

Fast 12: Justice towards all (3)

- The Quran places the doing of justice as above all other considerations:

“O you who believe, be maintainers of justice, bearers of witness for Allah, even if it is against your own selves or (your) parents or near relatives — whether he is rich or poor, Allah has a better right over them both. So do not follow (your) low desires, that you deviate. And if you distort (the truth) or turn away (from it), surely Allah is ever Aware of what you do.” (4:135)

يَا أَيُّهَا الَّذِينَ آمَنُوا كُونُوا قَوِّمِينَ
بِالْقِسْطِ شُهَدَاءَ لِلَّهِ وَلَوْ عَلَىٰ أَنفُسِكُمْ أَوِ
الْوَالِدِينَ وَالْأَقْرَبِينَ إِن يَكُنْ غَنِيًّا أَوْ
فَقِيرًا فَإِنَّهُ أَوْلَىٰ بِهِمَا فَلَا تَتَّبِعُوا
الهُوَىٰ أَنْ تَعْدِلُوا وَإِنْ تَلَّوْا أَوْ تَعْمَرُوا
فَإِنَّ اللَّهَ كَانَ بِمَا تَعْمَلُونَ خَبِيرًا ﴿١٣٥﴾

The Quran in this verse requires Muslims to be so careful and scrupulous in administering justice and giving evidence as not to be swayed by any favouritism for their closest ones, nor to be influenced by fear of the rich or compassion for the poor. This is solely so that the truth can be established. How could it be right then to give less weight to a non-Muslim's evidence and more weight to a Muslim's evidence? If discrimination on the basis of physical relationship or on the basis of social class is prohibited, as it is in this verse, how could it be allowed on the basis on religion? This distinction by religion cannot possibly help to better establish the truth, unless someone can show that the evidence of each and every Muslim is more truthful than the evidence of each and every non-Muslim!

- Justice is also emphasised in a verse which states that Muslims must be honest in their worldly dealings with others:

“And do not approach the property of the orphan except in the best manner, until he attains his maturity. And give full measure and weight with equity — We do not impose on any soul a duty beyond its ability. **And when you speak, be just, even (against) a relative.** And fulfil Allah's covenant. This He enjoins on you that you may be mindful.” (6:152)

وَلَا تَقْرُبُوا مَالَ الْيَتِيمِ إِلَّا بِالَّتِي هِيَ
أَحْسَنُ حَتَّىٰ يَبْلُغَ أَشُدَّهُ وَأَوْفُوا الْكَيْلَ
وَالْمِيزَانَ بِالْقِسْطِ لَا تُكَلِّفُ نَفْسًا إِلَّا
وُسْعَهَا وَإِذَا قُلْتُمْ فَاعْدِلُوا وَلَوْ كَانَ ذَا
قُرْبَىٰ وَبِعَهْدِ اللَّهِ أَوْفُوا ذِكْرَكُمْ وَصَّكُمْ
بِهِ لَعَلَّكُمْ تَذَكَّرُونَ ﴿١٥٢﴾

These instructions apply to a Muslim’s dealings with anyone else, whatever community or religion the other person may belong to. An orphan that we are looking after could be a non-Muslim, and a person to whom we are selling something, and must give full measure and weight, could also be a non-Muslim. Similarly, when we “speak”, for example, giving evidence in court or writing a job reference for someone or expressing an opinion, etc. etc., we must be “just”, even if it means we have to speak against a relative. Quite obviously, being “just” in giving judgment cannot allow us to be swayed for or against a person because of his religion.

- That **Allah loves those who do justice** is repeated in the Quran.

— Regarding judging between two groups of Muslims who are quarrelling, it is said:

“...make peace between them with justice and act equitably. **Surely Allah loves the equitable.**” (49:9)

فَاَصْلِحُوا بَيْنَهُمَا بِالْعَدْلِ وَأَقْسِطُوا إِنَّ اللَّهَ يُحِبُّ الْمُقْسِطِينَ ﴿٩﴾

— As to friendly non-Muslims not at war with Muslims, the Quran instructs:

“Allah does not forbid you, with regard to those who do not fight you for religion, nor drive you forth from your homes, **that you show them kindness and deal with them justly. Surely Allah loves the doers of justice.**” (60:8)

لَا يَنْهَى اللَّهُ عَنِ الَّذِينَ لَمْ يُقَاتِلُوكُمْ فِي الدِّينِ وَلَمْ يُخْرِجُواكُم مِّن دِيَارِكُمْ أَنْ تَبَرُّوهُمْ وَتُقْسِطُوا إِلَيْهِمْ إِنَّ اللَّهَ يُحِبُّ الْمُقْسِطِينَ ﴿٨﴾

— The Jews in Madinah had accepted the Holy Prophet as judge in all disputes, whether among their own people or between them and others. Later they turned against him. So Allah instructed him as follows:

“...if they come to you, judge between them or turn away from them. ... And if you judge, **judge between them with equity. Surely Allah loves the equitable.**” (5:42)

فَإِنْ جَاءُوكَ فَاحْكُم بَيْنَهُمْ أَوْ أَعْرِضْ عَنْهُمْ ... وَإِنْ حَكَمْتَ فَاحْكُم بَيْنَهُمْ بِالْقِسْطِ إِنَّ اللَّهَ يُحِبُّ الْمُقْسِطِينَ ﴿٤٢﴾

The Prophet is allowed by Allah to refuse to judge between them, but in case he judged between them, he is still told to judge with equity. To be equitable under such circumstances shows that the Prophet had reached the highest point of moral rectitude to which man can attain.