

An Analysis of The Perspectives of Aristotle And Imam Al Shatibi on Legal Justice

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ABSTRACT

The issue of justice in society still becomes a hot topic of debate among academicians, work practitioners, to laypeople. This research aims to: (1) describe the concept of justice from the perspectives of Aristotle and Imam Al-Shatibi and (2) provide a comparative analysis of the justice concept of Aristotle and Imam Al-Shatibi. This paper employed a qualitative research method which utilized the philosophical and comparative approaches. The results of this research explained that according to Aristotle, justice is the granting of equity rights but not equality. Aristotle differentiates equity rights according to proportional rights. In his perspective, Aristotle divides justice into three types, namely commutative, distributive, and corrective justice. Meanwhile, according to the perspective of Imam Al-Shatibi, the justice concept is part of the *maqashid al shari'a*, which is the objective of religion to bring benefit (*maslahah*) for all humankind. Al Shatibi conceived justice in the *kulliyat al-khamsah* principle with the following priorities, namely maintaining the religion, the soul, the mind, the offspring, and the wealth that are summarized into three levels, namely *dharuriyat*, *hajiyyat*, and *tahsinniyat*. Aristotles and Imam Al-Shatibi have rather fundamental similarities and differences in their thoughts on justice. The similarity lies in their thoughts that justice may be directed to societal justice and creating a society with civilized moral characteristics. Meanwhile, the difference between these two thinkers' perspectives lies in the philosophical approach, justice criteria, and the end objective.

Keywords: Justice; Aristotles; Imam Al-Shatibi.

INTRODUCTION

The issue of justice in society still becomes a topic of debate among academicians, work practitioners, to laypeople. The law made by legislators, the application of policies by the government, and the law enforcement by justice institutions have the same ideal, namely to

achieve justice for society as a whole (Latief, 2013). Lawmakers, law enforcers, and society that become the subject of that law have their own perceptions on justice. In reality, the law that is applied to the Indonesian society is always deemed unjust as it does not side with the weak society which in this case does not have power and wealth (El, K., & Zainal, 2021). Therefore, the law is only just when it sides with those with adequate power and material wealth. On the other hand, most law enforcers regard that the meaning of justice is that which is written in those legal texts, rather than considering what lies behind those texts. Likewise, lawmakers regard that the law they made has fulfilled the principles of justice and has given a guarantee of legal certainty on an issue (Budianto, 2015).

In the end, the issue of the meaning of justice leads to phenomena of injustice that show the perception of justice for many elements in society. In principle, justice means bringing benefits that lead to a society's prosperous life. The problem of this day is that there is still a high rate of poverty, famine, discriminative acts, and criminality in Indonesia. Worse, it is difficult for society to obtain proper jobs due to a lack of opportunities. Such phenomena show that the benefit of a just law is not yet fully present in all layers of society (Nasution, 2016). The legal reality that happens in society is sometimes different from what becomes the ideal of the state. This leads to the existence of a barrier between the law and justice as the essence of law. There is an issue of conflict between legal certainty, legal justice, and legal order that always becomes the main problem in developing a just law. Law enforcement as an instrument to achieve a just legal ideal is faced with a dilemmatic situation between justice, certainty, and order (To'o, 2023).

Justice is the core of all efforts to resolve legal issues and guarantee the enforcement of the law. In general, a person is deemed unjust when he violates the law (unlawful, lawless) or fails to show a fair attitude. On the other hand, a just person is someone that is compliant with the law (law-abiding) and poses a fair attitude. Compliance with the law reflects justice. Thus, all legal formulation processes that are carried out according to the regulation can be deemed a just action. The creation of law aims to bring advancement as well as increase society's welfare. Therefore, all forms of action that support the creation and maintenance of society's happiness can be perceived as just. As one of the elements of social value, justice has an extensive meaning and, in some cases, it may even clash with the law that is also part of the social norm. The standard of justice, as previously described, encompasses an ideal area with a philosophical characteristic which requires a profound reflection to achieve an understanding of its core

meaning. Therefore, justice becomes one of the objects of philosophical analysis, both in the material and formal dimensions (Utama, 2024).

In the philosophical realm, since the start of the Greek philosophical era, the discussion on justice has become a topic that has attracted serious attention. The discourse on justice encompasses various aspects, starting from ethics, philosophy, law, and up to social justice. Some people regard that just or unjust actions often depend on the power and strength that one has; even though this concept seems simple, its application in real life is much more complex. Justice is an element that is inseparable from the legal objective, aside from the aspects of legal certainty and benefit that must become judges' consideration (Sugiarto, 2015).

In the classical era, the idea of justice was rooted in the relationship between human beings and their peers as well as those in their surrounding social environment. Plato, one of the great philosophers of that time, differentiated justice into two contexts, namely the individual and the stately contexts. In the individual context, Plato defines justice as one's action that focuses on doing one's own business and not being a busybody. However, there is a strong relationship between individual justice and stately justice, as the understanding of justice at the individual level must be initiated with an understanding of justice in the stately context. Both individual and stately concepts of justice are based on the principle of harmony. Justice will be achieved when the elements that form society are harmonious, where each element carries out its roles according to its capacities and tasks. Therefore, a leader has the responsibility to distribute work based on the skills and talents of each individual (Adlhiyati & Achmad, 2019).

The thought on justice in the classical era was continued by Aristotle who discussed this concept in some of his works, such as *Nicomachean Ethics*, *Politics*, and *Rhetoric*. *Nicomachean Ethics* specifically contains an in-depth discussion on justice, which, according to Aristotle, is the core of his legal philosophy. He suggests that "The law may only be applied in its relations to justice." One of the important ideas in Aristotle's thought is that justice must be understood within the framework of equality. However, he differentiates between two types of equality, namely numerical equality and proportional equality. Numerical equality treats every individual as one unity, which becomes the basis of the concept that every citizen has an equal position in the face of the law. Meanwhile, proportional equality gives every person what has become his right based on his own capacity or capability (Amin, 2019).

Meanwhile, in the Islamic tradition, justice is understood as Allah's decrees that govern the cosmos or the universe that He created. Justice becomes the basic principle that regulates all laws in the universe. Therefore, violations against justice are the same as violations against the natural law, which in turn will bring impacts in the form of damage to human beings' societal order. Therefore, human beings' every action must be based on the principle of justice to maintain the balance and continuity of humankind's life (Helmi, 2015). The development of the justice concept in Islam obtained special attention from Imam Al Shatibi through the idea of *maqashid al shari'a*. Al Shatibi suggests that Allah's main objective in creating laws is to bring benefit (*maslahah*) or goodness to human life, both in the world and in the hereafter. Therefore, every Islamic law must be directed to realize and support the creation of that benefit. The main doctrine of *maqashid al shari'a* is *maslahah*, namely the welfare and goodness of humankind in the world and in the hereafter. Therefore, Al Shatibi emphasizes the importance of justice in Islamic law which aims to fulfill the basic need (*dharuriyyat*), the additional need (*hajiyyat*), and the complementary need (*tahsinniyat*), so that all parties can feel *maslahah* (Iqbal, Arfa, & Waqqosh, 2023).

From the description of the two concepts of justice above, it can be seen that both Aristotle and Imam Al Shatibi have different perspectives in defining the concept of legal justice. As a Greek philosopher, Aristotle grew and developed in a very strong logos tradition. He grew up in the condition where the Greeks at that time had highly chaotic social conditions. Meanwhile, Al Shatibi developed a justice concept based on God's revelations and human beings' orientation as creations of God, where if God's orders are fulfilled, justice will be fulfilled. Even so, in sensing justice, these two thinkers have different departing points. Both have the same goals in applying the legal concept, namely to create a beneficial and prosperous society and the absence of unjust practices that bring suffering and oppression to society.

These two justice concepts in the classical era, both from Aristotle and Imam Al Shatibi become interesting to be philosophically analyzed due to their fundamental differences in the concept of justice, where one concept originates from society's factuality, while the other is sourced from and is oriented to divinity. Based on the background above, the problems of this research are: (1) What are Aristotle and Al Shatibi's perspectives on the concept of justice? and (2) What is the comparative analysis between Aristotle and Al Shatibi's perspectives on the concept of justice?

RESEARCH METHOD

This research employed the qualitative research method which utilized the philosophical and comparative approaches. This research aims to discover an in-depth understanding of the philosophical meaning of the justice concept of Aristotle and Imam Al Shatibi. Using the comparative approach, this research compares two justice concepts from Aristotle and Imam Al Shatibi by discovering the similarities and differences between them. Further, this research collected data using the literary review or library research method.

RESULTS & DISCUSSION

Aristotle's Justice Theory

Aristotle (384–322 B.C.) was an ancient Greek philosopher and scientist who greatly influenced the history of Western thought. He was born in Stagira, a city in North Greece. His father, Nicomachus, was a palace doctor, which probably influenced Aristotle's interest in natural science. At 17 or 18 years old, Aristotle participated in the Plato Academy in Athens, where he studied for 20 years. After Plato's death, Aristotle left Athens and then became a teacher of Alexander the Great at the request of King Philip II from Macedonia (Bertens, 1999).

Aristotle founded his own school, Lyceum, in Athens where he developed copious important works in various fields such as logic, metaphysics, ethics, politics, as well as natural science. Some of his important works include "Nicomachean Ethics," "Politics," and "Metaphysics". Aristotle's influence was very extensive and long-lasting, influencing scientific and philosophical thoughts in the Middle Ages and beyond. He is often deemed "The Father of Science" due to his great contribution to various scientific disciplines (Schmandt, 2005).

In general, the English word *justice* originates from the Latin word *iustitia*. The word *justice* contains three different meanings, namely: (1) as an attribute, it means a just or fair quality (with the synonym of justness), (2) as an action, it means the action of implementing the law or actions that determine rights and rewards or punishments (with the synonym of judicature), and (3) people, namely public officials who have the right to determine requirements before a case is brought to court (with the synonyms of judge, jurist, and magistrate) (Zulkarnain, 2018). According to Aristotle in his works "*Nicomachean Ethics*", "*Politics*", and "*Rhetoric*", justice is the granting of equity rights but not equality. Aristotle

differentiates equity rights according to proportional rights. Equity rights perceive humans as the same unit or receptacle. This is what can be understood that every person or citizen has the same position in the face of law. Proportional equity gives every person what becomes his right according to the capabilities and achievements he has gained.

Aristotle also regards that justice is a part of virtue. Because in essence, the law is made to guarantee society's happiness, justice may only exist when people comply with it. In other words, just actions are carried out in the interest of society. When happiness is achieved for oneself or other people, justice can be enforced. Aristotle refers to justice as virtue or a comprehensive priority and perfection in the context of the relationship between human beings (Zulkarnain, 2018). This understanding emerged as justice does not only bring benefits to oneself but may also be applied in an interaction with other individuals to spread benefits to other people. The value of this virtue must be carried out with appreciation as an attitude of life as well as the behavior of every person in forming virtuous behavior in society (Adlhiyati & Achmad, 2020).

For Aristotle, the priority of justice is compliance with the law (the polis law at that time, both written and unwritten). In other words, justice is a virtue and it has general characteristics. Theo Huijbers explains that apart from the general virtue, according to Aristotle, justice is also a priority of special morals that are related to human beings' attitudes in certain fields, namely determining the relationship among people and balance between two parties. The measure of this balance is proportional and numeric equity. This is because Aristotle understands justice in the definition of equity. In numeric equity, every person is equated in one unit. For instance, every person has the same position in the face of law. Then, proportional equity is giving every person what becomes his rights according to his capabilities and achievements (Keladu, 2023).

According to Aristotle, justice is divided into three types, namely commutative justice, distributive justice, and corrective justice. In essence, these three types of justice are a technique on the principle that regulates legal application. In regulating legal relationships, a common standard must be found to improve every impact of every action without considering the status of the perpetrator, and the objective of that behavior must be measured using certain objective measurements.

a. Commutative Justice

According to Aristotle, commutative justice is a type of justice that focuses on the relationship between individuals, especially in transactions. The main principle of commutative justice is equality and fairness in transactions, where one party must obtain something that is equal to what he has given. In this context, commutative justice does not consider the contribution or social status of individuals, rather it has greater consideration for the same and just treatment in every transaction (Saputro, 2023).

For instance, when a person buys an item, the price that must be paid must be equal to the value of that item. Also, when a person commits an error, the punishment given must be equal to the committed error. Aristotle emphasizes that commutative justice regards maintaining balance and equality in inter-individual relationships; thus, no party is harmed or unjustly makes profits.

b. Distributive Justice

Aristotle suggests that distributive justice is a justice concept that is related to the proportional division of resources and wealth in society. Aristotle opines that distributive justice must consider individuals' contributions to society. In other words, just division does not mean equal to all people, but it must be proportional to the contribution given by each individual (Faiz, 2009). Distributive justice is a type of justice that is determined by lawmakers and is based on the idea of proportional equality whose distribution encompasses services, rights, and virtue for society. Aristotle emphasizes that in this justice; every person must be given his rights in a proportional manner to create balance and harmony in society.

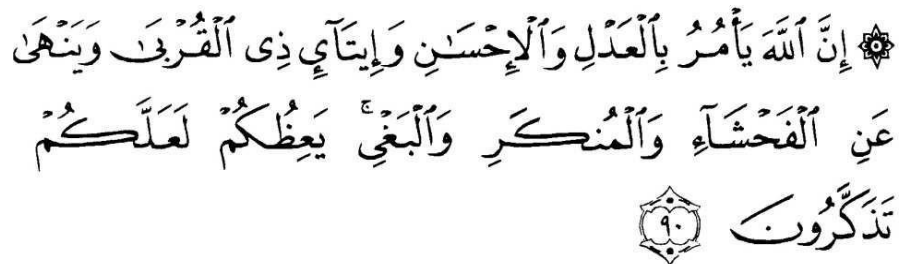
c. Corrective Justice

According to Aristotle, corrective justice is a type of justice that focuses on the fulfillment of balance after injustice has occurred. Its main principle is proportionality, namely the imposition of sanctions or the granting of compensations that are equal to the violation committed. It fixes or returns the condition before the injustice happens; thus, corrective justice balances imbalance. Therefore, the idea of "corrective justice" may be applied and punishments may compensate error; restitution will compensate the harm that occurred as an impact of a breach of promise; and economic losses or damage may be recovered through profitable actions (Dwisvimiar, 2011).

Islam's Perspective on the Concept of Justice

In Islamic teachings, justice becomes one of the main principles that must highly be upheld. Allah has a characteristic as The Most Just (*al- 'Adlu*), which becomes a model for His servants. For many people, social justice is a noble ideal. Even, many countries expressively state that the aim of its establishment is to uphold justice as part of its main foundation. Islam orders its people to enforce justice, as justice becomes a facility for every individual to enjoy their rights as human beings (Rini, 2021). This encompasses the fulfillment of basic needs such as the protection of the religion, the mind, the body, the dignity, the soul, and the wealth, as well as the continuity of offsprings or descendants. To guarantee the manifestation of this, justice (*al- 'adl*) must be enforced in every aspect of society's life (Almubarak, 2018).

The Holy Qur'an has various definitions for the term related to justice. Even, the term that is used to describe the aspect or perspective of justice does not always originate from the root word '*adl*'. The Qur'an also utilized synonymous words such as *qisth*, *hukm*, etc. to describe the meaning of justice in various contexts (Saputra, 2012).



Translation:

"Indeed, Allah commands justice, grace, as well as generosity to close relatives. He forbids indecency, wickedness, and aggression. He instructs you so perhaps you will be mindful" (The Qur'an, Chapter An-Nahl (The Bee): 90).

This verse explains that the concept of justice in the Qur'an that originates from the root word '*adl*' encompasses the meaning of justice, the attitude of non-partiality, the protection of individual rights, and the right approach in making decisions. Therefore, when a person makes a decision or imposes a punishment, it must be based on the principle of justice. As a whole, various definitions that are related to the word '*adl*' shows the forms of justice that are hoped for in life. The direct relationship between the word '*adl*' and this insight into justice shows the

importance of the value of justice in the Qur'an. Apart from that, other verses in the Qur'an also declare the importance of the justice principle as delivered in Allah's words below:

يَا أَيُّهَا الَّذِينَ ءَامَنُوا كُونُوا قَوَّامِينَ لِلّٰهِ شُهَدَاءَ بِالْقِسْطِ وَلَا
يَجْرِمَنَّكُمْ شَنَاٰنُ قَوْمٍ عَلٰٓى اَلَّا تَعْدِلُوْا اَعْدِلُوْا هُوَ
اَقْرَبُ لِلتَّقْوٰى وَاتَّقُوا اللّٰهَ اِنَّ اللّٰهَ خَبِيْرٌۢ بِمَا
تَعْمَلُوْنَ

Translation:

"O believers! Stand firm for Allah and bear true testimony. Do not let the hatred of a people lead you to injustice. Be just! That is closer to righteousness. And be mindful of Allah. Surely Allah is All-Aware of what you do." (The Qur'an, Chapter Al-Maidah (the Feast): 8)

The above verse describes that the justice described in the Qur'an has a direct relationship with the efforts to increase the welfare and living standard of society, especially for those in a vulnerable position or those who need help. Helping vulnerable groups such as orphans, the poor, widows, pregnant women, newly divorced people, as well as relatives (*dzawil qurba*) that are part of the real application of justice. The concrete manifestation of this justice encompasses two main orientations: (1) justice that has a caritative characteristic, i.e., giving direct help to those who need it and (2) justice that is directed to social transformation with the aim of creating structural changes in society. Therefore, the concept of justice in the Qur'an not only has an individual characteristic but also has a role in building a more just social order (Hariyanto, 2014).

The Concept of Justice According to Imam Al Shatibi's *Maqashid al Shari'a*

Imam Al Shatibi, whose full name was Abu Ishaq Ibrahim ibn Musa ibn Muhammad al-Lakhmi Al Shatibi, was known to originate from the al-Lakhmi Arab tribe. He developed his intellectual capacity by studying various fields, such as Arabic, the science of Hadith, philosophy, and theology, as well as other sciences that are categorized into branches of Islamic knowledge. Apart from that, he also studied astronomy, logic (*mantik*), the art of debate, and literature. In the field of science of *usul fiqh* (the principles and methodology utilized to derive

Islamic legal regulations from their primary sources), Al Shatibi obtained knowledge from Abu Abdillah ibn Ahmad al-Miqarni, a diplomat sent by Sultan Bani Marin to Granada (Rahmawati & Budiman, 2018).

Al Shatibi deepened his understanding of various knowledge disciplines through the guidance of various teachers who are experts in these fields. According to Abu Ja'far, Al Shatibi had 255 teachers from various branches of knowledge, including some Islamic scholars who had expertise in *fiqh* (a study on the implementation of Islamic laws) and *usul fiqh*. Al Shatibi's knowledge is undoubtedly established, especially through his monumental work, *Al-Muwafaqat*, which gives a great contribution to the thoughts in Islamic legal philosophy. As an Islamic scholar from the Maliki school of thought, Al Shatibi focused his attention on the importance of sharia's goals (*maqashid al shari'a*) as the main consideration in the process of *ijtihad* (independent thought in making judicial decisions) (Mubarak & Asy-Syahsiyyah, 1989).

As an intellectual Muslim, Al Shatibi explained the justice concept within the *maqashid al shari'a* framework, which is the objective of religion to achieve *maslahah* (benefit) for all humankind. The term *maqashid al shari'a* etymologically comprises two words, namely *maqashid* and *al-shari'a*. The word *maqashid* is the plural form of *maqshid*, which means intention or goal. Meanwhile, *shari'a* is linguistically defined as "the road to a water spring" which also means the road to the main source of life (Mutakin, 2017).

According to Al Shatibi as expressed in one of his statements, "In essence, the sharia aims to achieve *maslahah* (benefit) for all humankind both in the affairs of the world and the Hereafter." In another one of his statements, he said, "Laws are enacted for the benefit of the servants (humans) and religion." From this perspective, it can be concluded that the core of *maqashid al shari'a* or the aim of Islamic law is the benefit of humankind. All obligations (*taklif*) in Islam, according to Al Shatibi, are designed to realize benefit for humankind. He stated that Allah does not make an aimless law. Further, he opined that law without goal is the same as giving an inapplicable burden (*taklif ma la yutaq*) (Irwan, 2021).

Al Shatibi's *maqashid al shari'a* doctrine was strengthened by Khalid Mas'ud. He stated that placing *maslahah* as the main element of the legal goal is a crucial step. Therefore, it is no wonder that B. Hallaq commented that Al Shatibi's *maqashid al shari'a* doctrine emphasized the relationship between the essence of God's law and the aspiration of human law. Through an analysis of *maqashid al shari'a*, the *maslahah* concept is not only understood as mere technical definitions but also in the context of legal development and dynamics. *Maslahah* is perceived

as an aspect that contains philosophical values from the laws that Allah enacted for human beings (Mansyur, 2020).

Imam Al Shatibi's thought conceived justice in the *Kulliyat al-Khamsah* framework, namely five basic principles that are included in *maqashid al shari'a*. These five principles have an equal and interrelated role. Al Shatibi arranged these five elements in the following order: the maintenance of the religion, the soul, the mind, the offspring, and the wealth (Kurniawan & Hudafi, 2021). *Kulliyat al-Khamsah* refers to the five main principles that become part of *maqashid al shari'a*. These five principles have an equal position and interrelated roles. Al Shatibi arranged these principles based on priority, starting from the maintenance of the religion, the soul, the mind, offsprings, and the wealth. These five elements are divided into three levels as follows: (Masriani, 2023)

- a. *Dharuriyat* is *maslahah* that has an urgent or fundamental characteristic, where human life is highly dependent on a certain thing, both in the aspect of the world and the hereafter. An example of *dharuriyat* is the implementation of all obligations imposed by religion.
- b. *Hajiyat* is a secondary *maslahah* which aims to ease the fulfillment of humans' life needs as well as decrease the difficulties and pressures in life.
- c. *Tahsiniyat* refers to complementary things that do not affect human life much in case they are not achieved. They only have the role of complementors or enhancers that will make human life better and more enjoyable. Imam Al Shatibi uses the *Dharuriyat*, *Hajiyat*, and *Tahsiniyat* levels as a measure in determining the five main elements of *maqashid al shari'a*.

If further analyzed, according to Imam Al Shatibi, the justice concept in *maqashid al shari'a* essentially reflects the spirit of morality. As the foundation of morality, legal justice is rooted in the awareness of God the Most Just. According to Al Shatibi's perspective, moral and legal values are divided into two main principles, namely justice and injustice (*zalim*). Thus, all sharia teachings (Islamic law) comprehensively focus on the principle of legal justice. Basically, the terms Al Shatibi use to describe legal justice, such as *al-haq* (truth), *al-amânah* (trust), and *al-'adl* (justice), are terms that are understood as antonyms of injustice (*al-zulm*). Even though Asy-Syatibi is known as a rationalist in his thoughts, he always refers to the Qur'an as the main

source before considering other sources. According to Al Shatibi, the measure of justice is truth; thus, legal justice has a great implication on moral responsibility. One of the forms of moral responsibility is making sure that every individual is equally treated in the face of the law (Nur, 2023).

Al Shatibi's concept of legal justice is then divided into three parts. First, *maslahah*, which is the fundamental concept and center of Al Shatibi's legal thought. Al Shatibi fundamentally makes *maslahah* Allah's aim as the Creator of the sharia (*qasd al-syâri'*). Juridically, Al Shatibi opines that Allah enacts the sharia to bring benefit for humankind, both in the world and in the Hereafter. Second, *tahsil*, which is the method to understand the meaning or the aim of a law's enactment. *Tahsil* is part of Al Shatibi's *ijtihad*. He suggests that to understand Allah's goal in enacting the sharia, there is a need for holistic, systematic, comprehensive, and methodological thought. According to Al Shatibi, this is called the *tahsil* method. Third, '*adam al-kharaj*' is a legal principle that is commonly held by the majority of Islamic scholars from the Maliki school of thought. This principle explains the importance of simplifying issues, as differences in human life are a normal thing. Likewise, in the case of differing perspectives of law, disputes, or differing opinions, for the Maliki school of thought, the resolution is made by choosing the strongest opinion.

A Comparative Analysis of Aristotle and Al Shatibi's Justice Theories

Justice is a universal concept that becomes the foundation of a harmonious social order. The two great figures discussed above, namely Aristotle from the Greek philosophy tradition and Al Shatibi from the Islamic tradition, provided different but relevant perspectives on understanding justice. The different historical, cultural, and epistemological contexts of these two figures make their justice theories complement each other. Differences in the justice concept between the two can be perceived by analyzing their objectives, philosophical aspects, and justice criteria.

Aristotle perceives justice as an integral part of virtue, as the law is designed to guarantee society's happiness. Justice may only be achieved when individuals comply with those laws. In other words, fair actions are carried out for common interests. When happiness can be felt both individually and collectively, justice may be created. Aristotle describes justice as a comprehensive virtue and a form of perfection in the inter-human relationship. This perspective emerges as justice does not only bring benefits to the individual himself but it may also be

applied in the social relationship to share benefits with other people. Virtue must be embraced as a life value that forms noble behaviors in society. Therefore, justice must be manifested through individual behaviors and attitudes in developing a harmonious societal life.

Meanwhile, from the perspective of Imam Al Shatibi, he emphasizes that justice in *maqashid al shari'a* reflects a deep moral spirit. As a moral foundation, legal justice is rooted in the awareness that God is the Most Just. In Al Shatibi's perspective, moral and legal values are divided into two fundamental principles: justice and injustice (*zalim*). Therefore, all teachings of the sharia (the Islamic law) are comprehensively directed to enforce the legal justice principle. The terms that Al Shatibi use to describe legal justice, such as *al-haq* (truth), *al-amânah* (trust), and *al-'adl* (justice), are terms that illustrate the essence of justice. These three terms are understood as antonyms of injustice (*al-zulm*), which illustrate actions that violate the principle of justice. Therefore, justice in *maqashid al shari'a* becomes the main foundation for the application of law that reflects the moral and noble values of human life.

An analysis of the two justice concepts from the perspectives of Aristotle and Al Shatibi is shown in the table below:

Table 1. Similarities in the Perspectives of Aristotle and Al Shatibi on Justice

Similarities	
Category	Aristotle and Imam Al Shatibi
Societal Welfare	These two thinkers emphasize the importance of justice in achieving societal welfare. Aristotle and Imam Al Shatibi both perceive that justice is the key to creating a harmonious and prosperous society.
Justice as a Moral Principle	Both Aristotle and Imam Al Shatibi perceive justice as a moral principle that must be followed by individuals and the government in managing societal and economic life.

Apart from having fundamental similarities in their perspectives on societal welfare and justice as a moral principle, Aristotle and Imam Al Shatibi have rather fundamental differences in perceiving the concept of justice as shown in the table below:

Table 2. Differences in the Perspectives of Aristotle and Al Shatibi on Justice

Differences		
Category	Aristotle	Imam Al Shatibi
Philosophical Approach	According to Aristotle, justice tends to have secular and rational characteristics, focusing on proportional distribution based on individuals' contributions to society. He differentiates between distributive justice (wealth and resource distribution) and retributive justice (punishment and compensation).	According to Al Shatibi, justice rather has religious and normative characteristics, rooted in Islamic sharia principles. He emphasizes the importance of <i>maqashid al shari'a</i> (the goals of sharia) in achieving justice, which encompasses the protection of religion, the soul, the mind, offsprings, and wealth.
Justice Criteria	According to Aristotle, distributive justice is based on meritocracy, where individuals obtain just portions according to their efforts and contributions.	Justice according to Al Shatibi tends to emphasize balance and needs, where the distribution of resources must guarantee the welfare of all societal members, especially the weak and the poor.
End Goal	The end goal of justice is achieving individual and communal eudaimonia (happiness and welfare) through a virtuous life.	The end goal of justice is to please Allah and achieve the welfare of humankind based on sharia principles.

Therefore, both Aristotle and Al Shatibi have fundamental similarities and differences in their perspectives on justice. The similarities in the justice concepts of Aristotle and Al Shatibi are placed on the hope that justice may be directed to achieve societal welfare and create

society's moral characteristic that is civilized. Meanwhile, their differences lie in their philosophical approaches, justice criteria, and end goals.

CONCLUSION

The issue of justice in the society still becomes a topic of debate among academicians, work practitioners, to laypeople. The law made by legislators, the application of policies by the government, and the law enforcement by justice institutions have the same ideal, namely to achieve justice for society as a whole. According to Aristotle in his works "Nicomachean Ethics", "Politics", and "Rhetoric", justice is the granting of equity rights but not equality. Aristotle differentiates equity rights according to proportional rights. Aristotle divides justice into three types, namely commutative, distributive, and corrective justice. Meanwhile, according to the perspective of Imam Al-Shatibi, the justice concept is part of the *maqashid al shari'a*, which is the objective of the Islamic religion to bring benefit (*maslahah*) for all humankind. Al Shatibi conceived justice in the *kulliyat al-khamsah* framework, namely five basic principles that are included in *maqashid al shari'a*. These five principles have an equal and interrelated role with the following priorities, namely maintaining the religion, the soul, the mind, the offspring, and the wealth which are summarized into three levels, namely *dharuriyat*, *hajiyyat*, and *tahsinniyat*.

The perspectives of Aristotle and Imam Al Shatibi have an important role in describing the concept and meaning of justice to be applied in the context of society and the state to achieve just and dignified law enforcement. Even though the two have philosophical differences, where Aristotle's justice concept is much more secular and rational, seeing the factual condition in society in its application, while Al Shatibi's justice concept is transcendent, normative, and depends on revelations to protect the religion, the soul, the mind, the offspring, and the wealth, both equally desire that the result of justice is to create societal welfare and form society's moral characteristic that is civilized. Therefore, the true justice to enforce the law in the context of the Indonesian national law today should ideally be oriented on welfare and the formation of society's moral characteristic that is civilized. Justice in law enforcement should ideally not orient towards justice that is written in legal regulation texts, but it must be out of the box by seeing the outside factors, including sociological, political, and economic ones to see various perspectives to achieve true justice for society.

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