

Nawawi's 40 Hadith Explained

Lesson 16: Hadith 14

Sacredness of Life & the Mercy of Punishment

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Review: Hadith 14 من اس عنزة الدين عدي ربن الداعة عدم ردور الدسل الدعني وسلم: أن زمور الد صل الداعة وسلم لان : « لا يدري اعدادم عن بهت لاميد تابهت يعشو، وده التخديل وتسلم".

What are the main lessons for this hadith? Anas b. Malik relates that the Messenger of Allah 🕮 said: "None of you believes until they love for their brother all that they love for themselves." [Bukhari and Muslim]



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Hadith 14

قي أي منظور ومن أله عنه قان : قان وشول أله مثل أله عليه وتعليم: • لا يُعرِلُ مَع أمري، شنيع إلا يؤخفن قانون : اللهي أداري. والطبّ باللنس، والشايرة يدينيو النصاري للبخساعية : وولا البخاري وتسنيم؟؟.

Ibn Mas`ud relates that the Messenger of Allah \rightleftarrows said:

"The blood of a Muslim is inviolable, except for one of three reasons: the married man who fornicates; a life for a life; or the one who leaves the religion and diverges from the community." [Bukhari and Muslim]

Hadith 14 "The blood of a Muslim is inviolable, except for one of three reasons: the married man who fornicates; a life for a life; or the one who leaves the infined infined in olineates, are tool after, on the oline who takes the religion and diverges from the community." [Bukhari and Muslim] Two key issues: The involability of life The wisdom of justice & punishment Hadith 14: Lessons 1-3 What about women? Hadith 14: Lesson 4 (إلا بإحدى) خصالٍ (ثلاث) فيجب على الإمام القتل بها ؛ لِمَا فيه من المصلحة العامة ؛ وهي حفظ النفوس والأنساب والأديان . 4: "except for one of three" Who can take this life? Why can they do so? Consider: What is the / ... Purpose of Revelation & Sacred Law?

Hadith 14: Lesson 5

(إلا بإحدىٰ) خصالٍ (ثلاث) فيجب على الإمام القتل بها ؛ لِمَا فيه من المصلحة العامة ؛ وهي حفظ النفوس والأنساب والأديان .

5: Four Principles of Criminal Law
One: Preservation of Public Interest
Two: Deterrence
Three: Punishment not sought: "Avoid the prescribed punishments through any
element of doubt."
Four: Justice with Mercy

Principle One: Preservation	of
Public Interest	

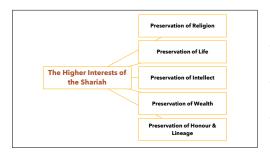
Purpose of the Shariah

جلب المصالح ودرء المفاسد

The preservation of benefits and the prevention of harms $% \left(\mathbf{r}\right) =\mathbf{r}^{\prime }$

Individual and collective

10



Principle Two: Deterrence

Prevention of Harm

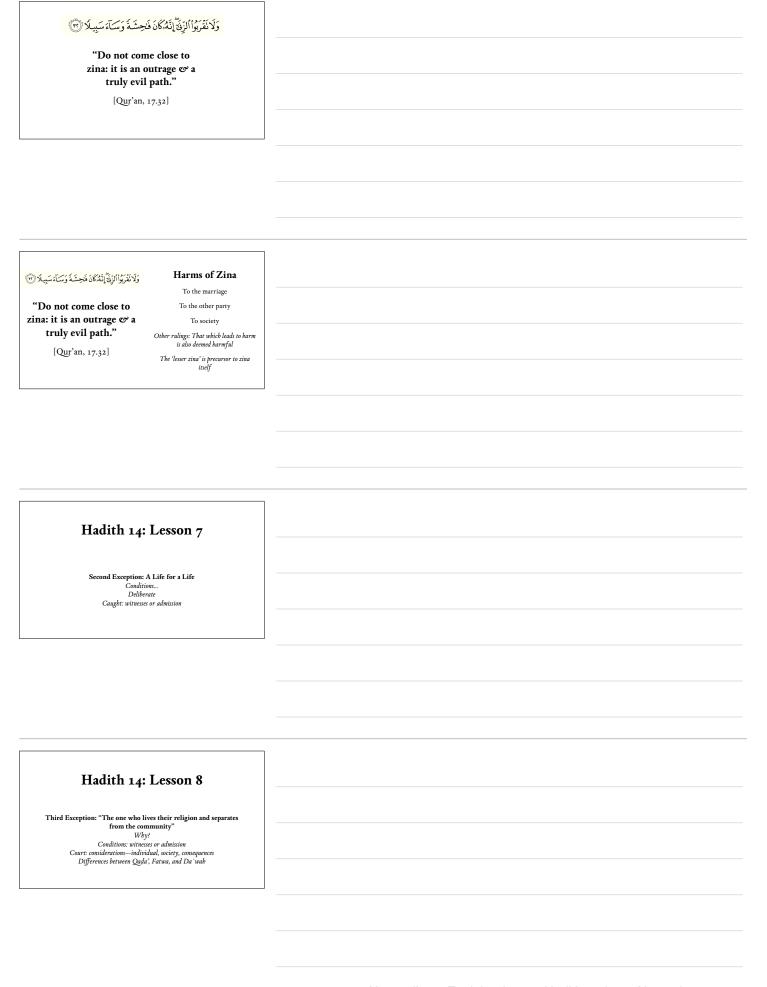
Stern punishment

Example and reminder

Purificatory nature of punishment

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Principle Three: Punishment Warded Off The Prophet said, "Ward off punishments by any doubts" Examples from the Sunna Examples from History Principle: The basis is that punishments are not applied **Principle Four: Mercy** Concern for the Good Individuals Society Collective The Preservation of Human Interest Types of Interest? Worldly Hadith 14: Lesson 6 First Exception: The married man who commits zina Conditions of being 'mubsan' Conditions of being punisbed: witnesses or admission Lesser punishments in other cases



Hadith 14: Lesson 9 Hadith 14: Lesson 10 Human Life "On account of this we decreed to the Children of Israel that if anyone kills a person-unless in retribution for murder or spreading corruption in the landitis as if they have killed all humanity." [Qur'an, 5.32] عن البي همزاز الجين الداخلة عن رشول الدر شأل الداخلة والمبارة * تأت كان الدين بالد واللهم الداخل عن الدين الدر سال قال الدين بالد واللهم الالجين .. فلتكوم خارة ، ومن كان المدين بالد وا الاعبر .. فلتكوم المنهة ، وواه التحديثي وتسمية " . Next class: The Sunna of Speech, Honouring One's Neighbor, & Honouring One's Guests Nawawi's 40 Hadith Explained Lesson 16: Hadith 14

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