

The Universality and Scope of Justice in Islam

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Abstract:

Definition of justice and its scope is something about what legal and political philosophers could never reach a unified position throughout a history. In these days, many in the West are trying to present Islam and its law and justice as something utterly uncivilized, unjust, cruel, and outdated and of no use in modern world. Positivist's concept of justice that prevails in the world today, mostly based on temporary secular-materialistic values, is in most of the cases opposed to the eternal principles and rules laid down by God Almighty. Justice according to the early proponents of Natural law, if not based on the universal values in itself is not justice, and as such is doomed to failure. Today we are witnessing the kind of global justice that threatens even to destroy humanity. The present article is an effort to find out the most suitable definition of justice according to the Islamic law, and present the concept of universality and scope of justice in Islam in a way to show the absolute God's principles and values are unchangeable and everlasting, and only rightful solution to be followed today.

1.1 The Meaning of Justice in Islam

At the beginning of this article, it will be necessary first to present and analyze some of the earliest definition of justice known to us. With regard to a literal meaning of justice, the most common word used in an Arabic language for a justice is *Al-Adl*¹, which literally may have a several meanings, like justice, fairness, equality, impartiality, etc. Majid Khadduri in his book *The Islamic Concept of Justice* says that,

Literally, the word 'adl is an abstract noun, derived, derived from the verb 'adala, which means: First, to straighten or to sit straight, to amend or modify; second, to run away, depart or deflect from one (wrong) path to the other (right) one; third, to be equal or equivalent, to be equal or match, or to equalize; fourth, to balance or counter-balance, to weight, or to be in a state of equilibrium. Finally, 'adl (or 'idl) may also mean

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example or alike (Q. V, 96), literal expression which is indirectly related to justice...²

In the Holy Qur'ān, there are several words which in one way or the other talking about justice. Each of these words again may have also several meanings. "*Adl* and *Qisṭ* can be used to speak of justice as equitable action but justice can also be defined as correct or truthful action, in which case *sidq* or *haqq* may be used. Metaphors such as the balance (*mīzān*), inheritance shares (*asīb*) and even brotherhood can describe the underlying principles of justice."³

Regarding to the technical meaning of justice, among the earliest definition and one which looks as the most comprehensive was the one given by Imām 'Alī ibn Talib (may Allah be pleased with him). To be just according to this definition can only be one who has full knowledge of God's rights and duties, and ability and reediness to implement the same. This definition completely denies any arbitrariness of a man, asking him for full obedience and submission to the Will of Almighty Allah. Reza Shah-Kazemi in his book *Justice and Remembrance*, introducing the Spirituality of Imam, mentioned this definition according to which Imām 'Alī ibn Talib said following,

This duty to give what is due to each and every being relates to the most explicit definition of justice given by Imam: 'Justice puts everything in its right place.' One is 'just' insofar as one gives everything its proper due, renders the *haqq* due to each person, indeed to each and every thing in existence; and the ability to be 'just' in this demanding and universal manner is enhanced in the measure that one is attuned to *al-Haqq*, the Real.⁴

The next technical definition originate from the time of Caliph Umar ibn Abdul Aziz (may Almighty Allah be pleased with him) and is the result of conversations between Caliph Umar ibn Abdul Aziz and Majeed Bin Ka'ab Alqarzi (may Almighty Allah have mercy on him). In this definition, among other things, we can see that a brotherhood in Islam as an integral part of justice. Once Hazrat Umar Bin Abdul Aziz (Rahmatullah Alaih) asked Hazrat Majeed Bin Ka'ab Alqarzi (Rahmatullah Alaih) to describe 'Adl' (justice) to him. He replied, "If you wish to become an 'Adil' (Dispenser of Justice), act like a father towards a Muslim who is younger to you. Behave like a son before your senior in age. Treat people of your age as your brothers. Accord only that much punishment to a defaulter which is genuinely due to him for that offence. Don't let anger or consideration of our own piety to take better of you. If you happen to inflict a single extra whip, you will be severely punished for it. You are in loco parentis to others. You have a grave responsibility."⁵

Another definition of justice, which we have been able to find out is attributed to Imām al-Shāfi'ī (may Almighty Allah be pleased with him). As Yazid Said has transmitted it in his article, according to Imām al-Shāfi'ī... "justice is to act in

obedience to God; thus, one has the means to knowledge of justice and what is contrary to it.”⁶

Next definition, but much more comprehensive than previous one we found in the commentary of the Holy Qur'an by Abu Muhammad Sahl ibn 'Abd Allah (d. 283 AH). According to Abu Muhammad Sahl ibn 'Abd Allah,

Justice is professing ‘There is no god but God and Muḥammad is the Messenger of God’, and adhering to the Sunna of His Prophet ﷺ; and *benevolence* is that you do good to each other; and *giving to kinsfolk* means that whoever God has provided for in abundance should give to those among his relatives for whom God has made him responsible; *indecenty* (faḥshā’), refers to calumny (*kadhb*), backbiting (*ghayba*), slander (*buhtān*) and all other offences of the tongue; and *abomination* (*munkar*), refers to the committing of transgressions in the form of actions. *He admonishes you*, means He instructs you in the finest conduct (*adab*), and draws your attention to the highest awareness (*intibāḥ*), so that you make take heed, that is, receive admonishment and refrain [from sins].⁷

In addition to the testimony of God's unity, and that Muhammad (peace be upon him) is the messenger of God, the duty of especially helping relatives if they are in need, the last mentioned definition also refers to the need of having finest conduct (*adab*), and to restrain of all those actions that it in any way tarnish it. Accordingly, Imām Ibn Taymīa (may Allah be pleased with him) justice consists in the fulfillment of obligations and keeping away from the prohibitions.

This is generally self-evident, unanimously accepted by all the Muslims: that justice may consist in fulfilling an obligation, or in avoiding something unlawful, or in combination of the two; and that injustice also may consist in neglecting an obligation, or in doing something unlawful, or in a combination of the two. This being well known, it is also common knowledge that justice and injustice may affect a person himself, and may affect the rights of others; as mentioned previously, where I explained that all good deeds are included in justice, and all bad deeds are included in injustice.⁸

Imām Al-Ghazālī (may Allah be pleased with him) did not differ from Imam Ali (may Almighty Allah be pleased with him) while defining the justice, saying that the justice is about giving every man his due. According to him the administration of justice is a part of worship.

One fourth of worship consists in the administration of justice, i.e. *giving every man his due*. Many people entrapped into ambition and worldly gain are divided and have degenerated to

such an extent that many of their acts and deeds are not only repulsive and repugnant to Islam, but are indeed flagrant violation of its basic tenets. Something must be done before the wrath of God seizes them. Though the knowledge of the laws relating to the administration of justice among men is indispensable, yet it is quite insignificant when compared with the knowledge of Divinity, which lights our way to heaven and revives our spirit by its rich fragrance.⁹

As we can see from above presented definitions, non-obedience to the Divine command is the main source of injustice in Islam. To get clearer picture what exactly means by justice, it will be also necessary to see the meaning of injustice as well. “The usual word for injustice in the *Qur’ān* is *zulm*, which has the sense of stepping beyond the boundaries of right action, specifically, a *zālimi* one who does wrong to others or to himself. But human injustice can also be expressed in the larger sense of sinning, opposing God, or ascribing partners to God, for which there are many terms, such as *fahshā’* and *baghy*.”¹⁰ Therefore, proper understanding of wrong action from Islamic perspective is very much required. According to Imam Ibn Taymiyyah (may Allah be pleased with him):

Wrong is of two kinds: neglect of right, and transgressing the limit. The former is failure to perform what is due to another, such as failure to settle debts, or to discharge other trusts and financial obligation. The second is aggressive conduct, like murder and seizing property. Both constitute wrong. This is why the Prophet, on him be peace, said in generally accepted Tradition: ‘Delay in payment by the wealthy is a wrong, and if one of you prosecutes a man who is solvent he may do so.’ Thus he makes it wrong to procrastinate, that is, to delay payment when able to pay.’¹¹

After the presentation of several definitions related to the meaning of justice in Islam, what is necessary to mention here also is the Qur’ānic verse, which is the main principle of distributive justice in Islam. Whenever we are able to find out a definition or principle from the primary sources of Islamic law, either Holy Qur’ān or the Sunnah then of course such definition or principle has a special strength, value and importance in Islamic law. Regarding the principle of distributive justice Almighty Allah says in His Holy Book.

1.2 Justice as an Attribute of Almighty Allah and God’s order to comply with justice:

Understanding some basic features of justice as an attribute of Almighty Allah is necessary in order to get some more complete picture related to Islamic universal concept. Without any doubt, attribute of absolute justice belongs only to Almighty Allah. There are countless different manifestations of God’s justice, while our knowledge about them are very limited. Before proceeding with analysis related to

the issues of justice in Islam, we need first of all to say some words related to the most basic question about the purposes of human creation and the ways of gaining the pleasure of Almighty Allah in this world.

1.2.1 The Just (*Al-Adl*):

One of the blessed names of Almighty Allah is The Just (*Al-Adl*), whose word is perfect in veracity and justice. With regard to that, Almighty Allah says,

وَتَمَّتْ كَلِمَتُ رَبِّكَ صِدْقًا وَعَدْلًا لَا مُبَدِّلَ لِكَلِمَاتِهِ وَهُوَ السَّمِيعُ الْعَلِيمُ

“The Word of your Lord is perfect in truth and justice. None is there to change His words, and He is All-Hearing, All-Knowing.”¹²

Commenting on this verse from the Holy Qur’ān, Maulānā Mufti Muḥammad Shafi’ in his Ma’āriful-Qu’ān says that,

The sense of *‘Adl* covers two meanings: (1) Justice under which no injustice has been done, nor has any right been compromised or usurped; and (2) *I’tidāl* (moderation), that is, not being totally subordinated to the desires of human self, nor being what ingrained human emotions and natural traits cannot bear. This come to mean that all Divine injunctions are based on justice and moderation, that is, in them, there is no injustice inflicted on anyone, nor do they have hardship and pain, which are humanly unbearable – as said elsewhere لا يُكَلِّفُ اللهُ نَفْسًا إِلَّا وُسْعَهَا (Allah does not obligate anyone except to his capacity – 2:286)¹³

Imam Al-Ghazālī (may Almighty Allah be pleased with him) says that Divine justice implies that in the universe all things are in exact proportion and in the correct place and situation, as they should be, nothing is amiss.

So whoever wants to understand this attribute must comprehend the action of God most high from the kingdoms of the heavens to the ends of the earth, to the point where one does not notice any fault in the creation of the infinitely good One, and turns again and sees no rifts in it, yet turns one more time only to have his sight become weak and dulled; for the beauty of divine presence has overwhelmed him and bewildered him its harmony and its regularity: for such a man, something of the meaning of His justice-the most high and holy One-clings to his understanding.¹⁴

Beside the fact that Almighty Allah wanted to be worshiped alone and to be known as well, one of the main objective of the creation of the universe was primarily to uphold justice and truth. From the following verse of the Holy Qur’ān, it will be very easy to recognize this well-known fact.

مَا خَلَقْنَاهُمْ إِلَّا بِالْحَقِّ وَلَكِنَّ أَكْثَرَهُمْ لَا يَعْلَمُونَ

“We did not create them but with true purpose, but most of them do not know.”¹⁵

Maulānā Mufti Muḥammad Shafi’ in his Ma‘āriful-Qu‘ān regarding this Holy Verse says that,

The heavens and the earth and everything created in them manifest many realities. Examples are: (1) the manifestation of Divine power; (2) the possibility of the Hereafter. Obviously, the Supreme Creator Who drew out such huge bodies from the realm of non-existence into the realm of existence surely has the power to destroy them and re-create them; (3) the need for retribution (reward/punishment). If there is no retribution in the Hereafter, the very existence of the universe would be rendered purposeless or its purpose would be defeated. The wisdom underling the creation of the universe is to make it *dār-ul-imiḥān* (the domain of test-n-trial) and the Hereafter is the domain of reward and punishment. Otherwise, the outcome of both good and bad. This is far from Divine wisdom, or not in keeping with Divine wisdom; and (4) urging the thinking people to obey Allah and thank Him for having granted man this entire universe or creation as His great blessing.¹⁶

In another verse from the Holy Qur'an, Almighty Allah says that,

هُوَ الَّذِي جَعَلَ الشَّمْسُ ضِيَاءً وَالْقَمَرَ نُورًا وَقَدَرَهُ مَنَازِلَ لِتَعْلَمُوا عَدَدَ السِّنِينَ وَالْحِسَابَ مَا خَلَقَ اللَّهُ ذَلِكَ إِلَّا بِالْحَقِّ يُفَصِّلُ الْآيَاتِ لِقَوْمٍ يَعْلَمُونَ

" He is the One who has made the sun a glow, and the moon a light, and determined for it stages, so that you may learn the number of the years, and the calculation (of time). Allah has not created all this but for a rightful purpose. He elaborates the signs for a people who understand."¹⁷

In this holy verse, Almighty Allah told us that He created sons of Adam as different nations and tribes only so that they are easily identified and recognized, but the best of them in the sight of Allah are those who are most God-fearing. There is no superiority over a race or an origin. It is their deeds and intentions alone, which makes them superior in the sight of Allah, Most Glorious.

يَا أَيُّهَا النَّاسُ إِنَّا خَلَقْنَاكُمْ مِنْ ذَكَرٍ وَأُنْثَىٰ وَجَعَلْنَاكُمْ شُعُوبًا وَقَبَائِلَ لِتَعَارَفُوا إِنَّ أَكْرَمَكُمْ عِنْدَ اللَّهِ أَتْقَاكُمْ إِنَّ اللَّهَ عَلِيمٌ خَبِيرٌ

“O mankind, We have created you from a male and a female, and made you into races and tribes, so that you may identify one

another. Surely the noblest of you, in Allah's sight, is the one who is most pious of you. Surely Allah is All-Knowing, All-Aware."¹⁸

To every nation, Almighty Allah sent His messengers, and through them, He established truth and justice. There was no a nation to whom a messenger was not sent. Everyone will be responsible only for his own deeds, and no one will take a responsibilities for others. Allah, the Most Just also will never punish any people, until He send a messenger to them, who called them to the right path and obedience to Him. About that, in the following verses from the Holy Qur'an, Almighty Allah says:

وَلِكُلِّ أُمَّةٍ رَسُولٌ فَإِذَا جَاءَ رَسُولُهُمْ قُضِيَ بَيْنَهُمْ بِالْقِسْطِ وَهُمْ لَا يُظْلَمُونَ

*"For every people there is a messenger. So, when their messenger comes, the matter is decided between them with justice, and they are not wronged."*¹⁹

مَنْ اهْتَدَىٰ فَإِنَّمَا يَهْتَدِي لِنَفْسِهِ وَمَنْ ضَلَّٰ فَإِنَّمَا يَضِلُّ عَلَيْهَا وَلَا تَزِرُ وَازِرَةٌ وِزْرَ أُخْرَىٰ وَمَا كُنَّا مُعَذِّبِينَ حَتَّىٰ نَبْعَثَ رَسُولًا

*"Whoever adopts the right path does so for his own benefit, and whoever goes astray does so to his own detriment, and no bearer of burden shall bear the burden of another, and it is not Our way to punish (anyone) unless We send a Messenger."*²⁰

قُلْ أَعْبُدُوا اللَّهَ أَدْعِي رَبِّيَ وَهُوَ رَبُّ كُلِّ شَيْءٍ وَلَا تَكْسِبُ كُلُّ نَفْسٍ إِلَّا عَلَيْهَا وَلَا تَزِرُ وَازِرَةٌ وِزْرَ أُخْرَىٰ ثُمَّ إِلَىٰ رَبِّكُمْ مَرْجِعُكُمْ فَيُنَبِّئُكُم بِمَا كُنتُمْ فِيهِ تَخْتَلِفُونَ

*"Say, "Should I seek a lord other than Allah while He is the Lord of everything? And nobody does anything but to his own account, and no bearer of burden shall bear the burden of another. Then to your Lord is your return. Then He will let you know what you were disputing about"*²¹

Surely, someone may ask, why even the Prophets (peace be upon them), and God-fearing people are imposed on so many difficulties and a hardships, and how then is Almighty Allah just towards them? The reason is that, Almighty Allah tests the believers in different ways, to show those who are steadfast His way. Concerning that, Hazrat Abdul Qadir Jilani, in his book *Revelation of the Unseen*, says:

It is a practice of God to try His believing servant in proportion to his faith. Thus if a person's faith is great and immense, his trial is also great. Thus the trial of a *Resul* is greater than that of

a *Nabi*, because his faith is greater than that of the latter. And the trial of the *Nabi* is greater than that of a *Badal* (*Abdal*). And the trial of a *Badal* is greater than that of a *Wali*. Everyone is tried according to his faith and certainty. And the authority for this lies in a saying of the Holy Prophet (peace be upon him): ***Verily we the community of Prophets are most tried of all people.***²²

It is not a punishment at all for them from Almighty Allah, but the way to the Paradise which Allah, the Most High promised for His faithful servants. With regard to that Almighty Allah says in the Holy Qur'an:

وَلَنَبْلُوَنَّكُمْ بِشَيْءٍ مِّنَ الْخَوْفِ وَالْجُوعِ وَنَقْصٍ مِّنَ الْأَمْوَالِ وَالْأَنْفُسِ
وَالثَّمَرَاتِ وَبَشِيرِ الصَّابِرِينَ. الَّذِينَ إِذَا أَصَابَتْهُمُ مُصِيبَةٌ قَالُوا إِنَّا لِلَّهِ وَإِنَّا
إِلَيْهِ رَاغِبُونَ. أُولَئِكَ عَلَيْهِمْ صَلَوَاتٌ مِّن رَّبِّهِمْ وَرَحْمَةٌ وَأُولَئِكَ هُمُ
الْمُهْتَدُونَ

*“Surely We will test you with a bit of fear and hunger, and loss in wealth and lives and fruits, and give good tidings to the patient. ...who, when a suffering visits them, say: “We certainly belong to Allah, and to Him we are bound to return.”*²³

Almighty Allah has promised complete justice to all of his creatures, with absolute denial of any kind of injustice from His side. He does not treat His creatures without justice, nor does He rule them unfairly or cruelly. It is the people themselves who wrong themselves, and Allah, the Most High, do not wrong to anybody. Furthermore, He is against those who does wrong and therefore do not like them. Concerning all these facts mentioned above, Almighty Allah says:

إِنَّ اللَّهَ لَا يَظْلِمُ مِثْقَالَ ذَرَّةٍ وَإِن تَكُ حَسَنَةً يُضَاعِفْهَا وَيُؤْتِ مِنْ لَدُنْهُ
أَجْرًا عَظِيمًا

*“Surely, Allah does not wrong (anyone), even to the measure of a particle. If it is a good deed, He multiplies it, and gives a great reward out of His Own pleasure.”*²⁴

إِنَّ اللَّهَ لَا يَظْلِمُ النَّاسَ شَيْئًا وَلَكِنَّ النَّاسَ أَنْفُسُهُمْ يَظْلِمُونَ

*“Surely, Allah does not wrong people at all, but the people do wrong their own selves.”*²⁵

وَأَمَّا الَّذِينَ آمَنُوا وَعَمِلُوا الصَّالِحَاتِ فَيُوَفِّيهِمْ أُجُورَهُمْ وَاللَّهُ لَا يُحِبُّ
الظَّالِمِينَ

*"As for those who believe and do good deeds, He (Allah) will give them their rewards in full. Allah does not like transgressors."*²⁶

Finally, on the Day of Judgment, when the perfect scales of justice will be set up, any good or bad deed done by a person will be recorded and presented with reward and punishment to the justice of Almighty Allah.

وَنَضَعُ الْمَوَازِينَ الْقِسْطَ لِيَوْمِ الْقِيَامَةِ فَلَا تُظْلَمُ نَفْسٌ شَيْئًا وَإِنْ كَانَ
مِثْقَالَ حَبَّةٍ مِنْ خَرْدَلٍ أَتَيْنَا بِهَا وَكَفَى بِنَا حَاسِبِينَ

*"We shall place scales to do justice on the Day of Judgment. So no one shall be wronged in the least. Even if it (a deed) is to the measure of a mustard seed, We will bring it forth, and We are enough to take account."*²⁷

1.2.2. The Provider (*Al-Razzāq*):

Another attribute of Almighty Allah, which is most closely related to Islamic concept of Distributive justice, is The Provider (*Al-Razzāq*). Giving his explanation, Imam Al-Ghazālī says:

Al- Razzāq – the Provider – is the One who created the means of sustenance as well as those who are sustained, and who conveys the means to the creatures as well as creating for them the ways of enjoying them. Sustenance is of two kinds: outward, consisting of nourishment and food, which is for the sake of what is outward, namely the body. Inward consisting of things known and things revealed, and that is directed to our hearts and in most parts. This latter is the higher of the two modes of sustenance, for its fruit is eternal life; while the fruit of external sustenance is bodily strength for a short period of time. God – Great and Glorious – Himself attends to crating the two modes of sustenance and is graciously disposed to convey both kinds, but *He extends sustenance to whomever he wills and decrees (XLII:12).*²⁸

وَمَا مِنْ دَابَّةٍ فِي الْأَرْضِ إِلَّا عَلَى اللَّهِ رِزْقُهَا وَيَعْلَمُ مُسْتَقَرَّهَا
وَمُسْتَوْدَعَهَا كُلٌّ فِي كِتَابٍ مُبِينٍ

*"There is no creature on earth whose sustenance is not undertaken by Allah. He knows its permanent and its temporary place. Everything is in a clear book."*²⁹

Imām Shāfi'ī (God bless him), said: "Everything, including the heaven and the earth, things having living spirit, trees and the like – God has created them all. And God is responsible for sustenance of every living creature and He knows its lodging place and its repository."³⁰ According to one tradition from the Holy Prophet (peace be upon him), for a man, the appropriate reliance on Almighty Allah is needed to get a provision from Him, even on the same way as He gives it to birds. 'Umar (May Allah be pleased with him) said: I heard Messenger of Allah (ﷺ) saying: "If you all depend on Allah with due reliance, He would certainly give you provision as He gives it to birds who go forth hungry in the morning and return with full belly at dusk".³¹ Explaining the above-mentioned verse from the Holy Qur'ān, Ibn Kathīr in his commentary says that,

Allah, the Exalted, informs that He is responsible for the provisions of all the creatures that dwell in the earth, whether they are small, large, sea-dwelling or land-dwelling. He knows their place of dwelling and their place of deposit. This means that He knows where their journeying will end in the earth and where they will seek shelter when they wish to nest. This place of nesting is also considered their place of deposit.³²

Can a man be honored with a share of this attribute? Answer which has been given by Imam Al-Ghazālī (may Almighty Allah be pleased with him) is positive. Therefore, he says:

For when God loves someone, then He makes creatures need that person more; and to the extent that he becomes an intermediary between God and man in enabling sustenance to reach them, will he acquire a share in this attribute. The Messenger of God – may God's blessing and peace be upon him – said: 'the faithful steward who happily gives what he is ordered to is himself one of the almsgivers.' Now the hands of men are the storehouses of God, Most High, so the one whose hand is made a storehouse for bodily sustenance, and his speech a storehouse of sustenance for hearts, has been honored with a share of this attribute.³³

God's absolute justice also comprises of his knowledge, which encompass everything, and there is nothing that could be hidden from Him. With this regard Almighty Allah says in His Holy Book as following,

وَمَا مِنْ دَابَّةٍ فِي الْأَرْضِ وَلَا طَائِرٍ يَطِيرُ بِجَنَاحَيْهِ إِلَّا أُمَمٌ أَمْثَلُكُمْ مَا
فَرَّطْنَا فِي الْكِتَابِ مِنْ شَيْءٍ ثُمَّ إِلَىٰ رَبِّهِمْ يُحْشَرُونَ

*"There is no creature moving on the earth, nor a bird flying on its two wings, but they are all communities like you. We have not missed anything in the Book. Then, to their Lord all of them shall be gathered."*³⁴

وَعِنْدَهُ مَفَاتِحُ الْغَيْبِ لَا يَعْلَمُهَا إِلَّا هُوَ وَيَعْلَمُ مَا فِي السَّيْرِ وَالْبَحْرِ وَمَا
تَسْقُطُ مِنَ وَرَقَةٍ إِلَّا يَعْلَمُهَا وَلَا حَبَّةٍ فِي ظُلُمَاتِ الْأَرْضِ وَلَا رَطْبٍ وَلَا
يَابِسٍ إِلَّا فِي كِتَابٍ مُبِينٍ

*“With Him are the keys of the Unseen. No one knows them but He. He knows what is in the land and the sea. No leaf ever falls but that He knows about it, and there is no grain in the dark layers of the earth, or anything fresh or dry that is not recorded in a manifest book.”*³⁵

إِنَّ اللَّهَ يَأْمُرُكُمْ أَنْ تُؤَدُّوا الْأَمَانَاتِ إِلَىٰ أَهْلِهَا وَإِذَا حَكَمْتُمْ بَيْنَ النَّاسِ
أَنْ تَحْكُمُوا بِالْعَدْلِ إِنَّ اللَّهَ نِعِمَّا يَعِظُكُمْ بِهِ إِنَّ اللَّهَ كَانَ سَمِيعًا بَصِيرًا

*“Surely, Allah commands you to deliver trusts to those entitled to them, and that, when you judge between people, judge with justice. Surely, excellent is the exhortation Allah gives you. Surely, Allah is All-Hearing, All-Seeing.”*³⁶

Commenting on the above mentioned verse from the Holy Qur’ān, Sayyid Qutb is of the view that,

These are the main obligations placed on the Muslim community and these sum up its moral code: namely, fulfilment of trust and maintaining justice. The basic and most important trust is that which God has implanted in human nature. This is the one, which the heavens, the earth and the mountains refused to accept, but which man undertook. It is that of willingly and deliberately recognising Divine guidance and believing in God. This is the trust that God has given to human beings alone in their very nature. Other creatures have been given faith without the need for any effort on their part. Thus, they recognise their Lord and worship Him without having to make any choice or exerting any special effort. It is man alone who has been given this task to fulfil on the basis of his guiding nature, knowledge, reasoning, will and effort. He will always receive God’s help in that: *“As for those who strive hard in Our cause, We shall most certainly guide them to paths that lead to Us; for, indeed, God is with those who do good.”* (29: 69)³⁷

1.2.3 Every life is sacred:

Divine concept of justice encompass everything. Human life is something that has an immeasurable value. The value of life is sacred in Islam; to violate it goes categorically against its most essential principles. In the Holy Quran, Almighty

Allah informs us that if someone save one life is as he had saved humankind entirely, and vice versa.

مِنْ أَجْلِ ذَلِكَ كَتَبْنَا عَلَى بَنِي إِسْرَائِيلَ أَنَّهُ مَنْ قَتَلَ نَفْسًا بِغَيْرِ نَفْسٍ
أَوْ فْسَادٍ فِي الْأَرْضِ فَكَأَنَّمَا قَتَلَ النَّاسَ جَمِيعًا وَمَنْ أَحْيَاهَا فَكَأَنَّمَا أَحْيَا
النَّاسَ جَمِيعًا وَلَقَدْ جَاءَهُمْ رَسُولُنَا بِالْبَيِّنَاتِ ثُمَّ إِنَّ كَثِيرًا مِّنْهُمْ بَعْدَ
ذَلِكَ فِي الْأَرْضِ لَمُسْرِفُونَ

“For this reason, We decreed for the children of Isra’il that whoever kills a person not in retaliation for a person killed, nor (as a punishment) for spreading disorder on the earth, is as if he has killed the whole of humankind, and whoever saves the life of a person is as if he has saved the life of the whole of humankind. Certainly, Our messengers have come to them with clear signs. Then, after all that, many of them are there to commit excesses on the earth.”³⁸

Ibn Abbas (May Almighty Allah be please with him) while commenting on above verse from Holy Qur’ān says that, “Saving life in this case occurs by not killing a soul that Allah has forbidden. So this is the meaning of saving the life of all mankind, for whoever forbids killing a soul without justification, the lives of all people will be saved from him.”³⁹ The man will get a reward or punishment for doing good or bad deeds, not only done to a human being, but to whatsoever Almighty Allah has created. The seriousness of the issue could be seen by two sayings of the Holy Prophet (peace be upon him).

The first tradition is related to the reward, where the Holy Prophet (peace be upon him) said following, One day a man became very thirsty while walking down the road. He came across a well, went down into it, and drank and then climbed out. In front of him he found a dog panting, eating the dust out of thirst. The man said, 'This dog is as thirsty as I was.' He went back down into the well, filled his shoe, putting it into his mouth (in order to climb back up), and then gave the dog water. Therefore Allah thanked him and forgave him." They said, "Messenger of Allah, will we have a reward on account of animals?" He said, "There is a reward on account of every living thing."⁴⁰

The second tradition is about the punishment in the Hell for a woman, who did not take care about a cat, where the Holy Prophet (peace be upon him) said: “A woman was punished because she had kept a cat tied until it died, and (as a punishment of this offence) she was thrown into the Hell. She had not provided it with food, or drink, and had not freed her so that she could eat the insects of the earth.”⁴¹

1.2.4 Equality of All Human Beings before Almighty Allah and His Law:

While the Western concept of equality recognizes equality before the law, Islamic law precedes one-step further, recognizing a global equality before its Lawgiver. From the Western perspective, a man-made law most of the time, (if not always) is a result of ongoing political struggle between different political parties and different lobbies, etc., which is not case in the Islamic law. Therefore, to obtain impartiality from the lawgiver in that case is not something, which is usually expected. What is meant by the equality of all human beings before Allah is that Almighty Allah looks at all human beings as equal, not differentiating between them, except in piety and good action.

يَا أَيُّهَا النَّاسُ إِنَّا خَلَقْنَاكُمْ مِنْ ذَكَرٍ وَأُنْثَىٰ وَجَعَلْنَاكُمْ شُعُوبًا وَقَبَائِلَ
لِتَعَارَفُوا إِنَّ أَكْرَمَكُمْ عِنْدَ اللَّهِ أَتْقَاكُمْ إِنَّ اللَّهَ عَلِيمٌ خَبِيرٌ

*“O mankind, We have created you from a male and a female, and made you into races and tribes, so that you may identify one another. Surely the noblest of you, in Allah’s sight, is the one who is most pious of you. Surely Allah is All-Knowing, All-Aware.”*⁴²

Giving his comment on this verse from the Holy Qur’ān, Sayyid Quṭb in his Tafsīr says that there is no need for any division among the people. We are all of the same origin and therefore we need to be united. The only difference between us in the Sight of Almighty Allah is how much someone is God-fearing person. Therefore, he says that, “A single banner is raised so that all compete to line up under it. This is the banner of fearing God alone. This is the banner raised by Islam in order to save humanity from the evil consequences of fanatic bonds of race, homeland, tribe, clan, family, etc.”⁴³ Where to look for foundations of any Islamic or global society? In response to this question, Sayyid Quṭb is of the view that the fear of God must be its foundation. Therefore, while concluding his remarks he says that,

This is the foundation of Islamic society: human and global society. Humanity may stretch all its imagination and exert its best efforts to achieve even one aspect of it, but it fails because it does not follow the clear and straight road leading to it, as defined by God, and because it does not raise God’s banner which unites us all.⁴⁴

From Islamic perspective, every child is born as a Muslim, which means that the equality of all human beings is manifested in this way as well. It has been recorded that Allah's Apostle (peace be upon him) said,

Every child is born with a true faith of Islam (i.e. to worship none but Allah Alone) but his parent's convert him to Judaism, Christianity or Magainism, as an animal delivers a perfect baby animal. Do you find it mutilated?" Then Abu Hurairah recited the holy verses: "The pure Allah's Islamic nature (true faith of

Islam) (i.e. worshipping none but Allah) with which He has created human beings. No change let there be in the religion of Allah (i.e. joining none in worship with Allah). That is the straight religion (Islam) but most of men know, not." (30.30)⁴⁵

Another very important principle related to the Islamic concept of distributive justice is that of equality before Islamic law. Full implementation of this principle by the state, seems to be crucial for administration of justice in an Islamic state. As it will be mentioned in the following tradition, non-implementation of this principle has many implications and was a major cause for the destruction of many societies before. There are numerous examples given by the Holy Prophet (peace be upon him) and his glorious companions (may Almighty Allah be pleased with them) in the implementation of this principle. For our purpose here let us just mention one tradition where the Messenger of Allah (peace be upon him) was highlighting the importance of the implementation of this principle in Islam.

'A'isha, the wife of Allah's Apostle (May peace be upon him), reported that the Quraysh were concerned about the woman who had committed theft during the lifetime of Allah's Apostle (May peace be upon him), in the expedition of Victory (of Mecca). They said: "Who would speak to Allah's Messenger (may peace be upon him) about her?" They (again) said: "Who can dare do this but Usama b Zaid, the loved one of Allah's Messenger (May peace be upon him)?" She was brought to Allah's Messenger (May peace be upon him) and Usama b. Zaid spoke about her to him (interceded on her behalf). The color of the face of Allah's Messenger (may peace be upon him) changed, and he said: "Do you intercede in one of the prescribed punishments of Allah?" He (Usama) said: "Messenger of Allah, seek forgiveness for me." So in the afternoon, Allah's Messenger (may peace be upon him) stood up and gave an address. He (first) glorified Allah as He deserves, and then said: "Now to our topic. This (injustice) destroyed those before you that when any one of (high) rank committed theft among them, they spared him, and when any weak one among them committed theft, they inflicted the prescribed punishment upon him. By Him in Whose Hand is my life, even if Fatima daughter of Muhammad were to commit theft, I would have cut off her hand. He (the Holy Prophet) then commanded about that woman who had committed theft, and her hand was cut off." 'A'isha (further) said: Hers was a good repentance, and she later on married and used to come to me after that, and I conveyed her needs (and problems) to Allah's Messenger (may peace be upon him).⁴⁶

Almighty Allah does not forbid us to be kind, and just towards non-Muslims who did not fight against us or expel us from our homes. With this regard Almighty Allah says in the Holy Qur'an,

لَا يَنْهَاكُمُ اللَّهُ عَنِ الَّذِينَ لَمْ يُقَاتِلُوكُمْ فِي الدِّينِ وَلَمْ يُخْرِجُوكُم مِّن دِيَارِكُمْ أَنْ تَبَرُّوهُمْ وَتُقْسِطُوا إِلَيْهِمْ إِنَّ اللَّهَ يُحِبُّ الْمُقْسِطِينَ

“Allah does not forbid you as regards those who did not fight you on account of faith, and did not expel you from your homes, that you do good to them, and deal justly with them. Surely Allah loves those who maintain justice.”⁴⁷

Elaborating above-mentioned verse from the Holy Qur'an, Maulānā Mufti Muḥammad Shafī says that,

The verse direct that justice and good behavior should be maintained with those unbelievers who did not fight the Muslims. As for justice, it is obligatory to maintain with every non-Muslim, whether he is a citizen of an Islamic State, or the Muslims have peace agreement with him, or a citizen of an un-Islamic State, even though he is at war with the Muslims. Rather, Islam enjoys upon Muslims to do justice even to animals. We are not allowed to lay a burden on them more than they can bear. We need to take care of their fodder and comfort. The focus of the verse, therefore, is upon the direction that they should be treated, not only with justice, but also in good and courteous manner. This verse proves that optional charities may be spent on non-Muslim citizens of an Islamic State and on non-Muslims with whom the Muslims have a peace pact. It is, however, forbidden to spend on non-believers who are at war with Muslims.⁴⁸

إِنَّمَا يَنْهَاكُمُ اللَّهُ عَنِ الَّذِينَ قَاتَلُوكُمْ فِي الدِّينِ وَأَخْرَجُوكُم مِّن دِيَارِكُمْ وَظَاهَرُوا عَلَىٰ إِخْرَاجِكُمْ أَنْ تَوَلَّوْهُمْ وَمَنْ يَتَوَلَّهُمْ فَأُولَٰئِكَ هُمُ الظَّالِمُونَ

“Allah forbids you only about those who fought you on account of faith, and expelled you from your homes, and helped (others) in expelling you, that you have friendship with them. Those who develop friendship with them are the wrongdoers.”⁴⁹

This verse speaks of those unbelievers who fought the Muslims in the matter of religion, drove them from their homes or supported their expulsion. These are hostile disbelievers and the Divine injunction in connection with them is to abstain from having friendly or cordial intimacy with them. This verse does not forbid just and kind treatment of them. It merely forbids friendly intimacy and relations. Prohibition of having such friendly intimacy is not restricted to those

enemies, who actively wage war against Muslims, but it is extended to *ahludh-dhimmah* (non-Muslim citizens of an Islamic state) and to *ahluṣ-sulḥ* (non-Muslims with whom there is a peace pact). Intimate and heart-felt friendship is not allowed with them too. On the basis of this juristic principle, Maḥzarī has ruled that justice, equity and fairness are necessary even with the hostile disbelievers who are at war with the Muslims. Prohibition applies only in the case of cordial and friendly intimacy, not in the case of courteous attitude and kindness. This shows that it is permissible to be polite and courteous to those hostile enemies who are at war with Muslims. However, treating them with tenderness and courtesy should not cause danger, treat, harm or loss to Muslims. Wherever courtesy and tenderness might pose such a danger, it is not permitted to be tender or courteous towards them. Of course, justice and equality in all cases and under all circumstances are necessary and imperative. Allah, the Pure and Exalted knows best!⁵⁰

Abu Hurairah narrated that the Messenger of Allah (s.a.w) said: "Do you know who the bankrupt is?" They said: "O Messenger of Allah! The bankrupt among us is the one who has no Dirham nor property." The Messenger of Allah (s.a.w) said: "The bankrupt in my Ummah is the one who comes with Salat and fasting and Zakat on the Day of Judgement, but he comes having abused this one, falsely accusing that one, wrongfully consuming the wealth of this one, spilling the blood of that one, and beating this one. SO he is seated, and this one is requited from his rewards. If his rewards are exhausted before the sins that he committed are requited, then some of their sins will be taken and cast upon him, then he will be cast into the Fire."⁵¹

In a conclusion, we may say that the perfection of God's justice, which is infinitive and manifested in everything, whatever He has been created is only known to Him. Consequently, a man's share in this kind of knowledge very limited and fully depends of Almighty Allah's Will. Therefore, I most humbly ask Almighty Allah to give me and increased my knowledge regarding His justice, not claiming at the same time possession of any knowledge with regarded to that.

1.3 Universality of His (peace be upon him) Prophethood and Justice:

In the Holy Qur'an, Almighty Allah informed us that He sent to every people at least one Prophet (peace be upon him), and because of it, no nation throughout history of humankind was left without God's guidance and justice.

لَقَدْ أَرْسَلْنَا رُسُلَنَا بِالْبَيِّنَاتِ وَأَنْزَلْنَا مَعَهُمُ الْكِتَابَ وَالْمِيزَانَ لِيَقُومَ النَّاسُ
بِالْقِسْطِ وَأَنْزَلْنَا الْحَدِيدَ فِيهِ بَأْسٌ شَدِيدٌ وَمَنْفَعٌ لِلنَّاسِ وَلِيَعْلَمَ اللَّهُ مَنْ
يَنْصُرُهُ وَرُسُلَهُ بِالْغَيْبِ إِنَّ اللَّهَ قَوِيٌّ عَزِيزٌ

“We have indeed sent Our messengers with clear proofs, and sent down with them the Book and the Balance, so that people may uphold equity. And We sent down iron in which there is strong power, and benefits for the people; and (We did it) so that Allah knows the one who helps Him and His messengers without seeing (Him). Surely Allah is Strong, Mighty.”⁵²

وَلِكُلِّ أُمَّةٍ رَّسُولٌ فَإِذَا جَاءَ رَسُولُهُمْ قُضِيَ بَيْنَهُمْ بِالْقِسْطِ وَهُمْ لَا يُظْلَمُونَ

“For every people there is a messenger. So, when their messenger comes, the matter is decided between them with justice, and they are not wronged.”⁵³

There was no Ummah in the history of mankind left by Almighty Allah without Prophet and Divine guidance. This verse also shows that Almighty Allah was just towards every nation by sending at least one Prophet, who was responsible among other things to establish the justice of God on earth. As a result, Ibn Kathīr in his commentary of the Holy Qur’ān, while commenting on above mentioned verse says,

So every nation will be presented before Allah in the presence of its Messenger and the Book of its deeds. All good and evil deeds will be witnessed upon them. Their guardian angels will be witnesses too. The nations will be brought forth, one by one. Our noble Ummah, while it is the last of the nations, is the first one on the Day of Resurrection to be questioned and judged. This was stated by Allah's Messenger in a Hadith recorded by both Al-Bukhari and Muslim.⁵⁴

1.3.1 Prophet Muḥammad (peace be upon him) sent to all humanity:

More than five hundred years have passed since the time of Prophet Jesus (peace be upon him) to the advent of the Holy Prophet Muhammad (peace be upon him), no Prophet had been sent by Almighty Allah. During this long period, many people went astray, until Almighty Allah sent His last and most beloved Messenger Muhammad (peace be upon him) to the whole humanity.

Before the advent of the Holy Prophet (ﷺ) the entire universe was plunged into the abyss of disbelief and polytheism (shirk). However, the Holy Prophet (ﷺ) spread the light of guidance throughout the world and gave raise to many believers (*Mu'minīn*), the survival of each of them being fundamental to the existence of the universe. The Holy Prophet (ﷺ) said that Judgment Day (*Qiyāmah*) will never come as long as there is someone saying, “Allāh, Allāh!” (Muslim v.1 p.84)⁵⁵

While each previous Prophet (peace be upon them) had been sent only to particular nation, our beloved Prophet Muhammad (peace be upon him) has been sent to the whole of humanity by Almighty Allah. Almighty Allah in a few places in His Book has confirmed it.

قُلْ يَا أَيُّهَا النَّاسُ إِنِّي رَسُولُ اللَّهِ إِلَيْكُمْ جَمِيعًا الَّذِي لَهُ مُلْكُ
السَّمَاوَاتِ وَالْأَرْضِ لَا إِلَهَ إِلَّا هُوَ يُحْيِي وَيُمِيتُ فَأَمِنُوا بِاللَّهِ وَرَسُولِهِ
النَّبِيِّ الْأُمِّيِّ الَّذِي يُؤْمِنُ بِاللَّهِ وَكَلِمَاتِهِ وَاتَّبِعُوهُ لَعَلَّكُمْ تَهْتَدُونَ

“(O Prophet Muhammad) Say, “O people, I am a messenger of Allah (sent) to you all, from the One to whom belongs the kingdom of the heavens and the earth. There is no god but He. He gives life and brings death...”⁵⁶

As there will be no the prophet after him, everyone is under obligation to believe and obey the Holy Prophet (peace be upon him) until the Last Hour. “The only guidance acceptable to Allāh is in the following the Holy Prophet (ﷺ). This verse therefore refutes the concept of unifying the various religions (*Dīns*). It is sheer foolishness to think that as long as a person believes in Allāh, he may follow any Religion and worship Allāh as he pleases.”⁵⁷

وَمَا أَرْسَلْنَاكَ إِلَّا كَافَّةً لِّلنَّاسِ بَشِيرًا وَنَذِيرًا وَلَكِنَّ أَكْثَرَ النَّاسِ لَا يَعْلَمُونَ

“We did not send you (O prophet,) but to the entire mankind, as a bearer of good news and as a warner, but most people do not know.”⁵⁸

As the last Prophet sent by the Almighty Allah, our beloved messenger Muhammad (peace be upon him) has been sent to the entire mankind. Maulānā Mufti Muḥammad Shafi’, in his Tafsīr while commenting particularly on two following Arabic words كَافَّةً لِلنَّاسِ (for all peoples) says that,

The word كَافَّةً (Kaaffah) in: كَافَّةً لِلنَّاسِ (Kaaffatal-lin-naas: for all peoples) is used in the sense of making something universal and inclusive of all without the exclusion of anyone from it. The grammatical arrangement of the text required saying: لِلنَّاسِ (lin-naasi kaaffatan: for the people as a whole) because the word: كَافَّةً (Kaaffah: all) is a grammatically a hal (adverb) relatable to the word نَاسٍ (naas: people). But, in order to put clear accent on the universality of the mission of the Last Rasūl of Allah, the word كَافَّةً (Kaaffah: all) was set to come earlier.⁵⁹

While continuing with an explanation of above mentioned verse from the Holy Quran, he also says that,

It is peculiarity of the Sayyidnā Muḥammad al-Muṣṭafa (ﷺ) that his prophetic mission is common and open to all peoples of the world. In fact, it is not simply for human beings, but it is for the Jinns as well. And then, it is not just for those who were present during his blessed time, but it is universally applicable to all human generations to come right up to the last day of Qiyāmah. And this very fact of the continuity and survival of his mission

as prophet and messenger demands that he has to be the Last and Final of the prophets and that no prophet is to come after his appearance. The reason is that another prophet is sent when the law and teachings of the one before him are distorted and altered. Thus, a second prophet is sent to reform the people and reinstate them according to Allah's pleasure. As for the Sharī'ah of the Holy Prophet ﷺ and that of His own Book, the Qur'ān, right through the last day of Qiyāmah, the responsibility of its protection has already been undertaken by Allah Ta'ālā Himself. Therefore, it will hold on and survive till Qiyāmah in its original state and there would be no need for some other prophet to be sent.⁶⁰

أُولَئِكَ الَّذِينَ هَدَى اللَّهُ فَبِهِدَاهُمُ اقْتَدِهْ قُلْ لَا أَسْأَلُكُمْ عَلَيْهِ أَجْرًا إِنْ هُوَ إِلَّا
ذِكْرَى لِّلْعَالَمِينَ

Those are the people whom Allah has guided. So, it is their guidance that you should follow. Say, "I ask you no reward for it. It is nothing but an advice for all the worlds."⁶¹

There are many traditions also from where we can also learn about the universality of the Prophetic mission. For our purpose here, we are going to present only two tradition. In the first tradition, which was narrated that Jabir bin 'Abdullah:

The Messenger of Allah (ﷺ) said: 'I have been given five things that were not given to anyone before me: I have been supported with fear being struck into the hearts of my enemy for a distance of one month's travel; the earth has been made a place of prostration and a means of purification for me, so wherever a man of my Ummah is when the time for prayer comes, let him pray; I have been given the intercession which was not given to any Prophet before me; and I have been sent to all of mankind whereas the Prophets before me were sent to their own people.⁶²

According to the second tradition, transmitted to us by Abu Hurairah, the Holy Prophet (peace be upon him) said:

I have been honored over the Prophets with six (things): I have been given Jawami' Al-Kalam, I have been aided by (the ability to cause in the enemy) fright, the spoils of war have been made lawful for me, the Earth has been made as a Masjid and purifier for me, and I have been sent to all creatures, and with me Prophethood is sealed.⁶³

In the Holy Qur'an, Almighty Allah also informed us, that His beloved Holy Prophet (peace be upon him) is the last Prophet, and there will not be new Prophet or any new Shari'ah after him. With this regard Almighty Allah says,

مَا كَانَ مُحَمَّدٌ أَبَا أَحَدٍ مِّن رِّجَالِكُمْ وَلَكِن رَّسُولَ اللَّهِ وَحَاتَمَ النَّبِيِّينَ
وَكَانَ اللَّهُ بِكُلِّ شَيْءٍ عَلِيمًا

“Muhammad is not a father of any of your men, but he is a messenger of Allah and the last of the prophets. And Allah has the Knowledge of everything.”⁶⁴

With regard to this verse from Holy Qur'an, Imām Ibn Kathīr, in his Tafsīr, says:

This Ayah clearly states that there will be no Prophet after him. If there will be no Prophet after him then there will surely be no Messenger after him either, because the status of a Messenger is higher than that of a Prophet, for every Messenger is a Prophet but the reverse is not the case. This was reported in many Mutawatir Hadiths narrated from the Messenger of Allah via a group of his Companions, may Allah be pleased with them.⁶⁵

In the above mentioned a verse from the Holy Qur'ān, our beloved Prophet (peace be upon him) has been called the seal of the Prophets. Explaining this verse Maulānā Mufti Muḥammad Shafī' said that, “The Holy Prophet's (ﷺ) attribute of being last the last of all prophets demonstrate his excellence and distinction in all perfections of prophethood and messengership, because in general, all things progress gradually reaching completion at the highest stage, and the end result is the real objective.”⁶⁶

Despite the fact that He (peace be upon him) is the Last Prophet, our Beloved Prophet (peace be upon him) allowed delegation of Christians to stay in Al-Masjid an-Nabawī and perform their worship according the rules of their religion. “Once a delegation of Christians comprising of 14 members came to Madīnah. The Prophet (Peace be upon him) made them stay in his mosque (i.e. Al-Masjid an-Nabawī) and he gave them permission to perform their worship in their own manner inside his Mosque.”⁶⁷ Moreover with respect to Christians, it will be very interesting to mention here the letter to all Christians reported to be from our beloved Prophet (peace be upon him). The summary of the letter consists of following,

This is a message from Muhammad ibn Abdullah, as a covenant to those who adopt Christianity, near and far, we are with them. Verily I, the servants, the helpers, and my followers defend them, because Christians are my citizens; and by Allah! I hold out against anything that displeases them.

No compulsion is to be on them. Neither are their judges to be removed from their jobs nor their monks from their monasteries.

No one is to destroy a house of their religion, to damage it, or to carry anything from it to the Muslims' houses. Should anyone take any of these, he would spoil God's covenant and disobey His Prophet. Verily, they are my allies and have my secure charter against all that they hate.

No one is to force them to travel or to oblige them to fight. The Muslims are to fight for them. If a female Christian is married to a Muslim, it is not to take place without her approval. She is not to be prevented from visiting her church to pray.

Their churches are to be respected. They are neither to be prevented from repairing them nor the sacredness of their covenants. No one of the nation (Muslims) is to disobey the covenant till the Last Day (end of the world).⁶⁸

Despite the fact that there will be no Prophet after him, the Holy Prophet (peace be upon him) informed us that after him there will be his caliphs, who will increase in number. In one tradition, which Abu Hurairah has narrated,

The Prophet (ﷺ) said, "The Israelis used to be ruled and guided by prophets: Whenever a prophet died, another would take over his place. There will be no prophet after me, but there will be Caliphs who will increase in number." The people asked, "O Allah's Messenger (ﷺ)! What do you order us (to do)?" He said, "Obey the one who will be given the pledge of allegiance first. Fulfil their (i.e. the Caliphs) rights, for Allah will ask them about (any shortcoming) in ruling those Allah has put under their guardianship."⁶⁹

At least one of these Caliphs, as mentioned by the Holy Prophet (peace be upon him) possessed nearly some Prophetic qualities, like Hazrat Umar Ibn Khattab (may Almighty Allah be pleased with him), for whom the Prophet (peace be upon him) said, "If there was to have a Prophet after me, it would have been 'Umar bin Al-Khattab."⁷⁰ Our beloved Prophet (peace be upon him) was not only sent to the all worlds, or as the last Prophet, but the Almighty Allah has also ordered even the earth and heaven to be obedient to him. Regarding to this issue Ibn al-Munkadir related that Jibril told the Prophet, "Allah has ordered heaven, earth and mountains to obey you." He said, "Reprieve my community. Perhaps Allah will turn to them."⁷¹ As one more additional supporting argument for what we have mentioned above we may

When his people rejected him, Jibril came to him ﷺ and said, "Allah has heard what your people say to you and how they rejected you. He has ordered the angels of the mountains to obey whatever you tell them to do." The angel of the mountains called him, greeted him and said, "Send me to do what you wish. If you wish, I will crush them between the two mountains of

Makka.” The Prophet ﷺ said, “Rather, I hope that Allah will bring forth from their loins those who will worship Allah alone and not associate anything with Him.”⁷²

The Holy Prophet (peace be upon him), who is a mercy for all worlds and creation, was the greatest example how to be just and merciful even towards bitter enemies. "When Makkah was threatened with famine, its inhabitants asked that the embargo be removed, and the Prophet Thumamah to remove it. The Prophet even sent ripe dates to Makkah, while hostilities were at their peak, and he gave a big amount of money."⁷³ It goes without saying there was no any peace treaty between the Holy Prophet (peace be upon him) and people of Makkah at that time, and the war was going on. Universality of Prophetic justice was manifested not only towards a people, but also even towards an animals, if they were given an opportunity to ask for justice from the Holy Prophet (peace be upon him). No human being possessed a sense for justice, as our Beloved Prophet (peace be upon him), who was sent by Almighty Allah as a Mercy to all worlds. In the following tradition we can see how a gazelle made a request for justice to the Holy Prophet (peace be upon him), and how this request was not denied by the Holy Prophet (peace be upon him).

Umm Salama said that the Prophet (peace be upon him) was in the desert when a gazelle called out to him, "Messenger of Allah!" He replied, "What do you need?" it said, "This Bedouin has captured me and I have two fawns in the mountains, so release me so that I can go and suckle them. Then I will return." He asked the man, "Will you do that?" He replied, "Yes." Then he left it go and it went and returned and he tied: "Messenger of Allah, is there anything you want?" He said, "Let this gazelle go." He let it go and it went running off into the desert, saying, "I testify that there is no god but Allah and that you are the Messenger of Allah."⁷⁴

In one another tradition, The Holy Prophet (peace be upon him) even said that: "If you do not appease the hunger for a dog by giving it a piece of bread and a pot of pure water, calamity will come to the world and its inmates."⁷⁵ If there is a duty to take care about a dog and feed him, what than about a human being, no matter who and where he is? If the Prophet (peace be upon him) sent a food and money even to his bitter enemies, not to suffer from hunger during the war, what than about a duty to help those in need wherever they are? The above mentioned a traditions from the Holy Prophet (peace be upon him) clearly indicate the global duty of the Ummah to help those in need regardless of where they are located.

1.3.2 The Sunnah as the second form of Revelation:

The attribute of universality, with regard to the justice, when it comes to the Islamic teaching is possible to be attached only to those sources, which come

from the Almighty Allah. The Prophet's (peace be upon him) words, deeds, and exemplary character were without any doubt inspired by Divine guidance. The world has never seen a personality and world leader like him, and surely will never see him in the future as well. The Holy Prophet (peace be upon him) had an amazing patience in most difficult situations, persistence in justice towards everyone and everything, firmness of character. No one was ever born to be as merciful as Holy Prophet (peace be upon him), compassionate, or brave. He (peace be upon him) was the best as the leader of humanity, military commander, father, husband, and neighbor. He (peace be upon him) is simply universal man, sent by Almighty Allah as the mercy to all worlds. The concept of universal justice, which we received from the Holy Prophet (peace be upon him), is completely based on Divine revelation. With this regard, in the following two verses from the Holy Qur'an, Almighty Allah reminds us that whatever His beloved Prophet (peace be upon him) said was in accordance with His will, being divinely inspired.

وَمَا يَنْطِقُ عَنِ الْهَوَىٰ. إِنْ هُوَ إِلَّا وَحْيٌ يُوحَىٰ

He does not speak out of (his own) desire. It is but revelation revealed (to him).⁷⁶

Explaining the above mentioned verses from the Holy Quran, Ibn Kathir wrote following,

(Nor does he speak of desire), asserting that nothing the Prophet utters is of his own desire or wish, (It is only a revelation revealed.), means, he only conveys to the people what he was commanded to convey, in its entirety without additions or deletions. Imam Ahmad recorded that Abu Umamah said that he heard the Messenger of Allah say, (Verily, numbers similar to the two tribes, or one of them, Rabi`ah and Mudar, will enter Paradise on account of the intercession of one man, who is not a Prophet.) A man asked, "O Allah's Messenger! Is not Rabi`ah a sub tribe of Mudar." The Prophet said, (I said what I said.) Imam Ahmad recorded that `Abdullah bin `Amr said, "I used to record everything I heard from the Messenger of Allah so it would be preserved. The Quraysh discouraged me from this, saying, `You record everything you hear from the Messenger of Allah, even though he is human and sometimes speaks when he is angry! I stopped recording the Hadiths for a while, but later mentioned what they said to the Messenger of Allah, who said, (Write! By He in Whose Hand is my soul, every word that comes out of me is the Truth.)"⁷⁷

The similar meaning could be derived from the following tradition narrated by Abdullah ibn Amr ibn al-'As:

I used to write everything, which I heard from the Messenger of Allah (ﷺ). I intended (by it) to memorise it. The Quraysh prohibited me saying: Do you write everything that you hear from him while the Messenger of Allah (ﷺ) is a human being: he speaks in anger and pleasure? So I stopped writing, and mentioned it to the Messenger of Allah (ﷺ). He signaled with his finger to his mouth and said: Write, by Him in Whose hand my soul lies, only right comes out from it.⁷⁸

Imam Jalal Uddin al-Suyuti (849-911 A.H.) in his well-known work, *Al-Durr al-Manthūr fil-Tafsīr bi al-Ma'thur* (The scattered pearls: A commentary of Quran based on transmitted reports) mentioned two very interesting tradition where the Holy Prophet (peace be upon him) said following, The Prophet (peace be upon him) said:

النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ: مَا أَخْبَرْتُكُمْ أَنَّهُ مِنْ عِنْدِ اللَّهِ فَهُوَ الَّذِي لَا
شَكَّ فِيهِ

"That about which I have informed you that it is from Allah, it is that about which there is no doubt." And,

وَأَخْرَجَ الدَّارِمِيُّ عَنْ أَبِي كَثِيرٍ قَالَ: كَانَ جِبْرِيلُ يَنْزِلُ بِاللُّسْنَةِ كَمَا يَنْزِلُ
بِالْقُرْآنِ

"Jibril used to bring down the Sunnah just as he used to bring down the Holy Quran (from Allah)."⁷⁹

The Holy Prophet (peace be upon him), while dealing with people also confirms that the justice performed by him was divinely inspired. In the next tradition, transmitted by Jabir, let us see what his answer was to those who made complain about infallibility of his justice.

The Messenger of Allah, may Allah bless him and grant him peace, was at al-Ji'rana on the Day of the Battle of Hunayn with the spoils in the custody of Bilal. The Prophet was dividing them out. A man came up to him and said, 'Be just! You are not being just!' The Prophet said, 'Bother you! Who will be just if I am not just?' Umar said, 'Messenger of Allah, let me strike off the head of the hypocrite!' The Prophet said, 'This man is with his followers who recite the Qur'an and it does not go beyond their throats. They pass through the deen as an arrow passes through the target (i.e. nothing of it remains on the arrow).'⁸⁰

1.3.3 The necessity of loving Prophet (peace be upon him):

To love Holy Prophet Muhammad (peace be upon him) more than anything else except Almighty Allah is the essential element necessarily required for anyone to

be called a mu'min as well as righteous man according to Islamic law In the Holy Qur'an, Almighty Allah says,

فُلْ إِنْ كَانَ آبَاؤُكُمْ وَأَبْنَاؤُكُمْ وَإِخْوَانُكُمْ وَأَزْوَاجُكُمْ وَعَشِيرَتُكُمْ وَأَمْوَالٌ
اقتَرَبْتُمُوهَا وَتِجَارَةٌ تَخْشَوْنَ كَسَادَهَا وَمَسَاكِينُ تَرْضَوْنَهَا أَحَبَّ إِلَيْكُمْ مِمَّنْ
اللَّهُ وَرَسُولُهُ وَجِهَادٍ فِي سَبِيلِهِ فَتَرَبَّصُوا حَتَّى يَأْتِيَ اللَّهُ بِأَمْرِهِ وَاللَّهُ لَا
يَهْدِي الْقَوْمَ الْفَاسِقِينَ

*Say, "If your fathers and your sons and your brothers and your spouses and your clan and the wealth you have earned and the trade you apprehend will recede and the homes you like are dearer to you than Allah and His Messenger and Jihad in His way, then, wait until Allah comes with His command. Allah does not lead the sinning people to the right path."*⁸¹

There are three interlinked types of love, closely related to the Divine concept of justice in Islam. Each of these three types of love is also inseparable component of something called faith. The absence of only one kind of love automatically mean the lack of belief. The first two types of love are presented in above-mentioned verse from the Holy Qur'an, and as we can see, are related to Almighty Allah and His beloved Prophet (peace be upon him). Loving Almighty Allah and His Prophet Muhammad (peace be upon him) more than anything else is not only religious obligation, but also precondition to be called as believer in Islam. From well-known tradition narrated by `Abdullah bin Hisham, related to the conversation between `Umar bin Al-Khattab (may Almighty Allah be pleased with him) and the Holy prophet (peace be upon him) we also learn about the importance of loving the Holy Prophet (peace be upon him),

We were with the Prophet (ﷺ) and he was holding the hand of `Umar bin Al-Khattab. `Umar said to Him, "O Allah's Messenger (ﷺ)! You are dearer to me than everything except my own self." The Prophet (ﷺ) said, "No, by Him in Whose Hand my soul is, (you will not have complete faith) till I am dearer to you than your own self." Then `Umar said to him, "However, now, by Allah, you are dearer to me than my own self." The Prophet (ﷺ) said, "Now, O `Umar, (now you are a believer)."⁸²

To be loved more than everything except Almighty Allah is the right of our beloved Prophet (peace be upon him). Now we come to the third kind of love, and this type of love is needs to exist amongst the believers. It is crucially important for the two mutually interlinked Islamic concepts: brotherhood and distributive justice. In the following tradition, narrated from Anas (may Almighty Allah be pleased with him), we find that our belief also depends on what we love for our brother. The Messenger of Allah (peace be upon him) said:

"By the One in Whose hand is the soul of Muhammad, none of you has believed until he loves for his brother what he loves for himself of goodness."⁸³ How much this mutual love between believers is an important for existence of Islamic Society, our beloved Prophet (peace be upon him) so nicely illustrated in one of his saying by comparing the believers and their mutual love with one body. In the tradition, reported by Nu'man bin Bashir (May Allah be pleased with them), Messenger of Allah (ﷺ) said, "The believers in their mutual kindness, compassion and sympathy are just like one body. When one of the limbs suffers, the whole body responds to it with wakefulness and fever".⁸⁴ These three types of love were the foundation of Madīnah Society. It is not possible, for example existence of third, without existence of first two. Only hearts filled with these kinds of love may be able to love each other just for the sake of Allah, and form real Islamic society. As the next step, the members of such society should certainly help each other economically, giving of presents and charitable gifts, seeking the pleasure of Almighty Allah. The best examples of course we always find in Madīnah Society at the time of the Holy Prophet (peace be upon him).

Narrated Anas bin Malik:

Out of all the Ansar, living in Medina, Abu Talha had the largest number of (date palm trees) gardens, and the most beloved of his property to him was Bairuha garden which was standing opposite the Mosque (of the Prophet). Allah's Messenger (ﷺ) used to enter it and drink of its good water. When the Verse:-- "By no means shall you attain righteousness unless you spend (in charity) of that which you love." (3.92) Abu Talha got up and said, "O Allah's Messenger (ﷺ), Allah says:--"By no means shall you attain righteousness unless you spend (in charity) of that which you love." (3.92) and the most beloved of my property to me is the Bairuha garden, so I give it (as a charitable gift) in Allah's Cause and hope to receive good out of it, and to have it stored for me with Allah. So, O Allah's Messenger (ﷺ)! Dispose it of (i.e. utilize it) in the way Allah orders you (to dispose it of)." Allah's Messenger (ﷺ) said, "Bravo! That is a fruitful property! That is a fruitful property! I have heard what you have said and I think that you should distribute that (garden) amongst your relatives." The Abu Talha distributed that garden amongst his relatives and his cousins.⁸⁵

Only those who possess this love will be able to implement the principles of distributive justice in Islam. This love is universal in its nature, and therefore through this love individual will be able to be connected with Almighty Allah and His Messenger (peace be upon him) and serve a humanity. This love is a cornerstone of Islamic concept of Divine justice. Today, the unity of the Muslim Ummah is not possible to be re-established without this pillar of justice is made strong and outstanding

1.4 Conclusion:

Surely to write about universality and scope of justice in Islam is something that has a beginning but no end. The notion of universality of justice in Islam is certainly inseparable from the justice as an attribute of Almighty Allah and the Holy Prophet (peace be upon him). Therefore, the attribute of universality, whether it is about justice, rights or anything else when the Islamic law is in question it is of course inseparable from the will of God, and therefore needs to abide by it. The universality and scope of justice in Islam is unlimited and manifested toward everything whatsoever Almighty Allah has created. There are countless different manifestations of God's justice while our knowledge about them is very much limited. Divine justice implies among many other things that in the universe all things are in exact proportion and in the correct place and situation, perfectly ruled by Almighty Allah. God's absolute justice also comprises of His knowledge, which encompass everything, and there is nothing that could be hidden from Him. The definition of justice, to give everyone his due, given by Imam Ali (may Almighty Allah be pleased with him) looks as a one which is most comprehensive. According to this definition to give everyone his due means foremost obedience to Almighty Allah and His beloved Prophet (peace be upon him). Accordingly, a person is just insofar as he gives everything its proper due, in accordance to God's Will and Command. Consequently, any disobedience to God is to be considered as the act of injustice. We have also seen that a brotherhood in Islam is an integral part of justice in Islam. Therefore, in a society where brotherhood does not exist, it is completely illusory to talk about the existence of distributive justice. Unfortunately, the lack of brotherhood today is very expanded phenomenon among Muslims, especially in countries where Muslims make up the majority. The attribute of universality, with regard to the justice, granted to the Holy Prophet (peace be upon him) by Almighty Allah is due to Divine guidance. The Prophet's (peace be upon him) words, deeds, and exemplary character were without any doubt all the time inspired by God Almighty. Universality of Prophet Muhammad (peace be upon him) justice was not only manifested towards the people, but also towards everything whatever Almighty Allah has created.

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¹ "Equality, justice, or rectitude; cont. of جور; (S.O, Msb, K, TA;) i.e. i.q. قصد, in affairs; (Msb;) and قسط; (S,M,Mgh, &c, in art. قسط;) and تسوية; (O, K;) and استقامة; (I Aar, K;) and a thing that is established in the minds as being right; (K, TA;) as also معدلة (S, Msb, K) and عدالة and عدولة: (K :) or, as some say, it is the *mean between excess and falling short*: and Er-Rághib says, it is of two sorts: one is *absolute, such that reason requires the inference of its goodness*; and this will not at any time be abrogated, nor described as a mode of transgression; as the doing good to him who does good to thee, and the abstaining from harming him who abstains from harming thee: and the other is *such as is known to be عدل by the law*; and this may be abrogated sometimes; as retaliation, and fines for wounds and maimings, and the taking the property of the apostate; and this is what is meant by the saying in the Kur [xvi. 92], ان الله يامر بالعدل و الاحسانان, i.e. [Verily God comandeth] equality in

recompensing, if good, with good, and if evil, with evil, and the the requiting of good with more good, and of evil with less evil: [see also 4 in art. حست] and he says of عدالة and معدلة, that each is a term requiring the inference of equality, and is used with a regard to correlation. (T.A.) One says, بسط الوالى عداله and معدلته (S,O) and معدلته (S) [*The governor, or ruler, largely extended his equity, or justice*] And فلان من أهل المعدلة (S,) or المعدلة (O,) i.e. من أهل العدل [*Such a one is of the people of equity, &c.*]. (S,O.) و زوى منكم عدل زوى, in the Kur [lxv. 2], is used by Sa'eed Ibn-El-Museiyib to mean زوى عقل [i.e. *And make ye to be witnesses two persons of intelligence from among you: but this rendering I think questionable*]. (TA.) – Also *Repayment, requital, compensation, or recompense.* (K.) – And *Ransom,* (S, O, Msb, K, TA,) *when regard is had therein to the meaning of equality, or equivalence.* (TA.) This is [said to be] the meaning in the phrase of the Kur [v. 96], و عدل ذلك صياما , [*Or the ransom thereof by fasting: but this is generally expl. as meaning or the like thereof of fasting; (see عدل;) i.e., in lieu of feeding a number of poor men, one shall fast the like number of days*]. (S, O.) And so [according to some] in the saying, occurring in a trade, لا يقبل لا أعطاه بالعدل [of which see various explanations (including three renderings here following) in art. إصرف]. – And Measure; syn كيل (K.) So in the phrase أعطاه بالعدل [*He gave him by measure*]. (T.K.) – And *An obligatory act or divine ordinance.* (En-Nadr, O,K.) – And *A supererogatory act.* (O.K.) = *Also One who acts equitably, justly, or rightly; and so عادل: (K, TA or the latter signifies thus: (S,O and the former [particularly] signifies a man approved and satisfactory in testimony; originally an inf. N.; (S, O, TA;) whose testimony is approved and available; (Msb;) a man whose testimony is allowable, or legally admissible, as also عادل; a man whose saying, and whose judgment, or judicial decision, are approved; and, according to Ibrâheem, one from whom a thing occasioning doubt, or suspicion, or evil opinion, has not appeared: being originally an inf. N., it means ذو عدل or, according to IJ, it is an intensive epithet, as though meaning possessing every kind of عدل.*" (EDWARD WILLIAM LANE, ARABIC-ENGLISH LEXICON, LIBRAIRIE DU LIBAN , Riad el-Solh Squere, Beirut – Lebanon, 1968, 5:1974).

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- ⁵⁴ Ibn Kathīr, *Tafseer*, 4:616
- ⁵⁵ Mufti Muhammad Aashiq Elahi Muhajir Madani, *Tafsīr Anwarul Bayan*, (Karachi, Darul Ishaat, 2005), 3:478
- ⁵⁶ Holy Qur'an, 7:158
- ⁵⁷ Aashiq Elahi, *Tafsīr Anwarul Bayan*, 4:326
- ⁵⁸ Holy Qur'an, 34:28
- ⁵⁹ Muḥammad Shafi', *Ma'āriful-Qu'ān*, 7:301
- ⁶⁰ Ibid, 301-302
- ⁶¹ Holy Qur'an, 6:90
- ⁶² Sunan an-Nasa'i, Vol. 1, Book 4, Hadith 432
- ⁶³ Jamī at-Tirmidhi, Vol. 3, Book 19, Hadith 1553
- ⁶⁴ Holy Qur'an, 33:40
- ⁶⁵ Ibn Kathīr, *Tafseer*, 7:701-702
- ⁶⁶ Muḥammad Shafi', *Ma'āriful-Qu'ān*, 7:171
- ⁶⁷ Imam Ibn Sa'd, *Tabaqat al Kubra*, Volume No. 1, Page No. 357
- ⁶⁸ Haddad, Anton F., trans. *The Oath of the Prophet Mohammed to the Followers of the Nazarene*. New York: Board of Counsel, 1902; H-Bahai: Lansing, MI: 2004
<http://newsrescue.com/letter-to-all-christians-from-prophet-muhammad-sa/#axzz3eSATGAOr> (accessed February 1, 2016).
- ⁶⁹ Sahih al-Bukhari, Vol. 4, Book 55, Hadith 661
- ⁷⁰ [Jamī at-Tirmidhi](#), Vol. 1, Book 46, Hadith 3686
- ⁷¹ Qadi 'Iyad ibn Musa al-Yahsubi, *Ash-Shifa of Qāḍī 'Iyad*, transl. Aisha Abdurrahman Bewley, (Granada, Madina Press, 1991), 65
- ⁷² Ibid.,
- ⁷³ Ahmed Zaki Yamanai, *Humanitarian International Law in Islam: A General Outlook*, in *Understanding Islamic Law, From Classical to Contemporary*, Edited by Hisham M. Ramadan, (Oxford, Alta Mira Press, 2006), 83
- ⁷⁴ Ibid., 174
- ⁷⁵ Imam Ghazālī, *Ihyā Ulum-Id-Din*, transl. Fazl-ul-Karim, (Karachi, Darul-Ishat, 1993), 4:86
- ⁷⁶ Holy Qur'an, 53:3-4
- ⁷⁷ Ibn Kathīr, *Tafseer*, 9:307
- ⁷⁸ Sunan Abi Dawud, Book 25, Hadith 3639
- ⁷⁹ Imam Jalal Uddin al-Suyuti, *Al-Durr al-Manthūr fīl-Tafsīr bi al-Ma'thur*, ed. Shaykh Najdat Najī (Beirut: Dar Ehia al-Tourath al-Arabi, 2001) 7: 643
- ⁸⁰ Al-Adab Al-Mufrad, Book 33, Book of Speech, Hadith 774
- ⁸¹ Holy Qur'an, 9:24
- ⁸² Sahih al-Bukhari, Vol. 8, Book 78, Hadith 628
- ⁸³ Sunan an-Nasa'i, Vol. 6, Book 47, Hadith 5020
- ⁸⁴ Riyad as-Salihin, Book 1, Hadith 224
- ⁸⁵ Sahih al-Bukhari, Vol. 6, Book 60, Hadith 76