

The Little Green Book

Volume I Chapter 6

Islamic Justice

In an Islamic government, all people are under the protection of the law. No one may endanger their safety, break into their houses, arrest them, imprison or exile them, or summarily execute them on the basis of a simple accusation or suspicion. Under such a government, everyone can have full confidence in the law of the Prophet, and no judge or dignitary dare act contrary to it.

The person who governs the Muslim community must always have its interests at heart and not his own. This is why Islam has put so many people to death: to safeguard the interests of the Muslim community. Islam has obliterated many tribes because they were sources of corruption and harmful to the welfare of Muslims.

Muslims are forbidden to seek redress of their grievances from the executive or judiciary of improperly constituted governments. They are forbidden to have legal recourse to kings or other despotic administrations, or to the judges that are appointed by them, even if they have legal rights to defend. A person whose son has been killed or whose house has been burgled may not seek justice from such courts, even if he is in the right and has conclusive evidence.

Islam has precepts for everything that concerns man and society. These come from the Almighty and are transmitted to men by His Prophet and Messenger. One may well be surprised by the majesty of these commandments, which cover every aspect of life, from conception to internment! There is no subject upon which Islam has not expressed judgment.

The Islamic republic is a government according to the Law and the wise men and theological experts of the clergy are therefore responsible for it. It is they who must watch over all aspects of administration and planning. In administering the laws of God in such matters as taxes and property for example, they must be trusted. Accordingly they must not allow delay in the execution of the Islamic laws, nor must they be over lenient or over severe. If a member of the clergy wishes to inflict a penalty on someone, he must do so publicly, according to established practice, and lash him the specific number of times, without insulting him or slapping him or imprisoning him even for a single day.

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Islamic justice is based on simplicity and ease. It settles all criminal or civil complaints in the most convenient, elementary, and expeditious way possible. All that is required is for an Islamic judge, with a pen and inkwell and two or three enforcers, to go into a town, come to his verdict on any kind of case, and have it immediately carried out. Look at the present cost in time and money in Western society with all its judicial procedures surrounding any judgment, in the name of principles alien to Islam!

If the punitive laws of Islam were applied for only one year, all the devastating injustices and immoralities would be uprooted. Misdeeds must be punished by the law of retaliation: cut off the hands of the thief; kill the murderer instead of putting him in prison; flog the adulterous woman or man. Your concerns, your “humanitarian” scruples are more childish than reasonable. Under the terms of Qur'anic law, any judge fulfilling the seven requirements (that he have reached puberty, be a believer, know the Qur'anic laws perfectly, be just, and not be affected by amnesia, or be a bastard, or be of the female sex) is qualified to dispense justice in any type of case. He can thus judge and dispose of twenty trials in a single day, whereas Occidental justice might take years to argue them out.

Ali [son-in-law of Muhammad], having cut off the hands of two thieves, treated their wounds and offered them his hospitality, and this affected them so much that they became utterly devoted to him; or again when he heard the marauding army of Muawiyah had abused a woman of one of the tribes, he was so upset and moved to pity that he declared: “If a man died after such an occurrence, no one could blame him.” And yet, despite a nature as sensitive as that, Ali bared his sword and hacked the perpetrators to pieces. This is the meaning of justice.