NO PEACE WITHOUT JUSTICE

NO JUSTICE WITHOUT FORGIVENESS: ISLAMIC PERSPECTIVE

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Introduction:

Peace and Justice are the two wings of a bird which are co-related with each other. Absence of one of them could destroy the discipline of the universe. Where there is no justice, there is no peace. By taking this view into consideration Islam starts its greeting system with the word of ‘peace’. As per the Islamic custom whenever a Muslim meets with another Muslims, he starts his conversation by "saying peace be upon you" the another person. Another persons also greet him by saying the sentence, "peace be upon you also". As the divine religion and the complete code of life Islam keeps the harmony & balance between peace and Justice. Every human being is accountable in the day of resurrection to Allah. By keeping it in mind every Muslim should work for the purpose of establishing peace and Justice in the society, in the country as well as in the whole world. When the Muslims would be able to maintain peace and Justice, it will be the greatest example for the other believers. Consequently, they will also come forward with a view to keeping stability in the society by applying justice and peace in all the actions in national and international arena.

Peace: the work of justice and love

Judges are the only empowered persons to decide any case as per the existing laws. But they have no power to grant pardon by which the aggrieved party will again be aggrieved. Though the judges don't possess any right to pardon, by thinking this point Bangladesh constitution have inserted a provision of article 49 which enables our honorable President to grant pardon, reprieves respites, immune any sentence passed by any Court, tribunal etc. and by this way of forgiveness the fair justice must be ensured, we can say it undoubtedly.

We know that the Section 345 (1) of the Code Criminal Procedure is the superb example for the mutual understanding and forgiveness.

But in the present circumstances, how can we speak of justice and forgiveness as the source and condition of peace? We can and we must, no matter how difficult this may be; a difficulty which often comes from thinking that justice and forgiveness are irreconcilable. But forgiveness is the opposite of resentment and revenge, not of justice.

In fact, true peace is “the work of justice”. "the fruit of that right ordering of things with which the divine founder has invested human society and which must be actualized by man thirsting for an ever more perfect reign of justice".

True peace therefore is the fruit of justice, that moral virtue and legal guarantee which ensures full respect for rights and responsibilities, and the just distribution of benefits and burdens.

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The reality of terrorism

It is precisely peace born of justice and forgiveness that is under assault today by international terrorism. In few years ago, especially since the end of the Cold War, terrorism has developed into a sophisticated network of political, economic and technical collusion which goes beyond national borders to embrace the whole world. Well-organized terrorist groups can count on huge financial resources and develop wide-ranging strategies, striking innocent people who have nothing to do with the aims pursued by the terrorists.

When terrorist organizations use their own followers as weapons to be launched against defenseless and unsuspecting people they show clearly the death-wish that feeds them. Terrorism springs from hatred, and it generates isolation, mistrust and closure. Violence is added to violence in a tragic sequence that exasperates successive generations, each one inheriting the hatred which divided those that went before. Terrorism is built on contempt for human life. For this reason, not only does it commit intolerable crimes, but because it resorts to terror as a political and military means it is itself a true crime against humanity.

The need for forgiveness and justice.

But what does forgiveness actually mean? And why should we forgive? A reflection on forgiveness cannot avoid these questions. ("Offer Forgiveness and Receive Peace"), I would reaffirm that forgiveness inhabits people's hearts before it becomes a social reality. Only to the degree that an ethics and a culture of forgiveness prevail can we hope for a "politics" of forgiveness, expressed in society's attitudes and laws, so that through them justice takes on a more human character.

Forgiveness is above all a personal choice, a decision of the heart to go against the natural instinct to pay back evil with evil. The measure of such a decision is the love of Allah who draws us to himself in spite of our sin.

Article 7 of the UDHR states that all are equal before the law and are entitled without any discrimination to equal protection of the law. Article 27 of the Bangladesh constitution guarantees that.

Forgiveness therefore has a divine source and criterion. This does not mean that its significance cannot also be grasped in the light of human reasoning; and this, in the first place, on the basis of what people experience when they do wrong. They experience their human weakness, and they want others to deal leniently with them. Why not therefore do towards others what we want them to do towards us? All human beings hope of being able to start all over again, and not remain for ever shut up in their own mistakes and guilt. They all want to raise their eyes to the future and to discover new possibilities of trust and commitment.

Forgiveness therefore, as a fully human act, is above all a personal initiative. But individuals are essentially social beings, situated within a pattern of relationships through which they express themselves in ways both good and bad. Consequently, society too is absolutely in need of forgiveness.
Quranic & Sunnatic provision in favor of justice and forgiveness

1. O you who believe! Al-Qisâs (the Law of Equality in punishment) is prescribed for you in case of murder: the free for the free, the slave for the slave, and the female for the female. But if the killer is forgiven by the brother (or the relatives, etc.) of the killed against blood money, then adhering to it with fairness and payment of the blood money, to the heir should be made in fairness. This is an alleviation and a mercy from your Lord. So after this whoever transgresses the limits (i.e. kills the killer after taking the blood money), he shall have a painful torment. (2:178)

2. And We ordained therein for them: "Life for life[], eye for eye, nose for nose, ear for ear, tooth for tooth, and wounds equal for equal." But if anyone remits the retaliation by way of charity, it shall be for him an expiation. And whosoever does not judge by that which Allah has revealed, such are the Zâlimûn (polytheists and wrongdoers - of a lesser degree). (5:45)

3. And compromise is better (4:128)

4. It has been related on the authority of Anas Ibn Malik who said, "I have seen the Prophet (s.a.w) that whenever a case punishable with retaliation was referred to him, he directed for pardoning in that.

Inter religious understanding and cooperation

Hopeful addressing in KAICID conference addressed by the mightiest president Barack Obama can be cited as one of the superb examples of inter religious cooperation and understanding. That address undoubtedly one of the happiest tidings for the whole Muslim Ummah whereon the president encouraged the Muslim youth to be educated technically by which all of the Muslim gradually be turned into the asset for the world. And I heart felt express that the last speech of our last Prophet Muhammad (Sm) said, an Arab has no superiority over a non-Arab nor a non-Arab has any superiority over an Arab; also a white has no superiority over a black nor a black has any superiority over a white - except by piety and good action.

Article 41 of the Bangladesh constitution provides religious freedom. It states "Every citizen has the rights of profess, practice or propagate any religion; and "Every religious community or denomination has the right to establish, maintain and manage religious institution .place of the people and the people of Bangladesh enjoy this rights freely.

In this whole effort, religious leaders have a weighty responsibility. The world's great religions, need to work together to eliminate the social and cultural causes of terrorism. They can do this by teaching the greatness and dignity of the human person, and by spreading a clearer sense of the oneness of the human family. This is a specific area of ecumenical and inter religious dialogue and cooperation, a pressing service which religion can offer to world peace.

In bearing common witness to the truth that the deliberate murder of the innocent is a grave evil always, everywhere, and without exception, the world's religious leaders will help to form the morally sound public opinion that is essential for building an international civil society capable of pursuing the tranquility of order in justice and freedom.

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In undertaking such a commitment, the various religions cannot but pursue the path of forgiveness, which opens the way to mutual understanding, respect and trust. The help that religions can give to peace and against terrorism consists precisely in their teaching forgiveness, for those who forgive and seek forgiveness know that there is a higher Truth, and that by accepting that Truth they can transcend themselves.

Prayer for peace and Justice

For all these reasons I have invited representatives of the world's religions to come to Assisi, to pray for peace. In doing so we will show that genuine religious belief is an inexhaustible wellsprings of mutual respect and harmony among peoples; indeed it is the chief antidote to violence and conflict. At this time of great distress, the human family needs to be reminded of our unfailing reasons for hope. It is precisely this hope that we intend to proclaim in Assisi, asking Almighty Allah—

No peace without justice, no justice without forgiveness: this is what in this Message I wish to say to believers and non-believers alike, to all men and women of good will who are concerned for the good of the human family and for its future.

No peace without justice, no justice without forgiveness: this is what I wish to say to those responsible for the future of the human community, entreating them to be guided in their weighty and difficult decisions by the light of man's true good, always with a view to the common good.

No peace without justice, no justice without forgiveness: I shall not tire of repeating this warning to those who, for one reason or another, nourish feelings of hatred, a desire for revenge or the will to destroy.

At the eleventh hour it can be continuously repeated that peace never be achieved without Justice as well as without forgiveness, no justice would be ensured. May the light of our prayer extend even to those who pitiless acts, that they may look into their hearts, see the evil of what they do, abandon all violent intentions, and seek forgiveness. In these troubled times, may the whole human family find true and lasting peace, born of the marriage of justice and mercy!

Reference:

Ø The Holy Al Quran
Ø Sahih Hadith
Ø The Criminal Law of Islam
Ø Universal declaration of Human Rights