

فَلْيُمْلِلْ وَلِيُّهُ بِالْعَدْلِ

If 'B' is unable, for any of the above reasons, then Allah gives an option, without which there can be dhulm. If you see someone who is weak and cannot dictate, you would, out of mercy, tell him it's alright to leave the writing. This is unfair.

An example of this is wudoo. If there is no water, you still can't leave it, you must do tayammum. If you can't pray while standing, sit and pray, you can't leave the prayer. Here the case is of a debt, this is the haq of 'A', so all the steps must be followed.

In this case, the guardian of 'B' must take charge. This is the fourth person in the equation, in addition to 'A', 'B', and the writer. Allah gives so much detail, He likes to put everything in its place. Allah takes care of the rights of the people. If these rules didn't exist, there would be dhulm. 'A' may end up with his rights not fulfilled, and 'B' may be cheated. This option is protection for all three categories. The wali has the authority, so he must also have taqwa.

وَاسْتَشْهَدُوا شَهِيدَيْنِ مِنْ رِجَالِكُمْ

Now more people enter the equation. There must be two witnesses to the writing. Everything must be documented and witnessed. The two witnesses must sign the contract document as proof of their witness. This is an added protection for the haq.