



## Sahih Bukhari English

### The Most Authenticated Book of Hadith

Muhammad Ibn Ismail al-Bukhari popularly known as Imam Bukhari, (810-870AD), was a Sunni Islamic scholar. He authored the Hadith collection named *Sahih Bukhari*, a collection which Sunni Muslims regard as the most authentic of all Hadith compilations. Bukhari wrote three works discussing narrators of Hadith with respect to their ability in conveying their material: the "brief compendium of Hadith narrators," "the medium compendium" and the "large compendium". The large compendium is published and well-identified.

## Blood Money (Ad-Diyat)

### Ahadith 57

(6861-6917)

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

In the name of Allah, Most Gracious, Most Merciful

## About Diyat

Allah Almighty said in Surah Nisa:

وَمَنْ يَقْتُلْ مُؤْمِنًا مُتَعَمِّدًا فِجْرًاؤُهُ جَهَنَّمَ

“And whoever kills a believer intentionally, his recompense is Hell ” (4:93)

### Hadith # 6861

#### Narrated `Abdullah:

A man said, "O Allah's Messenger (pbuh)! Which sin is the greatest in Allah's Sight?"

The Prophet (pbuh) said, "To set up a rival unto Allah though He Alone created you ."

The man said, "What is next?"

The Prophet (pbuh) said, "To kill your son lest he should share your food with you."

The man said, "What is next?"

The Prophet said, "To commit illegal sexual intercourse with the wife of your neighbor."

So Allah revealed in confirmation of this narration: --

وَالَّذِينَ لَا يَدْعُونَ مَعَ اللَّهِ إِلَهًا آخَرَ ... وَمَنْ يَفْعَلْ ذَلِكَ يَلْقَ أَثَامًا

'And those who invoke not with Allah, any other god.

Nor kill, such life as Allah has forbidden except for just cause  
nor commit illegal sexual intercourse.

And whoever does this shall receive the punishment.' (25.68)

## Hadith # 6862

**Narrated Ibn `Umar:**

Allah's Messenger (pbuh) said,

"A faithful believer remains at liberty regarding his religion unless he kills somebody unlawfully."

## Hadith # 6863

**Narrated `Abdullah bin `Umar:**

One of the evil deeds with bad consequence from which there is no escape for the one who is involved in it is to kill someone unlawfully.

## Hadith # 6864

**Narrated `Abdullah:**

The Prophet (pbuh) said,

"The first cases to be decided among the people (on the Day of Resurrection) will be those of blood-shed."

## Hadith # 6865, 6866

**Narrated Al-Miqdad bin `Amr Al-Kindi:**

An ally of Bani Zuhra who took part in the battle of Badr with the Prophet, that he said, "O Allah's Apostle! If I meet an unbeliever and we have a fight, and he strikes my hand with the sword and cuts it off, and then takes refuge from me under a tree, and says, 'I have surrendered to Allah (i.e. embraced Islam),' may I kill him after he has said so?"

Allah's Messenger (pbuh) said, "Do not kill him."

Al- Miqdad said, "But O Allah's Messenger (pbuh)! He had chopped off one of my hands and he said that after he had cut it off. May I kill him?"

The Prophet (pbuh) said.

"Do not kill him for if you kill him, he would be in the position in which you had been before you kill him, and you would be in the position in which he was before he said the sentence."

The Prophet (pbuh) also said to Al-Miqdad,

"If a faithful believer conceals his faith (Islam) from the disbelievers, and then when he declares his Islam, you kill him, (you will be sinful). Remember that you were also concealing your faith (Islam) at Mecca before."

## “And if anyone saved a life....”

Allah said in Surat al-Ma'idah:

وَمَنْ أَحْيَاهَا فَكَأَنَّمَا أَحْيَا النَّاسَ جَمِيعًا

and if anyone saved a life, it would be as if he saved the life of the whole people. (5:32)

Ibn Abbas said that the meaning of 'مَنْ أَحْيَاهَا' is that whoever forbids the shedding of unjust blood, it is as if he kept all the people alive by this action.

### Hadith # 6867

**Narrated `Abdullah:**

The Prophet (pbuh) said,

"No human being is killed unjustly, but a part of responsibility for the crime is laid on the first son of Adam who invented the tradition of killing (murdering) on the earth. (It is said that he was Qabil)."

### Hadith # 6868

**Narrated `Abdullah bin `Umar:**

The Prophet (pbuh) said,

"After me (i.e. after my death), do not become disbelievers, by striking (cutting) the necks of one another.

### Hadith # 6869

**Narrated Abu Zur'a bin `Amr bin Jarir:**

The Prophet (pbuh) said during Hajjat-al-Wada` ,

"Let the people be quiet and listen to me. After me, do not become disbelievers, by striking (cutting) the necks of one another."

## Hadith # 6870

### Narrated `Abdullah bin `Amr:

The Prophet (pbuh) said, "Al-Ka`ba'ir (the biggest sins) are:

- To join others (as partners) in worship with Allah, to be undutiful to one's parents,"
- Joining others as partners in worship with Allah,
- to take a false oath
- and to be undutiful to one's parents,"
- or said, "to murder (someone unlawfully).

## Hadith # 6871

### Narrated Anas bin Malik:

The Prophet (pbuh) said, "The biggest of Al-Ka`ba'ir (the great sins) are

- to join others as partners in worship with Allah,
- to murder a human being,
- to be undutiful to one's parents
- and to make a false statement," or said, "to give a false witness."

## Hadith # 6872

### Narrated Usama bin Zaid bin Haritha:

Allah's Messenger (pbuh) sent us (to fight) against Al-Huraqa one of the sub-tribes of Juhaina. We reached those people in the morning and defeated them.

A man from the Ansar and I chased one of their men and when we attacked him, he said, "None has the right to be worshipped but Allah." The Ansari refrained from killing him but I stabbed him with my spear till I killed him.

When we reached (Medina), this news reached the Prophet. He said to me, "O Usama! You killed him after he had said, "None has the right to be worshipped but Allah."

I said, "O Allah's Messenger (pbuh)! He said so in order to save himself."

The Prophet (pbuh) said, "You killed him after he had said, "None has the right to be worshipped but Allah." The Prophet (pbuh) kept on repeating that statement till I wished I had not been a Muslim before that day.

## Hadith # 6873

### Narrated 'Ubada bin As-Samat:

I was among those Naqibs (selected leaders) who gave the Pledge of allegiance to Allah's Messenger (pbuh). We gave the oath of allegiance, that

- we would not join partners in worship besides Allah,
- would not steal,
- would not commit illegal sexual intercourse,
- would not kill a life which Allah has forbidden,
- would not commit robbery,
- would not disobey (Allah and His Apostle),

and if we fulfilled this pledge we would have Paradise, but if we committed any one of these (sins), then our case will be decided by Allah.

## Hadith # 6874

### Narrated `Abdullah:

The Prophet (pbuh) said,

"Whoever carries arms against us, is not from us."

Allah Almighty said in Surah Al-Baqarah:

يَا أَيُّهَا الَّذِينَ آمَنُوا كُتِبَ عَلَيْكُمُ الْقِصَاصُ فِي الْقَتْلَى ط... بَعْدَ ذَلِكَ فَلَهُ عَذَابٌ أَلِيمٌ

O ye who believe! the law of equality is prescribed to you in cases of murder;

- the free for the free,
- the slave for the slave,
- the woman for the woman.

But if any remission is made by the brother of the slain,  
then grant any reasonable demand, and compensate him with handsome  
gratitude;

this is a concession and a Mercy from your Lord.

After this whoever exceeds the limits shall be in grave penalty. (2:178)

## Hadith # 6875

### Narrated Al-Ahnaf bin Qais:

I went to help that man (i.e., `Ali), and on the way I met Abu Bakra who asked me, "Where are you going?" I replied, "I am going to help that man."

He said, "Go back, for I heard Allah's Messenger (pbuh) saying,

'If two Muslims meet each other with their swords then (both) the killer and the killed one are in the (Hell) Fire.'

I said, 'O Allah's Messenger (pbuh)! It is alright for the killer, but what about the killed one?'

He said, 'The killed one was eager to kill his opponent.'

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## To question the killer till he confesses

Hadith # 6876

**Narrated Anas bin Malik:**

A Jew crushed the head of a girl between two stones, and the girl was asked, "Who has done that to you, so-and-so or so and so?" (Some names were mentioned for her) till the name of that Jew was mentioned (whereupon she agreed).

The Jew was brought to the Prophet (pbuh) and the Prophet (pbuh) kept on questioning him till he confessed, whereupon his head was crushed with stones.

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## If someone kills with a stone or with a stick

Hadith # 6877

**Narrated Anas bin Malik:**

A girl wearing ornaments, went out at Medina. Somebody struck her with a stone. She was brought to the Prophet (pbuh) while she was still alive. Allah's Messenger (pbuh) asked her, "Did such-and-such a person strike you?" She raised her head, denying that. He asked her a second time, saying, "Did so-and-so strike you?" She raised her head, denying that. He said for the third time, "Did so-and-so strike you?"

She lowered her head, agreeing. Allah's Messenger (pbuh) then sent for the killer and killed him between two stones.

Allah said in Surat al-Ma'idah:

وَكَتَبْنَا عَلَيْهِمْ فِيهَا أَنَّ النَّفْسَ بِالنَّفْسِ وَالْعَيْنَ بِالْعَيْنِ ... فَأُولَئِكَ هُمُ الظَّالِمُونَ

We ordained therein for them:

- "Life for life,
- eye for eye,
- nose for nose,

- ear for ear,
- tooth for tooth,
- and wounds equal for equal."

But if anyone remits the retaliation by way of charity,  
it is an act of atonement for himself.

And if any fail to judge by (the light of) what Allah hath revealed,  
they are (no better than) wrongdoers. (5:45)

## Hadith # 6878

### Narrated `Abdullah:

Allah's Messenger (pbuh) said,

"The blood of a Muslim who confesses that none has the right to be worshipped but Allah and that I am His Apostle, cannot be shed except in three cases:

- In Qisas for murder,
- a married person who commits illegal sexual intercourse
- and the one who reverts from Islam (apostate) and leaves the Muslims."

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## Whoever punished with a stone

## Hadith # 6879

### Narrated Anas:

A Jew killed a girl so that he may steal her ornaments. He struck her with a stone, and she was brought to the Prophet (pbuh) while she was still alive. The Prophet (pbuh) asked her, "Did such-and-such person strike you?" She gestured with her head, expressing denial. He asked her for the second time, and she again gestured with her head, expressing denial.

When he asked her for the third time, she beckoned, "Yes." So the Prophet (pbuh) killed him (the Jew) with two stones.

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## The relative of the killed person has the right to choose one of two compensations

## Hadith # 6880

## Narrated Abu Huraira:

In the year of the Conquest of Mecca, the tribe of Khuza`a killed a man from the tribe of Bam Laith in revenge for a killed person belonging to them in the Pre-Islamic Period of Ignorance. So Allah's Apostle got up saying,

"Allah held back the (army having) elephants from Mecca, but He let His Apostle and the believers overpower the infidels (of Mecca). Beware! Mecca is a sanctuary!

Verily! Fighting in Mecca was not permitted for anybody before me, nor will it be permitted for anybody after me; It was permitted for me only for a while of that day.

No doubt! It is at this moment a sanctuary;

- its thorny shrubs should not be uprooted;

- its trees should not be cut down;

- and its Luqata (fallen things) should not be picked up except by the one who would look for its owner.

- And if somebody is killed, his closest relative has the right to choose one of two things, i.e., either the Blood money or retaliation by having the killer killed."

Then a man from Yemen, called Abu Shah, stood up and said, "Write that for me, O Allah's Messenger (pbuh)!" Allah's Messenger (pbuh) said (to his companions), "Write that for Abu Shah."

Then another man from Quraish got up, saying, "O Allah's Messenger (pbuh)! Except Al- Idhkkhir (a special kind of grass) as we use it in our houses and for graves."

Allah's Messenger (pbuh) said, "Except Al-idhkkir."

## Hadith # 6881

### Narrated Ibn `Abbas:

For the children of Israel the punishment for crime was Al-Qisas only (i.e., the law of equality in punishment) and the payment of Blood money was not permitted as an alternate. But Allah said to this nation (Muslims):

**O ye who believe! the law of equality is prescribed to you in cases of murder;**

**the free for the free, the slave for the slave, the woman for the woman.**

**But if any remission is made by the brother of the slain,**

**then grant any reasonable demand, and compensate him with handsome gratitude;**

**this is a concession and a Mercy from your Lord.**

**After this whoever exceeds the limits shall be in grave penalty. (2:178)**



Ibn `Abbas added: Remission (forgiveness) in this Verse, means to accept the Blood-money in an intentional murder.

Ibn `Abbas added: The Verse: 'Then the relatives should demand Blood-money in a reasonable manner.' (2.178) means that the demand should be reasonable and it is to be compensated with handsome gratitude.

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## To shed somebody's blood without any right

Hadith # 6882

Narrated Ibn `Abbas:

The Prophet (pbuh) said,

"The most hated persons to Allah are three:

- A person who deviates from the right conduct, i.e., an evil doer, in the Haram (sanctuaries of Mecca and Medina);
- a person who seeks that the traditions of the Pre-Islamic Period of Ignorance, should remain in Islam
- and a person who seeks to shed somebody's blood without any right."

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## Excusing somebody who killed by mistake.

Hadith # 6883

Narrated `Aisha:

The pagans were defeated on the day (of the battle) of Uhud. Satan shouted among the people on the day of Uhud, "O Allah's worshippers! Beware of what is behind you!" So the front file of the army attacked the back files (mistaking them for the enemy) till they killed Al-Yaman. Hudhaifa (bin Al- Yaman) shouted, "My father!" My father! But they killed him.

Hudhaifa said, "May Allah forgive you."

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**“It is not for a believer to kill a believer except by mistake....”**

Allah said in Surah Nisa:

وَمَا كَانَ لِمُؤْمِنٍ أَنْ يَفْتُلَ مُؤْمِنًا إِلَّا خَطَأً ۖ وَمَنْ قَتَلَ مُؤْمِنًا ... وَكَانَ اللَّهُ عَلَيْهِمْ حَكِيمًا

If a man kills a believer intentionally,  
his recompense is Hell, to abide therein (for ever):  
and the wrath and the curse of Allah are upon him,  
and a dreadful penalty is prepared for him. (4:93)

## If a killer confesses once, he should be killed

Hadith # 6884

Narrated Anas bin Malik:

A Jew crushed the head of a girl between two stones. It was said to her. "Who has done this to you, such-and-such person, such-and-such person?"

When the name of the Jew was mentioned, she nodded with her head, agreeing. So the Jew was brought and he confessed.

The Prophet (pbuh) ordered that his head be crushed with the stones. (Hammam said, "with two stones.")

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## Killing a man for having killed a woman

Hadith # 6885

Narrated Anas bin Malik:

The Prophet (pbuh) killed a Jew for killing a girl in order to take her ornaments.

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## Al-Qisas in cases of injury

Hadith # 6886

Narrated `Aisha:

We poured medicine into the mouth of the Prophet (pbuh) during his ailment. He said, "Don't pour medicine into my mouth."

(We thought he said that) out of the aversion a patient usually has for medicines. When he improved and felt better he said,

"There is none of you but will be forced to drink medicine, except Al-`Abbas, for he did not witness your deed."

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## Who took his right or retaliation from somebody

## without submitting the case to the ruler

Hadith # 6887, 6888

**Narrated Abu Huraira:**

That he heard Allah's Messenger (pbuh) saying,

"We (Muslims) are the last (to come) but (will be) the foremost (on the Day of Resurrection)."

And added,

"If someone is peeping (looking secretly) into your house without your permission, and you throw a stone at him and destroy his eyes, there will be no blame on you."

Hadith # 6889

**Narrated Yahya:**

Humaid said, "A man peeped into the house of the Prophet (pbuh) and the Prophet (pbuh) aimed an arrow head at him to hit him."

I asked, "Who told you that?"

He said, "Anas bin Malik"

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## If someone dies or is killed in a big crowd

Hadith # 6890

**Narrated `Aisha:**

"When it was the day of (the battle of) Uhud, the pagans were defeated.

Then Satan shouted, "O Allah's worshipers! Beware of what is behind you!" So the front files attacked the back files of the army. Hudhaifa looked, and behold, there was his father, Al-Yaman (being attacked) ! He shouted (to his companions), "O Allah's worshipers, my father, my father!" But by Allah, they did not stop till they killed him (i.e., Hudhaifa's father).

Hudhaifa said, "May Allah forgive you."

Urwa said, Hudhaifa continued asking Allah's Forgiveness for the killer of his father till he died.

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## If someone kills himself by mistake, there is no Diya

## Hadith # 6891

### Narrated Salama:

We went out with the Prophet (pbuh) to Khaibar. A man (from the companions) said, "O 'Amir! Let us hear some of your Huda (camel-driving songs.)" So he sang some of them (i.e. a lyric in harmony with the camels walk). The Prophet (pbuh) said, "Who is the driver (of these camels)?" They said, "Amir." The Prophet said, "May Allah bestow His Mercy on him!"

The people said, "O Allah's Messenger (pbuh)! Would that you let us enjoy his company longer!" Then 'Amir was killed the following morning.

The people said, "The good deeds of 'Amir are lost as he has killed himself."

I returned at the time while they were talking about that. I went to the Prophet (pbuh) and said, "O Allah's Prophet! Let my father be sacrificed for you! The people claim that 'Amir's good deeds are lost."

The Prophet (pbuh) said, "Whoever says so is a liar, for 'Amir will have a double reward as he exerted himself to obey Allah and fought in Allah's Cause. No other way of killing would have granted him greater reward."

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## If somebody bites a man and has his tooth broken

## Hadith # 6892

### Narrated `Imran bin Husain:

A man bit another man's hand and the latter pulled his hand out of his mouth by force, causing two of his incisors (teeth) to fall out. They submitted their case to the Prophet, who said,

"One of you bit his brother as a male camel bites. (Go away), there is no Diya (Blood-money) for you."

## Hadith # 6893

### Narrated Ya`la:

I went out in one of the Ghazwa and a man bit another man and as a result, an incisor tooth of the former was pulled out.

The Prophet (pbuh) cancelled the case.

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## Tooth for tooth

## Hadith # 6894

### Narrated Anas:

The daughter of An-Nadr slapped a girl and broke her incisor tooth.

They (the relatives of that girl), came to the Prophet (pbuh) and he gave the order of Qisas (equality in punishment).

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## The Diya for fingers

## Hadith # 6895

### Narrated Ibn `Abbas:

The Prophet (pbuh) said, "This and this are the same."

He meant the little finger and the thumb.

## Hadith # 6895b

### Narrated Ibn `Abbas:

I heard the Prophet (saying the same as above).

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## If a group kill or injure a man, will all to give Diya?

## Hadith # 6896

### Ibn 'Umar said:

Al-Mughira bin Hakim said that his father said, "Four persons killed a boy, and 'Umar said (as above)."

Abu Bakr, Ibn Az-Zubair, 'Ali and Suwaid bin Muqarrin gave the judgement of Al-Qisas (equality in punishment) in cases of slapping.

And 'Umar carried out Al-Qisas for a strike with a stick.

And 'Ali carried out Al-Qisas for three lashes with a whip.

And Shuraih carried out for one last and for scratching.

## Hadith # 6897

### Narrated `Aisha:

We poured medicine into the mouth of Allah's Messenger (pbuh) during his illness, and he pointed out to us intending to say, "Don't pour medicine into my mouth." We thought that his refusal was out of the aversion a patient usually has for medicine.

When he improved and felt a bit better, he said (to us.) "Didn't I forbid you to pour medicine into my mouth?"

We said, "We thought (you did so) because of the aversion, one usually have for medicine."

Allah's Messenger (pbuh) said, "There is none of you but will be forced to drink medicine, and I will watch you, except Al-`Abbas, for he did not witness this act of yours."

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## Al-Qasama

### Hadith # 6898

#### Narrated Sahl bin Abi Hathma:

A number of people from his tribe went to Khaibar and dispersed, and then they found one of them murdered. They said to the people with whom the corpse had been found, "You have killed our companion!"

Those people said, "Neither have we killed him, nor do we know his killer."

The bereaved group went to the Prophet (pbuh) and said, "O Allah's Messenger (pbuh)! We went to Khaibar and found one of us murdered."

The Prophet (pbuh) said, "Let the older among you come forward and speak." Then the Prophet (pbuh) said, to them, "Bring your proof against the killer."

They said "We have no proof."

The Prophet (pbuh) said, "Then they (the defendants) will take an oath." They said, "We do not accept the oaths of the Jews."

Allah's Messenger (pbuh) did not like that the Blood-money of the killed one be lost without compensation, so he paid one-hundred camels out of the camels of Zakat (to the relatives of the deceased) as Diya (Blood-money).

### Hadith # 6899

#### Narrated Abu Qilaba:

Once `Umar bin `Abdul `Aziz sat on his throne in the courtyard of his house so that the people might gather before him. Then he admitted them and (when they came in), he said, "What do you think of Al-Qasama?"

They said, "We say that it is lawful to depend on Al-Qasama in Qisas, as the previous Muslim Caliphs carried out Qisas depending on it."

Then he said to me, "O Abu Qilaba! What do you say about it?"

He let me appear before the people and I said, "O Chief of the Believers! You have

the chiefs of the army staff and the nobles of the Arabs. If fifty of them testified that a married man had committed illegal sexual intercourse in Damascus but they had not seen him (doing so), would you stone him?" He said, "No."

I said, "If fifty of them testified that a man had committed theft in Hums, would you cut off his hand though they did not see him?" He replied, "No."

I said, "By Allah, Allah's Messenger (pbuh) never killed anyone except in one of the following three situations:

- A person who killed somebody unjustly, was killed (in Qisas,)
- a married person who committed illegal sexual intercourse and
- a man who fought against Allah and His Apostle and deserted Islam and became an apostate."

Then the people said, "Didn't Anas bin Malik narrate that Allah's Messenger (pbuh) cut off the hands of the thieves, branded their eyes and then, threw them in the sun?"

I said, "I shall tell you the narration of Anas.

Anas said: "Eight persons from the tribe of `Ukl came to Allah's Messenger (pbuh) and gave the Pledge of allegiance for Islam (became Muslim). The climate of the place (Medina) did not suit them, so they became sick and complained about that to Allah's Messenger (pbuh). He said (to them), "Won't you go out with the shepherd of our camels and drink of the camels' milk and urine (as medicine)?" They said, "Yes." So they went out and drank the camels' milk and urine, and after they became healthy, they killed the shepherd of Allah's Messenger (pbuh) and took away all the camels. This news reached Allah's Messenger (pbuh), so he sent (men) to follow their traces and they were captured and brought (to the Prophet). He then ordered to cut their hands and feet, and their eyes were branded with heated pieces of iron, and then he threw them in the sun till they died."

I said, "What can be worse than what those people did? They deserted Islam, committed murder and theft."

Then 'Anbasa bin Sa'id said, "By Allah, I never heard a narration like this of today."

I said, "O 'Anbasa! You deny my narration?" 'Anbasa said, "No, but you have related the narration in the way it should be related. By Allah, these people are in welfare as long as this Sheikh (Abu Qilaba) is among them."

I added, "Indeed in this event there has been a tradition set by Allah's Messenger (pbuh).

The narrator added:

Some Ansari people came to the Prophet (pbuh) and discussed some matters with

him, a man from amongst them went out and was murdered. Those people went out after him, and behold, their companion was swimming in blood. They returned to Allah's Messenger (pbuh) and said to him, "O Allah's Apostle, we have found our companion who had talked with us and gone out before us, swimming in blood (killed)."

Allah's Messenger (pbuh) went out and asked them, "Whom do you suspect or whom do you think has killed him?"

They said, "We think that the Jews have killed him."

The Prophet (pbuh) sent for the Jews and asked them, "Did you kill this (person)?" They replied, "No."

He asked the Al-Ansars, "Do you agree that I let fifty Jews take an oath that they have not killed him?" They said, "It matters little for the Jews to kill us all and then take false oaths."

He said, "Then would you like to receive the Diya after fifty of you have taken an oath (that the Jews have killed your man)?" They said, "We will not take the oath."

Then the Prophet (pbuh) himself paid them the Diya (Blood-money)."

The narrator added,

"The tribe of Hudhail repudiated one of their men (for his evil conduct) in the pre-Islamic period of Ignorance. Then, at a place called Al-Batha' (near Mecca), the man attacked a Yemenite family at night to steal from them, but a man from the family noticed him and struck him with his sword and killed him. The tribe of Hudhail came and captured the Yemenite and brought him to `Umar during the Hajj season and said, "He has killed our companion."

The Yemenite said, "But these people had repudiated him (i.e., their companion)."

Umar said, "Let fifty persons of Hudhail swear that they had not repudiated him." So, forty-nine of them took the oath and then a person belonging to them, came from Sham and they requested him to swear similarly, but he paid one-thousand Dirhams instead of taking the oath. They called another man instead of him and the new man shook hands with the brother of the deceased.

Some people said, "We and those fifty men who had taken false oaths (Al-Qasama) set out, and when they reached a place called Nakhlah, it started raining so they entered a cave in the mountain, and the cave collapsed on those fifty men who took the false oath, and all of them died except the two persons who had shaken hands with each other. They escaped death but a stone fell on the leg of the brother of the deceased and broke it, whereupon he survived for one year and then died."

I further said, "Abdul Malik bin Marwan sentenced a man to death in Qisas (equality in punishment) for murder, basing his judgment on Al-Qasama, but later on he



regretted that judgment and ordered that the names of the fifty persons who had taken the oath (Al-Qasama), be erased from the register, and he exiled them in Sham.

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## If somebody peeps into the house of some people

### Hadith # 6900

#### Narrated Anas:

A man peeped into one of the dwelling places of the Prophet. The Prophet got up and aimed a sharp-edged arrow head (or wooden stick) at him to poke him stealthily.

### Hadith # 6901

#### Narrated Sahl bin Sa'd As-Sa'idi:

A man peeped through a hole in the door of Allah's Messenger (pbuh)'s house, and at that time, Allah's Messenger (pbuh) had a Midri (an iron comb or bar) with which he was rubbing his head. So when Allah's Messenger (pbuh) saw him, he said (to him), "If I had been sure that you were looking at me (through the door), I would have poked your eye with this (sharp iron bar)."

Allah's Messenger (pbuh) added,

"The asking for permission to enter has been enjoined so that one may not look unlawfully (at what there is in the house without the permission of its people)."

### Hadith # 6902

#### Narrated Abu Huraira:

Abul Qasim said,

"If any person peeps at you without your permission and you poke him with a stick and injure his eye, you will not be blamed."

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## Al-'Aqila who pay the Diya

### Hadith # 6903

#### Narrated Ash-Shu`bi:

I heard Abu Juhaifa saying, "I asked `Ali 'Have you got any Divine literature apart from the Qur'an?"

`Ali replied, 'By Him Who made the grain split (germinate) and created the soul, we

have nothing except what is in the Qur'an and the ability (gift) of understanding Allah's Book which He may endow a man with and we have what is written in this paper.'

I asked, 'What is written in this paper?'

He replied, 'Al-'Aql (the regulation of Diya), about the ransom of captives, and the Judgment that a Muslim should not be killed in Qisas (equality in punishment) for killing a disbeliever.'

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## The foetus of a woman

### Hadith # 6904

#### **Narrated Abu Huraira:**

Two women from the tribe of Hudhail (fought with each other) and one of them threw (a stone at) the other, causing her to have a miscarriage and Allah's Messenger (pbuh) gave his verdict that the killer (of the fetus) should give a male or female slave (as a Diya).

### Hadith # 6905, 6906

#### **Narrated Hisham's father from Al-Mughira bin Shu'ba:**

'Umar consulted the companions about the case of a woman's abortion (caused by somebody else).

Al-Mughira said: The Prophet (pbuh) gave the verdict that a male or female slave should be given (as a Diya).

Then Muhammad bin Maslama testified that he had witnessed the Prophet (pbuh) giving such a verdict.

### Hadith # 6907, 6908

#### **Narrated Hisham's father:**

'Umar asked the people, "Who heard the Prophet (pbuh) giving his verdict regarding abortions?"

Al-Mughira said, "I heard him judging that a male or female slave should be given (as a Diya)."

'Umar said, "Present a witness to testify your statement."

Muhammad bin Maslama said, "I testify that the Prophet (pbuh) gave such a judgment."

## Hadith # 6908b

### Narrated `Urwa:

I heard Al-Maghira bin Shu`ba narrating that `Umar had consulted them about the case of abortion (similarly as narrated above).

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## The Diya is to be collected from the father of the killer not from the children

## Hadith # 6909

### Narrated Abu Huraira:

Allah's Messenger (pbuh) gave a verdict regarding an aborted fetus of a woman from Bani Lihyan that the killer (of the fetus) should give a male or female slave (as a Diya) but the woman who was required to give the slave, died, so Allah's Messenger (pbuh) gave the verdict that her inheritance be given to her children and her husband and the Diya be paid by her 'Asaba.

## Hadith # 6910

### Narrated Abu Huraira:

Two women from Hudhail fought with each other and one of them hit the other with a stone that killed her and what was in her womb.

The relatives of the killer and the relatives of the victim submitted their case to the Prophet (pbuh) who judged that

the Diya for the fetus was a male or female slave, and the Diya for the killed woman was to be paid by the 'Asaba (near relatives) of the killer.

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## Whoever sought the help of a slave or a boy

## Hadith # 6911

### Narrated `Abdul-`Aziz:

Anas said, "When Allah's Messenger (pbuh) arrived at Medina, Abu Talha took hold of my hand and brought me to Allah's Messenger (pbuh) and said, "O Allah's Messenger (pbuh)! Anas is an intelligent boy, so let him serve you."

Anas added, "So I served the Prophet (pbuh) at home and on journeys; by Allah, he never said to me for anything which I did: Why have you done this like this or, for anything which I did not do: 'Why have you not done this like this?'"

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## No Diya in cases of mines and wells

Hadith # 6912

**Narrated Abu Huraira:**

Allah's Messenger (pbuh) said,

- "There is no Diya for persons killed by animals or for the one who has been killed accidentally by falling into a well or for the one killed in a mine.
- And one-fifth of Rikaz (treasures buried before the Islamic era) is to be given to the state."

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## No Diya for the one killed by an animal

Hadith # 6913

**Narrated Abu Huraira:**

The Prophet (pbuh) said,

- "There is no Diya for a person injured or killed by an animal (going about without somebody to control it)
- and similarly, there is no Diya for the one who falls and dies in a well,
- and also the one who dies in a mine.
- As regards the Ar-Rikaz (buried wealth), one-fifth thereof is for the state."

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## The sin of a person who killed an innocent Dhimi

Hadith # 6914

**Narrated `Abdullah bin `Amr:**

The Prophet (pbuh) said,

- "Whoever killed a Mu'ahid (a person who is granted the pledge of protection by the Muslims) shall not smell the fragrance of Paradise though its fragrance can be smelt at a distance of forty years (of traveling).

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## A Muslim should not be killed for killing a Kafir

## Hadith # 6915

### Narrated Abu Juhaifa:

I asked `Ali "Do you have anything Divine literature besides what is in the Qur'an?" Or, as Uyaina once said, "Apart from what the people have?"

`Ali said, "By Him Who made the grain split (germinate) and created the soul, we have nothing except what is in the Qur'an and the ability (gift) of understanding Allah's Book which He may endow a man, with and what is written in this sheet of paper."

I asked, "What is on this paper?"

He replied, "The legal regulations of Diya (Blood-money) and the (ransom for) releasing of the captives, and the judgment that no Muslim should be killed in Qisas (equality in punishment) for killing a Kafir (disbeliever).

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## If a Muslim, being furious slaps a Jew

## Hadith # 6916

### Narrated Abu Sa`id:

The Prophet (pbuh) said,

"Do not prefer some prophets to others."

## Hadith # 6917

### Narrated Abu Sa`id Al-Khudri:

A Jew whose face had been slapped (by someone), came to the Prophet (pbuh) and said, "O Muhammad! A man from your Ansari companions slapped me."

The Prophet (pbuh) said, "Call him". They called him and the Prophet (pbuh) asked him, "Why did you slap his face?" He said, "O Allah's Messenger (pbuh)! While I was passing by the Jews, I heard him saying, 'By Him Who chose Moses above all the human beings.' I said (protesting), 'Even above Muhammad?' So I became furious and slapped him."

The Prophet (pbuh) said,

"Do not give me preference to other prophets, for the people will become unconscious on the Day of Resurrection and I will be the first to gain conscious, and behold, I will Find Moses holding one of the pillars of the Throne (of Allah). Then I will not know whether he has become conscious before me or he has been exempted because of his unconsciousness at the mountain (during his worldly life) which he

received."

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