

## PROTECTION OF LIFE IN ISLAMIC LAW

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### ABSTRACT

*This research deals with the problem in Islamic studies; the imitation, especially in the Objectives of shariah , so we need to renew the Islamic Studies and the objectives of shariah . Therefore, the research objectives are the meaning of Objectives of Shariah, the Guides in Holy Quran and the Prophetic hadith and the way to Protection of life in Islamic law? The research objectives are the meaning of Objectives of Shariah, the Guides in Holy Quran and the Prophetic hadith and the way to Protection of life in Islamic law. The Methodologically: The researcher used the Descriptive and methodologically approach on the renewal of Islamic Studies. The results: The meaning of Objectives of Shariah: Allah orders us to try to achieve it. There are many Guides in Holy Quran and the Prophetic hadith to keep our life. The way to Protection of life in Islamic law: marriage, eating, drinking, clothing and housing, forbidden killing of Mu'ahid , no retaliation or punishment stipulated in the Quran on Pregnant, forbidden fighting, exceeding bounds, extravagance, transgression, keeping public health, forbidden suicide, breaking the fast, giving up fasting, Forbidden Abortion, Retaliation, Diya ( blood money),( Compurgation )by oath taken by some people of the tribe of a person who is being accused of killing some body .Recommendations: Renewal of intention throughout our lives, and the establishment of conferences on Objectives of shariah.*

Key words: Objectives- life- Islamic

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### Introduction

This research deals with problems in our life; many problems between people, killing each other and wasting of human, so we need to Renew the Islamic Studies and Objectives of shariah especially protection of life in Islamic law. The research objectives are the meaning of Objectives of Shariah, the Guides in Holy Quran and the Prophetic hadith and the way to protection of life in Islamic law. The researcher used the descriptive and methodologically approach on the renewal of Islamic studies. Research Details are; the first topic: The meaning of Objectives of Shariah. The second topic: The Guides in Holy Quran and the Prophetic hadith .The third topic: The way to protection of life in Islamic law.

### The first topic: The meaning of Objectives of Shariah:

Objective: something that you are trying to achieve; an aim. Our objective is to finish by the end of the year.<sup>(1)</sup>

Sharia: the system of religious laws<sup>2)</sup>.

Objectives of Shariah Islamic context is the term can refer to the purposes of Islamic faith.

The Objective can enhance the scope and caliber of ijtihad)<sup>3)</sup>.

The Maqasid Model:

1-The Circle of the Essentials:

They found that these rules are there for protection of five aspects or dimensions:

1. Protection of faith;
2. Protection of life;
3. Protection of wealth;
4. Protection of intellect; and
5. Protection of progeny.<sup>(4)</sup>

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<sup>(1)</sup>Oxford student's dictionary for learners using English to study other subjects 3<sup>rd</sup> edition, P:493

<sup>(2)</sup>margaret deuter , jennifer bradbery , jonna turnbull , (2015), Oxford advanced learner's dictionary international student's edition new 9<sup>th</sup> edition, P:1378

<sup>(3)</sup>Kamali, Mohammad Hashim. (2003). Maqasid al-Shari'ah Made Simple, international institute of advanced Islamic studies (IAIS) Malaysia p1

2-The Circle of the Complementarities.

3-The Circle of the Embellishments<sup>(5)</sup>

The second of the darooriyaat (essentials) is al-Nafs (Life) and is the topic of discussion in this post. We will look at the protection and preservation (hifdh) of this daroori, our approach taking the same form as our presentation of Hifdh al-Deen in the previous post.

Nafs is term meaning ‘soul’, ‘life’ and ‘person’. It comes from a root verb (na-fu-sa) meaning to be ‘precious’, ‘valuable’ and ‘priceless’. These meanings taken together help us to appreciate how the concept of life is understood in Islam and why its protection is so important. Our life is obviously one of, if not the most, valuable things that all of us as human beings share and is therefore considered to be daroori (essential).

“One view identifies Shari’ah with Islamic laws regulating the Man-God relationship and interactions between people. Shari’ah in this perspective is limited to the domain of law that regulates practical aspects of human life: personal, societal, state or international relationships. When Shari’ah is reduced to Islamic law, it is then often equated with fiqh. In this dimension, maqasid al-Shari’ah are put in the framework of the objectives of ‘Islamic law or the objectives of Islam in legislation. A second view of Shari’ah is wider, considering it a system of life that encompasses all aspects of the belief system, the system of ethics and morals and the rules governing the Man-God relationship and human relationships. Shari’ah in this perspective covers the entire spectrum of Islamic life, including belief, morality, virtues and principles of guidance on economic, political, cultural and civilizational matters that concern not only the Muslim community but all of humanity. By this consideration, Shari’ah could be understood as synonymous with religion, encompassing all of human life.”<sup>(6)</sup>

### **The second topic: The Guides in Holy Quran and the Prophetic hadith :**

#### **The Guides in Holy Quran:**

قال تعالى: {وَالَّذِينَ لَا يَدْعُونَ مَعَ اللَّهِ إِلَهًا آخَرَ وَلَا يَقْتُلُونَ النَّفْسَ الَّتِي حَرَّمَ اللَّهُ إِلَّا بِالْحَقِّ وَلَا يَزْنُونَ وَمَنْ يَفْعَلْ ذَلِكَ يَلْقَ أَثَامًا} [الفرقان: 68]

And those who invoke not any other ilah (god) along with Allah, nor kill such life as Allah has forbidden, except for just cause, nor commit illegal sexual intercourse and whoever does this shall receive the punishment. [25:68]

قال تعالى: {وَمَنْ يَقْتُلْ مُؤْمِنًا مُتَعَمِّدًا فَجَزَاؤُهُ جَهَنَّمُ خَالِدًا فِيهَا وَغَضِبَ اللَّهُ عَلَيْهِ وَلَعَنَهُ وَأَعَدَّ لَهُ عَذَابًا عَظِيمًا} [النساء: 93]

And whoever kills a believer intentionally, his recompense is Hell to abide therein, and the Wrath and the Curse of Allah are upon him, and a great punishment is prepared for him”[4:93]

Protection of Life (Al-nafs) The Shariah has enacted harsh punishment for those who kill others in order to protect life.

Sariah as well implement various rules and regulation to protect life from abuse, harm.

In the light of the above sariah provide the criminal law to ensure the protection of life”<sup>(7)</sup>

قال تعالى: {وَلَا تَقْتُلُوا النَّفْسَ الَّتِي حَرَّمَ اللَّهُ إِلَّا بِالْحَقِّ وَمَنْ قُتِلَ مَظْلُومًا فَقَدْ جَعَلْنَا لَوْلِيهِ سُلْطَانًا فَلَا يَسْرِفُ فِي الْقَتْلِ إِنَّهُ كَانَ مَنْصُورًا} [الإسراء: 33]

And do not kill anyone which Allah has forbidden, except for a just cause. And whoever is killed (intentionally with hostility and oppression and not by mistake), we have given his heir the authority [(to demand Qisas, Law of Equality in punishment or to forgive, or to take Diya (blood money)]. But let him not exceed limits in the matter of taking life (i.e. he should not kill except the killer only). Verily, he is helped (by the Islamic law). [17:33]

قال تعالى: {مَنْ أَجْلَ ذَلِكَ كَتَبْنَا عَلَى بَنِي إِسْرَائِيلَ أَنَّهُ مَنْ قَتَلَ نَفْسًا بِغَيْرِ نَفْسٍ أَوْ فَسَادٍ فِي الْأَرْضِ فَكَأَنَّمَا قَتَلَ النَّاسَ جَمِيعًا وَمَنْ أَحْيَاهَا فَكَأَنَّمَا أَحْيَا النَّاسَ جَمِيعًا وَلَقَدْ جَاءَتْهُمْ رُسُلُنَا بِالْبَيِّنَاتِ ثُمَّ إِنَّ كَثِيرًا مِنْهُمْ بَعْدَ ذَلِكَ فِي الْأَرْضِ لَمُسْرِفُونَ} [المائدة: 32]

Because of that We ordained for the Children of Israel that if anyone killed a person not in retaliation of murder, or (and) to spread mischief in the land - it would be as if he killed all mankind, and if anyone saved a life, it would be as if he saved the life of all mankind [5:32]

قال تعالى: {إِنَّمَا حَرَّمَ عَلَيْكُمُ الْمَيْتَةَ وَالدَّمَ وَلَحْمَ الْخِنْزِيرِ وَمَا أُهْلَ بِهِ لِغَيْرِ اللَّهِ فَمَنْ اضْطُرَّ غَيْرَ بَاغٍ وَلَا عَادٍ فَلَا إِثْمَ عَلَيْهِ إِنَّ اللَّهَ غَفُورٌ رَحِيمٌ} [البقرة: 173]

He has forbidden you only the Maytatah (dead animals), and blood, and the flesh of swine, and that which is slaughtered as a sacrifice for others than Allah (or has been slaughtered for idols, etc., on which Allah's Name has not been mentioned while slaughtering). But if one is forced by necessity without willful disobedience nor transgressing due limits, then there is no sin on him. Truly, Allah is Oft-Forgiving, Most Merciful. [2:173]

قال تعالى: {وَلَا تَقْتُلُوا أَوْلَادَكُمْ حَسْبَةَ إِمْلَاقٍ نَحْنُ نَرِزُقُهُمْ وَإِيَّاكُمْ إِنَّ قَتْلَهُمْ كَانَ خِطْئًا كَبِيرًا} [الإسراء: 31]

<sup>(4)</sup>Hassan, salaman syed ali, towards a magasid al shariah based development index(2014), phul, qadah, Islamic research and training institute. Amember of the Islamic development bank group.p:3

<sup>(5)</sup>Al-Allaf ,Mashhad Islamic divine law(shariah) the objectives( maqasid) of the Islamic divine law or Maqasid Theory .P1

<sup>(6)</sup>The Objective of the Shari’ah in Islamic Finance:Identifying the Ends and the Means by: Associate Professor Mohammad Akram Laldin and Dr Hafas Furqani, ISRA p27

<sup>(7)</sup>Maqasid al shariah in Islamic finance by Dr. Ahcene Lahsasna p:7

And kill not your children for fear of poverty. We provide for them and for you. Surely, the killing of them is a great sin. [17:31]

قال تعالى: {قُلْ تَعَالَوْا أَتْلُ مَا حَرَّمَ رَبِّيَ عَلَيْكُمْ عَلَىٰ شُرُكُوهِ إِلَّا تُشْرِكُوا بِهِ شَيْئًا وَبِالْوَالِدَيْنِ إِحْسَانًا وَلَا تَقْتُلُوا أَوْلَادَكُمْ مِنْ إِمْلَاقٍ نَحْنُ نَرْزُقُكُمْ وَإِيَّاهُمْ وَلَا تَقْرَبُوا الْفَوَاحِشَ مَا ظَهَرَ مِنْهَا وَمَا بَطَنَ وَلَا تَقْتُلُوا النَّفْسَ الَّتِي حَرَّمَ اللَّهُ إِلَّا بِالْحَقِّ ذَلِكَمْ وَصَاكُمْ بِهِ لَعَلَّكُمْ تَتَّقُونَ} [الأنعام: 151]

Say (O Muhammad SAW): "Come, I will recite what your Lord has prohibited you from: Join not anything in worship with Him; be good and dutiful to your parents; kill not your children because of poverty - We provide sustenance for you and for them; come not near to Al-Fawahish (shameful sins, illegal sexual intercourse, etc.) whether committed openly or secretly, and kill not anyone whom Allah has forbidden, except for a just cause (according to Islamic law). This He has commanded you that you may understand. [6:151]

قال تعالى: {يَا أَيُّهَا الَّذِينَ آمَنُوا كُتِبَ عَلَيْكُمُ الصِّبَاغُ فِي الْقَتْلِ الْحُرِّ بِالْحُرِّ وَالْعَبْدِ بِالْعَبْدِ وَالْأُنثَىٰ بِالْأُنثَىٰ فَمَنْ غُفِيَ لَهُ مِنْ أَخِيهِ شَيْءٌ فَاتَّبِعْهُ بِالْمَعْرُوفِ وَأَدَاءِ إِلَيْهِ بِإِحْسَانٍ ذَلِكَ تَخْفِيفٌ مِنْ رَبِّكُمْ وَرَحْمَةٌ فَمَنْ اعْتَدَىٰ بَعْدَ ذَلِكَ فَعَلَهُ عَذَابٌ أَلِيمٌ} [البقرة: 178]

O you who believe! Al-Qisas (the Law of Equality in punishment) is prescribed for you in case of murder: the free for the free, the slave for the slave, and the female for the female. But if the killer is forgiven by the brother (or the relatives, etc.) of the killed against blood money, then adhering to it with fairness and payment of the blood money, to the heir should be made in fairness. This is an alleviation and a mercy from your Lord. So after this whoever transgresses the limits (i.e. kills the killer after taking the blood money), he shall have a painful torment. [2:178]

قال تعالى: {وَكُتِبْنَا عَلَيْهِمْ فِيهَا أَنْ النَّفْسَ بِالنَّفْسِ وَالْعَيْنَ بِالْعَيْنِ وَالْأَنْفَ بِالْأَنْفِ وَالْأُذُنَ بِالْأُذُنِ وَالسِّنَّ بِالسِّنِّ وَالْجُرُوحَ قِصَاصًا فَمَنْ تَصَدَّقَ بِهِ فَهُوَ كَفَّارَةٌ لَهُ وَمَنْ لَمْ يَحْكَمْ بِمَا أَنْزَلَ اللَّهُ فَأُولَٰئِكَ هُمُ الظَّالِمُونَ} [المائدة: 45]

And We ordained therein for them: "Life for life, eye for eye, nose for nose, ear for ear, tooth for tooth, and wounds equal for equal." 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 Allah has revealed, such are the Zalimun (polytheists and wrong-doers - of a lesser degree). [5:45]

قال تعالى: {وَمَا كَانَ لِمُؤْمِنٍ أَنْ يَقْتُلَ مُؤْمِنًا إِلَّا خَطَاً وَمَنْ قَتَلَ مُؤْمِنًا خَطَاً فَتَحْرِيرُ رَقَبَةٍ مُؤْمِنَةٍ وَدِيَةٌ مُسَلَّمَةٌ إِلَىٰ أَهْلِهِ إِلَّا أَنْ يَصَدَّقُوا فَإِنْ كَانَ مِنْ قَوْمٍ عَدُوًّا لَكُمْ وَهُوَ مُؤْمِنٌ فَتَحْرِيرُ رَقَبَةٍ مُؤْمِنَةٍ وَإِنْ كَانَ مِنْ قَوْمٍ بَيْنَكُمْ وَبَيْنَهُمْ مِيثَاقٌ فِدْيَةٌ مُسَلَّمَةٌ إِلَىٰ أَهْلِهِ وَتَحْرِيرُ رَقَبَةٍ مُؤْمِنَةٍ فَمَنْ لَمْ يَجِدْ فَصِيَامًا شَهْرَيْنِ مُتَتَابِعَيْنِ تَوْبَةً مِنَ اللَّهِ وَكَانَ اللَّهُ عَلِيمًا حَكِيمًا} [النساء: 92]

It is not for a believer to kill a believer except (that it be) by mistake, and whosoever kills a believer by mistake, (it is ordained that) he must set free a believing slave and a compensation (blood money, i.e. Diya) be given to the deceased's family, unless they remit it. If the deceased belonged to a people at war with you and he was a believer; the freeing of a believing slave (is prescribed), and if he belonged to a people with whom you have a treaty of mutual alliance, compensation (blood money - Diya) must be paid to his family, and a believing slave must be freed. And whoso finds this (the penance of freeing a slave) beyond his means, he must fast for two consecutive months in order to seek repentance from Allah. And Allah is Ever All-Knowing, All-Wise. [4:92]

#### The Guides in the Prophetic hadith:

Abu Hurairah (May Allah be pleased with him) reported: Messenger of Allah (ﷺ) said, "A Muslim is a brother to a Muslim. He should neither deceive him nor lie to him, nor leave him without assistance. Everything belonging to a Muslim is inviolable for a Muslim; his honor, his blood and property. Piety is here (and he pointed out to his chest thrice). It is enough for a Muslim to commit evil by despising his Muslim brother." (8)

Narrated `Imran bin Husain: had piles, so I asked the Prophet (ﷺ) about the prayer. He said, "Pray while standing and if you can't, pray while sitting and if you cannot do even that, then pray Lying on your side." (9)

Abu Bakrah (May Allah be pleased with him) said: Delivering the sermon during the Farewell Pilgrimage on the day of Sacrifice at Mina, the Messenger of Allah (ﷺ) said, "Verily your blood, your property and your honor are as sacred and inviolable as the sanctity of this day of yours, in this month of yours and in this town of yours. Verily! I have conveyed this message to you." (10)

Al-Baihaqi transmitted on the authority of 'Ali (RAA) that he said, 'Avert the prescribed punishment by rejecting doubtful evidence.' (11)

Narrated Abu Musa: The Prophet (ﷺ) said, "Whoever takes up arms against us, is not from us." (12)

(8)[At- Tirmidhi], The Book of Miscellany, Book 1, Hadith 234

(9)Shortening the Prayers (At-Taqseer), Chapter: Whoever cannot offer Salat while sitting, can offer Salat while lying on his side" Sahih al-Bukhari 1117, Vol. 2, Book 20, Hadith 218

(10)[Al-Bukhari and Muslim], Book 18, Hadith 1524

(11)Book 10, Hadith 1260

(12)Afflictions and the End of the World, Chapter: "Whoever takes up arms against us, is not from us.", Sahih al-Bukhari 7071, Vol. 9, Book 88, Hadith 192

Abu Huraira reported Allah's Messenger (ﷺ) as saying that he saw a person enjoying himself in Paradise because of the tree that he cut from the path which was a source of inconvenience to the people.<sup>(13)</sup>

It was narrated from 'Abdullah bin 'Amr that: The Prophet [SAW] said: "The extinction of the whole world is less significant before Allah than killing a Muslim man."<sup>(14)</sup>

On the authority of Ibn Masood (may Allah be pleased with him) who said: The Messenger of Allah (peace and blessings of Allah be upon him) said, "It is not permissible to spill the blood of a Muslim except in three [instances]: the married person who commits adultery, a life for a life, and the one who forsakes his religion and separates from the community."<sup>(15)</sup>

Narrated Anas bin Malik: The Prophet (ﷺ) said, "The biggest of Al-Ka`ba'ir (the great sins) are (1) to join others as partners in worship with Allah, (2) to murder a human being, (3) to be undutiful to one's parents (4) and to make a false statement," or said, "to give a false witness."<sup>(16)</sup>

Abdullah bin 'Amr bin Al-'as (May Allah be pleased with them) reported:

The Prophet (ﷺ) said, "(Of the) major sins are: to ascribe partners to Allah, disobey parents, murder someone, and to take a false oath (intentionally)"<sup>(17)</sup>

From the Perspective of That Which Threatens al-Nafs

Those things which threaten al-Nafs are discouraged, prevented and prohibited. Some examples of how it is achieved are as follows:

### **The Third Topic: The Way to Keep life in Islam:**

#### 1-Marriage

قال تعالى: { وَمِنْ آيَاتِهِ أَنْ خَلَقَ لَكُمْ مِنْ أَنْفُسِكُمْ أَزْوَاجًا لِتَسْكُنُوا إِلَيْهَا وَجَعَلَ بَيْنَكُمْ بَيْنَكُمْ مَوَدَّةً وَرَحْمَةً إِنَّ فِي ذَلِكَ لَآيَاتٍ لِقَوْمٍ يَعْقِلُونَ } [الروم: 21]

And among His Signs is this, that He created for you wives from among yourselves, that you may find repose in them, and He has put between you affection and mercy. Verily, in that are indeed signs for a people who reflect.[30:21]

Marriage is a sacred relation in Islam in which a husband and a wife keep the procreation of the human life. In this relation the couples have mutual respect, love, and cooperation in bringing up the children. Marriage is the heavenly bond in which men and women fulfill their physical and psychological needs to the other gender.

#### 2-Eat the forbidden only for necessity:

قال تعالى: { وَقَدْ فَصَّلَ لَكُمْ مَا حَرَّمَ عَلَيْكُمْ إِلَّا مَا اضْطُرُّرْتُمْ إِلَيْهِ } [الأنعام: 119]

While He has explained to you in detail what is forbidden to you, except under compulsion of necessity? [6:119]

Gog's mercy is clearly shown when contemplating Allah's permission to Muslims to eat or drink the forbidden for necessity. For example, when comparing fatal death because of famine, to the eating a dead animal; a taboo- which proved to be harmful for health, here, man's life is given the priority. Allah gives the permission for the Muslims to eat whatever may keep them alive at this condition. The same case is with using wine in certain medicines. If there is no alternative medicine that keeps one's life except medicines that include wine in their ingredients, it is acceptable to use these medicines. This asserts the importance human life in Islam.

#### 3-Eating, drinking, clothing and housing:

قال تعالى: { يَا بَنِي آدَمَ خُذُوا زِينَتَكُمْ عِنْدَ كُلِّ مَسْجِدٍ وَكُلُوا وَاشْرَبُوا وَلَا تُسْرِفُوا إِنَّهُ لَا يُحِبُّ الْمُسْرِفِينَ } [الأعراف: 31]

O Children of Adam! Take your adornment (by wearing your clean clothes), while praying and going round (the Tawaf of) the Ka'bah, and eat and drink but waste not by extravagance, certainly He (Allah) likes not Al-Musrifun (those who waste by extravagance).[7:31]

#### 4- It is forbidden to kill a Mu'ahid

Narrated `Abdullah bin `Amr: The Prophet (ﷺ) said, "Whoever killed a Mu'ahid (a person who is granted the pledge of protection by the Muslims) shall not smell the fragrance of Paradise though its fragrance can be smelt at a distance of forty years (of traveling)."<sup>(18)</sup>

<sup>(13)</sup>The Book of Virtue, Enjoining Good Manners, and Joining of the Ties of Kinship Chapter: The Virtue Of Removing A Harmful Thing From The Road, Sahih Muslim 1914 d, Book 32, Hadith 6341

<sup>(14)</sup>The Book of Fighting [The Prohibition of Bloodshed], Chapter: The Gravity of the Sin of Shedding Blood, Hasan (Darussalam), Sunan an-Nasa'i 3987, Vol. 5, Book 37, Hadith 3992

<sup>(15)</sup> [Al-Bukhari] [Muslim] Hadith 14

<sup>(16)</sup>Blood Money (Ad-Diyat), Chapter: "And if anyone saved a life....", Sahih al-Bukhari 6871, Book 87, Hadith 10

<sup>(17)</sup>[Al- Bukhari] Book 1, Hadith 337

Non-Muslims lives are protected in the Muslim community just as Muslims lives. The prophetic Hadith, here, teaches that Non-Muslims' lives are not less important than Muslims' lives in the Muslim community. Whoever kills a Non-Muslim, Mu'ahid, is deprived from paradise. All people's lives are protected in the Muslim communities regardless of any respect, even if this respect is religion.

#### 5-No Retaliation or Punishment stipulated in the Quran on the Pregnant

A woman of Ghamidia came to the Prophet (ﷺ) and said: I have committed fornication. He said: Go back. She returned, and on the next day she came to him again, and said: Perhaps you want to send me back as you did to Ma'iz b. Malik. I swear by Allah, I am pregnant. He said to her: Go back. She then returned and came to him the next day. He said to her: Go back until you give birth to that child. She then returned. When she gave birth to the child, she brought the child to him, and said: Here it is! I have given birth to it. He said: Go back, and suckle him until you wean him. When she had weaned him, she brought him (the boy) to him with something in his hand which he was eating. The boy was then given to a certain man of the Muslims, and he (the Prophet) commanded regarding her. So a pit was dug for her, and he gave orders about her and she was stoned to death. Khalid was one of those who were throwing stones at her. He threw a stone at her. When a drop blood fell on his cheeks, he abused her. The Prophet (ﷺ) said to him: Gently, Khalid. By Him in whose hand my soul is, she has repented to such an extent that if one who wrongfully takes extra tax were to repent to a like extent, he would be forgiven. Then giving command regarding her, prayed over her and she was buried. (19)

The story in this Hadith shows the importance of life in Islam starting from its primitive level. Human life should be cared for and saved from its very beginning, from the woman's womb stage. Prophet Muhammad (peace be upon him) didn't execute stoning the woman until the baby is born. The woman admitted her guilt, but she was pregnant. The priority was given to the new coming life of the baby not to executing the punishment. The baby was born, yet the stipulation was not executed until the baby is able to eat and given to a man to bring him up. The woman cleaned herself from the sin by repentance and taking the stipulation in life, Dunia. The life of the baby was regarded and saved from his mother's womb stage.

#### 6-Revenge for bloodshed:

قال تعالى: {وَلَكُمْ فِي الْقِصَاصِ حَيَاةٌ يَا أُولِي الْأَلْبَابِ لَعَلَّكُمْ تَتَّقُونَ} [البقرة: 179]

And there is (a saving of) life for you in Al-Qisas (the Law of Equality in punishment), O men of understanding, that you may become Al-Muttaqun [2:179]

Avenging the murder keeps life. Once the murderer is sure to be killed, he would consider this act a hundred times before daring to do that sin. Keeping one life is just as keeping humanity, and killing one life is as murdering the whole humanity. When the action is accepted for one soul, it would be accepted for everybody. If the murdered is avenged there would be no murderers to repeat the action. For evil people, the applied stipulation is enough to stop them from doing any evil against the others.

#### 7- No Threat

The Prophet (ﷺ) said, "Whoever takes up arms against us, is not from us." (20)

Threatening people's lives spreads the insecure feeling among the society. The Muslim community is a secure, peaceful, and stable community. Any act that threatens that feeling of safety is forbidden. The feeling of brotherhood is asserted in the Muslim community, and anything irritates that feeling is forbidden in the Muslim community.

#### 8-Forbidden fighting:

Ahnaf b. Qais reported on the authority of Abu Bakra that Allah's Messenger (ﷺ) said: When two Muslims confront each other with their swords, both the slayer and the slain are doomed to Hell-Fire. (21)

Abu Hurairah (May Allah be pleased with him) said: The Messenger of Allah (ﷺ) said, "None of you should point at his brother with a weapon because he does not know that Satan may make it lose from his hand and, as a result, he may fall into a pit of Hell-fire (by accidentally killing him)." (22)

The Muslim should care about his brother Muslim life as he cares about as his own life. It is clear in these Prophetic Hadiths. The Muslim should not use a weapon against his brother Muslim even in humor. The two Muslims who fight to death together are threatened hell. All these teachings creates a safe community in which brotherhood prevails.

#### 9- No harm:

(18)Blood Money (Ad-Diyat),Chapter: The sin of a person who killed an innocent Dhimi, Sahih al-Bukhari 6914, Vol. 9, Book 83, Hadith 49

(19)Prescribed Punishments (Kitab Al-Hudud),Chapter: Regarding the woman of Juhainah whom the prophet (pbuh) ordered to be stoned,Sahih (Al-Albani),Sunan Abi Dawud 4442,Book 39, Hadith 4428

(20)Chapter: "Whosoever takes up arms against us, is not from us." Afflictions and the End of the World Sahih al-Bukhari 7071,Vol. 9, Book 88, Hadith 192

(21)The Book of Tribulations and Portents of the Last Hour ,Chapter: If Two Muslims Confront One Another With Their Swords, Sahih Muslim 2888 b, Book 41, Hadith 6899

(22)[Al-Bukhari and Muslim] The Book of the Prohibited actions,Book 18, Hadith 1783



Abu Huraira reported Allah's Messenger (ﷺ) as saying that he saw a person enjoying himself in Paradise because of the tree that he cut from the path which was a source of inconvenience to the people.<sup>(23)</sup>

Islam is built on the rule (No Harm). Accordingly, any type of causing harm to others is forbidden. Thus, air pollution, water pollution and noise pollution, are all types of causing harm. These things are taboo from Islamic perspective.

10- No defamation or abuses

Ibn Mas'ud (May Allah be pleased with him) reported: The Messenger of Allah (ﷺ) said, "Reviling a Muslim is Fusuq (disobedience of Allah) and killing him is (tantamount to) disbelief."<sup>(24)</sup>

The prophetic Hadith prohibits all the moral evils starting from abuses ending at murder. All forms of harm are banned in Islam, either they are spiritual harm or sensual harm. The abuses are types of harm that hurt the soul, so they are taboo. Murder is the utmost hurt to humans that is why it is considered disbelief, according to the literal meaning of the Hadith.

## Conclusion

### Results:

The research objectives are the meaning of Objectives of Shariah, the Guides in Holy Quran and the Prophetic hadith and the way to Protection of life in Islamic law, so the results are:

1. The meaning of Objectives of Shariah refers to the purposes of Islamic faith and that Allah order us to try to achieve it.
2. There are many Guides in Holy Quran and the Prophetic hadith to keep our life.
3. The way to Protection of life in Islamic law: marriage, Eating, drinking, clothing and housing, It is forbidden to kill a Mu'ahid , No Retaliation or Punishment stipulated in the Quran on Pregnant, Forbidden fighting, Islam forbids the act of exceeding bounds, extravagance, transgression, keep of public health, forbidden suicide, Break the fast, give up fasting, May not be killed by them do not participate in the fighting like: women, and children. Forbidden Abortion, Retaliation, Diya ( blood money), )Compurgation ( by oath taken by some people ( men 50 ) of the tribe of a person who is being accused of killing some body), )Indemnity ( for wounds and fractures),Prevent air, water and sea pollution.
4. This research is very important for other countries to stop the killing and spread love and peace among people.

## Recommendations

Renewal of intention in all of our lives, and the establishment of conferences on Objectives of sariah and stop the killing in all countries in the world.

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<sup>(23)</sup>The Book of Virtue, Enjoining Good Manners, and Joining of the Ties of Kinship,Chapter: The Virtue Of Removing A Harmful Thing From The Road,Sahih Muslim 1914 d,Book 32, Hadith 6341

<sup>(24)</sup>[Al-Bukhari and Muslim],The Book of the Prohibited actions, Book 18, Hadith 1559

