



Fatwa no. 17899

Q: Due to my relationships with people, some of them trust me and have confidence in me, so they authorize me to act as their representative during legal proceedings in the Islamic courts and some specialist committees, such as the Commercial Papers Committee at the Ministry of Commerce, the Workers Conciliation Committee at the Ministry of Labor and Social Affairs, and the Banking Committee of the Saudi Arabian Monetary Agency. As their legal representative, those who authorize me give me papers and documents, which, if I show them to the religious judge or the concerned committees, those I represent will lose the case, have their claims dismissed, or be ruled against. In fact, I feel embarrassed about not showing these documents or submitting them when a case is being examined, so I sometimes excuse myself from proceeding with the claim, return the documents to the authorizer, and withdraw from the case. Please advise me - and may Allah grant you success - as to what is obligatory on me regarding these type of matters, because those who authorize me sometimes become angry and accuse me of dishonesty when

(Part No : 14, Page No: 278)

I submit documents that are sometimes the reason for them losing the case or being ruled against. Is it my right as a representative to ask a judge to overturn a ruling, even though my personal conviction is in support of their ruling, if those I represent are not satisfied with it?

A: Representatives are in a position of trust during disputes. They must have Taqwa (fearing Allah as He should be feared), defend those they represent by Shar'y (Islamically lawful) means, and not be motivated by worldly greed to dispute over something that is false. In a Hadith the Prophet (peace be upon him) said, ("Anyone who disputes knowingly about something which is false, will remain in the Displeasure of Allah until they desist.") (Related by Abu Dawud) And he (peace be upon him) also said, ("Help your brother, whether he is an oppressor or an oppressed. A man said, "O Messenger of Allah! I help him if he is oppressed, but tell me if he is an oppressor, how should I help him?" He (peace be upon him) said, "By preventing him - or forbidding - from oppressing; that is how to help him.") (Related by Al-Bukhari) Representatives should examine claims before entering into disputes and if they see that there is no case, they should abstain from proceeding with them.

(Part No : 14, Page No: 279)

Similarly, if a representative later discovers that a claim is not valid, they should withdraw from it and not continue. Attorneys should beware of hiding documents that show the truth, as doing so is a type of deception. Allah (may He be Exalted) says: (And argue not on behalf of those who deceive themselves. Verily, Allâh does not like anyone who is a betrayer, sinner.) And: (Lo! You are those who have argued for them in the life of this world, but who will argue for them on the Day of Resurrection against Allâh, or who will then be their defender?) May Allah grant us success! May

peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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