

International and Islamic Standards of Justice
M. S. Bahmanpour



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Based on transcript of presentation.

Nazim Ali (Chair): It's very important that we also get a theological base and a base which helps us to understand quite clearly. At the moment what we find is that there is a large area of grey and there's not much black and there's not much white. Here to help us find what's black and white and find our way through this swamp of greyness we invite Br. Bahmanpour who is a lecturer at the Faculty for Middle Eastern studies at Cambridge University.

M.S. Bahmanpour:

Bismillahirrahmaanirraheem.

In the name of God, the Compassionate, the Merciful. This is how believing Muslims begin a talk or start a business or get out of our homes in the morning or go to bed in the evening. The concept of compassion and mercy, which are the most prominent and important things in the world of Islam, are what Muslims are taught are to be the most important characteristics and attributes of their Lord, God the greatest. Now the question arises as to why a nation like us Muslims, who also seek help from the compassion and mercy of God are so dubbed to be the most violent nation in world? Why are we always portrayed as a nation that wants to go to war; who want to disturb world order; who want to destroy and destruct the whole of humanity etc. as you are hearing these days, especially after 11th September of this year.

It is sometimes explained for us, and this is very strange, that "Islam is peace, why are you making such violence?" I was totally amazed when I heard George Bush explaining what Islam means to us. We have a tradition of Orientalists who for the last two centuries have been explaining to a bunch of illiterate people of little understanding what their religion means and how they should behave according to their own religion. Now it is the job of politicians to teach us what our religion is and this is something new - a new phenomenon - which has actually sprung out of ignorance and a total misunderstanding as to what type of interaction these politicians should have with the nation, great ideas and cherished concepts.

I think this contradiction in conception and action is described by a very, very important concept also contained importantly in the Islamic concept, which is justice - which George Galloway¹ already spoke about in a very clear voice. I think the voice of justice is a universal voice; it is not something religion should teach us as it is something inherent in us. Human nature tells us what is justice and what to do when we see an injustice inflicted upon a community or anywhere else. So many things I wanted to say were said by George Galloway very eloquently. It is this injustice that has created all this trouble for the world today. This injustice is not created by us rather it is created by the people now claiming to be the protectors of justice and having the operations of "Infinite Justice" and "Enduring Freedom".

I think when we go theologically to the Qur'an we see how important is the concept of justice. Of course the Qur'an teaches justice but as I said it is something that is accepted by everybody regardless of race, religion or any other difference. It is justice which gives the basis of all morality. All moral systems are based on justice and if it doesn't exist nothing exists in terms of morality. So when it comes to the Qur'an we see the same idea of justice is being preached that if

¹ George Galloway's presentation on 'International Double Standards' preceded this presentation.

injustice is existing because of any cause it is the duty not the right of a Muslim - and I think this is preached in any religion - it is the duty of any God-fearing person to rise and stand up in the face of injustice otherwise they are cowards who have no respect for God's words etc.

I want to mention a few verses from the Qur'an which show very eloquently how important this teaching is – justice in the heart of Qur'an. In that, I want to bring to your attention a controversial number of verses which are provided as a witness for Islamic peace and submission. Of course submission and peace but to and with God, not to and with the oppressors. This should not be misunderstood. Our stance is very clear - we are peaceful people; but we are with peace which is hand in hand with justice and this is peace with God, this is submission to God actually because he asks us to rise in the face of injustice. These verses are no 36 –43 in the 42nd Qur'anic Chapter called Ash-Shura or 'The Counsel'. These verses seem a bit contradictory and I will explain how and how Muslim exegetes have explained their contradictory appearance.

The verses start with very standard teaching of Qur'an that this world is transient - it will pass and the joy you are given is only a transient joy and there is somewhere after this where you will have eternal joy. I recite Arabic for this whose follow:

(Verse of Qur'an recited in Arabic followed by MSB's translation). Whatever you are given is indeed a passing joy in the life of this world but what is with God is better and more lasting for those who believe and in their Lord they rely.

Now those who believe and on their Lord rely have a set of characteristics and the verses go on to describe these characteristics:

(Verse of Qur'an recited in Arabic followed by MSB's translation). Those who avoid greater sins and shun indecencies and when in great anger they readily forgive.

This is what we are told by Jesus Christ, Noah and all prophets - that forgiveness is better than revenge. Of course I am going on to show that there is an apparent contradiction.

(Verse of Qur'an recited in Arabic followed by MSB's translation). And those who to their Lord respond and attend the prayer and conduct all their affairs through mutual counsel and tend to that all we have enriched them in charitable cause. (Verse of Qur'an recited in Arabic followed by MSB's translation). And those who when afflicted by oppression stand firm and defend themselves.

I will read rest of verse from translation of Dr. Nihaim² which is much better than my own translation:

And whoso defendeth himself after he hath suffered wrong - for such, there is no way (of blame) against them.

The way (of blame) is only against those who oppress mankind, and wrongfully rebel in the earth. For such there is a painful doom.

² The transcriber has used the translation of Mohammed Marmaduke Pickthall

The contradiction that I talked about occurs when at the beginning the verses they talk about forgiveness and the following verses stress the merit of forgiving when somebody is oppressed and wronged, but in these verses it is repeated twice that it is a merit to stand up in the case of injustice. The exegetes have not hesitated in describing this controversy and these two attributes, one to personal oppression and the other to social and communal oppression. They said if you are personally wronged if someone oppresses you - if your brother slaps you for example then it is very good for the common man of God actually to forgive. In other words you leave your right to avenge. Of course if you avenge, Islamic law will defend you but it is better not to avenge it better not to pay back a wrong doing with another wrongdoing.

(Recitation in Arabic followed by MSB translation). Drive back the evil by goodness, benevolence.

But when you see brother is oppressed or society is oppressed, arrogant people have come and taken your land or the houses or home of your brother, the land of your brothers, their homes, killing them and arrogantly shouting on CNN, smashing their faces to the wall and breaking their arms with stones, what should we do? Is it just to say ok we forgive? It is not our right to forgive - it is others' rights that we have to stand for. This is not taught by religion - this is taught by human conscience.

Why are the Americans spilling into Afghanistan now? Because they want to defend themselves. Defence is a natural reaction although sometimes you can make a mistake in your reaction as America has in running into Afghanistan.

The situation in which we are where the violence that is said it be from Muslims, if there is such violence more than you see from other nations, is the result of the world order. It is because the British created a country out of the blue in a Muslim land and America chose to support that country. So what are we to do? Say ok you are welcome to take our house we will go somewhere else. Where? Which country would let us in? Which other house do we have other than this house?

I think – and I don't know what type of creatures have perpetrated this attack on the two towers - but the very fact that all fingers were pointing to Muslims at the first instance shows that America knows how much hatred she has created in the hearts of Muslims; they are quite aware of what they are doing.

Still they are saying Osama bin Laden is the prime suspect for these attacks but no-one knows for sure that he has carried out the attack or carried out the whole organised onslaught. Yet America has come to Afghanistan on the suspicion that Osama Bin Laden is the prime suspect and 6 million people are scared out of their houses, 6 million people will suffer hunger, 6 million people will suffer cold in winter in a week or two because Bin Laden is a suspect and the Taliban are shielding him.

I don't want to defend the Taliban and Osama Bin Laden. I want to say the reaction of the USA is an utterly unreasonable and unfounded reaction. I don't know how, as George³ explained very nicely, why the British government is going in with America in this case. A case which will, of course create more recruits for terrorism. All those people who are now wandering in Afghanistan are in fact potential recruits for terrorism and they will react and fight back and I am

³ George Galloway

sure the American people know this, but what hidden agenda they have I don't know - probably you could help us in understanding this.

George Bush said in an interview that those people who have carried out this attack do not know the value of life. I would want to agree with him. There is no life left for some people for them to know the value of it. Yes the value of life for you is dear - you go about in limousines, you live in the White House and are always meeting great people and enjoying life as are many others in the world. But for those people born refugees who have been driven out of their houses, who are being systematically tortured and tormented what is the value of life? Well, I want to ask what type of value will that life have but to defend itself. And this is how the world is being ordered in the 20th and 21st century and I think the worst is yet to com, as long as the affliction of Muslims and those other nations that are being inflicted with the arrogance of other nations continue, as long as the problem of Palestine is not resolved with a reasonable and just resolution (not a resolution made regardless of the facts), and as long as these are established in the world and the injustice continues, these things will continue, whether you are going to have infinite justice or enduring freedom operations or whatever other operations.

Wassalam alaikum.⁴

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He presented the above at the seminar 'Human Rights, Justice and Muslims in the Wake of September 11', organised by the Islamic Human Rights Commission at the Brunei Gallery, School of Oriental & African Studies, London, UK in October 2001. For a copy of the seminar video or more information, please contact IHRC on (+44) 20 8902 0888, fax (+44) 20 8902 0889, email: info@ihrc.org, web: www.ihrc.org.

⁴ Arabic 'Peace be unto you'