

Justice in Islam is above religious prejudice and religious enmity (3)

Friday Khutba by Dr Zahid Aziz, for Lahore Ahmadiyya UK, 11 December 2020

إِنَّا أَنْزَلْنَاهَا إِلَيْكَ أَنْكُتَبَ بِالْحَقِّ لِتَحْكُمَ بَيْنَ النَّاسِ بِمَا آرَبَكَ اللَّهُ ۖ وَلَا تَكُنْ لِلْخَآبِئِينَ حَصِيْمًا ۗ
وَأَسْتَغْفِرِ اللَّهَ ۗ إِنَّ اللَّهَ كَانَ غَفُورًا رَحِيْمًا ۗ وَلَا تَجَادِلْ عَنِ الَّذِينَ يَخْتَانُونَ أَنفُسَهُمْ ۗ إِنَّ اللَّهَ لَا
يُحِبُّ مَنْ كَانَ خَوَانًا أَثِيْمًا ۗ

“Surely We have revealed the Book to you (O Prophet) with truth that you may judge between people by means of what Allah has taught you. And do not be one pleading the cause of the dishonest, and ask the forgiveness of Allah. Surely Allah is ever Forgiving, Merciful. And do not contend on behalf of those who act unfaithfully to their souls. Surely Allah does not love him who is treacherous, sinful.” (The Quran, 4:105–107)

I am still continuing with the subject of the last week to show the importance placed by Islam on the concept of *judging with justice*. These verses address the Holy Prophet Muhammad and use the singular tense throughout. Even where we cannot see it in the English translation, as in “And do not contend”, it is in the singular. Of course, the teachings mentioned here, about not pleading the cause of the dishonest people, apply to every Muslim, but the Holy Prophet is particularly addressed because of the incident which is said to have prompted the revelation of these verses. That incident is mentioned by Maulana Muhammad Ali in his commentary under these verses in his English and Urdu translations of the Quran. The famous Sunni Muslim scholar Maulana Abul Ala Maudoodi has related that incident in more detail in his Urdu commentary of the Quran. I quote below from the English translation of that commentary. Maulana Maudoodi writes:

“There was in the Bani Zafar clan of the Ansar, a man known as Ta‘mah or Bashir bin-Ubairiq. He stole the armour shield of another Ansari and hid it in

the house of a Jew.¹ When an investigation started into the theft, the owner of the armour shield placed the matter before the Holy Prophet and told him that he suspected Ta‘mah of the theft. But the accused and his relatives and many other people of the Bani Zafar clan conspired and laid the guilt at the door of the Jew, who asserted that he was innocent of the thing. But Ta‘mah’s people went on pleading his case vehemently. They argued: ‘The statement of the Jew who is an enemy of the Truth and who disbelieves in Allah and His Messenger cannot be trusted; whereas we are Muslims, and, therefore, should be trusted.’ The Holy Prophet was naturally influenced by the seeming correctness of the argument and was about to acquit Ta‘mah and give a warning to the plaintiff for bringing a false charge against a Muslim, and decide the case against the Jew, when this Revelation came and disclosed the reality of the matter.”

I may here point out that Maulana Abul Ala Maudoodi was a very famous Sunni Muslim religious scholar in Pakistan, who also headed a large political party, the *Jamaat-i Islami*, which has a huge following in the country. His followers should read what he has written above: that the thief and his supporters used the argument that “we are Muslims, so we must be trusted as telling the truth; the other party is a non-Muslim enemy of Islam and cannot be trusted”. This argument is commonly used in court cases in Pakistan that involve a Muslim against a non-Muslim. The Muslim claims that his word must be believed because he is a Muslim. It is used in particular in so-called blasphemy cases, where a Muslim accuses a non-Muslim of insulting Islam or the Holy Prophet. Instead of providing evidence, he says: ‘I am a Muslim, I love the Holy Prophet, and this proves that I must be telling the truth, but the accused person is an enemy of Islam.’ This argument is regarded with great sympathy and it is even accepted. It is the followers of Maulana Maudoodi who have created a situation in Pakistan where a Muslim who goes as far as even killing a non-Muslim can put forward this kind of justification for his murderous his act in court.

¹ Note by Zahid Aziz: He hid it at the Jew after he was suspected of stealing it.

As Maulana Maudoodi goes on to relate, when the thief and his supporters put this very argument to the Holy Prophet, “Allah directly intervened” — these are Maudoodi’s words — to inform him of the truth that the Jew was in the right and it was the Muslim who was the guilty party, so that the Holy Prophet then gave the correct judgment. “Allah directly intervened” in favour of a Jew and against persons who were calling themselves Muslims. This is the administration of justice by Allah Himself. It is *not only* justice without religious prejudice, but, more so, it is justice without any prejudice against an enemy.

Maulana Muhammad Ali writes under these verses:

“The Prophet, despite the open enmity of the Jews, cleared the Jew of the charge. It was a time when every Muslim hand was sorely needed for the defence of Islam, and a verdict against a man supported by his whole tribe meant the loss of that tribe. But such considerations did not carry any weight with the Prophet. Thus, these verses lay down the broad principle that dishonesty must be punished, and the balance of justice must be held equal between Muslims and non-Muslims and between friends and foes.”

Maulana Maudoodi then goes on to tell us why Allah informed the Holy Prophet of the true position about this case. He writes:

“If the Holy Prophet had decided the case against the Jew at that time, when a bitter conflict was raging between Islam and *kufir*, the enemies of Islam would have got a strong moral weapon against him, nay, against the Islamic Community and the Islamic Mission. They would have carried on a bitter propaganda against Islam, saying, ‘There is no justice among the Muslims; they practice prejudices and partisanship inspite of the fact that they preach against them as has been shown by this decision against the Jew’. That is why, Allah directly intervened in the case to save them from this danger.”

Maulana Maudoodi has rightly pointed out here that if Muslims fail to adhere to justice in dealing with non-Muslims, but instead show prejudice, then this gives the critics of Islam a *moral weapon* to use against Islam. This of course is what we see when the news of the kind of court cases that I mentioned above in Pakistan reaches the outside world. It hands a moral weapon to the detractors of Islam. Unfortunately, Maulana Maudoodi's own admirers and followers are in the lead in the behaviour which hands this moral weapon to the critics of Islam.

Maulana Maudoodi has also recognised here something called a *strong moral weapon*. The opponents of Islam would have been handed that moral weapon to use against Islam if the Holy Prophet had not done justice to the Jew, as he says. Equally, by his doing of absolute justice, a strong moral weapon was handed to Muslims to use in favour of Islam.

However, the concept of moral weapons does not fit in with the basic ideology of Maulana Maudoodi, which he put forward in his numerous writings and speeches. He preached that Islam can only succeed through taking political power and ruling over countries. He once gave a series of *khutbas* about the fundamentals of Islam which have been published in English in a book entitled *Let us be Muslims*. In it, Maudoodi says to Muslims:

“... wherever you are, in whichever country you live, you must strive to change the wrong basis of government, and seize all powers to rule and make laws from those who do not fear God” (*Let us be Muslims*, p. 290)

“Din actually means the same as state and government” (p. 295).

He writes that all prophets arose with the mission of getting their followers to take power in the country so that they could enforce their teachings on the people. In his opinion, prayer, fasting, charity and *Hajj* are all meant to train Muslims to strive, or do jihad, to gain the power of ruling the country (p. 291). He says that, without Muslims

striving to establish a government, all their acts of worship become “empty of meaning” and don’t bring them nearer to God (p. 293).

But I would ask: Don’t these acts of worship by themselves, if performed in their true sense and spirit and not just ritually, give Muslims a moral weapon? If they learn to lead their lives according to the lessons taught by prayer, fasting, charity and *Hajj*, wouldn’t this act as a weapon to impress and conquer the hearts of other nations?

Now if acquiring political and state power had been the real and true objective of Islam, then in this particular case of the Jew versus the Muslim the Holy Prophet should have thought that, for the time being, he would give the decision in favour of the Muslim so that his tribe remains within Islam and helps the Muslims to gain power and rule in the country. And then perhaps after Muslim rule is established, he would then have made amends by forgiving the Jew and punishing the Muslim at a more opportune time? But as Maulana Maudoodi himself tells us, the Holy Prophet’s action, taken when Allah disclosed the truth to him, gave Muslims a higher moral position. So the Holy Prophet preferred to have the higher moral position, by doing justice, than a stronger political position.

In another book which Maulana Maudoodi wrote about the work of *mujaddids* in Islam, he writes that the government which is:

“needed to practically enforce Islam is the very object of Allah’s Shariah and establishing it even by Jihad (is) obligatory on every Muslim.” (*A Short History of the Revivalist Movement in Islam*, p. 25, footnote).

While dealing with the work of three great *mujaddids* who appeared in India before Hazrat Mirza Ghulam Ahmad, he declares that the missions of these *mujaddids* were partial failures because they never tried to create a Muslim state or government. He writes that: “... they failed because they could not put an end to the un-Godly rule and practically establish the political supremacy of Islam” (p. 108, footnote).

According to Maulana Maudoodi, although these *mujaddids* brought about the moral and social reform of the Muslims, and put them on the right path in many issues where they had deviated from Islam, but this was not sufficient work for the revival of Islam because, he says, they neglected creating an Islamic state ruled by Muslims. But he does not seem to realize that they neglected to strive for creating an Islamic state because they knew that moral reform of the people is the primary mission of any Prophet or a *Mujaddid*, and not to bring them power and rule in the country.

بَارَكَ اللهُ لَنَا وَكَرَّمَنَا فِي الْقُرْآنِ الْعَظِيمِ، وَنَفَعَنَا وَإِيَّاكُمْ بِالآيَاتِ وَالذِّكْرِ الْحَكِيمِ، إِنَّهُ تَعَالَى جَوَادٌ كَرِيمٌ
مَلِكٌ بَرٌّ رَوْوْفٌ رَحِيمٌ-

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