

Chapter: "And if two parties (or groups) from among the believers fall to fighting, then make peace between them both..." Allah has called them "believers"
[29]: narrated Abu Bakrah radiyAllaahu`anhu:

فَإِنِّي سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ

" إِذَا التَّقَى الْمُسْلِمَانِ بِسَيْفَيْهِمَا فَالْقَاتِلُ وَالْمَقْتُولُ فِي النَّارِ ". فَقُلْتُ يَا رَسُولَ اللَّهِ هَذَا الْقَاتِلُ فَمَا بَالُ الْمَقْتُولِ قَالَ " إِنَّهُ كَانَ حَرِيصًا عَلَى قَتْلِ صَاحِبِهِ " .

"I heard Allah's Messenger (ﷺ) saying, 'When two Muslims fight (meet) each other with their swords, both the murderer as well as the murdered will go to the Hell-fire.' I said, 'O Allah's Messenger (ﷺ) it is all right for the murderer but what about the murdered one?' Allah's Messenger (ﷺ) replied, "He surely had the intention to kill his companion."



“When two Muslims fight (meet) each other with their swords, both the murderer as well as the murdered will go to the Hell-fire.” I said, 'O Allah's Messenger (ﷺ) it is all right for the murderer but what about the murdered one?' Allah's Messenger (ﷺ) replied, “He surely had the intention to kill his companion.”

Major sins -> don't eject you from Islam

Fighting/killing – v. serious sin

سَبَابُ الْمُسْلِمِ فُسُوقٌ وَقِتَالُهُ كُفْرٌ

“Disparaging a Muslim is an act of wickedness, and fighting him is ‘kufr’”

Source: Ṣaḥīḥ al-Bukhārī 6665, Ṣaḥīḥ Muslim 64

Kufr doona kufr

“When two Muslims fight (meet) each other with their swords, both the murderer as well as the murdered will go to the Hell-fire.” I said, 'O Allah's Messenger (ﷺ) it is all right for the murderer but what about the murdered one?' Allah's Messenger (ﷺ) replied, “He surely had the intention to kill his companion.”

وَإِنْ طَائِفَتَانِ مِنَ الْمُؤْمِنِينَ اقْتَتَلُوا فَأَصْلَحُوا بَيْنَهُمَا

And if two factions among the believers should fight, then make settlement between the two.
[49:9]

‘Believers’ even though they fought.

Sins less than shirk / major kufr -> don't eject one from Islam

(However, obligatory level of eemaan has been neglected – serious matter).

“When two Muslims fight (meet) each other with their swords, both the murderer as well as the murdered will go to the Hell-fire.” I said, 'O Allah's Messenger (ﷺ) it is all right for the murderer but what about the murdered one?' Allah's Messenger (ﷺ) replied, “He surely had the intention to kill his companion.”

لَا يَزْنِي الزَّانِي حِينَ يَزْنِي وَهُوَ مُؤْمِنٌ وَلَا يَشْرِبُ الْخَمْرَ حِينَ يَشْرَبُ وَهُوَ مُؤْمِنٌ وَلَا يَسْرِقُ حِينَ يَسْرِقُ وَهُوَ مُؤْمِنٌ وَلَا يَنْتَهِبُ نَهْبَةً يَرْفَعُ النَّاسُ إِلَيْهِ فِيهَا أَبْصَارَهُمْ حِينَ يَنْتَهِبُهَا وَهُوَ مُؤْمِنٌ
وفي رواية أخرى قال وَلَا يَقْتُلُ وَهُوَ مُؤْمِنٌ

“The adulterer is not a believer while he is committing adultery. The drinker of wine is not a believer while he is drinking wine. The thief is not a believer while he is stealing. The plunderer is not a believer while he is plundering and the people are looking to him.”

In another narration, the Prophet said, “And he is not a believer while he is killing.”

Source: Ṣaḥīḥ al-Bukhārī 2475, Ṣaḥīḥ Muslim 57

“When two Muslims fight (meet) each other with their swords, both the murderer as well as the murdered will go to the Hell-fire.” I said, 'O Allah's Messenger (ﷺ) it is all right for the murderer but what about the murdered one?' Allah's Messenger (ﷺ) replied, “He surely had the intention to kill his companion.”

لَا إِيمَانَ لِمَنْ لَا أَمَانَةَ لَهُ وَلَا دِينَ لِمَنْ لَا عَهْدَ لَهُ

“There is no faith for one who cannot be trusted. There is no religion for one who cannot uphold a covenant.”

Source: Musnad Ahmad 12383

Grade: Hasan (fair) according to Al-Arna'ut

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Background:

Al-Ahnaf ibn Qays (leader of his tribe). Known to be forbearing and cautious/deliberate

Was going to help `Ali radiyAllaahu`anhu. Abu Bakrah radiyAllaahu`anhu advised him to go back...

`Ali was fighting against transgressors/Khawaarij – justified. Hadeeths where the Prophet (ﷺ) encouraged this. Rewarded.

Al-Ahnaf did go ahead and fight.

“When two Muslims fight (meet) each other with their swords, both the murderer as well as the murdered will go to the Hell-fire.” I said, 'O Allah's Messenger (ﷺ) it is all right for the murderer but what about the murdered one?' Allah's Messenger (ﷺ) replied, “He surely had the intention to kill his companion.”

Sa'd ibn Abi Waqqas (fighting at the time of `Uthmaan / `Ali & Mu'aawiyah)

‘I will only fight if I have a sword which can tell me who is a disbeliever’ – i.e. I won't take part in any fighting between the believers. Was afraid of the warning in the like of this hadith.

“When two Muslims fight (meet) each other with their swords, both the murderer as well as the murdered will go to the Hell-fire.” I said, 'O Allah's Messenger (ﷺ) it is all right for the murderer but what about the murdered one?' Allah's Messenger (ﷺ) replied, “He surely had the intention to kill his companion.”

“both the murderer as well as the murdered will go to the Hell-fire”

Sinful muwahhideen. Not eternally in the Fire. Proof?

“When two **Muslims** fight...”

“When two Muslims fight (meet) each other with their swords, both the murderer as well as the murdered will go to the Hell-fire.” I said, 'O Allah's Messenger (ﷺ) it is all right for the murderer but what about the murdered one?' Allah's Messenger (ﷺ) replied, “He surely had the intention to kill his companion.”

وَإِنْ طَائِفَتَانِ مِنَ الْمُؤْمِنِينَ اقْتَتَلُوا فَأَصْلَحُوا بَيْنَهُمَا ۖ

And if two factions among the **believers** should fight, then make settlement between the two. [49:9]

Like other major sins (less than shirk or major kufr).

Threat of Hell-Fire. Not forever.

“When two Muslims fight (meet) each other with their swords, both the murderer as well as the murdered will go to the Hell-fire.” I said, 'O Allah's Messenger (ﷺ) it is all right for the murderer but what about the murdered one?' Allah's Messenger (ﷺ) replied, “He surely had the intention to kill his companion.”

Why does the one who was killed also go to Hell?

“He surely had the intention to kill his companion.” – i.e. he was (حريس) striving to kill his opponent. However, was defeated first.

Counts as if he did it.

“When two Muslims fight (meet) each other with their swords, both the murderer as well as the murdered will go to the Hell-fire.” I said, 'O Allah's Messenger (ﷺ) it is all right for the murderer but what about the murdered one?' Allah's Messenger (ﷺ) replied, “He surely had the intention to kill his companion.”

Major sins (less than kufr) such as fighting between Muslims – does not make someone a kaafir who is no longer considered Muslim.

يَا أَيُّهَا الَّذِينَ ءَامَنُوا كُتِبَ عَلَيْكُمُ الْقِصَاصُ فِي الْقَتْلِ ۖ الْحُرُّ بِالْحُرِّ وَالْعَبْدُ بِالْعَبْدِ ۖ وَالْأُنثَىٰ بِالْأُنثَىٰ ۚ فَمَنْ عُفِيَ لَهُ مِنْ أَخِيهِ شَيْءٌ فَاتَّبَاعُ بِالْمَعْرُوفِ
وَأَدَاءٌ إِلَيْهِ بِإِحْسَانٍ ۚ ذَٰلِكَ تَخْفِيفٌ مِّن رَّبِّكُمْ وَرَحْمَةٌ ۚ فَمَنِ اعْتَدَىٰ بَعْدَ ذَٰلِكَ فَلَهُ عَذَابٌ أَلِيمٌ ١٧٨

O you who have believed, prescribed for you is legal retribution for those murdered - the free for the free, the slave for the slave, and the female for the female. **But whoever overlooks from his brother [i.e., the killer] anything**, then there should be a suitable follow-up and payment to him [i.e., the deceased's heir or legal representative] with good conduct. This is an alleviation from your Lord and a mercy. But whoever transgresses after that will have a painful punishment. [2:178]

Brotherhood of Islam

