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Twelfth Greater Sin: Qaḏaf

The twelfth Greater Sin is Qaḏaf. Qaḏaf means to wrongfully accuse a chaste Muslim man or chaste Muslim woman of adultery or homosexuality. We have the authority of our Holy Prophet (S), Imam Ja'far as-Sadiq (a.s.), Imam Musa al-Kadhim, Imam 'Ali ar-Riḏa (a.s.) and Imam Muhammad al-Taqi (a.s.) that qazaf is a Greater sin. The Holy Qur'an also speaks of the punishment for this sin.

“Surely those who accuse chaste believing women, unaware (of the evils), are cursed in the world and the hereafter and they shall have a grievous chastisement. On the day when their tongue and their hands and their feet shall bear witness against them as to what they did.”
(Surah an-Nūr 24:23-24)

The above verses clarify that those who falsely accuse chaste men or women of adultery are cursed by Allah (S.w.T.) as long as they are alive, and in the hereafter they shall be deprived of His Divine Mercy. We should maintain our distance from such people on whom the wrath of Allah (S.w.T.) has descended and be very careful not to believe their false accusations. False accusers have to be penalised in this world according to the Islamic law. Once their testimony is proved false, they can never ever testify in a court of Islamic law.

Organs of the Inhabitant of Hell

Imam Muhammad al-Baqir (a.s.) has said,

“The organs and the parts of the body of a true believer shall not testify against him. But they will testify against the one who, after all, has to burn in Hell.”¹

The person who accuses anyone falsely of adultery and sodomy belongs to this category. Because his punishment is Hell-fire, his organs, according to the Holy Qur'an shall testify against him.

Penalty for Qaḏaf : Rejection of Testimony and its Invalidation

It is also mentioned in Surah an-Nūr:

“And those who accuse free women then do not bring four witnesses, flog them, (giving eighty lashes), and do not admit any evidence from them ever, and these it is that are the transgressors.” (Surah an-Nūr 24:4)

Three commands are issued in this ayat regarding one who commits qazaf. The first is that he has to be punished with the Islamic penalty imposed upon him. The second is that his evidence is never ever to be accepted and the third is that such a person must always be considered as unreliable and a transgressor.

Islamic society which is geared to promote the dignity and welfare of its members cannot allow a false accuser to go unpunished. This falsehood dishonours an upright person, and a society which cannot uphold the honour of its members, cannot possibly give them peace and security.²

The book ‘Islam and World Peace’ mentions that in order to curb frivolous propaganda, a slanderer who cannot furnish four witnesses, is given lashes. If Three witnesses testify and the fourth witness is not available then the former Three are also punished with eighty lashes each. However, if a husband accuses his wife of adultery but cannot support his accusation with witnesses, he cannot be lashed. This is to avoid domestic upheavals. In this case the husband is made to repeat four times by calling Allah (S.w.T.) as a witness that his wife has committed adultery. And the fifth time he has to say that if he is lying, the curse of Allah (S.w.T.) be upon him. His wife is also given a similar right that she can say four times, calling Allah (S.w.T.) as a witness that her husband is lying. And the fifth time she has to say that if her husband is telling the truth, then the curse and the wrath of Allah (S.w.T.) may be upon her. She can escape punishment in this way. This law is derived from the sixth and the seventh ayat of Surah an-Nūr.

Whether it is true or false it must be known that it is Harām to accuse anyone of adultery or homosexuality till he sees with his own eyes the penetration of the sexual organ. Even after being the eye witness of this he must not testify before a Qazi till Three other just witnesses testify (he must himself be just (adil) too). As stated earlier, if the witnesses are less than four, their testimony is rejected. In this case, the witnesses are considered as transgressors instead of the alleged sodomist and the fornicator, and penalised with eighty lashes each.

Those Who Commits Qaḏaf are not Believers

Hazrat Imam Muhammad al-Baqir (a.s.) has informed;

“One who commits qazaf is removed from the ranks of the believers of Allah and considered as a

transgressor. Transgressor is also the opposite of believer as Allah himself says,

“Is he then who is the believer like him who is the transgressor?” (Surah as-Sajda 32: 18)

The Holy Prophet (S) has been reported to have said,

“The person who accuses falsely a chaste man or a chaste woman of indecency, Allah invalidates all his good deeds (and does not give him any reward) and on the Day of Judgement seventy thousand angels lash him from the front and behind and continue to do so till the order is passed for him to be put in Hell.”

Penalty for Qaḏaf

“And those who accuse free women then do not bring four witnesses, flog them, (giving) eighty lashes, and do not admit evidence from them ever.” (Surah an-Nūr 24:4)

The above verse, numerous traditions and the rules promulgated by the Mujtahids indicate that every one of the false accusers of sodomy and fornication must be lashed eighty times (provided four just witnesses are not available simultaneously). However, the following conditions should be noted.

1) The sinner must be major and sane. A minor child or an insane person cannot be punished for false accusations. Also, the major and the sane person should have made the allegation after careful consideration and not under compulsion. No penalty can be imposed on an accuser if he has made a genuine mistake or if he has made the accusation in jest.

2) One who has been accused of adultery or sodomy must possess five characteristics. First of all, he must be a major. Secondly, he must be sane and not a madman. Thirdly, he must be free and not a slave. Fourthly, he must be a Muslim and not a Kafir. Lastly, he must apparently be chaste. A person who strongly objects to being blamed of adultery and fornication or is shocked and dismayed by such an accusation is taken to be a chaste person. So if the accused does not fulfill the above conditions or is notorious for being corrupt and indecent, the accuser is not penalised for qazaf.

3) The accusation should clearly mention adultery or sodomy. If an accuser is vague in his allegations and merely hints at adultery or sodomy or addresses the accused as ‘adulterer’ or ‘sodomist’, then he can be exempted from punishment. But in this case, the accused has a right to demand action against the accuser.

Sometimes, the allegation is against someone other than the one who is addressed. For example, One says, “Your father was an adulterer! Your father was a sodomist!” In such a situation, it is the right of the father, of the one who is addressed to insist upon the penalty. The son is not directly accused but insulted in the process. Consequently, he cannot demand the sentence of qazaf against the accuser but must insist upon a lighter penalty like reprimanding or beating so that the sin is not repeated.

In the same way, if someone says “bastard” or “adulterously born!” etc., the right of having the punishment decreed rests upon the one who is actually accused. The person who is addressed can only claim a reduced penalty.

Expiation of the Sin on the Day of Judgement

A woman presented herself before the Holy Prophet (S) and said, “O, Messenger of Allah, I called my maid adulteress.”

The Prophet (S) said,

“Have you ever seen her committing adultery?”

“No,” she replied.

The Holy Prophet (S) told her,

“Know that ! On the day of Qiyāma, some of your good deeds will be transferred to this maid and it would be the expiation.

This woman returned and handed a whip to her maid and said, “lash me” but the maid refused, so she freed her. Again, she returned to the Prophet (S) and related the incident. The Holy Prophet (S) remarked,

“May be this action of yours will act as the expiation of your utterance and you may not suffer it’s consequences in the hereafter.”³

Repenting for Qaḏaf

One who accuses a Muslim of adultery or sodomy should know that qazaf or false accusation is a sin that trespasses upon the right of man as well as the right of Allah (S.w.T.). As far as the human rights are concerned, the one who is falsely accused can take the accuser to the Qazi. If qazaf is proved by the confession of the accuser or by the testimony of two just witnesses who testify having heard the accuser making the false allegation, the legal sentence is executed. It is Wajib for the person who has committed qazaf to submit himself to the accused for trial.

However, he can request the one he has falsely accused to forgive him and must try his best to do so. If he is condoned, he escapes punishment. But if he is not forgiven and nor is the sentence carried out, and the falsely accused dies, the right of having the penalty executed is transferred to the legal heirs of the falsely accused. Now it is Wajib upon the one guilty of qazaf either to surrender himself to the heirs so that he may be taken to a Qazi or he could ask for their forgiveness. If the heirs of the deceased forgive, he is saved from punishment.

Sam[ؓ] says: “I asked Imam Ja’far as-Sadiq (a.s.) regarding the person who commits qazaf but is forgiven by the one whom he accused falsely. If later, this person regrets having forgiven and wishes that the accuser be punished, can the punishment for qazaf be executed now?”

Imam (a.s.) replied;

“No penalty can be imposed upon him after being respited.”

Sam[ؓ] further enquired,

“What if the man says, “O son of a fornicatress.” And the one who is falsely accused condones him but leaves the matter to Allah?” Imam (a.s.) replied;

“If his mother is alive, the son does not have the right of forgiving the accuser. His mother has the right to forgive. She can exercise her right whenever she wants. If his mother has died, only then does he have the right to forgive.”⁴

It is Wajib upon the accuser, that after he has received the penalty or after he has been condoned by the one whom he falsely accused that he must publicly announce that whatever he has uttered is absolutely false. For example, he should say, “I had accused this person of fornication. It was a false accusation.” His announcement should be to the extent that those who have heard the false accusation must hear his confession too.

In an authentic report Ibn Sinan asked Imam Ja’far as-Sadiq (a.s.), “If a person makes a false allegation and undergoes the Islamic punishment and also repents. Can his evidence be accepted in future?”

Imam replied,

“If he repents and his repentance consist of taking back the words he has uttered and confesses before the Imam (a.s.) and the Muslims to have uttered a lie... Then it is incumbent upon the Imam to accept his evidence and consider him just.”

The book al-K[ؓ]fi and Al-Tahz[ؓ]ib contain other reports concerning the same issue. If the accuser has made a false accusation, it is obvious that to falsify his accusation is a must. But there may be a situation where the accuser has really witnessed the act of adultery and sodomy but the crime is not proved due to lack of four witnesses and as a result he becomes liable for penalty. In this case too, he has to falsify his statement.

Since adultery or sodomy could not be established according to the stipulation laid down by Islam, from the point of view of Shari’a, his accusation is false. So although he had witnessed the crime, it is appropriate on his part to falsify his statement. This he should do with the clear intention that he is submitting to the laws of Islam.

This is in consonance with the following verse:

“Why did they not bring the four witnesses of it? But as they have not brought they are liars before Allah.” (Surah an-Nūr 24: 13)

The Shaykh writes in the book ‘Nihaya’ that a person who is guilty of qazaf should repent by publicly announcing that the accusation he had made is untrue, and that he had uttered a lie. He should do this at the same place where he had made the accusation. In this way all those who had heard a Muslim being denounced will now be aware of its falsehood and there will be no misunderstanding in their minds about his good character.

A person guilty of qazaf transgresses Allah (S.w.T.)’s right by disobeying a Divine command. Allah (S.w.T.) has strictly prohibited qazaf and a person guilty of it is deserving of the punishment of the hereafter. But if the offender repents sincerely and reforms himself, Allah (S.w.T.) is most Forgiving and most Merciful.

“Except those who repent after this and act aright, for surely Allah is Forgiving and Merciful.” (Surah an-Nūr 24:5)

Sincere repentance reforms a person. He will either make peace with the person whom he had earlier maligned, or he will confess his guilt and falsify his accusation before a Qazi. After this he is no longer a transgressor or a liar according to Shari’a. He is now an adil (just man) whose evidence is acceptable. Beyond this, the experience of being guilty of qazaf and repenting sincerely by going through the humiliation of acknowledging it in public, brings about a deep-rooted transformation in the person’s character. He is now inclined toward virtue and piety and strives for spiritual upliftment.

The Shaykh says in the book “Mabsut”: “After repentance, only good deeds should be seen in that man.”

One who hears the accuser is obliged to advise him to refrain from slandering and even to reprimand him.

Qazaf and the Responsibility of Other Muslims

According to the philosophy of Islam, if a Muslim hears of another Muslim being accused of adultery or sodomy he should not pay heed to it. It is Harām for him to believe it. It is also Harām to repeat this slander to others. Till four just witnesses testify before the qazi and the qazi issues his decree, it is Harām to associate any one with these sins. Even if one has witnessed the crime with his own eyes or believes the accuser, one should not spread the slander. Such an action would cause the accused person to lose his honour and dignity in people’s estimation. This is totally unacceptable in Islam.

Till four just witnesses have not testified, the accuser should be regarded as a liar and a transgressor, and it is Wajib upon the person who hears him to consider him so, even if what he says is true. It should be said to the accuser, “This is a great allegation. We do not accept that the statement is correct

according to Shari'a."

"Surely they who concocted the lie are the party from among you. Do not regard it as an evil to you, nay, it is good for you. Every man of them shall have what he has earned of sin and (as for) him who took upon him the main part thereof he shall have a grievous chastisement.

Why did not the believing men and the believing women, when they heard it, think well of their own people and say: this is an evident falsehood?

Why did they not bring four witnesses of it? But as they have not brought witnesses they are liars before Allah.

And were it not for Allah's Grace upon you and His Mercy in this world and the hereafter, a grievous chastisement would certainly have touched you on account of the discourse which you entered into.

When you received it with your tongues and spoke with your mouths what you had no knowledge of, you deemed it an easy matter while with Allah it was grievous.

And why did you not, when you heard it say: 'It does not beseem us that we should talk off it, glory be to Thee ! This is a great calumny?'

Allah admonishes you that you should not return to the like of it ever again if you are believers.

And Allah makes clear to you the communications, and Allah is knowing and wise.

Surely (as for) those who love that scandal should circulate respecting those who believe, they shall have a grievous chastisement in this world and the hereafter and Allah knows while you do not know. (Surah an-Nur 24: 11-19)

Imam Ja'far as-Sadiq (a.s.) explains,

"One who speaks wrongly about the believer and says something which he has neither seen nor heard himself is from those who have been mentioned in the verse:

"Surely (as for) those who love that scandal should circulate respecting those who believe they shall have the grievous chastisement in this world and the hereafter and Allah knows while you do not know." (Surah an-Nur 24: 19)

In conclusion, it is Harām to accuse anyone of fornication and sodomy without having seen the act with one's own eyes. Even after seeing it, it is Harām to speak of it till four just witnesses testify having seen it.

But, if a husband accuses his wife wrongly of adultery, four witnesses are not required. It is sufficient for

the husband to say before the qazi in the prescribed manner, "I am the liar, may the curse of Allah (S.w.T.) be upon me." And his accusation is admitted. This order is known as "Ia" in Islamic terminology. And the accuser must fulfill the conditions as mentioned earlier in which case two just witnesses could testify that he has committed a calumny. As a result of this he is liable for penalty (eighty lashes). But these lashes would be lighter than those which are prescribed for the adulterer and the alcoholic. Also, the slanderer will not be lashed on a naked back like an adulterer and the alcoholic. He would be allowed to wear his shirt during lashing.

If Conditions for Qazaf are Absent

Even if the necessary conditions are not present in the accused it is still Harām to associate him with adultery or sodomy. In this case the slanderer is reprimanded. However if some one calls a Muslim 'bastard' it does not imply that he is born of adultery. It could also imply that he was conceived when his mother was having a menstrual discharge. In such a condition it is Harām for his father to perform the sexual act and the child conceived during this time is also a child of sin. In the same way if someone calls another, indecent or 'evil doer', the accusation of adultery and sodomy is not proved. However he could be punished lightly or reprimanded for insulting a person.

Similarly if a Muslim accuses falsely a Kafir of adultery or sodomy, the penalty of qazaf does not apply. Yet it is Harām to associate even a Kafir with adultery and sodomy. It is not permissible to make such a statement in unequivocal words or to allude to it. But if it is established that he has committed adultery even from the point of view of his own faith, then it is allowed to associate him with it.

The Association of the Kuffar With Adultery

Umr bin Noman Juhfi says that there was a friend of Imam Ja'far as-Sadiq (a.s.). He always remained with the Imam (a.s.) wherever he went. He had a slave who was from Sind. One day, the person was passing through the market of shoe-makers with Imam (a.s.) while his slave walked behind. The master wanted to send the slave on an errand, but when he looked back the slave had disappeared. He looked back Three times but could not see the slave. After some time, when he looked for the fourth time, he saw the slave. He was angry with him and said, "O' son of the adulteress! Where were you?"

The narrator says that Imam Ja'far as-Sadiq (a.s.) slapped his forehead and said,

"Glory be to Allah! You are accusing his mother of adultery. And I was seeing some piety in you, but now I find that there is no sign of piety or religiousness left."

The companion protested,"May I be sacrificed upon you, his mother is an inhabitant of Sind (India) and she is a Mushrik (polytheist)." Imam (a.s.) replied,

"Don't you know that all people have their own type of marriage? Be away from me!"

The narrator says, “In the Imam’s life–time, I never saw him walking with Imam (a.s.), again.”

Another tradition states,

“All the people have their kind of marriage due to which they protect themselves from adultery.”⁵

Abul Hasan al Hazzae says that he was in the company of Imam (a.s.) when a person came and asked him, “What did your debtors do?” I responded, “Are you asking about the son of that adulteress woman?” Upon hearing this Imam Ja’far as–Sadiq (a.s.) glared at me in anger. I said, “May I be sacrificed upon you. He is a Majūs (fire worshipper) and his mother is also his sister (means that his father had married his daughter). Imam (a.s.) asked,

“Is not this type of marriage permitted in their religion?”

Abusive Language is Harām

Apart from grave accusations like adultery or sodomy it is also Harām to use abusive language for a Muslim who does not openly indulge in evil acts. It is not allowed to abuse him with words like Transgressor! Dog! Drunkard! Pig! Even calling out to someone with such words is Harām. Similarly, it is Harām to address someone by associating him with some disease or handicap like Blind! Lame! Deaf!

According to Shari’a a person who uses abusive language should be given a light punishment or reprimanded.

The book Mustadrak ul–Wasa’il has a tradition from Imam ‘Ali (a.s.) wherein he said,

“If a person calls another Sinner, Indecent, Kafir, Munafiq or Donkey, he must be given thirty nine lashes.”

There is no difference if such words are used for relatives or strangers, against a student or a servant. Any bad words which mention the private parts or the indecent act are Harām whether addressed to one who is an open sinner or not or whether he gets offended or not.

Traditions that Denounce Abusive Language

Numerous traditions have been recorded which censure bad words and abusive language.

Imam Ja’far as–Sadiq (a.s.) said,

“Abusive language is an atrocity and atrocity earns Hell.”⁶

The Holy Prophet (S) has said,

“There are four people, the intensity of whose chastisement will also annoy the other people of Hell.”

“There would be a man who had blissfully used abusive and foul language in the world. In Hell, puss and blood shall flow from his mouth.”

Other reports on this subject have already been mentioned in our discussion.

Replying to the Abuse

It must be understood that as it is Harām to initiate abusive language it is also Harām to abuse in reply to it. This strictly applies to words that denote, Qaḏaf (accuse of adultery or sodomy). But for abuses like ‘ignorant’, idiot tyrant, it is permissible to reciprocate with the same words.⁷

The Holy Qur’an also allows this, in the following ayat

“... Whoever then acts aggressively against you, inflict injury on him according to the injury he has inflicted on you...” (Surah al-Baqarah 2: 194)

“And whoever defends himself after his being oppressed these it is against whom there is no way (to blame).” (Surah ash-Shūrā 42:41)

“And if you take your turn, then retaliate with the like of that with which you are afflicted.” (Surah an-Nahl 16: 126)

If no Excess is Committed

Imam Musa al-Kadhim says regarding two people who have abused each other,

“From the two of them, the one who initiated it, is more unjust, his sin includes the sin of abusing as well as the sin of the one who had cursed him in reply. But the oppressed one should not exceed the limit.”

It means that a person who is abused should retaliate only with words that equal the abuses. He should not use a more abusive language otherwise his sin will be equal to the sin of the one who initiated.

For example if one calls another ‘you donkey’ and he replies with ‘you dog’ then this would be exceeding the limits. Or if one says ‘you donkey’ only once and the other person responds by repeating the same word twice or more, it would constitute an excess. If a person who has uttered a bad word, seeks forgiveness immediately before he is replied to, he must be condoned. In this case it is not allowed to reply even with the same words.

Silence is better

It must be emphasized that although it is permitted to retaliate in equal measure, it is best to remain silent.

The Holy Qur'an says;

“And the recompense to evil is punishment like it, but whoever forgives and amends, he shall have his reward from Allah, surely He does not love the unjust.” (Surah Ash-Shūrā 42:40)

Allah (S.w.T.) also says:

“And it is nearer to righteousness that you should relinquish.” (Surah al-Baqarah 2:237)

One Who Utters Abuses Will Himself be Humiliated

Jabir ibn Abdullah Ansari relates that ‘Ali (a.s.) saw that a man was abusing Hazrat Qambar and Qambar was about to reply to him. ‘Ali (a.s.) called him:

“Qambar, stop! Humiliate the one who curses you by remaining silent. In this way the Beneficent will be satisfied with you and the shaitan angry. And you will be able to hurt your foe. You will please that Allah who splits the seed and cause pleasant winds to blow. No one can please Allah more with his forbearance, similarly nothing makes Shaitan more angry than silence in return of abuse. The revenge taken from an idiot (ignorant) person in this way is not possible in any other way.”⁸

If a person who is abused responds with kind and gentle words like, ‘Do not abuse your brother’, he occupies a very high position with Allah (S.w.T.).

The Holy Qur'an says;

“And not alike are the good and the evil. Repel (evil) with what is best. When lo! he between whom and you is enmity would be as if he were a warm friend. And none are made to receive it but those who are patient, and none are made to receive it but those who have mighty good fortune.” (Surah Hamim 41:34-35)

The following incident is quoted in the book ‘Kashful Ghumma’:

A Syrian came to Madinah. He saw a handsome man astride a good camel. Upon enquiry he learnt that it was Imam Hasan ibn ‘Ali (a.s.).

This man from Syria stepped forward in anger and said;”Are you the son of ‘Ali ibn Abi Talib?”

“Yes, I am the son of ‘Ali.”

He said, “You are the son of a person who was a mushrik (polytheist)”. And he continued his foul utterances till he got tired of it. Imam Hasan (a.s.) remained silent. At last the man felt ashamed. The Imam (a.s.) seeing his remorse said;

“You look like a traveller, are you from Syria?”

“Yes sir”, he replied.

Imam Hasan (a.s.) said,

“If you need a place to stay, we shall provide it. If you need money we would give it you. If you have any other problem, we shall help you.”

Not only was the Syrian ashamed but was also rendered speechless by such excellent behaviour.

The following are his words:

“After I had the good fortune of enjoying the hospitality of Imam Hasan Ibn ‘Ali (a.s.), I found his personality more likeable than that of any other person in the world.”

Imam Hasan (a.s.) had offered the same type of hospitality to Asam bin Mutlaq the Syrian, and he too became his devotee.

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1. al-Kāfi
 2. Condensed from Burhan al-Qur’an
 3. Wasa’il ul-Shia
 4. Wasa’il ul-Shia
 5. al-Kāfi
 6. al-Kāfi
 7. Mustadrak ul-Wasa’il
 8. Safinat’ul-Bihar

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