

Question 1953) - You have often mentioned that the 'Aqilah pays the Diah on behalf of the killer. What is the meaning of? 'Aqilah?

A: 'Aql/ Ma'qulah is the paying of Diah on behalf of the killer. Those who do this are called the 'Aqilah. Every Diah Wajib due to actual killing [i.e. excluding compromise payments] is Wajib upon the 'Aqilah. According to Imaam Abu Hanifah RAH. 'Aqilah is those on the Diwan* if the killer is from amongst them. The Diah will be taken from their stipend*over a three year period. If the stipends are issued after longer than three years or less, the Diah will still be taken from there. If the killer is not of the people of the Diwan then the 'Aqilah is his tribe. They will pay over three years.Each member will not pay more than 4 Dirham, 1 and a third per year. If the tribe has many members then the individual contributions will be reduced. The killer will be included in their number and will pay the same as any other member.

* The registered names of the army.

* The annual or twice-a-year allotments made to the soldiers.

~ al-Quduri ~