

## **The Birth of Social Justice in Islam: How Modernity Has Redefined the Prophetic Message**

**Frédéric COSTE\***

### **Abstract**

Many common people and scholars argue that social justice is the goal of Islam. This, then, makes the Prophet a social reformer. This article aims to highlight how this perception is a misconception shaped by modernity that has formed our vision of the past. The birth of the idea of social justice in nineteenth-century modern Europe has entailed, as a corollary, a new definition of the purpose of Islam. The article attempts to show how the notion of justice could have been positive in the classical era, and it could be named behavioral justice. This means that prescriptions may have been based on the personal view of adequate behavior.

### **Introduction**

Contemporary readings of the original history of the Islamic religion present the Prophet as a champion of socialism or, at the very least, the just distribution of material resources among men. At the time of the rise of social consciousness in the second half of the nineteenth century, Islamologist Christiaan Snouck Hurgronje observed the distortion of these nascent ideas by intellectuals in a passage of his article, “Mohammed, was he socialist?” (Hurgronje, 1957). For some, Revelation would find its consistency in the transformation of men’s social conditions, and not in the proclamation of the oneness of God, of the fear of the Creator’s Court, and all the other religious precepts that are reminded several times a day to the Arabs to promote this new orientation of the spirit. The terrestrial good, possibly prevented by a class struggle, would be the decisive goal of the prophetic mission. In this perception, Muhammad is a social reformer. This historical reading, also found in the academic world, is, strictly speaking, ‘modern.’ According to this perspective, altered by socialist ideas, and questioned by Hurgronje, the Prophet Muhammad would be the apostle of a social revolution because of disparities that he has not indicated the concrete ways to remedy, though. In this view, the Prophet is not carrying a religion warning of the Last Judgment, that it has, conversely, well defined. This also corresponds to the position of Political Islam in the declamation of ‘social justice,’ which they see as perfection, and whose realization they notice in the prophetic epoch.

---

It will be necessary to show that the notion of justice in Islam has undergone a profound

\* Associate researcher, CERISciences Po

and substantial change from the classical to the contemporary period. The ideal of social justice, that must embody in the Message, constitutes a theological representation that has been permitted by modernity. This concept is not present in medieval and pre-modern eras. We can say that following this path of the history of Western ideas is a recent ‘discovery.’ The question of social justice in Europe would not have gained importance without a change in the relationship of the individual to the society, the conception of the man and his place in the world, his connection to the transcendence, the prevalence of freedom and equality as motor values, the idea of poverty as a curable evil, and the reason as acting in history.<sup>1</sup>

Yet, the dynamics of modernity engendered a radical break that also reached Islam as it brought to light the new vision of justice in the twentieth century. The upheaval of perception was such that it modified all its pre-modern definitions, by the representation that Islam had been the embodiment of social justice since the year 610 CE. It was noted how justice was symbolized, over a long period, by defining the prevailing psycho-social state, and showed how it differed fundamentally from the contemporary idea of social justice.

Before discussing the manifestations of the dialectic of modernity, some points of clarification must be mentioned. The current article highlights the difference in the notion of justice between the classical and modern periods that comes from research and the reading of a wide range of literature. Indeed, it is striking to us that ‘social justice’ does not appear in the whole dimensions studied by Islamologists, be it the history of civilization,<sup>2</sup> theological debates, the values and constituent precepts of the dogma (Andrae, 1945; Arkoun, 1975; Hourani, 1985; Arnaldez, 2002; Messick, 1993), or the questions of law (Melchert, 1997; Weiss, 1998; Makdisi, 1983; Hefner and Zaman (eds.), 2007; Powers, Massud and Messick (eds.), 1996; Bearman, Heinrichs and Weiss (eds.), 2008; Zysow, 1984). It seems at first sight very indented, if it’s completely absent. Thus marking a perfect contradiction with the evidence that one of the five pillars is supposed to provide. The concept of legal alms, called *zakat*, that forces the faithful to give back some of its wealth, is constantly postulated today in language by proselyte, and sometimes scientific people, as the incarnation of the ideal of social justice. However, it is not put down in epigraph or academic literature, which seem mute on this crucial question. Only a few cautious remarks have stated that the medieval conception of justice belongs to an order distinct from that of social justice.<sup>3</sup>

---

1 For this study, ‘the dialectic of modernity’ will be taken seriously, that is to say, as a structuring/restructuring force for societies, which has been highlighted by countless thinkers with particular acuity since the mid-nineteenth century. This will be detailed below. See, especially, (Adorno, and Horkheimer, 1974; Aron, 1969; Habermas, 1988; Taguieff, 2004).

2 For the following notes only certain essential references will be quoted: (Shaban, 1970; Lombard, 1971; Shaban, 1971; Hodgson, 1974; Crone and Hinds, 1986; Mervin, 2000; Berkey, 2003; De Prémare, 2002; Hinds, 1996; Donner, 1981; Schimmel, 1980; Grunebaum, 1946; Brunshvig and Grunebaum (eds.), 1957).

3 The indication of a difference of nature between the two periods is briefly mentioned by underscoring that social justice in Islam is an idea of the twentieth century, without determining what was before, cf.

These are, it seems, rare occurrences. They remain at the intuitive stage, have not been the subject of a reasoned development to express a difference in the idea of justice within Islam through the ages. Some authors note that the central concept in Islam is not ‘freedom’ as it is in the Western ideology, but that of ‘justice.’<sup>4</sup> This idea, which at first glance seems political, could contradict the theory of the absence of social justice until recently. Indeed, if justice is the equivalent of freedom in the Western political language, it should be a stronger reason to adopt this redistributive character. However, the perception of the fundamental and structural role that it must represent in the collective imagination is at odds with the limited texts and studies on this subject.<sup>5</sup> Justice, supposed to be essential in guiding the whole dogmatic system of Islam, could suffer from deficiencies in its definition and application. This apparent paradox will explain itself, according to some, through the indeterminate character of this concept (Rosen, 1989), or the wide extent of its ideas and ideals in this respect (Krämer, 2007). Our study shows that this notion does not have the same political meaning in classical Islam that it will later have when its definition is shaped by modernity.

## II. The Radical Socio-economic Transformation due to the Dynamics of Modernity

One of the fundamental differences between the period of classical Islam, and modern times is *the singular relationship maintained with the economy*. This relationship can be seen manifested in the medieval period by *the absence of a systemic thought of the economy*. Issues related to the economic field could be dealt with by figures of Islam, as was the case in Greek Antiquity until the Middle Ages.<sup>6</sup> They denoted a thorough understanding of the market mechanisms. However, the only one credited with an economic proto-thought, differing in many respects from its predecessors, and which was not followed in this period of Islam, is Ibn Khaldoun (1332–1406).<sup>7</sup> His economic conceptions, if they refer to a theory of cycles, are indissolubly linked to broader socio-historical thinking aimed at determining the process of birth, and decadence of civilization.<sup>8</sup>

---

(Khadduri, 1984: Chap. 8 and 9). In another article it is stated in a single summary sentence that justice in the spirit of Ghazali, the cement of orthodoxy, is not social justice, cf. (Hourani, 1976).

4 Olivier Roy, questioning the universal character of the political interpretation grids, mentions that “the opposite of tyranny, in the Islamic political imaginary, is not freedom, but justice. Ethics, not democracy, is the watchword of protest [...]” in (Roy, 1992: 24). Bernard Lewis, meanwhile, quotes the reformist Sheikh Tahtawi who also believes that what the Westerners call ‘freedom,’ the Muslims call it ‘justice’ in (Lewis, 2005).

5 As noted by (Krämer, 2007); cf. p. 23.

6 Joseph Schumpeter’s thesis of the ‘big void’ has been questioned by recent works, cf. (Baeck, 1991; Ghazanfar, 1991; Ghazanfar and Islahi, 1992; Ghazanfar, 1995; Essid, 1995; Hosseini, 1995; Ghazanfar (ed.), 2003).

7 The closest analysis is probably that of (Spengler, 1964).

8 It is noteworthy that Ibn Khaldoun’s aim is not to develop a science of the economy, that is to say, it has no pretension to make it a special discipline. His project is to create a ‘science of culture,’ questioning the conditions of the evolution of a civilization. It is estimated that a tiny portion of Ibn Khaldoun’s work questions the economy in comparison to its historical contributions, cf. (Mahmassani, 1932 : p. 6). The totality

Instead of a vision to establish interlinking ‘laws’ for the functioning of the economy as a whole, medieval Muslim jurists focused on the legal validity of each commercial exchange. In Europe, the counterpart of this latter approach is represented by the efforts of scholars to discern lawful and unlawful contracts to conduct financial transactions based on the principle of equity.<sup>9</sup> This apprehension of ‘commutative justice,’ which intended to tackle the contractual validation to make the exchanges equitable, was the cardinal axis of the commercial Islamic law of the medieval time, from which the Qur’anic prohibition of interest arose. Thus, it can be considered that “jurists have had the dominant preoccupation to dismiss *riba* (usury or interest) that the Qur’an condemns vehemently. Their application of this defense is, in principle, very rigorous, even pregnant, minute in detail (even if they have had to admit, over the ages, accommodations); they aggravated it even more, in their doctrinal construction, by the elimination, which they wanted as radical as possible, of the hazard (*gharar*).” (Brunschvig, 1967: 115).

To avoid losing sight of equivalence in exchange, a condition without which attrition would be generated, *fuqaha* (jurists) have paid attention to the detailed study of all possible cases. From there, they have established upstream rules for all hypotheses that may arise in the trade with the consciousness of preserving the correspondence between the economic values during a transaction. Islamic law emphasizes that all elements of the transaction must be known (Udovitch, 1987). Thus, “the general spirit of the *fiqh*, which abhors contracts on imprecise or changing values, generating fraud or injustice,” intends to preserve fairness between all the parties in the trade (Cahen, 1971: 84).

Wanting to make this doctrinal principle effective in the real world, Islamic jurists elaborated a rigorous legal framework that aspires to apprehend a wide array of cases, without leaving any case unanswered. However, this emphasis on the contractual lawfulness of a commercial exchange, which is concerned with the notion of value or the formation of prices, is far from the general theory of economics.

Despite the casuistic refinement of the legal procedure that guarantees several financial transactions, distinguished by their high degree of technicality, historian Abraham L. Udovitch highlights the absence of banking intermediation in the medieval Muslim world (Udovitch, 1979). Transactional activities, symbolized in mechanisms, that may have been complex, do not mean that they were the result of “autonomous or semi-autonomous institutions,”

---

of economic conceptions, through his work *The Prolegomena*, is presented in about sixty pages in its French version, cf. (Bousquet, 1961).

9 “While contemporary economists view the economic system as a mechanism that all parties fit together, this idea is foreign to scholastics who were asking other questions and considered economic problems from the angle of distributive justice and contractual or commutative justice. In their case, the analysis is reduced mainly to the examination of the validity of a series of contracts, some of which are lawful and others illicit or doubtful. [...] What was missing from the scholastics was the vision of an economic system forming a coherent whole of which all the parts are linked together and are linked together so that a disturbance in one sector necessarily provokes reactions in the others,” cf. (De Roover, 1971).

he believes, whose role was to capture deposits and redirect them to lucrative businesses. Apart from the fact that the law rejected the possibility of remunerating deposits, as done in banking intermediation via fixed periodic income, Udovitch considers that there was no dissociation between trade and its financing. Banking activities were carried out by hand and represented only an extension of the commercial operations, where “the merchants were their own bankers” (Udovitch, 1979). He sees no institutional integration of the various functions of a bank, such as deposit, exchange, and loan activities. Shelomo Dov Goitein, a historian who deciphered the abundant archives of *genizah* in the eleventh century, also points out that personal relations prevail in Mediterranean trade (Goitein, 1966). In Europe, this specialized banking intermediation function took off between the twelfth and thirteenth centuries.<sup>10</sup> Murat Çizakça, who has worked for more than fifteen years on financial transactions based on the Ottoman archives, believes that the deposit bank was introduced to the Islamic world in the nineteenth century through a meeting with the West (Çizakça, 1996).

The thesis of the ‘disembedded economy’ of Karl Polanyi’s society, a manifestation that gave rise to its singular form in the history of liberalism, distinguishes the modern period from the previous eras (Polanyi, 1983). Much more than a boom in Western economies due to an ‘industrial revolution’ in the middle of the nineteenth, the relationship to the economy will be upset: whereas until then the sovereign had ensured a subservient market through a strict framework so that the latter does not significantly alter social structures. This reversal, in which the market becomes autonomous and self-regulating, and transforms the social order by subordinating it, can be seen as an unprecedented phenomenon in history (Norel, 2004; 2009). Thus, this thesis is corroborated by research on the medieval Islamic world where banking activities were said to be entrenched in socio-economic networks, to the point of not being able to extract them to create formalized and impersonal institutions (Udovitch, 1975). Lawyers, the guarantors of the social order, ensured that the strict equality recognized by contractual justice did not affect the other areas of law, which could alter hierarchies within communal life (Johansen, 1996). This problem of the agency in the medieval period, when a merchant confided to another the care of conducting business despite the difficulty of control, especially for a long-term trade, seems to have rested its insertion into social relations on reputation (Greif, 1989).

It can be considered that ‘society,’ and the resulting notion of ‘social’ are the outcome of a particular historical context. In other words, they can be seen as not having existed at all times, and being the proper emanation of modernity. Ferdinand Tönnies apprehends the idea of ‘society’ as a distinctly new configuration of the nineteenth century. The notion of ‘society’ symbolizes the deliberate will. It is an abstract representation whereby the collective will of autonomous people, who got rid of transcendences thanks to the emancipation, can govern

---

<sup>10</sup> Cf. (Postan, 1928; Lopez, 1979).

itself. For some centuries, before the advent of ‘society’ what he calls ‘community’ prevailed. The ‘community’ is founded on an ‘organic being’ — blood ties, feeling, custom, religion (Tönnies, 1887). It is contrary to ‘society’ based on formal links, created by the political will of ‘emancipated’ people. ‘Society,’ then, represents a disbanding of people from their ‘natural’ community in an attempt to re-establish a union based on new, conventional links, taking the form of ‘the contract’ in economic matters, and the ‘social contract’ as a political fiction. The relations, Tönnies believes, are radically transformed. Those that are warm and alive in the community give way to new relations in society that they consider cold, external, and formal. This contractual society, made of superficial contacts with the previous organic links, gives rise to a ‘social being’ marked by an abstraction of human relationships, which become mainly intellectualized. What he calls ‘thoughtful will’ is fully symbolized, and realized in commerce, through calculation, and the formal relationship that it implies.

If ‘society’ represents an unprecedented configuration of human relations before the nineteenth century, then the idea of ‘social justice,’ in which the state assumes the role of the corrector of the inequalities of living conditions, and which would have existed since the year one of the *hegira*, according to some militant intellectuals who were the subject of this study, loses much of its relevance. Correlatively, the ‘social question’ has become a concern of the Catholic message, substantially altering the credo known until now by developing a ‘social doctrine of the Church’ following the encyclical *Rerum Novarum* of Pope Leo XIII in 1891 who officially took note of it.<sup>11</sup> Thus, the transformation of the relation to the world, brought about by the birth of ‘society’ and ‘social,’ will be taken into consideration by politico-religious circles to the point of upsetting the original content of the Qur’anic message.

At the end of the nineteenth century, an exegetical study aimed to show that as per the prophetic revelation that appeared in *Hijaz* to a merchant of the noble Quraysh tribe, Mohammed had a strong economic dimension (Torrey, 1892). According to Charles C. Torrey, most of the Qur’anic vocabulary expresses a commercial relationship, not only interpersonal but also with God; the occurrence of which he establishes 370 times.<sup>12</sup> He believes that through the approach of commercial issues, the divine revelation would have had a stronger effect on consciences. By projecting the analogy of justice and equity, a concept familiar to the merchant community, relations between men, and with God would be more resolute. Beyond the question of the relevance of this theological analysis, he tries to discuss the strong economic imprint of the commandments of Islam. Yet, despite this socio-economic context, the approach of religion seems to have only marginally emphasized the importance of this

---

11 Cf. (Roger, 2012) and also, (Calvez, 2002).

12 Charles C. Torrey talks about the general tone marked by the payment from God that includes punishment and reward. Unbelievers are the losers; God buys the service of his people; people sell their lives for the life to come; the Prophet authorizes trade during the pilgrimage, are some of the expressions used in the verses.

dimension in the considerations of jurists (*fuqaha*), and theologians since the first centuries of the *hegira*.

It will be answered to what will be seen as a gap, by a certain number of militant intellectuals of the Muslim world, and this, in a singular context at the beginning of the twentieth century (Coste, 2017; 2019). That of the advent of ‘totalizing’ of all-embracing ideologies. These ‘visions of the world’ claim to respond to liberalism, whose abstract universalism is then strongly questioned (Gauchet, 2007). Echoing the multiple forms of socialism, communism, and capitalism, one of the most prominent figures of ‘political Islam,’ Sayyid Abul Ala Mawdudi (1903–79) estimates that Islam, by its completeness, also has the socio-economic precepts to meet worldly needs. His writings, after many Islamic modernists, are a direct response to these immanent ideological constructions, which he perceives as major competitors of the only total and perfect socio-political order, corresponding to the ‘Golden Age’ of the prophetic model, and the Four Rightly-Guided Caliphs (610–661 CE). Not limited to remaining a ‘religion’ whose meaning represents confinement, or one where secularism prevails to be a simple matter of private worship, the Qur’anic breath intends to revive a framework that embraces all fields of life, as well as its rival ideologies. Starting from the postulate of the completeness of divine revelation, with sets of ideas proposing solutions to intra-worldly material issues, Mawdudi, and the partisans of his movement, *Jamaat-e-Islami*, strive to show that the precepts offer the possibility of the existence of, what they call, ‘the economic system of Islam.’ Then, many other intellectuals tried to define Islam as synonymous Social Justice as Khalifa Abdul Hakim (1894–1959), Ghulam Ahmad Parwez (1903–85), or the influent Muslim Brother in Egypt Sayyid Qutb (1906–66) author of a *Social Justice in Islam* (*Al ‘adalah al ijtima‘iah fil Islam*), among many others.

### III. Justice in Classical Islam Prior to the Cosmological Shift of Modernity

The ethical virtues of Islam that must constitute the cement of the society, according to Izutsu (1966), and the ‘social perspective,’ are values that aim to reform the *jahiliyyah*, that is to say, the ‘state of ignorance’ that preceded the advent of the Islamic religion. These virtues include generosity, courage (now destined towards God, and no longer irrationally motivated), loyalty (which is no longer tribal but towards God), veracity, and patience.

The values represent prescriptions that can qualify as ‘behavioral’ — the duty towards God, moderation, forgiveness, the restriction of revenge against the overbidding vendetta prevalent in ancient Arab society, humility, honesty, consideration for the poor, blind, sick, parents, and orphans, kindness, and to be trustworthy; while the condemned vices include boasting, blasphemy, and deception (Donaldson, 1953). We can draw up a succinct list of virtues identified by the Qur’an as ‘the circumspection in judgments’<sup>13</sup>:

---

13 Qur’anic virtues enumerated by (Draz, 1951: 232–251)

- The balanced actions, which hold the middle ground
- The good treatment of wives
- Fidelity to the commitments made, the word given, and the oath taken
- Fairness in the image of the vertical balance, which leans on neither side
- Encourage good, and avert evil
- Mutual exhortation of patience and mercy
- Affection for spiritual fraternity, and pray for the spirit of the community

All of the above are valued while respecting such prohibitions:

- To forget God
- To boast oneself
- To commit a breach of trust
- To make an interested gift
- To plead in favor of injustice or aggression
- To pursue blind desires, superficial knowledge, false inventions, impurity of the heart, corrupt, irregular, dissipated conduct, and skepticism...

These prescriptions are intended to help the believers improve their life, and, as an extension, society. However, this good conduct that must be carried out by every man is not social justice. Classical Islam represents what we call ‘behavioral justice.’ The transformation of social conditions is by no means the object of these values. The vocation of these is to set bounds for what is reprehensible, and what is permissible from a moral point of view. The aim is to apply the formula of the ‘command of the good, and prohibition of the evil’ in society. It is a form of repression of excesses, decreasing of the desires, and a guide to having purpose without deviating from the ‘good way.’ However, this framing of morals does not, in any way, affect the organization of conditions and social hierarchies. They are not questioned from these perspectives to define virtuous behavior. The social, an invention of the nineteenth century, is not a concern of these values that bet on the adequate attitude to have in society. This perspective does not necessarily correspond to a personal purpose. So far as all the beings participate in these virtues, the community as a whole must be altered. Thus, it is not a question of opposing the collective vision that characterizes the modern era. The difference is that they are not of the same order. Classical Islam commands a behavior of piety and moral rectitude and aligns the idea of justice with it. Social justice, corresponding to a modern context, tackles the transformation of material conditions, and the social order as a whole, that is, it involves challenging the order created by God.

#### **IV. From Charity to Social Justice**

In this framework of analysis, ‘social justice’ is understood by a simple definition — the

collective organization of social, and material conditions for just distribution among all beings. However, the two notions — social justice and charity — are often confused as they may seem synonymous, nevertheless, correspond to very different socio-historical conditions, as noted by Paul Veyne (1976).<sup>14</sup> Social justice is often understood as the modern counterpart of charity. The existence of the latter in societies since times immemorial suggests that the first has also always existed. However, charity is not a form of social justice. They symbolize fundamentally different social relationships. Veyne clearly distinguishes between the report and the gift and redistributes the two periods: those of Greek and Roman antiquity, and modernity. He qualifies the former as that of ‘evergetism,’ a concept he defines as the benefit provided by a social class to the community. Nobles or notables are given a political role by the community because of their status. The gift has this characteristic in the historical practice of *évergétisme* that gives a natural superiority to the rich, or a subjective right to command. Without questioning the vanity or the sincerity of the act, Veyne shows that it indubitably induces a social relation of subordination. The notables aim to maintain a ‘social distance’ (Veyne, 1976: 331–339). The liberties offered, which may, to a certain extent, grow in magnificence, are demanded by the plebs, as a ‘class’ behavior, and the rich man is given, in return, prestige and social qualities. Thus, Veyne clarifies the nature of social justice as the high level of state rationalization, and a direct fruit of modern forces, which correspond to a radical transformation of social relations, as opposed to charity, which was allowed both by the rise of equality and universalism. It is of an order entirely distinct from eternal charity, which, despite its apparent disinterest in politics, grants a social power to the man of great liberality, or to the one who is constrained, socially or legally, to give.

Modernity has, thus, engendered a clear break as manifested in the difference, *a priori* innocuous, between gift and distribution. It is underpinned by ideas that have profoundly changed man’s relationship with society. It brings out an essential characteristic of the dialectic of modernity by pointing out a difference of nature with the pre-modern period. It can be considered, like Dumont (1966: 22–35), that the values of equality and freedom are a ‘revolution’ separating the traditional and modern society. In the former, the focus is on the society — and not on the individual — where everyone has a given place in the hierarchy. In the latter, man sees himself as the incarnation of all mankind, represented as a ‘collective individual’ who thinks himself the equal of others. The starting point, in this case, is no longer the common order and hierarchy, but an autonomous subject. These values of equality and freedom are therefore not just terms. They have a real impact on the transformation of the social state, causing major upheavals in relation to poverty.

The psycho-social changes vis-à-vis poverty were analyzed by Bronislaw Geremek in Europe, where it showed the evolution of this notion (Geremek, 1994). First, it was covered

---

14 See his long analysis differentiating between the two forms: (Veyne, 1976: Chap. 1).

with holiness by the men of the early Middle Ages because of its assimilation into the life of Christ. Next, the massification of the poor during the sixteenth century altered its conception, notably with the rise of the distinction between the ‘true poor,’ and the one who abuses it. Finally, he analyzed the passage from compassion for the less fortunate to the concomitant ‘discovery of poverty’ by modern consciousness. He insists that this social state was not perceived as problematic throughout medieval life. Poverty became a real concern, an evil requiring a cure, only in the recent phase of history. Before the end of the eighteenth century, it represented a normal social condition that did not give rise to the conscience of the imperative to eradicate it. Acts of charity existed towards one’s neighbor while believing that one is dealing with the order of things as wanted by God. Latin words synonymous with paupers have been added gradually, and only recently.<sup>15</sup> In other words, the concept did exist, however, without having the meaning that it later acquired. The pair that prevails to characterize this term is not related to material wealth against deprivation, as in the representation of social justice. According to Geremek (1994), the predominant opposition, is that of *potens/pauper*, namely, poverty means to refuse power and privileges of this worldly order. In the early days of the Western Middle Ages, poverty associated with Christ’s example assumed an unshakable nature of holiness and a blissful appreciation. However, the theological anointing that it receives does not aim to modify the social condition of the poor who must accept their fate with humility. It is quite different since the vow of poverty is a ‘voluntary spiritual state,’ that is to say, it extols those who shed the goods of this world. In an anti-materialist spirit, poverty identifies itself as freedom from the distractions and diversions of the soul. This will must turn away from all material satisfactions, thus becoming ‘poverty.’ In the tripartite division of society, it is up to the poor to work for the sword and the cross. Those who are devoted to religious life make an act of nobility by voluntarily agreeing to get rid of material seductions.

The unequal order was not considered evil through centuries. It may even have been thought that in a society based on ‘hierarchical ideology,’ social inequality represents the purest justice (Dumont, 1966: 23). Indeed, this traditional model is not symbolized by domination by the ‘superiors.’ Rather, it is a differentiation of people being grouped in an encompassing body where everyone is at their place to make a coherent whole. The modern break has brought an egalitarian concept of the social bond against the holism of the hierarchical order, according to Louis Dumont. It is not a question of a real social state, that would have become undoubtedly egalitarian, but of the upheaval introduced by the egalitarian imagination in the social relation that opposes traditional society (Dupuy, 1997: 194–195). The ‘social contract’ intends to replace the order of inequality that had been perceived as natural for many centuries.

When inequality is felt as an irreconcilable evil of nascent democracy, and human reason

---

15 Mollat notes in a parallel that the term *nobilis* confers a moral quality of nobility before corresponding to a real social status, cf. (Mollat, 1978: pp. 11. and s).

re-appropriates the history of transcendence and heteronomy, modernity radically transforms the stakes. ‘Making of the social’ or the ‘social question’ become a keyword of the Western political vocabulary from the middle of the nineteenth century, and requires answers.<sup>16</sup> In the previous century, the notion of equality played a secondary role (Dumont, 1966: 26). Social justice takes its source in this ‘invention of the social’ resulting from the transformation of the conditions that offer politics, henceforth guided by the coronation of the autonomous subject.

Then, the encounter between the western modernity and Islam has entirely reshaped its conception of Justice. From a behavioral justice in Classical Islam, it has turned into a vision of Social Justice.

### **Bibliography**

- Adorno, Theodor W., and Horkheimer, Max (1974). *La dialectique de la raison* (Dialectic of Enlightenment). Paris: Gallimard.
- Andrae, Tor (1945). *Mahomet, sa vie et sa doctrine* (Mohammed, His Life and His Doctrine). Paris: Maisonneuve, (1st published in 1918).
- Arkoun, Mohammed (1975). *La pensée arabe* (Arab Thought). Paris: PUF.
- Arnaldez, Roger (2002). *L'homme selon le Coran* (The Man According to the Qur'an). Paris: Hachette Littérature.
- Aron, Raymond (1969). *Les désillusions du progrès: Essai sur la dialectique de la modernité* (Disillusions of Progress: Essay on the Dialectic of Modernity). Paris: Gallimard.
- Baeck, Louis. (1991). “La pensée économique de l’islam classique” (The Economic Thought of Classical Islam), *Diogenes*, 154 Apr.-Jun., pp. 95–111.
- Bearman, Peri, Heinrichs, Wolfhart and Weiss, Bernard G. (eds.) (2008). *The Law Applied: Contextualizing the Islamic Shari’a, A Volume in Honor of Frank E. Vogel*. London: I.B.Tauris.
- Berkey, Jonathan P. (2003). *The Formation of Islam: Religion and Society in the Near East, 600–1800*. Cambridge: Cambridge University Press.
- Bousquet, Georges-Henri (1961). *Ibn Khaldouïn: Les textes économiques de la Mouqaddima (1375–1379)* (Ibn Khaldoun: Economic Texts of the Mouqaddima). Paris: River.
- Brunschvig, Robert (1967). “Conceptions monétaires chez les juristes musulmans (VIIIe–XIIIe siècles)” (Monetary Designs Among Muslim Jurists (8th–13th Centuries), *Arabica*, 14(2) Jun., pp. 113–143.

---

<sup>16</sup> In France, the ‘beacon of revolutions,’ the decisive turning point is that of the 1848 Revolution for Donzelot, when the conceptions of the ‘social economy’ already existed at the beginning of the nineteenth century, cf. (Donzelot, 1995).

- Brunschvig, Robert and Grunebaum, Gustav Von (eds.) (1957). *Classicisme et déclin culturel dans l'histoire de l'Islam* (Classicism and Cultural Decline in the History of Islam). Paris: Besson.
- Cahen, Claude (1971). "Partnership and Profit in Medieval Islam by Abraham L. Udovitch: Review", *Journal of the Economic and Social History of the Orient*, 14(1) Apr., pp. 82–85.
- Calvez, Jean-Yves (2002). *Chrétiens penseurs du social: Maritain, Mounier, Fessard, Teilhard de Chardin and de Lubac, (1920–1940)* (Christian Thinkers of the Social: Maritain, Mounier, Fessard, Teilhard of Chardin, de Lubac, 1920–1940). Paris: Cerf.
- Çizakça, Murat (1996). *A Comparative Evolution of Business Partnerships: The Islamic World and Europe with Special Reference to the Ottoman Archives*. Leiden: Brill.
- Coste, Frédéric (2017). "La structuration financière comme enjeu de définition de l'«islamité»" (Financial Structuring as a Stake of Defining the 'Islamity'), *Studia Islamica*, 112(2), pp. 264–293.
- (2019). "La naissance de l'islam politique comme réponse aux religions séculières" (The Birth of Political Islam as an Answer to Secular Religions), *Société, droit et religion*, 9(1), pp. 47–61.
- Crone, Patricia. and Hinds, Martin (1986). *God's Caliph: Religious Authority in the First Centuries of Islam*. Cambridge: Cambridge University Press.
- De Prémare, Alfred-Louis (2002). *Les fondations de l'islam: Entre écriture et histoire* (The Foundations of the Islam: Between Writing and History). Paris: Le Seuil.
- De Roover, Raymond (1971). *La pensée économique des scolastiques: Doctrine et méthodes* (The Economic Thought of Scholastics: Doctrine and Methods). Paris: Vrin.
- Donaldson, Dwight M. (1953). *Studies in Muslim Ethics*. London: S.P.C.K.
- Donner, Fred McGraw (1981). *The Early Islamic Conquests*. Princeton: Princeton University Press.
- Donzelot, Jacques (1995). *L'invention du social: Essai sur le déclin des passions politiques* (The Invention of the Social: An Essay on the Decline of Political Passions). Paris: Le Seuil.
- Draz, Mohamed Abdallah (1951). *La Morale du Koran: Etude comparée de la Morale théorique du Koran, suivie d'une classification de versets choisis, formant le code complet de la morale pratique* (The Morals of the Qur'an: A Comparative Study of the Qur'an's Theoretical Morals, Followed by a Classification of Selected Verses, Forming the Complete Code of Practical Morals). Paris: PUF.
- Dumont, Louis (1966). *Homo hierarchicus: Essai sur le système des castes* (Homo Hierarchicus: Essay on the Caste System). Paris: Gallimard.
- Dupuy, Jean-Pierre (1997). *Libéralisme et justice sociale: Le sacrifice et l'envie* (Liberalism and Social Justice: Sacrifice and Envy). Paris: Hachette Littérature.

- Essid, Yassine (1995). *A Critique of the Origins of Islamic Economic Thought*. Leiden: Brill.
- Gauchet, Marcel (2007). *L'avènement de la démocratie, II: la crise du libéralisme* (The Advent of Democracy, II: the Crisis of Liberalism). Paris: Gallimard.
- Geremek, Bronislaw (1994). *Poverty: A History*. tr. by Agnieszka Kolakowska, Oxford: Blackwell.
- Ghazanfar, Shaikh M. (1991). “La science économique scolastique et les savants arabes: Une remise en question de la thèse du ‘Grand Vide’” (The Scholastic Economics and Arab Scholars: Questioning of the Thesis of the “Great Void”), *Diogenes*, 154 Apr.-Jun., pp. 112–135.
- (1995). “History of Economic Thought: The Schumpeterian ‘Great Gap’, The ‘Lost’ Arab-Islamic Legacy, and the Literature Gap”, *Journal of Islamic Studies*, 6(2), pp. 234–253.
- (ed.) (2003). *Medieval Islamic Economic Thought: Filling the Great Gap in European Economics*. London: RoutledgeCurzon.
- Ghazanfar, Shaikh M. and Islahi, Abdul A. (1992). “Explorations in Medieval Arab-Islamic Economic Thought: Some Aspects of Ibn Taimiyah’s Economics”, in S. Todd Lowry (ed.), *Perspectives on the History of Economic Thought: Selected Papers from the History of Economic Thought Conference 1990*. Vermont: Edward Elgar, pp. 45–63.
- Goitein, Shelomo Dov (1966). “Bankers Accounts from the Eleventh Century A.D.”, *Journal of the Economic and Social History of the Orient*, 9(1/2) Nov., pp. 28–66.
- Greif, Avner (1989). “Reputation and Coalitions in Medieval Trade: Evidence on the Maghribi Traders”, *The Journal of Economic History*, 49(4) Dec., pp. 857–882.
- Grunebaum, Gustav Von (1962). *L’islam médiéval: Histoire et civilisation* (Medieval Islam: History and Civilization). tr. by Odile Mayot, Paris: Payot.
- Habermas, Jürgen (1988). *Le discours philosophique de la modernité* (The Philosophical Discourse of Modernity), tr. by Christian Bouchindhomme and Rainer Rochlitz, Paris: Gallimard.
- Hefner, Robert W. and Zaman, Muhammad Qasim (eds.) (2007). *Schooling Islam: The Culture and Politics of Modern Muslim Education*. Princeton: Princeton University Press.
- Hinds, Martin. (1996). *Studies in Early Islamic History*. Princeton: Darwin Press.
- Hodgson, Marshall G. S. (1974). *The Venture of Islam: Conscience and History in a World Civilization*, 3 volumes. Chicago: University of Chicago Press.
- Hosseini, Hamid. (1995). “Understanding the Market Mechanism before Adam Smith: Economic Thought in Medieval Islam”, *History of Political Economy*, 27(3), pp. 539–561.
- Hourani, George F. (1976). “Ghāzalī on the Ethics of Action”, *Journal of the American Oriental Society*, 96(1) Jan.–Mar., pp. 69–88.

- (1985). *Reason and Tradition in Islamic Ethics*, Cambridge: Cambridge University Press.
- Hurgronje, C. Snouck (1957). “Une nouvelle biographie de Mohammed” (A New Biography of Mohammed), *Œuvres choisies de C. Snouck Hurgronje* (Selected Works of C. Snouck Hurgronje), Leiden: Brill, pp. 132–149. (Originally published 1894 in *Revue de l’histoire des religions*, 30, pp. 48–70).
- Izutsu, Toshihiko (1966). *Ethico-Religious Concepts, in the Qur’ān*. Montreal: McGill University Press.
- Johansen, Baber (1996). “Échange commercial et hiérarchies sociales en droit musulman” (Commercial Exchange and Social Hierarchies in Islamic Law), in Hervé Bleuchot (ed.), *Les institutions traditionnelles dans le monde arabe* (The Traditional Institutions in the Arab World). Paris: Karthala, pp. 19–28.
- Khadduri, Majid (1984). *The Islamic Conception of Justice*. Baltimore: Johns Hopkins University Press.
- Krämer, Gudrun (2007). “Justice in Modern Islamic Thought”, in Abbas Amanat and Franck Griffel (eds.), *Shari’a: Islamic Law in the Contemporary Context*. Stanford: Stanford University Press, pp. 20–37.
- Lewis, Bernard (2005). “Freedom and Justice in the Modern Middle East”, *Foreign Affairs*, 84(3) May–June, pp. 36–51.
- Lombard, Maurice (1971). *L’islam dans sa première grandeur: VIIIe-XIe siècle* (The Islam in its first magnitude: 8th-11th century). Paris: Flammarion.
- Lopez, Robert S. (1979). “The Dawn of Medieval Banking”, in Centre for Medieval and Renaissance Studies (ed.), *The Dawn of Modern Banking*. New Haven: Yale University Press, pp. 1–24.
- Mahmassani, Sobhi (1932). *Les idées économiques d’Ibn Khaldoun: Essai historique analytique et critique* (The Economic Ideas of Ibn Khaldoun: Historical, Analytical and Critical Essay). Lyon: Bosc.
- Makdisi, George (1983). *L’islam hanbalisant* (Hanbali Islam). Paris: Geuthner.
- Melchert, Christopher (1997). *The Formation of the Sunni Schools of Law, 9th–10th Centuries C.E.* Leiden: Brill.
- Mervin, Sabrina (2000). *Histoire de l’islam: Fondements et doctrines* (History of Islam: Foundations and Doctrines). Paris: Flammarion.
- Messick, Brinkley M. (1993). *The Calligraphic State: Textual Domination and History in a Muslim Society*. Berkeley: University of California Press.
- Mollat, Michel (1978). *Les pauvres au Moyen Age: Étude sociale* (The Poor in the Middle Ages: Social Study). Paris: Hachette.

- Norel, Philippe (2004). *L'invention du marché: Une histoire économique de la mondialisation* (The Invention of the Market: An Economic History of Globalization). Paris: Le Seuil.
- (2009). *L'histoire économique globale* (The Global Economic History). Paris: Le Seuil.
- Polanyi, Karl (1983). *La Grande Transformation: Aux origines politiques et économiques de notre temps* (The Great Transformation: The Political and Economic Origins of Our Time), tr. by Catherine Malamoud, Paris: Gallimard.
- Postan, Michael M. (1928). "Credit in Medieval Trade", *Economic History Review*, 1(2), pp. 234–261.
- Powers, David S., Massud, Muhammad Khalid and Messick, Brinkley M. (eds.) (1996). *Islamic Legal Interpretation: Muftis and Their Fatwas*. Cambridge: Harvard University Press.
- Roger, Baudoin (2012). *Doctrine sociale de l'Église: Une histoire contemporaine* (Social Doctrine of the Church: A Contemporary History). Paris: Cerf.
- Rosen, Lawrence (1989). *The Anthropology of Justice: Law as Culture in Islamic Society*. Princeton: Princeton University.
- Roy, Olivier (1992). *L'échec de l'islam politique* (The Failure of Political Islam). Paris: Le Seuil.
- Schimmel, Annemarie (1980). *Islam in the Indian Subcontinent*. Leiden: Brill.
- Shaban, Mohamed A. (1970). *The Abbasid Revolution*. Cambridge: Cambridge University Press.
- (1971). *Islamic History, A.D. 600–750 (A.H. 132): A New Interpretation*. Cambridge: Cambridge University Press.
- Spengler, Joseph J. (1964). "Economic Thought of Islam: Ibn Khaldun", *Comparative Studies in Society and History*, 6(3) Apr., pp. 268–306.
- Taguieff, Pierre-André (2004). *Le sens du progrès: Une approche historique et philosophique* (The Meaning of Progress: A Historical and Philosophical Approach). Paris: Flammarion.
- Tönnies, Ferdinand. (1887). *Gemeinschaft und Gesellschaft : Abhandlung des Communismus und des Socialismus als empirischer Kulturformen*. Leipzig: Fues.
- Torrey, Charles C. (1892). *The Commercial-Theological Terms in the Koran*. Leiden: Brill.
- Udovitch, Abraham L. (1975). "Reflections on the Institutions of Credits and Banking in the Medieval Islamic Near East", *Studia Islamica*, 41, pp. 5–21.
- (1979). "Bankers Without Banks: Commerce, Banking, and Society in the Islamic World of the Middle Ages", in The Center for Medieval and Renaissance Studies (ed.), *The Dawn of Modern Banking*. New Haven: Yale University Press, pp. 255–274.
- Udovitch, Abraham L. (1987). "Les échanges de marché dans l'islam médiéval: Théorie du droit et savoir local" (Market Exchanges in Medieval Islam: Theory of Law and Local Knowledge), *Studia Islamica*, 65, pp. 5–30.

Veyne, Paul (1976). *Le Pain et le cirque: Sociologie historique d'un pluralisme politique* (The Bread and the Circus: Historical Sociology of Political Pluralism). Paris: Le Seuil.

Weiss, Bernard G. (1998). *The Spirit of Islamic Law*. Athens: University of Georgia Press.

Zysow, Aron (1984). *The Economics of Certainty: An Introduction to the Typology of Islamic Legal Theory*. PhD, Harvard University.