

Abu Dawud.
Book : 33. Prescribed Punishments.

033 : 4339 : Narrated By 'Aisha, Ummul Mu'minin

The Apostle of Allah (pbuh) Said: The blood of a Muslim man who testifies that there is no god but Allah and that Muhammad is Allah's Apostle should not lawfully be shed except only for one of three reasons: a man who committed fornication after marriage, in which case he should be stoned; one who goes forth to fight with Allah and His Apostle, in which case he should be killed or crucified or exiled from the land; or one who commits murder for which he is killed.

033 : 4341 : Narrated By Mu'adh ibn Jabal

AbuMusa said: Mu'adh came to me when I was in the Yemen. A man who was Jew embraced Islam and then retreated from Islam. When Mu'adh came, he said: I will not come down from my mount until he is killed. He was then killed. One of them said: He was asked to repent before that.

033 : 4345 : Narrated By Abdullah ibn Abbas

Abdullah ibn AbuSarh used to write (the revelation) for the Apostle of Allah (pbuh). Satan made him slip, and he joined the infidels. The Apostle of Allah (pbuh) commanded to kill him on the day of Conquest (of Mecca). Uthman ibn Affan sought protection for him. The Apostle of Allah (pbuh) gave him protection.

033 : 4346 : Narrated By Sa'd ibn AbuWaqas

On the day of the conquest of Mecca, Abdullah ibn Sa'd ibn AbuSarh hid himself with Uthman ibn Affan.

He brought him and made him stand before the Prophet (pbuh), and said: Accept the allegiance of Abdullah, Apostle of Allah! He raised his head and looked at him three times, refusing him each time, but accepted his allegiance after the third time.

Then turning to his companions, he said: Was not there a wise man among you who would stand up to him when he saw that I had withheld my hand from accepting his allegiance, and kill him?

They said: We did not know what you had in your heart, Apostle of Allah! Why did you not give us a signal with your eye?

He said: It is not advisable for a Prophet to play deceptive tricks with the eyes.

033 : 4348 : Narrated By Abdullah Ibn Abbas

A blind man had a slave-mother who used to abuse the Prophet (pbuh) and disparage him. He forbade her but she did not stop. He rebuked her but she did not give up her habit. One night she began to slander the Prophet (pbuh) and abuse him. So he took a dagger, placed it on her belly, pressed it, and killed her. A child who came between her legs was smeared with the blood that was there. When the morning came, the Prophet (pbuh) was informed about it.

He assembled the people and said: I adjure by Allah the man who has done this action and I adjure him by my right to him that he should stand up. Jumping over the necks of the people and trembling the man stood up.

He sat before the Prophet (pbuh) and said: Apostle of Allah! I am her master; she used to abuse you and disparage you. I forbade her, but she did not stop, and I rebuked her, but she did not abandon her habit. I have two sons like pearls from her, and she was my companion. Last night she began to abuse and disparage you. So I took a dagger, put it on her belly and pressed it till I killed her.

Thereupon the Prophet (pbuh) said: Oh be witness, no retaliation is payable for her blood.

033 : 4349 : Narrated By Ali ibn AbuTalib

A Jewess used to abuse the Prophet (pbuh) and disparage him. A man strangled her till she died. The Apostle of Allah (pbuh) declared that no recompense was payable for her blood.

033 : 4350 : Narrated By AbuBakr

AbuBarzah said: I was with AbuBakr. He became angry at a man and uttered hot words. I said: Do you permit me, Caliph of the Apostle of Allah (pbuh), that I cut off his neck? These words of mine removed his anger; he stood and went in. He then sent for me and said: What did you say just now? I said: (I had said:) Permit me that I cut off his neck. He said: Would you do it if I ordered you? I said: Yes. He said: No, I swear by Allah, this is not allowed for any man after Muhammad (pbuh).

033 : 4356 : Narrated By Abdullah ibn Umar

Some people raided the camels of the Prophet (pbuh), drove them off, and apostatised. They killed the herdsman of the Apostle of Allah (pbuh) who was a believer. He (the Prophet) sent (people) in pursuit of them and they were caught. He had their hands and feet cut off, and their eyes put out. The verse regarding fighting against Allah and His Prophet (pbuh) was then revealed. These were the people about whom Anas ibn Malik informed al-Hajjaj when he asked him.

033 : 4357 : Narrated By AbuzZinad

When the Apostle of Allah (pbuh) cut off (the hands and feet of) those who had stolen his camels and he had their eyes put out by fire (heated nails), Allah reprimanded him on that (action), and Allah, the Exalted, revealed: "The punishment of those who wage war against Allah and His Apostle and strive with might and main for mischief through the land is execution or crucifixion."

033 : 4359 : Narrated By Abdullah ibn Abbas

The verse "The punishment of those who wage war against Allah and His Apostle, and strive with might and main for mischief through the land is execution, or crucifixion, or the cutting off of hands and feet from opposite side or exile from the land...most merciful" was revealed about polytheists. If any of them repents before they are arrested, it does not prevent from inflicting on him the prescribed punishment which he deserves.

033 : 4362 : Narrated By 'Aisha, Ummul Mu'minin

The Apostle of Allah (pbuh) Said: Forgive the people of good qualities their slips, but not faults to which prescribed penalties apply.

033 : 4363 : Narrated By Abdullah ibn Amr ibn al-'As

The Prophet (pbuh) said: Forgive the infliction of prescribed penalties among yourselves, for any prescribed penalty of which I hear must be carried out.

033 : 4364 : Narrated By Nu'aym

Ma'iz came to the Prophet (pbuh) and admitted (having committed adultery) four times in his presence so he ordered him to be stoned to death, but said to Huzzal: If you had covered him with your garment, it would have been better for you.

033 : 4366 : Narrated By Wa'il ibn Hujr

When a woman went out in the time of the Prophet (pbuh) for prayer, a man attacked her and overpowered (raped) her.

She shouted and he went off, and when a man came by, she said: That (man) did such and such to me. And when a company of the Emigrants came by, she said: That man did such and such to me. They went and seized the man whom they thought had had intercourse with her and brought him to her.

She said: Yes, this is he. Then they brought him to the Apostle of Allah (pbuh).

When he (the Prophet) was about to pass sentence, the man who (actually) had assaulted her stood up and said: Apostle of Allah, I am the man who did it to her.

He (the Prophet) said to her: Go away, for Allah has forgiven you. But he told the man some good words (AbuDawud said: meaning the man who was seized), and of the man who had had intercourse with her, he said: Stone him to death.

He also said: He has repented to such an extent that if the people of Medina had repented similarly, it would have been accepted from them.

033 : 4367 : Narrated By AbuUmayyah al-Makhzumi

A thief who had accepted (having committed theft) was brought to the Prophet (pbuh), but no good were found with him. The Apostle of Allah (pbuh), said to him: I do not think you have stolen. He said: Yes, I have. He repeated it twice or thrice. So he gave orders. His hand was cut off and he was then brought to him. He said: Ask Allah's pardon and turn to Him in repentance. He said: I ask Allah's pardon and turn to Him in repentance. He (the Prophet) then said: O Allah, accept his repentance.

033 : 4369 : Narrated By An-Nu'man ibn Bashir

Azhar ibn Abdullah al-Harari said: Some goods of the people of Kila' were stolen. They

accused some men of the weavers (of theft). They came to an-Nu'man ibn Bashir, the companion of the Prophet (pbuh). He confined them for some days and then set them free.

They came to an-Nu'man and said: You have set them free without beating and investigation. An-Nu'man said: What do you want? You want me to beat them. If your goods are found with them, then it is all right; otherwise, I shall take (retaliation) from your back as I have taken from their backs. They asked: Is this your decision? He said: This is the decision of Allah and His Apostle (pbuh).

033 : 4373 : Narrated By Abdullah ibn Umar

The Prophet (pbuh) had a man's hand cut off who had stolen from the place reserved for women a shield whose price was three dirhams.

033 : 4374 : Narrated By Abdullah ibn Abbas

The Apostle of Allah (pbuh) had a man's hand cut off for (stealing) a shield whose price was a dinar or ten dirhams.

033 : 4375 : Narrated By Rafi' ibn Khadij

Muhammad ibn Yahya ibn Hibban said: A slave stole a plant of a palm-tree from the orchard of a man and planted it in the orchard of his master. The owner of the plant went out in search of the plant and he found it. He solicited help against the slave from Marwan ibn al-Hakam who was the Governor of Medina at that time. Marwan confined the slave and intended to cut off his hand. The slave's master went to Rafi' ibn Khadij and asked him about it.

He told him that he had heard the Apostle of Allah (pbuh) say: The hand is not to be cut off for taking fruit or the pith of the palm-tree.

The man then said: Marwan has seized my slave and wants to cut off his hand. I wish you to go with me to him and tell him that which you have heard from the Apostle of Allah (pbuh). So Rafi' ibn Khadij went with him and came to Marwan ibn al-Hakam.

Rafi' said to him: I heard the Apostle of Allah (pbuh) say: The hand is not to be cut off for taking fruit or the pith of the palm-tree. So Marwan gave orders to release the slave and then he was released.

033 : 4377 : Narrated By Abdullah ibn Amr ibn al-'As

The Apostle of Allah (pbuh) was asked about fruit which was bung up and said: If a needy person takes some with his mouth and does not take a supply away in his garment, there is nothing on him, but he who carries any of it is to be fined twice the value and punished, and he who steals any of it after it has been put in the place where dates are dried to have his hand cut off if their value reaches the value of a shield. If he steals a thing less in value than it, he is to be fined twice the value and punished.

033 : 4378 : Narrated By Jabir ibn Abdullah

The Prophet (pbuh) said: Cutting of hand is not to be inflicted on one who plunders, but he who plunders conspicuously does not belong to us.

033 : 4380 : Narrated By Safwan

AbuDawud said: Za'idah has also transmitted it from Simak from Ju'ayd ibn Hujayr. He said: Safwan slept. Mujahid and Tawus said: While he was sleeping a thief came and stole the cloak from beneath his head. The version of AbuSalamah ibn AbdurRahman has: He snatched it away from beneath his head and he awoke. He cried and he (the thief) was seized. Az-Zuhri narrated from Safwan ibn Abdullah. His version has: He slept in the mosque and used his cloak as pillow. A thief came and took his cloak. The thief was seized and brought to the Prophet (pbuh).

033 : 4382 : Narrated By 'Aisha, Ummul Mu'minin

A woman borrowed jewellery through some known persons and she herself was unknown. She then sold them. She was seized and brought to the Prophet (pbuh). He gave orders that her hand should be cut off. It is this woman about whom Usamah interceded and of her the Apostle of Allah (pbuh) said whatever he said.

033 : 4384 : Narrated By 'Aisha, Ummul Mu'minin

The Apostle of Allah (pbuh) said: There are three (persons) whose actions are not recorded: a sleeper till he awakes, an idiot till he is restored to reason, and a boy till he reaches puberty.

033 : 4385 : Narrated By Ali ibn AbuTalib

Ibn Abbas said: A lunatic woman who had committed adultery was brought to Umar. He consulted the people and ordered that she should be stoned.

Ali ibn AbuTalib passed by and said: What is the matter with this (woman)? They said: This is a lunatic woman belonging to a certain family. She has committed adultery. Umar has given orders that she should be stoned.

He said: Take her back. He then came to him and said: Commander of the Faithful, do you not know that there are three people whose actions are not recorded: a lunatic till he is restored to reason, a sleeper till he awakes, and a boy till he reaches puberty?

He said: Yes. He then asked: Why is it that this woman is being stoned?

He said: There is nothing. He then said: Let her go. He (Umar) let her go and began to utter: Allah is most great.

033 : 4387 : Narrated By Ali ibn AbuTalib

Ibn Abbas said: A lunatic woman passed by Ali ibn AbuTalib. He then mentioned the rest of the tradition to the same effect as Uthman mentioned. This version has: Do you not remember that the Apostle of Allah (pbuh) has said: There are three whose actions are not recorded: a lunatic whose mind is deranged till he is restored to consciousness, a sleeper till he awakes, and a boy till he reaches puberty?

033 : 4388 : Narrated By Ali ibn AbuTalib

AbuZubyan said: A woman who had committed adultery was brought to Umar. He gave orders that she should be stoned.

Ali passed by just then. He seized her and let her go. Umar was informed of it. He said: Ask Ali to come to me. Ali came to him and said: Commander of the Faithful, you know that the Apostle of Allah (pbuh) said: There are three (people) whose actions are not recorded: A boy till he reaches puberty, a sleeper till he awakes, a lunatic till he is restored to reason. This is an idiot (mad) woman belonging to the family of so and so. Someone might have done this action with her when she suffered the fit of lunacy.

Umar said: I do not know. Ali said: I do not know.

033 : 4389 : Narrated By Ali ibn AbuTalib

The Prophet (pbuh) said: There are three (persons) whose actions are not recorded: a sleeper till he awakes, a boy till he reaches puberty, and a lunatic till he comes to reason.

033 : 4390 : Narrated By Atiyyah al-Qurazi

I was among the captives of Banu Qurayzah. They (the Companions) examined us, and those who had begun to grow hair (pubes) were killed, and those who had not were not killed. I was among those who had not grown hair.

033 : 4394 : Narrated By Busr ibn Artat

Junadah ibn AbuUmayyah said: We were with Busr ibn Artat on the sea (on an expedition). A thief called Misdar who had stolen a bukhti she-camel was brought. He said: I heard the Apostle of Allah (pbuh) say: Hands are not to be cut off during a warlike expedition. Had it not been so, I would have cut it off.

033 : 4395 : Narrated By AbuDharr

The Apostle of Allah (pbuh) said to me: O AbuDharr: I replied: At your service and at your pleasure, Apostle of Allah! He said: how will you do when death smites people, and a house, meaning a grave, will cost as much as a slave. I said: Allah and His Apostle know best, or he said: What Allah and His Apostle choose for me. He said: Show endurance, or he said: You may show endurance.

033 : 4396 : Narrated By Jabir ibn Abdullah

A thief was brought to the Prophet (pbuh). He said: Kill him. The people said: He has committed theft, Apostle of Allah! Then he said: Cut off his hand. So his (right) hand was cut off. He was brought a second time and he said: Kill him. The people said: He has committed theft, Apostle of Allah! Then he said: Cut off his foot.

So his (left) foot was cut off.

He was brought a third time and he said: Kill him.

The people said: He has committed theft, Apostle of Allah!

So he said: Cut off his hand. (So his (left) hand was cut off.)

He was brought a fourth time and he said: Kill him.

The people said: He has committed theft, Apostle of Allah!

So he said: Cut off his foot. So his (right) foot was cut off.

He was brought a fifth time and he said: Kill him.

So we took him away and killed him. We then dragged him and cast him into a well and threw stones over him.

033 : 4397 : Narrated By Fadalah ibn Ubayd

A thief was brought to the Apostle of Allah (pbuh) and his hand was cut off. Thereafter he commanded for it, and it was hung on his neck.

033 : 4398 : Narrated By AbuHurayrah

The Prophet (pbuh) said: When a slave steals, sell him, even though it be for half an uqiyah.

033 : 4403 : Narrated By Ubadah ibn as-Samit

The tradition mentioned above (No. 4401) has also been transmitted by Ubadah ibn as-Samit through a different chain of narrators.

This version has: The people said to Sa'd ibn Ubadah: AbuThabit, the prescribed punishments have been revealed: if you find a man with your wife, what will you do?

He said: I shall strike them with a sword so much that they become silent (i.e. die). Should I go and gather four witnesses? Until that (time) the need would be fulfilled.

So they went away and gathered with the Apostle of Allah (pbuh) and said: Apostle of Allah! did you not see AbuThabit. He said so-and-so.

The Apostle of Allah (pbuh) said: The sword is a sufficient witness. He then said: No, no, a furious and a jealous man may follow this course.

033 : 4405 : Narrated By Nu'aym ibn Huzzal

Yazid ibn Nu'aym ibn Huzzal, on his father's authority said: Ma'iz ibn Malik was an orphan under the protection of my father. He had illegal sexual intercourse with a slave-girl belonging to a clan. My father said to him: Go to the Apostle of Allah (pbuh) and inform him of what you have done, for he may perhaps ask Allah for your forgiveness. His purpose in that was simply a hope that it might be a way of escape for him.

So he went to him and said: Apostle of Allah! I have committed fornication, so inflict on me the punishment ordained by Allah. He (the Prophet) turned away from him, so he came back and said: Apostle of Allah! I have committed fornication, so inflict on me the punishment ordained by Allah. He (again) turned away from him, so he came back and said: Apostle of Allah! I have committed fornication, so inflict on me the punishment ordained by Allah.

When he uttered it four times, the Apostle of Allah (pbuh) said: You have said it four times. With whom did you commit it?

He replied: With so and so. He asked: Did you lie down with her? He replied: Yes. He asked: Had your skin been in contact with hers? He replied. Yes. He asked: Did you have intercourse with her? He said: Yes. So he (the Prophet) gave orders that he should be stoned to death. He was then taken out to the Harrah, and while he was being stoned he felt the effect of the stones and could not bear it and fled. But Abdullah ibn Unays encountered him when those who had been stoning him could not catch up with him. He threw the bone of a camel's foreleg at him, which hit him and killed him. They then went to the Prophet (pbuh) and reported it to him.

He said: Why did you not leave him alone. Perhaps he might have repented and been forgiven by Allah.

033 : 4406 : Narrated By Jabir ibn Abdullah

Muhammad ibn Ishaq said: I mentioned the story of Ma'iz ibn Malik to Asim ibn Umar ibn Qatadah. He said to me: Hasan ibn Muhammad ibn Ali ibn AbuTalib said to me: Some men of the tribe of Aslam whom I do not blame and whom you like have transmitted to me the saying of the Apostle of Allah (pbuh): Why did you not leave him alone?

He said: But I did not understand this tradition. So I went to Jabir ibn Abdullah and said (to him): Some men of the tribe of Aslam narrate that the Apostle of Allah (pbuh) said when they mentioned to him the anxiety of Ma'iz when the stones hurt him: "Why did

you not leave him alone?' But I do not know this tradition.

He said: My cousin, I know this tradition more than the people. I was one of those who had stoned the man. When we came out with him, stoned him and he felt the effect of the stones, he cried: O people! return me to the Apostle of Allah (pbuh). My people killed me and deceived me; they told me that the Apostle of Allah (pbuh) would not kill me. We did not keep away from him till we killed him. When we returned to the Apostle of Allah (pbuh) we informed him of it.

He said: Why did you not leave him alone and bring him to me? and he said this so that the Apostle of Allah (pbuh) might ascertain it from him. But he did not say this to abandon the prescribed punishment. He said: I then understood the intent of the tradition.

033 : 4407 : Narrated By Abdullah ibn Abbas

Ma'iz ibn Malik came to the Prophet (pbuh) and said that he had committed fornication and he (the Prophet) turned away from him. He repeated it many times, but he (the Prophet) turned away from him. He asked his people: Is he mad? They replied: There is no defect in him. He asked: Have you done it with her? He replied: Yes. so he ordered that he should be stoned to death. He was taken out and stoned to death, and he (the Prophet) did not pray over him.

033 : 4412 : Narrated By Abdullah ibn Abbas

Ma'iz ibn Malik came to the Prophet (pbuh) and admitted fornication twice. But he drove him away. He then came and admitted fornication twice. But he drove him away. He then came and admitted fornication twice. He (the Prophet) said: You have testified to yourself four times. Take him away and stone him to death.

033 : 4413 : Narrated By Abdullah ibn Abbas

The Prophet (pbuh) said to Ma'iz ibn Malik: Perhaps you kissed, or squeezed, or looked. He said: No. He then said: Did you have intercourse with her? He said: Yes. On the (reply) he (the Prophet) gave order that he should be stoned to death.

033 : 4414 : Narrated By AbuHurayrah

A man of the tribe of Aslam came to the Prophet (pbuh) and testified four times against

himself that he had had illicit intercourse with a woman, while all the time the Prophet (pbuh) was turning away from him.

Then when he confessed a fifth time, he turned round and asked: Did you have intercourse with her? He replied: Yes. He asked: Have you done it so that your sexual organ penetrated hers? He replied: Yes. He asked: Have you done it like a collyrium stick when enclosed in its case and a rope in a well? He replied: Yes. He asked: Do you know what fornication is? He replied: Yes. I have done with her unlawfully what a man may lawfully do with his wife.

He then asked: What do you want from what you have said? He said: I want you to purify me. So he gave orders regarding him and he was stoned to death. Then the Prophet (pbuh) heard one of his companions saying to another: Look at this man whose fault was concealed by Allah but who would not leave the matter alone, so that he was stoned like a dog. He said nothing to them but walked on for a time till he came to the corpse of an ass with its legs in the air.

He asked: Where are so and so? They said: Here we are, Apostle of Allah (pbuh)! He said: Go down and eat some of this ass's corpse. They replied: Apostle of Allah! Who can eat any of this? He said: The dishonour you have just shown to your brother is more serious than eating some of it. By Him in Whose hand my soul is, he is now among the rivers of Paradise and plunging into them.

033 : 4420 : Narrated By Buraydah ibn al-Hasib

We, the Companions of the Apostle of Allah (pbuh), used to talk mutually: Would that al-Ghamidiyyah and Ma'iz ibn Malik had withdrawn after their confession; or he said: Had they not withdrawn after their confession, he would not have pursued them (for punishment). He had them stoned after the fourth (confession).

033 : 4421 : Narrated By Al-Lajlaj al-Amiri

I was working in the market. A woman passed carrying a child. The people rushed towards her, and I also rushed along with them.

I then went to the Prophet (pbuh) while he was asking: Who is the father of this (child) who is with you? She remained silent.

A young man by her side said: I am his father, Apostle of Allah!

He then turned towards her and asked: Who is the father of this child with you?

The young man said: I am his father, Apostle of Allah! The Apostle of Allah (pbuh) then looked at some of those who were around him and asked them about him. They said: We only know good (about him).

The Prophet (pbuh) said to him: Are you married? He said: Yes. So he gave orders regarding him and he was stoned to death.

He (the narrator) said: We took him out, dug a pit for him and put him in it. We then threw stones at him until he died. A man then came asking about the man who was stoned.

We brought him to the Prophet (pbuh) and said: This man has come asking about the wicked man.

The Apostle of Allah (pbuh) said: He is more agreeable than the fragrance of musk in the eyes of Allah. The man was his father. We then helped him in washing, shrouding and burying him. (The narrator said:) I do not know whether he said or did not say "in praying over him." This is the tradition of Abdah, and it is more accurate.

033 : 4423 : Narrated By Sahl ibn Sa'd

A man came to the Prophet (pbuh) and confessed before him that he had committed fornication with a woman whom he named. The Apostle of Allah (pbuh) sent for the woman and asked her about it. But she denied that she had committed fornication. So he inflicted the prescribed punishment of flogging on him, and let her go.

033 : 4424 : Narrated By Jabir ibn Abdullah

A man committed fornication with a woman. So the Apostle of Allah (pbuh) ordered regarding him and the prescribed punishment of flogging was inflicted on him. He was then informed that he was married. So he commanded regarding him and he was stoned to death.

033 : 4426 : Narrated By Imran ibn Husayn

A woman belonging to the tribe of Juhaynah (according to the version of Aban) came to the Prophet (pbuh) and said that she had committed fornication and that she was pregnant. The Apostle of Allah (pbuh) called her guardian.

Then the Apostle of Allah (pbuh) said to him: Be good to her, and when she bears a child,

bring her (to me). When she gave birth to the child, he brought her (to him). The Prophet (pbuh) gave orders regarding her, and her clothes were tied to her. He then commanded regarding her and she was stoned to death. He commanded the people (to pray) and they prayed over her.

Thereupon Umar said: Are you praying over her, Apostle of Allah, when she has committed fornication?

He said: By Him in Whose hand my soul is, she has repented to such an extent that if it were divided among the seventy people of Medina, it would have been enough for them all. And what do you find better than the fact that she gave her life.

Aban did not say in his version: Then her clothes were tied to her.

033 : 4429 : Narrated By AbuBakrah

The Prophet (pbuh) had a woman stoned and a pit was dug up to her breasts.

033 : 4433 : Narrated By Al-Bara' ibn Azib

The people passed by the Apostle of Allah (pbuh) with a Jew who was blackened with charcoal and who was being flogged.

He called them and said: Is this the prescribed punishment for a fornicator?

They said: Yes. He then called on a learned man among them and asked him: I adjure you by Allah Who revealed the Torah to Moses, do you find this prescribed punishment for a fornicator in your divine Book?

He said: By Allah, no. If you had not adjured me about this, I should not have informed you. We find stoning to be prescribed punishment for a fornicator in our Divine Book. But it (fornication) became frequent in our people of rank; so when we seized a person of rank, we left him alone, and when we seized a weak person, we inflicted the prescribed punishment on him. So we said: Come, let us agree on something which may be enforced equally on people of higher and lower rank. So we agreed to blacken the face of a criminal with charcoal, and flog him, and we abandoned stoning.

The Apostle of Allah (pbuh) then said: O Allah, I am the first to give life to Thy command which they have killed. So he commanded regarding him (the Jew) and he was stoned to death.

Allah Most High then sent down: "O Apostle, let not those who race one another into

unbelief, make thee grieve..." up to "They say: If you are given this, take it, but if not, beware!...." up to "And if any do fail to judge by (the light of) what Allah hath revealed, they are (no better than) unbelievers," about Jews, up to "And if any do fail to judge by (the right of) what Allah hath revealed, they are no better than) wrong-doers" about Jews: and revealed the verses up to "And if any do fail to judge by (the light of) what Allah hath revealed, they are (no better than) those who rebel." About this he said: This whole verse was revealed about the infidels.

033 : 4434 : Narrated By Abdullah Ibn Umar

A group of Jews came and invited the Apostle of Allah (pbuh) to Quff. So he visited them in their school.

They said: AbulQasim, one of our men has committed fornication with a woman; so pronounce judgment upon them. They placed a cushion for the Apostle of Allah (pbuh) who sat on it and said: Bring the Torah. It was then brought. He then withdrew the cushion from beneath him and placed the Torah on it saying: I believed in thee and in Him Who revealed thee.

He then said: Bring me one who is learned among you. Then a young man was brought. The transmitter then mentioned the rest of the tradition of stoning similar to the one transmitted by Malik from Nafi'(No. 4431).

033 : 4435 : Narrated By AbuHurayrah

(This is Ma'mar's version which is more accurate.) A man and a woman of the Jews committed fornication.

Some of them said to the others: Let us go to this Prophet, for he has been sent with an easy law. If he gives a judgment lighter than stoning, we shall accept it, and argue about it with Allah, saying: It is a judgment of one of your prophets. So they came to the Prophet (pbuh) who was sitting in the mosque among his companions.

They said: AbulQasim, what do you think about a man and a woman who committed fornication? He did not speak to them a word till he went to their school.

He stood at the gate and said: I adjure you by Allah Who revealed the Torah to Moses, what (punishment) do you find in the Torah for a person who commits fornication, if he is married?

They said: He shall be blackened with charcoal, taken round a donkey among the people,

and flogged. A young man among them kept silent.

When the Prophet (pbuh) emphatically adjured him, he said: By Allah, since you have adjured us (we inform you that) we find stoning in the Torah (is the punishment for fornication).

The Prophet (pbuh) said: So when did you lessen the severity of Allah's command? He said:

A relative of one of our kings had committed fornication, but his stoning was suspended. Then a man of a family of common people committed fornication. He was to have been stoned, but his people intervened and said: Our man shall not be stoned until you bring your man and stone him. So they made a compromise on this punishment between them.

The Prophet (pbuh) said: So I decide in accordance with what the Torah says. He then commanded regarding them and they were stoned to death.

Az-Zuhri said: We have been informed that this verse was revealed about them: "It was We Who revealed the Law (to Moses): therein was guidance and light. By its standard have been judged the Jews, by the Prophet who bowed (as in Islam) to Allah's will.

033 : 4441 : Narrated By Al-Bara' ibn Azib

while I was wandering in search of my camels which had strayed, a caravan or some horsemen carrying a standard came forward. The bedouin began to go round me for my position with the Prophet (pbuh). They came to a domed structure, took out a man from it, and struck his neck. I asked about him. They told me that he had married his father's wife.

033 : 4442 : Narrated By Al-Bara' ibn Azib

I met my uncle who was carrying a standard. I asked him: Where are you going? He said: The Apostle of Allah (pbuh) has sent me to a man who has married his father's wife. He has ordered me to cut off his head and take his property.

033 : 4443 : Narrated By An-Nu'man ibn Bashir

Habib ibn Salim said: A man called AbdurRahman ibn Hunayn had intercourse with his wife's slave-girl. The matter was brought to an-Nu'man ibn Bashir who was the Governor of Kufah. He said: I shall decide between you in accordance with the decision of the Apostle of Allah (pbuh). If she made her lawful for you, I shall flog you one hundred

lashes. If she did not make her lawful for you, I shall stone you to death. So they found that she had made her lawful for him. He, therefore, flogged him one hundred lashes.

033 : 4444 : Narrated By An-Nu'man ibn Bashir

The Prophet (pbuh) said: about a man who had (unlawful) intercourse with his wife's slave girl: If she made her lawful for him, he will be flogged one hundred lashes; if she did not make her lawful for him, I shall stone him.

033 : 4445 : Narrated By Salamah ibn al-Muhabbaq

The Apostle of Allah (pbuh) made a decision about a man who had intercourse with his wife's slave-girl as follows. If he forced her, she is free, and he shall give her mistress a slave-girl similar to her; if she asked him to have intercourse voluntarily, she will belong to him, and he shall give her mistress a slave-girl similar to her.

033 : 4446 : Narrated By Salamah ibn al-Muhabbaq

A similar tradition (to the No. 4445) has also been transmitted by Salamah ibn al-Muhabbaq from the Prophet (pbuh).

This version has: If she asked her to have intercourse with her voluntarily, then she and a similar slave-girl would be given to her mistress from his property.

033 : 4447 : Narrated By Abdullah ibn Abbas

The Prophet (pbuh) said: If you find anyone doing as Lot's people did, kill the one who does it, and the one to whom it is done.

033 : 4448 : Narrated By Abdullah ibn Abbas

If a man who is not married is seized committing sodomy, he will be stoned to death.

033 : 4449 : Narrated By Abdullah ibn Abbas

The Prophet (pbuh) said: If anyone has sexual intercourse with an animal, kill him and kill it along with him. I (Ikrimah) said: I asked him (Ibn Abbas): What offence can be attributed to the animal/ He replied: I think he (the Prophet) disapproved of its flesh being eaten when such a thing had been done to it.

033 : 4450 : Narrated By Abdullah ibn Abbas

There is no prescribed punishment for one who has sexual intercourse with an animal.

033 : 4451 : Narrated By Sahl ibn Sa'd

A man came to the Prophet (pbuh) and made acknowledgment before him that he had committed fornication with a woman whom he named. The Apostle of Allah (pbuh) sent someone to the woman and he asked her about it. She denied that she had committed fornication. So he gave him the prescribed punishment of Lashes and left her.

033 : 4452 : Narrated By Abdullah ibn Abbas

A man of Bakr ibn Layth came to the Prophet (pbuh) and made confession four times that he had committed fornication with a woman, so he had a hundred lashes administered to him. The man had not been married. He then asked him to produce proof against the woman, and she said: I swear by Allah, Apostle of Allah, that he has lied. Then he was given the punishment of eighty lashes of falsehood.

033 : 4457 : Narrated By Some Companions

AbuUmamah ibn Sahl ibn Hunayf said that some companions of the Apostle of Allah (pbuh) told that one of their men suffered so much from some illness that he pined away until he was skin and bone (i.e. only a skeleton). A slave-girl of someone visited him, and he was cheered by her and had unlawful intercourse with her. When his people came to visit the patient, he told them about it.

He said: Ask the Apostle of Allah (pbuh) about the legal verdict for me, for I have had unlawful intercourse with a slave-girl who visited me.

So they mentioned it to the Apostle of Allah (pbuh) saying: We have never seen anyone

(so weak) from illness as he is. If we bring him to you, his bones will disintegrate. He is only skin and bone. So the Apostle of Allah (pbuh) commanded them to take one hundred twigs and strike him once.

033 : 4458 : Narrated By Ali ibn AbuTalib

A slave-girl belonging to the house of the Apostle of Allah (pbuh) committed fornication. He (the Prophet) said: Rush up, Ali, and inflict the prescribed punishment on her. I then hurried up, and saw that blood was flowing from her, and did not stop. So I came to him and he said: Have you finished inflicting (punishment on her)? I said: I went to her while her blood was flowing. He said: Leave her alone till her bleeding stops; then inflict the prescribed punishment on her. And inflict the prescribed punishment on those whom your right hands possess (i.e. slaves).

033 : 4459 : Narrated By 'Aisha, Ummul Mu'minin

When my vindication came down, the Prophet (pbuh) mounted the pulpit and mentioned that, and recited the Qur'an. Then when he came down from the pulpit he ordered regarding the two men and the woman, and they were given the prescribed punishment.

033 : 4460 : Narrated By 'Aisha, Ummul Mu'minin

The tradition mentioned above (No. 4459) has also been transmitted by Muhammad ibn Ishaq through a different chain of narrators. But he did not mention 'Aisha.

This version has: He (the Prophet) commanded regarding the two men and the woman who spoke obscenity were Hassan ibn Thabit and Mistah ibn Uthathah. An-Nufayl said: It is said that the woman was Hammah daughter of Jahsh.

033 : 4461 : Narrated By Abdullah ibn Abbas

The Prophet (pbuh) did not prescribe any punishment for drinking wine. Ibn Abbas said: A man who had drunk wine and become intoxicated was found staggering on the road, so he was taken to the Prophet (pbuh). When he was opposite al-Abbas's house, he escaped, and going in to al-Abbas, he grasped hold of him. When that was mentioned to the Prophet (pbuh), he laughed and said: Did he do that? and he gave no command regarding him.

033 : 4465 : Narrated By Ali ibn AbuTalib

Hudayn ibn al-Mundhir ar-Ruqashi, who was AbuSasan, said: I was present with Uthman ibn Affan when al-Walid ibn Uqbah was brought to him. Humran and another man bore witness against him (for drinking wine). One of them testified that he had seen him drinking wine, and the other testified that he had seen him vomiting it.

Uthman said: He could not vomit it, unless he did not drink it. He said to Ali: Inflict the prescribed punishment on him. Ali said to al-Hasan: Inflict the prescribed punishment on him.

Al-Hasan said: He who has enjoyed its pleasure should also bear its burden. So Ali said to Abdullah ibn Ja'far: Inflict the prescribed punishment on him. He took a whip and struck him with it while Ali was counting.

When he reached (struck) forty (lashes), he said: It is sufficient. The Prophet (pbuh) gave forty lashes. I think he also said: "And AbuBakr gave forty lashes, and Uthman eighty. This is all sunnah (standard practice). And this is dearer to me."

033 : 4466 : Narrated By Ali ibn AbuTalib

The Apostle of Allah (pbuh) and AbuBakr gave forty lashes for drinking wine and Umar made it eighty. And all this is sunnah, the model and standard practice.

033 : 4467 : Narrated By Mu'awiyah ibn AbuSufyan

The Prophet (pbuh) said: If they (the people) drink wine, flog them, again if they drink it, flog them. Again if they drink it, kill them.

033 : 4469 : Narrated By AbuHurayrah

The Prophet (pbuh) said: If he is intoxicated, flog him; again if he is intoxicated, flog him; again if he is intoxicated, flog him if he does it again a fourth time, kill him.

AbuDawud said: And there is a similar tradition of Umar ibn AbuSalamah, from his father, on the authority of AbuHurayrah, from the Prophet (pbuh): If he drinks wine, flog him if he does it so again, a fourth time, kill him.

033 : 4470 : Narrated By Qabisah ibn Dhuwayb

The Prophet (pbuh) said: If anyone drinks wine, flog him; if he repeats it, flog him, and if he repeats it, flog him. If he does it again a third or a fourth time, kill him. A man who had drunk wine was brought (to him) and he gave him lashes. He was again brought to him, and he flogged him. He was again brought to him and he flogged him. He was again brought to him and he flogged him. The punishment of killing (for drinking) was repealed, and a concession was allowed.

033 : 4472 : Narrated By AbdurRahman ibn Azhar

I can still picture myself looking at the Apostle of Allah (pbuh) who was among the camps of the Companions seeking the camp of Khalid ibn al-Walid, when a man who had drunk wine was brought before him. He asked the people: Beat him. Some struck him with sandals, some with sticks and some with fresh branches of the palm-tree (mitakhah). Ibn Wahb said: This (mitakhah) means green palm fronds. Then the apostle of Allah (pbuh) took some dust from the ground and threw it on his face.

033 : 4473 : Narrated By AbdurRahman ibn al-Azhar

A man who had drunk wine was brought before the Prophet (pbuh) when he was in Hunayn. He threw some dust on his face. He then ordered his Companions and they beat him with their sandals and whatever they had in their hands. He then said to them: Leave him, and they left him. The Apostle of Allah (pbuh) then died, and AbuBakr gave forty lashes for drinking wine, and then Umar in the beginning of his Caliphate inflicted forty stripes and at the end of his Caliphate he inflicted eighty stripes. Uthman (after him) inflicted both punishments, eighty and forty stripes, and finally Mu'awiyah established eighty stripes.

033 : 4474 : Narrated By AbdurRahman ibn Azhar

I saw the Apostle of Allah (pbuh) on the morning of the conquest of Mecca when I was a young boy. He was walking among the people, seeking the camp of Khalid ibn al-Walid. A man who had drunk wine was brought (before him) and he ordered them (to beat him). So they beat him with what they had in their hands. Some struck him with whips, some with sticks and some with sandals. The Apostle of Allah (pbuh) threw some dust on his face.

When a man who had drunk wine was brought before AbuBakr, he asked them (i.e. the people) about the number of beatings which they gave him. They numbered it forty. So AbuBakr gave him forty lashes.

When Umar came to power, Khalid ibn al-Walid wrote to him: The people have become addicted to drinking wine and they look down upon the prescribed punishment and its penalty.

He said: They are with you, ask them. The immigrants who embraced Islam in the beginning were with him. He asked them and they agreed on the fact that (a drunkard) should be given eighty lashes.

Ali said: When a man drinks wine, he tells lies. I, therefore, think that he should be prescribed punishment that is prescribed for telling lies..

033 : 4475 : Narrated By Hakim ibn Hizam

The Apostle of Allah (pbuh) forbade to take retaliation in the mosque, to recite verses in it and to inflict the prescribed punishments in it.

033 : 4478 : Narrated By Abu Hurairah

The Prophet (pbuh) said: When one of you inflicts a beating, he should avoid striking the face.