic and Western views.

From the above discussion, it is clarified that the limits of freedom in the society is to the extent where all individuals' talents are grown, not in a way that it harms the growth of other talents. Martyr Motahhari regards freedom not only among the most important pillars but also enumerates it – in the discussion on the future of the Islamic revolution – alongside justice, independence and spirituality among the factors of continuity of this divine revolution (Motahhari, 1983 b).

Now, with the clarification of Martyr Motahhari's opinion about the society, government, justice and innate nature, the philosophical foundations proper for the theory of justice are prepared and we can explain the theory of Islamic justice and its relationship with the desirable government.

### 3. The theory of justice and its relationship with the government

Considering the collection of discussions proposed up to now, it is clarified that based on Martyr Motahhari's intellectual foundations, in the true existence of society, the theory of justice will not be restricted to a certain society. On the other hand, the duty of the government is growing and leading the individual and the society towards their perfection and their true felicity, which means actualization of all human's innate talents or fulfilling all his innate rights, or in other words, realization of justice. Based on definition of justice as 'granting any rightful person his own rights', social justice means observing social rights; and since the society is a true composition of individuals with a single spirit, character and nature, observing social rights will have two meanings:

- Observing individuals' rights in the society;
- Observing the rights of the society in its own reality.

Thus, the theory of Islamic justice based on Martyr Motahhari's view consists of four sections:

1. The duty of the government related to all individual members: preparing the ground for actualizing the individual talents (innate rights of every person).
2. The duty of the government pertaining to the society as it is: preparing the ground for actualizing the social talents (innate rights of the society).
3. The duty of the government pertaining to those who are, through ultimate interest, the owner of the right but are not able to actualize their rights (through agentive interest).
4. The duty of people before the government based on the principle of association of the right and the obligation in Islam.
5. These are shown in figure 2.

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### 3-1. The duty of the government pertaining to individual innate features

The society consists of humans, and humans enjoy special talents due to their innate nature; and there is a ‘right’ corresponding to any ‘talent’. These natural and innate rights are equal among all individuals based on the ultimate causality. But the acquired rights, which are formed based on the individuals’ efforts, deserts and talents, are different among individuals based on the agentive causality. And this difference is not a diacrimination; rather, it is the very justice. Accordingly, the government must prepare the proper ground for human’s ‘perfection’, i.e. actualization of all human talents to the highest level in a harmonious way. The measures taken by the government in this regard are divided into two general groups:



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**3-1-1. Measures taken by the government in preparing the ground for emergence of the talents**

1. Preparing the ground for rivalry to nurture the individuals' innate talents (education).

The government must prepare the facilities and necessary ground for the growth of all individuals so that anyone from any class and with any condition can actualize his innate potentials depending on his own desert, talents and activities to achieve the level of perfection he deserves, including preparing the ground for free political, economic, social and other rivalries. It must be noted that actualization of the individuals' talents is possible only with the individual's movement, and until the person himself has not moved, his potential innate features will not be actualized. Therefore, the governments cannot and must not substitute the individuals' movement; rather, they must prepare the ground for individuals' movement towards actualization of their talents and achieving the true perfection and felicity.

2. Providing the necessary freedom for rivalry.

Considering the fact that without freedom in movement, actualization of talents is not possible, creating a healthy atmosphere of rivalry in all spheres of society is necessary; and the government must prepare the political, cultural, scientific, economic and artistic freedoms as far as possible. The limit of freedom is not merely the conflict with security or others' freedom or the expediency of the society; rather, it is to the extent that the talents of all members of the society have grown in a balanced way and the growth of no talent hinders the growth of another talent. For instance, if social freedom disturbs economic, scientific or spiritual growth, exerting limitation up to removal of disturbance is necessary (Larijani, 2020).

3. Establishing social order and security needed for the presence of individuals in a rivalry with those who disturb it firstly through guidance and secondly through punishment and law in a way that hinders the oppressors' transgressing others and prevents unjust discriminations as well as effort for promoting public consciousness and awareness in order to increase order in social rivalries.
4. Simultaneous attention to worldly and otherworldly life because from the viewpoint of Islam, the way to hereafter passes through the context and responsibilities of worldly life. (Motahhari, 1996 c, p. 116).
5. Stressing on knowledge as the vital factor for the growth of society, because the human asset is the highest capital of a nation and knowledge makes humans, bringing about other capitals. In principle, the felicity of nations depends on the self-constructed individuals (Motahhari, 2011 a, vol. 7).
6. Compilation of the project of land preparation.  
The essential requisite for observing justice in individuals' entrance into the scene of rivalry is the balance between all areas and sections of the society; and one cannot expect the deprived sections of the society to enter the competition without necessary facilities and despite being underdeveloped. Thus, the government must first identify the deprived areas of the society and then prepare the substructures necessary for entering the competition arena.

“Unfortunately, the project of land preparation, which is the main pillar of realization and actualization of the talents and innate rights of the society in the spheres of education, health and economic activities, has not been compiled in our country yet, let alone being implemented. The main reason for injustice in the society is not related to doing less work; rather, its reason

must be sought for in lack of specified plans for implementing a theory of social justice” (Larijani, 2020).

7. Removal of all governmental and non-governmental monopolies.

Since actualization of talents must be due to the individuals’ movement, existence of governmental monopolies is not desirable and the government must not substitute the people. Since the government has access to necessary information, people are not able to compete with it. As a result, it hinders people’s progress. In the desirable government, different spheres of administering the country including various social, economic, cultural, artistic, scientific and other spheres must be in the hands of people so that they work and grow with their motivation and efforts; otherwise, there will be no growth. For example:

- In the sphere of education, the government must support schools, universities and non-governmental centers and must only take the responsibility for supervising them. This will prevent waste of a large amount of the country’s budget.
- In the sphere of healthcare and treatment, the government must support hospitals and non-governmental centers and, in return, people must be insured so that they be able to use the facilities in the sphere of healthcare and receive better services.
- In the sphere of economy, instead of establishing large governmental companies and factories by spending large amounts of budget, the government must merely prepare the ground for accumulation of people’s small fortunes and direct them towards desirable investment, and supervise its good implementation.

Thus, it is not the case that the governmental nature of affairs be a principle. Our existing situation, which has led to fattening of the state, is the opposite and shows that the theoretical

foundation of the regime has not been precise (Larijani, 2020).

Besides, non-governmental monopolies such as great economic companies are not desirable, because in that case, the individuals are merely agents in practice and their innate potentials are not actualized. This is one of our distinctive features compared to liberal societies wherein great companies are supported by the government due to their large share in producing wealth.

8. Association of right and obligation (negation of unemployment).

Right and obligation are not separated and if someone has a right, he has an obligation as well. Thus, any individual, due to making use of the society, must perform a useful work in return. Exploitation of others with no return, in any way, is rejected; and if it is proved that some work has an exploitative nature, it will be illegitimate (Motahhari, 1996 c).

9. Principality of utility and benefit.

Since the duty of the government is actualization of talents in the path of achieving true perfection and felicity, one must consider the utility and fruitfulness of any work, whether individual or social; and any work which is not useful, including absurd financial circulation, is considered useless and futile, hence forbidden. Thus, in any financial transference, there must be a material or spiritual utility, and it must be in the way to perfection. Therefore, transferring wealth through gambling, getting wealth away from the path of activity and production of added value (usury), hoarding and violation of rights through bribery, and the like are opposing justice and realization of the growth, perfection and actualization of potentials; and the government must confront them (Motahhari, 1996 c).

10. Development of life in the permitted framework. Development in life for the welfare of the family in order to actualize the human values is desirable and encouraged so long as it does not

lead to infringement of a right, extravagance or giving up one's duty and obligation. Thus, although people have dominance over their properties ("*al-nās musllaṭūn 'alā amwālihim*") (Allameh Helli, 1982, p. 572), this dominance means freedom in the framework permitted by Islam, not more. Therefore, "wasting properties in any way, through throwing away, consuming more than what one needs, spending on luxurious goods and corruptive luxuries – which Islam calls *isrāf* and *tabdhīr* – is illicit and forbidden." (Motahhari, 1996 c, p. 118).

11. Confronting the factors weakening one's reason and will. Reason and will are two main pillars of individuals' movement towards true perfection and actualization of talents; thus, the government must prepare conditions wherein the society does not go towards factors that weaken or deteriorate reason and will, including alcoholic drinks and frivolous actions.
12. Paying attention to desirability and expediency in legitimacy of the work. In most societies, the sufficient condition for the legitimacy of an activity is merely being in line with people's wishes and desires, and the existence of demand is enough for supply. Based on this theory, however, desirability is not sufficient; rather, if something is not in line with perfection and actualization of talents and hinders the true felicity of the individual or society, it is not permitted, even if there is demand for it. For the legitimacy of something, there are two conditions:
  - Desirability and people's willingness for its value and ownership.
  - Conformity to expediency.

Thus, the government must confront with the occupations called *makāsib muḥarrama* (i.e. illicit jobs) in jurisprudence, including dispraise and backbiting individuals, publicizing slander and false news in the society, activities that reinforce enemies from various

perspectives and weaken the society, things that lead people astray and ignorance or deceive them (Motahhari, 1996 c).

**3-1-2. Measures taken by the government for realization of the perfect man (truth of religion).**

The main condition for actualization of human's potential talents is 'faith'. Free from material motives and as a spiritual motive, the faith is a genuine motive inside the individual and society and just faith can influence the human, be the support for realization of justice, morality and freedom, and hinder the human's transgression in times of the conflict between personal interests and human values. Thus, the government's objective is not restricted to the maximum level of pleasure and material enjoyment and welfare; rather, it aims at realization of humanity. And the goal of religion – as the objective existence of actualized humanity – is also realization of humanity objectives in their ultimate perfection. As a result, since the objectives of religion (whose unique truth is Islam) are the very objectives of humanity in its ultimate perfection, the individuals' efforts (and that of the government) must be in line with realization of the perfect man or the very religion in the society.

Some of the measures taken by the government in order to prepare the ground for explaining the religious teachings and combating the reasons for turning away from religion are as follows:

1. Preparing the ground for the growth of spirituality in the society, because the innate features grow in the context of spiritual facts.
2. Preventing the factors of moral and spiritual corruption in the society.
3. Combating the false propaganda and wrong indoctrinations about religion that, tendentiously or ignorantly, cause the religious concepts not to be educated rightly, and unreasonable concepts to be inserted in people's minds in the name of

religion; and the same unreasonable meanings cause doubts and – perhaps – lead to denial of religion and anti-religious movements.

4. Preparing ground for educating religious experts, researchers and educators, aiming at educating and explaining the principles and foundations of religion in a right and real way.
5. Combating [moral] pollution of the environment that leads to inciting passions, sloth and animal character and puts off not only transcendental tendencies – including religious, moral, scientific and artistic exaltation – but also the sense of honor, honesty, bravery and self-sacrifice.
6. Combating the claimants and preachers that fight with people's innate features in the name of religion and wrongly introduce religion not as the reformer and modifier of instincts but as something inconsistent with human's nature and opposite to innate his nature and tendencies (Motahhari, 1995).

### **3-2. The duty of the government pertaining to innate nature of the society**

In the section on the society, we clarified that the society is a true synthesis and has an innate nature homogenous with that of its individual members. From the existence of innate nature and innate talents for the society, we can conclude that society also has some rights. "Islam considers rights for the society, for it considers principality and vitality for the society. And indeed, the society has a union and is no absolute credit" (Motahhari, 1983).

The issue of the rights of the society is so important in the Islamic worldview that in the letter 26 of *Nahj al-Balagha*, Imam Ali says, "Verily, the greatest treacheries is the treachery on the rights of the nation, and the worst type of deception is the deception of the Muslims' leader (which leads to treachery on the Muslim society)."

As a result, among the duties of the government is giving the society its innate rights and complete ground preparation for the society to reach the true felicity and the order of perfect society; that is, the society wherein “all innate features of the society and human values” have grown up “in the highest level and in a harmonious way”. To discern the innate features of the society, which are the foundation for its innate rights, one can extend the same individual innate features to the social dimensions, because the innate nature of the society is homogenous with the individual’s innate nature. As a result, the innate features of the society will be resulted as in table 1.

*Table 1: Extracting the innate features of the society through extension of the individual innate features.*

Type of innate features	Individual innate features	Instances of individual innate features	Innate features of the society	Instances of innate features of the society
perceptive	Individual identity	–	Social identity (national/religious)	–
	Loving oneself and self-dignity	–	Loving one’s homeland and national dignity	Respecting defenders, heroes, scientists and national geniuses
attitudinal	Truth and knowledge	–	Scientific transcendence	–
	Goodness and virtue	justice	Social justice	–
		Individual independence	National independence	Social, political, economic, scientific, cultural, ... independence
		Freedom in individual	Freedom in collective	Social, political, economic, cultural, ... freedom



Type of innate features	Individual innate features	Instances of individual innate features	Innate features of the society	Instances of innate features of the society
		dimension	dimension	
		mental peace	Mental peace	–
		security	security	Social, political, economic, cultural, ...security
	Art and beauty	–	Artistic transcendence	–
	Creativity and innovation	invention	Progress in technology	–
		theorization	Pioneer in theorization	–
	Love and worship	Individual faith	Social faith	–

#### Points:

1. No contrast among innate features.

There is no essential contrast among the innate tendencies, and all of them are placed under the single category of ‘tendency towards perfection’. Thus, one issue can be placed under several categories. For instance, the progress of the society in technology is the result of actualization of simultaneous tendency towards knowledge, creativity, innovation and scientific independence.

2. Universal nature of innate features of the society in various societies.

Since one of the signs of innate nature of something is its universality, here if we pay attention to the demands of various societies throughout history with cultural and geographical diversity, it becomes clarified that “these features are among the

demands of all societies, while Muslims may add the Islamic identity to those demands as well. But in all societies these general features exist” (Larijani, 2020).

### 3. The meaning of national identity.

In the Islamic worldview, the border of the society and the foundation of the human community is ‘belief’ (in the sense of discovering truth and tendency towards it), not race, nationality or homeland (Motahhari, 1996 b). In the innate features of the society, the homeland and nationality do not mean geographical border; rather, they mean doctrinal border. As a result, “defending Muslims and the oppressed is not a matter of palate and taste proposed in the mottos of revolution; rather, it has originated from the theory of social justice” (Larijani, 2020).

#### **3-2-1. The measures taken by the government for actualization of the innate features of the society.**

1. Preserving the security of the country and protecting its cultural, national and geographical borders in proportion to threats in both spheres of military power and domestic security, in a way that is both preventive and with public support.
2. Preserving the Iranian-Islamic identity, both in the domestic area (centrality of public participation) and in the foreign area (facilitating people’s interactions with other nations regarding the economic dimension).
3. Providing the independence of the country by preparing the ground for rivalry of the members of society in various arenas and organizing the competitive atmosphere in a way that the country achieves self-sufficiency in different affairs (Larijani, 2020).
4. Priority of the society’s right over the individual’s right in case of a conflict between the former and the latter. In these cases, decisions are made by the religious ruler (Motahhari, 1996 c).

### **3-3. The duty of the government pertaining to the rightful persons due to ultimate interest.**

With the analysis of the concept of justice in the Islamic worldview, it is clarified that what creates the relationship between the right and the rightful are the agentive and the ultimate interests. Thus, under the conditions that there is no ability for emergence of the agentive relationship, there will be a right based on the relationship between the right and the rightful; and since justice is granting any rightful his own right, others – including the government – will have the duty to grant their rights. We will investigate these in the next sections.

#### **1. The right of the weak, the poor and the deprived people.**

The weak and the deprived people are rightful due to the ultimate relationship with the system of creation without having the ability to manifest the agentive relationship, as we see that the Quran has specified a right for the deprived people in the properties of others (Surah Asrā: 24; Ma'ārij: 24-25). This is a fundamental point in the Islamic school and is one of the points of its difference from western schools that consider helping the weak people as an exception added to individuals' rights. Even some views consider justice as disturbing freedom and competition, for "according to the foundations of non-divine rights, the rights are created just through activity, production, work and industry." (Motahhari, 1990 a, p. 60). But according to the theory of justice:

“[Social support] makes it necessary to prepare the facilities for the growth of the talents of the poor and disabled as well as the real social security of members of the society and predictability of their welfare in the future. In this respect, the principle is preparing the ground for living along with individual's dignity in a way that the members of the society feel they are progressing

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and moving towards perfection through accessing proper occupations and skills as well as actualization of their potentials. In this way, the great majority of relief organizations will not work for giving subsidies to people; rather, they will work for preparing the ground for creating proper jobs and independent life for them; and the subsidies will turn into supports for individuals' works, skills and occupations" (Larijani, 2020).

2. The right of other living creatures on human beings.

From the ultimate causality, we conclude that other creatures also have various rights including the right to living, the right to using natural resources, the right to freedom and, in general, the right to actualizing and completing their talents; and justice necessitates that the government be responsible also in regard with other living creatures and grant them their rights.

3. Preserving the nature and attempting to reclaim the land.

The human, due to enjoying reason and free will, not only must actualize the right he has potentially towards the earth through work and activity, he has the duty to perform his obligation towards the earth in line with reclaiming it. Thus, the government has the duty to make effort for reclaiming the lands and the people's activities must not lead to destruction of the earth.

4. Human's natural right in making use of clean water and air and the healthy food.

Since there are clean water and air as well as healthy food in the nature for human beings (and other creatures), the humans have the right to use them due to ultimate interest, and the government has the duty to provide them.

5. The right of future generations.

Based on the ultimate causality, the future generations have the right to use the existing resources and live in a healthy

environment both from the biological and social perspectives. Thus, the members of the society (and the government) have no right to totally ruin the ground for some facilities for the future generations: all things that help the infrastructures of future generations such as resources, environment, educating teachers and the like. In addition to the issue of ultimate causality, this can be inferred from the truth of composition of the society and, consequently, unity of the nature of societies as well. That is, since the whole human community is a single community with a common path of perfection, the government is responsible before humanity in general, and this includes future generations as well.

#### **3-4. The duty of people to the government.**

Since any right corresponds to an obligation, we must not consider right exclusively belonging to people; rather, the government – in return for the duties to individuals and society – will have some rights as well. In sermon 216 of *Nahj al-Balagha*, Imam Ali considers the rights of the ruler towards the subjects and the rights of the subjects towards the ruler among the most important rights. Thus, as the ruler has the duty to consider people's expediency and make efforts for their interests, people also have duties before the Islamic government, including the following ones:

1. Respecting the ruler and obeying him in the path of strengthening the Islamic government.
2. Advising and guiding the ruler in case of observing mistakes.
3. Giving consultations to the ruler and making formative criticisms.
4. Expressing loyalty towards the ruler in words and actions, and avoiding weakening of the regime.

Of course, realization of these affairs in the society needs civil

mechanisms through which individuals can offer their opinions. Here, we stated the general principles of the theory of Islamic justice based on Martyr Motahhari's view, the justice that will certainly realize according to the Islamic view. The lifetime of the universe has not come to its end, and we are in the onset of a journey. A very clear future is awaiting humans, a time when justice will realize in its true sense and the humans will achieve their true felicity under the just government of the Savior (Motahhari, 1995).

### **Conclusion**

In this study, it was clarified that from Martyr Motahhari's viewpoint, the human is a social creature by his nature. The society is a true composition wherein both the individuals have genuineness and the society is existentially genuine and, as a result, the society enjoys a collective spirit homogeneous with the spirits of the individual members and an innate nature homogenous with their innate nature. On the other hand, the government – from the Shiite viewpoint – is a divine right and is defined under prophethood. Thus, its duty is the duty of the prophet; that is, realization of justice and leading the society to the true felicity. Justice means 'granting any rightful person his own rights'; thus, the social justice becomes practical when the government grants the natural and acquired rights of the individuals and the society completely. To discern the natural or innate rights, we must discern the humans' innate talents, because any natural talent is a natural evidence of a natural right. The humans enjoy a divine nature and innate features composed of certain perceptions and tendencies, and these innate tendencies all fall under the category of leaning towards absolute perfection (or acquiring divine character, manifested in human's divine vicegerency). The duty of the government towards the society is growing it and leading it to perfection, which is equal to the true felicity of the society; that is, actualization of all innate talents

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of the individuals and the society. In other words, it is the realization of perfect humanity. According to the theory of the Islamic justice, the first duty of the government is preparing the ground for florescence of natural talents of the members of society. Its other duty is realization of innate features of the society, which is gained through extension of the individual innate features. And its third duty pertains to cases where individuals become rightful due to ultimate causality. Besides, according to the principle of association of 'right' and 'obligation', people also have duties towards the government.

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