

cess in showing reverence for messengers of Allah by making them nothing short of God: لَقَدْ كَفَرَ الَّذِينَ قَالُوا إِنَّ اللَّهَ هُوَ الْمَسِيحُ ابْنُ مَرْيَمَ . It means that the section of people from the Banī Isrā'īl who said that Allah is exactly Jesus the son of Mary had become disbelievers. Mentioned this far is the saying of the Christians only. Elsewhere, the Jews too have been censured for the same kind of excess and error: وَقَالَتِ الْيَهُودُ عُزَيْرٌ ابْنُ اللَّهِ وَقَالَتِ النَّصَارَى وَالْمَسِيحُ ابْنُ اللَّهِ (And the Jews said, "Uzair (Ezra) is the son of Allah" and the Christians said, "Masīḥ (the Christ) is the son of Allah.")

The word "*Ghuluww*" used at the beginning of verse 77: قُلْ يَا أَهْلَ الْكِتَابِ لَعَلَّكُمْ تَتَّقُونَ (Say, "O people of the Book, be not excessive in your faith") means to cross limits. "*Ghuluww*" or excess in religion refers to the crossing of limits drawn by religion in matters of belief and deed. For example, there is a limit to paying homage to prophets. The farthest one can go is to take them as the best among God's creation. That is the limit. Going over and beyond this limit, calling those very prophets God or son of God is excess in matters of belief.

Banī Isrā'īl : Their Cycle of Excess and Deficiency

The behaviour of the people of the Banī Isrā'īl towards prophets and messengers of Allah had been a mixture of opposites. They could become as neglectful and irreverent as to falsify or even kill them while it would be they themselves who would stretch the limits of their exaggerated reverence for them by calling them God or son of God. This syndrome of excess and deficiency in group behaviour is a sign of ingrained brutality. There is a well-known saying among Arabs: الْجَاهِلُ أَمَّا مَفْرُطٌ أَوْ مَفْرُطٌ which means that an ignorant person never stays on moderation. He would either go for '*Ifrāṭ*' (excess) or for '*Tafrīṭ*' (deficiency). *Ifrāṭ* means to cross the limit while *Tafrīṭ* means to fall short in doing one's duty. These actions on two extremes may have come from two different groups of the Banī Isrā'īl, or it is also possible that one single group acted in two different ways with different prophets whereby some were subjected to their falsification, even killing, while some others were equated with God.

Addressing the people of the Book in this verse, the guidance given to them and their generations to come right through the Last Day, has the status of a basic principle to be kept in sight while following a religion for the slightest deviation from it makes one be lost for ever.

Therefore, let us first explain a few basic things about it.

The Method of Knowing and Reaching Allah

The most significant truth of our life is that Allah *Jalla Sha'nuhu* is the Creator and Master of all universes of existence and whatever they contain. He is One. To Him belongs all there is and for Him is to command. It is He alone man must obey. But man, the lump of clay come alive, is still wrapped up in layers and layers of materialism. How can he reach out to the One so pure and pristine? Or, how could he get an access to sources of His will and guidance? For this, Allah *Jalla Sha'nuhū* has, in His grace, appointed two sources of knowledge through which man can get to know what is liked and disliked by Allah Almighty and what it is that man must do and what is it that man must avoid. The first source is that of the Books of Allah which have the status of Law and Guidance for all human beings. Then, as the second source, there are those special and welcome servants of Allah whom Allah Almighty has chosen from among human beings, and He has sent them to people as the practical models of His likes and dislikes and the practical keys to His Books. In religious terminology, they are called "*Rasūl*" (messenger) or '*Nabiy*' (prophet).

This is because a book, no matter how exhaustive, can never be sufficient for the complete grooming of man. The fact is that it takes a man to be the natural groomer and nurturer of another man. Therefore, it has been the practice of Allah that He has allowed two orders to flourish in the mission of reforming and training men in the art of living. These are: (a) The Book of Allah, and (b) The Men of Allah - included wherein are the blessed prophets, then their deputies, the 'Ulamā and the *Mashāikh*. About this order of '*Rijālul-lāh*' (men of Allah), people have been victims of excess and deficiency since ancient times. Particularly, the different sects that mushroomed in religions were all products of this error of approach through which somewhere they were inflated beyond the required limit hitting the outer frontiers of the worship of such men. At other places, they were totally ignored and bypassed by saying: 'For us, the Book of Allah is enough' (*حَسْبُنَا كِتَابُ اللَّهِ*), apparently a true declaration, but by misinterpreting it to negate the importance of prophets they made it as their motto. At one extreme a Messenger of Allah, a *Rasūl* - even *Pīrs* and *Faqīrs* - were taken

to be the knowers of the unknown and seers of the unseen, as if they were (God forbid) the very possessors of God's own attributes. People started with worshipping live *Pīrs* and landed into the worship of their graves as well. Then, there was that other extreme when even a *Rasūl* of Allah was given the status of what would be a mere courier or postman. Thus, the essential message of the verses under reference is that the offenders against the honour of prophets are no less in their disbelief than are those who raise them far above the limits set for honouring them and go about saying that they were equal to Allah. Verse 77 which says, "do not be excessive in your faith," is a preface to this very subject. It makes it very clear that *Dīn* is, in reality, the name of a few limits and restrictions. The way it is a crime to remain deficient or negligent within those limits, so it is a crime to cross and exceed them. The way it is a grave sin to reject and insult the messengers of Allah and their deputies, in the same way, it is a much graver sin to take them to be the owners of Allah's own attributes or their equal sharers with Him.

Justified Intellectual Research is no Excess

In verse 77, the word: *غَيْرَ الْحَقِّ* (unjustly) appears along with the statement: *لَا تَغْلُوا فِي دِينِكُمْ* (Do not be excessive in your faith). According to investigative scholars of *Tafsīr*, this word has been used here for emphasis because an excess in religion is always unjust. The probability of its being just does not simply exist. 'Allāmah al-Zamakhsharī and others have identified two kinds of *Ghuluww* or excess at this particular place: (1) The unjust and false which has been prohibited here; (2) The just and permissible, as an example of which, he has named deep intellectual research - or as it has been the way of the scholastic theologians (*Mutakallimīn*) of Islam in matters relating to articles of faith, or that of Muslim jurists in matters relating to juristic rulings. According to him, even this is, though, *Ghuluww* (excess) but, an excess which is just and permissible - while, the considered position of the majority of scholars is that it simply does not fall within the definition of *Ghuluww* (excess). Finally, we can say that deep insight and detailed investigation in questions relating to the Qur'ān and Sunnah should remain within the limits as proved from the Holy Prophet ﷺ and from the *Ṣaḥābah* and *Tābi'īn* - if so, that is not *Ghuluww* (excess). And what reaches the limits of *Ghuluww* is blameworthy here too.

Banī Isrā'īl Asked to Follow the Path of Moderation

Addressing the Banī Isrā'īl at the end of the verse (77), it was said: *وَلَا تَتَّبِعُوا أَهْوَاءَ قَوْمٍ قَدْ ضَلُّوا مِنْ قَبْلُ وَأَضَلُّوا كَثِيرًا وَضَلُّوا عَنْ سَوَاءٍ* that is, they should not follow the desires and whims of a people who had themselves gone astray before them, and had made others go astray as well. The reason why they fell into that error was given immediately after by saying: *وَضَلُّوا عَنِ السَّبِيلِ* that is, these people, by moving away from the right path, had lost it. This straight path was the path of moderation between the two extremes of excess and deficiency. Thus, two things have been accomplished in this verse: It points out to the fatal error made by crossing over the norm, or lagging far behind it, and stresses upon the need to stay firm on the straight path, the ideal path of moderation.

The Sad End of Banī Isrā'īl

Mentioned in the second verse (78) is the sad end of those from the Banī Isrā'īl who were involved in this error of excess and deficiency. On them fell the curse of Allah Almighty. Firstly, it came through the tongue of Sayyidnā Dāwūd عليه السلام as a result of which they were transformed into swines. Then, this curse fell upon them through the tongue of Sayyidnā 'Īsā عليه السلام the temporal effect of which was that they were transformed into monkeys. Some commentators have pointed out that the reference to the curse mentioned here as coming through only two prophets is because the context so requires. But, the fact is that the casting of curse on them began with Sayyidnā Mūsā عليه السلام and ended at the Last among Prophets صلى الله عليه وسلم. Thus, the curse which overtook those, who were hostile to prophets or were guilty of acting excessively by making prophets sharers in Divine attributes, was wished verbally by four prophets one after the other.

In the last two verses (80,81), the cultivation of deep friendship with disbelievers has been prohibited as its outcome is disastrous. It may also be indicative of the possibility that the deviation of Banī Isrā'īl was a result of their close friendly collaboration with disbelievers which may have affected their ways adversely and finally became the cause of their fall into the abyss.

Verses 82 - 86

لَتَجِدَنَّ أَشَدَّ النَّاسِ عَدَاوَةً لِلَّذِينَ آمَنُوا الْيَهُودَ وَالَّذِينَ

أَشْرَكُوا ۖ وَكَتَحَدَّنَ أَقْرَبَهُمْ مَوَدَّةَ الَّذِينَ آمَنُوا الَّذِينَ قَالُوا إِنَّا
 نَصْرِي ۗ ذَٰلِكَ بِأَنَّ مِنْهُمْ قَسِيْسِيْنَ وَرُهْبَانًا وَأَنَّهُمْ لَا
 يَسْتَكْبِرُونَ ﴿٨٢﴾ وَإِذَا سَمِعُوا مَا أُنزِلَ إِلَى الرَّسُولِ تَرَى
 أَعْيُنَهُمْ تَفِيضُ مِنَ الدَّمْعِ مِمَّا عَرَفُوا مِنَ الْحَقِّ يَقُولُونَ رَبَّنَا
 آمَنَّا فَاكْتُبْنَا مَعَ الشَّاهِدِينَ ﴿٨٣﴾ وَمَا لَنَا لَا نُؤْمِنُ بِاللَّهِ وَمَا
 جَاءَنَا مِنَ الْحَقِّ ۖ وَنَطْمَعُ أَنْ يُدْخِلَنَا رَبَّنَا مَعَ الْقَوْمِ الصَّالِحِينَ
 ﴿٨٤﴾ فَأَتَابَهُمُ اللَّهُ بِمَا قَالُوا جَنَّاتٍ تَجْرِي مِنْ تَحْتِهَا الْأَنْهَارُ
 خَالِدِينَ فِيهَا ۗ وَذَٰلِكَ جَزَاءُ الْمُحْسِنِينَ ﴿٨٥﴾ وَالَّذِينَ كَفَرُوا
 وَكَذَّبُوا بِآيَاتِنَا أُولَٰئِكَ أَصْحَابُ الْجَحِيمِ ﴿٨٦﴾

You will certainly find that the most hostile people against the believers are the Jews and the ones who ascribe partners to Allah. And you will certainly find that the closest of them in friendship with the believers are those who say, "We are Christians." That is because among them there are priests and monks and because they are not arrogant. [82] And when they hear what has been sent down to the Messenger, you will see their eyes overflowing with tears on what they have recognized from the truth. They say, "Our Lord, we have come to believe. So, write us down alongwith those who bear witness. [83] And what excuse do we have if we do not believe in Allah and in what has come to us from the truth, while we hope that our Lord will admit us in the company of the righteous people?" [84]

So, Allah has awarded them, because of what they said, gardens beneath which rivers flow, wherein they shall live for ever. And that is the reward of the good in deeds. [85]

And those who disbelieved and denied Our signs, they are the people of the Fire. [86]

Sequence of Verses

Mentioned earlier was the friendliness of Jews with disbelievers.

Mentioned now is their hostility towards Muslims in tandem with the disbelievers - which was the real cause of that friendship (the enemy of my enemy is my friend!). And since the Qur'ān upholds justice universally, it has not counted everyone even among Jews and Christians as being in the same lot. Whoever among them had some good quality, that was acknowledged openly - for example, the presence of a particular group among the Christians which did not have the kind of prejudice the Jews were known for, and the statement about the Christians who had responded heartily to the call of truth and for which they were considered worthy of the best of praise and reward. This particular group was that of the Christians of Ethiopea who did nothing which could cause problems for Muslims who had migrated to Ethiopea from their home in Makkah, before the Hijrah to Madinah. Any Christian, other than them, who is like them, shall also be legally counted as one of them. As for those who had accepted the truth, they are the King of Ethiopea, Najāshī (Negus) and his courtiers who wept on hearing the Qur'ān in their own country and embraced Islam. After that, a deputation of thirty men from there came to the Holy Prophet صلى الله عليه وسلم who recited the Qur'ān to them which they heard in tears and took their *Shahādah* as Muslims. This is the Cause or Background of the revelation of this verse.

Commentary

Some Votaries of the Truth among the People of the Book

Mentioned in these verses are those among the people of the Book who, had no feelings of malice or enmity for Muslims because of their godliness and tilt towards truth. But, people of such quality - like Sayyidnā 'Abdullāh ibn Salām - were very rare, rather almost non-existent among the Jews. Speaking comparatively, there were more such people among the Christians. Specially so, during the blessed period of the Holy Prophet صلى الله عليه وسلم, there was a large number of such people in Ethiopea which included King Najāshī and his civil servants. For this reason, when the Muslims of Makkah al-Mukarramah were fed up with being continually oppressed by the Quraysh, the Holy Prophet صلى الله عليه وسلم advised them to migrate to Ethiopea saying that he had heard that the King of Ethiopea himself was no oppressor of people, nor did he allow anyone to oppress others, therefore, Muslims should go there for some time.

Following this advice, the first group of eleven persons started their journey towards Ethiopea. Included in the group were Sayyidnā 'Uthmān ibn 'Affān and Sayyidah Ruqaiyyah, his respected wife and the daughter of the Holy Prophet صلى الله عليه وسلم. After that, a large caravan of Muslims comprising of eighty two men in addition to women, led by Sayyidnā Ja'far ibn Abī Ṭālib صلى الله عليه وسلم, reached Ethiopea. Received there nicely and gently by the King and his people, they started living there in peace.

But, the wrath of the Quraysh of Makkah knew no bounds. They could not bear by the idea that Muslims persecuted by them could live in peace in some other country. This they did not wish to allow. They sent a deputation of their men, with gifts as customary, to the King of Ethiopea with the request that he should expel Muslims from his country. But, the King of Ethiopea decided to first investigate into the matter. He talked to Sayyidnā Ja'far ibn Abī Ṭālib and his companions about Islam and its Prophet. When he heard about the life of the Holy Prophet صلى الله عليه وسلم and the teachings of Islam, he found these true to the prophecy of Sayyidnā 'Isā عليه السلام and Injīl which contained the glad tidings of the coming of the Last of the Prophets, Sayyidnā Muḥammad al-Muṣṭafā صلى الله عليه وسلم, a brief outline of his teachings, and his physical features as well as those of his Companions (for ready identification). Impressed with and convinced by what he found out, he returned the gifts brought by the Quraysh deputation telling them plainly that he could never order such people to leave his country.

The Effect of Sayyidnā Ja'far's Presentation on Najāshī

Sayyidnā Ja'far had succeeded in presenting a brief but very comprehensive portrayal of Islam and its teachings in the court of Najāshī, the King of Ethiopea. Then, there was their very stay (as Muslim role models) in Ethiopea which had generated not only in his heart but in the hearts of his officials and common people genuine feelings for Islam and its Prophet. Consequently, when the Holy Prophet ﷺ migrated to Madīnah al-Ṭayyibah and the news that they were comfortable and at peace there reached Ethiopea, the immigrating guests of the country decided to go to Madīnah. Then, Najāshī, the King of Ethiopea sent with them a deputation of leading scholars and missionaries from among his co-religionists to present his compliments before the

Holy Prophet ﷺ. This group was comprised of seventy persons, out of which, there were sixty from Ethiopea itself, and eight from Syria.

The Visit of Ethiopean Delegation

Attired in the coarse robes of monks, this deputation presented itself before the Holy Prophet ﷺ. He recited Sūrah Yā Sīn before them. As they heard it, tears kept flowing from their eyes. They all said how similar that was to what was revealed to Sayyidnā 'Isa عليه السلام. All of them embraced Islam.

After their return to Ethiopea, King Najāshī also embraced Islam. He sent his son as the leader of another deputation to the Holy Prophet صلى الله عليه وسلم with a letter from him. Unfortunately, the boat carrying them was drowned in the sea. In short, the King of Ethiopea, its officials and citizens did not only treat Islam and Muslims gently, fairly and justly, but they themselves embraced Islam finally.

According to the majority of commentators, the verses cited above were revealed about these blessed souls:

وَلَتَجِدَنَّ أَقْرَبَهُمْ مَّوَدَّةَ لِلَّذِينَ آمَنُوا الَّذِينَ قَالُوا إِنَّا نَصْرِي

And you will certainly find that the closest of them in friendship with the believers are those who say, "We are Christians."

And about the verses which follow, and in which their weeping in fear of Allah and their acceptance of the truth has been described, the majority of commentators also agree that - though these verses have been revealed about Najāshī and the deputation sent by him - yet, its words are general. Therefore, its legal force covers and includes all such Christians who are devoted to truth and justice similar to the people of Ethiopea. That is, they were followers of the Injīl before Islam, and after the coming of Islam, they became followers of Islam.

Though, there were some people of this class even among Jews who adhered to the Torah since the period of Sayyidnā Mūsā, but when came Islam, they entered the fold of Islam. However, the number of such people was so small that it cannot be considered significant in the context of communities and nations. As for the rest of the Jews, they were the foremost in their hostility towards Muslims. Therefore, their attitude was identified at the very beginning of the verse by saying:

لَتَجِدَنَّ أَشَدَّ النَّاسِ عَدَاوَةً لِلَّذِينَ آمَنُوا الْيَهُودَ

You will certainly find that the most hostile people against the believers are the Jews ...

Limits of Interpretation

To recapitulate, it can be said that a particular group of the Christians has been praised in this verse, a group which was God-fearing and upright in matters of truth. It includes King Najāshī, his officials and citizens - as well as other Christians who had these qualities, or would have in times to come. But, it does not mean - neither based on what the text says, nor could it possibly be - that the Christians have to be taken as friends of Muslims, no matter how astray they go and how aggressive in their anti-Islam hostility they become, and yet Muslims will have to extend their hand of friendship towards them. This interpretation, as obvious, is false and is absolutely against facts. Therefore, Imām Abū Bakr Al-Jaṣṣāṣ has said in his *Aḥkām al-Qur'ān*: that the thinking of some people who take the praise of Christians in this verse in an absolute sense and consider them better than the Jews, again in an absolute sense, is open ignorance - because a comparison of the religious beliefs of the two groups will show that the Christians are more pronounced in being *Mushriks* (as ascribers of partners in the divinity of Allah); and as for their dealings with Muslims are concerned, common modern-day Christians have not been any less than Jews in their anti-Islam activities. However, it is correct that there have been a good many God-fearing and truth-loving people among them. That is why they had the *Taufiq* to accept Islam and become Muslims. It must be kept in mind that these verses were revealed to show this particular difference between the two groups. The Qur'an has itself pointed out to this fact at the end of this very verse (82) in the following words: *ذَلِكَ بِأَنَّ مِنْهُمْ قِسِيَسِينَ وَرُهْبَانًا وَأَنَّهُمْ لَا يَسْتَكْبِرُونَ*: "That is because among them there are priests and monks and because they are not arrogant (which could make them unwilling to listen and think)." Comparison makes it clear that this was not the condition of Jews. They were not God-fearing and truth-loving. Their scholars and rabbis were far removed from renouncing the material pleasures of mortal life for the sake of knowledge and religion, instead of which, they had harnessed their knowledge and learning as a source of accumulating

material benefits. This lust for the mundane had gripped them to the extent that they did not care to make a distinction between the true and the false or the lawful and the unlawful.

Those who side with Truth are the moving spirit of a community

The statement given in the verse also tells us something crucial about the life of a community or nation (of true believers) - that its '*Ulamā'* and *Mashāikh* are its real movers and makers, the very spirit of the system. Until such time that there are present in the society (genuine) '*Ulamā'* and *Mashāikh*, who would not follow their worldly desires (in matters of *Dīn* and public good of Believers) motivated by nothing but the fear of Allah and answerability before Him, then, the community or nation in which they are shall never be deprived of real good and real blessing.

Verses 87 - 88

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَحْرِمُوا طَيِّبَاتِ مَا أَحَلَّ اللَّهُ لَكُمْ وَلَا تَعْتَدُوا إِنَّ اللَّهَ لَا يُحِبُّ الْمُعْتَدِينَ ﴿٨٧﴾ وَكُلُوا مِمَّا رَزَقَكُمُ اللَّهُ حَلَالًا طَيِّبًا ۗ وَاتَّقُوا اللَّهَ الَّذِي أَنْتُمْ بِهِ مُؤْمِنُونَ ﴿٨٨﴾

O those who believe, do not make unlawful good things that Allah has made lawful for you, and do not transgress. Verily, Allah does not like the transgressors. [39] And eat any lawful, good thing from what Allah has provided for you, and fear Allah whose believers you are. [88]

Sequence of Verses

Upto this point, the subject revolved around the people of the Book. Onwards, there is a return to subsidiary injunctions some of which were taken up early in the Sūrah, and some others also in between. Also reported is a particular link as relevant to the occasion - that monasticism has been mentioned in a complimentary sense a little earlier (82), though it is there in terms of a particular feature in it, which is the abandonment of worldly desires. But, since there was a probability that someone may take the whole concept of monasticism as praiseworthy, it was considered appropriate at this point that the

making unlawful of what Allah has made lawful be forbidden. (As abridged from Bayān al-Qur'ān by Maulānā Ashraf 'Alī Thānavī)

Commentary

Leaving the worldly pleasures, when permissible

The verses appearing above tell us that the renunciation of worldly life and the abstinence from appetites and passions is favourable within a certain limit, but any transgression of the Divinely—ordained limits in this matter too shall be blameworthy and *Harām* (unlawful, forbidden). Details are being given below.

How *Ḥalāl* is turned into *Ḥarām* : The Three Forms

There are three forms in which something made *Ḥalāl* (lawful and good) by Allah could be declared as *Ḥarām* (unlawful and evil): (1) BELIEF-WISE, that is, something is taken to be *Ḥarām* by believing it to be so. (2) VERBALLY, that is, something is taken to be *Ḥarām* for oneself by saying so — for instance, someone swears that he will not drink cold water, or would not eat such and such *Ḥalāl* food, or would not do something which is permissible. (3) PRACTICALLY, that is, someone who neither believes nor says anything, yet decides in practice that he or she would abandon something *Ḥalāl* for ever.

1. Under the first situation, if that thing being *Ḥalāl* stands confirmed by absolute proofs, then, the person who takes it to be *Ḥarām* shall become a disbeliever (*kāfir*) because of that open contravention of the Divinely-ordained law.

2. And under the second situation, if someone has made something *Ḥarām* for oneself by declaring it with words of oath, the oath will become effective. There are many words of oath details of which appear in *Fiqh* books - for example, someone clearly says: 'I swear by Allah, I will never eat that' or 'by Allah, I will not do that' or one might say, 'I make taking this or doing that *Ḥarām* for me.' The rule which governs such actions is that taking such oaths unnecessarily is a sin. If taken, one must break the oath and make amends by paying the *Kaffārah* (expiation) of that oath, the detail about which will appear later.

3. The third will be a situation in which no *Ḥalāl* has been made *Ḥarām* either by belief or word of mouth, but practically what one does is similar to what is done with something *Ḥarām*, that is, takes it as

obligatory to abandon it for ever. The rule in this case is: If one takes the abandonment of the *Ḥalāl* to be an act of *Thawāb* (merit, reward), then, it is *Bid'ah* (innovation in established religion) and *Rahbānīyah* (monasticism) - which is a grave sin as categorically laid down (*Manṣūṣ*) in the Qur'an and Sunnah; and acting against it is *Wājib* (necessary as an obligation); and adhering to such a restriction is an act of sin. Of course, if such a restriction is not there with the intention of *Thawāb*, instead, it is there for some other reason, such as, some physical or spiritual sickness because of which one abandons something permanently, then, there will be no sin in doing so. Reports about some noble *Ṣufīs* and other pious elders that they had abandoned some *Ḥalāl* things are all included under this third kind as they had found them to be harmful for their desiring self, or were advised by a pious elder to abstain from it as harmful in their case which they abandoned as a treatment and remedy. If so, it does not matter.

The Correct Attitude towards *Ḥalāl* Things

At the end of the first verse (87), it was said: *وَلَا تَعْتَدُوا، إِنَّ اللَّهَ لَا يُحِبُّ الْمُعْتَدِينَ* , that is, 'and do not transgress the limits set by Allah because Allah does not like such transgressors.' Here, transgressing means that one abandons something *Ḥalāl*, without any valid excuse, as an act of *Thawāb*. This is something an ignorant person takes to be *Taqwā*, fear of Allah, while, in the sight of Allah, that is transgression, which is impermissible. Therefore, it was said in the next verse (88): *وَاتَّقُوا اللَّهَ الَّذِي أَنْتُمْ بِهِ مُؤْمِنُونَ* that is, '(eat from the good and pure sustenance Allah has blessed you with) and keep fearing Allah whose believers you are.'

Stated clearly in this verse is that leaving off good and pure things as a source of *Thawāb* (reward) is no *Taqwā*. Rather, quite contrary to that, *Taqwa* lies in using them as the blessings of Allah and showing one's gratitude for them. However, if something is abandoned as a curative measure against a physical or spiritual disease, that does not count here.

Verse 89

لَا يُؤَاخِذُكُمُ اللَّهُ بِاللَّغْوِ فِي أَيْمَانِكُمْ وَلَكِنْ يُؤَاخِذُكُمْ بِمَا
عَقَّدْتُمُ الْأَيْمَانَ، فَكَفَّارَتُهُ إِطْعَامُ عَشْرَةِ مَسْكِينٍ مِنْ أَوْسَطِ

مَا تَطْعُمُونَ أَهْلِيكُمْ أَوْ كَسَوْتُمْهُم أَوْ خَرَّيْتُمْ رَقَبَةً فَمَنْ لَّمْ يَجِدْ
فَصِيَامٌ ثَلَاثَةَ أَيَّامٍ ط ذَلِكَ كَفَّارَةٌ أَيْمَانِكُمْ إِذَا حَلَفْتُمْ وَاحْفَظُوا
أَيْمَانَكُمْ كَذَلِكَ يُبَيِّنُ اللَّهُ لَكُمْ آيَاتِهِ لَعَلَّكُمْ تَشْكُرُونَ ﴿٨٩﴾

Allah does not hold you accountable for what is not countable from among your oaths, but He does hold you accountable for the oath you have bound yourself with. Its expiation is to feed ten poor persons at an average of what you feed your family with, or to clothe them, or to free a slave. And whoever finds none shall fast for three days. That is expiation for your oaths when you have sworn. And take care of your oaths. That is how Allah makes His signs clear to you, so that you may be grateful. [89]

Sequence of Verses

Mentioned earlier was the taking of *Halāl* things as unlawful. Since statements to this effect are sometimes sworn, therefore, the injunction about taking of oaths follows in the present verse.

Commentary

Three Forms of Oaths and their Injunctions

1. Some forms in which oaths are taken have been described in this verse. Some have appeared in Sūrah al-Baqarah as well (Ma'arif-ul-Qur'an, Volume I, Verse 2:225, pages 562-563). The gist of all these is that false swearing about a past event knowingly is, in the terminology of Muslim jurists, *Yamīn Ghamūs* (disasterous oath) - for instance, if a person has done something, and he knows that he has done it, and then he knowingly swears that he has not done it. This is false swearing, a grave major sin the curse of which falls in the present life and in the life-to-come. But, there is no *Kaffārah* (expiation) necessary for it. *Tau-bah* (repentance) and *Istighfār* (seeking forgiveness from Allah) are, however, necessary. That is the reason why the Muslim jurists call it the disasterous oath. *Ghamūs* literally means that which drowns. This kind of oath drowns man into sin and its curse, a disaster for one's present and future life.

2. The second form is that someone declares on oath that a past event was true, as based on his knowledge, while it was actually false - for example, he learnt from someone that a certain person has come and trusting him, he declared on oath that the person has come, then, he came to know that this was contrary to what had actually happened. This is called *Yamīn Laghw* (ineffectual oath), that which is not counted. Similarly, if a word denoting oath, such as 'by' or 'I swear,' comes to be said unintentionally, that too is known to be what is 'ineffectual oath.' It brings neither *Kaffarah* (expiation) nor sin.

3. The third form of oath is that one declares on oath that he would or would not do something in the future. This is known as *al-Yamīn al-Mun'aqidah* (Binding oath). The rule which governs it is that, in the event the oath is broken, *Kaffarah* (expiation) becomes necessary - and under some situations, it brings sin as well, while in some others, it does not.

At this place in the present verse of the Qur'an, '*Laghw*' (ineffectual, not counted) obviously means the oath which brings no *Kaffarah* (expiation) - whether a sin, or not; because it has been mentioned in contrast with : *عَقْدْتُمْ الْأَيْمَانَ* (the oaths you have bound yourselves with). This tells us that the accountability (*Mu'akhadhah*) mentioned here is only the accountability in the present world which comes in the form of *Kaffarah* (expiation).

Then, in Sūrah al-Baqarah, it is said: *لَا يُؤَاخِذُكُمُ اللَّهُ بِاللَّغْوِ فِىْ أَيْمَانِكُمْ وَلَكِنْ يُؤَاخِذُكُمْ بِمَا كَسَبْتُمْ قُلُوبِكُمْ* (And Allah does not hold you accountable for what is not countable from among your oaths, but holds you accountable for what your hearts have designed - 2:225). Here, '*Laghw*' (what is not countable) means an oath which slips out from one's tongue without intention or volition, or an oath one takes about something assuming it to be true while it turns out to be false actually. Then, mentioned in contrast, is the other oath in which an intentional lie has been told. This is known as *Yamīn Ghamūs* explained earlier. Therefore, as for *Yamīn Laghw*, it brings no sin, according to this verse - instead, what brings sin is *Yamīn Ghamūs* where the lie is intentional. Thus, the sin mentioned in the verse from Sūrah al-Baqarah refers to the sin one shall incur in the Hereafter for disobeying the Divine injunction. And in the present verse of Sūrah al-Mā'idah, the injunction concerns the

present life of the world, where *Kaffārah* (expiation) is required. The outcome is that Allah does not hold you accountable for what is not countable in your oaths, that is, does not make it obligatory for you to make amends for them by paying *Kaffarah* (expiation). Instead, *Kaffārah* is made necessary against the particular oath which has been accomplished about doing or not doing something in the future - and then, it has been broken. After that, the details of how *Kaffārah* has to be given is described in the following words: فَكَفَّارَتُهُ إِطْعَامُ عَشْرَةِ مَسْكِينٍ مِنْ أَوْسَطِ مَا تَطْعَمُونَ أَهْلِيكُمْ أَوْ كِسْوَتُهُمْ أَوْ تَحْرِيرُ رَقَبَةٍ (89). Three options have been given here which one may choose at one's discretion: (a) feed ten poor persons two average meals, or (b) clothe ten poor persons (sufficient to give them proper cover, such as, a garment for the lower body and another for the upper), or (c) free a slave (if in possession).

Said immediately after is : فَمَنْ لَمْ يَجِدْ فَصِيَامُ ثَلَاثَةِ أَيَّامٍ (And whoever finds none shall fast for three days). It means if some breaker of such an oath does not have the ability to bear the cost of this financial expiation (*Kaffārah*), that is, one who does not have the means to feed ten poor persons, or clothe them, or free a slave, then, his or her *Kaffārah* is to fast for three days. In some narrations, for the fasts mentioned at this place in the text, the command is said to be that of 'three consecutive days.' Therefore, according to Imām Abū Ḥanīfah and some other Imāms, it is necessary that the three fasts against the *Kaffārah* (expiation) of Oath should be consecutive.

In this verse, the first word used in connection with the *Kaffārah* of Oath is: "It'ām" which, according to Arabic usage, could either mean 'feed' or 'give food' to someone. Therefore, as determined by the *Fuqahā* (Muslim Jurists), may the mercy of Allah be upon them, the sense of the verse is that the person giving *Kaffārah* can choose either of the two options. He can invite ten poor persons and feed them; or, he can give the food in their possession (literally in *milkiyat* or ownership). But, in the first situation, it is necessary that he should feed ten poor persons two meals of the day to their fill and satisfaction from the average food he usually eats with his family at home. And in the second situation, he should give to each of the ten poor persons at the rate of one *Fitrah* per person, that is, 1 3/4 kilograms of wheat, or its cost in cash. He can go by any one of the three he likes. But, fasting can be

sufficient only when one does not have the ability to take any of the three options.

Paying *Kaffārah*, before Oath is Broken, is not Valid

Towards the end of the verse, the need to observe caution has been commanded about two things. The first one appears in: **ذَلِكَ كَفَّارَةٌ لِّمَا بَيْنَكُمْ إِذَا حَلَلْتُمْ** (that is expiation for your oaths when you have sworn). According to Imām Abū Ḥanīfah and other Imāms, it means: When you give a sworn statement about doing or not doing something in the future - following which occurs its violation - then, its *Kaffārah* is what has been mentioned above. The essence of the statement is that the *Kaffārah* should be given after the oath has broken. A *Kaffārah* given before the breaking of the oath will not be valid. The reason is that the cause which makes *Kaffārah* necessary lies in the breaking of the oath. As long as the oath does not break, *Kaffārah* just does not become necessary. As there is no Ṣalāh before its time, and there is no Ramaḍān fast before the month of Ramaḍān, so it is with the *Kaffārah* of Oath which cannot be given before the oath breaks.

After that comes the second note of caution: **وَاحْذَرُوا أَيَّمَانَكُمْ** (And take care of your oaths). In this sense of guarding an oath it would mean: If you have sworn to something, then do not break your oath without a legal or physical necessity. Some other respected scholars have said that it means that one should not hasten to give a sworn statement. One should guard and protect one's oath, as if kept in reserve. Unless it be under severe compulsion, one should not take oaths casually. (Mazhari)

Verses 90 - 92

يَا أَيُّهَا الَّذِينَ آمَنُوا إِنَّمَا الْخَمْرُ وَالْمَيْسِرُ وَالْأَنْصَابُ وَالْأَزْلَامُ
 رَجْسٌ مِّنْ عَمَلِ الشَّيْطَانِ فَاجْتَنِبُوهُ لَعَلَّكُمْ تُفْلِحُونَ ﴿٩٠﴾ إِنَّمَا
 يُرِيدُ الشَّيْطَانُ أَنْ يُوقِعَ بَيْنَكُمُ الْعَدَاوَةَ وَالْبَغْضَاءَ فِي الْخَمْرِ
 وَالْمَيْسِرِ وَيُصَدِّكُمْ عَنْ ذِكْرِ اللَّهِ وَعَنِ الصَّلَاةِ ۗ فَهَلْ أَنْتُمْ
 مُنْتَهُونَ ﴿٩١﴾ وَاطِيعُوا اللَّهَ وَاطِيعُوا الرَّسُولَ وَاحْذَرُوا ۗ
 فَإِنْ تَوَلَّيْتُمْ فَأَعْلَمُوا إِنَّمَا عَلَى رَسُولِنَا الْبَلْغُ الْمُبِينُ ﴿٩٢﴾

O those who believe, the truth is that wine, gambling, altar-stones and divining arrows are filth, a work of Satan. Therefore, refrain from it, so that you may be successful. [90]

The Satan wants nothing but to plant enmity and malice between you through wine and gambling, and to prevent you from the remembrance of Allah and from the *Ṣalāh*. Would you, then, abstain? [91]

Obey Allah and obey the Messenger, and be careful. If you still turn back, be sure that the duty of Our Messenger is only to convey the Message clearly. [92]

Linkage of Verses

Earlier, considered abandonment of *Ḥalāl* things was prohibited. Prohibited now is the use of some *Ḥarām* things.

Commentary

Creation of the Universe is for the Benefit of Human Beings

Through these verses, the purpose is to tell that the Master of the Universe has created it to serve human beings. Everything in it has been appointed to take care of their wishes. They are the served ones in this Universe. There is only one restriction placed on them: Do not transgress the limits set by Allah when you benefit from what He has created. Abstaining from good and lawful things made *Ḥalāl* for you is mannerlessness and ingratitude; and the contravention of what has been prohibited in a certain form is disobedience and rebellion. A servant of Allah must make use of what has been created for him or her following the instructions of the Creator and Master. This is the *'abdiyyah* (the state of being a slave of Allah, which requires total submission to as related to Allah which is the highest possible achievement human beings can look forward to).

The first verse (90) describes the prohibition of four things: (1) Drinking, (2) Gambling, (3) Idols and (4) Divining Arrows. Another verse on this subject in almost similar words has appeared in Sūrah al-Baqarah as well [Ma'ariful-Qur'an, Volume I, Verse 2:219, Pages 539-553]. There too, as here, these four things have been called "*Rijs*" (filth). In the Arabic language, the word "*Rijs*" refers to something foul, which is

disgusting for human taste. All four things mentioned here are, for anyone with commonsense and good taste, repulsive and disgusting.

An Explanation of "Al-Azlam"

One of the four things is *Azlam* which is the plural of *Zalam*. *Azlam* is the name of the arrows which were used to draw lots in gambling, an Arab practice at that time. The custom was that ten people would get together as partners and slaughter a camel. Then, rather than distribute ten equal shares from the meat to each participant, they had a way of gambling with the exercise. They had ten arrows, out of which they would pick out seven and mark them out with signs indicating the number of some shares on each - some arrow would have one, others would have two or three. The three remaining arrows were kept blank. They would put all these arrows in the quiver and give it a good shake. Then, for every participant, they would draw out one arrow from the quiver. If the arrow so drawn had a certain number of shares marked on it, the recipient of the arrow became deserving of that many shares. Whoever drew a blank arrow in his name would remain deprived of a share. This is similar to many kinds of lottery-based games and enterprises common today. Drawing lots in this manner is *Qimar* or gambling which is *Haram* according to the Qur'an.

The Permissible Way of Drawing Lots

However, there is one way of drawing lots which is permissible, and proved from the Holy Prophet صلى الله عليه وسلم. According to this method, when the rights everyone has are equal and the shares too have been distributed equally, then, the shares can be determined by drawing lots. Let us take an example - a house has to be divided among four sharers so we come up with four equal shares in terms of the price. Now, we have to determine as to who keeps which share. If it cannot be done by mutual compromise and consent, it is also possible that we can settle this by drawing lots whereby whoever gets a certain portion of the house as his share may have it. Or, the number of people eager to have something is one thousand, and the rights everyone has are equal, but the number of what has to be distributed is only one hundred. In this condition, the matter can be decided by drawing lots.

As for the prohibition of the pagan custom of distributing meat by

drawing of lots through divining arrows, it has already appeared in a verse of Sūrah al-Mā'idah itself, that is: وَأَنْ تَسْتَفْسِمُوا بِالْأَزْلَامِ (and that you determine shares through the arrows - 5:3).

In short, two out of the four things declared Ḥarām in this verse, that is, 'Maisir' (gambling) and 'Azlām' (divining arrows), in terms of the outcome, are just the same. As for 'Anṣāb' (altar-stones), the word *Al-Anṣāb* is the plural of *Nuṣub*. It refers to what has been made to stand as an object of worship, whether an idol, a stone or tree.

Physical and Spiritual Disorders Caused by Drinking and Gambling

The main objective in this verse, as evident from the background of its revelation and the verse which follows it, is to indicate that drinking and gambling, being agencies of corruption, have been made Ḥarām. The addition of altar-stones or idols to this list is there for listeners to understand that this matter of drinking and gambling is as serious a crime as the worship of idols.

In a *Ḥadīth* from Ibn Mājah, the Holy Prophet صلى الله عليه وسلم is reported to have said: شَارِبُ الْخَمْرِ كَعَابِدِ الْوَتَنِ , that is, one who drinks is (a criminal) like the one who worships idols. In some narrations, the words appear as: شَارِبُ الْخَمْرِ كَعَابِدِ اللَّاتِ وَالْعُزَّى , that is, one who drinks is like the one who worships (the idols) *Al-Laāt* and *Al-'Uzza*.

In brief, by saying: رَجَسَ مَنْ عَمِلَ الشَّيْطَانِ that these things are filth, a work of Satan, taken up first were their spiritual ills. The sense is that indulgence in these activities is disgusting. This is a trap of Satan. Whoever walks in never walks out, only to become a victim of many more vices. Then, the command given was: فَاجْتَنِبُوهُ (Therefore, refrain from it) since the nature of these indulgences requires it. In the end it was said: لَعَلَّكُمْ تَفْلِحُونَ (so that you may be successful). It means that one's chances of succeeding and prospering in the present world and in the Hereafter depend on doing just that - abstain.

The second verse (91) describes the physical and outwardly visible defects of drinking and gambling: إِنَّمَا يُرِيدُ الشَّيْطَانُ أَنْ يُوقِعَ بَيْنَكُمُ الْعَدَاوَةَ وَالْبَغْضَاءَ فِي الْخَمْرِ وَالْمَيْسِرِ that is, the Satan wants nothing but to plant enmity and malice between you through drinking and gambling.

In fact, these verses were revealed in the background of events

when actions taken under the influence of hard drinks became the cause of mutual anger and aggression. Things like this do not simply happen by chance. When drunk, man loses reason and would compulsively act in that manner.

So it is with gambling. No doubt, the loser takes the loss on the gambling counter, but malice and anger against the adversary continue influencing his behaviour. Explaining this verse, Sayyidnā Qatādah رحمه الله تعالى says: It was the habit of some Arabs that they would bet all their belongings, even family, and lose them, after which, they would live a sorry life.

Towards the end of the verse, yet another drawback of this addiction has been pointed out in the words: **وَصَدَّكُمْ عَنْ ذِكْرِ اللَّهِ وَعَنِ الصَّلَاةِ** (and to prevent you from the remembrance of Allah, and from Ṣalāh).

Obviously, this is a spiritual harm brought by drinking and gambling which has been mentioned again after mentioning their worldly bad effects. It may be a hint to the fact that the real harm is the spiritual harm, because the real life is the eternal life of the Hereafter for which one should be more careful and concerned. A wise person should take the betterment of that life as the real batterment and the suffering of that life as the real suffering. As for this worldly life, its time span is very limited. Within these limitations, neither good nor bad stand out as something to be proud of or pine about - because both conditions will vanish in a very short time.

It can also be said that negligence towards the *Dhikr* of Allah or the Ṣalāh is harmful both in this world and in the Hereafter and for the body and soul too. That it is harmful for the Hereafter and the soul of a person is all too obvious - one who skips Ṣalāh forgetting all about Allah ruins his life to come and causes his soul to become dead. A little reflection will show that the person heedless to Allah makes his own life a curse for himself. When one turns away from Allah and makes the acquisition of wealth and recognition his ultimate objective in life, they bring so many involvements with them which result in sorrows and concerns. Once in them, one becomes deprived of his chosen objective of peace and comfort through worldly possessions. Thus men of the material are never at peace with or without what they work for in their lives. In contrast to them is one whose heart is lit with the

thought of his Creator and the bliss of his Ṣalāh. Wealth and power and office come to him with all peace and comfort they can bring. But, if they go away, nothing happens to their hearts. They are not affected by the change, for things are no happiness and losses are no sorrow as they are visiting guests of the doers of the right.

In short, if we were to think about the neglect of the *Dhikr* of Allah and the Ṣalāh, we shall come to the conclusion that its effects are equally bad for our life in the present world as well as in that of the Hereafter. Therefore, it is possible that by saying: رَجَسٌ مِّنْ عَمَلِ الشَّيْطَانِ (... filth, a work of Satan), the purpose could be to state the other-worldly and spiritual harmfulness exclusively; and by saying: يُؤْفِقُ بَيْنَكُمْ الْعَدَاوَةَ وَالْبَغْضَاءَ (Satan wants nothing but to plant enmity and malice between you), the aim could be to point out to worldly and physical evils exclusively; and by saying: يَصُدُّكُمْ عَنْ ذِكْرِ اللَّهِ وَعَنِ الصَّلَاةِ (to prevent you from the remembrance of Allah, and the Ṣalāh), the objective could be to mention the total destruction of the life in this world and in the Hereafter both.

It will be noticed here that Ṣalāh has been mentioned separately - though, Ṣalāh is a part of the *Dhikr* of Allah. What is the wisdom behind mentioning Ṣalāh distinctly? The answer is that Ṣalāh has been mentioned separately because the text aims to indicate that Ṣalāh is important in its own place and certainly the superiormost among all kinds of *Dhikrullāh* (the remembrance of Allah).

After having described the physical and spiritual drawbacks of drinking and gambling, the way in which people have been asked to stay away from these indulgences is certainly disarming and heart-winning. It is said: هَلْ أَنْتُمْ مُنْتَهُونَ (Would you, then, abstain?).

Described in the first two verses (90,91) was the unlawfulness of drinking and gambling, and its strict prohibition - an article of Divine Law, so to say. To make the word of law easy to act upon, it is in the third verse (92) that the Holy Qur'an, in its characteristic way with words, has this to say:

وَاطِيعُوا اللَّهَ وَاطِيعُوا الرَّسُولَ وَاحْذَرُوا فَإِنْ تَوَلَّيْتُمْ فَأَعْلَمُوا أَنَّمَا عَلَى
رَسُولِنَا الْبَلْغُ الْمُبِينُ.

And obey Allah and obey the Messenger, and be careful. If you turn back, be sure that the duty of Our Messenger is only

to convey the Message clearly.

The lesson to be learnt is that the command to obey Allah and His Messenger is in one's own interest, and benefit. If one does not listen to the good counsel, their action brings no loss to Allah *Jalla Sha'nuhū* or to His Messenger. That Allah is far above any gain or loss was quite obvious, but in the case of the Messenger someone might have thought that a refusal to listen to him might affect or lessen the degree of his reward or station. To remove this doubt, it was said: *يَا نَوَلَيْتُمْ فَأَعْمَلُوا* It means: Even if none of you were to listen to and obey Our Messenger, it would still not make any difference to his integrity and station because he has completed the mission entrusted with him. His mission was to convey the commands of Allah Ta'ālā, openly and clearly. This he has accomplished. Now, after that, whoever chooses not to obey him will bring loss on his or her person - Our Messenger has nothing to lose in this case.

Verses 93 - 96

كَيْسَ عَلَى الَّذِينَ آمَنُوا وَعَمِلُوا الصَّالِحَاتِ جُنَاحٌ فِيمَا طَعِمُوا
 إِذَا مَا اتَّقَوْا وَآمَنُوا وَعَمِلُوا الصَّالِحَاتِ ثُمَّ اتَّقَوْا وَآمَنُوا ثُمَّ
 اتَّقَوْا وَأَحْسَنُوا وَاللَّهُ يُحِبُّ الْمُحْسِنِينَ ﴿٩٣﴾ يَا أَيُّهَا الَّذِينَ
 آمَنُوا كَيْبَلُونَكُمْ اللَّهُ بِشَيْءٍ مِّنَ الصَّيْدِ تَنَالَهُ أَيْدِيكُمْ
 وَرِمَاحُكُمْ لِيَعْلَمَ اللَّهُ مَن يَخَافُهُ بِالْغَيْبِ فَمَنِ اعْتَدَىٰ بَعْدَ
 ذَلِكَ فَلَهُ عَذَابٌ أَلِيمٌ ﴿٩٤﴾ يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَقْتُلُوا
 الصَّيْدَ وَأَنْتُمْ حُرْمٌ وَمَن قَتَلَهُ مِنْكُم مُّتَعَمِّدًا فَجَزَاءٌ مِّثْلُ مَا
 قَتَلَ مِنَ النَّعَمِ يَحْكُمُ بِهِ ذَوَا عَدْلٍ مِّنكُمْ هَدْيًا بَالِغَ الْكَعْبَةِ أَوْ
 كَفَّارَةٌ طَعَامُ مَسْكِينٍ أَوْ عَدْلٌ ذَلِكَ صِيَامًا لِّيَذُوقَ وَبَالَ
 أَمْرِهُ عَفَا اللَّهُ عَمَّا سَلَفُ وَمَنْ عَادَ فَيَنْتَقِمِ اللَّهُ مِنْهُ وَاللَّهُ
 عَزِيزٌ ذُو انْتِقَامٍ ﴿٩٥﴾ أَحِلَّ لَكُمْ صَيْدَ الْبَحْرِ وَطَعَامَهُ مَتَاعًا
 لَّكُمْ وَلِلسَّيَّارَةِ وَحُرِّمَ عَلَيْكُمْ صَيْدُ الْبَرِّ مَا دُمْتُمْ حُرْمًا
 وَاتَّقُوا اللَّهَ الَّذِي إِلَيْهِ تُحْشَرُونَ ﴿٩٦﴾

There is no sin for those who believe and do good deeds, in what they might have eaten earlier, if they fear Allah and believe and do good deeds, again fear Allah and believe, and still again fear Allah and become good in deeds. And Allah loves those who are good in deeds. [93]

O those who believe, Allah shall certainly test you with some of the game coming in the range of your hands and spears, so that Allah may know those who fear Him while unseen. So whoever crosses the limit after all this, for him there is a painful punishment. [94]

O those who believe, do not kill game when, you are in *Iḥrām* (state of consecration for Hajj or 'Umrah). And whoever, from among you, kills it deliberately, then, a compensation from the cattle (is obligatory) equal to what he has killed according to the judgement of two just men from among you, an offering due to reach the Ka'bah, or an expiation, that is, to feed the poor, or its equal in fasts, so that he may feel the burden of what he did. Allah has forgiven what has passed. And whoever does it again, Allah shall subject him to retribution. Allah is Mighty, Lord of Retribution. [95]

The game of the sea and its eating has been made lawful for you, something of benefit to you and to the travellers. And the game of the land has been made unlawful for you as long as you are in *Iḥrām*. And fear Allah towards Whom you are going to be gathered. [96]

Sequence of Verses

A report from Sayyidnā Abū Hurairah رضى الله عنه appearing in the Musnad of Aḥmad, quoted in Al-Lubāb, says: When the Verse forbidding drinking and gambling had been revealed, some people asked the Holy Prophet صلى الله عليه وسلم that there were many people who drank wine and lived off earnings from gambling and then died before these were forbidden. What would happen to them, now that we know about these being *Ḥarām*? Thereupon, the verse : **لَيْسَ عَلَى الَّذِينَ آمَنُوا** (On those who believe and do good deeds, there is no sin ...) was revealed.

In a verse appearing earlier (87): **يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَحْرِمُوا طَيِّبَاتِ** (O those who believe, do not make unlawful good things ...), the making of good things unlawful was prohibited. Now, in the verse (94) : **يَا أَيُّهَا الَّذِينَ آمَنُوا**

يَبْلُوَنَّكُمْ اللَّهُ بِشَيْءٍ (O those who believe, Allah shall certainly test you with some ...), it is said that it is Allah Who has that absolute power to declare particular things unlawful in particular circumstances. (Bayān al-Qur'ān)

Commentary

Scholars have said that there are several degrees of Taqwā (abstaining from what is likely to harm the purity of one's faith). Similarly, the degrees of faith and belief are also different in terms of personal strength and weakness. The touchstone of experience and the inviolable authority of the Shari'ah both prove that the more one progresses in the remembrance of Allah (*Dhikr*), concern for life here and hereafter (*Fikr*), good deeds (*Al-'Amalus-Sālih*) and *Jihād* in the way of Allah (*Al-Jihād fī Sabīlillāh*), the more filled his heart is with the fear of Allah and the awe of His greatness and majesty, with his faith and belief becoming firm and fortified more than ever. Thus, there are degrees of one's ascent onto the pathways of Allah (referred to as *Sayr-ilallāh* by spiritual masters). The considered repetition in verse 93 of the basis of *Taqwā* (fear of Allah) and *'Imān* (faith) is a pointer in this direction. Finally, at the end of the verse, what stands identified is the seeker's last station - *Ihsān* (righteousness at its best) - and the reward for it too, which is, the love of Allah. (Tafsīr Usmānī)

Rulings:

1. The game (*Ṣayd*) which is Ḥarām (unlawful) in the Ḥaram (the precincts of the Sacred Mosque) and in *Ihrām* (the state of consecration for Ḥajj or 'Umrah) is general in sense. It may be eatable, that is, a *Ḥalāl* (lawful) animal, or one uneatable, that is, a Ḥarām (unlawful) animal (as generalized in the verse).
2. *Ṣayd*, that is, game, is the name of animals which are wild and who habitually do not live close to human beings. Thus, as for those which are naturally domesticated, such as, sheep, goats, cows and camels, slaughtering and eating them in *Ihrām* is correct.
3. However, animals that have been exempted by a specific rule can be trapped and killed. It is *Ḥalāl*, for example, the hunting

of sea (or water) game as permitted by Allah Ta'ālā: *أَحِلَّ لَكُمْ صَيْدُ الْبَحْرِ* (lawful for you is the game of the sea). This applies to some land animals, crawlers and birds as well, such as, the wolf, the biting dog, the crow, the kite, the snake and the scorpion. Similarly, permissible is the killing of an attacking beast. Their exemption has been mentioned in *Ḥadīth*. This tells us that the letter *Alif-Lām* in *الصيد* (Al-Ṣayd - 5:95) is that of *'Ahd*.¹

4. It is permissible for a *Muhrim* (person in *Iḥrām*) to eat from *Halāl* game which has been hunted in a state other than that of *Iḥrām* and in a place other than that of the Ḥaram - subject to the condition that this person (in *Iḥrām*) has not been an assistant or adviser or guide in the hunting and killing of that game. This is exactly what the *Ḥadīth* says. In addition to that, there is an indication towards this rule in the words: *لَا تَقْتُلُوا* (*lā taqtulū*: do not kill) in this verse (95) - because what is said here is "*lā taqtulū*" (do not kill) and not "*lā ta'kulū*" (do not eat).
5. The way it is obligatory (*Wājib*) to pay compensation (*Jazā'*) against killing land game in the sacred precincts of the Ḥaram (Sacred Mosque) intentionally, similarly, it is also obligatory (*Wājib*) if done by mistake or forgetfulness. (As deduced in *Ruḥ al-Ma'ānī*)
6. The compensation (*Jazā'*) which becomes obligatory (*Wājib*) the first time shall remain equally obligatory (*Wājib*) in such killing a second or a third time as well.
7. The substance of the compensation (*Jazā'*) is that, after having determined the (facts of) time and place of the killing of this animal, one should get an estimate of the cost of this animal from two just person, which is better, but, it is also permissible that he can have only one just person do it. Then, there are other details: If the killed animal is inedible (that is, Ḥaram), then, this obligatory cost will not be more than the cost of a she-goat.

1. The *Lām* of *'Ahd* indicates that the word is used in a restricted sense and not in a general sense. Here it means that all types of games are not prohibited, but the prohibition is restricted to some of them. (Muḥammad Taqī Usmānī)

And if the animal was edible (that is, *Ḥalāl*), then, whatever the estimate (of cost), the whole of it will be obligatory (*Wājib*). Now, beyond these two situations, he has three options: (1) Whether he buys an animal at this price keeping in view the (standard) conditions which govern a sacrificial animal, and after slaughtering it properly within the sacred precincts of the Ḥaram (the Sacred Mosque and its environs), distributes it to persons poor and needy; or, (2) gives grains equivalent to the price of the animal, in accordance with the conditions of *Sadaqatul-Fitr*, at the rate of $1/2 \text{ Ṣā}^{\bar{}}$ per poor and needy person; or, (3) keeps as many fasts as would be the number of poor and needy persons to whom the amount of grains could reach at the rate of $1/2 \text{ Ṣā}^{\bar{}}$ per person. As for the distribution of the grains and the keeping of fasts, there is no restriction that these be done within the sacred precincts of the Ḥaram. And in case the obligatory (*Wājib*) amount is a price less than $1/2 \text{ Ṣā}^{\bar{}}$, then, one has the choice of either giving it to a poor and needy person, or keep a fast. Similarly, if one is left with less than $1/2 \text{ Ṣā}^{\bar{}}$ even after giving at the rate of $1/2 \text{ Ṣā}^{\bar{}}$ per poor and needy person, still then, one has the choice of either giving the remainder to one poor and needy person, or keep a fast. The weight of $1/2 \text{ Ṣā}^{\bar{}}$ is the equivalent of 1.75 Seers or 1.62 kg. approximately (usually rounded as a matter of precaution).

8. If in lieu of giving the share of the number of poor and needy persons arrived at in the said estimate, one were to feed them two meals of the day, to their fill and satisfaction, that too will be permissible.
9. If an animal matching the cost arrived at in the estimate was selected for slaughter - but, some amount was left over - then, in this remainder, one has the choice of either buying another animal, or giving grain against it, or fasting in terms of the distributability of the grains. As compensation (*Jazā*[̄]) is obligatory in killing, similarly, in the case of such an animal becoming wounded, an estimate would have to be taken to determine how low the price of the animal has become as a result of its being wounded. Once again, in this amount of the cost, the same

three options will be permissible.

10. The animal the hunting of which is Ḥarām (unlawful) for a *Muḥrim* (one in the consecrated state of *Ihrām*), its slaughtering is Ḥarām too. If the *Muḥrim* were to slaughter it, its legal status will be that of carrion, dead animal. (In *'lā-taqtulū*: [do not kill] there is a hint towards slaughter being like killing).
11. If the place where the animal was killed was a forest, then, the estimate will be made in terms of the habitation close to it.
12. Pointing to, guiding along or assisting in hunting is Ḥarām (unlawful) as hunting itself.

Verses 97 - 100

جَعَلَ اللَّهُ الْكَعْبَةَ الْبَيْتَ الْحَرَامَ قِيَمًا لِلنَّاسِ وَالشَّهْرَ الْحَرَامَ
 وَالْهَدْيَ وَالْقَلَائِدَ ذَلِكَ لِتَعْلَمُوا أَنَّ اللَّهَ يَعْلَمُ مَا فِي
 السَّمَوَاتِ وَمَا فِي الْأَرْضِ وَأَنَّ اللَّهَ بِكُلِّ شَيْءٍ عَلِيمٌ ﴿٩٧﴾
 اعْلَمُوا أَنَّ اللَّهَ شَدِيدُ الْعِقَابِ وَأَنَّ اللَّهَ غَفُورٌ رَحِيمٌ ﴿٩٨﴾
 مَا عَلَى الرَّسُولِ إِلَّا الْبَلْغُ وَاللَّهُ يَعْلَمُ مَا تُبْدُونَ وَمَا تَكْتُمُونَ
 ﴿٩٩﴾ قُلْ لَا يَسْتَوِي الْخَبِيثُ وَالطَّيِّبُ وَلَوْ أَعْجَبَكَ كَثْرَةُ
 الْخَبِيثِ فَاتَّقُوا اللَّهَ يَا أُولِي الْأَلْبَابِ لَعَلَّكُمْ تُفْلِحُونَ ﴿١٠٠﴾

Allah has made Ka'bah, the Sacred House, a source of stability for the people, and the sacred month and the sacrificial animal and the garlands. All this so that you may learn that Allah knows what is in the heavens and what is in the earth, and that Allah is All-Knowing in respect of everything. [97] Be sure that Allah is severe in punishment and that Allah is Very Forgiving, Very Merciful. [98]

The duty of Our Messenger is only to convey the Message. And Allah knows what you disclose and what you conceal. [99]

Say, "The bad and the good are not equal, even though you are attracted by the profusion of the bad. So, fear

Allah, O men of understanding, that you may be successful." [100]

Commentary

Four Sources of Tranquility

The first verse (97) mentions four things as the cause of constancy, survival and tranquility for people.

The first is the Ka'bah. In Arabic, Ka'bah is the name of a place which is square. Another house made by the Arab tribe of *Khath'am* carried the same name, that is, *al-Ka'bah-al-Yamāniyah*, to be exact. Therefore, to distinguish the *Baytullah* (House of Allah) from this place, the words: *الْبَيْتِ الْحَرَامِ* (Al-Baytul-Ḥarām: The Sacred House) were added to the name of the Ka'bah.

The word "*Qiyām*" and *Qiyām* are verbal nouns. They refer to that on which the stability and survival of something depends. Therefore, "*قِيَامًا لِلنَّاسِ*" in the text comes to mean that the Ka'bah and its adjuncts are the cause and source of the stability and survival of people.

Lexically, the word: *النَّاسِ* (*annās*) is used for people in general. At this place, because of the topical context, they could mean the people of Makkah proper, or the people of Arabia and the peoples of the world as well. Obviously, it includes human beings of the whole world - however, the people of Makkah and the people of Arabia do have a unique status. Therefore, the sense of the verse would be that Allah Ta'ālā has made *Ka'batullah* (The Ka'bah of Allah) and what is mentioned later, the source of stability, survival and tranquility for people. As long as people of the world from each country, each region and each direction keep turning their orientation towards *Baytullah* to say their Ṣalāh, and the Ḥajj of *Baytullah* continues to be performed by those on whom its performance has become obligatory (*fard*) - until then, this whole world will keep going and stay safe. And if, there ever comes that fatal year when no one makes Ḥajj, or no one turns towards *Baytullah* to offer Ṣalāh, then, the whole world will be overtaken by mass Punishment.

Baytullah is the Mainstay of the Universe

The respected master of Tafsīr, 'Atā' has stated the subject in the words which follow: *لوتركوه عاماً واحدا لم ينظروا ولم يؤخروا* (Al-Baḥr Al-Muḥīṭ). This

tells us that, significance-wise, *Baytullah* is the pillar of this whole world. As long as people keep turning towards it and Ḥajj keeps being performed, the world will stay. And if, this reverence of *Baytullah* were to terminate at some time, the world will also be terminated. However, there remains the question: What is the connection and linkage between the universal system and *Baytullah*? But then, knowing its reality is not necessary - who knows the reality behind the mutual connection of magnet and iron and lightening and straw? But, it is a reality proved through observation. It cannot be rejected. The comprehension of the reality of the mutual linkage between *Baytullah* and the universal system is also not within the reach and control of mortal man. That can be known only when the Creator of the universe tells us about it. That *Baytullah* is the cause of the survival of the whole universe is a thing of the spirit. Physical insight or formal research cannot reach it. But, its being the cause of peace and tranquility for Arabia and the people of Makkah stands proved by long experiences and observations.

***Baytullah* : Symbol and Substance of Peace**

Peace is generally maintained in the world through government laws and its implementation. That is why robbers, thieves, killers and plunderers do not dare. But, during the Arab *Jāhiliyyah*, there was no formal government nor was there some general law to maintain public peace. Whatever political system there was, it was based on tribal considerations. One tribe could attack the life, property and honour of another tribe anytime at its choice. Therefore, no tribe had the occasion to enjoy peace and tranquility any time. Allah Almighty, with His perfect power, made the *Baytullah* in Makkah al-Mukarramah stand as a regular government ushering peace and tranquility. As anyone in his right frame of mind would not dare breaking the law of a strong government in our day, so it was, even during those days of ignorance, that Allah Almighty had impinged the reverence of the *Baytullah* on the hearts of common people in a manner that they would throw all their personal desires and emotions behind their backs when it came to upholding its honour and station.

So, this was Arab *Jāhiliyyah*, the so called Age of Ignorance, proverbial for tribal prejudices and long drawn wars. But, such was the reverence for *Baytullah* and its adjuncts which Allah had placed in their hearts that they would say just nothing to even their sworn enemy despite their anger and chagrin - if the enemy had entered the Ḥaram. A son who met the killer of his father in the Ḥaram would lower his gaze and walk away from him.

Similarly, as much respect was also given to a person who had embarked on his Ḥajj and 'Umrah or who had been carrying animals for sacrifice in the Ḥaram. The result was that even the worst person around would not hurt him in anyway - to the limit that they would say nothing to even a sworn enemy if he was in a condition when signs of his being on Ḥajj and 'Umrah, such as the garments of *Ihrām* or garlands, were all too visible.

Take an example. The year was Hijrah 6. The Holy Prophet صلى الله عليه وسلم accompanied by a group of his Ṣaḥābah entered into the *Ihrām* of 'Umrah and started for his journey towards *Baytullah*. He stopped at Hudaybiyah close to the Ḥaram limits and sent Sayyidnā 'Uthmān al-Ghanī رضى الله عنه to Makkah alongwith some colleagues so that they can tell the chiefs of Makkah that Muslims have come at this time not for fighting but for performing 'Umrah, therefore, they should not be obstructed.

It was after a good deal of debate that they sent a representative of theirs to the Holy Prophet صلى الله عليه وسلم. When he saw him, he said: This person is an upholder of the sanctities of *Baytullah*, therefore, the sacrificial animals marked for sacrifice should be brought before him. When the representative saw these sacrificial animals, he conceded that such people should never be stopped from going to *Baytullah*.

So, as said earlier, Allah Almighty had placed such awe of the venerated Ḥaram - even during the days of *Jahiliyyah* - that it became the very cause and source of peace and tranquility. As a direct result of this reverence, only those who either went in and out of Ḥaram, or those who came for their Ḥajj and 'Umrah with some sign of the intended pilgrimage on them, were the ones who remained protected - outsiders did not benefit from this peace and tranquility. But, in Arabia itself, the way they honoured the site of *Baytullah* and its environs

universally, they would also give equal respect to the months of Ḥajj. They called these, the Sacred Months. Some had included the month of Rajab along with them. During these months, fighting and killing - even outside the Ḥaram - was considered by the whole Arabia as prohibited, from which they would abstain.

1. Therefore, the Holy Qur'an has included three more things as being *فِيْمَا لِّلنَّاسِ* (stability for people) alongwith the Ka'bah. The first is: *أَلشَّهْرَ الْحَرَامِ*, that is, the Sacred Month. Since the word, *شَهْرٌ* (*shahr*: month) has been placed here in its singular form, most commentators say that it means the month of Dhul-Ḥijjah at this place, the month during which the rites of Ḥajj are performed. Some commentators have said that, though the word used is singular, but it signifies category whereby all Sacred Months are included here.

2. Mentioned secondly is "*al-hady*" which refers to an animal sacrificed in Ḥaram. It was common Arab practice not to check and obstruct anyone carrying such sacrificial animals who could travel on in peace and be able to do what he intended to do. Thus, 'sacrificial animals' also became a cause of the establishment of peace.

3. The third thing is "*Al-Qalā'id*." The word is the plural form of *Qilādah*. It means a garland. There was a custom in the age of Arab *Jāhiliyyah* that a person who went out for Ḥajj would put a garland round his neck as a sign so that people may know that here was someone going for Ḥajj and that he should not be molested. Similarly, they would put garlands round the necks of their sacrificial animals too. These were also known as the *Qalā'id*. So, the *Qalā'id* also became a source of peace and tranquility.

A little thought will show that 'the sacred month,' 'the sacrificial animal,' and 'the *Qalā'id*' are all adjuncts or auxiliaries of the *Baytullah*. Reverence for them is part of the reverence of *Baytullah*. Allah Ta'ālā has made the combination of these a source of stability (even constancy and resilience) in all matters relating to the worldly and otherworldly life of the people of Arabia, and that of the people of Makkah particularly - as well as, for all humanity in general.

While explaining the expression: *فِيْمَا لِّلنَّاسِ* (stability for people), some commentators have said that it means that the *Baytullah* and the Sa-

cred Haram around it has been made a place of peace for everyone. Others have said that it refers to the extended means of sustenance for the people of Makkah, for what is not grown or made there indigenously keeps reaching them from all over the world by the grace of Allah Ta'ālā. Still some others have said that people of Makkah known as the custodians of *Baytullah* were held in great esteem as special people serving the House of Allah, therefore, it is the particular distinction of these people which has been identified in the Qur'anic expression translated as 'stability for people.'

Imām al-Razī has said that there is no contradiction in all these sayings which are included within the sense of قِيَامًا لِلنَّاسِ (stability for people) since Allah Ta'ālā has made *Baytullah* the source of betterment, prosperity and success (both materially and spiritually) for the stay, survival, stability, sustenance and return (to it, as well as, through it to the final destination of the Hereafter) for all peoples. And as for the people of Arabia, particularly those of Makkah, they have been blessed by Allah with its outward and inward blessings.

At the end of the verse, it was said: ذَلِكَ لِتَعْلَمُوا أَنَّ اللَّهَ يَعْلَمُ مَا فِي السَّمَوَاتِ وَمَا فِي الْأَرْضِ وَأَنَّ اللَّهَ بِكُلِّ شَيْءٍ عَلِيمٌ (All this so that you may learn that Allah knows what is in the heavens and what is in the earth, and that Allah is All-Knowing in respect of everything). It means that Allah has made *Baytullah* and its adjuncts the source of stability, survival, peace and tranquility for people, something the people of Arabia keep witnessing particularly. This has been said so that everyone should know that Allah Ta'ālā knows everything in the earth and the heavens and He alone is capable of managing and administering it.

In the second verse (98), it was said: وَاعْلَمُوا أَنَّ اللَّهَ شَدِيدُ الْعِقَابِ وَأَنَّ اللَّهَ غَفُورٌ رَحِيمٌ (Be sure that Allah is severe in punishment and that Allah is Most Forgiving, Very Merciful). This is telling us that the prescribed injunctions of *Halāl* (lawful) and *Harām* (unlawful) are based on ideal wisdom and consideration. As long as they are obeyed and followed, they would bring nothing but good for the person who does just that. However, electing to do what is contrary to them is nothing but embracing the worst of curse and punishment. Along with the warning, it was also said that, should someone commit a sin forgetfully or heedlessly, then, Allah Ta'ālā does not punish instantly, instead of which, the

doors of Allah's forgiveness stay open for those who repent and feel ashamed of what they have done.

In the third verse (99), it was said: مَا عَلَى الرَّسُولِ إِلَّا الْبَلَاغُ وَاللَّهُ يَعْلَمُ مَا تُبْدُونَ وَمَا تَكْتُمُونَ that is, the duty of Our Messenger is only to convey Our *Aḥkām* (injunctions) to people created by Us. After that, whether they accept and believe, or reject and disbelieve, its profit and loss reaches only them. That they disbelieve brings no loss to Our Messenger. And let this be understood that Allah cannot be deceived for He knows everything done by anybody, openly or secretly.

In the fourth verse (100), it was said: قُلْ لَا يَسْتَوِي الْخَبِيثُ وَالطَّيِّبُ (Say, "The bad and the good are not equal ...). In Arabic, the words "*Ṭayyib*" and "*Khabīth*" are antonyms. *Ṭayyib* refers to what is the best and purest in everything and *Khabīth* to what is the most condemned and evil. In this verse, as held by the majority of commentators, *Khabīth* means *Ḥarām* or impure, while *Ṭayyib* means *Ḥalāl* and pure. Thus, the verse would come to mean that with Allah Ta'ālā, rather with everyone having sound reason and good taste, pure and impure or *Ḥalāl* and *Ḥarām* cannot be equal.

In view of the general sense of *Khabīth* and *Ṭayyib* at this place, it is inclusive of wealth and property which is *Ḥalāl* or *Ḥarām*, and human beings who are good or bad, and deeds and morals which are virtuous or vicious, all of the three. The sense of the verse is clear from the truth that good and bad are not equal. According to this natural law, *Ḥalāl* and *Ḥarām* and pure and impure things are not equal in the sight of Allah Ta'ālā, similar to which, also not equal are good and bad deeds and morals, similarly again, also not equal are virtuous and vicious human beings.

Following immediately in this verse (100), it was said: وَلَوْ أَعْرَبْتُمْ كَثْرَةَ الْخَبِيثِ (even though you are attracted by the profusion of the bad). It means that, though onlookers are sometimes awed by the abundance of things evil and impure, they would even go on to take these very things to be good just because they have spread out all over and because they seem to be winning the day, but, this is only a disease of human knowledge and consciousness, and certainly a shortcoming of the inherent feeling for the right.

The Background of the Revelation of the Verse

Reporting the background of the revelation of this verse, some narrations say that when liquor, and its buying and selling too, was prohibited in Islam, a dealer in liquor who had some cash savings from that business asked the Holy Prophet صلى الله عليه وسلم: *Yā Rasūl Allah*, I have with me this saving from my liquor business, if I were to spend this in some good and pious cause, would that be beneficial for me? The Holy Prophet صلى الله عليه وسلم said: If you will spend it in *Jihād* or Ḥajj or something similar, it would not even be worth the weight of the tiny feather of a mosquito, for Allah Ta'ālā does not accept anything other than what is pure and Ḥalāl (lawful).

This devaluation and depreciation of wealth is in terms of the Hereafter. If we look a little deeper and keep the ultimate end of things in sight, we shall discover that Ḥalāl and Ḥarām wealth or property are not equal even in the businesses of this mortal world. The kind of benefits, favourable consequences, real comfort and bliss which come through Ḥalāl, never do and never can come from Ḥarām.

Citing Ibn Abī Ḥātim, Tafsīr Al-Durr Al-Manthūr reports that when Sayyidnā 'Umar ibn 'Abd Al-'Azīz, the rightly-guided Khalīfah of the age of the *Tābi'in*, stopped impermissible taxes imposed by the oligarchy before him, returned monies and properties taken illegally to the rightful owners, the government treasury became empty and the graph of usual income came very low. Then, the governor of a province wrote a letter to him in which he complained about the low income of the public treasury and asked him as to how would the affairs of the government run under such circumstances. Sayyidnā 'Umar ibn 'Abd al-'Azīz رحمه الله عليه answered him by quoting this very verse: لَا يَسْتَوِي الْخَبِيثُ وَالطَّيِّبُ وَلَوْ أَعْجَبَكَ كَثْرَةُ الْخَبِيثِ (The bad and the good are not equal, even though you are attracted by the profusion of the bad). He also wrote: People before you had used injustice and oppression to fill the treasury, now you match it by establishing equity and justice and let the holding of your treasury stand reduced. And do not care. The expenditures of our government shall be met within this reduced income.

Though the cause of the revelation of this verse is a particular event, the basic message of the verse is that numbers being low or high do not mean much. Matters cannot be measured by majority and

minority and a human hand-count of fifty one against forty nine cannot go on to become the touchstone of that which is right and true.

In fact, if we were to even casually look into the state of affairs prevailing around every section of society in the world, then, we shall see less of good and more of evil. Compare belief with disbelief; godliness, purity, honesty and trust with sinfulness and debauchery; justice and equity with injustice and oppression; knowledge with ignorance; reason with unreason - one is bound to find more of the later in all these comparisons. This leads us to become certain that the numerical abundance of some thing, group or party cannot be an absolute proof of its being good or true. Instead of that, the good in that thing or group or party depends on relevant particulars and states. If they are good, they are good, and if they are bad, they are bad. This is the reality the Holy Qur'ān has stated clearly by saying: *وَلَوْ أَعْجَبَكَ كَثْرَةُ الْخَبِيثِ* (even though you are attracted by the profusion of the bad).

Of course, Islam too has declared numerical majority to be decisive on some occasions, and that too where there be no ruling authority competent enough to decide by the power of argument and the assessment of intrinsic qualities. On occasions like this, in order to resolve the disputes among masses of people, majority vote is resorted to. Take the example of the problem of appointing an Imām or leader in a situation when there is no Imām or Amīr or leader present to give a decision. Therefore, on some occasions, majority opinion has been preferred to ward off possible dispute and resolve matters peacefully. It never means that what has been adopted by a majority of people should become Ḥalāl and permissible and true.

At the end of the verse it was said: *فَاتَّقُوا اللَّهَ يَا أُولِي الْأَلْبَابِ* (So, fear Allah, O men of understanding). By addressing the men of understanding this verse indicates that it is not the attitude of the men of wisdom to be attracted to something because of its numerical or quantitative abundance, or to take the majority as the touchstone of what is true and correct. Intelligent people would not do something like that. Therefore, it is to caution all people of understanding against these attitudes that they have been commanded with: *فَاتَّقُوا اللَّهَ* (fear Allah).

Verses 101 - 103

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَسْأَلُوا عَنْ أَشْيَاءٍ إِنْ تُبَدَّ لَكُمْ تَسْأَلُكُمْ
 وَإِنْ تَسْأَلُوا عَنْهَا حِينَ يُنَزَّلَ الْقُرْآنُ تُبَدَّ لَكُمْ عَفَا اللَّهُ
 عَنْهَا وَاللَّهُ غَفُورٌ حَلِيمٌ ﴿١٠١﴾ قَدْ سَأَلَهَا قَوْمٌ مِّنْ قَبْلِكُمْ ثُمَّ
 أَصْبَحُوا بِهَا كَافِرِينَ ﴿١٠٢﴾ مَا جَعَلَ اللَّهُ مِنْ بُحَيْرَةٍ وَلَا
 سَائِبَةٍ وَلَا وَصِيلَةٍ وَلَا حَامٍ ۖ وَلَكِنَّ الَّذِينَ كَفَرُوا يَفْتَرُونَ عَلَى
 اللَّهِ الْكُذِبَ ۖ وَآكَثَرَهُمْ لَا يَعْقِلُونَ ﴿١٠٣﴾

O those who believe, do not ask about things which, if disclosed, may displease you; and if you ask about them when the Qur'an is being revealed, they will be disclosed to you. Allah has pardoned you for it. And Allah is Most Forgiving, Forbearing. [101] People before you have asked such questions, then became disbelievers because of it. [102]

Allah has made no *Bahīrah*, no *Sā'ibah*, no *Waṣīlah* and no *Ḥāmī* (names of animals dedicated to idols in *Jāhiliyyah* on different grounds) but those who disbelieve coin a lie against Allah, and most of them do not understand. [103]

Commentary

The Prohibition of Asking Unnecessary Questions

These verses warn people who keep investigating unnecessarily into Divine injunctions. So fond and bent are they in this exercise that they would go to the outer limit of asking questions even about injunctions which have not been prescribed at all and for which there is really no genuine need that they be asked. In this verse, such people have been instructed not to ask questions lest they are subjected to some trial, or they have to face disgrace as a result of the disclosure of their secrets.

The Background of the Revelation

As narrated in Ṣaḥīḥ Muslim, the background or the cause of the revelation of these verses is as follows. When the verse concerning the

obligation of Ḥajj was revealed, Sayyidnā Al-Aqra' ibn Ḥābis رضى الله عنه asked: 'Have we been obligated with Ḥajj every year?' The Holy Prophet صلى الله عليه وسلم did not answer that question. He asked again. The Holy Prophet صلى الله عليه وسلم still remained silent. When he asked a third time, the Holy Prophet صلى الله عليه وسلم reprimanded him by saying: If, in answer to your question, I had said, 'Yes, the Ḥajj is obligatory every year' - so it would have become, and you would have been unable to do it. After that, he added: Things about which I give you no command, leave them as they are. Do not ask questions by digging and prying into them. Communities before you have been damned eternally through this very proliferation of questioning because they, questions after questions about what Allah and His Messenger did not make obligatory on them, and in consequence of their unnecessary enquiry, these optional things were made obligatory - and then, they got involved in the unfortunate practice of disobeying these. Your established routine should be: Do what I order you to do, with the best of your ability, and leave what I order you not to do (that is, do not dig and pry into things about which no injunctions are given).

There is No *Nubuwwah* (Prophethood) and *Wahy* (Revelation) after the Holy Prophet صلى الله عليه وسلم

It has also been tacitly said in this verse: **وَإِنْ تَسْأَلُوا عَنْهَا حِينَ يُنزَلُ الْقُرْآنُ تَبَدُّ لَكُمْ** : 'and if you ask about them while the Qur'ān is being revealed, they will be disclosed to you (through revelation).' Here, by restricting it with the time duration of the revelation of the Qur'ān, the indication given is that it will be after the completion of the revelation of the Qur'ān, that the process of Prophethood (*Nubuwwah*) and Revelation (*Wahy*) will be discontinued.

Though, after the discontinuation of this process of Prophethood and Revelation, the consequences that new injunctions may come, things not obligatory may become obligatory or someone's secret may be disclosed through revelation are not likely to take effect - but, minting unnecessary questions, falling for investigations into them or asking about things for which there is no need, shall still remain prohibited, even after the discontinuation of the process of Prophethood. The reason is simple. This is a waste of time - your own and that of others. The Holy Prophet صلى الله عليه وسلم has said:

مِنْ حَسَنِ إِسْلَامِ الْمَرْءِ تَرْكُهُ مَا لَا يَعْنِيهِ

One of the qualities making someone a good Muslim is that one leaves what is unnecessary.

This tells us that many of our brother Muslims who keep investigating into unnecessary subjects, such as, the name of the mother of Sayyidnā Mūsā عليه السلام, or the precise length and breadth of the Ark of Sayyidnā Nūḥ عليه السلام, indulge in what has no effect on one's conduct in life. Therefore, asking such questions is blameworthy - specially when it is already known that people who tend to ask such questions are mostly unaware of the basics of their religion. The problem is that falling for what is wasteful invariably results in making one stay deprived of doing what is necessary. As for the large body of work left by Muslim jurists in which they have answered assumed religious problems and questions, it was not something unnecessary. Later events proved that they were needed by future generations. Therefore, they do not fall under the purview of wasteful or meaningless questions. It is also a part of Islamic teachings that one should not indulge in any activity, whether intellectual or practical, a task or a conversation, and waste precious time through it, unless there is some gain to be made from it in terms of the worldly or other-worldly life.

The Definition of *Baḥīrah* and *Sā'ibah*

The names *Baḥīrah*, *Sā'ibah*, *Waṣīlah* and *Ḥāmī* are connected with customs prevailing during the days of *Jāhiliyyah*. Commentators differ in their exegesis. It is possible that all these words were applied each to a different situation. We limit ourselves to the explanation given by Sayyidnā Sa'īd ibn al-Musaiyyib رضى الله عنه as it appears in the *Ṣaḥīḥ* of Al-Bukhārī:

BAḤĪRAH, an animal the milk from which was dedicated in the name of idols, and was not used by anyone personally.

SĀ'IBAH, an animal which was released in the name of idols, like a bull in some rural areas of our time.

ḤĀMĪ, a male camel having copulated with a particular number, which was also released in the name of idols.

WAṢĪLAH, a she-camel giving birth to female offspring continuous-

ly, uninterrupted by the birth of a male, was also released in the name of idols.

In addition to doing what was *Shirk*, these people were challenging the right of benefiting from the meat of an animal, or its milk, or riding it, declared permissible by Almighty Allah, and placing their own restrictions on their being lawful or unlawful - as if the office of making Divine laws belonged to them! And the cruel joke was that they took these polytheistic customs of theirs to be the source of attaining the pleasure and nearness of Almighty Allah. The answer to this was: Almighty Allah had never appointed these customs. If their elders did it, they fabricated lies against Him, and the ignorant masses accepted them. In short, a two-pronged warning has been given here by saying that the way it is a crime to invite hardships in Divine injunctions by asking purposeless questions, similarly, it is much more serious a crime that one goes about proposing things as *Halāl* or *Harām* based on one's personal opinions and desires without the will and command of the Law-Giver. (Tafsīr Usmānī)

Verse 104 - 105

وَإِذَا قِيلَ لَهُمْ تَعَالَوْا إِلَىٰ مَا أَنْزَلَ اللَّهُ وَإِلَى الرَّسُولِ قَالُوا
حَسْبُنَا مَا وَجَدْنَا عَلَيْهِ آبَاءَنَا أَوْ كُفُوًا كَانُوا بآبَائِهِمْ لَا يَعْلَمُونَ
شَيْئًا وَلَا يَهْتَدُونَ ﴿١٠٤﴾ يَا أَيُّهَا الَّذِينَ آمَنُوا عَلَيْكُمْ أَنْفُسَكُمْ
لَا يَضُرُّكُمْ مَن ضَلَّ إِذَا اهْتَدَيْتُمْ إِلَى اللَّهِ مَرْجِعُكُمْ جَمِيعًا
فَإِنبِئْكُمْ بِمَا كُنْتُمْ تَعْمَلُونَ ﴿١٠٥﴾

And when it is said to them, "Come to what Allah has sent down, and to the Messenger;" they say, "sufficient for us is what we have found our forefathers on." Is it so, even though their forefathers knew nothing, and had no guidance either? [104]

O those who believe, take care of your own selves. The one who has gone astray cannot harm you, if you are on the right path. To Allah is the return of you all. Then, He will tell you what you have been doing. [105]

Sequence of Verses

Mentioned earlier was one ignorant habit of the disbelievers who were very rigid in their customs. There were many more of such habits which made Muslims grieve. Therefore, the text now addresses Muslims asking them not to worry about others. They have been asked to correct themselves first - and then try to reform others within the limit of what they can do. Onward from there, that their efforts bear fruit is something beyond their control. Therefore, for them the best course is: Do your own job and not the job of others.

Commentary

The Background of the Revelation of the Verses

Following forefathers was one of the many customs of *Jāhiliyyah* which had involved them in all sorts of evils, and equally deprived them of all kinds of virtues too. As reported in the Tafsīr Al-Durr Al-Manthūr from Ibn Abī Ḥātim, if a lucky person listened to the truth and embraced Islam, he was put to shame on the plea that he had proved his forefathers to be no good since he took to another way at the cost of the way of his forefathers. It was this compounded error of theirs whereupon the following verse was revealed:

وَإِذَا قِيلَ لَهُمْ تَعَالَوْا إِلَىٰ مَا أَنْزَلَ اللَّهُ وَإِلَى الرَّسُولِ قَالُوا حَسْبُنَا مَا وَجَدْنَا
عَلَيْهِ آبَاءَنَا

And when it is said to them, "Come to what Allah has sent down, and to the Messenger;" they say, "sufficient for us is what we have found our forefathers on."

In other words, when they were asked to turn to the truth and to the injunctions revealed by Allah Ta'ālā, and to the Messenger who is, in all possible respects, the guarantor of good for them, then, they have no answer to give but that 'the customs on which we found our forefathers are sufficient for us.'

This is the master argument of *Shayṭān* which made millions of people fall into error despite having at least average sense, knowledge and skills. Answering it, the Qur'an said: *أَوَلَوْ كَانَ آبَاؤُهُمْ لَا يَعْلَمُونَ شَيْئًا* (Is it so, even if their forefathers knew nothing ...). For those who would care to ponder, this one sentence of the Qur'an has provided a correct principle to uphold when following a person or group or party - a principle

which brings sight to the unsighted and reality to the ignorant and the heedless. It makes sense if those who do not know follow those who do, the uninitiated follow the experienced and the ignorant follow the learned. But, what does not make sense is that one elects to move away from the standards of knowledge, reason and guidance and ends up making the following of forefathers as preferred practice - without realizing as to where this leader of theirs is and to where would he take them yet having the compulsion to tag along behind him?

This is how some people take a mob of people as the yardstick of right and wrong. Wherever they see a lot of people going, they will start moving in that direction. This too is absurd - because the majority of people in this world is always that of those who are not the wisest or the smartest or the most virtuous in deeds. Therefore, following a mob of people cannot become the criterion of distinction between truth and untruth or good and bad.

Following an Undeserving Leader is Asking for Trouble

This sentence of the Qur'an gives everyone a clear lesson in wisdom - that none of these criterions are at all sufficient to help in choosing someone as a leader to be followed. The correct attitude is that everyone should first determine the aim of his life and the direction of his journey in it. Then, in order to achieve that purpose, he has to look for a person who has the knowledge of that direction and is himself proceeding to it. When one finds a person like that, then, tagging along behind him can certainly take one all the way to his destination. This is the reality underlying what we know as the *Taqīd* (following) of the *Mujtāhid Imāms*. They know *Dīn* and they follow it too. Therefore, those who do not know can, by following them, achieve the main purpose of religion, that is, the obedience to Allah and His Messenger, and the following of their commands. As for one who is already astray, who does not himself know the destination, or is knowingly going in a direction opposite to the destination, then, following him shall be, in the sight of every wise person, a waste of one's efforts and deeds, rather the signing of one's own warrant of destruction. It is a pity that in the present age of so-called knowledge and enlightenment, even the people of education and foresight are ignoring the fact that the greatest cause of world upheaval is the locked following of leaders who are

incompetent, undeserving, and false.

The Criterion of Leadership

This sentence of the Qur'an gives two clear criterions of choosing a leader. These are having Knowledge (*Ilm*) and Guidance (*Ihtidā*). Knowledge means the knowing of the desired purpose or destination and the knowing of the methods to reach it, while having Guidance means moving towards the chosen objective. Combined together, it would mean constant effort based on sound knowledge.

To explain, it can be said that it is necessary to first find out - before making the choice of a leader - if he is fully conversant with the objectives and methods chosen to be followed. Then, it has to be seen whether he himself is traveling on the same path and in the same direction. And then, it has to be determined whether or not his conduct is in accordance with his knowledge. So, in order to take someone as a leader to be followed, it is necessary to test him on the anvil of sound knowledge and steady conduct. None of the other options based on ancestry and lineage, or being in the lead followed by masses of people, or being wealthy through money or property, or being in power and authority, not one of them is worthy of being considered as the criterion of leadership in the real sense.

An Effective Method of Criticism

At this place, the Qur'an has pointed out to the error of people who are used to following their ancestral customs blindly. However, right alongwith it, it has told us about an effective method which can be used when needed to identify the error of the other person, so that the addressee is not hurt or provoked. It will be noticed that the comment made in the text is not direct. It does not say that their forefathers were ignorant or astray. Instead of that, it employs a subtle interrogative style in asking if the practice of following one's forefathers could be reasonable in a situation when they did not have either knowledge or guidance.

Comfort for the Reformers of People

In the second verse (105), Muslims who sacrificed a great deal in their concern for reforming people have been comforted by saying that they had done their best to spread the call of truth and they had done their duty of conveying to people what was good for them. Now, if

there were people who chose to stick by their error, that was not for them to worry about for their going astray will bring no loss to them. It was said:

يَا أَيُّهَا الَّذِينَ آمَنُوا عَلَيْكُمْ أَنْفُسُكُمْ لَا يَضُرُّكُمْ مَنْ ضَلَّ إِذَا اهْتَدَيْتُمْ

O those who believe, take care of your own selves. Those who have gone astray cannot harm you, if you are on the right path.

These words of the verse, if looked at outwardly, sometimes are taken in the sense that it is enough for one to only take care of one's own conduct, and just correct it when necessary. This would leave out the others who may keep doing what they do - there was no need to think about that. Such thinking is contrary to a great many very clear statements of the Qur'an where Bidding the Fair (*al-amr bil-ma'rūf*) and Forbidding the Unfair (*al-nahy 'anil-munkar*) has been declared to be an important duty in Islam and a singular distinction of the Muslim community. When this verse was revealed, some people faced doubts. The Holy Prophet صلى الله عليه وسلم clarified by saying that the verse was not contradictory to the injunctions regarding the Bidding of the Fair. If they were to leave the mission of Bidding the Fair, they will be answerable for that. Therefore, Sayyidnā Sa'īd ibn Jubayr has, in his Tafsīr of the Verse as reported in Al-Baḥr Al-Muḥīt, said: Keep doing what your religion obligates you with, which includes *Jihād* and *Al-amr bil-ma'rūf* (Bidding the Fair). If, even after doing all this, those who remain astray could bring no loss on you. A little deliberation in the words: إِذَا اهْتَدَيْتُمْ (if you are on the right path) of the Qur'an itself makes this explanation all the more clear as the converse of it shows that one who has abandoned the duty of Bidding the Fair is obviously not on the right path.

Reported in Tafsīr Al-Durr Al-Manthūr, is an event relating to Sayyidnā 'Abdullāh ibn 'Umar رضى الله عنه. Someone mentioned before him a serious dispute between certain people he named who were calling each other *Mushriks* (polytheists). Sayyidnā Ibn 'Umar said: Do you think I am going to tell you to go and fight them? Never. Go, talk to them softly. If they listen, fine. If not, stop worrying about them. Get busy taking care of your own selves. After having said that, it was

this very verse that he recited as the confirmation of his answer to their statement.

Sayyidnā Abū-Bakr رضى الله عنه on Checking of Sins

Sensing the doubt generated by a surface view of the words of the verse, Sayyidnā Abū-Bakr رضى الله عنه said in a *Khutbah* (address): You people recite this verse and use it out of context - that *Al-amr bil-Ma'rūf* (Bidding the Fair) is not required. Understand it very clearly that I have myself heard the Holy Prophet صلى الله عليه وسلم say that people who see a sin being committed and do not try to stop it (to the best of their ability) then, it is likely that they too are seized by the divine punishment alongwith the actual sinners.

This narration is there in Tirmidhī and Ibn Mājah. However, the words in Abū Dāwūd appear as follows: those who see an oppressor oppressing and do not stop him from his oppression (to the best of their ability), then, Allah Ta'ālā will seize everyone in punishment.

The Meaning of *Ma'rūf* and *Munkar*

From the details given earlier, we know that it is the duty of a Muslim that he should do what he can to check what is not permissible, or, at the least, show his dislike for it. Let us now find out what is *Ma'rūf* and *Munkar*.

The word, *Ma'rūf* is from *Ma'rifah* and the word, *Munkar* is from *Inkār*. *Ma'rifah* means to know, and to understand and recognize something after deliberation. In contrast, there is *Inkār* which means not to know, and not to understand and recognize something. These words are taken to be antonyms. The Holy Qur'an says: يَعْرِفُونَ نِعْمَتَ اللَّهِ ثُمَّ يُنْكِرُونَهَا (16:83). It means that they recognize the blessings of Allah by seeing the manifestations of His perfect power, but thereafter they deny them as if they do not know them. This tells us that, lexically, *Ma'rūf* signifies something well-recognized while *Munkar* refers to something unrecognized. Keeping this congruity in view, Imām al-Rāghib al-Iṣfahānī has, in his *Mufradāt al-Qur'an*, given the meaning of *Ma'rūf* and *Munkar* as used in the terminology of the Shari'ah. According to him, *Ma'rūf* refers to what is known to be good in the light of reason (*Aql*) and revelation (*Shar'*). And *Munkar* means what is strange and unrecognized, that is, what is taken as bad. Therefore, *Al-Amr bil Ma'rūf* comes to

mean bidding toward the Fair, while, *Nahy 'anil-Munkar* signifies forbidding from the Unfair.

There is nothing Legally Unfair in the sayings of the *Mujtahid Imāms*

But here, the use of the words, *Ma'rūf* and *Munkar*, in place of sin and reward or obedience and disobedience, may perhaps be indicating towards the possibility that there can be two opinions in matters which are deep and in problems which require *Ijtihād* due to brevity or ambiguity left in the Qur'ān and Sunnah - the basis on which sayings of Muslim jurists (*fuqahā'*) differ - therefore, they are excluded from this scope. The brilliance of *Ijtihād* done by the great *Mujtāhid Imāms* is an accepted fact among scholars and jurists of Muslim *Ummah*. If two views are different about a religious problem, none of them can be considered to be censurable in Shari'ah¹ (*al-munkar ash-Shar'i*). In fact, both the sides are included under *Ma'rūf*. In such problems, a person who considers one opinion weightier does not have the right to reject and censure the other in the manner it is done in the case of sin. This is the reason why, despite many differences in matters of *Ijtihad* and opposing opinions, it has not been reported anywhere that the noble *Saḥābah* and *Tābi'in* ever called each other sinners. Debates, dialogues, polemics - they had all that. They presented their point of view, explained the reasons for their preference and did not hesitate in questioning what others had to say. But, nobody took anyone to be a sinner just because of this difference of opinion.

To put it briefly, it can be said that on occasions where *Ijtihādi* difference exists, every knowledgeable person (having the optimum subject knowledge) has the choice to take a side which is weightier in his sight. This much he can do. But, no one has the right to reject and censure what someone else has done by taking it as *Munkar* (evil and sinful). From here we learn that all those writings which spread mu-

1. It must be noted here that the author is referring to the views expressed by the competent *mujtahids* who are equipped with deep knowledge of the Holy Qur'an and Sunnah and have expressed their *bona fide* view after doing their best to reach the truth. Conversely, if an incompetent person, lacking the standard of knowledge required for *ijtihad*, declares a view based on his whims and conjectures, his view cannot be taken as a view based on *ijtihad*, therefore, he cannot claim immunity from '*Nahy 'anil munkar*'. (Muhammad Taqi Usmani)

tual hatred and hostility in *Ijtihādī* problems and issues are not included under the purview of *Al-Amr bil-Ma'rūf* or *Nahy 'anil-Munkar* (Bidding the Fair and Forbidding the Unfair). Opening a war front on the basis of such religious issues can only be because of unawareness or ignorance.

Verses 106 - 108

يَا أَيُّهَا الَّذِينَ آمَنُوا شَهَادَةٌ بَيْنَكُمْ إِذَا حَضَرَ أَحَدَكُمُ الْمَوْتُ
 حِينَ الْوَصِيَّةِ اثْنِ ذَوَا عَدْلٍ مِّنكُمْ أَوْ آخَرَيْنِ مِمَّنْ غَيْرُكُمْ إِن
 أَنْتُمْ ضَرَبْتُمْ فِي الْأَرْضِ فَأَصَابَتْكُمْ مُصِيبَةُ الْمَوْتِ
 تَحْبِسُونَهُمَا مِنْ بَعْدِ الصَّلَاةِ فَيُقْسِمْنَ بِاللَّهِ إِنِ ارْتَبْتُمْ
 لَا نَشْتَرِي بِهِ ثَمَنًا وَلَوْ كَانَ ذَا قُرْبَىٰ ۗ وَلَا نَكْتُمُ شَهَادَةَ اللَّهِ
 إِنَّا إِذَا لِمِنَ الْأَثِمِينَ ﴿١٠٦﴾ فَإِنْ عَثَرَ عَلَىٰ أَنَّهُمَا اسْتَحَقَّا
 إِثْمًا فَآخَرَيْنِ يَقُومُن مَقَامَهُمَا مِنَ الَّذِينَ اسْتَحَقَّ عَلَيْهِمُ
 الْأَوْلِيَيْنِ فَيُقْسِمْنَ بِاللَّهِ لَشَهَادَتُنَا أَحَقُّ مِنْ شَهَادَتِهِمَا وَمَا
 اعْتَدَيْنَا إِنَّا إِذَا لِمِنَ الظَّالِمِينَ ﴿١٠٧﴾ ذَلِكَ أَدْنَىٰ أَنْ يَأْتُوا
 بِالشَّهَادَةِ عَلَىٰ وَجْههَا أَوْ يَخَافُوا أَنْ تَرُدَّ آيْمَانُ بَعْدَ آيْمَانِهِمْ
 وَاتَّقُوا اللَّهَ وَاسْمَعُوا وَاللَّهُ لَا يَهْدِي الْقَوْمَ الْفَاسِقِينَ ﴿١٠٨﴾

O those who believe, when death draws near one of you, that is, at the time of making a will, the evidence (recognized) between you shall be of two witnesses from among you, or of two others not from you if you are traveling on the earth and the trauma of death visits you. (Then) you shall detain them after the prayer, if you have some doubt, and they shall swear by Allah, "We shall not take a price for it, even if there be a relative. And we shall not conceal the evidence, (a due) of Allah, in which case we should certainly be among the sinners." [106]

Then, if it is discovered that the two had rendered themselves liable to a sin, then, in their place shall

stand two others closest of those whose right has been taken away, and they shall swear by Allah, "Our evidence is more truthful than their evidence, and we have not transgressed, in which case we should be among the unjust." [107] Thus it is more likely that they will bear witness in its proper way, or they will fear that oaths will be taken in rebuttal of their oaths. And fear Allah and listen. And Allah does not lead the sinning people to the right path. [108]

Sequence of Verses

Prior to this, there were injunctions relevant to religious considerations. Now some injunctions relevant to worldly considerations have been mentioned. The hint given is that the way Allah Ta'ālā, in His mercy, helps His servants with better life in the Hereafter, He also takes care of better sustenance for them in the present world. (Bayān al-Qur'ān)

The Background of Revelation

The event in the background of the revelation of the cited verses is that Budayl, a Muslim accompanied by Tamīm and 'Adiyy, who were Christians at that time, travelled to Syria on a business visit. After reaching Syria, Budayl became sick. He made out a list of his things in writing and put it in his baggage. He did not inform his companions of the trip about it. When his sickness became serious, he called his Christian trip companions and made a will before them that they should deliver everything to his heirs. When they returned, they delivered everything to them. But, they took out a silver bowl which was polished with gold, or had gold inlay work on it, from the belongings. When the heirs found the list of things in the baggage left for them by the deceased, they asked the caretakers of the will if the deceased had sold something from the property, or was he very sick which may have compelled him to make unusual expenses. They answered their inquiry in the negative. Finally, the case came up for hearing before the Holy Prophet صلى الله عليه وسلم. Since the heirs had no witnesses, the two Christians were put under oath. They declared that they had neither committed any breach of trust in what belonged to the deceased, nor had they hidden any of his things. In the end, based on the oath, the verdict was given in their favour. After the passage of some time, it

was found that the two of them had sold that bowl to a goldsmith in Makkah. When asked, they said that they had bought it from the deceased. Since they had no witnesses at the time of purchase, they pleaded, they did not mention it earlier lest they be falsified.

The heirs of the deceased appealed in the court of the Holy Prophet صلى الله عليه وسلم. Now, contrary to the earlier situation, the executors of the will were claiming to have purchased the missing item while the heirs were denying it. In view of the absence of evidence, two persons closest of the deceased gave a sworn statement that the bowl was owned by the deceased and that the two Christians were liars in their oath. So, the amount of money for which they had sold it (1,000 Dirhams) was made to be handed over to the heirs.

Commentary

These verses are meant to give general instructions to the Muslims with regard to making will before death. The advice given is that the will should be evidenced by witnesses, so that they may prove the will in case of a dispute after the death of the testator. It has also been advised that two pious Muslims are chosen for witnessing the will. However, if the Muslim witnesses are not available, non-Muslim witnesses may also serve the purpose. The words 'two witnesses from you' signify the preference of Muslim witnesses, but the following words "or of two others not from you" point out to the permissibility of non-Muslim witnesses.

Then, the words "if you have some doubt" refers to a situation where the legal heirs of the deceased have a claim against the executors of the will, as in the case of Budayl the heirs claimed that a bowl of silver was delivered by the deceased to the executors. Since, in this case the heirs are the plaintiffs, they should produce witnesses to prove their claim, but on their failure to do so, the defendants, i.e. the trustees are required to declare on oath that they did not commit any breach of trust. For that purpose, the Holy Qur'an advises the judge by saying, 'you shall detain them after the prayer, and they shall swear.

Although it is not legally compulsory to take this oath in the mosque after a prayer, yet the Holy Qur'an has advised to take oath after a prayer, so that the sanctity of time and place may further persuade the people to give a truthful statement.

In the next verse the Holy Qur'an says, "Then, if it is discovered that the two had rendered themselves liable to a sin..." It means that they had given a false evidence, as in the case of Budayl they themselves admitted that the bowl was purchased by them which implied that the property of Budayl contained a bowl and their earlier testimony was false. At this stage they claimed that they had purchased the bowl from Budayl. They should have substantiated this claim by witnesses, but they failed to do so, therefore, the oath was given to the legal heirs of Budayl that no such sale took place to the best of their knowledge. It is this oath of the heirs which has been mentioned in the verse by saying, "then, in their place shall stand two others closest of those whose right has been taken away and they shall swear by Allah..."

Some Rulings

1. The person with whom the deceased leaves his or her property in trust with the request that it be given to someone is called *Waṣīyy* (authorized guardian, executor, trustee, caretaker; plural: *Awṣiyā'*). A *Waṣīyy* can be one individual, or more.

2. That a *Waṣīyy* should be Muslim and just, is better but not necessary, no matter whether the will is being made in journey or at home.

3. In a dispute, the complainant is called the *Mudda'ī* (plaintiff) while the other party is *Mudda'ā'alayh* (respondent).

4. Witnesses from the Plaintiff are taken first. If he presents them as recognized under the legal norms set by the Shari'ah of Islam, the case is decided in his favour. If he cannot do that, the Respondent is put on oath and the case is decided in his favour. However, if he denies it, the Plaintiff wins the case.

5. Taking oath at a particular time or place in order to make it more emphatic, as done in the cited verse, depends on the opinion of the judge - it is not required compulsorily. Its compulsory nature is not proved from this verse too, while the converse is proved from other verses and *Hadīth* reports.

The Witness of a *Kāfir* is Acceptable in the case of another *Kāfir*

In the opening words of the verse (106): *يَا أَيُّهَا الَّذِينَ آمَنُوا شَهَادَةُ بَيْنِكُمْ* translated as : 'when death draws near one of you, that is, at the time of making a will, the evidence (recognized) between you shall be of two just witnesses from among you, or of two others not from you,' Muslims have been commanded that at the time death draws near one of them, they should appoint two good and just men from among them as their *Wasiyy* (executor of the will), and if they do not have such people from their own, then, they can have two others (that is, from disbelievers).

It is from here that Imām Abū Ḥanīfah has deduced the ruling that the witness given by disbelievers for each other is permissible. Since the witness of the disbelievers has been declared permissible in the case of Muslims in this verse, as obvious from : *أَوْ الْخَرَانِ مِنْ غَيْرِكُمْ* (or of two others not from you), so the witness of disbelievers for each other is permissible as more suited. But, later on, the witness of the disbelievers for Muslims was abrogated under the authority of the verse: *وَاسْتَشْهِدُوا شَهِيدَيْنِ مِنْ رِجَالِكُمْ* (And have two witnesses from among your men - 2:282). But, the evidence of disbelievers for each other remains valid as it was. (Qurtūbī & Al-Aḥkām Al-Qur'ān by Jaṣṣāṣ)

The support for the position of Imām Abū Ḥanīfah also comes from what a *Hadīth* says about a Jew who had committed *Zinā* (adultery). His people smeared his face with black soot and produced him before the Holy Prophet *صلى الله عليه وسلم*. Looking at his condition, he asked for the reason. They told him that the man had committed adultery (*Zinā*). After hearing the testimony of the witnesses, he gave orders that he be stoned to death (*Rajm*). (Jaṣṣāṣ)

Two Words, Two Rules

1. The word, *تَحْسَبُونَهُمَا* (You shall detain them) in the context of this verse (106) tells us that a person who (genuinely) owes something to someone (having the right of return), the later can have him detained for the retrieval of his right, if and when needed. (Qurtūbī)

2. The word, "*Ṣalāh*" in : *مِنْ بَعْدِ الصَّلَاةِ* (after the prayer) means the *Ṣalāh* or prayer of 'Aṣr. That this time has been chosen is because the people of the Book held it in esteem. Telling a lie at this time was particularly prohibited among them. This tells us that the placing of the

restriction of special time or place for taking a solemn and sacred oath (*Taghlīz*) is permissible. (Qurtubī)

Verses 109 - 110

يَوْمَ يَجْمَعُ اللَّهُ الرُّسُلَ فَيَقُولُ مَاذَا أُجِبْتُمْ قَالُوا لَا عِلْمَ لَنَا
 إِنَّكَ أَنْتَ عَلَّامُ الْغُيُوبِ ﴿١٠٩﴾ إِذْ قَالَ اللَّهُ يُعِيسَى ابْنَ
 مَرْيَمَ اذْكُرْ نِعْمَتِي عَلَيْكَ وَعَلَى وَالِدَتِكَ إِذْ أَيَّدتُّكَ بِرُوحِ
 الْقُدُسِ فَتُكَلِّمُ النَّاسَ فِي الْمَهْدِ وَكَهْلًا ۖ وَإِذْ عَلَّمْتُكَ الْكِتَابَ
 وَالْحِكْمَةَ وَالتَّوْرَةَ وَالْإِنْجِيلَ ۖ وَإِذْ تَخْلُقُ مِنَ الطِّينِ كَهَيْئَةِ
 الطَّيْرِ بِإِذْنِي فَتَنْفُخُ فِيهَا فَتَكُونُ طَيْرًا بِإِذْنِي ۖ وَتُبْرِئُ الْأَكْمَةَ
 وَالْأَبْرَصَ بِإِذْنِي ۖ وَإِذْ تُخْرِجُ الْمَوْتَى بِإِذْنِي وَإِذْ كَفَفْتُ بَنِي
 إِسْرَائِيلَ عَنْكَ إِذْ جِئْتَهُم بِالْبَيِّنَاتِ فَقَالَ الَّذِينَ كَفَرُوا مِنْهُمْ إِنْ
 هَذَا إِلَّا سِحْرٌ مُّبِينٌ ﴿١١٠﴾

(Remember) the day Allah will assemble the messengers and will say to them, "How were you responded to?" They will say, "we have no knowledge. Surely You alone have the full knowledge of all that is unseen."

[109]

When Allah will say, "O 'Īsā, son of Maryam, remember My blessing upon you and upon your mother, when I supported you with the Holy Spirit. You spoke to the people when in the cradle and while middle-aged. And when I taught you the Book and the Wisdom, and the Torah and the Injīl. And when you created from the clay something in the shape of a bird, then you blew in it, and it became a bird with My will; and you cured the born-blind and the leper with My will; and when you raised the dead with My will. And when I kept the children of Isrā'īl away from you when you came to them with clear signs and the disbelievers among them said, "this is nothing but a clear magic." [110]

The Linkage of Verses

Earlier, mention was made of various injunctions. In between came inducements to put these in practice alongwith warnings against opposing them. Now it is to re-emphasize the approach that people are reminded of the frightening happenings of the Day of *Qiyāmah* so that obedience is promoted and antagonism is checked. This is the prevailing style of the Holy Qur'an. Then, towards the closing stages of the Sūrah, there is that dialogue with the people of the Book which has also appeared earlier through several verses where the purpose is to acquaint the people of the Book with facts about Sayyidnā 'Īsā عليه السلام, facts which affirm his being a servant of Allah and negate the erroneous ascribing of godhood to him (though, the actual locale of this address will be the Last Day of *Qiyāmah*).

Commentary

The First Question Asked of Prophets عليهم السلام on the Last Day

Verse 109 opens with the statement: 'يَوْمَ يَجْمَعُ اللَّهُ الرُّسُلَ' (Remember) the day Allah will assemble the messengers' which is ominous. Though the day of *Qiyāmah* will be the Day of Doom when all human beings born from the beginning to the end shall be standing on open grounds. Human beings, no matter what their region, country or time, shall all be present on those grounds and there will come that hour of ultimate reckoning for a whole life-time of deeds. But, in the statement quoted above, mentioned particularly are the blessed prophets whom Allah will assemble on that day of reckoning. The sense is that, as for assembling, the whole world will be assembled, but the first question asked will be from the prophets, may peace be upon them all - so that the whole creation of Allah may see that, on that day, no one is exempted from reckoning. Then, the question asked of the prophets will be: 'مَاذَا أُجِئْتُمْ' (How were you responded to?). It means when you invited your communities towards Allah and His true religion, how did they react to your call. Did they act as they were commanded to? Or, did they say no to the call and opposed it?

Though the question will be addressed to the prophets, but it would really be beamed at their communities. In other words, the prophets will be the first ones to testify about the good or bad deeds done by their communities. And for them this would be a trying time,

for, on their part, they would be hoping for the intercession of their prophets to rescue them from this nerve shattering experience, while, on the other hand, there would come this question addressed to their prophets themselves requiring them to explain the conduct of their communities. Under such circumstances, it is obvious that prophets would never say anything but the truth, so the criminals and sinners will have apprehensions that the prophets themselves will become witnesses to their wrong-doings. Who, then, they would wonder, was now left to intercede on their behalf?

The answer that the prophets will give will be: **قُلُوا لَا عِلْمَ لَنَا بِإِتِّكَ أَنْتَ عَلَّامُ الْغُيُوبِ** (We have no knowledge. Surely You have the full knowledge of all that is unseen).

The Removal of a Doubt

As for the people of every community who were born after passing away of their prophets from this world, this answer given by the prophets is correct and clear in that they are unaware of the actual state of their faith and deeds - because no one has the knowledge of the unseen except Allah. But, the question arises with regard to the great majority of people within the community, who professed belief at the hands of their prophet as a result of his work among them, and proved that they kept following before their eyes what they were asked to follow. Similarly, there were disbelievers who did not listen to the prophets, even treated them with hostility. How would it be correct to say about them that 'we have no knowledge of their faith and deeds.'? It appears in Tafsīr Al-Baḥr Al-Muḥīṭ that Imām Rāzī has answered this doubt by saying: There are two separate things here. One is *ʿIlm* which means perfect certitude, while the other is *Zann* which means conjecture or weighty likelihood. And it is obvious that if a person can, despite his being sitting next to the other person, testify about his faith and deed, then, it will be on no other basis but that of *Zann* or conjecture or likelihood. Otherwise, real faith (*ʿImān*) is a secret of the heart which no one can find out with any certitude without a Divine revelation. Every religious community had their groups of hypocrites who obviously did profess faith and did follow what they were commanded to follow. But, their hearts had no faith in them nor they had the real feeling and drive for carrying out those commands. All they

had was hypocrisy. But, like all laws, religious laws too were applied on what was visible from the outside. Anyone who called himself a believer, followed Divinely ordained laws, and no word or deed from him or her stood proved against faith and belief, was a good believer in the sight of the prophets and their believing communities. Whether someone was a true believer at heart, or simply a hypocrite, it did not count for they had no choice in the matter. Therefore, it was said by the Holy Prophet صلى الله عليه وسلم:

نَحْنُ نَحْكُمُ بِالظَّوَاهِرِ وَاللَّهُ مُتَوَلَّى السَّرَائِرِ

We judge on the basis of outward deeds while Allah is (Himself) the custodian of the secrets (of the hearts).

Under this rule, the noble prophets, their deputies and the learned could confirm, at least in the mortal world, that someone was a true believer as based on their favourable opinion deduced from his outward deeds. But, that mortal world where everything revolved round opinions and conjectures is all gone. This is the *Yowm al-Hashr*, the fateful day of Resurrection when the dead shall rise and where things will be sorted out and realities will be unfolded. Criminals will stand on trial. People will witness against them. If they do not confess, other witnesses will be brought in, very special, and very official witnesses. With mouths and tongues silenced, the wrong-doer's hands and legs and the skin will be asked to testify. They will tell everything about what they did: *الْيَوْمَ نَخْتِمُ عَلَى أَفْوَاهِهِمْ وَتُكَلِّمُنَا أَيْدِيهِمْ وَتَشْهَدُ أَرْجُلُهُمْ بِمَا كَانُوا يَكْسِبُونَ* (That Day We shall set a seal on their mouths while their hands will speak to Us, and their feet bear witness, to all that they did -36:65). Human beings will then surely find out that parts of their own body could also act as secret service agents when summoned to do so by the Lord of the universes. After such disarming testimony no denial will remain possible.

In short, that would be a state of being in which no judgement will be based on opinion, estimate and conjecture. Instead, certitude will be the order of the day. And as we have just seen that no one has the real knowledge about anyone's faith and belief except Allah, therefore, when the prophets will be asked on the day of Resurrection: *مَاذَا أُجِيبْتُمْ* (How were you responded to?), they would recognize the reality behind the question, that the question is not being asked in the world of our

experience where it could be answered by conjecture, instead, that question was being asked in the horrendous scenario of the Day of Resurrection where nothing other than certitude was going to work. Therefore, their answer: 'We have no knowledge' about it, that is, they do not have that certain knowledge needed to answer the question, is right and correct.

The Answer Shows the Affection Prophets have for People

We now know that the prophets did have some opinion about the acceptance or rejection of their call by their communities and knew facts about their obedience or disobedience. On that basis, they could have at least mentioned their apparent attitude as part of their answer to the question - and could have referred the certainty in knowledge to the sole domain of Almighty Allah. But, what we see here is that the prophets said nothing about what they knew, nor did they mention any events which had passed before them. They simply resigned these to the Divine knowledge and chose to remain silent.

This was a great demonstration of consideration. Prophets are very affectionate to their people, and to the creation of Allah in general. They would not elect to say something as an adverse comment against their community on their own, lest their people are in trouble. If they had to say so, they would. But, here they had the excuse of not having certain knowledge. Using this legitimate excuse to their advantage, they could have avoided saying anything against their communities - and so they did.

Five Questions on the Day of Resurrection

Opened through this verse is a window to *Qiyāmah*, the fateful Day of Doom. Stationed there on the grandstands of reckoning are the highest and the dearest of Allah, His noble messengers and prophets, all in awe and reverence. Think of them and think of what would be happening to others. Therefore, we should start worrying about that Day right from this day. This little time of our life is a blessing in our hands and should be devoted to getting ready for the ultimate accounting. In a *Ḥadīth* of Tirmidhī, the Holy Prophet صلى الله عليه وسلم is reported to have said:

لَا تَزُولُ قَدَمَا ابْنِ آدَمَ يَوْمَ الْقِيَامَةِ حَتَّى يُسْئَلَ عَنْ خَمْسٍ: عَنْ عَمْرِهِ فِيمَا

أَفَنَاهُ وَعَنْ شَبَابِهِ فِيمَا أَبْلَاهُ وَعَنْ مَالِهِ مِنْ أَيْنَ اكْتَسَبَهُ وَآيْنَ أَنْفَقَهُ وَ مَاذَا عَمِلَ بِمَا عَلِمَ .

No son of Adam will move a step on the Day of *Qiyāmah* until he is asked five questions: (1) About his age: In what did he use it up? (2) And about his youth: In what did he spend it? (3) And about his wealth: From where did he earn it? (4) And where did he spend it? (5) And what was it that he did following that which he knew?

Great is the mercy and affection of Allah Ta'ālā. He puts us to a test and He Himself tells His people about the questions asked during the test. The task was done by the Holy Prophet صلى الله عليه وسلم who told his *Ummah* how to appear in this test. Now, for them, there is nothing left to do but to resolve these questions, find their answers and solutions and keep that preserved (for the day of trial). So, if someone still fails, even after being told what will be in the test, fairly in advance, who else could be more deprived than him?

A Particular Question Asked from Sayyidnā 'Īsā

The first verse (109) referred to prophets in general where a question was asked and its reply was given. In the second verse (100), and after that, in all the nine verses appearing through the end of the Sūrah, the text talks about Sayyidnā 'Īsā, the last prophet of the Banī Isrā'īl, and mentions some blessings of Allah on him. A particular question asked from him on the Day of Resurrection (*Al-Maḥshar*) along with its answer has also been mentioned which follows in verses coming next.

The purpose of the question asked and the answer given is to show this disturbing sight to Banī Isrā'īl and to the entire creation. When on the plains of the *Ḥashr*, the one who is called, The Spirit of Allah (*Ruḥullāh*) and The Word of Allah (*Kalimatullāh*) is asked the question as to why did his people make him a partner of God, he would be upset despite his being a great prophet and would hasten to plead his being free from what his followers did, not in one way, but in more than one. First he said: سُبْحَانَكَ مَا يَكُونُ لِي أَنْ أَقُولَ مَا لَيْسَ لِي بِحَقِّكَ (Pure are You, it does not behove me to say what is not right for me - 116).

Then, he pleads his innocence from another angle when he makes