81995 - Is Kissing Considered Zina?

the question

A woman kissed me and I responded to her, and we started touching one another and kissing, but when she asked me to have intercourse with her I refused for fear of the punishment of the Zani before Allah. Am I an adulterer because of that? I only put my fingers in.

Summary of answer

Zina specifically refers to sexual intercourse. Kissing, touching, or other intimate behaviors outside of marriage are prohibited and are pathways to Zina, but are not considered Zina.

Detailed answer

Praise be to Allah.

Repentance for Kissing a Non-Mahram

What you did by kissing and touching this woman is a reprehensible prohibited action from which you have to repent by regretting having done it and resolving not to go back to it. You also have to keep away from the things that lead to Fitnah, such as mixing, being alone with a woman, and prohibited looks.

The Severity of Zina and Its Consequences

You should praise Allah for having saved you from falling into the major sin of Zina for which Allah has issued a stern warning of punishment in this world and in the Hereafter, which includes the prescribed punishment of stoning the Zani to death if he was married and giving him one hundred lashes if he is not married.

The Messenger (peace and blessings of Allah be upon him) told us that Zina is one of the reasons for which people will be punished in their graves , and he has told us of the horrific nature of this punishment.

How audacious this woman was when she transgressed the sacred limits set by Allah, called you to a prohibited action, sought evil and indulged in sin without any fear or shame. How great is the blessing of Allah to you, that you stopped at that point; there was some trace of faith left in your heart that prevented you from committing the greater evil.

Is Kissing Considered Zina?

Undoubtedly the Zina for which a person is to be punished in the manner described above is penetration, where the private parts meet . As for the things that lead to Zina, such as touching, kissing and putting the fingers into the vagina, although they are prohibited and abhorrent, the one who does them may be punished for doing them, but he is not punished with the prescribed punishment that is meted out to the Zani ; rather he should be rebuked and disciplined.

The Zina of Eyes, Tongue, and Hands Explained

As for naming, Shari`ah calls these actions Zina, as it says in the Hadith narrated by Al-Bukhari (6243) and Muslim (2657) from Abu Hurayrah (may Allah be pleased with him) from the Prophet (peace and blessings of Allah be upon him) who said: “Allah has decreed for the son of Adam his share of Zina which will inevitably catch up with him. The Zina of the eye is looking and the Zina of the tongue is speaking. The heart wishes and longs and the private part confirms that or denies it.”

According to the version narrated by Muslim: “The Zina of the eyes is looking, the Zina of the ears is listening, the Zina of the tongue is speaking, the Zina of the hand is touching, and the Zina of the foot is walking. The heart wishes and longs and the private part confirms that or denies it.”

Ibn Battal (may Allah have mercy on him) said: Looking and speaking are called Zina because they

invite one to true Zina. Hence he said: “the private part confirms that or denies it.” (End quote from Fat-h Al-Bari)

Islamic Guidance on Repentance and Avoiding Immorality

So hasten to repent to Allah and cut off all ties with this woman who may cause you to lose your faith and chastity and make you one of the immoral evildoers. We ask Allah to keep you safe and sound. Beware of the tricks of the devil, for the matter starts with a look and may end in evil deeds; may Allah protect us and you.

And Allah knows best.