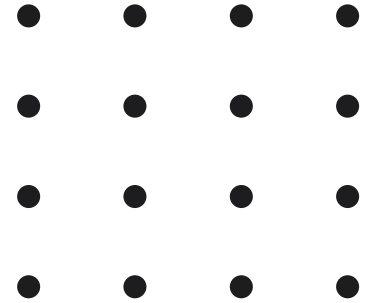




An Overall Look at the Islamic Punishments (Hudud)



The Arabic term hadd (plural: hudud) is defined as a punishment stated in Islamic law for encroaching on the limits set by Allah. It is also defined as a punishment stated in Islamic law, as a deterrent from committing a similar offence. The legitimacy of these punishments is based on the Qur'an, the Sunnah and the unanimity of scholars. Specific punishments are stated in the Qur'an and the Sunnah as applicable to certain crimes, such as adultery and theft.





The hudud, i.e. mandatory punishments, aim to deter people from committing acts of disobedience of Allah and encroaching on what He has forbidden. Thus, they help to spread security and reassurance in the community. In addition, they serve to absolve the guilty of their guilt.





Adultery is one of the gravest and most wicked sins as it leaves very serious effects on both individuals and society. It causes the absence of clarity of lineage, which leads to people's rights of inheritance being mixed up, and families split and collapse as a result, with grave consequences for children and their upbringing. When adultery leads to pregnancy, the child is often brought up by someone who is not its real father. Social ties are considerably weakened by the spread of adultery, and therefore Islam warns very sternly against all sexual relations outside the marriage bond and prescribes severe punishments for it.

Qadhf is an Arabic root that originally means 'throwing stones or similar objects', and then came to be used to mean accusing others of committing immoral offences such as adultery and fornication, as such accusations also cause harm to the accused. In Islamic terminology it refers to false accusation of adultery or sodomy.





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Making a false accusation of adultery is one of the major sins and it is forbidden by clear statements in the Qur'an and the Sunnah, and by the unanimity of scholars. It is absolutely forbidden to accuse anyone of immoral and lewd action.

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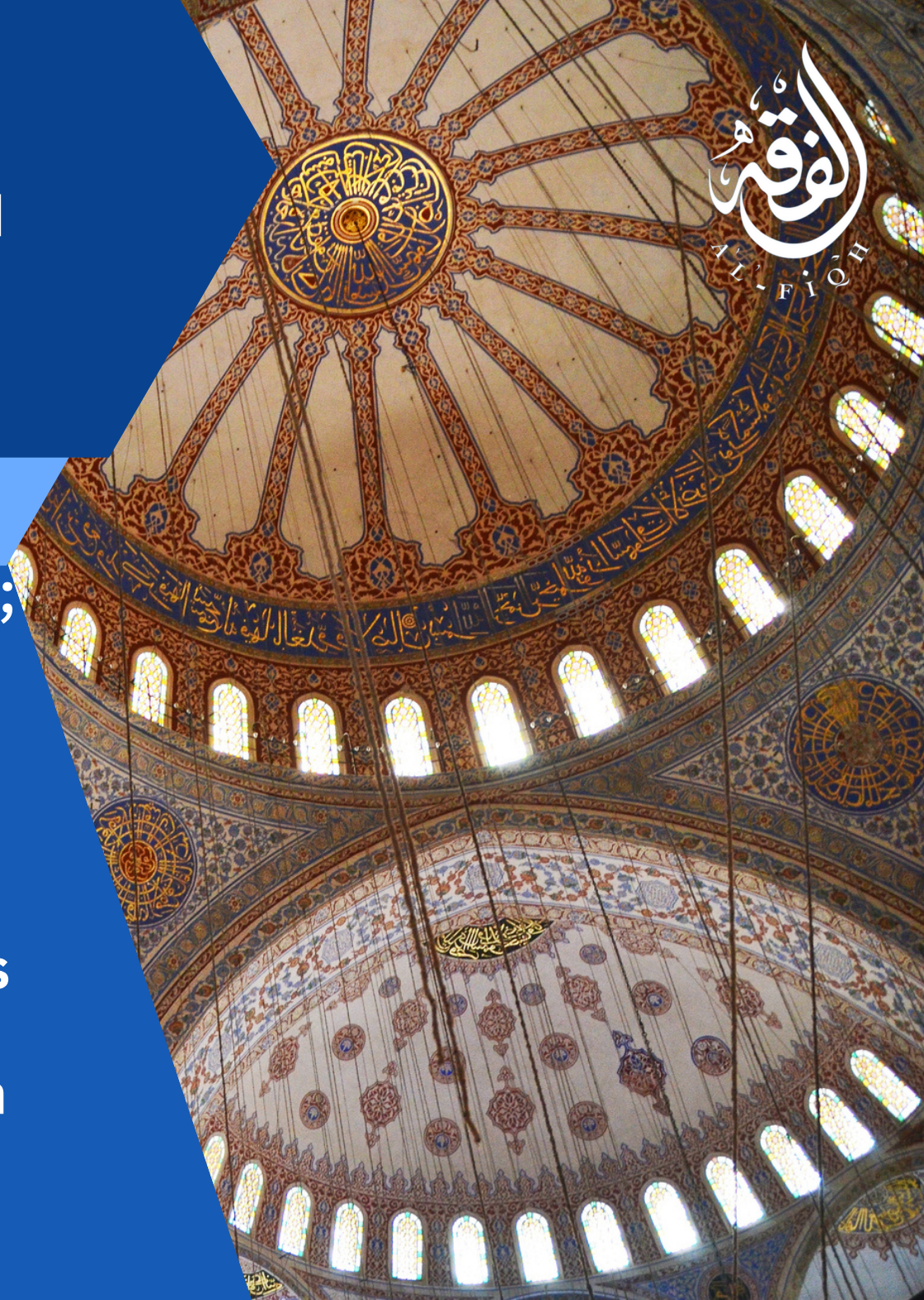


Allah has determined that the punishment for anyone who accuses a Muslim of adultery, without providing the necessary proof, is 80 lashes. Furthermore, the accuser is considered a fasiq, i.e. 'transgressor' and he is totally disqualified as a witness in any case whatsoever. The punishment applies to all accusers, men or women.




Allah has prescribed
this severe
punishment for the
false accusation of
adultery for several
reasons:

- 1) protecting society;
- 2) safeguarding
people's honour;
- 3) putting an end to
evil talk; and
- 4) ensuring that
indecenty continues
to be held as
repugnant in Muslim
society.





Drinking any type of intoxicant is forbidden, whether it is in small or large quantities. Indeed drinking is a major sin which is forbidden in the Qur'an and the Sunnah, as well as by the unanimity of scholars.



The punishment for drinking intoxicants is 40 lashes, but it may be increased to 80 if the Muslim ruler determines that such an increase is needed to make the punishment a more effective deterrent.

The Arabic term Ta'zir refers to 'punishment for any act of disobedience to Allah which does not carry a mandatory punishment or require a particular recompense.' It is required for any such sin, whether by doing what is forbidden or neglecting what is obligatory, provided the Muslim ruler is aware of it.



