

75613 - Is it permissible to work as a lawyer?

the question

I hope that you can advise me about this serious issue that I am asking about. There is an answer to a question like mine, but I want to have further clarification on a few issues, so please not refrain from answering me because of that. I graduated from law school a few years ago and I am now working – part-time – as a lawyer. At the time when I entered this college I did not have proper understanding of my religion, then after I graduated I found out that judging according to something other than that which Allaah has revealed is a major sin. I found out that many laws in my country go against the laws of Allaah and transgress His sacred limits. I wondered whether it is permissible for me in this situation to work as a lawyer with what that involves of referring for judgement to something other than the laws of Allaah. If I work with the laws that go against sharee’ah will I incur sin as a result? But before you advise me about that, I would like to explain some other things – whether I am right or wrong about them – so that you will know what thoughts are going around in my mind and you will be able to offer me sound advice. I do not approve at all of laws that go against sharee’ah, no matter what benefits could result from that law. If I practice this profession I will keep away as much as possible from the laws that go against the laws of Allaah. If I find a case concerning which the laws go against sharee’ah I will not accept it, no matter what the financial gains I may earn from that.

If I deal with the unjust laws in order to do attain people’s rights, not to bring about wrongdoing, will I be referring for judgement to something other than that which Allaah has revealed? For example, if I refer to the laws on taxes and customs, especially the laws on penalties that go against the rulings of Allaah in most cases – in order to restore people’s rights or to prevents people’s rights being lost due to the implementation of these laws.

After explaining the above, practising law by keeping away from issues that go against sharee’ah, except in cases of necessity to restore people’s rights, is that regarded as

applying and referring for judgement to a law other than the law of Allaah? Is reading books of law and spending money on that regarded as wasting time and money on something that is not pleasing to Allaah? If I read these books – assuming that I am not going to practice this profession – simply to find out the laws and systems that are imposed on us in all aspects of our lives, whether they are in accordance with the laws of Allaah or not, is that regarded as haraam?

After all that, should I leave the law profession with no regrets and burn my many books, or regard it as something I do occasionally, seeking my basic living in some other way, so as to meet some of my needs and those of others in a way that does not go against sharee'ah, and to restore our rights and have knowledge of the laws that are imposed on us, so that we will not be exposed to exploitation or lose our rights , in addition to taking care of other benefits to which sharee'ah pays attention.

Detailed answer

We ask Allaah to relieve your distress and grant you a great reward. What you are asking about – working as a lawyer – has been discussed in the answer to question no. [9496](#).

Working as a lawyer is not haraam in and of itself, because it is not judging according to something other than that which Allaah has revealed, rather it is acting as a person's deputy or representative in cases of dispute, which is a permissible kind of deputation or representation. But the lawyer must be careful and make sure of the case before getting involved in it. If it is a claim regarding some right that has been taken away in a wrong manner, then it is permissible for you to argue on his behalf to have his rights restored to him and the wrongdoing stopped. This comes under the heading of cooperating in righteousness and piety. But if the case involves taking away people's rights and transgressing against them, then it is not permissible for you to act as his

representative, because that comes under the heading of cooperating in sin and transgression. Allaah has issued a warning to those who cooperate in this sin, as He says (interpretation of the meaning):

“Help you one another in Al-Birr and At-Taqwa (virtue, righteousness and piety); but do not help one another in sin and transgression. And fear Allaah. Verily, Allaah is Severe in punishment”

[al-Maa'idah 5:2].

To give you more peace of mind, we will quote fatwas from some of the scholars about this issue:

1 - Shaykh 'Abd al-'Azeez ibn Baaz (may Allaah have mercy on him) was asked:

What is the Islamic ruling on working as a lawyer?

He replied:

I do not know of anything wrong with working as a lawyer, because it is acting as a person's representative in claims and defence, so long as the lawyer seeks to do what is right and does not deliberately tell lies, as applies to all cases of representing or acting on behalf of others.

Fataawa Islamiyyah (3/5050).

2 -Shaykh Saalih al-Fawzaan (may Allaah preserve him) said:

What is your opinion on my working as a lawyer, where I appear before the civil courts in order to defend civil and commercial cases in which there may be riba involved?

He replied:

Undoubtedly there is nothing wrong with one person acting on behalf of another in cases of dispute, but it depends on the type of dispute:

1.If the case is well founded and the representative is basing his case on facts that he knows, and there is no perjury, lying or trickery involved, and he is representing the person in order to present his proof and evidence as to the truth of his claim or to defend him, there is nothing wrong with that.

2.But if the dispute involves some false claim or speaking on behalf of someone who is in the wrong, then this is not permissible. Allaah said to His Prophet (peace and blessings of Allaah be upon him) (interpretation of the meaning): “so be not a pleader for the treacherous” [al-Nisa’ 4:105]. We all know that if the case is a just one and he does not use any kind of lying or perjury, then there is nothing wrong with that, especially if the person is weak and cannot defend himself or establish his claim to what is his right.

Appointing someone who is stronger than him to represent him is permitted in sharee’ah. Allaah says (interpretation of the meaning): “But if the debtor is of poor understanding, or weak, or is unable to dictate for himself, then let his guardian dictate in justice” [al-Baqarah 2:282].

Acting on behalf of a weak person in order to ensure that he gets what is rightfully his or to ward off wrongdoing from him is a good thing. But if it is other than that, i.e., helping a person who is in the wrong or defending wrongdoing or using false evidence, and the deputy or representative knows that the case is basically wrong, such as representing a person with regard to something haraam such as riba, then it is not permissible. It is not permissible for a Muslim to act as a deputy or representative with regard to falsehood or to act as a lawyer in transactions that involve riba, because

then he is helping in the consumption of riba and so the curse applies to him.

Al-Muntaqa min Fataawa al-Fawzaan
(3/288, 289).

Secondly:

The fact that you live in a country that is not ruled in accordance with that which Allaah has revealed and is rather ruled by man-made laws, does not mean that it is haraam to work as a lawyer if the intention is to attain rights and ward off wrongs. The person who has been wronged is compelled by necessity to refer to these laws in order to attain his rights, otherwise people would wrong one another with impunity and chaos would overtake the society. But if the law gives him more than he is entitled to, then it is haraam for him to take it. He should only take what he is entitled to. If he refers for judgement to these laws in order to attain his rights and ward off wrongdoing, there is no sin on the one who has been wronged or on the lawyer who represents him in a dispute by referring to these laws for judgement. Rather the sin falls on the one who replaced the laws of Allaah with these laws and forced the people to refer to them for judgement. Ibn al-Qayyim (may Allaah have mercy on him) referred to this in his book al-Turuq al-Hukmiyyah (p. 185).

Hence we do not advise you to leave this profession, rather we advise you to carry on working in it, and to continue to advance by reading books and studying them, and learning from senior lawyers, for people need trustworthy lawyers who will defend them and restore their rights.

Your aim should always be to support and help those who have been wronged. There are glad tidings for you in the words of the Messenger

(peace and blessings of Allaah be upon him): “Whoever walks with one who has been wronged until he establishes his rights, Allaah will make his feet firm on the Siraat on the Day when feet slip.” Narrated by Ibn Abi’l-Dunya and classed as hasan by al-Albaani in Saheeh al-Targheeb.

And Allaah knows best.