

# **DO NOT UNDERESTIMATE THE HONOR OF THE MUSLIM:**

## **Sharh Bulūgh al-Marām Cursing and Dishonouring a Muslim**

Transcribed from a talk of the noble Shaykh Ahmad Mūsā Jibrīl حفظه الله

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## FOREWORD

“Don’t be upset with slanders; if they are right, Allāh was Merciful to hasten your punishment in this life with it, if they are wrong, it’s reward!”

“Don’t be sad when someone backbites you. Smile and say Alhamdulilāh! It’s ajr you didn’t even have to work for.”

A lot of beautiful sayings by shaykh Ahmad Mūsā Jibrīl where he even breaks down the manipulation people use to wrong others. This is a time where people don’t even think about what Allāh has warned us about; the dangers of the tongue, talking in an impertinent way to have the audacity to be insidious without even noticing it. However, not only has shaykh Ahmad Mūsā Jibrīl taught us the dangers of slander, but also how to deal with them. He once said:

“Continue to have mercy in your heart, even when you hear words from those who harmed you. Have mercy in your heart towards them. Even those who betrayed you or those who slandered you while you were in your weak points, or those who you helped a lot and suddenly they turned on you.”

The noble shaykh taught us to show mercy to the ones who wronged you, to the slanderous, transgressing liars, because we as laymen don’t know what the ajr will be if we are patient for it. As the shaykh has said: “enjoy the reward and do not feel sad anymore”, as for the ones who slanders must fear Allāh and ask themselves what they have done for the Din of Allāh.

By this, I ask Allāh to preserve the shaykh, his household and beloved ones, to keep him safe and protect him from all evil.

Umm Ahmad Bint Adam A.A.

# 1. Talking about a Muslim

يَكُونُوا خَيْرًا مِنْهُمْ وَلَا نِسَاءً مِنْ نِسَاءِ عَسَى أَنْ يَكُنَّ خَيْرًا مِنْهُمْ وَلَا تَلْمِزُوا أَنْفُسَكُمْ وَلَا تَنَابَزُوا بِالْأَلْقَابِ بِئْسَ  
الِاسْمُ الْفُسُوقُ بَعْدَ الْإِيمَانِ وَمَنْ لَمْ يَتُبْ فَأُولَئِكَ هُمُ  
الظَّالِمُونَ<sup>1</sup>

بسم الله، والحمد لله على رسول الله، أما بعد:

## 1.1 Cursing Allāh

We're on this hadīth<sup>2</sup>:

سباب المسلم فسوق وقتاله كفر

Last week we started on سباب المسلم فسوق

We translated the meaning as to cursing a Muslim is a way that will lead you astray. Fusūq is leading you astray. We took several points in the outline and one is the exceptions when one can curse. Then we went on to say the types of cursing. The first type of cursing, you know if you don't get them, you can go to the notes that the sister provides because they are very detailed, we don't have time to go over it again and take time of the halaqah. Go over it, it actually is needly done and in detail. A lot of people say *"why do we have to take notes if she's going to give us the notes at the end and get them on the Internet"*. That's not right because when you sit and write, that is very, very helpful and it sticks in your mind. Me personally, if I don't write my own notes, I don't understand them, even if they're very well taught. But that's a back-up situation if you need her notes.

The first thing we talked about is the exceptions to cursing. Then we went on to talk about types of cursing and we said the cursing of Allāh is the main type of cursing; Allāh and the Prophet صلى الله عليه وسلم and we've quoted the scholar's saying "it's kufr" and anyone who does it is considered a kāfir.

1 Sūrah al-Hujurāt verse 11

2 Kitāb al Imān hadīth 2635

What if he's joking? What if he said I don't mean it?

Unless it came by accident, the only thing is that it came by accident. Like the guy one time — Allāh tells us how He loves when we repent. Allāh Loves when we repent. So he told us a story about a man who was in a desert. The Prophet صلى الله عليه وسلم told us about a man who was in a desert. He lost his camel and on his camel were all his food and water. And you know if you're in the desert, you're the only person there, if you don't have food and water, you're going to die. For sure you are going to die. Look what happened on the Mexican US borders, people tried to get over here, they get lost to a little bit off track and you'll see, actually I was watching a document and you'll find skeletons. These were people trying to run from Mexico to US through illegal means. So if you get lost in the desert and you don't have your food and your water, you're done with. So this person, his camel went away and he later went to sleep, waiting for death. He said: *"what am I going to do? I don't have enough energy to go and search for my camel that has the water and food so I am going to sit and wait here"*. What happened is he went to sleep and when he woke up he saw his camel right in front of him. He said a statement. He said: *"oh Allāh, You're my slave and I am your lord"*.

اللهم أنت عبادي وأنا ربك

That's a statement, that's kufr. He was so overwhelmed, overjoyed that he said that wrong statement. Is he a kāfir? He didn't mean to say that. It slipped out like that, but the point of the hadīth — that's another issue — is that Allāh is Happier than for one who repents more than this guy who was about to die and life came back to him once again. The point of it is if it

slipped out of your mouth and you really didn't mean to say it, that's okay, but if I say — أستغفر

الله العظيم — "may Allāh curse Allāh" — أستغفر الله — no, no, no, there's no backing away, that doesn't have a meaning, if I don't say it out of joy, I don't say it out of the statement. Like I said in our countries, we have a lot of people who say that. All the exceptions may be a slip of the tongue like this person had at that time when he was overwhelmed by joy.

## 1.2 Cursing the Prophet ﷺ

What did I say about someone who curses the Prophet ﷺ? What's ibn Taymiyyah's unique opinion on that? He said: *every community, the elderly scholars make a decision and they do that*. That's an arguable decision by ibn Taymiyyah.

## 1.3 Cursing the Sahābah

Okay, the next thing we took after the Prophet is: Sahābah. We said cursing Sahābah is kufr because of the many proofs. Not only are you resisting verses in the Qur-ān that clearly command these people, but also they are the mediators between us and the Prophet ﷺ. Without the Sahābah, there's no Islām, Mu'āwiyah رضي الله عنه and anyone above or below him. So we can't curse the Sahābah and that is not a sin, it's kufr.

## 1.4 Cursing the believers

It's obvious and that's what we start off today. What are some of the types — there's many — of cursing a believer? The most popular? The worst?

Telling a Muslim you're a kāfir, you're a Jew, you're a Christian, you're atheist. The Prophet ﷺ said: *"whomever tells another Muslim a kāfir, one of them is a kāfir"*<sup>3</sup>. We know which one is a kāfir.

The Prophet ﷺ said: *"whomever tells another he is a kāfir, then he is a kāfir"*.

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3 Sahīh al-Bukhārī 6103

Meaning: when you say someone is a kāfir, if it's not him a kāfir, it's going to come back at you. That's how dangerous that statement is. The same applies for Khawārij. If I tell a Muslim *"you're member of the Khawārij"*, a deviant sect, *"you're a member of the Mu'tazilah, you're a member of the murji'ā, you're a Sūfī"*, if it doesn't fall upon him, it comes back on yourself because the same applies to kufr, the same applies with anything below the kufr as well.

What's another one? Honor. You know, one of the biggest thing is honor. Allāh dedicated over 10 verses in Sūrah an-Nūr over the honor of a believer. Allāh said:

إِنَّ الَّذِينَ يَرْمُونَ الْمُحْصَنَاتِ الْغَافِلَاتِ الْمُؤْمِنَاتِ لَعُنُوا فِي الدُّنْيَا وَالْآخِرَةِ وَلَهُمْ عَذَابٌ عَظِيمٌ<sup>4</sup>

Those who accuse chastise people, Allāh will curse them in this life and in the Life after and they will have the severe punishment in the Life after,

عَذَابٌ عَظِيمٌ

That's like me saying: *"oh, that girl, she sleeps around. That guy, he does this and that. I've seen him a club."* We're going to get that later on, if you don't have four witnesses, if three people see it, not walking out of a club, but seeing them in the act. I mean not walking out of a club, not walking out of a guy's house, a female walks out of it, just a single man and he is known to be a bad person. Not that, something worse than that, you see them in the middle of the act. Three people? You better shut up and not say a word about them. Three people. You have to go and get four people to see them in the act which is nearly impossible. Cause Islām wants to secure society from all evil. From people talking about other people. The only exception may be; you see someone do the act and you want to help get him out of it, maybe you need to talk to a shaykh, he need so and this, or talk to her father, tell him *"watch out"*. Other than that, you can't and in another verse Allāh said:

لَوْ لَا جَاءُوا عَلَيْهِ بِأَرْبَعَةِ شُهَدَاءَ<sup>5</sup> فَإِذْ لَمْ يَأْتُوا بِالشُّهَدَاءِ فَأُولَئِكَ عِنْدَ اللَّهِ هُمُ الْكَاذِبُونَ<sup>5</sup>

If you don't bring four witnesses

4 Sūrah Nūr verse 23

5 Sūrah Nūr verse 13



فَإِذْ لَمْ يَأْتُوا بِالشُّهَدَاءِ

If they don't bring four witnesses

فَأُولَئِكَ عِنْدَ اللَّهِ هُمُ الْكَاذِبُونَ

They're liars. To Allāh they are liars. That may have happened. He may have seen him. People may have seen him, but for our purpose you are a liar. You didn't bring the proof of four people. That's how valuable the honor is. Cause if you have people talking about other people, just like our societies are, women getting oppressed by no one knowing them, brothers get degraded for no reason and that's how it is. That's how it is. For adultery or fornication you need four, anything less than that you need two just witnesses. For example, you've seen him doing this act, anything is two except adultery or fornication, that needs four.

Another one is a qatāt. You know what a qatāt means? It falls under the category of degrading Muslims. The Prophet صلى الله عليه وسلم said:

لا يدخل الجنة قتات<sup>6</sup>

A qatāt will not enter heaven.

Qatāt is a guy who comes in here, he hears us talking about someone else or he takes words out of context or the same exact words, he takes some and goes and tells someone else in another area in the purpose of trying to cause dispute among Muslims. He could take 100% exactly what I said but he goes and tells someone else in another area, for the purpose of trying to cause dispute between Muslims. The Prophet صلى الله عليه وسلم said:

لا يدخل الجنة قتات

A qatāt will not enter heaven.

I could come over here and make up a lie, but that's not a qatāt. That's worse than a qatāt! But imagine if a qatāt doesn't enter heaven, what's the punishment of a guy who takes a story or

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6 Rawāh Muslim

words and makes them up? A qatāt says the truth; he hears me saying something, he goes on and tells it to someone else. A group of sisters, this is common among women, they hear something they tell another woman. That's a qatāt if they are truthful! If they are not, that's even a worse punishment. Nammām is lies.

## 1.5 Talking and defaming the dead

Okay, the next one is, talking & defaming the dead. You know in Islām we honor the dead just as though they were alive. In fact when Maymūnah رضي الله عنها died, ibn Abbās رضي الله عنه said *“don't shake her and don't carry her degradingly.”* Meaning: gently carry her. Don't shake her when you carry her, because the dead have the same honor as the alive ones. You can't say *“oh she is dead, just push her in the kaffan and just drag her or mistreat her”*. The Prophet صلى الله عليه وسلم said: *“breaking a bone of someone who's dead, is like breaking the bone of someone who is alive”*.

In another hadīth in al Bukhārī the Prophet صلى الله عليه وسلم said: *“don't curse the dead, because they have surrendered to that what they did”*<sup>7</sup>. Meaning: Allāh is going to punish them or tormented, leave it to Allāh. This is a Muslim.

You know a hadīth, it's actually more than one hadīth the Prophet صلى الله عليه وسلم said: *“you guys are the witnesses of Allāh in this earth”*. If someone dies, the Prophet صلى الله عليه وسلم said: *“if someone dies and a hundred people says *“this man was good”*, you know what's going to happen? Allāh is going to accept the testimony of the hundred people. Not a hundred corrupt people. Hundred pious people say that. The continuation of the hadīth: and if the hundred people say: *“this guy, he's a deviant, this guy is so and so”*, Allāh will say: وجب*.

Wajaba | وجب means: that what you guys say, is going to happen”. That's what it means when you guys are the people who are going to be the testimonies before Allāh. You are going to

<sup>7</sup> Sunan Abī Dāwūd 3207

<sup>8</sup> Sunan al-Tirmidhī 1982

testify before Allāh. So that's why if someone sins when he's alive and he's Muslim, keep your tongue away from him. Don't talk about him. Because In Shā Allāh, Allāh will forgive him and give him a place in Heaven.

There're many other issues: cursing a judge, regular Muslim, calling them a dog or a pig. The Prophet صلى الله عليه وسلم said: *"you say that, the one who says that to his brother, it returns back onto him"*.

Let's take some hadīth and show how dangerous it is to talk about your Muslim brother. How dangerous and severe it is. Like Allāh said in the Qur-ān about other issues and other matters:

وَتَحْسَبُونَهُ هَيِّنًا وَهُوَ عِنْدَ اللَّهِ عَظِيمٌ<sup>9</sup>

What is that verse mean? You think it's small, little but to Allāh it's something very, very huge.

Okay, take the first hadīth. The Prophet صلى الله عليه وسلم said in a hadīth about the Isrā and the Mi'rāj, you know, when the Prophet صلى الله عليه وسلم left Makkah to the Aqsah and actually there is a narration where he also went to Madinah and the Isrā. He went to Makkah and he went to on top of seven skies. And in the sky he's seen people in Hell and he's seen people in Heaven. And among the people he's seen in Hell are people with nails or fingernails which he describes as claws from bears. Hooking their lips and their chests. The Prophet صلى الله عليه وسلم asked *"who are those people?"*

☞ People who talk and spread lies about people.

In Sahīh at-Targhīb w'at-Tarhīb of al Albānī رحمه الله عليه: a mum found a son, after the battle of Uhūd, these were the top believers ever who fought the battle of Uhūd. So his mum found him and began to hug him and cry and she says: *"glory to you, heaven oh my dear son"*. What was the Prophet's reply? This is a guy [the son] who gave his life for Allāh. This is a guy who stuck around the Prophet صلى الله عليه وسلم at a time when others dispersed. This guy; the Prophet

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9 Surah Nūr verse 15

صلى الله عليه وسلم said [to the mum]: "don't say that, maybe he used to speak about other people in ill".

Look at that. Look at that punishment. The way of fighting in Uhūd, wouldn't be over in him talking about other people in bad things.

In another hadīth. What's the worst type of Ribā that we know?

Allāh Declares war on someone who deals in interest and usury. In the Qur'ān in Sūrah al Baqarah, Allāh Said:

فَإِنْ لَمْ تَفْعَلُوا فَأْذَنُوا بِحَرْبٍ مِنْ اللَّهِ وَرَسُولِهِ<sup>10</sup>

فَأْذَنُوا بِحَرْبٍ مِنْ اللَّهِ وَرَسُولِهِ

In another hadīth the Prophet صلى الله عليه وسلم said: “one who deals in usury and interest, Allāh says "here's your weapon, come and fight me" on the Judgement Day. ☞ That's his punishment. Allāh gives him a weapon and says "come and fight me" on the Judgement Day.

There's another hadīth; the Prophet صلى الله عليه وسلم said: “ribā is so and so categories. The least category is like a person committing incest with his mother. ☞ Imagine that. Now, that's just the introduction.

Take what Allāh Says or the Prophet صلى الله عليه وسلم says about talking bad about a believer.

إِنْ أَرَبَى الرِّبَا

The worst of all ribā, more than someone declaring war on Allāh, more than one equivalent to sin of him sleeping with his mother,

إِنْ أَرَبَى الرِّبَا اسْتَطَالَتِ الرَّجُلُ فِي عَرَضِ أَخِيهِ

To talk about your brother that which is not right about him.

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10 Sūrah al Baqarah verse 279

The worst of ribā is to talk about your brother with honor. Imagine that. I mean a lot of people when they deal with usury, even if they do, they worry about it. But you sit in a gathering and you talk about a brother, no one cares about it. Or a sister. A thing about a sister. Or brothers against sisters as well.

## 1.6 Radġat-al ghubāl ردغة الخبال

The Prophet صلى الله عليه وسلم said — all these are purely authentic, these are one hundred per-cent solid proof, authentic hadīth — the Prophet صلى الله عليه وسلم said<sup>11</sup>:

من قال في أخيه ما ليس فيه أسكنه الله ردغة الخبال

Whomever said about his brother that which is not right about him, he will get in Hell radġat-al ghubāl | ردغة الخبال

Radġat-al ghubāl is explained by the Sahābah as عصارة أهل النار [transliterated as ‘usārat ahli nār which is the juice that comes out from the people of the Hellfire].

Meaning: I told you a person in Hell, his setting, the way when he sits, is the distance from Detroit to Chicago. That’s if he sits. I calculated based upon the Prophet صلى الله عليه وسلم his saying, it’s from Makkah to Madinah. So it’s the distance from Detroit to Chicago. That’s when he sits, he’s huge. He’s big, he’s got a lot of flesh. That flesh needs to burn. You know, I got a fire, one time, I got my finger burnt, okay and my hand is blasting. It’s a small fire. What happens if you have a fire? It becomes mushy and it’s liquidy. This is for days and days. It’s a small fire, a little, tiny finger. Imagine that huge guy from Detroit to Chicago where Allāh is going to burn his flesh and give him more flesh and burn it again like Allāh said in the Qur-ān:

كلما نضجت جلودهم بدلناهم جلودا غيرها ليذوقوا العذاب<sup>12</sup>

11 Abī Dāwūd 3597

12 Sūrah an-Nisa verse 56

That whole flesh is going to burn, they will get more. Why?

### ليذوقوا العذاب

To teach Hellfire. It's serious. Okay, where that flesh goes? This is what radġat-al ghubāl is. The pan where all that pus stuff and liquid goes is radġat-al ghubāl 'usārat ahli nār [ردغة الخبال عصارة أهل النار]. Add to that, you know, women or men who commit adultery one of their punishments is that out of their private parts comes a disgusting liquid in Hellfire. That's also radġat-al ghubāl. Who gets that? The guy who talks about his brother and sister and stuff that's not right about them.

Another hadīth; cause Wallāh, it's an important issue, it's practical and probably that's the core of the hadīth. Talking about the Prophet صلى الله عليه وسلم and talking about the Sahābah, is not something that we do. It's not practical, but talking about Muslims, we all do that.

The Prophet صلى الله عليه وسلم said:

ومن رمى مسلمًا بشيء يريدُ شينَه به حبسه الله على جسر جهنم حتى يخرج مما قال

Whoever says about his brother a word he doesn't deserve it, Allāh is gonna put him on a bridge in Hellfire until he proves what he said.<sup>13</sup>

How is he gonna prove something never happened? *"I think this guy did this", "this guy is so and so", "this guy is that"*. May Allāh Save us and you from that. Stuck in Hellfire in that position until I prove it. How am I gonna prove something never happened? I say *"Wallāh, this girl, have you seen her reputation?..."* that's enough! I'm gonna be there until I'll prove her reputation! How the heck am I gonna prove her reputation? The same about a brother. In another similar hadīth, the Prophet صلى الله عليه وسلم said: *whoever says about his brother that which is not right about him, which is not truthful, Allāh will block him in Hellfire until he proves that which he said.*

Not only is it your duty not to talk about them, but it's your duty, when a Muslim is being degraded to defend him!

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13 Abī Dāwūd 4883

Because the Prophet صلى الله عليه وسلم said: *whomever defends his brother at a time when he needs your defence, Allāh will defend him at a time when he needs it.*

Meaning: could be on the Judgement Day, and you need help from Allāh or you could be in a trial and tribulation in this life and you need help from Allāh. You defended a brother in the past or a sister in the past, Allāh will defend you now. The same is the opposite. Whomever doesn't — is silent about it/he doesn't defend his brother — at a time when his honor is being degraded, Allāh will not defend him at a time where he mostly needs it.

## 1.7 Questions

### What if the rumour is true?

That's ghībah. If you got no business to say it, you can't say it. Some of these ahādīth I mentioned, are — for example the bridge — if it's not true, the other that I mentioned, which was the qattat, is if it's true. I'm telling you, if I see a woman and a man sleeping together in the middle of sex, in the middle of it, I got no business to go unless I have 4 witnesses. And you know what? Even if I have 4 witnesses you keep your mouth shut because there's no reason to go around and say it. The 4 witnesses is for you to go to the Khalīfah. Going to court over here, you know they will mock at you saying "*what are you bringing these guys over here?*". In Islāmic ruling, these people will be either stoned or whipped. Now, today in America, there's no Khalīfah, there's no punishment for it that a leader can do, so even if 4 people has seen it, they have no right to go and discuss it. The purpose of the 4 is not to go around and tell people but to go to the Khalīfah.

Maybe go to a person, and say "*you know, brother, this is not right*", you go maybe to a shaykh so he can relate the message to them, maybe you need to go to her father and he can suppress her for that but other than that, there's no business in talking about it. There are exceptions to talk about a Muslim:

- In matters of marriage: if I go and ask a person and I tell him: "*you know what your cousin is so and so. What do you know about her? I want to marry her*". He can spill his guts out. He can say

what he has to because the Prophet صلى الله عليه وسلم was asked by a woman she wanted to marry one of the Sahābah and he told her *“this guy is a sheep holder and this guy he always has a stick, he’s going to beat you, this guy ...”* and he explained every single one of them. If it’s marriage, yes.

- If a person is an innovator who spreads his innovation. You can say *“watch out for him”* to protect people from innovation. I am an innovator for example, May Allāh guard me from that, and I spread innovations to people. You guys can go and say *“this guy watch out from him, he spreads out this innovation”* or *“watch out for radġat-al ghubāl, he better be truthful and what he says, Wallāh, this is bringing all this weird stuff, it’s not part of Islām and he’s spreading it.”* Why? The reason is to protect people from that.
- Business: I want to go partnership with a brother and I ask his friends *“what do you think about this guy, I want to go on a business trip with him”* so you need a trustable person he can answer that.
- Going before the judge: I want to sue this brother for 10.000 dollars and in addition to the judges today is a shaykh. I go to the shaykh and say: *“look this guy scammed me out of this money. I want half and you want the money back.”* That’s the types of exceptions that we have of ghībah.

## 2. Killing a Muslim

### 2.1 Introduction

وقتاله كفر

Qitāl: killing

Kufr: disbelieve

Meaning: and fighting him is kufr.<sup>14</sup>

<sup>14</sup> Kitāb al Imān hadīth 2635



Fighting is, if you want to reword it precisely, “and fighting him” is an aspect of kufr. How

would it be worded if that person is a kāfir himself? وَقَاتِلْهُ كَافِرٌ . So the Prophet صلى الله عليه وسلم is saying: “*and fighting him is an aspect of kufr*”.

The fighting over here is fighting, when a group of Muslims are fighting another group of Muslims with weapons and killing and swords. That’s what the fighting over here means. It doesn’t mean the fisq in physical fighting.

Take how serious it is to kill Muslims. When Allāh talks about the major sins, what's the first one He always Mentions? Shirk. What's right after it? If you calculated the verses where Allāh mentions the sins, most of them are either shirk and killing or killing and disobedience to your parents.

Allāh in Sūrah al Furqān says:

وَالَّذِينَ لَا يَدْعُونَ مَعَ اللَّهِ إِلَهًا آخَرَ وَلَا يَقْتُلُونَ النَّفْسَ الَّتِي حَرَّمَ اللَّهُ إِلَّا بِالْحَقِّ وَلَا يَزْنُونَ<sup>15</sup>

Those who don't associate upon Allāh, what's the next one after that?

وَلَا يَقْتُلُونَ النَّفْسَ

And they don't kill the nafs that Allāh prohibited except rightfully. So, combining it to shirk, shows you how serious of an issue this is.

What's the first thing Allāh asks on the Judgement Day? If you got on your record, you know, you got on your record a lot of sins, Allāh starts off the first one by killing. In fact, the killers are the first people to be asked on the Judgement Day. The Prophet صلى الله عليه وسلم said:

أول ما يقضى يوم القيامة بالدماء

The first thing that Allāh Judges on the Judgement Day is what's killed<sup>16</sup>. The people who kill are the first ones to be tormented in Hellfire and also the first thing on the list that Allāh will

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15 Sūrah al Furqān verse 68

16 Sahīh al Bukhārī 6533

ask them about is killing. Look in Surah an-Nisā verse number 93 Allāh said a verse which you will never ever find another verse like it ever with these many punishments. Allāh says:

وَمَنْ يَقْتُلْ مُؤْمِنًا مُتَعَمِّدًا فَجَزَاؤُهُ جَهَنَّمُ خَالِدًا فِيهَا وَغَضِبَ اللَّهُ عَلَيْهِ وَلَعْنَهُ وَأَعَدَّ لَهُ عَذَابًا عَظِيمًا

وَمَنْ يَقْتُلْ مُؤْمِنًا

Whoever kills a Muslim, on purpose,

فَجَزَاؤُهُ جَهَنَّمُ

1. His punishment is Hellfire.
2. [To abide therein forever]

خَالِدًا فِيهَا

Whatever

وَغَضِبَ اللَّهُ عَلَيْهِ

3. And Allāh is displeased with him.

وَلَعْنَهُ

4. [The Curse of Allāh is upon him]

And another fifth punishment:

وَأَعَدَّ لَهُ عَذَابًا عَظِيمًا

5. [A dreadful penalty is prepared for him]

Imagine that. Five punishments that tells one verse for one crime. You will never ever find that in the Qur'ān ever. The only crime that's found in the Qur-ān in the killing of a Muslim. Five different punishments for one who kills another believer. In Surah al Ma'idah verse number 32, Allāh said:

مَنْ أَجْلٍ ذَلِكَ كَتَبْنَا عَلَى بَنِي إِسْرَائِيلَ أَنَّهُ مَنْ قَتَلَ نَفْسًا بِغَيْرِ نَفْسٍ أَوْ فَسَادٍ فِي الْأَرْضِ فَكَأَنَّمَا قَتَلَ النَّاسَ جَمِيعًا وَمَنْ أَحْيَاهَا فَكَأَنَّمَا أَحْيَا النَّاسَ جَمِيعًا

Take the point of the verse, it's a long verse.

أَنَّهُ مَن قَتَلَ نَفْسًا

Whoever kills a soul not rightfully,

فَكَأَنَّمَا قَتَلَ النَّاسَ جَمِيعًا

If I kill one person, it's as though I killed the whole universe. You know how much sins I get? If I were to kill everyone on the planet, the killing of one innocent person is equivalent in my sins as everyone. In another hadīth, the Prophet صلى الله عليه وسلم said:

لزوال الدنيا

For this globe to be demolished and go

أهون عند الله

Is easier than for one Muslim to be killed. Imagine.

لزوال الدنيا أهون عند الله من قتل امرئ مسلم

For this earth and globe to be demolished and disrupted. The globe — of course without its people — is easier than one Muslim being killed. Imagine the value of a Muslim's blood to Allāh. And something of value to Allāh should be valued to us. Keep that in mind when you watch the news everyday.

‘Umar رضي الله عنه killed seven people one time, you know what they did? They all conspired to kill a young boy. So he killed them all seven. In Islāmic law, the conspiracy, if you try to conspire, to kill another Muslim — even verbally and it's proven against you — you get killed. They tell him: “‘Umar, why did you kill them, why did you kill them all seven?” He said: “Wallāhī, if all of San’ā conspired to kill a Muslim, I killed them all for that Muslim”. San’ā | صنعاء is the capital of Yemen today. That's the punishment. You know, some guy could say, he heard the news, “hey, he's over there, go find him over there”. If you helped them, then you conspired, knowingly helped him to kill a Muslim. That's the punishment in Islām. One guy during ‘Umar's time, he killed another Muslim, so ‘Umar used to see him every time in the alleys, he'll tell him “drink a lot of cold water cause you're never going to see Heaven ever. You will never see the taste of cold water in the Life After ever again.” Meaning: he's trying to tell

him “he’s never going to see Heaven ever.” This is the opinion, by the way, of some of the Sahābah.

In another hadīth, the Prophet صلى الله عليه وسلم said: “if the people of the sky and the earth conspire to kill one Muslim, Allāh will throw them all on their faces in Hellfire”<sup>17</sup>. The hadīth:

لو أن أهل السماء والأرض اشتركوا في قتل امرئ مسلم لكبهم الله في نار جهنم

In another hadīth and that’s the last one we’ll take about this matter: the Prophet صلى الله عليه وسلم said: “whomever aids another in the killing of a Muslim, even by a portion of a word — look not even a word, a portion of a word — he comes on the Judgment Day in between his eyes written: “I cannot be covered under the Mercy of Allāh”<sup>18</sup>. Written on his forehead. The Prophet صلى الله عليه وسلم said, the hadīth in Arabic:

من أعان على قتل مسلم ولو بشطر كلمة جاء يوم القيامة مكتوب بين عينيه آيس من رحمة الله

So he comes on the Judgment Day with the sign: “I got no hope before Allāh”. Imagine that.

## 2.2 Types of killing in Islām

### 2.2.1 Intentional

The first and the most obvious kind of killing is intentional. I go and I shoot someone. I take a sword and hit him on his neck. You know, I take my car and drive him over on purpose. Intentional. This falls under the verses and ahadīth that we mentioned. What’s his punishment in this life? What do we give him in Islām?

Take two issues: I am a Muslim judge, some guy came up to me and he’s brought before me for stealing or adultery. And he goes “you know what, I repent”. The guy who thought he committed adultery says: “I forgive him”. And the guy from the store who he [the thief] stole from says: “I forgive this guy. Let him go, I want his hands out”. Then the guy comes who’s killing and his family says: “we forgive this guy”. Our Muslim judge, help me decide, what would I do?

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<sup>17</sup> Rawāh at-Tirmidhī 1398

<sup>18</sup> Rawāh ibn Majāh 2620

On one side I got a guy who stole, committed adultery, fornication any of those who do that we have in Islām. On the other side I have a killer. What would I decide over here [stealing and fornication] and what would I decide over here [killing]?

Student: “kill him”.

Shaykh: which one? The killer you let him go, the other guys who stole and committed adultery; no. See, if he repented between him and Allāh and he committed adultery; someone came up, we have a Khalifah; he said “you know I committed adultery, I went to the khalīfah to let me stone me”. I tell him: it’s better for you to repent before Allāh, stay away. They never caught you, keep it, stay away in your house and repent truthfully to Allāh. “I stole, let me cut my hand off, I repent”. No, no, don’t do that, stay in your house and repent to Allāh. This is just a deterred punishment because we want to eliminate this from being widespread in society. That’s the point of it. Now, if it comes to me as a shaykh, no, it’s done with! He stole from the stores and no, no, no, his hand got to be cut off cause it reached the judge.

The only exception to that is killing. If someone killed, how many members of his family have to forgive?

Student: “One”.

Shaykh: Who said one? Which member of his family has to forgive?

Student: “His wife”.

Shaykh: Wife? Not his wife.

Student: “Mother”.

Shaykh: Why you guys into the girls?

Student: “Father”.

Shaykh: Father, or who else? Let’s assume the whole family says we want him killed and his son says “no, it’s okay, I let him free”. If the first cousin says: “it’s okay I forgive him”. Yes, all we need is one person out of his close family to forgive him. That’s all we need. That’s why in Sa’ūdiyyah supposedly when they have these Islāmic Shar’iah laws, some of them, some of them they apply to the court, they keep the young people — I mean I remember one guy who stayed in jail for 14 years, he killed someone and he stayed in jail for 14 years. Does anyone know why?

Student: “Son was too young”.

Shaykh: Son was too young. He didn’t reach the age of puberty, so they waited all until he reached the age of puberty and they asked him: “this is the guy who killed your father, you want him killed or not?” Cause if that little boy says “no, I forgive him”, the guy walks away free. Just last month in Sa’udiyyah, some guy his name is Mundhir al Qādhi, a young teenager got killed in Sa’udiyyah by a prince. A young prince. The prince took a machine gun in the middle of Riyadh and killed this young boy named Mundhir al Qadhi. So, I believe it’s all acting and what happened is after a year and a half, they took the killer who was a prince and they put him – it was a Friday, and they banded his eyes and took his hands behind his back, and they said, we’re going to kill him. I supposedly think they pressured the father because they stayed two hours before they carried out the execution and they asked the father “you want him killed, we’ll kill him now.” He said: “wait, let me pray al Istighārah”. Then he said: “wait, let me pray more Istighārah”. Then he called his wife, then at the end he said: “I forgive him”. Actually, he went up, took off the bandage of his eyes and off his hands and walked away a free man.

Even though the boy’s cousins, all of them, lashed out of the father for allowing him to go. I think that’s acting cause we know Sa’udiyyah and I know al Sa’ud but if this really happens in a Muslim society, then that’s exactly how we deal with it. The guy forgives, one person out of the whole family forgives and the person walks away. Allāh in Qur-ān says<sup>19</sup>, I think in Surah al Kahf or Isrā:

فَمَنْ غُفِيَ لَهُ مِنْ أَخِيهِ

He calls the two guys, the one who killed his brother. If they forgive him, that’s it.

فَمَنْ غُفِيَ لَهُ مِنْ أَخِيهِ

So the point that I want to get at, for those who are right, is the first type of killing is intentional killing. If a family member (has to be a male, close family member) forgives that person who killed, then that person walks away as a free man. That’s up to the judge. A judge could say: “okay I want this one and I accept this one”.

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19 Sūrah al Baqarah verse 178

### 2.2.2 Unintentional

The second type of killing, if I, you know I am a tough guy, punch Mūsā on his face and that punch kills him. What have I done?

Student: Unintentional.

- ➔ Intentional, if you want to write it in Fiqh terms is العمد on purpose. E.g. The guy gets killed unless his family forgives him.
- ➔ Similar to intentional is شبه العمد . Meaning: similar to intentional. What is similar to intentional in American law? Manslaughter. See America applies the Islamic law as well. E.g. I punched this guy and I meant to really hurt him back, I didn't mean to kill him but my punch caused his death. That's not a mistake, because I meant to hurt the guy except I didn't mean to hurt him to the point of death. This actually happened, a few years ago, actually eight years ago, a high school student, who was an Iraqi, he punched another student and he put it in the face and it was so strumbled that the face hit the curb, and he went in a coma for eight years. And he died last year and basically what they said, they guy who punched him, actually the one who died was an Iraqi, the one who hit him was not. They said to the guy, initially for the punch, something very minor. I mean he didn't even do jail. When the guy died, he stayed in a coma for years, they charged him for murder again, and he only is going to do a year or two or so because he didn't intend to. Basically, that's exactly what similar to intentional is. I take a stone, I wanted to hurt him, I don't mean to kill him. That stone ends up breaking his brain. That happened during the Prophet صلى الله عليه وسلم his time. A woman hit another woman and she killed her and her son. So, that's similar to unintentional.

### 2.2.3 By mistake

- ➔ By mistake | خطأ e.g.: driving 15 miles in a 50 zone, yes that's a mistake. Or the guy that didn't have a stop sign and you were going and it was his fault and he went up ahead and he hit you. Even if it was your fault, you didn't stop on a stop sign, it's still considered a mistake. I take a machine gun and we got a shotgun and we go hunting. The first thing that moves I see it and I shoot at it. It turns out to be a human being and

not a deer. That's a mistake. All these are mistakes. Okay. Now you know all types of killing.

Now this one, the guy gets killed, unless his family forgives, what do you guys think about this one? He gets killed too? The punch that I threw that I wanted to hurt someone but it never killed him. What happens here?

Student: "he gets killed."

Shaykh: he gets killed? I hope you never be a judge. \*Laughs\* No, this one, all scholars agreed, he doesn't get killed, except he pays the diyā and his diyā is harsher.

## 2.3 Diya

What's the diya | دية ?

Diya [paying the blood-money] is something equivalent to a 100 camels. Now every judge decides it based on what 100 camels are worth. I remember when I was in Madinah, and this happens a lot over there, and I was in Madinah, the judges made it equivalent to 100.000 riyāl. So if you want to have 100.000 riyāl is like  $100.000/3.4$  and that's what you get in American dollars. Maybe, who's good in Maths? 30.000 dollars. But it could grow up, that was back when I was in Madinah. Now it's probably 50 or 60.000, the judge issues a sum as what a 100 camels are worth of that time.

So, this one over here, he pays equivalent to 100 camels except it's a little bit more. The Prophet صلى الله عليه وسلم said to that woman who killed another woman by a stone, he ordered 100 camels, 40 of those camels... Could someone tell me? What about those 40 camels? Were pregnant. Which is almost the double. The same thing except the little bit than a punishment. Now this one, what did they do? I killed someone by car by mistake...

Student: "diyā."

Shaykh: diyā what? What is it? Come on people ... Standard 100 camels, nothing more. The difference between these two, is this one [killing unintentionally] is a little bit harsher. So if it's a 100.000 riyāl for this guy, you might make it 140.000 riyāl. For this guy [killing by mistake], it's a standard 100.000 riyāl or equivalent to a 100 camels.



[In brief: So the one who kills unintentionally needs to pay 100 camels and a bit more. The one who kills by mistake needs to pay 100 camels and nothing more.]

If I kill someone in Islām, who pays?

I don't have to pay in Islām, the tribe pays. Actually, I don't pay a single penny out of it. You know that? And that's what's done in Arabic countries. In Jordan the tribal origins and the Saūdī tribe origins, they don't. They got a tribe, like I remember in Madinah I had a friend from al Harbiyīn. Harb is a huge tribe there. He told me "look I have to send him a check." I said: "for what is this check?" One of a family member killed some guy, and everyone of his family has to pay like 50 riyāl. That's so huge of a family, each one pays 50 riyāl. The one who killed doesn't pay nothing cause the Prophet صلى الله عليه وسلم said "it's عائلته, on his family." It's beautiful to have family, isn't it?

What if you don't have family? Or the family can't pay that amount?

The house of the Muslims pays it or the insurance will pay it for you. We don't have an Islāmic society, but in an Islāmic society, maybe he's from the outside region, he doesn't have a family, usually he gets taken in by a tribe. Usually. If not, the Khalīfah will pay that sum for him. The leader of the Muslims.

Attempted murder and killing in Islām is the same thing. Same in America too, the punishment in America is the same, but you got to prove that he really meant it of course.

Do you have to pay kaffārah if you killed someone?

Over here, there's a dispute, the jumhūr, the great vast majority of the scholars, they say no, you don't have to. Ash-Shāfi'ī and Mālik say you have to pay kaffārah. Ash-Shāfi'ī and Mālik were the only ones who say you have to pay a 100 camels. What's the proof? There's no proof that says that, their proof is these two have to do it, then this guy has to do it. These guys happen to do it by mistake, then this guy has to do it as well but there's no clear proof on that. It's

a disputable issue. I probably lean on the majority of the scholars that there's nothing here because the Prophet didn't directly specify it.

What's the possibility for the family of the victim if they want the killer to be killed?

See, they ask for his blood and his neck to be chopped off, they can make sulah – that's what the princes do in Sa'udiyyah a lot – they give him 10 million dollars, 10 billion dollars cause the money is laid all around, and they say; just forgive this man and he doesn't. That's the second one. The third one is: no, take without nothing, we just forgive him [the killer] for the Sake of Allāh.

[In brief] Ash-Shāfi'ī and Mālik do say that [a person] does have to pay but the jumhūr don't say that. Why is the jumhūr right? Cause in Sūrah an-Nisā verse 92 clearly says this is only for someone who killed by mistake. In order for you to apply by intentional, there's additional proof.

The killer gets killed and he still got to pay?

Yes, the killer gets killed and he still got to pay 100.000 camels according to ash-Shafi'i and Malik. According to the Jumhur, they say "no, all they get is his blood".

If they don't kill him, they get the money?

They get, they can settle to that. They have the option. Yes, that happens a lot.

[To sum up:]

Intentional: you give the blood unless they forgive.

Similar to intentional: is like me throwing a rock at someone then all that person gets is equivalent to 100 camels and a little more than that. Maybe 140 camels.

By mistake: all they get is 100 camels. This is one part of it. The other part, there's something else you have to do. You pay them, you pay the family the money. You did something that you got to clear your concerns with Allāh. Or free a slave or,

وَإِنْ كَانَ مِنْ قَوْمٍ بَيْنَكُمْ وَبَيْنَهُمْ مِيثَاقٌ فِدْيَةٌ مُسَلَّمَةٌ إِلَى أَهْلِهِ وَتَحْرِيرُ رَقَبَةٍ مُؤْمِنَةٍ

If there's no slave available or you cannot afford then you can fast 60 days, executive if you break them you got to start all over again. This doesn't apply to intentional<sup>20</sup>.

### Do they get public punishment for killing?

Yes. America doesn't do it because America doesn't like that stuff and the humanitarian rights objects to it like whipping and lashing and cutting the hands off. The Human Rights Organization make it a big issue but Islāmically, it should be in public cause Allāh said in Sūrah an Nūr:

وليشهد عذابهما طائفة من المؤمنين<sup>21</sup>

Let a group of people see that. So when work gets out, when Sa'ūdiyyah back in the days where they had some good years where they really applied it, there weren't even two or three cases of stealing in the whole country. Imagine that. You couldn't find killing, rarely. Rarely any killing. It's a deterred punishment and that's why a group of people have to see it. Someone tell me this: what's the wisdom of you paying a 100 camels if I drove my car and I hit someone and he didn't stop at the stop sign. It's his fault but in a way I killed that person. Why do I have to pay 100 camels? Why? It's my mistake.

The scholars pulled out two reasons:

1. No matter how you killed by mistake, in some way, you had a portion to do with it. If you killed a guy at a stop sign, you probably are going fast, if I killed a guy by hunting, I should have waited to see more if that's a human being. I should have made sure that my friends are hunting with me or are behind me. So in a way you have something to do, even a minor way. That's the first reason they say.

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20 Sūrah an Nisā verse 92

21 Sūrah Nūr verse 2

2. To show us the honor of blood. Meaning: "watch out". The honor of blood is very safe.

The Prophet صلى الله عليه وسلم said: "*killing a Muslim is kufr*."<sup>22</sup> Can I pull out a gun, an unloaded gun and just point it on you guys? Or a knife, I pull out a knife and standing here, "watch out guys" or something like that.

Actually that's not only harām, that's a major sin and it's not a joke. The Prophet صلى الله عليه وسلم said in a hadīth narrated by Ahmad and at-Tabarī

لا يشير أحدكم على أخيه بالسلاح

Don't point towards your brother with a weapon. Look how that this. Look what he said: "don't point towards your brother with a weapon". Look at the statistics today of how many people die because of mistakes, playing around and that guy shoots his son or his brother. Another hadīth the Prophet صلى الله عليه وسلم said in Sahīh Muslim by abū Hurayrah:

من أشار على أخيه بالسلاح لعنته الملائكة حتى ينتهي، ولو كان أخاه من أبيه وأمه

Whoever points a weapon towards his brother, the Angels will curse him till he puts his weapon down even if it's his brother from his mum and dad.

Meaning: if you were just joking around, "*we're going to kill his brother from his mum and dad*" rarely does that happen.

Meaning, if you were just messing around with your brother. Even jokingly. The Angels get cursing him until he puts that weapon down. A lot of us joke around a lot about this and that is harām and it's a major sin.

### Why it's a major sin?

When the Prophet said: لعنته *the Angels curse him*, that means the punishment is there, the Prophet cursed them, that constitutes that it's a major sin. In a hadīth in al-Bukhārī, the Prophet صلى الله عليه وسلم said: "*whomever raises his sword on one of us, he is not one of us*".

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<sup>22</sup> Sahīh al-Bukhārī 48

That's nearly considering him a kāfir. Not a kāfir, but nearly considering him a kāfir. Okay, so that's not a joke and it's not a game, a serious issue, and from the wisdom of the Prophet 1400 years ago, that he tells us don't point a sword or don't point a weapon at each other.

### Can you point your brother with a toy?

If it's a toy that doesn't shoot nothing, I mean it's a toy and the other person knows it. One of the points, not only may you not hurt him, is scaring your brother. A Sahābi came to another Sahābi one time waking him up scaring him. The Prophet صلى الله عليه وسلم said: *"don't ever do that again"*. So scaring your brother is not right. If it is a see-through gun, all the guns that are made today, on the tip of them they have something red cause a lot of the police officers started seen kids doing, you know, pulling a gun out. So now there's a federal law in all countries if you go and look around the toys, any type, on the tip of it they have something red, to show you that this only is a toy gun.

Look how dangerous that is. The Prophet صلى الله عليه وسلم said not to do that from the beginning.

## **2.4 Can a killer repent?**

I just told you a verse, whoever kills a Muslim:

فَجَزَاؤُهُ جَهَنَّمُ

1. His punishment is Hellfire.
2. [To abide therein forever]

حَالِدًا فِيهَا

Forever.

وَعَصِبَ اللَّهُ عَلَيْهِ

3. And Allāh is displeased with him.

وَلَعْنَهُ

4. [The Curse of Allāh is upon him]

And another fifth punishment:

وَأَعَدَّ لَهُ عَذَابًا عَظِيمًا

5. [A dreadful penalty is prepared for him].

What about the man who killed 100 people and was forgiven?

The guy from Banī Isrā-īl's people, it's in Sahīh al Bukhārī and Muslim, where he killed 99 people. He went to a worshipper and [the worshipper] said: *"there's no way you can repent"*. He killed the worshipper and made them a hundred.

Then he went to a scholar, he said: "I want to repent". The scholar said: *"you can repent, but go to that other town cause you are in a bad surrounding here."* On his way there he died in the middle. So what Allāh did, the Angels for the good and bad [deeds] came to take his soul. What Allāh did was shrunk the side he was going to, and extended the size he left from. Allāh told the Angels to measure the area. The point is: Allāh forgave him. The Angels of the good took him and he killed a 100 people.

This is from the time of Banī Isrā-īl. Even though we don't accept this hadīth for face value just like hukm for us, we have additional support cause this is from the time of Banī Isrā-īl.

The first answer that I like is this punishment is only if he does not repent and Allāh doesn't forgive him. Then his punishment is Jahannam.

خَالِدًا فِيهَا وَغَضِبَ اللَّهُ عَلَيْهِ وَلَعْنَهُ وَأَعَدَّ لَهُ عَذَابًا عَظِيمًا<sup>23</sup>

Ibn 'Umar and ibn 'Abbās had apparent statements they believe if a guy killed, he had no repentance. In reality I think they tried to scare people because ibn 'Abbās has an authentic story where someone came to him one time and he asked ibn 'Abbās "can a killer repent?". Ibn 'Ab-

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23 Sūrah an-Nisā verse 93

bās said "no". Then another guy came and said "can a killer repent?" and ibn 'Abbās said "yes". So his students in Tā-īf in Sa'ūdī Arabiyah said *"what is wrong with you? Same question you answered two ways"*. He said "the first guy who asked me, he didn't kill yet, I didn't tell him: yes, you can go killing then repent, uncausing mischief by telling him "yes" . The second guy came to me [that's the wisdom of a scholar, he knows who he's talking to], he killed and he came to me to repent. If I tell him "no you can't repent" [he will think] "what the heck, I am going to Hell so I am going to Hell, let me do as much mischief as I can, since I am going to Hell". He said I can't stop the repentance on this guy, so that's why he gave two answers.

In reality I think, although, some people think ibn 'Abbās and ibn 'Umar believed that they have no repentance, I think they took it out of context that they were trying to scare people so it won't become widespread because you were the Bedouins back then like the Bedouins today, you look at them differently. That's how they work. That's the 'Aws and the Khazraj. A lot of them raised by the Prophet صلى الله عليه وسلم from the outskirts. So they want to suppress this killing and show how extreme it is.

So yes, Allāh will accept the repentance if you repent. The reply to that verse is that if he doesn't repent, that's what his punishment would be.

Next reply: If he kills, thinking killing is halāl, then that's what his punishment would be. Cause if you think killing is halāl, that's totally different, then you're a kāfir. Believing a main concept in Islām is halāl, that's kufr. That's totally kufr! Scholars all agree. We say: the verse means if you believe it's halāl.

Next reply: this verse applies to kuffār killing Muslims. Not to a Muslim killing Muslim. Cause the verse says: "and whomever kills a Muslim..."

فَجَزَاؤُهُ جَهَنَّمُ

They say [the scholars]: this applies to a kāfir, not to a Muslim.

I think the main out of the scholar's opinions is what you mention if he doesn't repent and if Allāh doesn't forgive him, that's what his punishment will be.

Someone who killed, if Allāh doesn't forgive him on the Judgement Day, and he is a Muslim, Allāh will punish him. If Allāh doesn't forgive him, if the shafā'ah of someone who likes him, doesn't overwhelm him, Allāh will punish him in Hell for the duration of time, and then He will allow him entry to heaven. Why? Because we take, you know if someone is ignorant and he reads this verse:

فَجَزَاؤُهُ جَهَنَّمُ

خَالِدًا فِيهَا

وَعَصَبَ اللَّهُ عَلَيْهِ

وَلَعَنَهُ

وَأَعَدَّ لَهُ عَذَابًا عَظِيمًا

That's the problem of that worshipper who got that 99 guy killer, he's probably a worshipper, he read this verse, he said: *there's no way this guy can repent*. A scholarly person knows all the hadīth and the āyah. He can't pull one out of context. Why? We know in another hadīth that the Prophet صلى الله عليه وسلم said: *whomever has a tiny drop of Imān in his heart, will be taken out of Hell to Heaven*. I mean, the worst a Muslim could happen to him, don't think it's easy like I told you, from the distance from Detroit to Chicago to be in Hell. But I am saying, the worst that can happen to a believer is that he being in Hell for that duration of the sin and then he'll be taken out to Heaven. Why? Many, not one but rather a lot of the hadīth where the Prophet صلى الله عليه وسلم said:

يُخْرِجُ مِنَ النَّارِ مَنْ كَانَ فِي قَلْبِهِ مِثْقَالُ ذَرَّةٍ مِنْ إِيْمَانٍ

Tiny drop of Imān.

In another hadīth the Prophet صلى الله عليه وسلم gets someone out of Hellfire. One of the last people to gather to Hellfire, who has a card, a card in his weight that has لا إله إلا الله محمد رسول الله. So taken all that together, he's a Muslim no matter what sin he committed, except shirk cause shirk takes you out of Islām. That's the point of it. I mean if shirk was part of Islām it would



be forgiven to, but shirk takes you out of Islām directly, you're basically saying Allāh is more than One or you're associating a partner to Allāh.

Is someone a kāfir if he committed suicide?

Wallāhī I don't recall uphand right now but I don't think it's kufr. I don't think he'll be a kāfir. Because it's a sin, it's a major sin and actually the hadīth is similar to this one. The Prophet صلى الله عليه وسلم said: *whomever kills himself with metal he will come on the Judgement Day and Hellfire, doing the same act on and on and on forever and ever and ever*. But again, I am going to explain about what "ever and ever" means إن شاء الله. I think it's a sin and I don't know of anyone who considers a person who killed himself a kāfir. I've never read that opinion.

The Prophet صلى الله عليه وسلم said, about someone who commits adultery, or someone who talks about Muslim brothers, he has a cloud in his mouth and his chest. That's the hadīth. Period. Someone will say: "that's his punishment no matter what". How do we know Allāh will forgive him? From other ayāt and hadīth where Allāh says that he will be forgiven.

Why we know the guy who kills, Allāh will forgive him, is because look what Allāh says in the Qur'ān:

وَإِنْ طَائِفَتَانِ مِنَ الْمُؤْمِنِينَ اقْتَتَلُوا فَأَصْلَحُوا بَيْنَهُمَا

Look what Allāh said. In Sūrah Al Hujurāt verse number 9. If two groups of Muslims fight, look how Allāh Worded it;

وَإِنْ طَائِفَتَانِ

That answers the question of the battle of the camel [موقعة الجمل]

وَإِنْ طَائِفَتَانِ

Two groups

مِنَ الْمُؤْمِنِينَ

Believers

اَفْتَنُّوْا فَاَصْلَحُوْا بَيْنَهُمَا

If one of them refuses, then fight the one who refuses. So what did Allāh call the two groups?

طَائِفَتَانِ مِنَ الْمُؤْمِنِيْنَ

And that's how it is. Muslims could have battles<sup>24</sup> like Mu'āwiyah and 'Alī and both of them رضي الله عنهم are believers. It doesn't mean just because two of them fight that one of them is a kāfir and one of them Muslim. Even if one of them is wrong. Let's assume we have two Muslim countries. One of them for no reason invaded another country. Does one of them have to be kāfir just for that invasion? No. They are two believers. Why? Because Allāh says:

مِنَ الْمُؤْمِنِيْنَ اَفْتَنُّوْا

The same between Mu'āwiyah and Alī except between Mu'āwiyah and Alī is totally different. Mu'āwiyah had proof of what he was doing, and Alī had proof of what he was doing. Alī would have been a little bit closer because he is the Khalīf and everyone has to listen to him. Even the both إن شاء الله get ajr. Could you imagine that Alī and Mu'āwiyah fought the battle of the camel | موقعة الجمل and a lot of Sahābah died in it, yet Mu'āwiyah gets ajr for it. Believe it or not. 'Alī gets ajr for it except 'Alī gets two and Mu'āwiyah gets one cause Mu'āwiyah had an educated guest, he wanted to fight the killers of 'Uthmān and Alī said *"calm down until we situate the Ummah"*. Mu'āwiyah said *"look I'm his relative and the Prophet said 'fight and seek the killer of Uthmān'"*. Alī said *"no, not right now"*. Even though Mu'āwiyah was right in seeking him, Alī was more right than him. Why? Because Alī is the Khalīfah. Even if he says *"I forgive the killers"* because he's the Khalīfah and if there's going to be a decision, we should listen to him. That's what makes Alī much more righter than Mu'āwiyah. Both of them get ajr. Imagine that. They're believers. In another verse Allāh said:

يَا أَيُّهَا الَّذِينَ آمَنُوا كُتِبَ عَلَيْكُمُ الْقِصَاصُ فِي الْقَتْلَى

In Surah al Baqarah, 178.

يَا أَيُّهَا الَّذِينَ آمَنُوا كُتِبَ عَلَيْكُمُ الْقِصَاصُ فِي الْقَتْلَى

Meaning: if someone kills, they have to be killed. Okay. The end part of the verse says:

<sup>24</sup> If Muslims are fighting each other it is called Qitāl al Bughāt | قتال البغاة. This happens when a group of Muslims rebel against the Islāmic Khilāfah because of a wrong interpretation or ijtiḥād. They often separate themselves to another area which is called Dar al Baghī.

فَمَنْ عَفِيَ لَهُ مِنْ أَخِيهِ

If they forgive, they're brothers. Imagine that. If he's a kafir, he killed on purpose, and then Allāh is given us the rules that he should be killed except if they forgive him. Allāh didn't say "except if they forgive him", but "except if they forgive their brother". Allāh never calls — like the modernists today — Allāh never called the kafir "brothers".

فَمَنْ عَفِيَ لَهُ مِنْ أَخِيهِ

His Muslim brother. Meaning: he is still Muslim. Okay, let's take two more points and then we're done with this hadīth and we're done and then we can take the questions.

## 2.5 The difference between qatil and qitāl

You got to know this as a student of knowledge. Both of them is killing except one of them is mass killing – group versus group and the other one is directly killing someone intentionally. Let me tell you what. If we had a Khalifah and some group tells us: "we don't want to pay Zakah no more". Like they did to abu Bakr. What does abu Bakr do? Fought them. Is that qatil or qitāl? Some guys occupies Falastin and we go to liberate it. Is that qatil or qitāl? Which one is which? I got over here a group of Muslims who say "I'm not gonna pay zakāh". Abū Bakr رضى الله عنه sends his army there and then you've got in abū Bakr's time supposedly a land of the Muslims taken away and he sends an army to liberate it from the kāfir. Which one is "qatil" and which one "qitāl"?

Qatil is the one where you are against non-Muslims. What is it mean? We go and liberate our land, the Khalifah has the right — he can either kill them, he can either forgive them — the women something else, I don't wanna even get into that. So, the killing doesn't stop even after we liberate it. They begin to fall under the Muslims. The Muslim leader can say "all of them, I order be executed". The Prophet صلى الله عليه وسلم did that with the Jews that were around Madi-nah, 780 he killed in one day. He surrounded them and he killed all every single one of them. That's Muslim versus non-Muslim. That's qatil.

فقتلهم

That's what it is. Now, if it's qitāl someone says "I'm not gonna pay zakāh" someone says: "you know what adhān? We're not gonna make adhān no more in our town", the Khalīfah sends an army there and he does qitāl. So, if they get the stronghold and they get them back on the right track, they back away. Their women, you can't touch them. Their men, they got to be free, you can't kill them, you can't surround them and say: "o you guys follow us or we kill them. That's the difference between qatil and qitāl. You have to know this because in a lot of hadīth, in a lot of āyāt, you have to know the difference. So qatil means to nearly illuminate them, assassinate them, kill them one on one. Qitāl means you get them back on the right track and after you get them back on the right track, you back away from them.

Which one is worse, over all from every angle you look. Qatil or Qitāl? Qatil. Qatil is worse. That's why the Prophet صلى الله عليه وسلم says:

وقتاله كفر

He says the lesser one. He could have said:

وقتله كفر

Which is larger but then you got qitāl which is a lesser rank. So he gave the lesser rank. Meaning if this is for the lesser rank imagine what it would be for that which is worse.

## 2.6 Kufr and Al Kufr

What did I tell you about someone who doesn't pray? What's my famous opinion on him? What is he? Is he kāfir? A regular kāfir? Just give me the answer of the guy who doesn't pray is without whether he thinks it's halāl or not.

He thinks it's halāl and you have to do it, but he doesn't do it, he's lazy. The opinion in an-Nawawī that I have taken are, I told you I adopt the opinion that he's a kāfir. I think the strongest proof that he is a kāfir is: the Prophet when he talks about Salāh he said "between a man and between kufr is leaving prayer".

بين الرجل وبين الكفر

Look how it is. Al Kufr. Ibn Taymiyyah has about 32 pages just talking about that "al kufr". And why ibn Taymiyyah believes that he's a kāfir out of Islām cause when you say "al kufr" it means "the kufr". What's the kufr that you guys know? The kufr الكفر, the big kufr. Now had he said:

وبين كفر

That's a totally different issue. It would have been: it's an aspect of kufr to leave Salāh. So now you know the difference between the two over here. Kufr — this is not the major kufr, has he said:

وقتاله الكفر

Then it would have been the big kufr. Then this one, has the Prophet صلى الله عليه وسلم said about Salāh:

وقتاله كفر

Then it would have been an aspect of kufr, but when it has “al” means in Arabic ال للعهد meaning that which you know. We only know one kufr, the one that opposes Islām.

Husna min al Kufr: an aspect of kufr

Al Kufr [ال] للعهد, means that which you know: the real kufr

As I said there are difference of opinions of that but what took us over, totally is this hadīth right here.

Are you a kāfir if you don't want to pay zakāh?

About zakāh it's disputed. They say abū Bakr wouldn't have killed all those people if it was not kufr. However, the four Imāms don't believe that. The four Imāms believe the rule you and your brother of Islām if you believe zakāh is ordained. And I know it's ordained. Hajj is ordained. You just don't want to do it. You're a sinner. But if you say hajj is not an ordain, then that's totally different. Or hijāb is not an ordain. Anything clear in Islām with clear proof then you can't deny it otherwise it takes you out of Islām. A woman who doesn't wear the hijāb, is

she a kāfirah? No, absolutely not. She's a sinner, that's the most you could say about her. However, if they come and tell us "hijāb is not part of Islām", that's the borderline.

Can you give 'udr [excuse] for one who kills but is insane?

If I was, God forbid, drunk and I drove or actually, I get drunk and I pull a gun and kill someone. Do I get killed or not?

If you got a guy who's depressed, who's a little bit on Prozac or Lithium or whatever and he goes and kills and he comes to me and says: "you know what, I'm insane" just like they go to courts over here and do. What do you think?

If something minor like that, we are all depressed. I mean, who goes out without being depressed? If every depressed guy goes out and tries to kill, we should all go around killing and we'd be free men. This is part of life. Part of life is you got your high times and your low times, this is part of life. That's why a true believer maintains, you know, that's why we believers, our Lithium and Prozac is Īmān and our faith in Allāh. We don't need to go to that stuff. So everyone comes and says: "you know he's just down a little bit and I shot down my wife." No, that doesn't work like that in Islām. He gets killed for that.

The insanity that we're talking about — this is what the scholars say, not my wording — the scholars say: "you give him a date in one hand and you give him a rock in one hand. And you tell him which one of these two do you eat". He takes the date or he doesn't know or he is confused or he is mentally ill, that's a type of insanity. Then you tell him, he killed one, you're on your own way. We all have our mental problems, you know. Over here in this country, every mental problem ... You have triple or four personalities, that's it you're a free man. It doesn't work with us. So if you're crazy, really, really crazy, then yes. Then **إن شاء الله** you will not be counted by Allāh and you will enter Heaven.

What happens with crazy people [insanity, mentally ill] on the Judgement Day [who killed people for example]?

They get tested. How they get tested? Like the Prophet **صلى الله عليه وسلم** told us, Allāh tells them on the Judgement Day "go to Hell" and if they go without asking why or what did we do,

Allāh tells them "stop, go back to Heaven". But if they say "why, why are You telling us to go? We were retarded, we were crazy." Allāh Will tell them "keep going to Hell". That's the way it is according to most scholars although we have no proof of it.

According to most scholars, that's what happens to the children of the non-Muslims. It's disputed though. Children of the Muslims they automatically go to heaven [who are mentally ill], the children of the non-Muslims it's disputed. Some say they get tested, some say they will go automatically to Heaven. Either way, there's no proof of it. I think probably that they automatically go to Heaven as well because they never did nothing and their parents' sin is not their sin.

The more you suffer in this life, the higher your ranking is. What's the most valuable thing you have? Your brain. And your brain, you don't have it for 60 years. You suffered and people had to take care of you and people took advantage of you, people laughed at you. The more you suffer in life, the higher your ranking in Heaven is. So they light have a very high place, Allāhu a3lam.

Let's assume he gets to drunk, to the point he doesn't know. Really, had he been crazy he would be forgiven but he was drunk. The answer is simple, of course he gets killed. You know why? Cause if every guy who wants to kill another person, go drink and then kill him and say "I was drunk, I'm sorry I was drunk". Then that's what's going to happen. That's the first point. Everyone is going to start doing it. You know, if you drop on getting drunk, you know, just get drunk and repent after that to Allāh. No, he gets killed. That's number one point. Addition to that: this guy chose to take his mind away with his own hand. It wasn't forced upon him. The guy who's mentally ill, Allāh took his mind. This guy took it himself. So these are the two points why a drunk gets killed. The same thing which is more disputed, if a drunk divorces his wife. I believe – and that's the opinion of the majority – a drunk guy that divorces his wife it falls. Why? This guy made himself drunk it's not that it was cast upon him that he became drunk. Okay with that we end the hadīth and I think time is up.

## 2.7 Questions

### What about the blind people?

If they are blind and they are good Muslims, who pray, **إن شاء الله**, they go to Heaven. Cause the Prophet **صلى الله عليه وسلم** said in a hadīth<sup>25</sup>:

إذا ابتليت عَبدِي بحبيبتيه

whomever Allāh tests with his two sweet ones, meaning eyes, and he's patient,

فصبر عوضته منهما الجنة

So if Allāh took someone's eyesight and he didn't say every day "why the heck it'll be me? Why was it me? Why couldn't have been so and so?" if He takes it and he accepts it, imagine, that's one of the grants of a blind man, he walks in life and he see no sins and that's probably the cause of sins for males, and he's patient on that and Allāh took it, **إن شاء الله**, for sure he's patient, he's going to enter Heaven. Same with anything other than that. It doesn't have to be a physical feature. Speech problem, maybe he can't speak, maybe it's a financial problem, one day he was rich and Allāh suddenly took all his money away, it happens. He was in the supermarket, he was a millionaire the next day he's poor, he says **Alhamdulillah**, **yā Allāh** I accept it. Now if he says "why it has to be me? Look at the rich and me – no, if you say that, you're out of the boundaries of being patient. It could be a marriage problem, he got married, he wanted a wife, it turned out his wife gives him pain and problems or it ends up in a divorce and it ended to misery it could be anything like that, any problem in this life. Could be a problem with the kid. A kid turned out to be retarded or a kid, **لا سامح الله**, who has a physical problem, all of these I mentioned are thing Allāh uses to give you deeds and take away from your sins. Like the Prophet **صلى الله عليه وسلم** said:

عجبا لأمر المؤمن

It's amazing that of a believer. Anything good happens to him and something bad happens to him it's all good. If something happens good to him, he praises Allāh and he's patient and that's good for him. If something bad happens, the same way he's patient and he praises Allāh and that's good for him. Like the Prophet **صلى الله عليه وسلم** said: "a believer is tested according to

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25 Al Bukhāri 10/34



his status of believe.” If you’re a strong believer, you’re tested more and more and more. So anything that happens to a believer and you know an amazing hadīth that the Prophet ﷺ; “when on the Judgment Day the people see the people of trials and tribulations and their high ranks in Heaven, they wish they were slaughtered by claws.”

Meaning you know, the harshest thing that could happen to you is bring some claw and shredding your flesh. Cutting your body and shred it. That’s what the Prophet ﷺ said. When you see the high ranking of those who have problems in this life and their high ranking, you wish that you were shredded to get those high rankings in Heaven.

The enemies of Islām bolster minor mistakes a Muslim commits to their advantage

Al Albāni killed someone in his car by accident and he's hated. What the leaders in Jordan did and the minister and a lot of high ranking people, they used that to say: "look, this guy killed children", they put him the last five years of him being alone, he was basically in house in prison. For what? Hitting a boy by accident in a car. It happens everyday but the enemies of Islām choose tiny, little things to use against Muslims to bolster them. Fir'aun doesn't care about a guy he's got millions of guys building him, he doesn't care about one guy, but when it was Musa, he sat all his troops and armies out to seek this man.

Any criticism? No criticism? Comments then? Okay, جزاكم الله خيرا