

MANDATORY AND DISCRETIONARY PUNISHMENTS

'Ubādah ibn al-Şāmit narrated saying:



I gave my pledge to God's Messenger (peace be upon him) together with a group of people. He said to us: I accept your pledge that you shall not associate any partner with God, steal, commit adultery, kill your own children, lie about a child's parenthood, nor disobey me in anything reasonable.



Whoever of you fulfils his pledge shall have his reward granted by God, and whoever commits any violation and is punished for it in this life, [his punishment] will be a redemption and cleansing for him. Whoever is kept under God's cover, his case is left to God: He may punish him for it or forgive him as He wills.⁽¹⁾

From the Qur'an

- Say: Come, let me tell you what your Lord has forbidden to you: Do not associate partners with Him; [do not offend against but, rather,] be kind to your parents; do not kill your children because of your poverty – We provide for you and for them; do not commit any shameful deed, whether open or secret; do not take any human being's life – which God has made sacred, except in the course of justice. This He has enjoined upon you so that you may use your reason. (6: 151)
- Do not kill your children for fear of want. It is We who shall provide for them and for you. To kill them is indeed a great sin. (31) Do not come near adultery. It is indeed an abomination and an evil way. (17: 31-32)
- Prophet! When believing women come and pledge to you that they will not associate any partner with God, nor steal, nor commit adultery, nor kill their children, nor lie about who fathered their children, nor disobey you in anything reasonable, then accept their pledge of allegiance and pray to God to forgive them. God is much-forgiving, ever-merciful. (60: 12)

The Narrator

Abu al-Walīd 'Ubādah ibn al-Ṣāmit ibn Qays of the Anṣār was one of the distinguished figures among the Prophet's companions who took part in the Battle of Badr. He was one of the seventy Anṣārī companions of the Prophet who gave him their pledges of support at Aqabah, and was selected as one of the twelve representatives. He took part in the Battles of Badr, Uḥud and all other military expeditions with God's Messenger. He was a tall, handsome man. 'Umar ibn al-Khaṭṭāb sent him to Syria as a judge and teacher, and he resided at Homs, then moved to Palestine and resided in Jerusalem. He died at Ramlah and was buried in Jerusalem in the Year 34 AH 651 CE, at the age of 72.

Summary

The Prophet (peace be upon him) accepted the pledges made by the Anşār on the night of Aqabah. They pledged not to associate partners with God, steal, commit adultery, kill their children, nor perpetrate any falsehood. Whoever remained true to their pledge would have their reward from God as He admitted them into Heaven. Whoever committed a sin that carried a mandatory punishment and the punishment was enforced, his sin would be wiped away. Otherwise, his case would be determined by God: He could, if He so willed, punish him for his sin then admit him into Heaven, or He could forgive him.



1 Related by al-Bukhari, 6801.

Message and Meaning

'Ubādah ibn al-Şāmit relates the details of the pledge given by the Anṣār to the Prophet on the night when they met for the second time at Aqabah in Mina, during the hajj days. Twelve representatives of the two tribes of the Aws and the Khazraj gave the pledge on behalf of all those who had embraced Islam among the people of Yathrib. 'Ubādah mentions that he was one of a group of people who gave their pledges to the Prophet. He accepted their pledge that they believed in God's oneness and discarded all notions of polytheism. They also gave their pledges not to commit theft, adultery, kill their children, or invent false rumours and lies, and they also pledged to obey God's Messenger.

The first point in the pledge stated by God's Messenger (peace be upon him) is the belief in God's oneness and discarding polytheism. The first pillar of Islam is the declaration of God's oneness, 'there is no deity other than God'. The belief that God has partners is the most serious of sins. 'Abdullāh ibn Mas'ūd said: 'I asked God's Messenger (peace be upon him): "Which sin is the most serious in God's sight?" He said: "To set up an equal to God when it is He who has created you"'.⁽¹⁾ God states that all sins are subject to God's will with regard to forgiveness or punishment, except the claim that God has partners. God says: 'For a certainty, God does not forgive that partners are associated with Him. He forgives any lesser sin to whomever He wills. He who associates partners with God contrives an awesome sin indeed'. (4: 48)

The Prophet then prohibited them theft and adultery, because Islam protects people's honour and property. Were people to allow adultery and theft, they would wrong one another. The powerful would deny the weak their rights. Family relations would be confused and illegitimate children would be very common. Hence the Prophet (peace be upon him) says that when a person commits theft or adultery, he takes himself out of faith. He is an unbeliever at the time when he is committing his offence. He says: 'An adulterer is not a believer when he commits adultery; a thief is not a believer when he steals; a drunkard is not a believer when he drinks intoxicants'.⁽²⁾

Some Arabs used to kill their own children because of poverty, or because they feared becoming poor as a result. God has forbidden all child killing. He says about the one who kills his child because of poverty: 'Do not kill your children because of your poverty – We provide for you and for them'. (6: 151) As for the one who kills a child for fear of becoming poor, God says: 'Do not kill your children for fear of want. It is We who shall provide for them and for you. To kill them is indeed a great sin'. (17: 31) Some Arabs used to bury their young daughters alive, for fear that she might commit what is dishonourable. God forbids this as He says: 'When the infant girl, buried alive, is asked for what crime she was slain'. (81: 8-9)

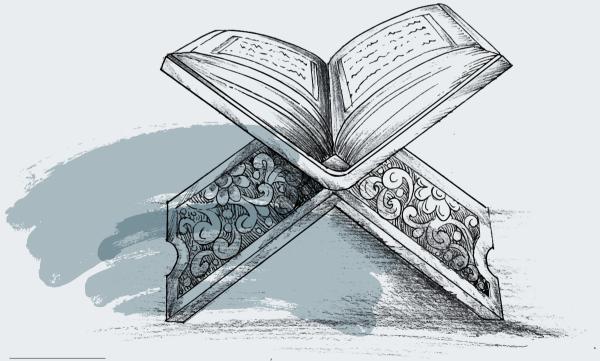
¹ Related by al-Bukhari, 4477; Muslim, 86.

² Related by al-Bukhari, 2475; Muslim, 100.



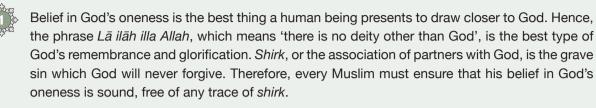
The Prophet (peace be upon him) also forbade them inventing false rumours and making false accusations. This includes all aspects of falsehood, such as perjury, accusing other men or women believers and backbiting, particularly when it is false. The Prophet asked his companions: 'Do you know what backbiting is?' People said: 'God and His Messenger know best'. He said: 'That you say about your brother what he dislikes'. Someone asked: 'What if what I say about him is true?' He said: 'If it is true, then it is backbiting, and if it is untrue, then it is slander'.⁽¹⁾

The Prophet (peace be upon him) then tells them that whoever remains true to his pledge will earn his reward from God, which is God's acceptance and pleasure as well as admittance into Heaven. God says: 'Those who pledge their allegiance to you are actually pledging their allegiance to God: God's hand is over their hands. He who breaks his pledge does so to his own detriment; but to the one who fulfils his pledge to Him, God will grant a rich reward'. (48: 10) Whoever commits any offence that carries a mandatory punishment, and the punishment is enforced in this life, it serves as atonement for his sin which means that he does not have to answer for it on the Day of Judgement. Thus, whoever is punished for adultery, theft, drinking alcohol, false accusation of others, etc. according to Islamic law, will not be punished again for the same offence in the life to come. A person who commits an offence and it has remained between him and God, suffering no punishment for it in this life, his case is to be judged by God in the life to come. He may wish to forgive him his sin or may punish him for it, and then He admits him to Heaven when he has completed his punishment.



1 Related by Muslim, 2589.

Implementation





The Prophet (peace be upon him) started with the most important, then added the major sins that are very serious, such as adultery, theft, manslaughter, etc. Advocates of Islam and teachers should give the most important matters highest priority.



A believer never steals and does not look for what does not belong to him. He knows that God has apportioned people's provisions on the basis of his own wisdom, and that his own provisions are specified in the Imperishable Tablet long before God created the heavens and earth.



Believers know that God will hold them to account for their money: how they acquired it and how they spent it. Therefore, a believer is most unlikely to take other people's property unlawfully.

A believer knows that God has forbidden adultery and made it one of the major sins. Therefore, he steers away from it. 'Abdullāh ibn Mas'ūd said: 'I asked God's Messenger (peace be upon him): "Which sin is the most serious in God's sight?" He said: "To set up an equal to God when it is He who has created you". I said: "That is grave indeed. Which comes next?" He said: "To kill your child so that you do not have to feed it". I said: "Which is next?" He said: "To commit adultery with your neighbour's wife"'.⁽¹⁾ This is confirmed in the Qur'an, as God says of the believers that they 'never invoke any deity side by side with God, and do not take any human being's life – [the life] which God has willed to be sacred – except for a just cause, and do not commit adultery. Whoever does any of this will face punishment, and on the Day of Resurrection his suffering will be doubled, and he will abide therein in ignominy'. (25: 68-69)



To kill someone is a very grave offence, and God threatens anyone who does it with very severe punishment, as He says: 'He who deliberately kills a believer, his punishment is Hell, therein to abide permanently. God will be angry with him, and will reject him, and will prepare for him a dreadful suffering'. (4: 93) Therefore, a Muslim does not shed anyone's blood unlawfully. It is inconceivable that a sane person should perpetrate murder knowing that such a punishment awaits him in the life to come.



To believe in God and accept His judgement is the source of happiness and comfort in this life. When a person knows that his provisions are determined by God, he will not worry how many children he has. He will be reassured and feels no problem with having several children, let alone try to kill some of them for fear of poverty.

¹ Related by al-Bukhari, 4477; Muslim, 86.

While all killing is a very grave sin, to kill one's own child is a much graver sin. It creates hatred within the family and even destroys families. It also betrays thinking of God in a bad way.



Starting, fabricating and spreading rumours, without making sure that they are correct, is contrary to Islamic values. Hence, God forbids this very clearly. He says: 'If only when you heard it you said: 'It is not right for us to speak of this! All glory belongs to You. This is a monstrous slander'. (16) God admonishes you lest you ever revert to the like of this, if you are truly believers. (24: 16-17) He warns those who spread rumours with punishment, saying: 'Those who love that gross indecency should spread among the believers shall be visited with painful suffering both in this world and in the life to come'. (24: 19)

The Prophet (peace be upon him) states that he is only to be obeyed in what is reasonable, although he never ordered anything but what is reasonable. He wanted this to be an overall principle in everything. It is not permissible for a Muslim to obey anyone, including parents and rulers, except in what is reasonable and acceptable. No human being may be obeyed in what constitutes disobedience of the Creator.

The enforcement of mandatory punishment atones for the offence. It is not permissible for a Muslim to verbally abuse a person who has been punished for his offence. Khālid ibn al-Walīd cursed a woman who was being punished for her offence. The Prophet (peace be upon him) said to him: 'Hold on, Khālid! She has repented, and her repentance is such that it would be sufficient for one who levies tributes to ensure his forgiveness'.⁽¹⁾



It should be clear that other people's claims are not waived by the mere repentance of the offender. Everyone should be given back what is due to them. Make sure to settle with people in this life; otherwise, repayment will be by one's good deeds.



It is recommended for a Muslim who commits a sin that he keeps it private and repents sincerely to God. He need not publicize the offence and incur a mandatory punishment. Mā'iz went to Abu Bakr al-Şiddīq and told him that he had committed adultery. Abu Bakr asked him whether he told anyone else. Mā'iz said that he did not. Abu Bakr said: 'Then repent sincerely and seek God's cover. God accepts His servants' sincere repentance'. However, Mā'iz was not satisfied and went to 'Umar ibn al-Khaṭṭāb. 'Umar said to him the same thing as Abu Bakr. Again, he was unhappy, and went to God's Messenger (peace be upon him). The Prophet enforced the mandatory punishment.⁽²⁾

¹ Related by Muslim, 1695.

² Related by al-Nasā'ī in *al-Sunan al-Kubrā*, 16999.

