

و انزلنا معهم الكتاب و الميزان ليقوم الناس بالقسط  
 لقد ارسلنا رسلنا بالبينات

# Justice

## a pre-requisite for peace

by Sayyid Muhammad Rizvi

This is an edited version of the speech given in presence of a multi-religious audience at Milādun Nabi organized by the Islamic Days Celebration Committee of Toronto at the Jaffari Islamic Center on September 11, 1993



### Justice as an Aim of Prophetic Mission

Justice is the most noble as well as the most important idea in the realm of this universe. Since we have gathered here to celebrate the birth anniversary of Muhammad (s.a.w.), the last Prophet, the greatest Messenger of God, and the one who has been placed first in the list of 100 most influential persons in human history, I think it would be most appropriate to show the importance of justice by explaining the very purpose for which the prophets and messengers of God were sent to this earth.

Almighty God, in the holy Qur'ān, has very clearly explained in general terms the reasons for which He sent various messengers and prophets to human society: to guide human beings to the path of salvation. However, in some verses, God has explained some reasons in more detail. For example, He says:

*Certainly We have sent Our messengers with clear guidance; and We sent down with them the Book and the scale so that mankind may conduct themselves with justice. (57:25)*

To establish justice in society was one of the main objectives of all prophets and messengers of God: Moses, Jesus and Muhammad (peace be upon them all). Why is justice so noble a cause that God sent prophets to establish justice in society?

The answer is very simple: all human beings wish to see peace in their society and in the whole world. But peace cannot be achieved in vacuum. It is inter-twined with justice. To have peace, justice must become the foundation of our social system; otherwise, we cannot achieve a durable peace. And 'justice' means putting everything in its rightful place; it means balancing things in the proper order; it means creating harmony. If one starts putting things in the wrong places, then he disrupts the social harmony and disturbs peace.



Islam and Prophet Muhammad (s.a.w.) promoted peace on two levels: spiritual level (peace within one's self) as well as the social level (peace with others).

### On the Spiritual Level

Before we embark on peace in society, we have to first achieve peace within ourselves. And since peace without justice is not possible, we have to maintain justice within ourselves. How do we maintain justice within ourselves?

God has created various emotions in us. All our emotions are classified in the moral philosophy of Islam into two groups: desire and anger.

Human beings share these emotions (desire and anger) with animals. What separates us from the animals is that God has bestowed upon us another spiritual faculty known as the power of reasoning, reason or intellect. In Arabic, reason is called *'aql* which literally means a tie, a restraint. You may also call it soul or conscience.

In order to have peace with yourself, you need to create harmony and balance between your emotions and your conscience. In other words, you have to maintain justice between your emotions and your conscience.

Creating peace within one's self means creating harmony between our emotions and our power of reasoning. Anger and desire are both essential for safety of mankind and continuity of human race. But they must remain on a middle course; they should neither be unnecessarily crushed nor should they be left unfettered. This can be done only when desire and anger both are under the complete control of reason. This medium path is the justice which must be maintained within ourselves in order to achieve peace.

This process of building your spiritual world on the basis of justice is known in the words of the Prophet Muhammad (s.a.w.) as the **major jihād**. Once, when the Muslim army came back to Medina from its mission, the Prophet of Islam greeted the soldiers by saying:

"Welcome to the people who have performed the minor jihād, and have yet to go through a major jihād."

The people asked, "O Messenger of God! What is the major jihād?"

The Prophet said, "The spiritual jihād." (See, *Wasā'ilu 'sh-Shi'ah*, vol. 11, p. 122)

This spiritual jihād is not an easy jihād. One has to gain control over his strongest emotions, and live by his pure conscience even if it means testifying against himself. The message brought by the Prophet Muhammad (s.a.w.) on the issue of justice is very well portrayed in chapter 4, verse 135 of the Qur'an:

*O you who believe! Be maintainers of justice [and] bearers of witness for [the sake of] Allah; even if it is against yourselves or [your] parents and kinsmen; [it should not make any difference for you] whether the person [for or against whom you are testifying] is rich or poor; Allah is closest to them both. So do not follow your desire lest you swerve.*

It is unfortunate that the modern world does not look at the issue of jihād in its full perspective: there are two types of *jihād*—major and minor; the minor *jihād* is commonly known

as the holy war, whereas the major *jihād* is a spiritual struggle between your soul and your emotions.

The Muslims are portrayed by the western media as the people who are blood-thirsty and warmongers. I do not claim that all Muslims are perfect. But it hurts when we see that people shedding blood of others in name of their religion are just mentioned by their ethnic names but when it comes to the Muslims, they are mentioned by their religious affiliation. We never hear the western media using the words like "Catholic terrorists" for the IRA or the Croatians; or "Orthodox Christian terrorists" for the Serbs. I do not say that these religions or sects promote terrorism but neither does Islam. I just want to point out the double standard in reporting about the Muslims and the others.

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**On Social Level**

After achieving peace with yourself, you can strive for justice and peace in human society starting from the smallest circle of family and expanding to the entire humanity. There are many examples in Islamic teachings which constantly remind us of the importance of justice: between spouses; between immediate family members and other relations of yours; in food and drink; in charity and prayers; in the society at large. We also emphasize the quality of justice in God, the prophets, the Imams; also in judges, mujtahids, prayer-leaders and witnesses. The Prophet said, "Spend-ing an hour in establishing justice is worthier than seventy years of prayers in which one stood for night-vigils and fasted by the day-time."

But today, we will limit ourselves to some ex-amples from the Qur'ân about maintaining justice even when a Muslim deals with a non-Muslim or an enemy.

**1. With enemies:**

Islam, the message of God brought to us by Prophet Muhammad, even emphasized on maintaining justice in dealing with enemies. "O you who believe! Be maintainers of justice [and bearer of] witness for Allah. Let not hatred of a people incite you not to be just; be just—this is nearer to piety. And fear Allah surely Allah is aware of what you do." (5:8)

The first battle between the Muslims and the idol-worshippers of Mecca is known as the Battle of Badr which took place in the 2nd year of the hijrah. The Muslim forces, in spite of lacking in numbers as well as equipments, defeated the Meccans and took seventy prisoners.

Prophet Muhammad (s.a.w.) said those POWs who belong to affluent families, will be freed upon payment of a specified ransom; those who could not afford the ransom and were illiterate could go free; but those who were literate could go free only after they teach ten Muslim children how to read and write.

Apart from these marvellous and humane con-ditions for the release of the POWs, the treatment

given to them in captivity was unprecedented in human history. According to a Western critic of Islamic history, Muir, "In pursuance of Mahomet's commands, the citizens of Medina and such of the refugees as possessed houses received the prisoners and treated them with much consideration. 'Blessings be on the men of Medina', said one of these prisoners in later days, 'they made us ride, while they themselves walked, they gave us wheaten bread to eat when there was little of it; contenting themselves with dates'."

This was 1400 years ago; long, long before the Geneva convention came about.

**2. With non-Muslims:**

Justice is a universal principle which must be maintained by Muslims everywhere and with ev-eryone. For example, Allah says:

*As for those who have not made war against you on account of [your] religion and have not driven you out of your homes, God does not forbid you that you show them kindness and deal with them justly; surely God loves those who maintain justice. (60:8)*

A clear example of this teach-ing can be found in the historical agreement made by the Prophet Muhammad (s.a.w.) with the Jews living under the protection of Is-lam in Medina.

Another example of upholding justice can be seen in the life of Imam `Ali bin Abi Tâlib (a.s.) who had been raised and trained by the Prophet of Islam. `Ali's character actually is a reflection of the character of the Prophet of Islam. `Ali had lost a coat-of-mail in the battle-field of Siffin; it was picked up by a Christian who wore it on himself. Imam `Ali, who was also the ruler of the Muslim world at that time, recognized his coat-of-mail and took the Christian to the judge of the city and lodged a claim against him.

The judge questioned the Christian who pleaded 'not guilty' to the charge made against him by Imam `Ali. He also said, "My possession of it is a sufficient proof of my ownership." The

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judge asked `Ali to produce a witness. Imam brought his son Hasan; but the judge refused to accept his testimony saying that he was very closely related to the plaintiff.

The judge decided in favour of the Christian. But the Christian was so much over-come by the sense of justice shown by `Ali, the ruler of the Muslim world, that he came to him, confessed that the coat-of-mail was his and also became a Muslim.

### 3. With a Murderer:

One of the burning issues of our time is the capital punishment. We have extreme views on this issue: (a) liberal, humanists want the capital punishment to be abolished for good; (b) law-enforcement agencies and the families victims want the capital punishment to be enforced.

Interestingly, both these extreme views are based on the Judae-Christian culture of the West. One view is from Judaism and the other view is from Christianity.

The Old Testament says: "And if mischief follow, then thou shalt give life for life, eye for eye, tooth for tooth, hand for hand, foot for foot, fire for fire, wound for wound, stripe for stripe." (Exodus 21:23-25)

This view of Judaism is promoting the principle of justice.

The New Testament says: "You have heard that it has been said, 'an eye for an eye, a tooth for a tooth,' but I say unto you that you resist not evil; but whosoever shall smite thee on thy right cheek, turn to him the other also." (Matthew 5:38-39)

This view of Christianity is promoting the principle of mercy.

How do you reconcile the demand of these two principles of justice and mercy — both are equally important. There is, however, one big difference between the two which has been ignored by the western legal system: while justice can be demanded and legislated, mercy cannot be forced or made into a law. You can always plead for mercy but you can never demand mercy.

Islam, the youngest of the three well-known revealed religions of the world, takes a balanced look at the issue of capital punishment and has beautifully accommodated both the principles of justice and mercy in its system. It has taken the difference between the two principles into consideration and, therefore, it talks about the capital punishment on two different levels: legal and moral. On the legal level, Islam has sanctioned the principle of justice by giving the right of retaliation to the victim or the victim's family (in case of murder). But, immediately, the Qur'anic verse moves on to the moral level and strongly recommends the victim (or victim's family) to forgo his right of retaliation and either to forgive the criminal or to settle for a monetary compensation. This issue has been clearly mentioned in the Qur'an:

*In it [i.e., the Torah], We wrote to them: "A life for a life, an eye for an eye, a nose for a nose, an ear for an ear, a tooth for a tooth, and there is retaliation for wounds." But [before you act according to your right, remember that] whosoever forgoes [his right of retaliation], it shall be an expiation for him [against his own sins]. (5:45)*

Thus the teachings brought by Prophet Muhammad (s.a.w.) has very beautifully provided the legal safeguard for human life on the social level and also encouraged mercy from a moral point of view on the individual level.<sup>1</sup>

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Although Prophet Muhammad (s.a.w.) came 1400 years ago, his teachings can still provide a solution for the human problems of our time, both for the Muslims as well as non-Muslims. You do not have to be a Muslim to appreciate or benefit from the teachings of Islam. After all, Muhammad was 'a mercy for the universe.' Let me end with a passage from Le Martin, a 19th century French historian:

"If greatness of purpose, smallness of means, and astounding results are the true criteria of human genius, who could dare to compare any great man in modern history with Muhammad?"

1. I first expounded on this theory in my *An Introduction to the Islamic Shari'ah* published in 1992.