

In Islam, the prohibition of extrajudicial killing is based on several fundamental principles of justice and human rights. Islamic teachings emphasize the sanctity of human life and promote the idea that all individuals have the right to a fair trial before being subjected to any form of punishment.

Sanctity of Human Life:

وَلَقَدْ كَرَّمْنَا بَنِي آدَمَ وَحَمَلْنَاهُمْ وَفَضَّلْنَاهُمْ عَلَى كَثِيرٍ مِّمَّنْ خَلَقْنَا تَفْضِيلًا

اور بیشک ہم نے بنی آدم کو عزت بخشی اور ہم نے انہیں اکثر مخلوقات پر جنہیں ہم نے پیدا کیا ہے فضیلت دے کر برتر بنادیا

And We have indeed honoured the children of Adam, And We have exalted them above most of Our creation by conferring on them superiority.¹

Allah the Almighty has categorically stated that every son of Adam has been given sanctity and supreme status. No one is allowed to demolish this status. Even the Non-Muslim has also the same right. The following ahadith will clear the concept.

Narrated Abdur Rahman bin Abi Laila (RA):

Sahl bin Hunaif and Qais bin Sad were sitting in the city of Al-Qadisiya. A funeral procession passed in front of them and they stood up. They were told that funeral procession was of one of the inhabitants of the land i.e. of a non-believer, under the protection of Muslims. They said, "A funeral procession passed in front of the Prophet ﷺ and he stood up. When he was told that it was the coffin of a Jew, he said, "Is it not a living being (soul)?"²

The Prophet ﷺ said, "Whoever killed a person having a treaty with the Muslims, shall not smell the smell of Paradise though its smell is perceived from a distance of forty years."³

A human's murder is equal to the murder of humanity

¹ Sura Bani Israel:70

² Sahih Bukhari:1312

³ Sahi Bukhari:3166

Islam places a high value on human life. The Quran states in Surah Al-Ma'idah (5:32): "Whoever kills a soul unless for a soul or for corruption [done] in the land - it is as if he had slain mankind entirely. And whoever saves one - it is as if he had saved mankind entirely." This verse underscores the gravity of taking a life without just cause. This verse is categorically invokes the sanctity of every life irrespective of cast, colour, creed and religion. Allah the Almighty has declared the murder of one human being as the murder of all humanity and vice versa. Every extra judicial killing in which a group of people themselves become witness, judge and executer is strictly prohibited in Islam. They must be declared culprit and assassinated by the courts and governments.

Due Process and Fair Trial:

Islamic law, or Sharia, requires that individuals accused of crimes be given a fair and just trial. The accused have the right to present their case, provide evidence, and have legal representation. Extrajudicial killing bypasses this important legal process.

Presumption of Innocence:

In Islamic jurisprudence, a person is considered innocent until proven guilty. This principle ensures that accusations are thoroughly investigated, and evidence is presented before any punishment is administered.

Prohibition of Vigilantism:

Taking the law into one's own hands and seeking retribution outside the legal system is strongly discouraged in Islam. This is because it can lead to chaos, injustice, and a breakdown of societal order.

Role of the State:

It is the responsibility of the state to maintain law and order, investigate crimes, and administer justice. The state is obligated to ensure that the legal process is followed and that individuals are treated fairly and with dignity.

Punishment as a Last Resort:

Even in cases where a person is found guilty of a crime, the punishment should be proportionate to the offense and carried out according to established legal procedures. The emphasis is on rehabilitation and restoration rather than vengeance.

Forgiveness and Mercy:

Islam encourages forgiveness and mercy. Victims or their families have the option to forgive the offender, and this is seen as a noble act. This can lead to reconciliation and the avoidance of further harm.

It is important to note that interpretations of Islamic teachings can vary among scholars and within different cultural and legal contexts. However, the principles mentioned above form the basis for the prohibition of extrajudicial killing in Islamic ethics and jurisprudence.