

Forgiveness vs. Retaliation (part 1 of 2): To Forgive or not to Forgive; that is the Question

Description: A brief explanation of the law known as *Qisas* and its connection to forgiveness.

By Aisha Stacey (© 2014 IslamReligion.com)

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Islam is a religion that takes into account the nature of humankind; after all, the One who created us knows us best. We were not created perfect, we make mistakes, we forget, we sin, we fall prey to our emotions and hormones, and our sense of justice may not be as finely tuned as we might desire or think.

Thus the doctrines of Islam, the two main sources of jurisprudence, the Quran and the Sunnah (sometimes called the authentic traditions of Prophet Muhammad), set out for us the guidelines under which the law is applied. Unlike modern secular societies there is no separation between religion and state. For the Islamic society to function, the laws of God must be applied.

Islam repeats the Torah or Old Testament's eye for an eye principle and uses both capital and corporal punishment for many crimes. However what is often overlooked is that the Quran and the traditions of Prophet Muhammad call for forgiveness instead of retaliation. Islam and its legal principles support forgiveness and peaceful arrangements between all parties. The second of three categories of crime in Islamic law is *Qisas*.

Islamically *qisas* means the law of retaliation, however it is derived from the root *qess* meaning to track down the effect or trace of something, it may also be defined as tracking the footsteps of an enemy.

"...punish with an equivalent of that with which you were harmed. But if you are patient - it is better for those who are patient." (Quran 16:126)

"And We ordained for them therein a life for a life, an eye for an eye, a nose for a nose, an ear for an ear, a tooth for a tooth, and for wounds is legal retribution. But if anyone remits the retaliation by way of charity, it shall be for him an expiation. And whosoever does not judge by that which God has revealed, such are the wrongdoers." (Quran 5:45)

Qisas is specifically for murder or serious assault. Whenever a person causes physical harm or death to another, the injured or a representative of the deceased has the right to retaliation. In crimes covered under the laws of *Qisas* the victim or his representative have three options, to insist upon the punishment, accept monetary recompense, or



forgive the offender. Forgiveness is even able to avert the death penalty.