

SERMON BY ALHAJI L. O. ALAO TO USHER IN THE BENCH, THE BAR AND THE ENTIRE JUDICIARY IN EDO STATE INTO THE NEW 2018/2019 LEGAL YEAR ON FRIDAY 12TH OCTOBER, 2018 AT THE HIGH COURT COMPLEX, SAPELE ROAD, BENIN CITY

THE VICEGERENT OF GOD

BISMILLAH! RAHMAANI RAHEEM
(IN THE NAME OF ALLAH, THE BENEFICENT, THE MERCIFUL.)

PREAMBLE

All protocol observed.

“Al-hamdu li-llaahi ladhi ahyanaa ba’da ma amaataanaa wa ilaihi-n-nushuur”

Meaning: **“all praise be to Allah Who gave us life after he had given us death, and to Him is the return”** (Hadith)

I invoke the blessings of God on all His prophets starting from Adam (A.S), Ibrahim/Abraham (A.S) and other prophets, including Musa/Moses (A.S), Isa/Jesus (A.S) and the last but not the least of them, Muhammad (S.A.W).

When Almighty Allah was about to create the first man Adam (A.S), Allah told the Angels: **“I want to create a vicegerent on earth”** (Qur. 2:30) As vicegerent on earth, man is required to live in line with the will of God and do the will of God at every given time. The word “ISLAM” and the word “MUSLIM” mean “SUBMISSION TO GOD’S WILL” and “ONE WHO SUBMITS TO GOD’S WILL” respectively. Hence Jesus Christ (A.S./PBOH) also emphasized:

“Not every one that saith unto me, Lord, Lord, shall enter into the Kingdom of heaven; but he that does the will of my father which is in heaven”. (Matthew 7:21)

JUSTICE

As vicegerent of God, we are expected to be just and enforce Justice on earth because Almighty God is a God of Justice. The Holy Qur’an says: **“God doth command you to render back your trusts to those to whom they are due; and when ye judge between people, that ye judge with justice ...”** (Qur. 4:58)

Almighty Allah also said: **“O ye who believe! Stand out firmly for God, as witnesses to fair dealing, and let not the hatred of others to you make you swerve to wrong and depart from justice. Be just; that is next to piety; and fear God. For God is well-acquainted with all that ye do.”** (Qur. 5:9)

The Holy Prophet Muhammad (S.A.W) is reported to have said: **“When any of you is appointed to Judicial office, he should take care not to pronounce judgment when he is in a temper; he should maintain strict equality between the parties even in respect of seating, a look or a gesture.”**

This explains why one of the Khalifahs (Successor of the Holy Prophet Muhammad (S.A.W) had cause to disqualify a Qadi (Judge). It happened that the Khalifah as the

leader or President of the Islamic Republic filed a case as **Claimant** against a **Defendant**. When the Khalifah entered the Court room, the Qadi (Judge) rose up as a mark/sign of respect for the Khalifa. Whereupon the Khalifah reacted by saying: **“This is the first injustice this court has done to the Defendant.”** The Khalifah therefore got the Judge disqualified from trying the case simply because the Khalifah feared that his adversary, the Defendant who was an ordinary citizen of the state may not get justice from that court. The judge having violated the prophet’s Statement that “contending Parties in a court of Law must stand on equal footing” (Hadith)

It is a sin in Islam to withhold evidence. In this regard, the Holy Prophet (S.A.W) said: **“He who withholds evidence when he is called as a witness is as if he has borne false witness.”**

Giving false testimony or lying on oath is one of the major sins in Islam. Among those who lied on oath are those who took oath of office but act contrary to the oath.

Every judge would be rewarded by God for striving diligently. The Holy Prophet (S.A.W) said: **“When a judge strives diligently and arrives at the correct decision, he has a double reward; if he strives diligently and makes a mistake, he has a single reward.”** (Hadith)

However, judges must be extremely careful not to punish innocent souls. In this regard, the Holy prophet Muhammad (S.A.W) said: **“Spare people punishment as far as you can and give them the benefit of every available plea – for it is better for a judge to err toward leniency rather than to err towards punishment.”** (Hadith)

The Holy Prophet (S.A.W) warned seriously against discrimination in the matter of law enforcement, saying: **“Have you started making intercession in matters concerning Allah’s law? Then he stood up and declared: People who have passed away were ruined by such discrimination. When a person of note among them committed a crime they let him go free, but they imposed the full rigour of the law against the common people. Allah is my witness that if Fatimah my daughter had been guilty of theft I would have imposed the prescribed penalty.”** (Hadith)

When Abu Bakr who was a judge in Makkah was appointed the first Khalifah following the demise of the Holy Prophet Muhammad (S.A.W), Abu Bakr as the newly appointed leader delivered a speech saying: **“O people, I have been placed in charge of your affairs whereas I am not the best amongst you... Do assist me when I do right and correct me when I stray ... Obey me as long as I obey Allah and as soon as I disobey Allah and His Apostle (S.A.W), obedience to me is no longer incumbent on you ...”** For those who feel they can exploit people in this world and go free, they should take notice of the prophet’s tradition where he said:

“If a person has transgressed against his brother’s honour or worldly goods, let him hasten to seek acceptance of amends in this world before the day (i.e judgment day) when there will be available neither gold nor silver to compensate a wrong. Else, if the transgressor has any good deeds to his credit, they will be transferred to the account of his victim according to the measure of his injury; and if there is no good

to his credit the sins of the victim will be transferred to his account in the same measure." (Hadith)

The Holy Prophet also said: **"He who grabs an inch of land unjustly will carry the weight of seven worlds around his neck on the Day of Judgment."** (Hadith)

Elsewhere the Prophet said: **"Allah will punish in the other world those who persecute His people in this one."** (Hadith)

GOODNESS

As vicegerent/representative of God, we must exhibit Godly conduct because it is God who puts us in whatever position we occupy. When Arch Angel Gabriel (A.S.) asked the Holy Prophet Muhammad (S.A.W) about GOODNESS, the Prophet answered: **"Goodness is that you worship God as if you see Him, for if you do not see Him, know that He sees you."** (Hadith)

PREPARE FOR THE INEVITABLE

Almighty Allah says: **"Every soul will taste of death, then you will be returned to Us."** (Qur. 29:57)

The Holy Prophet Muhammad (S.A.W) said: **"The wisest of men are those who think of death more often than every other person and makes preparations for the hereafter more than every other person."**

It is advised that in the morning, do not think/feel you shall witness the evening and in the evening do not think you shall witness the following morning.

We should be conscious of the fact that as we tear off the pages of the calendar, we are indirectly tearing off our lifespan and as we celebrate birthdays, we are indirectly celebrating our closeness to our graves.

It appears we deceive ourselves by referring to some people as **"PERMANENT SECRETARIES"** and by referring to our personal houses as our **"PERMANENT HOUSE"**. Whereas nothing is permanent on earth. Is it not contradictory when we say: **"RETIRED PERMANENT SECRETARY?"** Why talk of retirement for something that is supposedly permanent?

We refer to ourselves as **"LANDLORDS"**. But when we eventually die and the occupants of the house are about to lock the door at night, it is asked: **"Who remains outside?"** The reply would be **"Nobody"**. Meanwhile, the so called LANDLORD is in the grave outside.

I implore you to not forget that grey hair play the role of **"the fuel gauge"**. To remind us that time is running out. Many of our colleagues have gone, and no one knows when it shall be our turn.

The Lawyer who wrote the Will and Last Testament for his client may not be alive to witness the reading of same; while the Judge who had written a judgment may not live long enough to read same. Of course the litigant who was given a date in court may not be alive to witness the next date of adjournment.

We pray that God should grant us long life. But no matter how much we pray, 100 years ago, we were not on earth. And in another 100 years to come, we are not likely to be on earth.

I WONDER

"I wonder for the one who is sad over the decrease in his wealth while he is not sad over the decrease in his life!"

"I wonder for the one who is certain that there is accountability, and yet accumulates wealth through sinful means!"

"I wonder for the one who used water to clean himself while he is not clean at heart!"

"I wonder for the one who knows that God see him and yet disobeys Him!"

No wonder the Satan says that we claim that we hate him, yet we obey him and while we claim to love God but we are disobedient to God.

KEEP TO VIRTUE AND AVOID SIN

The Holy Prophet (S.A.W) said: **"Virtue is good behavior and sin is that which troubles your mind and you are afraid that people should come to know of it"** (Hadith)

Ali Bin Abu Talib, a companion of the Holy Prophet advised: **"Beware of committing sin in solitude, for the witness is also the judge"**.

PREPARE FOR THE FINAL DAY OF JUDGMENT

As vicegerent/representative of God on earth, we are accountable to God.

The Quran says: **"Nay! You deny the Last Judgement. Indeed, there are guardians watching over you. Honourable recorders, they know all that you do. As for the righteous they will be in bliss; and the wicked will be in the blazing Fire, in it they will burn on the Day of Judgement, and they shall not escape it. And, what will convey to you what the Day of Judgement is? Again, what will convey to you what the Day of Judgement is? It is a Day when no one will have the power to do anything for another. The Command/Authority on that Day will wholly belong to Allah."**

WHAT TO DO

We should repent of our sins, mend our ways and beg God for His forgiveness. Almighty God said: **"Ask forgiveness of God, surely, God is most forgiven, ever Merciful."** (Qur. 4:106)



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