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Justice and Rights

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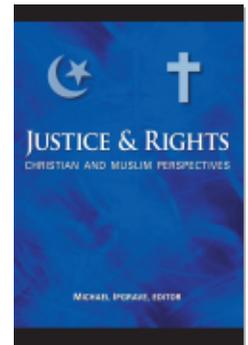
Published by Georgetown University Press

Igrave, Michael.

Justice and Rights: Christian and Muslim Perspectives.

Georgetown University Press, 2009.

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Chapter 3

Scriptural Texts

3.1 Two Psalms

Ellen F. Davis

Psalm 72

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This is the last of many psalms associated with the royal house of David, which cluster in the first half of the Psalter; an appended verse reads, “Here end the prayers of David son of Jesse” (20).¹¹ The psalm shows what might be called an “ecological” view of justice; it promotes a vision of *tsedeqah* (“right relationship, righteousness”) and *shalom* (“well-being, peace”) operative in both political and agricultural spheres. A challenge for interpreters, perhaps especially those in the contemporary context, is to discern the connection between those two spheres as envisioned by the psalmist.

Early in the psalm, royal justice is imaged as being “like rain on mown grass” (6), a metaphor that touches the core of existence in the semiarid uplands of Israel. By the end of the psalm, that metaphor is literalized as prayer for “an abundance of grain in the land; at the top of the mountains may it wave” (16). The connection between the metaphor of the king’s justice, welcome as rain, and the literal reality of a maximally productive land is made by the psalm speaking of royal ideology or theology on two levels of operation: suprapolitical, or “mythic,” and sociopolitical.

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ceeds historical reality: “May they fear you as long as the sun exists, while there is a moon” (5), “May [the king’s] name be forever, enduring with the sun” (17). Evocation of the heavenly bodies suggests the view, common throughout the ancient Near East, that the monarch is (or should be) the lynchpin of the cosmos, the “sacred bridge” connecting the divine and human realms. In Jerusalem, that ideal was represented in the placement of the royal house immediately adjacent to God’s house, the temple; the king was to be a channel through which divine blessing flowed from God, into the sacred precinct, and out into the land in an almost physical sense. It is noteworthy that, while the topography of Jerusalem appears quite dry to ordinary eyes, it was in the sight of the psalmists well watered: “There is a river whose streams make glad the city of God” (Ps. 46:5); pilgrims drink “from [God’s] torrent-stream of delights” (Ps. 36:9).

At the level of social-political-economic ideology, the king is viewed as the instantiation of divine wisdom. As in the story of Solomon’s judging between two women who claimed one surviving baby, the king was charged by God to be the prime executor of justice in the land (1 Kings 3:16–28). The biblical narratives of kingship regularly show first early promise that a given monarch might fulfill that charge, then steady erosion of this hope. David first came to power supported by “everyone in distress and everyone in debt and everyone who was embittered” (1 Sam. 22:2)—all the peasants for whom Saul’s administration of justice had failed. A generation later, David’s son Absalom gained support for his own rebellion in exactly the same way, probably from children of peasants who had once supported his father (2 Sam. 15:1–6). Another generation later, Rehoboam had an opportunity to relieve the acute pressure his father, Solomon, had imposed on the peasant farmers through forced labor. When he failed to take that opportunity, the new king was abandoned by the ten tribes of the northern kingdom of Israel (1 Kings 12:1–19).

Multiple stories show that Israel’s peasant farmers were acutely aware of the king’s responsibility for justice and directly responsive to failures of justice. In an agrarian economy, when justice fails in high places peasants become highly vulnerable to land loss. The prominent inclusion in every biblical law code of provisions to limit long-term indebtedness, land forfeiture, and debt slavery makes clear that this complex of ills was a systemic problem that ancient Israel never overcame (Exod. 21:2–11; Lev. 25:13–55; Deut. 15:1–18). However, the poet of Psalm 72 shows what “the system” could look like: justice flowing from God, through the Israelite king and out into a land prospering under the hand of a people free to work it and committed to its care, generation after generation. Even foreign rulers honor this just monarch (11). The idea that fruitful fields require a just government on national and international scales

gains power today in light of the contemporary global agricultural crisis resulting from industrial production practices that increasingly impoverish small farmers, damage or exhaust local water supplies, and drastically reduce the fertility of the arable soil.

In Christian tradition, this psalm, like others referring to Davidic kingship, is seen to be redolent with messianic imagery. The tribute of other kings (10–11) comes to be interpreted as a typological foreshadowing of the homage of the magi (Matt. 2:1–12), and the royal name enduring forever (17) as the name of Jesus.¹² The blessing of the nations is held to be realized in the universal fellowship of believers who confess this name, for which ever greater universality is desired; and it is in submission to his spiritual kingship that true and lasting justice is found. Implicit in such an account is the deeply held Christian belief that humans cannot simply grasp justice for themselves but must receive it as a gift of grace in love. The Old Testament too makes it clear that justice is not the normal *modus operandi* for humans but is rather behavior that must be taught by God. However, too sharp a contrast with Islamic views should not be drawn here: Christians also believe that it is a natural inclination of humans to long for justice and to accept it when it is given.

Of Solomon

- 72¹ Give the king your justice, O God,
and your righteousness to a king's son.
- ² May he judge your people with righteousness,
and your poor with justice.
- ³ May the mountains yield prosperity for the people,
and the hills, in righteousness.
- ⁴ May he defend the cause of the poor of the people,
give deliverance to the needy,
and crush the oppressor.
- ⁵ May he live while the sun endures,
and as long as the moon, throughout all generations.
- ⁶ May he be like rain that falls on the mown grass,
like showers that water the earth.
- ⁷ In his days may righteousness flourish
and peace abound, until the moon is no more.
- ⁸ May he have dominion from sea to sea,
and from the River to the ends of the earth.
- ⁹ May his foes bow down before him,
and his enemies lick the dust.

- ¹⁰ May the kings of Tarshish and of the isles
 render him tribute,
 may the kings of Sheba and Seba
 bring gifts.
- ¹¹ May all kings fall down before him,
 all nations give him service.
- ¹² For he delivers the needy when they call,
 the poor and those who have no helper.
- ¹³ He has pity on the weak and the needy,
 and saves the lives of the needy.
- ¹⁴ From oppression and violence he redeems their life;
 and precious is their blood in his sight.
- ¹⁵ Long may he live!
 May gold of Sheba be given to him.
 May prayer be made for him continually,
 and blessings invoked for him all day long.
- ¹⁶ May there be abundance of grain in the land;
 may it wave on the tops of the mountains;
 may its fruit be like Lebanon;
 and may people blossom in the cities
 like the grass of the field.
- ¹⁷ May his name endure forever,
 his fame continue as long as the sun.
 May all nations be blessed in him;
 may they pronounce him happy.
- ¹⁸ Blessed be the LORD, the God of Israel,
 who alone does wondrous things.
- ¹⁹ Blessed be his glorious name forever;
 may his glory fill the whole earth.
- Amen and Amen.
- ²⁰ The prayers of David son of Jesse are ended.

Psalm 82

Psalm 82 is a unique and surprising psalm, portraying divine justice dramatically through the scene of God's confronting other members of the "congregation of El," that is, the divine assembly (a concept rarely evoked in the Bible). The point of the confrontation is that rendering just judgment and thus granting deliverance to the poor and defenseless is the indispensable and nonnegotiable criterion by which the true God is recognized and acknowledged, in Israel and "among all the nations."

This psalm is unique in that its setting is the divine council, a mythic concept at home in the ancient Near East but only rarely evoked in the Bible. When it is evoked, it seems to be done so for its shock value. The psalmist uses it to make a point in the strongest possible terms: that justice is fundamental to God's "identity" and self-manifestation to humanity. The verb *shafat* ("exercise judgment, do justice") occurs four times. First, Israel's God "exercises judgment in the midst of the divine beings" (1). Further, justice is the substance of the challenge he addresses to them: "How long will you judge unjustly?" (2); "Do justice for the poor." (3). But they fail to rise to the challenge: "They don't know; they don't discern." The consequences of their darkness are so great that "all the foundations of the earth are shaken" (5).

The message of this remarkable psalm, with its risky rhetoric teetering on the edge of pagan myth, is that the great differential in the cosmos is between the proper working of the world when the powerful are responsive to the claims of justice and the fundamental threat to the whole created order when they are not. Therefore the gods who do not "get it" are deposed, toppled from their eminence: "You will die like a human, fall like one of the rulers" (7). God's pronouncement of doom in the heavenly realm is obliquely addressed to us humans; the powerful among us are subject to the same judgment as the fallen deities.

A human voice erupts suddenly at the end of the psalm: "Rise, O God; judge the earth! For you are the One who will inherit all the nations" (8). That demand expresses the deep longing that generates—or perhaps is receptive to—such a strange vision of the divine. The longing for God's just kingdom has intense and lingering resonance in Christian scripture and prayer, ringing through the Lord's Prayer ("Your kingdom come") and persisting to the penultimate verse of the New Testament, which is another urgent plea: "Come, Lord Jesus!" (Rev. 22:20).

A Psalm of Asaph

- 82¹ God has taken his place in the divine council;
in the midst of the gods he holds judgment:
² "How long will you judge unjustly
and show partiality to the wicked? *Selah*
³ Give justice to the weak and the orphan;
maintain the right of the lowly and the destitute.
⁴ Rescue the weak and the needy;
deliver them from the hand of the wicked."
⁵ They have neither knowledge nor understanding,
they walk around in darkness;
all the foundations of the earth are shaken.

- ⁶ I say, “You are gods,
children of the Most High, all of you;
⁷ nevertheless, you shall die like mortals,
and fall like any prince.”
⁸ Rise up, O God, judge the earth;
for all the nations belong to you!

3.2 Twelve Verses from the Qur'ān

Mustansir Mir

There are more than fifty verses in the Qur'ān on justice and rights; all occur in short passages and none seem to summarize the rest. Hence a selection of verses needs to be discussed in order to convey the substance of the Qur'ānic perspective on the subject. The first two verses (al-Nisā' 4:58, 59), the *āyāt al-umarā'*, or rulers' verses, designate justice as an obligation of rulers and refer to a duty of the ruled to obey just rulers and those who manage community affairs in accordance with the Qur'ān and the exemplary guidance (Sunnah) of the Prophet. These verses also characterize justice as an integral part of *amāna*, the trust of governance. The following ten verses visualize justice in three domains: justice to oneself, justice in one's relationship with God, and justice to one's fellow humans. The first two domains are indicated in al-An'ām 6:152, al-Ṭalāq 65:1, and al-Baqara 2:229, whereas the last domain is the theme of a larger number of verses. The three clusters of verses also serve to determine the basic attributes of the Qur'ānic conception of justice, its sphere of application, and its near total commitment to impartiality.¹³

The Qur'ān offers no explicit definition of either "justice" or "rights," yet these are by no means unknown concepts in the scripture. It is recognized that human beings have an innate understanding of fairness, and the Qur'ānic imperative to establish a just basis for action therefore involves a constant reminding or refreshing of the memory, *dhikr*. Law in the Qur'ān is not mere prescription, but intimately linked to—indeed a subset of—ethics (al-Nisā' 4:135) and is typically expressed in hortatory and admonitory modes. The call to justice is an invitation to explore its meaning in relationship to practical situations; indeed, the Qur'ān is averse to theorizing in isolation from practice. The purpose of its injunctions is to bring justice through a moral reform that is built on *taqwa*, self-restraint through the reverential fear of a merciful and just God (al-Mā'ida 5:8).

Although not available as an abstract definition, but rather cast as an invitation, the Qur'ānic understanding of justice is not without substance. A just order is one that is properly ordered in mutuality and equilibrium, where each

element is in its proper and bounded place (al-Ṭalāq 65:1; al-Baqara 2:229). There must be reciprocity between rights and duties, between humans as recipients and as agents of fair dealing; a key term in the Qur’ānic vocabulary of justice is that of the *mīzān*, the “balance” (al-Ḥadīd 57:25; al-Muṭaffifīn 83:1–3).

In some ways, it may appear that the Qur’ānic balance is weighted differently from that of post-Enlightenment thinking about justice. Rooted in a God-oriented emphasis on an ethic of obedience to duties (al-Nisā’ 4:59), it can be argued that in the Qur’ān human rights arise from, and in this respect are secondary to, obligations owed to God and, under God, to other humans. Important in this regard is the concept of *amāna*, “entrustment,” in the sense of something that belongs to somebody else but is given temporarily into one’s keeping with a recognition that it will need to be returned eventually to its owner (al-Nisā’ 4:58). If all fulfill this entrusted accountability by carrying out their duties, justice will be established as the rights of all are upheld. Thus, in most cases, rights and duties are correlative in the Qur’ān, though some human rights—for example, the right to inheritance, or maintenance of a family—have an existence of their own irrespective of the fulfillment of obligations. Human rights and obligations (*ḥaqq al-‘abd*) alike, though, are subject to the *ḥaqq Allāh*, the rights of God, which are also God’s prerogatives exercised over humans; God Himself owes no obligation to creatures.¹⁴

al-Nisā’ 4:58, 59

The two *āyāt al-umarā’* address the rights and responsibilities of those who are “in charge of affairs” (*uli’l-amr*). The phrase refers to those who “have” authority rather than those who “are charged” with authority; it does not necessarily imply a specific designation of people either by God or by the people. The precise interpretation of *uli’l-amr* has been much discussed within the Islamic exegetical tradition: whether, for example, it refers simply to state authorities or in a dual sense to leaders in temporal affairs and to leaders in Islamic law. It is clear, though, that the two verses complement one another: The first speaks of the duties of rulers, while its sequel teaches the need for the ruled to obey the rulers. The second verse is the only occasion that the Qur’ān enjoins obedience to the *amr*, in contrast to the numerous injunctions to obey God and the Prophet.¹⁵

¹⁴ God commands you to render the trusts to whom they are due, and, when you rule between people, to rule with justice.

⁵⁹ Obey God and obey the Messenger and those charged with authority among you. Should you dispute over a matter among yourselves, refer it to God and the Messenger—if you do believe in God and the Last Day.

al-An‘ām 6:152

The injunction in this verse to speak truly (which may refer particularly to giving evidence) immediately follows a reminder of the importance of fair dealing in commercial transactions.

⁶¹⁵² When you speak, speak with justice, even if it be to someone close to you.

al-Ṭalāq 65:1; al-Baqara 2:229

Both these verses locate justice in the due observance of the limits, *ḥudūd*, established by God. This term came to be used technically for the penalties ascribed to certain crimes that were subsequently elaborated on by jurists on the basis of indications in the Qur’ān, but the meaning here is set more broadly within a view of justice as depending on the right ordering of social space. The first verse also makes clear that justice is inbuilt within the human being.

⁶⁵¹ Whoever transgresses the limits of God does verily wrong his own soul.

²²²⁹ These are the limits ordained by God. So do not violate them. If any do violate the God-ordained limits, verily they are the transgressors.

al-Nisā’ 4:135

This verse exemplifies the exhortation by which the Qur’ān presents the imperative of justice, warning against the waywardness or capriciousness (*hawa*) that can lead believers astray.

⁴¹³⁵ O you who believe! Stand out firmly for justice as witnesses to God even if it be against yourselves, your parents and your relatives, and whether it be (against) rich or poor. For God can best protect both. And follow not the desire (of your hearts) lest you swerve. If you distort or decline to do justice, God is well aware of all that you do.

al-Mā'ida 5:8; al-Mumtaḥana 60:8; al-An'ām 6:115

These three verses each link the practice of justice to the purposes of God and the believers' relationship with him. The first, where justice is seen to approximate *taqwa* (reverential fear of God) resonates with the Qur'anic belief that "good and evil are not equal" and that injustice should be repelled by "that which is better."¹⁶ In the second verse, the negation of divine proscription should be interpreted as a positive exhortation to equitable dealing. The third verse teaches that justice and righteousness constitute God's holiness.

5⁸ Let not the hatred of a people make you swerve away from justice. Be just, for it is closest to righteousness, and fear God, for God is well aware of all that you do.

60⁸ God forbids you not from dealing kindly and justly with those who have not fought you over your faith nor evicted you from your homes. For God loves those who are just.

6¹¹⁵ And the words of thy Lord find fulfillment in truth and justice. None can change His words.

al-Naḥl 16:90

This verse juxtaposes justice, *'adl*, with beneficence, *iḥsān*, which means being good to others. Set alongside and able to modify the formal structures of legal justice, the method of *istiḥsān* enables a flexible approach to be adopted in situations where the rules may lead to unfairness. Whereas justice is mostly regulated by the Sharī'a, *istiḥsān* is not constrained by conformity to formal rules, though it is expressive of the values of the Sharī'a.¹⁷

16⁹⁰ God commands justice and beneficence, and giving (of your wealth) to kith and kin, and He forbids indecency, lawlessness and evil.

al-Ḥadīd 57:25; al-Muṭaffifīn 83:1-3

Both these verses epitomize justice in terms of the balance, *mīzān*, signifying both equilibrium and a standard to judge between right and wrong. This relates also to divine judgment: God will himself set up a *mīzān* to weigh the souls of humans on Judgment Day.¹⁸

57²⁵ We sent Our Messengers with clear signs and sent down with them the book and the balance in order to establish justice among people.

83¹ Woe to those that deal in fraud; ² when they receive by measure from others, they exact full measure, ³ but when they have to give by full measure to others, they give less than due.

3.3 Two New Testament Texts

Michael Ipgrave

These two widely disparate New Testament texts are often referred to together as expressing contrasting attitudes to the state—in the first, acceptance of the Roman imperium as an order established by God; in the second, triumphant celebration of its anticipated overthrow by God—yet they also share three features. Both speak specifically to the Christian community; neither text is directly addressed to those with political responsibilities—that would be a development which had to wait until the postbiblical, and especially the post-Constantinian, tradition. The two texts also agree in stressing that a just God is the ultimate source of authority in the political sphere: In Romans, the ruling powers are seen as worthy of obedience because they are part of an order instituted by God, while in Revelation the same powers are to be judged for having usurped the place of God. Finally, both are governed by the fervent Christian hope that the just God would shortly establish his justice through the triumphant coming of Christ to reign in glory; against this horizon, all earthly rule is ephemeral.

Romans 12:14–13:14

In the context of a wider discussion of the life of the church, Paul addresses the responsibilities of members of the church to the state authorities, which are seen as existing by God's permission and to serve God's purposes. The core text that Christian tradition has isolated in discussions of church–state relations is 13:1–7, but this must be relocated in the wider context of the whole passage to understand its significance within Paul's view of Christian discipleship.

The core text's teaching of obedience to governing authorities can be analyzed in three parts: a general injunction to submission (1a), a rationale for submission (1b–5), and a practical illustration of the meaning of submission (6–7).

The general injunction is expressed through a verb in the third person and has a potentially universal reference (“every person,” *pasa psuchē*) as its subject; it appears in principle to refer to all human beings, though Paul clearly has the

Roman Christians primarily in mind. The “governing authorities,” *exousiai huperchousai*, are in the first place the structures of the Roman Empire, particularly as they impact on the everyday life of Christians. Some commentators have raised the question whether Paul may also be making an allusion to angelic *exousiai* that control the life of nations, but this remains unproven and unlikely. The attitude to the authorities that is taught by the text is that of “subjection.” The verb used for this, *hupotassō*, is one of a series in this passage that all derive from the root *tag-*, indicating an overall ordering of affairs. “Subjection” in this sense means the acceptance of a particular place within a scheme of things; it is distinguished from the stronger concept of “obedience” (*hupakouō*), which implies beyond external compliance an interior assent to authority. Thus Paul leaves open a space for dissent in the *forum internum* of the human soul.

The rationale for this subjection is developed in two stages: one that rests directly on a theological foundation (1b–2a), and one that begins from prudential considerations, though the argument here too returns to a theological point (2b–5). In the theologically grounded rationale, the *tag-* roots feature prominently to emphasize an “appointment” by God that reflects the language of the prophetic tradition, for example, Deutero-Isaiah on Cyrus, or Jeremiah on Nebuchadnezzar (Isa. 45:1–7; Jer. 43:10).¹⁹ The argument is based on an acceptance of God’s sovereignty and teaches the validation of political authority through its location within the divine order. It is unwarranted to draw from this a general principle of invariable and absolute submission to the state; on the contrary, if the existing authorities transgress this divine order, it would follow that they are no longer worthy of submission. The transition to a prudential argument is marked by the threat of “judgment” (*krima*) in 2b; it is more plausible to interpret this as the judgment of the state rather than that of God. Similarly, the reference to the authority as God’s “servant,” *diakonos* (4), should be taken to indicate the ruler’s subservience to God rather than as a suggestion that through his governance he is carrying out God’s will in a form of Christian ministry.²⁰

The core text concludes with an insistence on the importance of paying taxes (6–7). The assumption here is that these are in fact being paid by the Roman Christians; Paul seems to be echoing Jesus’s teaching on the respective payments due to God and to Caesar.²¹ Like Jesus, his argument leads him to a general conclusion that draws a distinction between rendering the outward marks of submission (“taxes,” *opheilai*; “revenue,” *phoros*) and demonstrating a submission that is from within (“respect,” *phobos*; “honor,” *timē*); the latter is due especially to God.²²

If the central verses 13:1–7 are linked to those that provide their preceding and following context, it becomes increasingly implausible to see them as teaching in any abstract sense the divine institution of the state. The entire passage 12:1–13:14 is a description of the transformation that is associated with being God’s

people in Christian discipleship. Political responsibility is indeed part of this, but Paul also speaks of overcoming evil with good (12:14–21) and of love as fulfilling the law (13:8–10). It is then possible to develop this contextual reading to say that the political authorities of this text are not so much “ordained” by God as they are placed within his order as challenges precisely to test the quality of Christian discipleship.

Such a reading can then also be applied to another key New Testament passage. While Paul’s Roman Christians are living peaceably under Roman rule, in the First Letter of Peter the same injunction to submission (*hupotagēte*) is addressed to the church in a situation of suffering, where the challenge to Christians is to continue to practice good in the face of evil (1 Pet. 4:12ff). While Paul himself does not explicitly address the question of what a Christian response should be when the authorities exceed the bounds of God’s “ordering,” *diatagē* (a silence perhaps not unconnected with his status as a Roman citizen), 1 Peter enjoins passive obedience for the faithful in a situation of “fiery ordeal.”²³ Nevertheless, this too is not an absolute submission: We know in particular from the early martyrological record that it did not extend to acquiescence in the state-ordained cult of the divine emperor. Even within the teaching of submission to human authority, limits had to be set to safeguard and honor God’s exclusive rights.

In terms of the Christian community’s own positioning, the situation addressed by Romans 13 is one where the ruling authorities are seen as “them,” but a “them” set within the ordering of “our God” (unlike Rev. 18, where the authorities are a “them” actively opposed to and by “us” and “our God”). When the Roman imperium eventually formed an alliance with the Christian Church, it was then easy to reread the text in that changed situation as referring no longer to “them” but to another aspect of “us.” That is to say, it provided a theological validation of “our” state expressed through the ministry of the Christian emperor; in subsequent periods, the authority so endorsed was the “godly magistrate” or, in our own times, the modern democracy seeking a common good.

If Romans 13 is heard as a transformational call to Christians living in the context of a state that, whatever its character, is subject to the higher authority of God, then it seems that three ways of interaction are open to the Christian community. The usual pattern will be one of obedience to the state set within the institution of God, an expression of the peace and order that God wills for his world. Whenever possible, Christians are also called to participation in civil society through the promotion of gospel values and through working together with others to seek the common good, “taking thought for what is noble in the sight of all,” *kala enōpion pantōn* (12:17) Exceptionally, Christians will be called on to show disobedience to the state when it steps beyond or acts

contrary to the divine institution or closes down the civil space within which the common good may be sought; in the New Testament, this disobedience seems always to be passive for humans; but there may also be times when active resistance is called for.²⁴

12¹⁴ Bless those who persecute you; bless and do not curse them. 15 Rejoice with those who rejoice, weep with those who weep. 16 Live in harmony with one another; do not be haughty, but associate with the lowly; do not claim to be wiser than you are. 17 Do not repay anyone evil for evil, but take thought for what is noble in the sight of all. 18 If it is possible, so far as it depends on you, live peaceably with all. 19 Beloved, never avenge yourselves, but leave room for the wrath of God; for it is written, “Vengeance is mine, I will repay, says the Lord.” 20 No, “if your enemies are hungry, feed them; if they are thirsty, give them something to drink; for by doing this you will heap burning coals on their heads.” 21 Do not be overcome by evil, but overcome evil with good.

13¹ Let every person be subject to the governing authorities; for there is no authority except from God, and those authorities that exist have been instituted by God. 2 Therefore whoever resists authority resists what God has appointed, and those who resist will incur judgment. 3 For rulers are not a terror to good conduct, but to bad. Do you wish to have no fear of the authority? Then do what is good, and you will receive its approval; 4 for it is God’s servant for your good. But if you do what is wrong, you should be afraid, for the authority does not bear the sword in vain! It is the servant of God to execute wrath on the wrongdoer. 5 Therefore one must be subject, not only because of wrath but also because of conscience. 6 For the same reason you also pay taxes, for the authorities are God’s servants, busy with this very thing. 7 Pay to all what is due them—taxes to whom taxes are due, revenue to whom revenue is due, respect to whom respect is due, honor to whom honor is due.

8 Owe no one anything, except to love one another; for the one who loves another has fulfilled the law. 9 The commandments, “You shall not commit adultery; You shall not murder; You shall not steal; You shall not covet”; and any other commandment, are summed up in this word, “Love your neighbor as yourself.” 10 Love does no wrong to a neighbor; therefore, love is the fulfilling of the law.

11 Besides this, you know what time it is, how it is now the moment for you to wake from sleep. For salvation is nearer to us now than when we became believers; 12 the night is far gone, the day is near. Let us then lay aside the works of darkness and put on the armour of light; 13 let us live honorably as in the day, not in reveling and drunkenness, not in debauchery and licentiousness, not in quarrelling and jealousy. 14 Instead, put on the Lord Jesus Christ, and make no provision for the flesh, to gratify its desires.

Revelation 18

This text, in marked contrast to Romans 13, declares that Rome (“Babylon”), with all its economic and commercial power, stands condemned in the light of God’s justice. It is less ambiguous than the earlier text and also is far less influential in Christian history. Indeed, it is easy to see Revelation as marginal to the tradition, though its ferocious imagery of destruction and judgment powerfully represents an apocalyptic strand that has resurfaced from time to time.

The text takes the form of a taunting song over the imagined fall of Rome, which is identified with Babylon as the oppressor of God’s people. As for the Hebrew prophets, luxury and oppression are linked together, particularly in the “trade in human lives” (13) of slavery. The action of judgment and punishment is throughout taken not by humans but by God, as a punishment for Rome’s arrogance, her usurpation of the place of God: “I rule as a queen” (7). There is no call on Christians to revolt or even to disobey, but simply to “come out of her” (4), that is, to be separate from a sinful society, and also to “rejoice” (20) in God’s judgment.²⁵

18¹ After this I saw another angel coming down from heaven, having great authority; and the earth was made bright with his splendour. ² He called out with a mighty voice,

Fallen, fallen is Babylon the great!
It has become a dwelling place of demons,
a haunt of every foul spirit,
a haunt of every foul bird,
a haunt of every foul and hateful beast.

³ For all the nations have drunk
of the wine of the wrath of her fornication,
and the kings of the earth have committed fornication with her,
and the merchants of the earth have grown rich from the power of
her luxury.

⁴ Then I heard another voice from heaven saying,
Come out of her, my people,
so that you do not take part in her sins,
and so that you do not share in her plagues;

⁵ for her sins are heaped high as heaven,
and God has remembered her iniquities.

⁶ Render to her as she herself has rendered,
and repay her double for her deeds;
mix a double draught for her in the cup she mixed.

⁷ As she glorified herself and lived luxuriously,

so give her a like measure of torment and grief.

Since in her heart she says,

“I rule as a queen;
I am no widow,
and I will never see grief,”

⁸ therefore her plagues will come in a single day—
pestilence and mourning and famine—
and she will be burned with fire;
for mighty is the Lord God who judges her.

⁹ And the kings of the earth, who committed fornication and lived in luxury with her, will weep and wail over her when they see the smoke of her burning; ¹⁰ they will stand far off, in fear of her torment, and say,

Alas, alas, the great city,
Babylon, the mighty city!

For in one hour your judgment has come.

¹¹ And the merchants of the earth weep and mourn for her, since no one buys their cargo anymore, ¹² cargo of gold, silver, jewels and pearls, fine linen, purple, silk and scarlet, all kinds of scented wood, all articles of ivory, all articles of costly wood, bronze, iron, and marble, ¹³ cinnamon, spice, incense, myrrh, frankincense, wine, olive oil, choice flour and wheat, cattle and sheep, horses and chariots, slaves—and human lives.

¹⁴ The fruit for which your soul longed
has gone from you,
and all your dainties and your splendour
are lost to you,
never to be found again!

¹⁵ The merchants of these wares, who gained wealth from her, will stand far off, in fear of her torment, weeping and mourning aloud,

¹⁶ Alas, alas, the great city,
clothed in fine linen,
in purple and scarlet,
adorned with gold,
with jewels, and with pearls!

¹⁷ For in one hour all this wealth has been laid waste!

And all shipmasters and seafarers, sailors and all whose trade is on the sea, stood far off ¹⁸ and cried out as they saw the smoke of her burning

What city was like the great city?

¹⁹ And they threw dust on their heads, as they wept and mourned, crying out,

Alas, alas, the great city,
where all who had ships at sea
grew rich by her wealth!

For in one hour she has been laid waste.

- ²⁰ Rejoice over her, O heaven,
you saints and apostles and prophets!
For God has given judgment for you against her.
- ²¹ Then a mighty angel took up a stone like a great millstone and threw it
into the sea, saying,
With such violence Babylon the great city
will be thrown down,
and will be found no more;
²² and the sound of harpists and minstrels and of flutists and trumpeters
will be heard in you no more;
and an artisan of any trade
will be found in you no more;
and the sound of the millstone
will be heard in you no more;
²³ and the light of a lamp
will shine in you no more;
and the voice of bridegroom and bride
will be heard in you no more;
for your merchants were the magnates of the earth,
and all nations were deceived by your sorcery.
- ²⁴ And in you was found the blood of prophets and of saints,
and of all who have been slaughtered on earth.

3.4 Seven aḥādīth

Timothy J. Winter

The aḥādīth (plural; singular, ḥadīth), regarded as the second scripture of Islam, are records of the words and actions of the Prophet Muhammad, as distinct from the word of God recorded in the Qurʾān. They are of immense bulk, totaling perhaps a million separate reports. A subcategory, represented by one of the texts here, is the *ḥadīth qudsī*, “holy ḥadīth,” where the Prophet conveys the words of God in a narrative not in the Qurʾān.²⁶ Although, as with the Qurʾānic text, political matters take up only a small proportion of the ḥadīth literature, the Prophet’s situation as a ruler provides them with a context rooted in the real-life situation of a political community.

The aḥādīth demonstrate the transformation brought about in Arabian society through the Prophet’s ministry. Against the Arabian background, it is clear that he represented not continuity with what was before so much as radical opposition to his people’s previous values: He required his listeners to reject all that had been familiar to them, to shift from one end of the religious spectrum to the other, as they were called to focus their beliefs on the reality of the life that God gave beyond death.

“The Prophet, upon whom be peace, 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.’”²⁷

In the Qurʾān, God is just and requires justice; but he is also forgiving and requires forgiveness; in fact, the Qurʾān’s references to the latter property outnumber those on justice by a ratio of approximately ten to one.²⁸ Islamic theology has not always been clear on how the ensuing tension is to be resolved. “My Mercy outstrips My wrath” is a well-known divine saying, but one that nonetheless is far from abolishing God’s wrath.²⁹ 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 Qurʾān links God’s expectations of his creatures

to justice toward 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.³⁰ The idol cannot demand justice, only retribution (*tha'ir*); the prophetic vocation therefore links the destruction of paganism with the establishment of a code of justice overturning Arab norms by refusing to discriminate between the tribes. This ḥadīth is to be read against the background of clan vendettas: Instead of seeking collective retaliation against a miscreant's tribe, the victim of injustice should appeal to the new law and to recall that all apparent imbalances will have a just settlement at the judgment seat.

“There is an act of charity (*ṣadaqa*) to be given for every joint 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.”³¹

Justice (*ʿadl*) is due balance (*iʿtidāl*), impartiality—the same word used to describe the balance of the body's four humors. When these are in balance, right thinking and health are the consequence; when they are not, the Qurʾān speaks of the last day when “their tongues, their hands and their feet will bear witness to what they used to do” (al-Nūr 24:24).

To purify the body from the disorders that 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 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 also by working to establish a political order in which justice is safeguarded. Political work is thus conceived as a sacrifice. Political authority is not “sought” in the conventional profane understanding, for a ḥadīth says, “Do not seek political power, for if you obtain it by seeking it, it will be given power over you.”³² 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.³³ The model is the Prophet, who endangers himself in order to establish God's justice in a feuding Arabia and who ends his life in holy poverty, despite the advantages he could have gained from having been born into the aristocracy:

“I have forbidden injustice for Myself, and have made it forbidden amongst you, so do not oppress one another.”³⁴

Here God himself is speaking: This is a so-called holy ḥadīth (*ḥadīth qudsī*).³⁵ The text establishes that the “political” life is not dissociated from the “religious,” not just because the believer should recognize 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 ḥadīth, “Emulate the qualities of God.”³⁶ 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 Aṣḥ‘arīs, as a form of dualism. The ruler’s subjects may thus recognize 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” (al-Qaṣaṣ 28:4).

“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.”’”³⁷

The Prophet, 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. The Christ of the Gospels, despite incidents such as the “cleansing of the Temple,” preaches a passive witness; the Prophet of Islam also receives persecution patiently, yet strives to establish justice politically, with a mercy that may come through rigor.³⁸ No doubt this is not the result of a deep clash between ideals, but rather the consequence of incommensurable contexts: Islam too advocates nonconfrontation when believers are oppressed by a massively powerful empire, and Christians have moved away from the pacifism of the Gospels, fearful of the consequences of failing to control tyrants.³⁹ 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,” a view that neglects the cautious stance of classical Muslim jurists over resistance against overwhelming odds.⁴⁰

But a characteristically Muslim optimism about the reformability of structures is also, no doubt, at work.⁴¹

“God’s Messenger (upon him be peace) said: ‘Whoever sees something he dislikes in his ruler (*amīr*) should be patient, because whoever leaves the community (*jama‘a*) even by one fraction, and then dies, has died the death of the Age of Ignorance (*jāhiliyya*).’”⁴²

This ḥadīth forms part of a substantial body of revealed texts that seem to insist on political quietism in the face of misconduct by rulers. Unsurprisingly, it lay at the center of a storm of controversy. Most Sunnī scholars maintained the view that once a caliph had been chosen (*ikhṭiyār*), it became unlawful for Muslims to rebel against him. For the Ḥanafīs (the most widespread school of law), “if the ruler is oppressive, or corrupt, he is not to be deposed”; this was due to the fear of civil war (*fitna*), the besetting evil of the Age of Ignorance before Islam. This quietism was resisted by the Mu‘tazilite and Khārijite sects, by many Twelver Shī‘ites, and also by some Shāfi‘ī Sunnīs.⁴³ The institutional separation of the ‘*ulamā*’ 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.⁴⁴

In the late twentieth century the classical Sunnī view came under fire from radical reformers. Khomeini, departing from Sunnī and Shī‘ī 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 postcolonial regimes repudiated the old quietism and advocated militant struggle against governments that, 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.⁴⁵

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.’” And they left the mosque as though they had been raised from their graves.⁴⁶

The tension between justice and forgiveness is given an iconic representation by this account of the Prophet’s approach to the defeated Meccans, a moment that 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 Uḥud, was not punished. Instead, the Prophet 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 that surrounded Nelson Mandela's Truth and Justice Commission in South Africa.⁴⁷ The rule of a corrupt ethnic elite was at an end; the policy of fomenting discord between tribal groups was terminated. As the Prophet goes on to say, "People are all the children of Adam, and Adam is of dust."⁴⁸ What purpose would 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."⁴⁹ As such it stands a little outside human justice. For many jurists, those who seek asylum in the city's mosque may not be dislodged, whatever their crime. And the *ḥajj* is clearly an anticipation of the Judgment, when all shall congregate to stand before God. Muslim eschatology represents the same tension between justice and forgiveness. On the one hand, it insists that "whoever has done an atom's weight of good, or evil, shall see it" (al-Zalzala 99:7–8), for "there is no injustice on that day" (Ghāfir 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. Just as he offers an amnesty to the sinners of Mecca, Muslim orthodoxy believes that he intercedes for humanity before the judgment seat. Terrified of God's justice, humanity takes refuge beneath the Prophet's banner, as 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 favor of mercy. The Mu'tazilites, preoccupied with justice above all other divine qualities, were obliged to reject these aḥādīth.⁵⁰ But for mainstream Sunnī sources, it is thus, supremely, that the Prophet becomes "God's Beloved" (*Ḥabīb Allāh*).⁵¹

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 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.”⁵²

The last of the aḥādīth presented here is also an eschatological text, in this case explicitly so as it describes a scenario at the final judgment seat. It starts from the principle that everybody will be required to give restitution to victims for the wrongs they have caused, envisaging in effect a kind of trading of actions in the next world. However, in this text the strict workings of justice are transcended, as somebody with no good deeds to trade in still is granted entry into heaven through his brother’s forgiveness. Once again, the metajustice of God is activated through a readiness to forgo retaliation: In Islam, justice is always serious, but mercy can never be set aside.

Adjacent to the doctrine of intercession in the classical theology manuals is the concept of *radd al-maẓālim*, the “Restoration of Wrongs.” We shall be burdened, not only with direct punishment from God, but also with the sins that others are relieved of in order to compensate them for our wrongdoing against them. On that day, “God shall take the horned sheep’s case against the hornless one.”⁵³ Here, according to this well-attested ḥadīth, humans as well as God have an opportunity to forgive.

Toward the close of the classical Friday sermon, the preacher recites the Qur’ānic passage, “God enjoins justice and goodness” (al-Naḥl 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 the judge should have been given this privilege. But his responsibility is grave, and if he is to escape God’s own rigor, he must first defeat his ego. Sufism, the schoolroom of the selfless virtues, thus becomes the most fundamental juristic science.