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LAW OF HODOUD AND QASAS
[PUNISHMENT AND RETRIBUTION]
AND PROVISIONS THEREOF

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Article 135 - If someone drinks liquor several times and punishment is enforced on him after each drinking, he will be killed the third time.

Article 136 - If the one condemned to Had [whipping] becomes lunatic or apostate, his punishment will not be quashed.

CONDITIONS FOR THE QUASH OF PUNISHMENT
OR ITS PARDON

Article 137 - If the liquor-drinker repents before the giving of testimony, his punishment will be quashed. However, if he repents after the giving of testimony, his punishment will not be quashed.

Article 138 - If someone repents after making confession to having taken liquors, the judge may either pardon him or enforce punishment on him.

CHAPTER THREE
PUNISHMENT FOR SODOMY

Article 139 - Sodomy is sexual intercourse with a male.

Article 140 - In case of sodomy both the active and the passive persons will be condemned to its punishment.

Article 141 - Punishment for sodomy is killing; the Sharia judge decides on how to carry out the killing.

Article 142 - Sodomy involves killing if both the active and

passive persons are mature, of sound mind and have free will.

Article 143 - If a mature man of sound mind commits sexual intercourse with an immature person, the doer will be killed and the passive one will be subject to Ta'azir [lesser punishment] if not under duress.

Article 144 - If an immature person commits sexual intercourse with another immature person, both of them will be subject to Ta'azir [lesser punishments] unless one of them was under duress.

WAYS OF PROVING SODOMY IN COURT

Article 145 - By confessing four times to having committed sodomy, punishment is established against the one making the confession.

Article 146 - A confession is valid only if the confessor is mature, of sound mind, has free will and intention.

Article 147 - A confession made less than four times [to having committed sodomy] does not involve punishment of Had but the confessor will be subject to Ta'azir [lesser punishments].

Article 148 - Sodomy is proved by the testimony of four righteous men who must have observed it.

Article 149 - If less than four righteous men testify, sodomy is not proved and the witnesses shall be condemned to punishment for Qazf [malicious accusation].

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Article 150 - Testimony of women alone or together with a man does not prove sodomy.

Article 151 - The Sharia judge may act according to his own knowledge which is derived through customary methods.

Article 152 - Punishment for Tafhiz (17) [the rubbing of the thighs or buttocks] and the like committed by two men without entry, shall be hundred lashes for each of them.

Note: If the doer is a non-Muslim and the subject is a Muslim, the doer will be condemned to death.

Article 153 - If Tafhiz and the like are repeated three times without entry and punishment is enforced after each time, the punishment for the fourth time would be death.

Article 154 - If two men not related by blood stand naked under one cover without any necessity, both of them will be subject to Ta'azir [lesser punishments].

Article 155 - If someone kisses another without lust, he will be subject to Ta'azir.

Article 156 - If the one committing Tafhiz and the like or a homosexual man, with or without intercourse, repents before the giving of testimony by the witnesses, his punishment will be quashed; if he repents after the giving of testimony, the punishment will not be quashed. If it is proved by confession and thereafter he repents the Sharia judge may pardon him.

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LESBIANISM

Article 157 - Mosaheqeh [lesbianism] is the homosexuality of women by genitals.

Article 158 - The ways of proving lesbianism in court are the same by which the homosexuality [of men] is proved.

Article 159 - Punishment for lesbianism is hundred (100) lashes for each party.

Article 160 - Punishment for lesbianism will be established vis-a-vis someone who is mature, of sound mind, has free will and intention.

Note: In the punishment for lesbianism there will be no distinction between the doer and the subject as well as a Muslim or non-Muslim.

Article 161 - If the act of lesbianism is repeated three times and punishment is enforced each time, death sentence will be issued the fourth time.

Article 162 - If a lesbian repents before the giving of testimony by the witnesses, the punishment will be quashed; if she does so after the giving of testimony, the punishment will not be quashed.

Article 163 - If the act of lesbianism is proved by the confession of the doer and she repents accordingly, the Sharia judge may pardon her.

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Article 164 - If two women not related by consanguinity stand naked under one cover without necessity, they will be punished to less than hundred (100) lashes [Ta'azir]. In case of its repetition as well as the repetition of punishment, hundred (100) lashes will be hit the third time.

PUNISHMENT FOR PIMPING

Article 165 - Pimping means that someone brings two individuals together or puts them in contact with each other for fornication or homosexuality.

Article 166 - Pimping is proved by two confessions if the confessor is mature, of sound mind, has free will and intention.

Article 167 - Pimping is proved by the testimony of two righteous men.

Article 168 - Punishment for pimping is seventy (70) lashes and exile from the place of [his] domicile the period of which is determined by the judge.

Note: Punishment of pimping by a woman is seventy five (75) lashes only.

PUNISHMENT FOR QAZF

Article 169 - Qazf [malicious accusation] means that someone associates fornication or sodomy to a certain person.

Article 170 - Punishment for Qazf [malicious accusation] is