

"Surveying the Notion of Divine Justice from the Perspective of Islamic Theology" ¹

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A **BSTRACT:** All the theistic religions regard justice as a divine attribute. The holy book of Islam describes God as the ontological basis of justice (Āl-i ‘Imrān (3), 18; Anbiyā (21), 47). The Prophet Muhammad made frequent references to the justice of God in this world and in the Hereafter and exhorted Muslims to keep away from committing any kind of injustice to the servants of God, be they Muslims or non-Muslims. So the two fundamental sources of Islam state that God is just in His essence and in His acts (Sharīf al-Razī (1414), sermons 185 & 191).

The Old and New Testaments also pay a great importance to the issue of divine justice (Jeremiah, Ch. 50, p.7). For example, the Biblical prophet Isaiah calls Yahweh the “Abode of Justice.” (Isaiah, Ch. 50, p.7) In addition, the Scriptures describe divine judgments as just and right (Psalms, Ch. 119, p.75). Thus, one can say that the scriptures of Islam, Christianity and Judaism have agreed upon God’s being just in His acts. However, the Muslim theologians elaborated upon the issues related to divine justice such as the consistency of divine justice with other divine attributes, the eternally staying of sinners in Hell, and the problem of evil.

KEY WORDS: Divine Justice, Theology, Ethics.

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1. Justice in the Relationship between God and Man

On the human level, the term justice means to perform good acts and avoid evil deeds and alludes to individual rights. The root meaning of the word is giving the people their due right and receiving one's own due right from them. A just person is thus defined as one who does not transgress the rights of other people. This description of justice implies a correlation because it occurs between two parties, the giver and receiver of a certain right. In this case, the reception of something due is right, while the giving of it is obligation. So the right that the people have on an individual puts on his shoulders the obligation to pay their due. In this context, justice implies the fulfillment of one's obligation with respect to the others. But this correlation does not apply to the relationship between man and God for it would be illogical and irreligious to state that God is obliged to act in a certain way because it is in conflict with the notion of divine omnipotence. In addition, such statements reveal an improper position with respect to the glory of God.

The correlation of right and obligation is significant insofar as the interpersonal relations are concerned. Since there is an essential equality among men, no one is innately indebted or payee. But this is not true in relation to God for no human being is equal to God in any sense. Therefore, one cannot claim that because of his deeds God should act in a certain way. God is the Creator of man, his powers, and the environments within which he acts. With respect to God, justice therefore cannot be taken in the sense of fulfilling one's obligations and paying the rights of others. If this is so, what is the meaning of talking of divine justice? It seems that we need to discover another perspective to make our discourse of divine justice meaningful. The answer to this question is closely pertaining to the innately good and bad character of things in the thought of Muslim theologians.

2. Justice and the Essentially Goodness and Badness of Acts

On the human plain, the good is described as one who has virtues and is free from vices, performs good acts and refrains from evil ones. In short, the good person is one who acts upon some principles laid down by the others. The Shiite and Mutazilite theologians hold that the laws and standards of good and bad exist independently from God. Thus, God is good because He performs the good and keeps away from the evil. So, things are good or evil in themselves and God acts upon the innate character of the things.

It is problematic in two respects to acknowledge the existence of such laws with which God should comply. First, accepting such laws nullifies God as the final law-giver. If these laws exist independently from God and God should abide by them to be qualified good or just, the source of goodness would be these laws, and not God. Accepting such laws of good and evil existing independently from God is to bring down God from His position and put these laws in His place.

Second, this implies the limiting of God's absolute power. If there were some laws that require God to act upon them, He no longer could do whatever He wills. While the Christians have more stressed the first problem, the Muslims laid the greater emphasis on the second one. This caused both groups to ponder the question of the essential goodness and badness of acts.

Are some acts essentially good and others essentially bad? If one admits that at least certain deeds are essentially good and some others are essentially bad, this means that he adopts the theory of the essentially goodness or badness of acts, i.e., the theory of moral objectivism. If one also maintains that the human reason can know the essential good and bad, this means that he also takes up the rationality of the good and bad.

However, some Islamic theological schools deny the essentiality of the good and bad. For example, the Asharites assert that the acts are good or bad because God described and declared them as such. The Asharites disprove of the existence of the laws of good and bad independent from God. In their opinion, whatever God does is good and whatever He abstains from is evil (Shahristānī(1425), p.208; al-Ash'arī (n.d.), p.117). For them, the acts are neutral *per se*. Thus, whereas whatever God wills, does, or commands is good, whatever He has forsaken and inhibited is bad. In the Asharite discourse, the justice of God simply means that whatever God does is coincident to justice because the criterion of goodness and correctness of choices is God Himself. We do not attribute injustice to God not because He does not perform injustice but because what He does is justice itself. Thus, the true standard of the goodness of an act is simply His doing the act.

3. God's Justice and His Other Attributes and Acts

There should be harmony and coherence among the divine attributes for it is not reasonable for God to have two contrary attributes simultaneously. This rules out not only the existence of any contradiction between the divine attributes but also the contradictions between the concomitants of the various attributes. The existence of any contrariety between the attributes implies that at least one of the two contradictory attributes is incorrectly ascribed to God. So, one of them should be omitted or interpreted in such a way that the contrariety be removed. However, it seems that divine justice is contrary to some other divine attributes.

3.1. Divine Justice and the Absolute Power of God

The divine attribute of omnipotence implies that God must be able to do whatever He wills. However, the divine attribute of justice necessitates that God do some acts and avoid some others. Yet, the absolute power of God does not allow for any limitation to His acts. Therefore, Abū al-Hassan al-Ash'arī (260-324 AH(n.d. ,p.117)points out as the following: “The proof of God’s being able to do whatever He wills lies in the fact that God is the Lord and the Dominating, and not the slave of anybody. No one is superior to Him so that he makes certain acts permissible. No one can command Him, nor can anyone prevent Him from doing what He wants to do. Nor anyone can define or describe Him. Therefore, no act is bad with respect to Him. If an act is bad with respect to us, this is because we have overstepped our limits and perpetrated an unbecoming deed. However, since God is not under the authority of anyone, nothing can be unbecoming with respect to Him”.

The Shiite and Mutazilate theologians however approached the problem from a different point of view. In his *Tajrīd al-I'tiqad*, Khwājah Nasīr al-Dīn al-Tūsī (597-672 AH) remarks as the following: “Although God’s power is absolute and all-comprehensive, He does not perpetrate evil.” Commenting on this quotation, ‘Allāmah Hillī (1415, p.306)states: “God’s power comprehends all the possible things, and bad acts are part of the possible things, too. So they are also involved in the range of divine power. But what is said of the fact that no bad act can originate from God is secondary to the primary possibility that God can do whatever He wants. Therefore, it does not invalidate the notion of the absolute divine power.”

This means that one may keep away from doing bad deeds while he has the power to act so. So, that one has never committed bad deeds does not mean that he cannot act so.

This is like the case of a sane man who has never taken poison in his life, which does not mean that he cannot do so.

One should state that God cannot do a bad deed. However, this is the sign and concomitant of His perfection without implying deficiency for Him.

3.2. The Relationship between Divine Justice and Divine power

Is the notion of divine justice compatible with that of divine knowledge? God foreknows how long an individual would live, whether he would commit sin or perform good deeds. Justice necessitates the punishment of evil-doers. However, if God knows they will do evil and commit sin, why did He create them?

Ash'arī, who adopted the notion of divine predestination and disapproved of the essentially goodness and badness of acts, referred to this point in his historic disputation with his former professor AbūAlī al-Jubbāī (235-303 AH): "Suppose that there are three brothers all dead: one is righteous, another is unbeliever and wicked, and the third one is minor. What is their situation in the Hereafter?" Jubbāī answers: "The righteous is in Paradise, the wicked one is in Hell, and the minor is among the People of Safety (*Ahl al-Salāmah*)."

Ash'arī asks again: "If the minor brother asks for the rank and position of his righteous brother, is he allowed to reach it?" Jubbāī responds: "No, because he did not perform the same good deeds as the pious brother." Ash'arī asks one more time: "If the minor says: That is not my fault because you did not enable me to live longer and did not provide me with sufficient power to act as you did." In this case, how will you respond?"

Jubbāi answers: "Almighty God responds: I knew better that if you lived longer, you would disobey Me and deserve Hell-Fire. Thus, I acted in the most advantageous way for you."

Ash'ari asks: "If the unbeliever brother says, "Oh God! Thou knew what would happen to me just as Thou knew what would happen to the minor. Though Thou acted in his favor, why did Thou fail to do the same with my case, allowing me to dwell in Hell?" Jubbāi says: "You are crazy!"

According to this account, because of the contradiction inherent in his views, Jubbāi could not give answer to the last challenging question of his pupil Ash'ari. We find a detailed discussion of the issues in this dialogue in the theological and polemical works of Ghazzalī (450-505 AH)(1405, I, p.206). One can summarize the gist of the dialogue as the following: If God foreknows how people would act during their lifetime, will His attribute of justice not require that He avoid creating those people who would commit sin and suffer in Hell?" To answer this question, the proponents of the notion of divine justice have recourse to the thought of free will of man. We will discuss this matter in the following section.

4. Determinism and Free will

Justice has a strong relationship with the free will of man for justice can make sense only if man has free will. Commands, prohibitions, ethical recommendations, and abominations, be they in human relations or in the God-human relations, are meaningful only when man is free in the sense that he can act as he wishes(Mufīd, 1371, p.93). Overemphasizing the unity of God in respect to His acts often ends up in a strict determinism. However, the doctrine of absolute determinism implies the ascription of all the bad acts of man to God. Therefore 'Allāmah Hillī (1301, p.378) claims that the

Ash'arites are agreed on the opinion that all evil including injustice, associating partners with God, and oppression are the acts of God and God is pleased with them.

Although the adoption of determinism entails to hold God responsible for all evil in the world, the opponents of free will are not ready to admit this implication. Denying the essentially goodness and badness of acts, they tend to view whatever God performs as good. So, Fadl Ibn Ruzbahān (d. 927 AH) describes the remarks of 'Allāmah Hillī on the Ash'arites as slander. (al-Muzaffar (1396), p.379)

On another occasion 'Allāmah Hillī (648-726 AH) (1982, p.85) points out: "Determinism implies that God is unjust and has no purpose in His acts. If God creates the acts of servants, He will be creating their bad deeds, too, like injustice and vanity. But God is free from and exalted above such things."

In attempt to solve the problem, Fadl Ibn Ruzbahān states: "God is the creator of everything. However, there is a difference between creation (*khalq*) and action (*fi'l*), which means that though He creates evil, He is not the actor of evil (*fā'il*). Just as God's creating black does not imply that God is black, God's creating injustice does not entail that God is unjust. In addition, evil is not limited to the acts of man. Without doubt, God creates pigs and vermin. No one can avoid attributing the act of creation to God in these cases. Once it is admitted that these are created by God, one cannot but accept the evil inherent in them. Otherwise, one would deny an obvious fact. It follows that if the creation of evil necessitates the Creator being attributed of evil and injustice, the creation of evil, a fact that is admitted by the opponents of the Ash'arites, will necessitate the attribution of evil to God." (al-Muzaffar (1396), p.489)

Ruzbahān's argument is false because he fails to clarify in what way pigs and vermin are bad. In fact, the concepts of good and evil are exclusively related to the acts in the context of ethics. The usage of the terms good (*hasan*) and bad (*qabīh*) in relation to the things is equivocal. Since these contexts are mainly esthetic, the term "bad" here means ugly or harmful. On the other hand, to create is an act, too. Thus, if men were compelled to act in a certain way, the real actor of his deeds would be God. In other words, God not only creates evil but also does it. The same argument applies to the good acts. If one claims that to create an act is not to perform it, God as the creator of good would not be the performer of good, which is against the Ash'arite doctrine.

Many Muslim theologians such as Dirār Ibn 'Amr (d. 190 AH), Najjār (d. 220 AH), Hafs (d. 3rd Century AH), and Ash'arī turned to the theory of acquisition (*kasb*) to escape the problems caused by the doctrine of determinism. This theory supposes that while God creates the acts, man acquires them. The notion of the acquisition of acts can be described as an attempt to reconcile between the omnipotence of God and the free will of man and ethical responsibility.

Regarding the meaning of acquisition, QādīAbd Al-Jabbar (d. 485 AH) states: "It is man who turns an act into the instance of obedience or disobedience. By way of explanation, while the existential root of act belongs to God, the act acquires an ethical value through the agency of man" ('Allāmah Hillī, 1301, p.308).

5. Justice and Evil

Justice requires refraining from committing any kind of injustice. However, the opponents of the theory of divine

justice consider the evil existing in the world to be some kind of injustice brought about by man. Therefore, the discussion of divine justice revolves around the problem of evil existing in the world. One cannot deny the obvious existence of numerous and various evil in the world. So how are all these evil to be reconciled with the notion of divine justice?

Most of the Muslim thinkers tend to view evil as either the nonexistence of good or something nonexistent. For example, ignorance and poverty are simply lack of knowledge and lack of wealth. Though some evil do exist, they are not evil as such. Snakes, scorpions, and floods are considered evil not because they are snakes, scorpions or floods, but because they cause the loss of health or the loss of life. So evil is something accidental, and not essential in the world¹

6. Justice and Divine Punishment

A just God not only Himself keeps away from doing injustice but also is not pleased with the occurrence of injustice among men. So, God as the final judge should punish the evil-doers in proportion to the gravity of their sin. One can discuss this issue in two items:

- a. Many of the evil-doers in this world escape punishment, a fact which disagrees with divine justice. The Muslim theologians try to explain this on the basis of the divine rewarding and punishment in the Hereafter. This explanation is adopted by the Shiite and the Mutazilite theologians, too. The theory of divine compensation (*a'wād*) is another widely-used explanation. This theory claims that God will compensate the benefit that man is

1. For further information on the philosophical implications of the notion of divine justice, cf. Sadr al-Muta'allihīn, 1383 AH, II, pp.347-356; Tabātabāī, 1372, I, pp.321-322; 'Allāmah Hillī, 1415 AH, p.30; Ibn Sīnā, 1403, p.21.

deprived and the evil that man suffered in this world. The compensation will fully satisfy man¹.

- b. No offense can be as grave as to require the eternal suffering in Hell. However, adherents of every religion consider the followers of other religions irreligious, thus deserving damnation to Hell. The Qur'ān says: "Allah promised the hypocrites, both men and women, and the disbelievers fire of hell for their abode. It will suffice them. Allah cursed them, and theirs is lasting torment" (Tawbah (9), 68). This verse mentions the eternal suffering of unbelievers and hypocrites in Hell. The following verse states that the evil-doers also will dwell in Hell forever: "And whoso disobeys Allah and His messenger and transgresses His limits, He will make him enter Fire, where he will dwell for ever; his will be a shameful doom"(Nisā (4), 14).

The Shiite theologians are agreed upon the belief that grave-sinners will not dwell in Hell forever. For example, Shaykh al-Sadūq (306-381 AH) (1414, p.90) writes that only unbelievers and polytheists would abide in Hell forever while monotheists meet divine mercy at last though they committed grave sins. Shaykh Mufid (d.336-413 AH) claims that there occurred a consensus among the Shiite theologians on the opinion that the divine threat of eternal damnation to Hell only affects the unbelievers.

Nasīr al-Dīn al-Tūsī and 'Allāmah Hillī (1415, p.414) claim that among the Muslim scholars consensus occurred on the opinion of the eternal dwelling of unbelievers in Hell. In support of their claim, they usually cite the following Qur'ānic verse: "Lo! Allah forgives not that a partner should be ascribed unto Him. He forgives (all) save that to whom He

1. For example, consult 'Allāmah Hillī, 1415, Problem 14, pp. 452-460.

will” (Nisā (4), 48, 116). The eternal suffering of sinners in Hell is mentioned in the Scriptures: “And these shall go away into ever-lasting punishment”(Matthew, Ch. 25, 46).

A common solution to this problem is that there is no conventional relation or correspondence between the sins committed in the world and the punishments in the Hereafter for "one can expect proportion between the crime and its punishment only in relation to the positive and conventional laws. But the relation of sin with its punishments in the Hereafter is like the relationship between cause and effect" (Hasanzādeh Amulī, 1415, p.629). We can explain this through the following analogy: One can make a mistake at one moment by touching a naked electric wire. Since the relation of his touching the naked electric wire with the electric shock is the relation of cause and effect, he should not expect the result of the electric shock to be proportionate to his mistake.

It is also claimed that punishments are another manifestation of the very sins appearing in the hereafter (Tabātabāī, 1372, I, p.92). A Qur’ānic verse says: “And whose has done an atom's weight of evil shall see it”(Zilzāl (99), 8). However, the verse does not talk of seeing the consequence of the act, but of seeing the act itself albeit in a different manifestation.

7. The Consequences of Belief or Disbelief in Divine Justice

Many of the modern thinkers ignore the traditional disputations over religious beliefs. One reasons of this modern intellectual indifference to such disputations which have been going on since the inception of Islam is the thinkers’ regarding them as futile. Kant played an important role in this tendency by saying, that Metaphysics is out of the reach of speculative reason. Therefore, many people have

abandoned the debates related to the religious claims, whether they are for or against them, because they have considered such debates pointless.

However, the lack of attention to the pros and cons of religious doctrines does not justify the indifference to the doctrines themselves. Pragmatists consider and evaluate religious claims from the perspective of the benefit they may bring in. So if a doctrine is useful and has positive social effects, it is acceptable regardless if its truth can be proven by any method (i.e. traditional or modern) or not.

The belief in resurrection will make sense only if one has belief in divine justice. If one believes that God can do whatever He wants, there will remain little motives, if any, for a Muslim to seek virtues, keep away from evil, and observe the legal and ethical rules of Islam. The fact that God so far has kept His promises by rewarding the righteous and punishing the wicked does not necessitate that He will continue to act so. Concerning this issue, Ghazzālī in his *Qawā'id al-'Aqā'id* (1405, I, pp.203-205) points out that God can perform not the best (al-aṣḥaḥ), and impose on people the obligations that are beyond their capacity, and torment them without a prior sin and torture them without compensation.

It seems that if the belief in human justice brings about some kind of satisfaction and tranquility in the heart and mind of man and helps man accept the current state of affairs, the belief in divine justice will cause much more sense of safety. Likewise, if the human penal codes deter people from committing crime, the belief of divine rewarding and punishment in the Hereafter will more forcefully motivate man to pursue righteous deeds and avoid evil acts.

8. The Arguments of the Proponents of Divine Justice

God is not unjust because injustice originates from two factors: either the unjust person does not know that his act is injustice or, despite of his knowing that it is injustice, his needs urge him to act so. But since God knows what is good and what is evil and He is self-sufficient, He cannot be thought to perform anything evil.

This argument takes the essentially goodness and badness of acts for granted. However, the validity of the essentiality of acts at most indicates that God is not unjust, which does not necessitate Him to be just. This argument is true insofar as refraining from doing evil is considered sufficient to describe an actor as just, or inasmuch as the negation of act is also considered as an act (Mufid, 1371, p.211). If so, an infant who died before reaching the age of maturity and thus prior to being able to commit injustice should also be reckoned as just, which is absurd.

In attempt to establish divine justice, 'Allāmah Hillī presents another argument in his commentary on *Tajrīd al-I'tiqād*: "God has enough reason to perform good acts, and there is nothing to prevent Him from acting so. In addition, He has enough reason to keep away from doing evil and there is no reason for Him to perform evil. On the other hand, God can do whatever can be supposed to be done. The existence of power and motive necessitates the occurrence of act. If one knows that an act is good and has the power to do it and if that act does not cause something evil, he will perform it." Hillī (1415, p.305) continues to comment: "An act is something contingent in itself. If the sufficient cause of the contingent thing comes to be, it becomes necessary by other than itself. Then, it necessarily comes into existence. Acts occur when the actor and power are existent. If these two exist, the sufficient cause will be completed and the effect will

naturally come about.” Hillī elaborates upon the same issue in his *Nahj al-Haqq wa Kashf al-Sidq* (1301, p.388), too.

This argument assumes that the merely goodness of certain acts is enough reason for God to perform them. But the existence of motive alone is not sufficient for human being to act for on many occasions, in spite of the existence of motive, man may not have the power to perform the act.

But the assumption that God has enough reason to perform good acts implies a series of consequences as to the nature of God as actor, which many philosophers do not accept (Tabātabāī, 1372, p.172 and 309). Since this notion creates many problems, the Muslim Peripatetics view God as acting by providence, the Illuminationists, i.e., the followers of Shihābuddīn Suhrawardī (549-587 AH) as acting by His own please while the followers of Mullā Sadrā (980-1050 AH) view God as acting by self-manifestation. All these explanations deny the motive superadded to God.

The Muslim philosophers strive to demonstrate through different methods that God is perfect and free from deficiency. According to the principle of homogeneity of cause and effect, God’s acts are also complete and perfect. Therefore, attributes like justice indicating the perfection of God can be ascribed to God (*Ibid*).

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