

1. If a man has non-vaginal sex with an unrelated woman will receive Ta'zir not Hadd.
2. He who has sex with the slave-girl of his son or his son's son will not receive the Hadd even if he says, "I knew that she is forbidden unto me."
3. A man had sex with the slave-girl of his father, or mother, or wife. If he says, "I thought she is permissible for me," he will not receive the Hadd. If he says, "I knew that she is forbidden unto me," he will receive the Hadd. Similarly if a slave has sex with his owner's slave-girl and he says, "I thought she is permissible for me," he will not receive the Hadd. If he says, "I knew that she is forbidden unto me," he will receive the Hadd.
4. The Hadd will be inflicted if one has sex with one's brother's slave-girl or paternal uncle's slave-girl, even if one says, "I thought that she is permissible for me."
5. There is no Hadd if the woman presents someone other than his bride on the wedding night and says that she is his wife. If he has sex with her he must pay Mahr.
6. The Hadd is applied if a man finds a woman on his bed and has sex with her.
7. There is no Hadd if a man marries a woman he is forbidden to and has sex with her.
8. According to Imaam Abu Hanifa RAH. Ta'zir and not Hadd will be inflicted on one who has anal sex with a woman or commits the act of the people of Lut ALAHISSALAM. According to Imaam Abu Yusuf RAH. and Imaam Muhammed RAH. it is the same as Zina and the Hadd will be applied.\*
9. There is no Hadd upon one who commits bestiality.
10. There is no Hadd upon one who committed Zina in the lands of the Kuffar or the rebels and then returned to the land of Islaam.

\* Ash-Shami mentions that the Hadd will not be applied for once-off sodomy but the ruler will execute the sodomite for repeat offences.

Ibnul Humam narrates that Abu Bakar RADI. consulted the sahabah & and they agreed with 'Ali RADI. that the homosexual should be burned.

According to Imaam Abu Hanifah RAH. there is no Hadd for sodomy not because it is lighter than Zina, but because of clear evidence. It is worse than Zina because Zina is understandable intellectually and according to human nature, not so sodomy.

~ al-Quduri ~