111252 - Confusion about the hadeeth of the blind man who killed his slave woman who reviled the Prophet (peace and blessings of Allaah be upon him)

the question

Could you please explain the background and justification in the hadith Abu Dawud book 38 # 4348, where a slave who insults the prophet is killed by her master and is not punished. Is it because blood wit could not go to the disbelievers family who may harm the muslims?.

Detailed answer

Praise be to Allah.

The story referred to in the question was narrated by Ibn ‘Abbaas (may Allaah be pleased with him) who said:

A blind man had a female slave who had borne him a child (umm walad) who reviled the Prophet (peace and blessings of Allaah be upon him) and disparaged him, and he told her not to do that but she did not stop, and he rebuked her but she paid no heed.

One night she started to disparage and revile the Prophet (peace and blessings of Allaah be upon him), so he took a dagger and put it in her stomach and pressed on it and killed her. There fell between her legs a child who was smeared with the blood that was there.

The next morning mention of that was made to the Prophet (peace and blessings of Allaah be upon him) and he assembled the people and said: “I adjure by Allaah the man who did this to stand up.”

The blind man stood up and came through the people, trembling, and he came and sat before the Prophet (peace and blessings of Allaah be upon him). He said: O Messenger of Allaah, I am the one who did it. She used to revile you and disparage you, and I told her not to do it but she did not

stop, and I rebuked her but she paid no heed. I have two sons from her who are like two pearls, and she was good to me. Last night she started to revile you and disparage you, and I took a dagger and placed it on her stomach and I pressed on it until I killed her.

The Prophet (peace and blessings of Allaah be upon him) said: “Bear witness that no retaliation is due for her blood.”

Narrated by Abu Dawood (4361) and others. In the answer to question no. 103739 we have explained that the basis of this story is saheeh and that it has been narrated in several versions which, when taken together, indicate that the incident did indeed take place, despite the variations in some reports.

This woman was not killed because she was a dhimmi, rather it was because she reviled the Messenger of Allaah (peace and blessings of Allaah be upon him), so she deserved to be executed for that reason, and if she was a Muslim, she became a kaafir by this action, and deserved to be executed for that reason too.

Al-San’aani (may Allaah have mercy on him) said:

This report indicates that the one who reviles the Prophet (peace and blessings of Allaah be upon him) is to be executed and no blood money is to be paid for him; if he is a Muslim his reviling of him (peace and blessings of Allaah be upon him) is apostasy for which he deserves to be executed. Ibn Battaal said: without being asked to repent.

Subul al-Salaam (3/501).

We have previously quoted the view of Shaykh al-Islam Ibn Taymiyah concerning the confusion about this story in which the blind man killed this woman – who deserved to be killed – without the permission of the ruler. Please see the answer to question no. 103739.

This story is indicative of the justice with which the Muslims dealt with the people of the Book, which was enjoined in the sharee’ah of the Prophet (peace and blessings of Allaah be upon him), who was a mercy to the worlds. The rights of the Jews who are under Muslim rule are guaranteed

and protected, and it is not permissible to transgress against them by causing them any annoyance or harm. Hence when the people found a Jewish woman who had been killed they were alarmed and referred the matter to the Prophet (peace and blessings of Allaah be upon him), who had made the covenant with them and guaranteed them security, and who did not take the jizyah from them. He got angry and adjured the Muslims by Allaah to find out who had done this deed, so that he could determine his punishment and judge his case. But when he found out that she had transgressed the covenant several times by reviling the Messenger of Allaah (peace and blessings of Allaah be upon him) and impugning him, she forfeited all her rights and deserved the hadd punishment of execution which is imposed by sharee'ah on everyone who reviles the Prophet (peace and blessings of Allaah be upon him), whether he is a Muslim, a dhimmi or a mu'aahid (non-Muslim living under Muslim rule), because impugning the status of the Prophets is kufr or disbelief in Allaah the Almighty, and a transgression of every sacred limit and right and covenant, and a major betrayal which deserves the greatest punishment.

See: Ahkaam Ahl al-Dhimmah (3/1398); and on our site please see the answer to question no. 22809.

This is the correct understanding of this story. It is not as many of those who hate and revile sharee'ah rule and slander the character of the Prophet (peace and blessings of Allaah be upon him) say. The Prophet (peace and blessings of Allaah be upon him) did not choose to kill her in this manner, but because she deserved to be executed as a hadd punishment for breaking the covenant and reviling the Prophet (peace and blessings of Allaah be upon him), he did not demand qisaas from her killer. She had said to him many things reviling the Prophet (peace and blessings of Allaah be upon him), time after time, and he told her to stop but she did not stop, and he rebuked her but she paid no heed, until he could no longer bear it and he silenced the voice that insulted his religion and his Prophet.

As for killing a dhimmi unlawfully, it is major sin, and the warning concerning that is very stern, as was proven in Saheeh al-Bukhaari (3166) from 'Abd-Allaah ibn 'Amr (may Allaah be pleased with him) who narrated that the Prophet (peace and blessings of Allaah be upon him) said: "Whoever

killed a mu’aahid will not smell the fragrance of Paradise, although its fragrance may be detected from a distance of forty years’ travel.” Imam al-Bukhaari included this report in a chapter in his Saheeh entitled “Chapter: the sin of one who kills a mu’aahid unlawfully.”

Al-Haafiz Ibn Hajar (may Allaah have mercy on him) said: This is how he defined it in the heading. This idea is based on the principles of sharee’ah and it is also stated in the report of Abu Mu’aawiyah which mentions it with the words, “unlawfully”, and in the hadeeth narrated by al-Nasaa’i and Abu Dawood from Abu Bakrah with the words “Whoever kills a mu’aahid soul that is not permissible, Allaah will deprive him of Paradise.”

End quote.

And Allaah knows best.