

Forgiveness and Justice: meditations on some hadiths

Abdal Hakim Murad

- (1) The Prophet ﷺ prayed for pardon for his people, and received the reply: ‘I have forgiven them all but acts of oppression, for I shall exact recompense for the one who is wronged, from his oppressor.’¹

In the Qur’ān, God is just, and requires justice; but he is also forgiving, and requires forgiveness; in fact, its references to the latter property outnumber those on justice by a ratio of approximately ten to one.² Islamic theology has not always been clear how the ensuing tension is to be resolved. ‘My Mercy outstrips My wrath’ is a well-known divine saying,³ but one which nonetheless is far from abolishing God’s wrath. Indeed, a righteous indignation about injustice is integral to the prophetic representation of God’s qualities, and from the earliest moments of its revelation the Qur’ān links God’s expectations of His creatures to justice towards the weak. Often the same texts are explicitly eschatological, affirming that those who do not uphold God’s justice in this world will be at its receiving end in the next. Indigenous Arab religion can expect a stern retribution, given that its demands are for tribal solidarity, not for the upholding of universal canons of justice.⁴ The idol cannot demand justice, only retribution (*tha’r*); and the prophetic vocation must therefore link the destruction of paganism with the

¹ Tirmidhī, *Īmān*, 59.

² Muḥammad Fu’ād ‘Abd al-Bāqī, *al-Mu’jam al-Mufahras li-alfāz al-Qur’ān al-Karīm* (Cairo: Dar al-Kutub al-Miṣriyya, 1939): 234 occurrences of the root *gh-f-r*, contrasted with 28 for ‘-d-l’. The hadith literature also suggests a major disparity: A.J. Wensinck, *et al.*, *Concordance et indices de la tradition musulmane* (Leiden: E.J. Brill, 1936–88), IV. 528–40 (*gh-f-r*); IV. 151–5 (‘-d-l’). Despite the crudity of this statistical exercise the discrepancy is suggestive.

³ Bukhārī, *Tawḥīd*, 13; Muslim, *Tawba*, 14,

⁴ Cf. the pagan tribesman’s cry: ‘I am of Ghaziyya; if she be in error, then I will err; And if Ghaziyya is guided aright, I go right with her!’ Toshihiko Izutsu, *Ethico-Religious Concepts in the Qur’ān* (Montreal: McGill-Queens University Press, 1966), 55. This is precisely the ‘my country right or wrong’ of 20th century *jāhiliyya*. For Arabian tribalism see further *ibid.*, 55–72; M.M. Bravmann, *The Spiritual Background of Early Islam: Studies in Ancient Arab Concepts* (Leiden: E.J. Brill, 1972), 67.

establishment of a code of justice which overturns Arab norms by refusing to discriminate between the tribes. This hadith is to be read against the background of clan vendettas: instead of seeking collective retaliation against a miscreant's tribe, the victim of injustice is to appeal to the new law, and to recall that all apparent imbalances will have a just settlement at the judgement seat.

- (2) There is an act of charity [*ṣadaqa*] to be given for each part of the human body; and for every day over which the sun rises there is a reward of a *ṣadaqa* for the one who establishes justice among people.⁵

Justice (*‘adl*) is due balance (*i‘tidāl*): it is impartiality. The same word is employed to describe the balance of the body's four humours. When these are in balance, right thinking and health are the consequence. When they are not, the Qur'ān speaks of the last day when 'their tongues, their hands and their feet will bear witness to what they used to do.' (24:24)

To purify the body from the disorders which both engender and result from sin, a system of worship is gifted in revelation, which culminates in the placing of the forehead, the symbol of human pride and of self-oriented thought, upon the earth. The tongue 'gives charity' by praising God, and by speaking words of reconciliation. The hands do so by working to earn a lawful income, and by striving to right wrongs in society. Taken together, the purifying 'charity' offered by the parts of the believer's body always has a social impact, the highest aspect of which must be to 'establish justice', not only by avoiding unbalanced temptations, but by working to establish a political order in which justice is safeguarded. Political work is thus conceived as a sacrifice. Never is political authority 'sought', in the conventional profane understanding, for a hadith says: 'Do not seek political power, for if you obtain it by seeking it, it will be given power over you.'⁶ This refers to a selfish, egotistic pursuit (*hirs*) of power, rather than to the selfless seeking of power for the sake of the establishment of justice for others.⁷ The model is the Prophet, ﷺ who endangers himself in order to establish God's justice in a feuding Arabia, and who ends his life in

⁵ Bukhārī, *Ṣulḥ*, 11.

⁶ Bukhārī, *Aḥkām*, 6; Muslim, *Imāra*, 13.

⁷ Yaḥyā ibn Sharaf al-Nawawī, *al-Minhāj fī sharḥ Ṣaḥīḥ Muslim ibn al-Ḥajjāj* (Cairo: al-Maṭba‘a al-Miṣriyya, n.d.), XII, 207.

holy poverty, despite the advantages he could have gained from having been born into the aristocracy.

- (3) I have forbidden injustice for Myself, and have made it forbidden amongst you, so do not oppress one another.⁸

Here God himself is speaking: this is a so-called ‘Holy Hadith’ (*ḥadīth qudsī*).⁹ This text establishes that the ‘political’ life is not dissociated from the ‘religious’; not just because the believer should recognise an integrated set of values in all he or she does, but also because by cultivating the political virtues we conform ourselves to the ‘qualities of God’. Hence the often-cited hadith, ‘Emulate the qualities of God.’¹⁰ In this somewhat Platonic understanding, the ground of ethics is in God, whose detailed moral excellences are the source of human values. The alternative is seen, at least by Ash‘arīs, as a form of dualism. The ruler’s subjects may thus recognise his actions as moral by reference to revelation, and will consider any injustice as a blasphemy against God. Leaving political decisions to individuals who reject justice as a blessing grounded in a heavenly archetype is to cultivate the mentality of Pharaoh, who ‘exalts himself in the land’, and ‘divides its people into groups’. (Qur’ān, 28:4)

- (4) Umm Salama narrated: ‘God’s Messenger, upon him be peace, never went out of my house without raising his eye to the sky and saying: “O Lord God! I seek refuge in You lest I stray or be led astray, or slip or be made to slip, or cause injustice or suffer injustice, or do wrong or have wrong done to me”’.¹¹

The Prophet, ﷺ as a saintly being who has ‘emulated God’s qualities’, must manifest His justice as well as His mercy. Here Islam and Christianity tread very different paths.

⁸ Muslim, Birr, 55.

⁹ For this genre see William A. Graham, *Divine word and prophetic word in early Islam* (The Hague: Mouton, 1977).

¹⁰ Al-Ghazālī, *Disciplining the Soul*, tr. T.J. Winter (Cambridge: Islamic Texts Society, 1995), 68.

¹¹ Abū Dāūd, Witr, 32.

The Christ of the Gospels, despite incidents such as the ‘cleansing of the Temple’,¹² preaches a passive witness; the Prophet of Islam also receives persecution patiently, but also strives to establish justice politically, with a mercy that may come through rigour. No doubt this is not the result of a deep clash between ideals, but rather is the consequence of incommensurable contexts: Islam, too, advocates non-confrontation when oppressed by a massively powerful empire;¹³ and Christians have moved away from the pacifism of the Gospels, fearful of the consequences of failing to control tyrants. Yet in the founding stories the differing emphasis is clear. Some Muslims have regarded this as grounds for reproach: according to Shabbir Akhtar, ‘a Muslim face to face with a Pilate would have given the Roman chap a lot more to do than merely wash his hands’;¹⁴ a view that neglects the cautious stance of classical Muslim jurists over resistance against overwhelming odds. But a characteristically Muslim optimism about the reformability of structures is also, no doubt, at work.¹⁵

- (5) God’s messenger ﷺ said: ‘Whoever sees something he dislikes in his ruler should be patient, because whoever leaves the community [*jamā‘a*], even by one fraction, and then dies, has died the death of the Age of Ignorance [*jāhiliyya*].’¹⁶

This hadith forms part of a substantial body of revealed texts which seem to insist on political quietism in the face of misconduct by rulers. Unsurprisingly it lay at the centre of a storm of controversy. Most Sunni scholars maintained the view that once a caliph had been chosen (*ikhtiyār*), it became unlawful for Muslims to rebel against him. For the Ḥanafīs (the most widespread school of law), ‘if the ruler is oppressive, or

¹² Étienne Trocmé, ‘L’expulsion des marchands du Temple,’ in *New Testament Studies* 15 (1968), 1-17, proposes this as evidence that Jesus had active Zealot connections.

¹³ Majid Khadduri, *War and Peace in the Law of Islam* (Baltimore: Johns Hopkins University Press, 1955), 135-6.

¹⁴ Shabbir Akhtar, *The Final Imperative: An Islamic Theology of Liberation* (London: Bellew, 1991), 45.

¹⁵ Cf. Ahmet Davutoğlu, *Alternative Paradigms: The Impact of Islamic and Western Weltanschauungs on Political Theory* (Lanham: University Press of America, 1994), 102: ‘The necessity of human cooperation has been explained by Muslim thinkers on the basis of the virtue of love rather than the natural feeling of competition as the basic psychological stimulus.’

¹⁶ Muslim, *Imāra*, 40.

corrupt, he is not to be deposed,' the reason being the fear of civil war (*fitna*), which had been the besetting evil of the Age of Ignorance before Islam. This quietism was resisted by the Mu'tazilite and Khārijite sects, by many Twelver Shi'ites, and also by some Shāfi'i Sunnis.¹⁷ The institutional separation of the ulema class (*ahl al-qalam*), who were funded by their own mortmain endowments (*awqāf*), from the ruling family and its military formations (*ahl al-sayf*), which reached its peak in the Ottoman theory and practice of religious statecraft, nonetheless gave the preachers the duty of condemning the sultan's abuses, and defending the interests of the poor and weak.¹⁸

In the late twentieth century the classical Sunni view came under fire from radical reformers. Khomeini, departing from Sunnī and Shī'i tradition, advanced a theory of governance by the religious scholar (*vilāyet-e faqīh*), while in the Sunnī world individuals frustrated by the religious establishment's reluctance to challenge abuses by post-colonial regimes repudiated the old quietism, and advocated militant struggle against governments which, they held, were answerable to Western powers rather than to the values of their own subjects, and were hence unworthy of Muslim allegiance. Typically, and ironically, it seems that this sea-change in Muslim political thought is the result of Western influence.¹⁹

¹⁷ Abu'l-Yusr Muḥammad al-Pazdawī, ed. Hans Lins, *Uṣūl al-Dīn* (Cairo: Dār Ihyā' al-Kutub al-'Arabiyya, 1383/1963), 190-1.

¹⁸ For medieval Islamic separations of religious and political institutions see pp.14-5 of Ilkay Sunar, 'Civil Society and Islam', in Elisabether Özdalga and Sune Persson (eds.), *Civil Society, Democracy and the Muslim World* (Istanbul: Swedish Research Institute, 1997), 9-15. A few exceptions (usually Sufis) to this rule nonetheless bear mentioning. Perhaps the clearest example is Qāḍī Burhān al-Dīn of Sivas (d.1398), a religious scholar who by a series of promotions in the state's administration became prince of a sizeable territory. (Vehbi Cem Aşkun, *Kadi Burhanettin: Sivas sultani* (Eskişehir: Akdeniz Matbaası, 1964); William Chittick, 'Sultan Burhān al-dīn's Sufi Correspondence,' *Wiener Zeitschrift für die Kunde des Morgenlandes* (1981), 33-45. Other examples would include the Emir 'Abd al-Qādir of Algeria, and 'Uthmān dan Fodio in Hausaland.

¹⁹ The case is made, for instance, by John Gray, *Al-Qaeda and What it Means to be Modern* (London, 2003); also L. Carl Brown, *Religion and State: the Muslim approach to politics* (New York: Columbia University Press, 2000), 41: 'the political ideology advanced by Ayatullah Khomeini and the political reality of a government actually led by mullahs, represents a sharp break with tradition.'

- (6) God's Messenger, upon him be peace, then made the rounds of the House, and prayed two *rak'as* of prayer. Then he went to the Ka'ba, and, holding its door-jamb, said: 'What do you think I will do?' They replied: 'The son of a brother, and the nephew of a mild and merciful man!' [This exchange was repeated three times.] Then God's Messenger, upon him be peace, said: 'I declare, as did Joseph: 'There is no blame upon you this day. God shall forgive you; and He is the most merciful of the merciful.' (Qur'an 12:92) And they left the mosque as though they had been raised from their graves.'²⁰

The tension between justice and forgiveness is given an iconic representation by this account of the Blessed Prophet's approach to the defeated Meccans, a moment which is the political culmination of his career. The Meccan elite had sought to assassinate him, and to eliminate his fledgling community in Medina. Now helplessly in his power, they must have expected annihilation, in accordance with the accepted Arab principles of vendetta. Instead, they are freed, and are not taken to task for their actions. Even Hind, wife of the Meccan leader Abū Sufyān, a woman who had paid for the assassination of the Prophet's uncle Ḥamza and had then chewed on his liver on the battlefield of Uhud, was not punished. Instead, the Prophet ﷺ chooses to quote Joseph's words, spoken as he forgave his errant brothers who were finally in his power in Egypt.

Such a scene recalls the moral arguments which surrounded Nelson Mandela's Truth and Justice Commission in South Africa.²¹ The rule of a corrupt ethnic elite was at an end; the policy of fomenting discord between tribal groups was terminated. As the Prophet ﷺ goes on to say, 'People are all the children of Adam, and Adam is of dust.'²² What purpose could be served by strict justice?

Major symbolic moments in the history of Mecca are often given eschatological significance. The city itself is a sanctuary (*ḥaram*), declared such 'on the day God created heaven and earth.'²³ As such it stands a little outside human justice. For many

²⁰ Bayhaqī, *Dalā'il al-nubuwwa*, cited in Samīra al-Zāyid, *al-Jāmi' fī al-sīra al-nabawiyya* (n.p.: al-Maṭba'a al-'Ilmiyya, n.d.), III, 465.

²¹ South Africa's policy was, significantly, largely designed by the country's Justice Minister, the Muslim jurist Dullah Omar.

²² Al-Zāyid, III, 464.

²³ Ibn Hishām, *Sīrat Rasūl Allāh* (Cairo: Dār al-Fikr, 1980), II, 1257-8. As so often, the parallel with the Jerusalem sanctuary, which was created 'before the world', is striking:

jurists, those who seek asylum in its mosque may not be dislodged, whatever their crime. And the Ḥajj is clearly an anticipation of the Judgement, when all shall congregate to stand before God. Muslim eschatology represents the same tension between justice and forgiveness. On one hand, it insists that ‘whoever has done an atom’s weight of good, or evil, shall see it,’ (99:7-8), for ‘there is no injustice on that day.’ (40:17) Yet on the other hand, justice is tempered. The principle that God’s mercy outstrips His wrath dominates the scene, and, as with the conquest of Mecca, the figure who represents the inclusion of forgiveness in God’s justice is the Prophet ﷺ. Just as he offers an amnesty to the sinners of Mecca, Muslim orthodoxy believes that he intercedes for humanity before the judgement seat. Terrified of God’s justice, humanity takes refuge beneath the Prophet’s banner, since he is the only one who is not saying ‘Myself! Myself!’ Instead, he cries, ‘My Lord! Save! Save!’, and the strict application of God’s justice appears to be set aside, in favour of mercy. The Mu‘tazilites, preoccupied with justice above all other divine qualities, were obliged to reject these hadiths.²⁴ But for mainstream Sunni sources, it is thus, supremely, that the Prophet becomes ‘God’s Beloved’ (*Ḥabīb Allāh*).²⁵

- (7) God’s Messenger, upon him be peace, said: ‘I smile because of two men from my nation, who shall kneel in the presence of the Lord of Power. One of them says: ‘O my Lord, grant me retaliation for the wrong which my brother did to me.’ And God says: ‘Give your brother that in which he was wronged.’ ‘O Lord,’ he says, ‘none of my righteous works remain.’ Then God the Exalted says to the man who made the demand: ‘What shall you do with your brother, seeing that none of his righteous works remain?’ And he replies: ‘O my Lord! Let him bear some of my burdens in my stead!’ And God’s Messenger wept, as he said: ‘Truly, that shall be a fearsome Day, a Day when men have need of others to bear their burdens.’ Then he said: ‘God shall say to one who made the request: ‘Lift up your head, and look to the Gardens.’ This he does, and he says: ‘O my Lord! I see high cities of silver, and golden palaces wreathed about with pearls. For which Prophet shall they be, or which saint or martyr?’ And

Geza Vermes, *Jesus the Jew: a historian’s reading of the Gospels* (new edition London: SCM Press, 2001), 117.

²⁴ ‘Abd al-Karīm Tittān et al., *‘Awn al-murīd li-sharḥ Jawharat al-tawḥīd* (Damascus: Dār al-Bashā’ir, 1415/1994), II, 1125.

²⁵ Al-Ghazālī, *The Remembrance of Death and the Afterlife*, tr. T.J. Winter (Cambridge: Islamic Texts Society, 1989), 210-6.

he said: ‘They belong to whomsoever pays me their price.’ ‘O my Lord,’ he says, ‘And who possesses such a price?’ ‘You possess it,’ he replies. ‘And what might it be?’ he asks, and He says: ‘Your forgiveness of your brother.’ ‘O my Lord!’ he says, ‘I have forgiven him!’ Then God the Exalted says: ‘Take your brother’s hand and bring him into Heaven.’ Then God’s Messenger recited His word: ‘Fear God, and make reconciliation among yourselves.’ (Qur’ān 8:1)²⁶

Adjacent to the doctrine of intercession in the classical theology manuals is the concept of *radd al-mazālim*, the ‘Restoration of Wrongs’. We shall be burdened, not only with direct punishment from God, but with the sins which others are relieved of in order to compensate them against us for our wrongdoing against them. On that day, ‘God shall take the horned sheep’s case against the hornless one.’²⁷ Here, according to this well-attested hadith, humans as well as God have an opportunity to forgive.

Towards the close of the classical Friday sermon, the preacher recites the Qur’ānic passage which runs: ‘God enjoins justice and goodness.’ (16:90) The first is clearly not sufficient; or the second would not have been mentioned. Islam’s is a god of justice, but also of mercy. The extent to which the latter virtue can override the former in political life can only be defined in a very limited way in books of law. In Islamic legal culture, which grants the judge more discretion than the heavily statutory jurisdictions of the West, the judge has much room for mercy. In the Religion of Wisdom and Compassion, which deeply trusts human beings, it is no surprise that he should have been given this privilege. But his responsibility is grave, and if he is to escape God’s own Rigour, he must first defeat his ego. Sufism, the schoolroom of the selfless virtues, thus becomes the most fundamental juristic science.

²⁶ al-Ḥākim al-Nisābūrī, *al-Mustadrak ‘alā al-ṣaḥīḥayn* (Hyderabad, Dā’irat al-Ma’ārif al-‘Uthmāniyye, 1915), IV, 576.

²⁷ Ghazālī, *Remembrance of death*, 200; for the principle of *radd al-mazālim* see 198–205.