

Islam forbids so-called honour killings

Disallows individuals to take law into their own hands to convict and punish

Compiled by Zahid Aziz

Below we quote Hadith reports from Sahih Bukhari and Sahih Muslim which show most clearly that the Holy Prophet Muhammad strictly forbade Muslim men from meting out their own punishment on women whom they considered to have committed gross immoralities. He instructed that the due process of law should be invoked to determine guilt and award punishment. Those who take the law into their own hands to declare women guilty and then punish them would themselves be punished by the Holy Prophet. These reports refer to the following passage of the Holy Quran:

“And those who accuse their wives and have no witnesses except themselves, let one of them testify four times, bearing Allah to witness, that he speaks the truth. And the fifth (time) that the curse of Allah be on him, if he is lying. And it shall avert the punishment from her, if she testify four times, bearing Allah to witness, that he is lying. And the fifth (time) that the wrath of Allah be on her, if he speaks the truth.” —24:6–9

As can be seen, this passage places the man and wife on terms of complete equality. The sworn denial of the wife is exactly equal to the sworn accusation of the husband. After the fifth swearing, which is that of invoking Allah’s curse on one’s own self in case of being the liar, the woman is free of the accusation and no one can punish her.

A man is reported to have asked the Holy Prophet the following predicament:

“If a man were to find with his wife a man and if he were to talk about it, you would lash him; and if he killed [the man], you would kill him, and if he were to keep quiet he would be consumed by anger.”

He means that according to Islam if he accused her in front of others, he would be punished for slander and if he killed the man he would be treated as a murderer. So what is he to do? The report continues that the Holy Prophet prayed to Allah for an answer, and Allah revealed to him the verses quoted above. Then both the man and his wife came to the Holy Prophet and swore in the manner prescribed. The woman was then free to go, even though the report casts doubt on her truthfulness.¹

According to a Hadith report in Bukhari, a man called Hilal bin Umaiya accused his wife of committing illegal sexual intercourse with another man and brought the case before the Holy Prophet.

“The Prophet said (to Hilal): Either you bring forth a proof (i.e. four witnesses) or you will receive the legal punishment (lashes) on your back. Hilal said, O Allah’s Messenger, if anyone of us saw a man with his wife, would he go to seek after witnesses? The Prophet kept on repeating: Either you bring forth witnesses or you will receive the legal punishment (lashes) on your back.”

The report says that it was then that the verses quoted above were revealed to be applied for the case of “those who accuse their wives and have no witnesses except themselves”.²

The above two reports show that the Holy Prophet was prepared to punish the husband for slander against his wife, and that if the husband had killed the other man the Holy Prophet would have punished him for murder. Contrast this with the situation in many Muslim countries today, such as Pakistan, where a husband can get his wife arrested by merely reporting to the police that she had committed adultery.

When this procedure of swearing was invoked between husband and wife, the Holy Prophet would then order a divorce between them:

“A man accused his wife of illegal sexual intercourse and denied his paternity to her (conceived) child during the lifetime of Allah’s

¹ Sahih Muslim, Book of Divorce, under *Li’an* (Invoking Curse). See book 9, report number 3564 of the edition at the USC (University of Southern California) website.

² Sahih Bukhari, Book ‘Commentary on the Quran’. See book 60, report number 271 of USC website edition.

Messenger. He ordered them both to do the cursing as Allah decreed and then gave his decision that the child would be for the mother, and a divorce decree was issued for the couple.”³

In such cases the man was not entitled to claim back the *mahr* (marriage gift) from the wife.⁴

In another report, a man called Sa‘d bin Ubada al-Ansari asked the Holy Prophet:

“if a man finds his wife with another person, should he kill him?”

The Holy Prophet replied, No. According to another version this man asked him:

“if I were to find with my wife a man, should I not touch him before bringing four witnesses?”

The Holy Prophet replied that this was correct. The man replied:

“By no means! By Him Who has sent you with the Truth, I would hasten with my sword to him before that.”

Upon this, the Holy Prophet said to people:

“Listen to what he is saying. It is his sense of honour, but I have a greater sense of honour than he, and God has a greater sense of honour than me.”⁵

By this, the Holy Prophet means that a person cannot be more moral, more concerned about morality and honour, than the Messenger of Allah and Allah Himself. When Allah and His Messenger, who are the greatest guardians of honour, decency and morality, do not teach the action the man wants to take, how can it be moral for him to do so? Note that here a Muslim openly says that due to his high sense of honour he *cannot* act on the teaching of the Quran and the Holy Prophet! We find, quite commonly, such an argument being put forward

³ Sahih Bukhari, as above, report number 272.

⁴ Sahih Muslim, as above, report number 3557.

⁵ Sahih Muslim, as above, reports 3569 and 3571.

today in Muslim societies by those who deny women the many rights that Islam has given them. Islam allows, in fact recommends, remarriage of widows and divorced women, and gives a woman the right to reject a marriage proposal. But these rights are denied to them under the claim that it would be against the standard of honour. The following is an example in which the Holy Prophet Muhammad dismissed a man's claim that the child born to his wife was not his: "A desert Arab came to Allah's Messenger and said: My wife has given birth to a dark-complexioned child and I have disowned him. Thereupon Allah's Messenger said: Have you any camels? He said: Yes. He said: What is their colour? He said: They are red. He said: Is there anyone dusky among them? He said: Yes. Allah's Messenger said: How has it come about? He said: It is perhaps due to some inherited strain to which it has reverted. Upon this the Holy Prophet said: The (birth of the) black child may be due to the strain to which he (the child) might have reverted."

And as added in another version: "He (the Holy Prophet) did not permit him to disown him."⁶ This again shows that the Holy Prophet did not accept mere allegations made by husbands against their wives, while having no evidence or witnesses.

⁶ Sahih Muslim, as above, reports 3576, 3575.