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The Islaamic Rulings on Accusing the Believers of Zinaa (Fornication, Adultery) from the Book and the Sunnah

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Introduction

All praise is for Allaah, we praise Him, seek His aid and seek His forgiveness. We seek refuge in Allaah from the evil within ourselves and from our bad deeds. Whoever Allaah chooses to guide no one can lead them astray and whomever He leads astray no one can guide. I bear witness that none deserves the right to be worshipped except Allaah. He is alone and has no partners, and I bear witness that Muhammad Ibn 'Abdillaah Ibn 'Abdul-Muttalib is His servant and Final Messenger.

That which motivated me to compile the texts and rulings regarding those who accuse the Believers of *zinaa* (fornication, adultery) is that which we find unfortunately occurring today too often from accusations of *zinaa* against brothers and sisters who are innocent of these inequities and who are known to be upright chaste individuals. And these accusations that are made are not coupled with any proof or evidence. Furthermore, we find that many of the ignorant, deceived and heedless follow these individuals whom many of them are unknown writers on different websites in these claims and subsequently they spread this slander amongst those who believe. These heinous attacks of slander have reached the point up until we have heard slandering of our Scholars, and Allaah's refuge is sought. So due this, in addition to some advice given to me by Shaykh Saalih as-Sindee and that which we benefitted recently from Shaykh Hasan Ibn 'Abdul-Wahhaab al-Bannaa¹ - may Allaah preserve both of them - in him explaining the *aayaat* from Sooratun-Noor, I decided to compile these rulings. Perhaps it will be a benefit and reminder to those who are sincerely seeking the truth and the one whose heart is alive and those who lend an attentive ear.

¹ This refers to the advice that Shaykh Hasan Ibn 'Abdul-Wahhaab al-Bannaa (*hafidhahullaah*) gave in Philadelphia during his visit to the United States in January of 2012CE.

Prohibition of *Zinaa*:

Indeed, *zinaa* is from the most abhorrent and wicked of sins which Allaah and His Messenger (*sallallaahu 'alayhi wa sallam*) have prohibited due to it being an act of lewdness and an evil path. Furthermore, there is the evil which results therefrom like diseases, debauchment of the society, corruption of the household, the splitting of families, births of illegitimate children and other than that from the countless harms of *zinaa*.

Allaah says,

“And do not go near *zinaa*. Indeed, it is an act of *faahishah* (lewdness and immorality) and an evil path.” [Sooratul-Israa‘ 17:23]

Imaam 'Abdur-Rahmaan Ibn Naasir as-Sa'dee (d.1376H) said, “And the prohibition of coming close to it (i.e. *zinaa*) is greater than the prohibition of committing the act, because this includes the prohibition of everything that leads to it or calls to it. Since, whoever walks too close to a restricted area will possibly fall therein; especially this matter (i.e. *zinaa*), towards which many souls incline. And Allaah described *zinaa* and its vileness that it is, “...an act of *faahishah*,” meaning a great sin which is considered repulsive in the legislation of Islaam and also by sound intellect and natural disposition, because of it entailing boldness in violating the rights of Allaah, the rights of the woman, her family or her husband, destroying of marriage, the corruption of lineage and corruptions other than this. And He said, “...and an evil path.” Meaning how evil is this path, the path of the one who boldly embarks upon this great sin.”² End of the words of Imaam as-Sa'dee.

Allaah also says,

“And the female fornicator and the male fornicator: flog each one of them one hundred lashes and do not have any leniency for them with regards to the Religion of Allaah if you truly believe in Allaah and the Last Day. And let a group of the Believers witness their punishment.”

[Sooratun-Noor 24:1]

This also shows the prohibition of *zinaa*, where the one who commits it and has never been married (*bikr*) is flogged with one hundred lashes. However, the legal punishment (*hadd*) of the fornicator who is or has been married (*thayyib*) and had intercourse even once in their life in a valid marriage contract, then their legal punishment is that they are stoned with rocks until death. This is the Islaamic ruling for the fornicator whom the proof has been established upon or those who admit that they fornicated. And it is not said that these are ancient rulings and that we are living in the 21st century because the rulings of Allaah do not change from time to time and they are suitable for all times and places. So it is upon the *Imaam* (ruler) in the Muslim country to implement these rulings and for the

² Refer to *Tayseer Kareemir-Rahmaan* (p. 525) of as-Sa'dee.

Muslims to not be deceived by the calls of the disbelievers and liberalists to freedom and rectification, for true rectification can only occur from that which is in the *Qur'aan* and the authentic *Sunnah* upon the understanding of the *Salaf* of this *Ummah*.

Narrated upon 'Umar Ibnul Khattaab (*radiyallaahu 'anhu*) that he delivered a sermon and said, "Indeed, Allaah sent Muhammad with the truth and sent down upon him the Book. So from that which Allaah sent down upon him was the *aayah* regarding the stoning. We read it, memorized it and understood it. The Messenger of Allaah (*sallallaahu 'alayhi wa sallam*) stoned (the fornicators) and we stoned (them) after he departed from us. So I fear that when time elapses that a person will say, 'We do not find the stoning in the Book of Allaah,' and they will go astray because of leaving an obligation sent down by Allaah. And indeed the stoning is truth in the Book of Allaah upon the fornicator who is or has been married from the men and women if there is proof (i.e. witnesses are established), pregnancy or confession."³

And Allaah says,

"Successful indeed are the Believers. Those who strictly guard their Prayers. Those who give the due zakaat (alms). Those who turn away from vain speech. And those who guard their private parts, except from their wives or what their right hand possess for verily they are not to blame. But whosoever seeks a means beyond that, then they are the transgressors." [Sooratul-Mu'minoon 23:1-5]

From the *Sunnah* which shows the impermissibility of *zinaa* is that which has been related by Imaam al-Bukhaaree (d.256H) and others from the *hadeeth* of 'Abdullaah Ibn Mas'ood (*radiyallaahu 'anhu*), that a man said, 'O Messenger of Allaah (*sallallaahu 'alayhi wa sallam*) which is the greatest sin?' He (*sallallaahu 'alayhi wa sallam*) said, "That you make an equal with Allaah although it is He who created you." The man said, 'And then what?' He said, "That you kill your child out of fear he will eat alongside you." The man said, 'And then what?' He said, "That you commit fornication with your neighbour's wife."⁴

There also occurs in the *Saheeh* from the narration of Ibn 'Abbaas (*radiyallaahu 'anhu*) that the Messenger of Allah (*sallallaahu 'alayhi wa sallam*) said, "A servant does not commit fornication whilst he is a Believer and he does not steal whilst he is a Believer and does not drink whilst he is a Believer and does not kill whilst he is a Believer."⁵

There also occurs in the *Saheeh* upon *Ummul-Mu'mineen* 'Aa'ishah (*radiyallaahu 'anhaa*) that the Prophet (*sallallaahu 'alayhi wa sallam*) said, "O *Ummah* of Muhammad, there is no one more jealous than Allaah when He sees His male or female servant fornicating with one

³ Related by al-Bukhaaree (no. 6829) and Muslim (no. 6830).

⁴ Related by al-Bukhaaree (no. 6861).

⁵ Related by al-Bukhaaree (no. 6809).

another. O *Ummah* of Muhammad, if you knew what I knew, you would laugh a little and cry much.”⁶

As for what has been reported by the *Salaf* regarding the dispraise of *zinaa*, then there is what has been reported by Ibn Abee Shaybah (d.235H) in his book, *al-Eemaan*, upon Ibn 'Abbaas that he said to his sons, “Whosoever from you wants to marry, we will marry you off, but not one of you commits *zinaa* except that Allaah snatches from him the light of *eemaan* (faith). If He wills, He will return it and if He wills will prevent him from it.”⁷

Imaam Ahmad (d.241H) said, “After killing unjustly, I do not know anything greater in sin than *zinaa* and indeed Allaah emphasized its prohibition in His statement,

“And those who invoke not any other ilaah (god) along with Allaah, nor kill such life as Allaah has forbidden, except for just cause, nor commit illegal sexual intercourse and whoever does this shall receive the punishment. The torment will be doubled to him on the Day of Resurrection, and he will abide therein in disgrace.”

[Sooratul-Furqaan 25:68-69].⁸

Also if this is the case regarding *zinaa*, then the prohibition is greater regarding homosexuality. Shaykh Saalih Ibn Fawzaan al-Fawzaan (*hafidhaullaah*) said regarding this matter, “So if this was mentioned regarding the prohibitions and harms of *zinaa*, then it is greater regarding homosexuality and Allaah’s refuge is sought, because homosexuality is a crime which is not committed except by the people of Loot and those who took on their ways from those who came after them.

“Indeed, you commit an act of *faahishah* in which no one from the creation has proceeded you.” [Sooratul-Ankaboot 29:28]

For this reason the Scholars have ruled that the homosexual be killed regardless of whether they are *thayyib* or *bikr*, because the Companions (*radiyallaahu 'anhum*) have consensus upon him being killed since his crime is worse than the crime of *zinaa*.⁹

So with these texts it should be sufficient for the one who has a sound heart to be deterred and stay far away from any and everything that leads to *zinaa* due to it being from those major sins by which one is under the threat of the Fire and Allaah’s wrath if they fall into it. This is in addition to its dangers and harms upon a person in this life as well as its dangers upon a society at whole, for verily much of the sexually transmitted diseases such as AIDS, Herpes, Gonorrhoea and other than that from diseases which have not been spread except by way of *zinaa* and homosexuality. And much of the violence we see today is a

⁶ Related by al-Bukhaaree (no. 5221).

⁷ **Hasan:** Related by Ibn Abee Shaybah in *Kitaabul-Eemaan* (no. 94), with the checking of al-Albaanee.

⁸ Refer to *ad-Daa' wad-Dawaa* (p. 219) of Ibnul-Qayyim.

⁹ Refer to *Tasheelul-Ilmaam* (5/226) of Saalih al-Fawzaan.

direct result of *zinaa* where many of the youth grow up in broken homes without a father to raise them so they grow up being angry at society and turn to the streets for affection. This is manifested in the promiscuity of young men and women as well as young men becoming killers and drug dealers. These facts will not escape anyone who has spent even the shortest hours in our cities.

And what follows is a quick mention of some of those things that lead to fornication so one can avoid them:

1. An absence of learning *Tawheed*, which is the right of Allaah upon the servants and the origin of every good.
2. Men looking at women and vice versa for verily the look leads to *zinaa*.
3. Free mixing between the sexes whether that is at school, work or anywhere else.
4. *Tabarruj* or women not dressing with the proper Islaamic dress code.
5. Being alone with a woman who a man is not mahram for.
6. Shaking hands with non-*mahram* women.
7. Women speaking provocatively to men.
8. Women travelling without a *mahram*.
9. Listening to music.
10. Keeping bad company.
11. Not separating the children in the bed.

And all of these points have proofs either in the *Qur'aan* or authentic *Sunnah* and time does not allow us to go into great detail in this brief essay, but we pray to Allaah to expound upon each of these essential points in a future work.

The Sacredness of the Muslim's Honour:

So after knowing the prohibition of *zinaa* in Islaam, and its blameworthiness, then all must know that the honour of the Muslim is sacred and it is not permissible to accuse a person of *zinaa* without the correct proof which has been established in the Book and the *Sunnah*. Unfortunately, far too often we find many Muslims today with unguarded tongues, accusing others of *zinaa*, directly incriminating them or relaying what others have said about a person on telephones, on websites or forums, or in private circles. They have violated the honour of the Muslims which is as sacred as their blood and their wealth; the Prophet (*sallallaahu 'alayhi wa sallam*) mentioned this in his farewell *Hajj* sermon, "Indeed, your blood, wealth and honour are sacred upon you, just like the sacredness of this day of yours and this sacred land of yours in this sacred month of yours."¹⁰

And the Prophet (*sallallaahu 'alayhi wa sallam*) said, "The Muslim upon another Muslim is sacred; his blood, wealth and honour."¹¹

So when a Muslim calls another Muslim a *zaanee* or fornicator without having any proof for that, they have violated the honour of that Muslim and fell into what Allaah the Mighty and Majestic made impermissible.

¹⁰ Related by al-Bukhaaree (no. 6403) and Ahmad in al-Musnad (no. 13956).

¹¹ Related by Muslim (no. 2564), from the *hadeeth* of Abee Hurayrah (*radiyallaahu 'anhu*).

The Impermissibility of al-Qadhf (Accusing the Believers of Zinaa):

Allaah says in Sooratun-Noor,

“And those who accuse those chaste women and do not come with four witnesses then flog them eighty lashes and do not afterwards accept their testimony ever. And those are the faasiqoon (disobedient sinners).”

[Sooratun-Noor 24:4]

And there is no differing amongst the Scholars that the same goes for those who accuse chaste men, but as Imaam ash-Shawkaanee (d.1250H) mentions in his *Tafseer*, Allaah specifically mentions the chaste women because accusing them is greater, since the shame and dishonour which comes upon her is greater. He said, “And the men are just like the women in this ruling and there is no differing in this amongst the Scholars of this *Ummah*.”¹²

Also know, may Allaah have mercy on you, that the origin is that it is for the one who accuses one who is chaste of *zinaa* to establish the proof as it is seen in the previous *aayah* and the proof for the accusation of *zinaa* is four witnesses from the men, and if the accuser does not come with this proof, then upon him is the legal Islaamic punishment (*hadd*) for *al-Qadhf*.

It is related by Anas Ibn Maalik (*radiyallaahu 'anh*) who said, ‘The first *li'aan* (the spouses invoking the curse of Allaah upon one another due to accusations of *zinaa*) in Islaam is that Hilaal Ibn Umayyah accused Shareek Ibn Sahmaa‘ of fornicating with his wife, so the Prophet (*sallallaahu 'alayhi wa sallam*) said to him, ‘Bring the proof, or the lashing will be upon your back.’¹³

Also the four witnesses must visually see the act of the male private part go inside the woman's private part, as mentioned by Imaam al-Qurtubee (d.671H) and others.¹⁴

So let those beware who accuse those chaste men and women of *zinaa* without having four witnesses that they fall under the statement of Allaah,

“Why did they not produce four witnesses? Since they have not produced witnesses then with Allaah they are the liars.” [Sooratun-Noor 24:13]

¹² Refer to *Fathul-Qadeer* (4/11) of ash-Shawkaanee.

¹³ Related by Abu Ya'laa with an authentic chain and Imaam al-Bukhaaree reported the likes of this from the *hadeeth* of Ibn 'Abbaas as well as Imaam Muslim from the *hadeeth* of Anas. Refer to *Tawdeehul-Ahkaam* (5/302) of 'Abdullaah al-Bassaam.

¹⁴ Refer to *al-Jaami' li Ahkaamil-Qur'aan* (12/178) of al-Qurtubee.

Allaah also said,

“Indeed, those who accuse chaste women, who never even think of anything touching their chastity and are believing women, are cursed in this life and in the Hereafter, and for them will be a great torment.”

[Sooratun-Noor 24:23]

So those who make this *Qadhf* are cursed in this life and in the next. And the legal Islaamic punishment is applied to them in this life if they reside in a country that applies the *Sharee'ah* of Allaah, which is eighty lashes, and their testimony will never be accepted. And one should be not deceived that they can be loose with their tongues because they reside in the disbelieving lands or they post on internet forums, because as the Prophet (*sallallaahu 'alayhi wa sallam*) mentioned, “The punishment of the Hereafter is more severe than the punishment of this life.”¹⁵

And as for those who say, “Well, I’m not stupid, I know what he or she did,” or, “You can’t pull the wool over my eyes about so and so,” and the likes of these statements. The reality is as Shaykh Hasan Ibn 'Abdul-Wahhaab (*hafidhahullaah*) mentioned, these are the foolish and ignorant and the ones whose Religion is weak, because they turn away from the criteria that Allaah laid down for us in the *Qur'aan* for defining the fornicator. Also, there should not be those who go about and say, “I’m investigating this matter,” because Allaah and His Messenger (*sallallaahu 'alayhi wa sallam*) prohibited spying and searching to uncover the faults of the Believer. Allaah says,

“And do not spy.” [Sooratul-Hujuraat 49:12]

And the Prophet (*sallallaahu 'alayhi wa sallam*) said, “Beware of suspicion for indeed suspicion is the most fabricated of speech, and do not spy.”¹⁶

Imaam Muhammad Ibn Saalih al-'Uthaymeen (d.1421H) - *rahimahullaah* - mentions in his explanation of *Riyaadus-Saaliheen*, “*Tajassus*, or spying, is when a person follows his brother to seek out his faults whether that be directly and he goes himself directly to perhaps find a shortcoming or by using tape recording devices or over the phone. So everything that will link you to the short comings of your brother is from *tajassus* and it is *haraam* (unlawful).”¹⁷

Imaam Muhammad Ibn Saalih al-'Uthaymeen also says,¹⁸ “And know that if you try to take to take reign over the faults of your brother and spread them and seek them out, then Allaah will bring about one who will expose you and seek out your faults whether you are

¹⁵ **Saheeh:** Related by Ahmad in *al-Musnad* (no. 2131). It was authenticated by Ahmad Shaakir in *'Umdatut-Tafseer* (2/639).

¹⁶ Related by al-Bukhaaree (no. 4849), Muslim (no. 4646), Ahmad in *al-Musnad* (no. 27334), Maalik in *al-Muwatta'* (no. 1684) and at-Tirmidhee (no. 1988), from the *hadeeth* of Abee Hurayrah (*radiyallaahu 'anh*).

¹⁷ Refer to *Sharh Riyaadus-Saaliheen* (6/251) of Ibnul-'Uthaymeen.

¹⁸ The following speech is taken from *Sharh Riyaadus-Saaliheen* (6/109) of al-'Uthaymeen.

dead or alive, for the Prophet (*sallallaahu 'alayhi wa sallam*) said, "Whosoever seeks out the faults of their brother, then Allaah will seek out his faults, and whoever's faults Allaah seeks out, then He will expose him, even if he is in the most inner part of his home."

So we see from these texts that so called investigating is in reality *tajassus* or spying. Furthermore, when these situations arise, especially regarding those who are known for piety and being upright and chaste, we should implement the saying of Allaah in which He revealed, after freeing our mother 'Aa'ishah (*radiyallaahu 'anhaa*) from the heinous lies upon her invented by the hypocrite 'Abdullaah Ibn Abee Sulool - may Allaah disgrace him - and then spread by some of the Believers; we should implement Allaah's statement,

"Why, when you heard it, did not the believing men and believing women think good of one another and say: This is an obvious falsehood?"

[Sooratun-Noor 24:12]

And although this *aayah* was revealed specifically regarding the slander of our mother, 'Aa'ishah, it is general for all of the Believers, as mentioned by Imam 'Abdur-Rahmaan as-Sa'dee, and due to the powerful ness of his speech we will mention it as a general benefit for all. He - *rahimahullaah* - says after mentioning the statement of Allaah,

"Indeed, those who came with falsehood are a group among you."

[Sooratun-Noor 24:11]

Imaam 'Abdur-Rahmaan as-Sa'dee mentions, "From what it entails from exonerating the *Ummul-Mu'mineen* and freeing her (from any blame) and lauding (her excellence) to the point that it included the rest of the wives of the Prophet (*sallallaahu 'alayhi wa sallam*). Also what it entails from the clarification of these *aayaat* which the servants are in dire need of in which they are still acted upon until the Day of Resurrection, so all of this great good. If it was not for the statement of the people of the slander, this (revelation) would not have occurred, and if Allaah wants a matter to occur he will make a reason for it to happen. And for this reason He made this address to include all of the believers. And He informed them that speaking ill of one another is like speaking ill of themselves. So it shows that the Believers in their mutual love and mutual mercy and their gathering for that which will benefit them are like one body. And the Muslims to one another are like a structure, they strengthen one another. So just as he hates anyone to speak ill about his honour, he should hate that anyone speaks about his believing brother who is in reality just like himself. And so long as the servant does not reach this level, it shows the deficiency in his *eemaan* and lack of giving advice."¹⁹

We should likewise in these situations implement the statement of Mu'aadh Ibn Jabal (*radiyallaahu 'anhu*) regarding the story of the *tawbah* (repentance) of Ka'b Ibn Maalik (*radiyallaahu 'anhu*) when the Prophet (*sallallaahu 'alayhi wa sallam*) asked about the whereabouts of Ka'b when he did not show up for the battle of Tabuk. A man replied, "O

¹⁹ Refer to *Tayseer Kareemir-Rahmaan* (p. 655) of as-Sa'dee.

Messenger of Allaah, that which kept him back was his two scarfs and admiring them. Mu'aadh Ibn Jabal then replied, "What an evil thing you just said, we only know good about him!"²⁰

I say these are the same good thoughts we should have for our Scholars and the students of the Scholars and the students of knowledge amongst us who are well known in teaching and promoting *Tawheed* and the correct *'aqeedah* and *manhaj* and refuting the people of deviation and desires. And one should know that the attacks of these individuals will be greater than that of anyone else. I say this because you have those who say, "Why does so and so's name keep coming up." Or "Such and Such has clouds of doubt over his head." We find even some of those who attribute themselves to knowledge making the likes of these statements and they should be the foremost to know that the one who treads the path of calling to Allaah upon clarity will run into the ignorant who will seek to defame him.

Shaykhul-Islaam Ibnul-Qayyim (d.751H) - *rahimahullaah* - said, "So if the Believer whom Allaah has blessed with insight into His Religion and understanding of the *Sunnah* of His Messenger and understanding of His Book and Allaah has showed him what the people are upon from desires, innovation and misguidance and falling off the Straight Path, which the Prophet (*sallallaahu 'alayhi wa sallam*) was upon, if the Believer wants to walk this path, then let him prepare himself and get used to the ignorant people and the people of desires speaking ill of him and disparaging him and running the people away from him and warning from him, just as their predecessors from the disbelievers used to do with his Imaam and the one he follows, Muhammad (*sallallaahu 'alayhi wa sallam*). So when he calls them to that (i.e. the *Sunnah*) and refutes what they are upon, then they become angered and seek to wreak havoc upon him and set up their plots to trap him. So he is strange in his Religion due to their corrupt Religion, strange in his adherence to the *Sunnah* due to them adhering to *bid'ah* (innovation), strange in his belief because of their corrupt beliefs, strange in his Prayer because of their corrupt Prayer, strange in his methodology due to their corrupt methodologies."²¹

So this speech by Ibnul-Qayyim clearly shows that those treading the path of al-Mustafaa (*sallallaahu 'alayhi wa sallam*) and opposing the people of desires and innovation are going to have those who seek to speak ill of them and seek their downfall.

We also say that without a shadow of doubt that the Muslim generally stays away from places where he or she can be accused in their Religion, especially the student of knowledge, lest someone thinks some evil of him. And no one disagrees with this so this is not the issue at hand. However, when an allegation of *zinaa* comes about, we do not exit from those principles that Allaah laid down in Sooratun-Noor, which is that we have good thoughts about our brothers and if an accuser comes forward we demand that they

²⁰ Related by al-Bukhaaree (no. 4156), Muslim (no. 2769) and Ahmad in *al-Musnad* (no. 15362).

²¹ Refer to *Madaarijus-Saalikeen* (3/194) of Ibnul-Qayyim.

produce their witnesses. If they cannot do so, they are considered by Allaah and us as liars and their testimonies are rejected.

Likewise, we stick to the principles of revelation in the Book and *Sunnah* in any other issue of accusation, and not to any street codes, prison codes or whatever the people have been commonly familiar with. It is reported upon Ibn 'Abbaas (*radiyallaahu 'anhu*) that the Prophet (*sallallaahu 'alayhi wa sallam*) said, "If people were given due to their mere claims, people would claim the blood and wealth of others. However, the proof of burden is upon the claimant and for the one who denies it to take the oath (of innocence)."²² And he (*sallallaahu 'alayhi wa sallam*) said, "What is wrong with people who make conditions not found in the book of Allaah."²³

So I advise myself firstly and then my Muslim brothers and sisters that we must not be from,

"Those who like that faahishah (illegal sexual intercourse) be propagated among those who believe."

Because for these individuals,

"They will have a painful torment in this world and in the Hereafter. And Allaah knows and you know not." [Sooratun-Noor 24:19]

And that we do not follow the footsteps of *Shaytaan* for verily,

"He commands al-Fahshaa (to commit indencency and fornication) and al-Munkar (evil and wicked speech and deeds)." [Sooratun-Noor 24:21]

And one should know that whosoever has fallen into these sins, whether it be the sin of *zinaa* or the sin of *al-Qadhf*, the door of *tawbah* (repentance) is open so long as death does not reach you, or the sun does not rise from the west.

"And Allaah accepts the tawbah of whom He wills."

And Allaah says,

"O those who have committed transgressions against themselves, do not despair from Allaah's mercy. Indeed, Allaah forgives all sins. Verily, He is Oft-Forgiving, Most Merciful."

²² Related by al-Bukhaaree (no. 4277), Muslim (no. 3228), Ibn Maajah (no. 2321), at-Tirmidhee (no. 12) and ad-Daaraqutnee (3/110-111).

²³ Related by al-Bukhaaree (no. 2729) and Muslim (no. 1504).

And for *al-Qadhf*, accusing someone of *zinaa*, there is an extra condition, and it is that you seek pardon from those whom you accused of *zinaa* and you proclaim openly that you committed slander against them, and the opinion of 'Umar Ibnul-Khattaab (*radiyallaahu 'anhu*), ash-Sha'bee (d.103H) and others was that their *tawbah* is by deeming themselves liars with regards to the accusation in which the *hadd* (legal Islaamic punishment) was established upon them, and he instructed those who accused Mugheerah Ibn Shu'bah (*radiyallaahu 'anhu*) to do this.²⁴

“Except those who repent thereafter and do righteous deeds. Verily, Allaah is Oft-Forgiving, Most Merciful.” [Sooratun-Noor 24:5]

Whatever I said in this essay that is correct, it is from Allaah, and whatever I said that is incorrect, is from myself and there is no might nor power except with Allaah.

And may the peace, salutations and blessings of Allaah be upon our Prophet Muhammad and upon his Family and all those who follow him.

²⁴ Refer to *al-Jaami' li Ahkaamil-Qur'aan* (12/179) of al-Qurtubee.