

Divine (Allah's) Judgment (Hokm) versus Human Judgment (Hokm)

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This article analyzes and clarifies the difference between the divine judgment (hokm) versus the human judgment, using evidence from the Holy Quran and examples from Islamic history and Sunnah. The author tackles this topic due to its dire importance and its relevance in our lives and explains its relation to the concept of justice and the consequences of failing to differentiate between the divine and human judgment.

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Introduction

In the name of God, the Beneficent the Merciful, praise be to Allah the Lord of the worlds, peace and prayers be upon the most dignified of messengers, Muhammad and his purified household.

The subject matter we would like to discuss here is of dire importance and graveness. We would not be exaggerating if we said that it is one of the most important matters since it touches our daily lives and relates to the core of our actions.

It also constitutes a major part of the tests and trials/fetna of Allah (SWT) to us in this life, the result of which determines God's pleasure or anger upon us. Our guidance or misguidance thereby depends on that which further determines our salvations from this lives and whether we achieve a safe and victorious exit to our hereafter, God-willing!

It is not a simple and easy matter at all as these tests and trials are difficult and the mischief is at a high degree. The self is pushing us towards evil and the devil will not leave us alone; our desires misguide us and the misguiders around us make the forbidden as permissible and they prohibit us from that which is permissible. They (self + devil + desires) will not leave us until they lead us to destruction. It is as if there is a sacred alliance which they swore not to allow us pass the test of this life. It would be erroneous for anybody to think that he is saved, and the moment he does so, he would be very close to failure without realizing it. We should never feel safe as long as we are in this life and it is only when we depart it that we may feel rest and joy if we indeed achieve salvation.

Our subject of interest is about Allah's judgment (Hokm) versus the human judgment and the difference between them. How does that affect our lives? And why should we pay attention to this sensitive and complex matter!

We hope to be able to deliver our thoughts to you in the best and easiest manner and to clarify to you the graveness and the importance of this topic. Allah (SWT) is our helper and guider.

Hokm in the Holy Quran

We begin first and foremost by stating clearly that, everyone should understand and recognize that:

Allah has a Judgment in every case, matter, dispute, question, and every problem or conflict.

The following Quranic verses testify to this truth:

"Say: O Allah! Originator of the heavens and the earth, Knower of the unseen and the seen! Thou (only) judgest between Thy servants as to that wherein they differ". [39:46]

"But Allah will judge between them on the Day of Resurrection concerning that over which they used to differ". [2:113]

"And if there is a party of you who believe in that with which am sent, and another party who do not believe, then wait patiently until Allah judges between us; and He is the best of the Judges". [7:87]

"And Allah decides; there is no adjuster of His decision. And He is swift in account". [13:41]

"That is Allah's judgment; He judges between you, and Allah Knows, Wise". [60:10]

"And that you should judge between them by what Allah has revealed, and do not follow their low desires" [5:49]

"The judgment is only Allah's; He relates the truth and He is the best of deciders". [6:57]

"Surely your Lord will judge between them by his judgment, and He is the Mighty, the knowing". [27:78]

There are numerous other verses and we present just a few examples which clearly indicate what we have mentioned. However, the following important question poses itself:

Receiving Divine Judgment

Who from God's creation really knows Allah's judgment (hokm)?

And how will we know what that judgment is?

And who will be the one to apply that judgment?

As for those who very well know the divine judgment in this life, they are the prophets and messengers who receive direct inspiration from Allah (SWT) and via heavenly books and divine teachings. This is clear as shown in the following verse:

"Surely We have revealed the Book to you with the truth that you may judge between people by means of that which Allah has taught you; and be not an advocate on behalf of the treacherous". [4:105]

And in the following verses:

"(All) people were a single nation; then Allah (SWT) sent prophets as bearers of good news and as warners, and He revealed with them the Book with truth, that it might judge between people in that in which they differed". [2:213]

"So be patient in carrying the command of your Lord, and obey not from among them a sinner or an ungrateful one". [76:24]

In other words, be patient in judging according to Allah's rules and laws.

Also as cited in this verse:

"And when he had attained his maturity, We gave him judgment and knowledge: and thus do We reward those who do good." [12:22]

In other words, when he reached the age which would make him responsible enough, we taught him the divine judgment and bestowed him the knowledge of the laws.

Similar to this are Allah's words in reference to His prophets Lut, Dawood, Sulaiman, Musa, and Yayha (May Allah bless them) in similar verses.

Thus, it is clear that the knowledge of Allah's judgment is present with the prophets and the messengers via the heavenly Books and the direct divine inspirations and teachings. From that, it is clear that the holy Books cannot be separated from the messenger because the knowledge and judgment is distributed with both of them. Thus, we can better understand this verse when Allah (SWT) said:

"And when they are called to Allah and His Messenger that he may judge between them, a party of them turns aside." [24:48]

And the following verse:

But no! By your Lord! They do not believe (in reality) until they make you a judge of that which has become a matter of disagreement among them, [4:65]

Human Judgment Coincides with Divine Judgment

Without the Book and direct divine inspiration and teachings from Allah (SWT), a prophet can not possess knowledge of the divine judgment. So he refrains from making any judgment until he receives appropriate divine knowledge.

For example, this is what happened in the “Argument” which took place as was revealed in Surat Al Mujadala (#58). When the Holy Prophet (SA) did not know Allah’s judgment in the case of Dhihaar (separation) between the woman and her husband, he expressed that to her and he did not proceed to make a judgment. So the lady raised her complaint to Allah (SWT), and thereafter He (SWT) inspired His judgment to the Prophet (SA). Only then did the Prophet (SA) issue a judgment and the case was resolved.

The same thing happened also in the story of Prophets Dawood and Sulaiman (AS) when they had to give judgment concerning the field when the people's sheep pastured therein by night. Allah (SWT) did not reveal the correct judgment to Prophet David (AS) - the father. So he refrained from issuing any judgment. Instead Allah (SWT) revealed that judgment to his son Sulaiman (SA) and so he conveyed the divine judgment.

The divine judgment (Hokmullah) is the same as the divine law (Shari’ah), and it is the same as the boundaries (Hodood) of Allah (SWT), and it is the same as the religion in Allah’s eyes. In this context, it means to establish and apply Allah’s laws and to make sound judgments in the different cases, based on these laws.

After the prophets and messengers, there are the Awsiyaa (guardians) and Imams (divinely-appointed leaders) who also possess knowledge of the divine judgment which is directly passed on to them from the prophets and messengers themselves. So they completely abide by the laws presented by the prophets and they know their boundaries and how to apply them. They possess complete recognition and awareness of what was revealed to the prophets.

In addition, their infallibility (‘Ismah) serves as an asset to assist them in performing their roles. Those are “Al-Rasikhoon fil Ilm” (those versed in knowledge) whom Allah (SWT) mentioned in the Quran. And they are also those whom Allah (SWT) said about them:

وَلَوْ رَدُّوهُ إِلَى الرَّسُولِ وَإِلَى أُولِي الْأَمْرِ مِنْهُمْ لَعَلِمَهُ الَّذِينَ يَسْتَنْبِطُونَهُ مِنْهُمْ

“ And if they had referred it to the Messenger and to those in authority among them, those among them who can search out the knowledge of it would have known it.” (the ones who can draw correct conclusions among them). [4:83]

We have a good example in the judgments of our Master Ameerul Momineen Ali ibn Abi Taleb (AS) in the different tough cases which the scholars of jurisprudence and the Caliphs failed to make these judgments on their own. He always used to know the divine hokm in every case and issue. Same was the case with all our infallible Imams (AS).

Besides the prophets, messengers, Awsiyaa and Imams, it is almost rare that the vast population of the people make a judgment that coincides with the divine judgment. They may very well deviate from it due to personal

desires, lack of knowledge, oppression , arrogance , benefits , stupidity , ignorance , foolishness , laziness , hypocrisy, Miraaa (showing off), stubbornness , deception , forgery , hastiness , negative thinking or due to presence of doubt or apostasy and polytheism.

Our Divine Obligation

Therefore, the general divine guidance to people is to make a just and a fair judgment, which is the divine judgment. In other words, they must make all efforts to deduce Allah's judgment so that they rule with it and then we can understand Allah's words in these verses:

“And if you judge, judge between them with equity; surely Allah loves those who judge equitably.” [5:42]

“And that when you judge between people you judge with justice.” [4:58]

Those who abide only by Allah's judgment when it comes to issuing judgments whether the judge or the one being judged, they are the true believers as depicted in this Quranic verse:

“The response of the believers, when they are invited to Allah and His Messenger that he may judge between them is only to say: We hear and we obey; and these it is that are the successful.” [24:51]

The divine judgment is most beloved to true believers than their own personal desires or benefits, than their own parents and children, than their lives itself and that is the real test of faith.

For that reason, the Prophet (SA) said about those who have committed adultery then they confessed and insisted on having the divine judgment be executed on them so that they be purified with the divine judgment, he said concerning them after they were stoned to death, *“They have repented a true repentance; if it was distributed among the people of the earth it would have sufficed them!”*

Certainly, they are true believers even if they disobeyed or committed sin, so long as they repented and preferred the divine judgment to be implemented on them.

On the contrary, those who refuse to obey and apply Allah's judgment, they are the disbelievers, the hypocrites, the oppressors, the corrupt people, and that is depicted in the following verses:

“And when they are called to Allah and His Messenger that he may judge between them, lo! A party of them turns aside.” [24:48]

And also in the following verse:

“Have you not seen those who assert that they believe in what has been revealed to you and what was revealed before you? They desire to summon one another to the judgment of the Satan, though they were commanded to deny him, and the Satan desires to lead them astray into a remote error.” [4:60]

And Allah (SWT) stated in these three verses in Surat Al Ma'eda:

“And whoever did not judge by what Allah revealed, those are they that are the unbelievers.” [5:44]

“And whoever did not judge by what Allah revealed, those are they that are the unjust.” [5:45]

“And whoever did not judge by what Allah revealed, those are they that are the transgressors.” [5:47]

Allah's order that we make judgments based on His code of laws alone and to accept His judgment, was made clear in these verses:

“And in whatever thing you disagree, the judgment thereof is (in) Allah's (hand); that is Allah, my Lord, on Him do I rely and to Him do I turn time after time.” [42:10]

“Shall I seek for judge other than Allah? - when He is the One Who has sent unto you the Book, explained in detail.” [6:114]

So, if the people implemented the judgment of Allah (SWT), then glad tidings to them as this would be the establishment of justice since Allah (SWT) is the absolute Justice and the absolute Truth. Therefore, whoever judges by His judgment would be a just ruler who issues a just ruling. Any other judgment that is not in line with the divine judgment is oppression in itself. It will be human judgment and human judgment in general may be just and it may be unjust, and it is more likely to be unfair. This is what Allah (SWT) confirms in His words revealed in reference to man:

“Indeed, man is unjust and ignorant.” [33:72]

And if man is unjust even to himself in most cases, then how can he be just with the others?!

Judgment and Justice

When we speak about divine judgment and justice, we must distinguish here between two important matters:

- 1) The proceedings of justice
- 2) The judgment itself (the sentence, or the ruling).

Both of these components are the wings of justice, and both are part of Allah's judgment and cannot be separated. It is very important for us to recognize that, as there is no justice ever without having fair court proceedings, and there is no justice without a final court judgment. Both components are like twins who cannot be separated and if one of them became disturbed or corrupted, the other one also becomes invalid even if it is correct.

In other words, if a just ruling was made on a person but with deficient or unjust or incorrect court proceedings, then that ruling is not the divine judgment even though that ruling coincides with the divine judgment.

And the opposite is true; if the court proceedings were fair but the court ruling is not fair, then it is not the judgment of Allah (SWT). It is necessary that both wings be sound and fair in order that the bird of divine justice fly and shadow everyone with its justice, and that is one of the differences between fairness or equity (قسط) and justice ('Adl). One aspect of قسط

relates to the court proceedings while the justice (عدل) is the court ruling itself. Their opposite is injustice and oppression as injustice relates to a part of it with inadequate and unjust court proceedings. Just as oppression equals the corruption of the final court ruling which contradicts the divine judgment.

On the other hand, court proceedings includes: proper selection of a fair judge, ample opportunity for a fair trial in everything, appropriate interrogation, questioning of witnesses, and the right to object during a court trial, the necessity of having a lawyer to speak on behalf of the defendant if he is not able to defend himself, and the authenticity and accuracy of the evidence presented, proper cross examinations of witnesses and evidences by both the plaintiff and the defendant, appropriate confrontation of witnesses and other proceedings which are necessary for the trial which the Islamic law has defined.

By that, we now understand why the *Hujjatullah* (Proof of Allah) will fill the earth with justice and equity (fairness) once he reappears [may Allah hasten his reappearance].

So, in our lives today there is the divine judgment which is the pure justice. **A human judgment is only fair and just IF it agrees with the divine judgment in terms of the court proceedings and court ruling.** Otherwise, it is considered to be injustice!

It is not necessarily the case that if a person or group of individuals are judged in a conflict or matter with a verdict that it is the divine judgment. It may or may not coincide with it. As a matter of fact, it is more common that these human verdicts do not agree with the divine judgment since the judge in these cases is not a prophet or Imam or a divinely-appointed Wasi or a

wise and just scholar who has fulfilled all the requirements to assume his position according to Shari'aa (God laws).

A human judgment may be issued and executed in this life while it contradicts the divine judgment in the heavens and on earths, and as a result, injustice is committed. That is why injustice and oppression is unfortunately an integral part of our lives.

If the human judgment contradicts the divine judgment, then it becomes invalid and its consequences become invalid too, both in this life and in the next world. Even if the sentence of this verdict is carried out, it is corrupt, invalid, and unjust.

Justice Prevails

Since Allah (SWT) is the absolute Justice and He has established His kingdom based on absolute Justice, then it is inevitable that the scale of justice should become balanced after it has become unbalanced on earth due to human injustice and deviation. So when will the balance of this scale of justice take place?!

It will become balanced on the Day of Resurrection when the only Judgment will be for Allah (SWT) alone, and injustice which the people committed will be invalidated and people will come to know that Day the real divine judgment in every case, conflict, dispute, argument, and matter. They will discover their injustices and Allah (SWT) will invalidate the injustices they have committed in this world and the oppressors will be punished while the oppressed will receive their confiscated rights.

Hence we can understand Allah's words in these verses:

"And most surely your Lord will judge between them on the resurrection day concerning that about which they differed." [16:124]

"All sovereignty that day is for Allah; He will judge between them." [22:56]

"Then to Me shall be your return, so I will judge between you concerning that in which you differed." [3:55]

"Then wait patiently until Allah judges between us; and He is the best of the Judges." [7:87]

As the abovementioned verses indicate, the final verdict will not belong to anyone except Allah (SWT) alone since He is the Owner of the Day of Judgment and the Day where truth is separated from falsehood.

We present here an example of an event which took place during the prophetic life which clearly confirms this fact. After the conclusion of the Battle of Al Ahzab (The Allies), the Muslims encircled the Jews of Bani Quraydha as a punishment to their deception and betrayal of the pact with the Muslims and their alliance with the polytheists against the Muslims. When the duration of encirclement became long, the Jews decided to surrender so they requested for a judgment to be made on them.

The Prophet (SA) asked them who they would like to judge them, so they chose Sa'd ibn Mu'adh, the Chief of Al-Aws tribe since he was their ally long ago at the Time of Ignorance. Sa'd has been severely injured in the Battle of Al-Khandaq (Al Ahzab) and he became ill afterwards. So, the Prophet (SA) brought forth Sa'd and asked the Jews again whether they would be pleased with the judgment of Sa'd in their regards?!

They answered yes in consensus, so the Prophet (SA) said to Sa'd: "Issue your verdict on them Oh Sa'd!" Sa'd was, at that time, very ill and in pain and he said, "I sentence that their fighters be executed, their women and progeny be taken as captives, and their properties be distributed among the Muslims. The Jews were stunned and the Prophet (SA) said to Sa'd, "God is Great! By Allah, you have judged them with what Allah (SWT) has judged from above the seven heavens, Oh Sa'd!"

From this statement of the Holy Prophet (SA), it is clear that the verdict of Sa'd in this case coincides with Allah's verdict. It may not have coincided if Sa'd ruled otherwise! Therefore, human verdict may agree or disagree

with the divine. So, any ruling, verdict, judgment, sentence, or decision in this life may coincide with that of Allah (SWT), and that is very rare. And it may not, and that is most common.

It is only what coincides with Allah's judgment that incorrect and valid in the heavens and on earth. As for those which do not, it is then invalid in the heavens even if it has been passed and carried out on earth.

If Allah's judgment is applied on earth then justice has been established. If that is due to faith in Allah (SWT) and obedience to His commands, then that is justice and true faith (Iman) and the parties involved (whether the judge or the one is being judged) will be rewarded in this life and the Hereafter.

And if the verdict accidentally coincides with Allah's judgment or is made simply due to conviction to that appropriate judgment or mere human justice and righteousness, then that is also justice, but it is not considered to be true faith and the parties involved will not be rewarded in the Hereafter, although they may receive the reward of the justice in this life. We have to clearly distinguish between the two cases.

Another example demonstrating this is when the Muslims nation finally gave their pledge of allegiance to Imam Ali (AS) for the caliphate. Was that in obedience to the command of Allah (SWT)? No, it was only due to special circumstances and instability caused after the assassination of Uthman, the previous Caliph. Therefore, even though the intentions were merely according to the principles of this world, it was not due to heavenly and spiritual faith.

Ijtihad and Justice

Ijtihad (intellectual diligence) is the attempt to recognize and deduce the divine judgment in a matter or issue or case. So whoever does *Ijtihad* and has done so correctly by agreeing with the divine verdict, then he is fair and just and has achieved self-salvation. And whoever does *Ijtihad* and has reached an erroneous verdict which contradicts the divine verdict, he has done injustice and became misguided. Indeed, this is a grave responsibility which we must pay attention to.

Thus, if we have a doubt or hesitation during the process of *Ijtihad*, then we must pause and exert more effort in *Ijtihad* by doing more consultation, thorough research and analysis. It is better a million times to postpone the establishment of justice than falling into the grave mistake of committing injustice and contradicting the divine verdict.

It is also from the ورع (God-fearing) and piety to pause when we experience a doubt or suspicion. The principle of acquitting in the presence of reasonable doubt and assuming innocence and avoiding injustice or preventing it, is one of the most important and main cornerstones of life and has the most priority. In the end, every criminal, oppressor, transgressor and unjust person will not escape the justice of Allah (SWT) in this life and the Hereafter, even if he escaped the human justice in this life, whether that oppressor is a judge, a plaintiff, or a defendant! As we know, the law dictates that committing injustice to an innocent person is much more grave and worst than exonerating a criminal.

We must observe this principle on the personal level with “good thinking” towards others. Some of the things we can observe is:

1-Finding a good excuse and explanation for others’ behavior, and exercising patience when experiencing harm from others

2- Abiding by good manners and righteous behavior even towards the one who wronged us

3- Forgiving and observing “كظم الغيظ” (controlling your anger), and clemency

4- Refraining from spying or following the personal lives of others

5- Avoiding backbiting and tale-bearing

6- Being honest, humble, speaking the truth even if it is bitter, and testifying truthfully, not to ever commit perjury or issue a verdict without knowledge

7- Abiding by Allah’s commands and the Sunnah of the Prophet (SA) and the Infallible Imams from the purified AhlulBayt (AS).

Examples from History

When Prophet Dawood (AS) issued an opinion without waiting to receive the divine verdict regarding the two individuals who presented their dispute to him after they climbed to his niche, he then realized that he committed **ترك الأولى** (abandoning the better mode of action) and was tested.

She bowed down in genuflection and repented to his Lord.

Same was the case with Prophet Yunis (AS) when he left disappointed and he acted contrary to the divine judgment. Then he called to his Lord, *“Oh Lord, I have done injustice to my self”* because he didn’t follow the divine judgment and instead followed his own verdict.

When Prophet Dawood (AS) – the father – did not possess the divine verdict when some lambs entered in the farm of another person and ate from it, he refrained from making any judgment. But his son Prophet Sulaiman (AS) was taught the divine verdict so he issued it, as we previously mentioned.

In all of the above cases, the consequences of the human verdict becomes invalid if it does not agree with the divine verdict, even if it was issued by a Prophet. That is an example for those who contemplate.

The confiscation of the Caliphate after the demise of the Holy Prophet (SA) is one of the worst cases of deviating from the divine verdict in the heavens and earths, and following the human desires. It is a clear example of the oppression and the danger which takes place when the human judgment and verdict contradicts the divine judgment, which then results in corruption on earth. The Caliphate was seized by those who usurped it against Allah’s judgment for years and centuries. But does that mean that it is legitimate?! And does that mean it is accepted by Allah (SWT)? Of course not!

Conclusion

In conclusion, everything in this life must proceed under the governance of the divine judgment and verdict in order for justice to prevail on earth, whether it is political, social, economical, judicial, or religious matters. Even the personal matters such marriage, divorce, inheritance, and family relations with each other must fall under the umbrella of divine judgment.

We can refer back to the Treatise of Rights (رسالة الحقوق) by Imam Zainul Abideen (AS) to have a better understanding in terms of your relationship with your land, country, society, neighbor, blood relations, studies, activities, work, property, education, and everything which must be ruled by Allah's law and judgment and not by the human desire, etc.

Indeed, the return of the Caliphate to the Imam of our Time (may Allah hasten his reappearance) symbolizes the true return of abidance to the divine judgment. At that time, the human judgment will be nullified. Once that happens, the earth and world will be filled with justice and equity and this is exactly the meaning of the Prophet's words when he said:

"He will fill the earth with equity and justice (because his judgment will be aligned with Allah's judgment) after it was filled with injustice and oppression (due to human judgment which deviates from the divine judgment).

May we be granted the ability and success to align our human judgments with the divine judgments, and to observe justice and equity in all our matters. May Allah (SWT) reward Muhammad (SA) and his purified household, and praise be to Him for guiding us for we would not have been guided if He (SWT) did not guide us.