

أَعُوذُ بِاللَّهِ مِنَ الشَّيْطَنِ الرَّجِيمِ

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

الْحَمْدُ لِلَّهِ كَمَا هُوَ أَهْلُهُ وَالصَّلَاةُ وَالسَّلَامُ عَلَى سَيِّدِ الْعَالَمِينَ كَمَا يُحِبُّ وَيُرِضِّي بَنْ يُصْلِلُ عَلَيْهِ

Allah *azza wajal*, in Whose Name we begin, The Most Compassionate,

The Most Merciful

All Praise is due to Allah *azza wajal*, Countless Peace and Blessings be upon

His Beloved Messenger *Sallal Laahu 'Alayhi Wasallam*

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## Justice in favour of a Jew

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Hadrat Sayyiduna Ali ibn Abu Talib bin Abdul Mutallib *Radi Allah 'Anhu* is a Hashimi Qurayshi. He was the fourth leader (Caliph) of the Muslims and one of those ten fortunate people who were given the glad tidings of Jannah while in this world. He is also the cousin of the Holy Prophet *Sallal Laahu 'Alayhi Wasallam* and also his son-in-law. He was also famous for his extreme knowledge, intelligence, bravery and wisdom. He was the youngest Muslim to accept Islam and was born thirteen years before the pronouncement of Prophethood. He was martyred in the 40<sup>th</sup> year of Hijrah in Kufah.

Hadrat Qadi Abu Umayyah bin Haarith Kandi is considered to be one of the foremost and early Muslim Judges of his period. He was also originally from Yemen. During the time of Hadrat Sayyiduna 'Umar, Hadrat Sayyiduna 'Uthman, Hadrat Sayyiduna Ali and Hadrat Sayyiduna Mu'awiyyah *Radi 'Allah anhum*, he served as an Islamic Judge in Kufah. During the tyrannical rule of Hujjaj, he tendered his resignation which was

accepted by the tyrant. He was also well-versed in Arabic Adab and lived until a long age. He passed away in the 78<sup>th</sup> year of Hijrah in Kufah.

It is reported that when Hadrat Sayyiduna Ali *Radi Allah 'Anhu* went towards the Battle of Siffin, one piece of his armour went missing. When he returned to Kufah he saw that this same piece of armour was been held by a Jew. He instantly recognized this piece of armour and said to the Jew, "This piece of armour belongs to me. I do not remember selling it to you, nor have I given it to you to hold as a guarantee (for anything)."

However, the Jew replied that it belonged to him and that it was his property.

Hadrat Sayyiduna Ali *Radi Allah 'Anhu* then told him that they would both go to Qadi Shurayh so that he could decide on the matter. Bear in mind, that this was that Islamic Judge who was nominated and given this position by Hadrat Sayyiduna Ali *Radi Allah 'Anhu* himself!

When they arrived in the presence of the Judge, Qadi Shurayh *Radi Allah 'Anhu*, Hadrat Sayyiduna Ali *Radi Allah 'Anhu*, sat on one side and not next to him. Hadrat Sayyiduna Ali *Radi Allah 'Anhu* then remarked that that his opponent not been a Jew, he would have sat next to the Judge. Qadi Shurayh *Radi Allah 'Anhu* then asked him the purpose of his presence. Hadrat Sayyiduna Ali *Radi Allah 'Anhu* replied, "The piece of armour which is been held by the Jew actually belongs to me. I did not sell it to him and neither have I given it to him as a gift."

Qadi Shurayh *Radi Allah 'Anhu* then asked Hadrat Sayyiduna Ali *Radi Allah 'Anhu* whether he had any witness to this claim, he replied, "Yes, my witness is Hasan who will testify that this armour belongs to me."

Qadi Shurayh *Radi Allah 'Anhu* then declared, "The testimony of a son is not acceptable on behalf of his father."

Hadrat Ali *Radi Allah 'Anhu* then retorted, "Are you telling me that the testimony of a Jannati is not accepted in spite of the fact that I heard the Holy Prophet *Sallal Laahu 'Alayhi Wasallam* declare that, 'Hasan and Husain are the leaders of the youth in Jannah'?" (This Hadith Shareef has also been recorded by Imam Tirmidi *Radi Allah 'Anhu*, Imam ibn Maja *Radi Allah 'Anhu* and also Imam Ahmed bin Hambal *Radi Allah 'Anhu*.

However, Qadi Shurayh *Radi Allah 'Anhu* was adamant that the testimony of a son was not acceptable. After he said this, he gave the decision in favour of the Jew.

When the Jew saw this, he was shocked and surprised. He was also amazed at the justice which was taught in Islam. He had never heard of such justice or even seen such justice before. He began to think to himself that the leader of the Muslims had actually taken me to a Judge which he himself had placed in that position and yet the Judge had given a decision against the leader of the Muslims himself. At the same time, he was also shocked that the leader of the Muslims did not complain or even refute this judgement in the slightest manner. In other words, the leader of the Muslims showed utmost respect for this decision. He could not stop himself any longer. He blurted out, "I bear testimony that this is the true religion. I also bear testimony that except for Allah *azza wajal* no one else is worthy of worship and I also bear witness that Muhammad *Sallal Laahu 'Alayhi Wasallam* is His Prophet and Messenger." (Al Khulud).

This was the manner in which the early Muslims displayed justice. They kept this on one scale and did not in any manner even complain about a decision which went against them. This is the benefit if a country is able to install Nizaam-e-Mustafa as its constitution.