

money instead, or if some of the next of kin let him off, then legal retribution is waived, and the blood money becomes obligatory. The choice regarding the blood money is given to the next of kin. If he decides to let the killer off, it is obligatory for the victim's next of kin to claim the blood money «in a reasonable manner», without making things difficult for him or demanding more than he can bear; rather he should be gentle in asking and not put undue pressure on him.

«and paid with goodwill» that is, the killer should pay it without delay or shortfall, and without mistreating the victim's next of kin in word or deed; should the response to the next of kin's kindness in letting him off be anything but paying off with goodwill? This is applicable in all cases where there are similar issues between people: the one who is owed money must make his claim in a reasonable manner, and the one who owes it must pay it with goodwill.

The words «But if any remission is made by the victim's next of kin» are aimed at softening people's hearts and encouraging them to let the killer off and accept the blood money instead. Even better than that is to let him off altogether (by not demanding the blood money either). The word «next of kin» (literally, brother) indicates that the killer does not become a disbeliever by his actions, because what is meant by brotherhood here is brotherhood in faith. The killer is not excluded from that by his action, so it is more apt to say that all sins apart from disbelief do not make the one who does them a disbeliever; rather his faith decreases as a result of that.

If the victim's next of kin, or some of them, pardon the killer, then the latter's blood is protected (that is, he is not to be killed); he is protected by Sharia from them and from others. Hence Allah says: «Whoever transgresses after that», after the killer has been pardoned, «will have a painful punishment» that is, in the hereafter. The issue of whether he is to be killed or not is based on the above, because he has killed someone who is equal to him, so he should be executed for that.