

taking a compensation for leading congregational prayers (*Imāmah*) and delivering sermons (*Khiṭābah*) is also permissible – because, they too are *wājib al-Kifāyah* (compulsory in the degree of sufficiency) and not *wājib-al-‘ain* (compulsory individually). Similarly, the areas of teaching Qur’ān, Ḥadīth and other religious sciences are no different. These are duties that must be carried out. The entire Muslim Ummah is responsible for it. This is *Farḍ al-Kifāyah* on the community. If some people fulfill this obligation, others stand absolved. Therefore, if some compensation or salary is taken for it, that too will be permissible.

The fourth among the eight categories of recipients of *Zakāh* is that of ‘people whose hearts are to be won.’ The Qur’ān calls them: *مؤلفه القلوب*

These were people who were given *Ṣadaqāt* so that their attitude towards Islām could be mollified. The general impression about this category is that it included both Muslims and non-Muslims. The object was to persuade non-Muslims in favor of Islām and neo-Muslims to become more firm. Those who were already staunch Muslims were helped to guide their people right through such measures. Then, there were people among non-Muslims whose evil had to be avoided through a policy of appeasement. And there were people who would listen to no sermon or sword. The only language they understood was the language of favor and generosity. They too came closer to reconciliation through this policy. At that time, the Holy Prophet *صلى الله عليه وسلم* did whatever was legally possible to bring people from the darkness of disbelief into the light of faith. However, after the passing away of the Holy Prophet *صلى الله عليه وسلم*, Islām had become politically strong and the initial plans to avoid the threat of disbelievers or to provide support to neo-Muslims did not remain valid anymore. What was expedient then had lost its expediency. So, that share also came to an end. Some Muslim jurists have taken the position that it has been ‘abrogated.’ This position is attributed to Sayyidnā ‘Umar *رضى الله عنه*, Ḥasan al-Baṣrī, Abū Ḥanīfah and Mālik ibn Anas, may the mercy of Allah be upon them.

However, many others hold that the share of this category has not been abrogated. That it was allowed to lapse during the period of Sayyidnā Abū Bakr and ‘Umar *رضى الله عنهم* means that it was allowed to lapse because there was no need for it. However, if such a need does come up at some later time, it could be given again. This is the juristic view of Imām Zuhri, Qāḍī ‘Abd al-Wahhāb, ibn al-‘Arabī, Imāms Shāfi‘ī

and Aḥmad. But, the most authentic position is that non-Muslims were never given a share from Ṣadaqāt at any time whatsoever, nor are they included under the category of *mu'allafah al-quloob* as contemplated in the present verse 60.

In his Tafsīr, Imām al-Qurṭubī has given a detailed list of people to whom the Holy Prophet صلى الله عليه وسلم had given a share from the head of Ṣadaqāt. The purpose was to win their hearts through persuasion. At the end of his list, Al-Qurṭubī has this to say: *وَبِالْجُمُعَةِ فَكَلَّمَهُمْ مُؤْمِنٌ وَنَمَّ يَكْفُرُ فِيهِمْ*: It means: "To sum it up, it can be said that all recipients under this category were Muslims and there was no *kāfir* included therein."

Similarly, it appears in Tafsīr Mazḥarī: *لَمْ يُبَيِّنْ أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَعْطَى أَحَدًا مِنَ الْكُفَّارِ لِلْإِثْلَابِ شَيْئًا مِنَ الزَّكَاةِ* It means: "There is no report to prove that the Holy Prophet صلى الله عليه وسلم has ever given a share to a *kāfir* (disbeliever) from Zakāh property in order to persuade him favorably." This is supported by what is said in Tafsīr al-Kashshāf: "The details of the recipients of Ṣadaqāt have been given here to refute the allegations of disbelievers and hypocrites who used to raise objections against the Holy Prophet صلى الله عليه وسلم that he did not give them their share from the Ṣadaqāt. The purpose of giving these details in this verse is to tell them that disbelievers had no right in Ṣadaqah properties. If the disbelievers were also included under the category of *mu'allafah al-quloob*, there was no need for this answer in refutation.

Tafsīr Mazḥarī has also clarified the error into which some people have fallen because of some Ḥadīth narratives which seem to prove that the Holy Prophet صلى الله عليه وسلم has given gifts to some non-Muslims. For example, there is a report in the Ṣaḥīḥ of Muslim and Tirmidhī which says that the Holy Prophet صلى الله عليه وسلم gave some gifts to Ṣafwān ibn Umayyah when he was a *kāfir*. About it, quoting Imām al-Nawawī, the author of the Tafsīr says that these gifts were not from Zakāh. Rather, they were given from the *khums* (one-fifth) of the spoils of the battle of Ḥunain deposited in the Baitu'l-Māl – and it is obvious that spending from this head of the Baitu'l-Māl both on Muslims or non-Muslims is permissible under the consensus of Muslim jurists. Then, he says: Imām al-Baihaqī, Ibn Sayyid al-Nās, Imām Ibn Kathīr and others have concurred that this gift was not given from Zakāh, but was given from the one-fifth of spoils.

### A useful supplementary note

From here we also come to know that wealth and property belonging to Ṣadaqāt were, though, deposited in the Baitu'l-Māl during the blessed period of the Holy Prophet صلى الله عليه وسلم himself, but they were kept under a totally separate account. Similarly, other heads of the Baitu'l-Māl, such as, the *Khums* of *Ghanīmah* (one-fifth of spoils) or the *Khums* of *Ma'ādin* (one-fifth of mines and quarries) etc., had their own separate accounts and modes of disbursement. Muslim jurists have given details in this connection. According to them there should be four heads of accounts in the Baitu'l-Māl separate from each other. The main instruction given is that keeping the accounts separate is not enough, instead of that, each head should have a separate Baitu'l-Māl so that each one of them exercises full control when spending it on approved recipients and categories. Of course, if a particular head faces shortage of funds, these can be borrowed from another head of accounts and spent as necessary. These heads of the Baitu'l-Māl are as follows:

**1. Khums al-Ghanāim:** The One-Fifth of Spoils: This is property acquired from disbelievers as an outcome of war. Out of its five shares, four are distributed among Mujāhidīn while the fifth share is the right of the Baitu'l-Māl. Then, there is the one-fifth of mines (*Khums al-Ma'ādin*). A one-fifth of whatever is mined from different kinds of quarries is the right of the Baitu'l-Māl. Then, there is the one-fifth of buried treasures. This is known as the *Khums* of *Rikāz*. It refers to any old treasure dug out of the ground. A one-fifth of this too is the right of the Baitu'l-Māl. All these three kinds of *Khums* (one-fifth) are included in one single head of the Baitu'l-Māl.

**2. Ṣadaqāt:** This includes *Zakāh*, *Ṣadaqātu 'l-Fiṭr*, and 'Ushr of their lands paid by Muslims.

**3. Kharāj and Fai'** Property which includes tax collected from lands owned by non-Muslims, *Jizyah* paid by them, taxes on commercial enterprises run by them (*al-kharāj*) and it included all properties acquired from non-Muslims with their consent and agreement (*al-fai'*).

**4. Ḍawā'i'** (Lost properties) which included what lost or remained unclaimed as well as property left by a person having no heir.

Though, expenditures under these four heads are separate, but the right of the poor and the needy has been set aside in all four of these heads. This shows the particular care taken to empower the weaker section of the society – a certain hallmark of the Muslim state indeed. Otherwise, elite classes keep getting the opportunities to grow among usual social systems of the world at the expense of the poor ones. The poor never see their day. What came up as a reaction of this situation in the form of socialism and communism was far from being natural. In fact, it was like running from the rain and resting under the drain pipe, not to say much about its harmful effects for human morals.

To sum up, an Islāmic government has four Baitu'l-Māls for four different heads with the right of the poor and needy secured in all four. The expenditures of the first three among these have been fixed and explained clearly by the Holy Qur'ān as follows. The description of the expenditures of the first head, that is, of the one-fifth of spoils (Khums al-Ghanāim) appears at the beginning of the tenth part in Sūrah Al-Anfāl (verse 41). The description of the expenditures of the second head, that is, of Ṣadaqāt has been taken up in verse 60 of Sūrah Al-Taubah that is under study right now. The third head, technically known as the property of *al-fai'*, finds a detailed mention in Sūrah Al-Ḥashr. Many expenditures of the Islāmic government, such as, those on the military, and on the salaries of civil servants, are disbursed from this head. The fourth head of al-Ḍawā'i' covered lost or unclaimed property or property having no inheritor. It was set aside for the disabled, the handicapped, destitute men and women and abandoned children, following the practice and teachings of the Holy Prophet صلى الله عليه وسلم to which the rightly guided Caliphs of Islām, faithfully adhered. (Shāmī, Kitābu'z-Zakāh)

Incidentally, the saying of Muslim jurists, that the four heads of the Baitu'l-Māl should be kept separate and that the expenditures therein should be incurred as approved, has its proof in the Qur'ān, the practice of the Holy Prophet صلى الله عليه وسلم and the adherence of the rightly guided Caliphs to that practice.

After this supplementary note, we can now revert to the original issue of *mu'allafah al-quloob*. It is already established that no *zakāh* was paid to a non-Muslim under this category. Therefore, they stand excluded from the recipients of *zakāh*. Now, left there are the new Mus-

lims who can fall under this head. All the Muslim jurists are unanimous on the point that the poor new Muslims are eligible to get their share under this category. However, there is a difference of opinion about the rich ones. Imām Shāfi'ī and Imām Aḥmad are of the view that all the Muslim converts who need a sympathetic attitude to make them firm on Islamic beliefs can receive *zakāh* under the category of '*mu'allafah-al-quloob*' even though they are not poor in the sense that they own the *niṣāb*. The basic principle according to them is that poverty is not a condition for the eligibility for *zakāh* under each head from the eight categories mentioned in the verse. On the contrary, Imām Abū Ḥanīfah and Imām Mālik are of the view that Muslim '*mu'allafah-al-quloob*' can be given *zakāh* only if they are poor and do not own the *niṣāb*. If they own the *niṣāb*, they cannot receive *zakāh* even under this category. Both these Imams hold that poverty is the basic condition for all the eight categories mentioned in the verse, with the sole exception of '*āmilīn*' as explained earlier. The debtors, the wayfarers and the slaves as well can receive *zakāh* only if they are poor in their given state of affairs, even though may have wealth otherwise.

This explanation shows that despite their difference of opinion in this particular aspect, all of them agree on the point that '*mu'allafah al-qulūb*' as a category of the recipients of *zakāh* still holds good and has never been repealed or abrogated.

Up to this point, four out of the eight recipients of Ṣadaqāt have been identified. The right of these four has been introduced with the addition of the letter *lām* as in: لِلْفُقَرَاءِ وَالْمَسْكِينِ (li'l-fuqarā' wa'l-masākīn: for the poor and for the needy). The form has been changed while mentioning the next four recipients where the initial letter *lām* has been replaced with the letter *fī* as in: وَفِي الرِّقَابِ وَالْغَارِمِينَ (and in [freeing] slaves and in [releasing] those in debt). Al-Zamakhsharī has given a reason for this nuance of language in his Tafsīr al-Kashshāf. According to him, this is a device employed to indicate that the last four recipients are more deserving as compared to the first four, because the letter *fī* is used to denote attending circumstances or conditions which yields the meaning that Ṣadaqāt should be placed 'in' or within these people. Then, the reason for their being more deserving is their being more in need – because, a slave owned by someone suffers more as compared to

poor people in general. Similarly, a person in debt hounded by his lenders is in deeper trouble as compared to common poor and needy for he has the additional worry as to how he is going to pay off his debt which is certainly more disturbing than the rest of his usual needs.

Out of the remaining four categories of recipients, the first one mentioned here is that of *وَفِي الرِّقَابِ* (*wa fi 'r-riqāb*: and in [freeing] slaves). *Riqāb* is the plural form of *raqabah*. Actually, it means the neck. But, in recognized usage, it is also used to allude to a person whose neck is shackled in the chains of slavery.

What is the meaning of *ar-riqāb* in this verse? Interpretations of jurists differ. The majority of jurists and Ḥadīth experts agree that it refers to slaves who enter into a deal with their masters that they would earn the amount specified by them, give it to them as they earn, and once the agreed amount is paid off, they shall be free. In the terminology of the Qur'ān and Sunnah, such a slave is known as *mukātab*. The master of such a slave allows him to earn through business or employment and give the income to the master. In the present verse, *fi 'r-riqāb* means that this person should be helped to secure his freedom from his master who should be given a share from Zakāh funds to write off the amount due against the slave.

There is a consensus of commentators and jurists that this kind of slaves is the intended sense of the expression: *وَفِي الرِّقَابِ* (*wa fi 'r-riqāb*: and in [freeing] slaves) which requires that they should be helped to become free by paying the amount due from Zakāh funds. In cases other than this, such as, buying other slaves and setting them free, or entering into a deal with their masters that they would set them free against an agreed amount of Zakāh, there is a difference of opinion among major Muslim jurists. The majority of the Imāms of Islāmic jurisprudence – Abū Ḥanīfah, Shāfi'ī, Aḥmad ibn Hanbal and others, may the mercy of Allah be on all of them – do not take this to be permissible. Imām Mālik agrees with the majority in one version (*riwayah*) only when he declares the sense of *fi 'r-riqāb* as restricted to *mukātab* slaves (on freedom-against-money deal with master). In another version (*riwāyah*), it has also been reported from Imām Mālik that he included common slaves under the definition of *fi 'r-riqāb* as well as gave the permission to buy slaves from Zakāh amounts and free them. (Aḥkam al-Qur'an ibn al-'Arabī al-Mālikī)

The majority of Imāms and jurists, who do not consider it permissible, have a juristic difficulty in doing so. If a slave was bought from Zakāh funds, and freed, the problem is that the very definition of Ṣadaqah does not fit right in his case – because, Ṣadaqah is a property given to someone deserving without getting something in return. Now, should the amount of Zakāh be given to the master, then, it is obvious that he is neither deserving of Zakāh, nor the amount of money being given to him is without an expected return. As for the slave, who is deserving of Zakāh, the amount was never given to him personally. This is another matter that the benefit of the amount paid to the master somehow reached the slave in that he was bought and freed. But, freeing does not get to be included under the definition of Ṣadaqah – and why would someone surrender the real meaning without any reason and go by the figurative or general sense of Ṣadaqah unnecessarily? This has no justification. Then, it is also obvious that, in the subject verse, what is being described is nothing but the categories of the recipients of Zakāh. Therefore, anything to which the definition of Ṣadaqah does not fit simply cannot be meant by *fi 'r-riqāb*. And if, this amount was to be given to the slave himself, then, the slave does not have the right to own. The result will be that it will automatically become the property of the master. Then, the matter of releasing or not releasing the slave will also continue to be in the control of his master.

It is because of this juristic difficulty that the majority of Imāms and jurists hold the view that the Qur'anic expression: *فِي الرِّقَابِ* (*fi 'r-riqāb*) refers to *mukātab* slaves only. This also tells us about the standard rule of conduct in this matter. To give Ṣadaqah properly, the condition is that its giver makes a deserving person its owner and sees to it that the amount has passed into his possession – because, until the deserving person has taken the amount in his possession, as its owner, Zakāh remains unpaid.

The sixth category of recipients: *الغَارِمِينَ* (*al-ghārimīn*: and in [releasing] those in debt) is the plural of *ghārim* which means a person in debt. It has been mentioned earlier that the fifth and sixth categories of recipients introduced with the letter *fī* are ahead of the first four recipients in their claim of preference. Therefore, giving out to free a slave or to release a person from debt is more merit worthy than giving to the poor and the needy in general. However, the condition is

that the person in debt does not have enough funds to pay off that debt – because, lexically, the word: *ghārim* is applied only to such a person in debt. And some Imāms also add a condition that this person should not have borrowed for something impermissible. If someone goes in debt for something sinful, such as, to pay for liquor and its likes, or spends on impermissible customs of marriages and deaths, then, such a client will not be helped from the head of Zakāh so that he is not encouraged in his sin and extravagance.

The seventh category of disbursement appears in the words: *فِي سَبِيلِ اللَّهِ* (*fī sabīlillāh*: in the way of Allah). It will be noted that the letter *fī* has been repeated here once again. According to Tafsīr al-Kashshāf, the purpose of this repetition is to indicate that this area of expenditure is more merit worthy as compared to those mentioned earlier. It has two benefits. The first is helping a poor person. The second is assisting in a religious cause. The reason is that *fī sabīlillāh* either denotes a *mujāhid* who does not have the means to buy necessary weapons and war supplies, or it means the person who must fulfill the obligation of Ḥajj but who does not have the necessary financial support to complete his due duty. These two duties are purely religious. They are acts of worship. Therefore, by spending Zakāh funds on them one helps a poor person and supports someone do his 'Ibādah. On the same analogy, Muslim jurists have included students of the schools of Islāmic learning under this category as they too take it to fulfill what is an act of 'Ibādah in the way of Allah. (Ruḥ al-Ma'ānī with reference to Zahīriyyah)

The author of *Badā'i'* has said that one who wishes to undertake an act of sincere 'Ibādah and needs financial support to do it will be taken as included in the category of *fī sabīlillāh* – subject to the condition that he does not have enough funds to carry it out. The work of teaching and transmitting religion along with the establishment of allied institutions of promotion and publication are some examples. If someone deserving Zakāh elects to take up this work, he may be helped out with Zakāh funds, but this help cannot be extended to a rich man who owns the *niṣāb*.

Details appearing above show that all explanations of *fī sabīlillāh* (in the way of Allah) under different circumstances carry the condition of poverty and need alongside. The rich man who owns the *niṣāb* does

not have a share in this head too – except that his present holdings may be insufficient for the needs of Jihād or Ḥajj he is going to undertake. Call him rich because he has property above the *niṣāb*. In fact, such a person has been called rich in Ḥadīth. But, in the final analysis, he too turns out to be a poor and needy person in terms of the amount of funds he needs for Jihād or Ḥajj – and this he does not have with him! Shaykh ibn Humām has said in *Fatḥ al-Qadīr*: The words used to describe recipients mentioned in the verse of Ṣadaqāt prove that they deserve what they do on the basis of poverty and need. The words for the poor and the needy are obvious by themselves. Other words used for freeing of slaves, releasing from debt, in the way of Allah and for the wayfarer also suggest that they receive shares to alleviate their needs. However, those employed to collect Ṣadaqāt receive their share in return for the services rendered by them. Therefore, in that, the rich and the poor are equal. This is similar to what has been briefly mentioned earlier under the category of ‘those in debt.’ A person owes a debt of Rupees ten thousand.<sup>1</sup> He has Rupees five thousand with him. He can be given Zakāh up to Rs. Five thousand, because the funds he has with him will be taken as not with him due to the debt.

### A word of Caution

The literal meaning of *fī sabīlillāh* is very general and very common. Anything done for the good pleasure of Allah is included under *fī sabīlillāh* in the light of this popular sense. Unfortunately, there are people who wish to understand the Qur’ān through a literal translation alone. They would skip the explanations and statements of the Holy Prophet صلى الله عليه وسلم and ignore the sayings of major commentators. As a result, they fall into error. One such error shows up when they look at *fī sabīlillāh* and find it spacious enough to accommodate everything they fancy. Under this head of Zakāh, they have included everything that is considered to be good or religious. Under this umbrella, they have included the building of mosques, religious schools, hospitals, inns, even the provision of public services like wells, bridges and roads. Then, they do not seem to forget the salaries and contingent expenses of the institutions of public service. All these, they include under *fī sabīlillāh* and declare them to be worth receiving Zakāh funds. This is absolutely wrong and very much against the consensus

1. Approximately a little less than \$200.

of the Muslim Ummah. This is something already decided clearly and categorically. There are statements of the noble Ṣaḥābah, the direct disciples of the Holy Prophet صلى الله عليه وسلم. They had learnt and understood the Qur'ān from him. Then, there are explanations of this expression passed on to us from the most learned authorities from among the Ṭabī'īn. All of them restrict the expression to Ḥujjāj and Mujāhidīn.

It appears in a Ḥadīth that someone had given a camel as religious endowment in the way of Allah (*fī sabīlillāh*). For it, the Holy Prophet صلى الله عليه وسلم said: 'Use this camel to carry Ḥujjāj (Ḥajj pilgrims) on their journey.' (Al-Mabsūt, Al-Sarakhsī, p. 10, v. 3)

Imāms Ibn Jarīr and Ibn Kathīr are known exegetes who limit themselves to explaining the Qur'ān through Ḥadīth reports only. They both have particularized *fī sabīlillāh* with *mujāhidīn* and *ḥujjāj* who do not have the wherewithal necessary for Jihād or Ḥajj. As for jurists who have included students in religion or servants of good causes in this category, they have done so subject to the condition that they should be poor and needy. And it is obvious that the poor and the needy are in themselves the first among the recipients of Zakāh. Even if they were not included under the sense of *fī sabīlillāh*, still they would have deserved receiving Zakāh. But, no one from among the four Imāms and jurists of Muslim Ummah ever said that expenditures on institutions of public welfare, building of mosques and religious schools and the rest of their functional needs are included under the head of Zakāh disbursements. In fact, they have made it very clear that spending Zakāh funds for this purpose is impermissible. Jurists from different schools of Islāmic jurisprudence have written about it in great details. The names of some of them are being given as follows: Ḥanafī jurist Al-Sarakhsī in al-Mabsūt [p. 202, v. 2] and Sharḥ al-Siyar [p. 244, v. 4], Shāfi'ī jurist Abū 'Ubayd in Kitāb al-Amwāl, Mālikī jurist Dardīr in Sharḥ Mukhtaṣar al-Khalīl [p. 161, v. 1] and Al-muwaffaq in al-Mughnī.

Other than the clarifications from authorities of Tafsīr and jurists of Islām referred to earlier, a little thought over this matter will help us understand the problem quickly. Let us think for a moment. If this field of Zakāh was so all-embracing that it could accommodate spending on every act of worship and virtue, then, the identification of these

eight recipients in the Qur'ān becomes (God forbid) totally redundant. So does the statement of the Holy Prophet صلى الله عليه وسلم cited earlier where he said that Allah Ta'ālā has not delegated the authority to determine the recipients of Ṣadaqāt even to a prophet, in fact, He has Himself determined the eight categories of its recipients. This tells us that the element of universal application visible to an unaware person from a literal translation of *fī sabīlillāh* (in the way of Allah) is not what Allah means. Instead, it means what stands proved from the words of the Holy Prophet صلى الله عليه وسلم and the related clarifications of the Ṣaḥābah and the Ṭabi'īn.

The eighth category of Zakāh disbursement is: ابن السبيل (*ibn al-sabīl*: wayfarer). Sabīl means way and the word: ابن (*ibn*) is used essentially for a son. But, in Arab usage, the words: ابن (*ibn*: son), اب (*ab*: father) and اخ (*akh*: brother) etc. are also used for things which are deeply related with someone. It is according to this usage that a wayfarer is referred to as '*ibn al-sabīl*' – for the simple reason that a wayfarer is deeply related to traversing distances and reaching destinations. As a technical term of Zakāh categories, it means a traveler who does not have necessary funds with him, even if he may be a rich person in his home country. Zakāh may be given to such a traveler so that he can satisfy his needs en route and return home in peace.

At this point, the discussion about the eight categories of recipients of Ṣadaqāt and Zakāh mentioned in verse 60 has reached its completion. Now, follow some other religious issues which relate to all these categories equally.

### **The issue of *Tamlīk* (Transfer of Ownership)**

The majority of Muslim jurists agrees that, even in the fixed eight categories of recipients, the condition for a valid payment of Zakāh is that someone deserving should be given possession of Zakāh property as its owner. If money was spent for the benefit of these very people – without having made them possess it as its owner – Zakāh will remain unpaid. This is the reason why the four Imāms and the majority of Muslim jurists agree that it is not permissible to spend Zakāh funds either on the construction of mosques, religious schools, hospitals and orphanages, or on other functional needs related to them. There is no doubt that the benefit of such projects does reach the poor, and all others who qualify as Zakāh recipients, but the fact that these things

have not passed on into their possession as owners makes Zakāh invalid.

However, in orphanages where meals and clothes are given to orphans as being owned by them, then, it is possible to spend Zakāh funds to the extent of this specific expenditure. Similarly, the cost of the medicine supplied to the poor in need, by making them its owner, could be charged to the Zakāh fund. Likewise, Muslim jurists say that the coffin of an heirless dead body cannot be provided from Zakāh funds, because the deceased is not capable of becoming an owner. Yes, it is possible that the amount of Zakāh is given to someone poor and deserving – and he, out of his free will, spends this amount on the coffin of the heirless deceased. In the same manner, if this deceased person is in debt, this debt cannot be paid off from Zakāh funds directly. Yes, if the deceased person's inheritors are poor and deserve Zakāh, then the amount can be given to them with the right to possess and own it. Once they become the 'owner' of this amount, they can – out of their choice and free will – vacate the debt of the deceased from this amount. Correspondingly, as pointed out earlier, the construction of public works does bring benefits for those who deserve Zakāh, but because they have no right of ownership established into the arrangement, Zakāh remains invalid.

As we have said before, all four Muḥtāhid Imāms – Abū Ḥanīfah, Shāfi'ī, Mālik and Aḥmad ibn Ḥanbal – as well as the majority of Muslim jurists agree with these rulings. Further clarifications appear in easily available writings of jurists from the four schools of Islāmic jurisprudence.

Also added here are a few points not mentioned during the earlier discussion.

The Shāfi'ī jurist, Imām Abū 'Ubayd has said in Kitābu 'l-Amwāl that it was not permissible to spend Zakāh funds to pay off the debt owed by a deceased person, or in paying the cost of his funeral, or to build *masājid*, or to dig canals for public use. Imām Sufyān al-Thawrī and other Imāms concur with the ruling that spending on these undertakings leaves Zakāh unpaid – because, these are not one of those eight heads of expenditure mentioned in the Qur'ān.

Similarly, the Ḥanbalī jurist, Al-muwaffaq has said in al-Mughnī

that spending Zakāh funds on any undertaking of public service – other than the areas of spending mentioned in the Qur'an – is not permissible. Building mosques, bridges, and drinking water facilities or repairing public roads, supplying coffins for the deceased, feeding guests and other undertakings of this nature are apparent examples. No doubt, they are reward worthy deeds, but are not included under the specified expenditures of Ṣadaqāt (*zakāh*).

The well-recognized author of *Badā'i'*, while discussing the condition of '*tamlīk*' (the act of transferring the possession and ownership to the recipient) as basic to making the payment of Zakāh proper and valid, has also provided textual proof for it. In the Qur'an, he points out, Zakāh and obligatory Ṣadaqāt have been generally mentioned with the word: *إيتاء* (*'itā'* meaning giving in the sense of granting, offering). Listed here are some examples of the use of this word: *أَقَامُوا الصَّلَاةَ وَأَتَوْا* (Establish Ṣalāh and give Zakāh – 2:277; 9:5,11; 22:41); *أَقِيمُوا الصَّلَاةَ وَأَتُوا* (Establish Ṣalāh and give Zakāh – 2:43,83,110; 4:77; 22:78; 24:56; 73:20); *إِقَامِ الصَّلَاةَ وَإِيتَاءِ الزَّكَاةِ* (establishment of Ṣalāh and giving of Zakāh – 21:73; 24:37) and *أَتُوا حَقَّهُ يَوْمَ حَصَادِهِ* (give its due [Zakāh] on the day of its harvest – 6:141). So, lexically this word is used in the sense of giving as gift. Imām Rāghib al-Iṣfahānī says in *Mufradāt al-Qur'an* *الْإِيتَاءُ الْإِعْطَاءُ وَخُصَّ وَضِعَ* (The word *al-'itā'* [giving] means giving as gift; presenting and the giving of the obligatory Ṣadaqah has been particularly associated with this word in the Qur'an). Thus, the real sense of presenting something to someone as gift could be no other but that the recipient has been made its owner.

Firstly, the use of the word *al-'itā'* in that sense is not restricted to Zakāh and Ṣadaqāt only. It has actually been used in the Qur'an in the very sense of making someone an owner of what is given, for instance: *أَتُوا النِّسَاءَ صَدُقَاتِهِنَّ* (give women their dowers – 4:4). It is obvious that the payment of dower is recognized as valid only when the husband has passed on the amount of dower into the possession and ownership of his wife.

Secondly, Zakāh has been expressed by the alternate word: Ṣadaqah in the Holy Qur'an: *إِنَّمَا الصَّدَقَاتُ لِلْفُقَرَاءِ* (The Ṣadaqāt [prescribed alms] are only for the poor - 60). This is a subtle explanation because Ṣadaqah, in the real sense, means to let a poor person possess, own (and spend it at will).

It should be borne in mind that feeding someone out of mercy or spending in public welfare projects is not called Ṣadaqah in the real sense. Shaykh ibn al-Humām says in Fath̄ al-Qadīr: ‘Making a poor person the owner of what is being given is Ṣadaqah in the real sense.’ Similarly, Imām Abū Bakr al-Jaṣṣāṣ has said in Aḥkām al-Qur’ān: ‘The word: صدقه (Ṣadaqah) is another name for Tamlik (transfer of ownership).’ (Jaṣṣāṣ, p. 152, v. 2)

### Some Important points about the Proper Payment of Zakāh

One point arises out of a Ṣaḥīḥ Ḥadīth where the Holy Prophet ﷺ had given instructions about the collection of Ṣadaqāt to Sayyidnā Mu‘adh ibn Jabal by saying: حُذَّهَا مِنْ أَعْيُنَائِهِمْ وَرُدَّهَا فِي فُقَرَائِهِمْ: ‘Take it (Ṣadaqāt) from the rich among them (Muslims) and disburse it back to the poor among them.’ Based on this, Muslim jurists have said that the Zakāh of a city or township should not be sent to another city or township without the need to do so. Instead of that, poor people living in the same city or township are more deserving of it. Of course, if the near relatives of a person are poor, and live in another city, then, he can send his Zakāh to them – because, the Holy Prophet صلى الله عليه وسلم has given the glad tidings of a two-fold reward in that situation.

Likewise, if the state of poverty and hunger prevailing in another township appears to be more acute than the condition in one’s own city of residence, then, it can be sent there as well – because, the purpose of giving Ṣadaqāt is to remove the need of poor people. This was the reason why Sayyidnā Mu‘adh used to accept clothes as part of the Ṣadaqāt paid in Yaman so that he could send these for the poor emigrants of Madīnah. (al-Qurṭubī with reference to Dārquṭnī)

If a person lives in a certain city while his property is located in another, then, the city where he lives in person shall be taken into consideration, because this is the person addressed for the payment of Zakāh. (Qurṭubī)

### Rulings:

1. For payment of Zakāh due against a certain property, it is also permissible to take out the fortieth part of that particular property and give it to those deserving – such as, cloth, crockery, furniture and things like that stocked for commercial sales. Similarly, one can also determine the amount of Zakāh by calculating the total value of the property and distribute it over those deserving. Doing that stands

proved on the authority of Ṣaḥīḥ Āḥādīth. (Qurtubī) And some leading jurists recommend that, in our time, giving the equivalent in cash is much better, because the needs of poor people vary in nature and number. Cash can be used for whatever is necessary.

2. If one's near relatives are poor and deserve Zakāh, giving Zakāh and Ṣadaqāt to them is much better. It brings two rewards, one for the Ṣadaqah itself and the other for taking care of a near relative (*ṣilah al-raḥim*). In this case, it is simply not necessary that the recipients be told that they were being given Ṣadaqah or Zakāh. It may as well be given as some gift or favor so that the nice person who takes it does not feel humiliated.

3. There is a religious problem that bothers people frequently. For example, there is a person who, by his word or deed gives the impression of being needy, and asks for help from Ṣadaqāt etc. Now, is it necessary for people who give Ṣadaqah to first investigate his real background and give him nothing of it when approached? According to relevant reports from Ḥadīth and the statements of Muslim jurists, this is not necessary. Instead, if there is an overwhelming likelihood, as gathered from the obvious state he is in, suggesting that the person in question is really poor and needy, then, Zakāh can be given to him. It appears in Ḥadīth that some people came to the Holy Prophet صلى الله عليه وسلم in a very broken-down condition. He asked people to collect Ṣadaqāt for them. The reasonably good collection thus made was given to them. He did not consider it necessary to investigate into their inward background. (Qurtubī)

4. But, in *Aḥkām al-Qur'ān*, Al-Qurtubī says that one in debt is also one of the recipients of Zakāh. If a person says that he owes so much in debt and that he should be given Zakāh money to pay it back, then, he should be asked to prove that debt. (Qurtubī) If so, it is fairly evident that such investigation is not difficult to make in the cases of *fī sabīlillāh* (in the way of Allah) and *ibn al-sabīl* (wayfarer) as well. Investigations should be made as necessary when spending on these heads.

5. Giving Zakāh money to one's relatives is more reward-worthy, but husband and wife cannot give to each other, nor can parents and children do so. The reason is that giving to them amounts to keeping it in one's own pocket. Since their expenditures are generally combined,

a husband giving Zakāh money to his wife or the wife to her husband does not mean much. In reality, the whole remains in their use. The same holds good for parents and children and the same rule operates in the case of the children of children, the grandfather and the great-grandfather – in that giving Zakāh to them is not permissible.

6. If a person gave Zakāh to another person taking him to be, in his estimation, deserving and legally qualified to receive Zakāh, but found out later that he was either his own slave or a *kāfir*, then, Zakāh will remain unpaid. It should be given again because the ownership of a slave is nothing but the ownership of the master. Here, he is still owned by him, therefore, Zakāh remains unpaid. As for the *kāfir* (disbeliever), he is no recipient of Zakāh.

7. In addition to that, if it is proved later that the person who was given Zakāh was rich, or a Hāshimite Sayyid, that is, a lineal descendant of the Holy Prophet صلى الله عليه وسلم, or a father, or son, or wife, or husband, then, it is not necessary to repay the Zakāh. The reason is that the amount of Zakāh has gone out of his ownership and has already reached its place of reward with Allah. As for the error in determining the right recipient due to some misunderstanding, it should be taken as forgiven. (al-Durr al-Mukhtār) The explanation of the verse of Sadaqāt and the details of necessary issues related to it end here.

### Verses 61 - 66

وَمِنْهُمْ الَّذِينَ يُؤْذُونَ النَّبِيَّ وَيَقُولُونَ هُوَ أَدْنَىٰ خَيْرٍ لَّكُمْ يُؤْمِنُ بِاللَّهِ وَيُؤْمِنُ لِلْمُؤْمِنِينَ وَرَحْمَةٌ لِلَّذِينَ آمَنُوا مِنْكُمْ وَالَّذِينَ يُؤْذُونَ رَسُولَ اللَّهِ لَهُمْ عَذَابٌ أَلِيمٌ ﴿٦١﴾  
 يَحْلِفُونَ بِاللَّهِ لَكُمْ لِيَرْضَوْكُمْ وَاللَّهُ وَرَسُولُهُ أَحَقُّ أَنْ يُرْضَوْهُ  
 إِنْ كَانُوا مُؤْمِنِينَ ﴿٦٢﴾ أَلَمْ يَعْلَمُوا أَنَّهُ مَنْ يُحَادِدِ اللَّهَ  
 وَرَسُولَهُ فَأَنَّ لَهُ نَارَ جَهَنَّمَ خَالِدًا فِيهَا ذَلِكَ الْخِزْيُ الْعَظِيمُ  
 ﴿٦٣﴾ يَحْذَرُ الْمُنَافِقُونَ أَنْ تُنَزَّلَ عَلَيْهِمْ سُورَةٌ تُنَبِّئُهُمْ بِمَا فِي  
 قُلُوبِهِمْ قُلِ اسْتَهِزْءُوا إِنْ أَلَّ اللَّهُ مُخْرَجٌ مَّا تَحْذَرُونَ ﴿٦٤﴾ وَلَئِنْ

سَأَلْتَهُمْ لَيَقُولُنَّ إِنَّمَا كُنَّا نَخُوضُ وَنَلْعَبُ ۗ قُلْ أَيَاللّٰهِ وَإِيَّتِهِ  
 وَرَسُولِهِ كُنْتُمْ تَسْتَهْزِئُونَ ﴿٦٥﴾ لَا تَعْتَذِرُوا قَدْ كَفَرْتُمْ بَعْدَ  
 إِيمَانِكُمْ ۗ إِنَّ نَعْفَ عَن طَآئِفَةٍ مِّنْكُمْ نُعَذِّبُ طَآئِفَةً بِأَنَّهُمْ  
 كَانُوا مُجْرِمِينَ ﴿٦٦﴾

And among them there are those who hurt the Prophet and say, “He is just an ear” (hearing and believing everything). Say, “He is a good ear for you who believes in Allah and trusts the believers and is a mercy for those of you who have (truly) believed.” And those who hurt the Messenger of Allah, for them there is a painful punishment. [61]

They swear by Allah to you, (O believers) so that they may please you, whereas Allah – as well as His Messenger – has greater right that they should please Him, if they are (true) believers. [62]

Have they not come to know that whoever opposes Allah and His Messenger, definite for him is the fire of Jahannam wherein he will remain forever. That is the extreme disgrace. [63]

The hypocrites are afraid that a Sūrah (a chapter of the Holy Qur’ān) may be sent about them which tells them what is there in their hearts. Say, “Go on mocking. Allah is surely to bring out what you are afraid of.” [64]

And if you ask them, they will say, “We were just chatting and having fun.” Say, “Is it Allah and His verses and His Messenger that you were making fun of?” [65]

Make no excuses. You became disbelievers after you professed Faith. If We forgive some of you, We shall punish some others, because they were guilty. [66]

## Commentary

The present verses, like the previous ones, chastise hypocrites for their absurd objections, hostility to the Holy Prophet صلى الله عليه وسلم and their feigned professions of Faith on false oaths.

The first verse (61) mentions the painful comment made by the hypocrites against the Holy Prophet صلى الله عليه وسلم. They thought, since

he hears and believes everything, they had nothing to worry about. In the event, their conspiracy was exposed, they would simply tell him on oath that they had nothing to do with it. Allah Almighty corrected them by saying that His Messenger preferred silence against baseless hostilities because of his high morals. He did not believe in what they said. He himself knew reality as it was. He simply avoided refuting them on their faces because of his inherent gentleness of nature.

Announced in verse 64: *إِنَّ اللَّهَ مُخْرِجٌ مَّا تَحَدَّرُونَ* (Allah is surely to bring out what you are afraid of) is the news that Allah will expose their conspiracy and mischief. One such event came to pass while returning from the battle of Tabūk when some hypocrites had conspired to kill the Messenger of Allah. Allah Almighty informed him about the plan through angel Jibra'īl helping him to bypass the spot where the hypocrites were sitting in ambush. (Mazharī with reference to al-Baghawī)

And Sayyidnā 'Ibn 'Abbās رضى الله عنه says that Allah Ta'ālā had informed the Holy Prophet صلى الله عليه وسلم about the names of seventy hypocrites complete with their parentage and addresses. But, being the universal mercy, he did not disclose these before his people. (Mazharī)

### Verses 67 - 70

الْمُنْفِقُونَ وَالْمُنْفِقَاتُ بَعْضُهُمْ مِّنْ بَعْضٍ مِّمَّا مُرُونَ بِالْمُنْكَرِ  
وَيَنْهَوْنَ عَنِ الْمَعْرُوفِ وَيَقْبِضُونَ أَيْدِيَهُمْ نَسُوا اللَّهَ فَنَسِيهِمْ  
إِنَّ الْمُنْفِقِينَ هُمُ الْفٰسِقُونَ ﴿٦٧﴾ وَعَدَّ اللَّهُ الْمُنْفِقِينَ وَالْمُنْفِقَاتِ  
وَالْكَفَّارَ نَارَ جَهَنَّمَ خٰلِدِينَ فِيهَا هِيَ حَسْبُهُمْ وَلَعَنَهُمُ اللَّهُ  
وَلَهُمْ عَذَابٌ مُّقِيمٌ ﴿٦٨﴾ كَالَّذِينَ مِنْ قَبْلِكُمْ كَانُوا أَشَدَّ مِنْكُمْ  
قُوَّةً وَآكْثَرَ أَمْوَالًا وَأَوْلَادًا فَاسْتَمْتَعُوا بِخَلْقِهِمْ فَاسْتَمْتَعْتُمْ  
بِخَلْقِكُمْ كَمَا اسْتَمْتَعَ الَّذِينَ مِنْ قَبْلِكُمْ بِخَلْقِهِمْ وَخُضْتُمْ  
كَالَّذِي خَاضُوا أُولَٰئِكَ حَبِطَتْ أَعْمَالُهُمْ فِي الدُّنْيَا وَالْآخِرَةِ  
وَأُولَٰئِكَ هُمُ الْخٰسِرُونَ ﴿٦٩﴾ أَلَمْ يَأْتِهِمْ نَبَأُ الَّذِينَ مِنْ قَبْلِهِمْ  
قَوْمٍ نُوحٍ وَعَادٍ وَثَمُودَ ۗ وَقَوْمِ إِبْرٰهِيْمَ وَأَصْحٰبِ مَدْيَنَ

وَالْمُتَفَكِّتِطَ اتَّهُمْ رُسُلُهُمْ بِالْبَيِّنَاتِ فَمَا كَانَ اللَّهُ لِيَظْلِمَهُمْ  
وَلَكِنْ كَانُوا أَنْفُسَهُمْ يَظْلِمُونَ ﴿٧٠﴾

The hypocrites, male and female, are all alike. They bid vice and forbid virtue and withhold their hands. They forgot Allah, so He forgot them. Surely, the hypocrites are the sinners. [67]

Allah has promised the fire of Jahannam to the hypocrites, men and women, and to the disbelievers who shall live there forever. It is adequate for them. And Allah has put His curse on them, and for them there is a lasting punishment. [68]

(You are) like those before you. They were stronger than you in power, and richer in wealth and children. So, they enjoyed their share, then you enjoyed your share like those before you enjoyed their share. So, you indulged as they indulged. They are the ones whose deeds have gone waste in this world and in the Hereafter, and they are the losers. [69]

Has there not reached them the news of those before them, the people of Nūḥ (Noah) and 'Ād and Thamūd and the people of Ibrāhīm and the people of Madyan, and (the news) of the towns overturned? Their messengers came to them with clear signs; so, Allah was not to wrong them, but they have been doing wrong to their own selves. [70]

## Commentary

The first verse begins with a profile of the hypocrites. One of the expressions used there: *يَقْبِضُونَ أَيْدِيَهُمْ* (and they withhold their hands) has been explained in Tafsīr al-Qurṭubī as abandonment of Jihād and non-compliance of obligatory rights and duties. Then, the sentence that follows: *فَمَا كَانَ اللَّهُ نَسُوا اللَّهَ فَنَسِيَهُمْ* literally means 'they forgot Allah, so He forgot them.' But, Allah Ta'ālā is free of forgetfulness. So, the sense at this place is: 'those people had abandoned the commandments of Allah, as if they had forgotten it, therefore, Allah too abandoned their prospects of better life in the Hereafter, to the extent that there remained just no trace of any good, or reward, in their name.'

Let us now consider the statement: *كَمَا الَّذِينَ مِنْ قَبْلِكُمْ* '(You are) like those before you' in verse 69. According to one exegetical explanation, this is

addressed to hypocrites while according to the other explanation, the address is to Muslims. The addition of 'you are' in parenthesis points out in this direction. Thus, it means that 'you too are like people before you. They went for worldly enjoyments and forgot all about the life to come. The result was that they sank into all sorts of sins. So shall you be.'

Explaining this verse, Sayyidnā Abū Hurairah رضى الله عنه narrates a Ḥadīth in which the Holy Prophet صلى الله عليه وسلم has been reported to have said that 'you too will take to the ways taken by communities before you. You will imitate them in toto as dittos and clones to the limit that should you see one of them entering into the hole of a lizard (iguana), you will follow him there too.' After having narrated this far, Sayyidnā Abū Hurairah رضى الله عنه said that should anyone wish to ascertain the thematic authenticity of this Ḥadīth, let him read this verse of the Qur'an: كَالَّذِينَ مِنْ قَبْلِكُمْ '(You are) like those before you - 69.'

On hearing this, Sayyidnā 'Abdullāh ibn 'Abbās رضى الله عنه said: مَا أَشَبَّهَ مَا أَشَبَّهَ اللَّيْلَةَ بِالْبَارِحَةِ that is, 'how similar is this night (in our time) to the last night (way back) - they are the people of Banī Isra'īl and we have been likened to them.' (Qurtubī)

The aim of the Ḥadīth is fairly evident. It warns that Muslims too will start following the ways of the Jews and Christians by latter times. This statement appears only after a punishment has been announced for the hypocrites. It serves as an indicator that good Muslims would not do that. Only those among them, who are weak in 'Imān may do so because they are still infected with the germs of hypocrisy. All good men and women of the Muslim community have been instructed in this verse that they should themselves abstain from such ways as well as help others do the same.

### Verses 71 - 73

وَالْمُؤْمِنُونَ وَالْمُؤْمِنَاتُ بَعْضُهُمْ أَوْلِيَاءُ بَعْضٍ مِمَّا مَرُّونَ بِالْمَعْرُوفِ  
وَيَنْهَوْنَ عَنِ الْمُنْكَرِ وَيُقِيمُونَ الصَّلَاةَ وَيُؤْتُونَ الزَّكَاةَ  
وَيُطِيعُونَ اللَّهَ وَرَسُولَهُ أُولَئِكَ سَيَرْحَمُهُمُ اللَّهُ إِنَّ اللَّهَ عَزِيزٌ  
حَكِيمٌ ﴿٧١﴾ وَعَدَّ اللَّهُ الْمُؤْمِنِينَ وَالْمُؤْمِنَاتِ جَتَّتِ تَجْرِي مِنْ

تَحْتَهَا الْأَنْهَارُ خَالِدِينَ فِيهَا وَمَسْكِنٌ طَيِّبَةٌ فِي جَنَّاتٍ عَدْنٍ  
 وَرِضْوَانٌ مِّنَ اللَّهِ أَكْبَرُ ذَلِكَ هُوَ الْفَوْزُ الْعَظِيمُ ﴿٧٢﴾ يَا أَيُّهَا  
 النَّبِيُّ جَاهِدِ الْكُفَّارَ وَالْمُنَافِقِينَ وَاغْلُظْ عَلَيْهِمْ وَمَأْوَاهُمُ  
 جَهَنَّمُ وَيَسَّ الْمَصِيرُ ﴿٧٣﴾

The believers, male and female, are friends to each other. They bid virtue and forbid vice and establish Ṣalāh and pay Zakāh and obey Allah and His Messenger. Them Allah will bless with mercy. Surely, Allah is Powerful, Wise. [71]

Allah has promised to the believers, male and female, gardens beneath which rivers flow where they shall live forever and good homes in gardens of eternity. And Allah's pleasure is the greatest. That is the supreme success. [72]

O Prophet, carry out Jihād against the disbelievers and hypocrites and be strict with them. And their abode is Jahannam, and it is an evil terminus. [73]

## Commentary

Previous verses mentioned hypocrites – their conspiracies, hostilities, and the punishment waiting for them. The characteristic style of the Qur'an required that true believers should also be mentioned at this place giving a view of their life style, rewards and ranks. The verses cited above do just that.

It is interesting that the text, while making a comparison between hypocrites and true believers on this occasion, has this to say: *بَعْضُهُمْ مِّنْ بَعْضٍ* (they are all alike - 67). However, what it has to say about true believers is: *بَعْضُهُمْ أَوْلِيَا بَعْضٍ* (the believers are friends to each other - 71). This releases a hint about the nature of their mutual relationships. Hypocrites base it on functional cooperation between kinsfolk or on self-interest. Such bonds do not last long, nor do they bring the kind of spiritual benefits that are the hallmarks of a heart-to-heart friendship. Juxtaposed against hypocrites there are the true believers. They are sincere friends and wish well of each other. (Qurṭubī)

Moreover, since this friendship and concern for each other is for Al-

lah alone, it is always constant. It remains the same under all conditions, open or secret, present or absent. And it is lasting. This is the mark of a true believer. It is in the very nature of 'Imān (faith) and Al-'Amal *āṣ-Ṣālih* (good deed) that they generate mutual love and friendship. The Holy Qur'an confirms it when it says: *سَيَجْعَلُ لَهُمُ الرَّحْمَنُ وُدًّا* (19:96). It means that among those who have believed and taken to consistent good conduct in life, Allah Ta'ālā creates friendship that is deeply rooted into their hearts. What has happened to us in our time? May be we are short on the faith in our hearts and the concern for good in our conduct. That is why mutual relationships among Muslims do not seem to be what the Qur'an would like them to be. Unfortunately, these are subservient to worldly needs and interests – and are not for the sake of Allah alone, as they should be.

In the last verse (73) *جَاهِدِ الْكُفَّارَ وَالْمُنَافِقِينَ وَاغْلُظْ عَلَيْهِمْ* (carry out Jihād against the disbelievers and hypocrites and be strict with them), the Holy Prophet صلى الله عليه وسلم has been commanded to wage Jihād against disbelievers and hypocrites both and to be strict in their case. The need to fight against belligerent disbelievers is self-evident. But, the meaning of carrying out Jihād against the hypocrites is explained by the very conduct of the Holy Prophet صلى الله عليه وسلم. It proves that Jihād against them signifies vocal Jihād through which they should be induced to understand the veracity of Islām, start to feel for it and thus become sincere in their adherence to Islām. (Qurtubī and Mazharī) Please bear in mind that the real meaning of the word: غلظ (*ghilaz*) used in: *واغلظ* (and be strict with them) is that one should not show any leniency or grant any concessions in taking a course of action which the person addressed deserves. This word is used as an antonym to *رأفة* (*rāfah*) which means mercy and kindheartedness.

In his comments, Imām al-Qurtubī has said that the use of the word: *ghilzah* (strictness) at this place means that leniency should not be shown and concessions should not be granted when the injunctions of Shari'ah are enforced on them. This approach has nothing to do with being vocally strict – because, that is against the favored practice of the blessed prophets. They are never harsh in speech, nor do they curse and swear. In Ḥadīth, the Holy Prophet صلى الله عليه وسلم is reported to have said: *إِذَا زَنَتْ أَمَةٌ أَحَدِكُمْ فَلْيَجْلِدْهَا الْحَدَّ وَلَا يَتْرَبْ عَلَيْهَا* (If a bondswoman of anyone among you commits fornication, just enforce the Islāmic legal pun-

ishment for it on her – but, do not denounce her verbally) (Qurtubī)

Alluding to the persona of the Holy Prophet صلى الله عليه وسلم – the image he exuded in his presence before people – Allah Ta‘alā has Himself said: *وَلَوْ كُنْتَ ظَنًّا غَلِيظًا لَقَلْبُكَ لَا تَفْضُوا مِنْ حَوْلِكَ*: (and had you been rough and hard-hearted, they would have dispersed from around you – 3:159). Then, there is no evidence even from the actual dealings of the Holy Prophet صلى الله عليه وسلم that he ever demonstrated any harsh attitude in conversation or address before disbelievers and hypocrites.

### A warning signal

It is certainly a matter of regret that the attitude of harshness in address and conversation was something Islām never took to even against Kuffār, the rigid and hostile disbelievers. But, contemporary Muslims would not bat an eye and use it against other Muslims – not to say much about many of those who would congratulate themselves for having done this as some service to their religion. *Innalillah ...*

### Verses 74 – 78

يَحْلِفُونَ بِاللَّهِ مَا قَالُوا وَلَقَدْ قَالُوا كَلِمَةَ الْكُفْرِ وَكَفَرُوا بَعْدَ  
 إِسْلَامِهِمْ وَهَمُّوا بِمَا لَمْ يَنَالُوا وَمَا نَعْمُوا إِلَّا أَنْ أَعْنَاهُمُ اللَّهُ  
 وَرَسُولُهُ مِنْ فَضْلِهِ ؕ فَإِنْ يَتُوبُوا يَكُ خَيْرًا لَهُمْ ؕ وَإِنْ يَتَوَلَّوْا  
 يُعَذِّبُهُمُ اللَّهُ عَذَابًا أَلِيمًا ؕ فِي الدُّنْيَا وَالْآخِرَةِ وَمَا لَهُمْ فِي  
 الْأَرْضِ مِنْ وَلِيٍّ وَلَا نَصِيرٍ ﴿٧٤﴾ وَمِنْهُمْ مَنُ عَاهَدَ اللَّهُ  
 لَئِنْ آتَيْنَاهُ مِنْ فَضْلِهِ لَنَصَّدَّقَنَّ وَلَنَكُونَنَّ مِنَ الصَّالِحِينَ ﴿٧٥﴾  
 فَلَمَّا آتَاهُمُ مِنْ فَضْلِهِ بَخِلُوا بِهِ وَتَوَلَّوْا وَهُمْ مُعْرِضُونَ ﴿٧٦﴾  
 فَأَعَقَبَهُمُ نَفَقًا فِي قُلُوبِهِمُ إِلَى يَوْمِ يَلْقَوْنَهُ بِمَا أَخْلَفُوا اللَّهَ مَا  
 وَعَدُوهُ وَمَا كَانُوا يَكْذِبُونَ ﴿٧٧﴾ أَلَمْ يَعْلَمُوا أَنَّ اللَّهَ يَعْلَمُ  
 سِرَّهُمْ وَنَجْوَاهُمْ وَأَنَّ اللَّهَ عَلَّامُ الْغُيُوبِ ﴿٧٨﴾

They swear by Allah that they said nothing while, indeed, they had said the word of infidelity and had disbelieved after having accepted Islām, and had intended what they could not achieve. And they showed resent-

ment against nothing but that Allah and His Messenger have made them rich with His grace. So, if they repent, it will be good for them, and if they turn away, Allah shall punish them with a painful punishment in this world and the Hereafter, and for them there is neither a friend on the Earth, nor a helper. [74]

And among them there are those who made a pledge with Allah: "If He gives us (wealth) out of His grace, then, surely we shall give alms and shall be among the righteous." [75]

But when He gave them (wealth) of His grace, they became stingy about it, and went back turning their faces away. [76]

So Allah, in turn, put hypocrisy in their hearts till the day they shall meet Him, because they broke their promise with Allah and because they have been telling lies. [77] Did they not know that Allah knows what they conceal and what they whisper and that Allah is the well-aware of all the unseen. [78]

### Commentary

In the first verse: **يَخْلِفُونَ بِاللَّهِ** (They swear by Allah -74), the text reverts to the hypocrites who keep uttering words of infidelity in their gatherings but, should Muslims come to know about that, they would promptly declare on oath that they had nothing to do with it. Giving the background in which this verse was revealed, Al-Baghawī reports that the Holy Prophet **صلى الله عليه وسلم** gave an address on the occasion of the battle of Tabūk. He talked about the sorry state of affairs the hypocrites were in and warned them of their sad end. Also present there was Jullās, a hypocrite. When he returned to his people, he said 'if whatever Muḥammad says is true, then, we are worse than donkeys.' By chance, a Ṣaḥābī whose name was 'Āmir ibn Qays heard the comment. He told him that 'there is no doubt about what the Holy Prophet **صلى الله عليه وسلم** has said for it is true and you are really worse than donkeys.'

When the Holy Prophet **صلى الله عليه وسلم** returned to Madīnah back from his trip to Tabūk, 'Āmir ibn Qays told him about this event. But, Jullās flatly disowned what he had said. On top of that, he charged 'Āmir ibn Qays of having accused him falsely. The Holy Prophet **صلى الله عليه وسلم** ordered both of them to stand close to the *Mimbar* of the *Nabiyy*

(the stepped platform used to deliver *khuṭbah* in the *masjid* originally occupied by the Holy Prophet صلى الله عليه وسلم and traditionally regarded as a symbol of his message) and take an oath. Jullās was quick to take a false oath to the effect that he never said that and that ‘Āmir was lying. When it was ‘Āmir’s turn, he took his oath. Then, he raised his hands of prayer before Allah saying, ‘O Allah, let Your Messenger know about the reality of this matter through a revelation to him.’ The Holy Prophet صلى الله عليه وسلم said ‘Āmīn (amen) following his prayer and so did all Muslims present there. These people had yet to move from there when came Angel Jibra’īl with the revelation which included this verse.

When Jullās heard this verse, he stood up immediately and started saying, ‘yā rasūlallāh, now I confess that I was the one in the wrong and that which was said by ‘Āmir was the truth. But, this very verse has also given me the right of making Taubah (repentance). Hence, I seek forgiveness from Allah and repent for what I did earlier.’ The Holy Prophet صلى الله عليه وسلم accepted his Taubah after which he stayed firm in it and things turned towards the better in his life. (Mazharī)

Some commentators have referred to similar events as the background of the revelation of this verse – especially as this verse includes the sentence: **وَهُمْؤَا بَمَا كُمْ يَنْتَالُوا** (and had intended what they could not achieve -74). This sentence seems to suggest that the verse is connected with some event when the hypocrites had hatched some conspiracy against the Holy Prophet صلى الله عليه وسلم and his Muslim followers in which they could not succeed. For example, there is a fairly well known incident that came to pass during the return from this very battle of Tabūk. Twelve men from among the hypocrites sat in ambush behind a mountain pass with the intention of taking the Holy Prophet صلى الله عليه وسلم by surprise and kill him. Angel Jibra’īl informed him of their intention. He took a different route and their conspiracy went to dust.

For that matter, several other events of this nature are also on record. But, there is no element of contradiction or improbability in the likelihood that all those events are being referred to through this verse.

The second verse: **وَمِنْهُمْ مَّنْ عٰهَدَ اللّٰهَ** (And among them there are those who made a pledge with Allah - 75) is also connected with a particular

event which has been reported by Ibn Jarīr, Ibn Abī Ḥātim, Ibn Marduwayh, Al-Ṭabarānī and Al-Baihaqī on the authority of a narration from Sayyidnā Abū Umāmah Bāhili رضى الله عنه. According to this report, a person called Tha'labah ibn Ḥaṭib al-Anṣarī presented himself before the Holy Prophet صلى الله عليه وسلم and requested him to pray that he becomes rich. He said, 'Is it that you do not like my way? By the Being that holds my life in his His hands, if I had wished, mountains of Madīnah would have turned into solid gold following behind me on my walkways. But, I do not like being that wealthy.' The man went away. But, he returned later and repeated his request for the same prayer with the pledge that, should he get the wealth prayed for, he would give every deserving person his share from it. The Holy Prophet صلى الله عليه وسلم made the prayer. The effect of the prayer showed up in an unprecedented increase in the number of goats he owned. When the number increased further, the space in Madīnah became too small for him. So, he moved out into the outskirts from where he used to come to Madīnah where he offered the Ṣalāh of Zūhr and 'Aṣr with the Holy Prophet صلى الله عليه وسلم. As for the rest of the prayers, he used to perform these in the wilderness where his herd of goats, his prized possession, was located.

Then, this very flock of goats became so large that even that area on the outskirts became insufficient. He moved farther away from Madīnah coming there only on Fridays for the Jumu'ah Ṣalāh. As for the five daily prayers, he did them where he was stationed. Then came further increases in his wealth and he had to leave that spot too, only to go far away from Madīnah where he sat deprived of his Jumu'ah and Jama'ah both.

After the passage of some time, the Holy Prophet صلى الله عليه وسلم asked people about him. They told him that his 'wealth' had increased to such proportions that he had to go far away from Madīnah and that is why he is not seen in the city. On hearing this, the Holy Prophet صلى الله عليه وسلم said: *وَيْحٌ لِّعَلْبَابَةَ* (Alas for Tha'labah) three times.

By chance, it was the time when came the revelation of the verse of Ṣadaqāt (60) where the Holy Prophet صلى الله عليه وسلم has been commanded to collect Ṣadaqāt from Muslims – (خُذْ مِنْ أَمْوَالِهِمْ صَدَقَةً). He had the whole law of Ṣadaqāt committed to writing, appointed two persons as the collectors of Ṣadaqah and sent them to collect the Ṣadaqāt due on live-

stock owned by Muslims. They were ordered to go to Tha'labah ibn Ḥaṭīb as well, and to another person from the tribe of Banī Sulaym also.

When the two collectors reached Tha'labah and presented the order of the Holy Prophet صلى الله عليه وسلم, he said that this thing had become a sort of Jizyah which is taken from non-Muslims. Then he hedged and asked them to leave on that occasion, however, they could call on him on their way back. The two of them left.

Something different happened in the case of the other person from the tribe of Banī Sulaym. When he heard about the order of the Holy Prophet صلى الله عليه وسلم, he himself called on the two emissaries of his master carrying with him the best from out of his livestock of camels and goats, precisely according to his Zakatable *niṣāb* of Ṣadaqah. They told him that they have orders not to pick out the best among animals, in fact, they were supposed to take the average ones, therefore, they could not take these. The man from Banī Sulaym insisted that it was his pleasure to present those very animals and requested that they be accepted as they were.

After that, when these two emissaries had completed their circuit of Ṣadaqah collection, they returned to Tha'labah. He told them that he wanted to see that Law of Ṣadaqah they were talking about. He looked at it and said no more than what he had said earlier – 'this thing has become a sort of Jizyah that should not be taken from Muslims.' 'All right,' he said, 'you can go for now. I have to think about it first. I will decide later.'

When these two gentlemen reached Madīnah, they went to see the Holy Prophet صلى الله عليه وسلم. At that time he, before hearing their report on the mission, repeated the words he had said earlier: يَا وَجِعَ تَعْلَبَةَ يَا وَجِعَ تَعْلَبَةَ (Alas for Tha'labah). He said it three times. After that, he was pleased to hear about the Sulaymī deal and prayed for him. Thereupon, came the verse: وَرَسُلُهُمْ مِّنْ عِندِ اللَّهِ (And among them there are those who made a pledge with Allah – 75). It means: 'if Allah gave them wealth, they would give out alms and charities and fulfill the rights of all deserving people, the relatives and the poor, as done by the righteous people of the community. But, when Allah blessed them with wealth, out of His grace, they became misers overnight and turned away from their pledge of obedience to Allah and His Messenger.'

Verse 77: **فَاعْتَبِهِمْ نَفَاتًا مِّنْ قُلُوبِهِمْ** (So Allah, in turn, put hypocrisy in their hearts) points out to its cause which lies in their lying and pledge breaking. As a consequence, Allah made the hypocrisy of their hearts become deep and firm. Now, they would just not have the ability to make Taubah itself.

### **A serious note of warning**

From here we learn that there are occasions when the curse of evil deeds assumes alarming proportions, so much so that one is deprived of the very ability (*taufīq*) of making Taubah. May Allah protect us from this misfortune!

Let us now go back to the detailed narrative of Sayyidnā Abū Umāmah رضى الله عنه mentioned a little earlier. Ibn Jarīr writes at the end of it: When the Holy Prophet صلى الله عليه وسلم said ‘Alas for Tha‘labah’ three times, some of his relatives were present in the gathering. When they heard it, one of them immediately traveled to see Tha‘labah. When he reached there, he reproached him for his behavior while informing him that it has caused the revelation of a particular verse of the Qur‘ān. This made Tha‘labah nervous. He reached Madīnah and requested the Holy Prophet صلى الله عليه وسلم that his Ṣadaqah may be accepted. He said that Allah Ta‘ālā had told him not to accept his Ṣadaqah. Hearing this, Tha‘labah went crazy with disappointment and literally started throwing dust on his head.

The Holy Prophet صلى الله عليه وسلم said, ‘this is something you have chosen to do on your own. I ordered you and you did not obey. Now, your Ṣadaqah cannot be accepted.’ Tha‘labah returned disappointed. Then, some days later, the Holy Prophet صلى الله عليه وسلم departed from this mortal world and Sayyidnā Abū Bakr رضى الله عنه became the Khalīfah. Tha‘labah came to Sayyidnā Abū Bakr رضى الله عنه and requested that he should accept his Ṣadaqah. Sayyidnā Abū Bakr رضى الله عنه said, ‘when the Holy Prophet صلى الله عليه وسلم did not accept it, how can I do it?’

Then, after the demise of Sayyidnā Abū Bakr رضى الله عنه, Tha‘labah came to Sayyidnā ‘Umar رضى الله عنه. He made the same request and got the same answer from him, as was given by Sayyidnā Abū Bakr رضى الله عنه. Again, he submitted this request to Sayyidnā Uthmān رضى الله عنه during his period of Khilāfah. He too refused it. It was during the tenure of the Khilāfah of Sayyidnā Uthmān رضى الله عنه that Tha‘labah died. We seek the protection of Allah from all evil deeds. (Maḥzarī)

### A question and its answer

When Tha'labah had submitted in repentance, the question is why was his Taubah not accepted? The reason is evident. The Holy Prophet صلى الله عليه وسلم was informed through revelation that he was not making his Taubah with absolute sincerity. He had hypocrisy concealed in his heart. He was simply trying to deceive Muslims for the time being only to put matters right between them. Therefore, it was not acceptable. And when the Holy Prophet صلى الله عليه وسلم himself declared him to be a hypocrite, the Khulafā' who succeeded him were left with no right to accept his Ṣadaqah – because, being a Muslim is a condition for Zakāh. Now, after the Holy Prophet صلى الله عليه وسلم, no one knows the hypocrisy hidden in the heart of a person, therefore, the rule to follow in future is: Anyone who makes Taubah and confesses to his Islām and 'Īmān should be treated as Muslims are treated – no matter what lies in his heart. (Bayān al-Qur'ān)

### Verses 79 – 80

الَّذِينَ يَلْمِزُونَ الْمُطَّوِّعِينَ مِنَ الْمُؤْمِنِينَ فِي الصَّدَقَاتِ وَالَّذِينَ لَا يَجِدُونَ إِلَّا جُهْدَهُمْ فَيَسْخَرُونَ مِنْهُمْ سَخِرَ اللَّهُ مِنْهُمْ وَلَهُمْ عَذَابٌ أَلِيمٌ ﴿٧٩﴾ اسْتَغْفِرْ لَهُمْ أَوْ لَا تَسْتَغْفِرْ لَهُمْ إِنْ تَسْتَغْفِرْ لَهُمْ سَبْعِينَ مَرَّةً فَلَنْ يَغْفِرَ اللَّهُ لَهُمْ ذَلِكَ بِأَنَّهُمْ كَفَرُوا بِاللَّهِ وَرَسُولِهِ وَاللَّهُ لَا يَهْدِي الْقَوْمَ الْفَاسِقِينَ ﴿٨٠﴾

Those who find fault with believers who voluntarily give alms and have nothing but their hard earnings – still they mock at them – mocked they are by Allah and for them there is a painful punishment. [79]

Ask pardon for them or do not ask pardon for them – even if you ask pardon for them seventy times, Allah shall never pardon them. That is because they disbelieved in Allah and His Messenger. And Allah does not lead the sinning people to the right path. [80]

### Commentary

Mentioned in the first verse (79) are taunts thrown at Muslims who gave away in charity on a voluntary basis (*Naflī Ṣadaqāt*). It appears

in the Ṣaḥīḥ of Muslim that Sayyidnā Abū Mas'ūd رضى الله عنه said: 'we had orders from Allah Ta'ālā that we must give Ṣadaqah and, believe it, we used to do manual labor for that (that is, we had no money or thing with us. We used to take out that Ṣadaqah too from whatever we earned through this very manual labor). Thus, Abū 'Aqīl offered Ṣadaqah to the measure of 0.5 Ṣā' (approximately 1.75 kilos). Then, someone came and gave a little more than that. The hypocrites mocked at them for having brought something so insignificant in the name of Ṣadaqah. Allah never needs things like that. And whoever gave a little more in Ṣadaqah, they accused him that he had done it to show off before people. Thereupon, this verse was revealed.

Please note that, in the sentence: سَخِرَ اللَّهُ مِنْهُمْ (mocked they are by Allah - 79), the word 'mocked' stands for 'punished for their mockery'.

In the second verse (80), there is a statement about the hypocrites. It has been addressed to the Holy Prophet صلى الله عليه وسلم. He has been told whether or not he seeks forgiveness for them makes no difference – and no matter how many times he seeks forgiveness for them, they shall not be forgiven. A detailed explanation of this appears under the comments on verse 84: لَا تَصَلِّ عَلَى أَحَدٍ مِنْهُمْ (and never offer a prayer on any one of them who dies) appearing a little later.

### Verses 81 – 83

فَرِحَ الْمُخَلَّفُونَ بِمَقْعَدِهِمْ خَلْفَ رَسُولِ اللَّهِ وَكَرِهُوا أَنْ يُجَاهِدُوا  
بِأَمْوَالِهِمْ وَأَنْفُسِهِمْ فِي سَبِيلِ اللَّهِ وَقَالُوا لَا تَنْفِرُوا فِي الْحَرِّ  
قُلْ نَارُ جَهَنَّمَ أَشَدُّ حَرًّا لَوْ كَانُوا يَفْقَهُونَ ﴿٨١﴾ فَلْيَضْحَكُوا  
قَلِيلًا وَلْيَبْكُوا كَثِيرًا جَزَاءً بِمَا كَانُوا يَكْسِبُونَ ﴿٨٢﴾ فَإِنْ  
رَجَعَكَ اللَّهُ إِلَى طَائِفَةٍ مِنْهُمْ فَاسْتَأْذَنُوكَ لِلْخُرُوجِ فَقُلْ لَنْ  
تَخْرُجُوا مَعِيَ أَبَدًا وَلَنْ تُقَاتِلُوا مَعِيَ عَدُوًّا إِنَّكُمْ رَضِيتُمْ  
بِالْفُجُودِ أَوَّلَ مَرَّةٍ فَاقْعُدُوا مَعَ الْخُلَفَاءِ ﴿٨٣﴾

Those who were left behind were happy with their sitting back to the displeasure of the Messenger of Allah, and they disliked to carry out *jihād* in the way of Allah with their wealth and lives, and they said, "Do not

march in this hot weather.” Say, “The fire of Jahannam is more intense in heat,” only if they could understand.

[81]

So, let them laugh a little, and weep a lot, being a reward of what they used to earn. [82]

Then, if Allah brings you back to a group of them and they seek your permission to march, say to them, “You shall never march with me ever after, and shall never fight an enemy in my company. You were happy with sitting back the first time; now, sit with those remaining behind.” [83]

### Commentary

Behavior patterns of hypocrites who did not take part in the battle of Tabūk, despite the general call of Jihād, continue to be the main theme since several previous verses.

The current verses give another example of their behavior. Then, it was said that they will be punished in the Hereafter, their names will be eliminated from the list of the *mujāhidīn* of Islām forever in this mortal world and that they will never be allowed to take part in any future Jihād.

The word: *مُخَلَّفُونَ* (those who were left behind – 81) is the plural of *مُخَلَّفٌ* (*mukhallaf*) which means ‘abandoned’ or left out. The subtle hint thus released is that these people are pleased with the idea that they have stayed away from endangering their lives by not participating in the Jihād. But, the truth of the matter is that Allah Ta‘ālā did not consider them to be worthy of this supreme honor. Therefore, it is not they who have abandoned the Jihād, in fact, it is Jihād that has abandoned them. The reason is that Allah and His Messenger have, at their discretion, considered it fit that they should be left out.

Following immediately, there is the word: *خَلْفَ رَسُولِ اللَّهِ* (*khilāf*) in: *خَلْفَ رَسُولِ اللَّهِ* translated as ‘to the displeasure of the Messenger of Allah.’ This word could be taken in the sense of ‘behind’ or ‘after’ as well. In fact, this is the meaning Abū ‘Ubayd has gone by. If so, it would mean that these people were rejoicing in their staying (at home) after (the departure of) the Messenger of Allah – an occasion not really worth the mirth. As for the word: *يَتَّبِعُونَهُمْ* (*bimaq‘adhim*: their sitting back) in the same verse, it appears here in the sense of *تَعَرَّدَ* (*qu‘ūd*: sitting) as a verbal noun.

It is also possible to take the word *khilāf* in the sense of *mukhālafat* (contravention, opposition). In that case, it would mean that they sat home in contravention of the command of the Holy Prophet ﷺ. Then, they did not leave it at that. They prompted others too by saying that they should not march in that hot weather: (لَا تَتَفَرُّوا فِي الْحَرِّ).

We already know that the command to fight the battle of Tabūk was given at a time when the heat was intense. The rejoinder to their comment came from Allah Ta‘ālā: قُلْ نَارُ جَهَنَّمَ أَشَدُّ حَرًّا (Say: [O Prophet] the fire of Jahannam is more intense in heat) that is, these people are really unfortunate. They see the heat of a certain given time and try to beat it one way or the other. But, they do not realize that their disobedience to the command of Allah and His Messenger would bring them face to face with the fire of Jahannam. Why would they not worry about it? Is it that the heat of our seasons is more intense than the heat of Hell?

After that it was said: فَلْيَضْحَكُوا قَلِيلًا (So, let them laugh a little, and weep a lot, being a reward of what they used to earn – 82). Though, the word ‘*falya dḥakū*’ (So, laugh) has been used in the imperative form, but commentators interpret it in the sense of the predicate of a nominal clause. The wisdom behind the use of the imperative form given by them is that this is categorical and certain. In other words, this is going to happen as a matter of certainty. Such people could laugh for the days they have in the mortal world - but, in ‘Ākhirah, they must weep and weep forever.

Commentator Ibn Abī Ḥātim reports the explanation of this verse from Sayyidnā ‘Abdullāh ibn ‘Abbās رضى الله عنه as follows:

الدُّنْيَا قَلِيلٌ فَلْيَضْحَكُوا فِيهَا مَا شَاءُوا فَإِذَا انْقَطَعَتِ الدُّنْيَا وَصَارُوا إِلَى اللَّهِ  
فَلْيَسْتَأْنِفُوا الْبُكَاءَ بَكَاءً لَا يَنْقَطِعُ أَبَدًا

The *dunyā* (present world) is short-lived. So, let them laugh therein as they wish but when ‘*dunyā*’ will come to an end and they will start coming to Allah, then, they will start weeping, a weeping which will never come to an end. (Mazharī)

The statement: لَنْ تَخْرُجُوا ... you shall never march) in the second verse (83) has been explained by Maulanā Ashraf ‘Alī Thānavī in the summary of his Tafsīr Bayān al-Qur‘ān. According to him, ‘even if these people intend to participate in a future Jihād, they

would get out of it when they want to, under one or the other pretext; and since they do not have faith in their heart, their intention too will not be backed by sincerity. Therefore, the Holy Prophet صلى الله عليه وسلم was commanded that, even if they want to take part in a Jihād, he should tell them the truth that he does not trust their word and deed. So, they would neither go for Jihād nor fight an enemy of Islām in his company.'

Most of the commentators have said that this injunction has been enforced as their punishment in the present world, that is, even if they themselves were to make a request that they be allowed to take part in Jihād, even then, they should not be allowed to do that.

### Verse 84

وَلَا تَصَلِّ عَلَىٰ أَحَدٍ مِّنْهُمْ مَّتَّ أَبَدًا وَلَا تَقُمْ عَلَىٰ قَبْرِهِ ۗ إِنَّهُمْ كَفَرُوا بِاللَّهِ وَرَسُولِهِ وَمَاتُوا وَهُمْ فَسِقُونَ ﴿٨٤﴾

**And never offer a prayer on any one of them who dies, and do not stand by his grave. They disbelieved in Allah and His Messenger and died while they were sinners. [84]**

### Commentary

It stands established from Ṣaḥīḥ Aḥādīth, and confirmed by a consensus of the Muslim Ummah on it that this verse was revealed at the time of the death of the hypocrite, 'Abdullāh ibn Ubaiyy, and about the Ṣalāh of Janāzah for him. Then, it also stands established from the report in Ṣaḥīḥ of Muslim and the Ṣaḥīḥ of Al-Bukhārī that the Holy Prophet صلى الله عليه وسلم offered Ṣalāh of Janāzah for him. After he had done it, this verse was revealed. And thereafter, he never offered the Ṣalāh of Janāzah for any *munāfiq* (hypocrite).

The background in which this verse was revealed appears in the Ṣaḥīḥ of Muslim. According to this report from Sayyidnā 'Abdullāh ibn 'Umar رضى الله عنه, when 'Abdullāh ibn Ubaiyy ibn Salūl died, his son 'Abdullāh رضى الله عنه came to the Holy Prophet صلى الله عليه وسلم. He was a sincere Muslim, and a Ṣaḥābī. When he requested for his shirt so that he could use it as a shroud for the dead body of his father, the Holy Prophet صلى الله عليه وسلم let him have it. Then, he requested him to also lead the Ṣalāh of Janāzah for his father. He accepted and rose to do

that. At that point, Sayyidnā ‘Umar ibn al-Khaṭṭāb رضى الله عنه held the fall of his shirt cloth and said: ‘you are going to lead the Janāzah Ṣalāh for this *munāfiq* although Allah Ta‘ālā has prohibited you from doing that.’ The Holy Prophet صلى الله عليه وسلم said: ‘Allah Ta‘ālā has given me a choice. I may pray for their forgiveness, or I may not – and as for forgiveness not to be granted even if prayed for it seventy times as in the verse, I can say that I can do that more than seventy times.’ The verse referred to here is verse 80 of Sūrah Al-Taubah which you have gone through a little earlier. For your convenience, its words are: **اسْتَغْفِرْ لَهُمْ أَوْ لَا تَسْتَغْفِرْ لَهُمْ إِنْ تَسْتَغْفِرْ لَهُمْ سَبْعِينَ مَرَّةً فَلَنْ يَغْفِرَ اللَّهُ لَهُمْ** (Ask pardon for them or do not ask pardon for them; even if you ask pardon for them seventy times, Allah shall never pardon them). Then, the Holy Prophet صلى الله عليه وسلم offered the Ṣalāh of Janāzah for him. Soon after the Ṣalāh, this verse: **لَا تَصَلِّ عَلَيْهِ** (And never offer a prayer on any one of them...) was revealed (so, after that, he never led the Ṣalāh of Janāzah for any *munāfiq*).

### Removal of ambiguities concerning this event

A question arises here about ‘Abdullāh ibn Ubaiyy, a *munāfiq* whose hypocrisy was laid bare on many different occasions and who was regarded as ring leader of all hypocrites. How was it that he received such unusual treatment from the Holy Prophet صلى الله عليه وسلم when he gave his blessed shirt to be used as his funeral shroud?

In answer, two reasons can be given for it. Firstly, it was done on the request of his son who was a sincere Ṣaḥābī and the motive was simply to console him on his loss. There could be a second reason as well. This has been reported in Al-Bukhārī on the authority of Sayyidnā Jābir رضى الله عنه. When some Quraysh chiefs were arrested on the occasion of the battle of Badr, one of them happened to be ‘Abbās, the uncle of the Holy Prophet صلى الله عليه وسلم. When he saw that his uncle does not have a shirt on his body, he asked his Companions to put a shirt on him. Sayyidnā ‘Abbās رضى الله عنه was tall. No shirt other than that of ‘Abdullāh ibn Ubaiyy would fit him. So, the Holy Prophet صلى الله عليه وسلم took the shirt from ‘Abdullāh ibn Ubaiyy and had his uncle ‘Abbās wear it. It was only to repay this favor that the Holy Prophet صلى الله عليه وسلم had given his shirt for him. (Qurtubī)

The second question relates to what Sayyidnā ‘Umar رضى الله عنه had said to the Holy Prophet. It will be recalled that he had said, ‘Allah Ta‘ālā has prohibited you from leading the Ṣalāh of Janāzah for a hypo-

crite.' We have to look for the basis on which he said that, because no verse had ever prohibited the Holy Prophet صلى الله عليه وسلم expressly from offering the Ṣalāh of Janāzah for a hypocrite. From here it becomes fairly clear that Sayyidnā 'Umar رضى الله عنه must have deduced that sense of prohibition from this very verse of Sūrah Al-Taubah referred earlier, that is, اِسْتَغْفِرْ لَهُمْ (Ask pardon for them...80). Now the question is, if this verse of prohibition refers to the Ṣalāh of Janāzah, why would the Holy Prophet صلى الله عليه وسلم not let this be regarded as prohibited, instead of which, he said that the choice in the verse had been given to him?

The answer is that, in reality, the formal arrangement of words in the verse does carry the sense of giving a choice – and it is also obvious that the mention of seventy times at this place is not for prescribing a limit. It is, rather, to express the sense of many times. Thus, the outcome of the verse, in terms of its obvious sense, turns out to be that 'a hypocrite will not be pardoned, no matter how many times you were to seek forgiveness for him.' But, he has not been expressly prohibited from praying for their forgiveness as such. Another verse of the Holy Qur'an from Sūrah Yā Sīn is a parallel example. There it has been said: سَوَاءٌ عَلَيْهِمْ أَأَنْذَرْتَهُمْ أَمْ لَمْ تُنذِرْهُمْ لَا يُؤْمِنُونَ (And it is all the same for them whether or not you warn them – they are not going to believe – 36:10). This verse has not categorically stopped him from warning people of evils and inviting them to what is good. For that matter, some other verses of the Qur'an also prove that the ongoing mission of calling people towards the faith never stopped. Of course, it included such people as well – for example, بَلِّغْ مَا أُنزِلَ إِلَيْكَ مِنْ رَبِّكَ (O Messenger, convey all that has been sent down to you from your Lord. – 5:67) and إِنَّمَا أَنْتَ مُنذِرٌ وَلِكُلِّ قَوْمٍ هَادٍ (you are only a warner, and for every people, there is a guide – 13:7). The outcome is that the verse of Sūrah Yā Sīn (36:10) quoted above proved that choice was given to the Holy Prophet صلى الله عليه وسلم, though in a limited frame of reference. Then, the later verses quoted immediately earlier provided the standing proof of the continuance of the mission of warning people against evils. From the verse under study too, the Holy Prophet صلى الله عليه وسلم had gathered that they will not be pardoned, but the situation was that he had not been restrained from seeking forgiveness for them through some other verse either, till then.

Then, the Holy Prophet صلى الله عليه وسلم also knew that neither his

shirt nor the Ṣalāh of Janāzah he offered for the deceased hypocrite were to bring forgiveness for him. But, he did hope that his action would yield benefits for other aspects of Islāmic public policy. People of his family and the disbelieving people in general were bound to observe the way the Holy Prophet صلى الله عليه وسلم deals with their leader. This was likely to bring them closer to Islām, even embracing it. As for some clear prohibition of offering the Ṣalāh of Janāzah, it just did not exist until that time. Therefore, he led the Ṣalāh.

Perhaps, the other answer lies in the sentence that has been reported in the Ṣaḥīḥ of Al-Bukhārī on the authority of Sayyidnā ‘Abdullāh ibn ‘Abbās رضى الله عنه. There, the Holy Prophet صلى الله عليه وسلم has been quoted to have said: ‘Had I known that he will be pardoned by praying for his forgiveness more than seventy times, I would have done that too.’ (Qurtubī)

The second evidence comes from another Ḥadīth in which the following words from the Holy Prophet صلى الله عليه وسلم have been reported: ‘my shirt cannot save him from the punishment of Allah. But, I did it in the hope that on the basis of this action thousands of his people will embrace Islām.’ So, according to what was said, after having witnessed this event, one thousand people from the tribe of Khazraj embraced Islām (as reported in the books of *maghāzi* and in some books of Tafsīr).

## Summary

To sum up, the Holy Prophet صلى الله عليه وسلم knew from previous verses that no matter what they do, the *munāfiqs* (the hypocrites) will not be pardoned. But, there were some factors that explain the rationale of his action. The words of the verse seemed to have given him the choice. No other verse had yet prohibited him from doing so. Then, there was the opportunity to pay back the favor of a disbeliever here in this world. Last, but not the least, was the hope of other disbelievers embracing Islām as a result of this action. Therefore, he preferred to lead the Ṣalāh of Janāzah. As for the action of Sayyidnā ‘Umar رضى الله عنه, he thought that once it stands proved through the verse in question that a hypocrite will not be pardoned, he found no reason for offering a Ṣalāh of Janāzah for him and praying that he may be forgiven. According to him, it might be redundant, and against the station of a prophet. Therefore, he deemed it prohibited to offer the *janazah*. The posi-

tion of the Holy Prophet صلى الله عليه وسلم was that he did not, though, consider this action as beneficial in its own right – but, he did have the likelihood of others embracing Islām in sight. Therefore, this action did not remain futile. To conclude, in this manner, no ambiguity remains either in the conduct of the Holy Prophet صلى الله عليه وسلم or in the words of Sayyidnā ‘Umar رضى الله عنه. (Bayān al-Qur’ān)

Now, came the verse: لَا تَصَلِّ (and never offer a prayer) revealed in clear terms. It was realized that, no doubt, there was a religiously expedient advantage visible to the Holy Prophet ﷺ in offering the Ṣalāh but it also carried a disturbing factor in it, almost the reverse of what was expected to be expedient. This element somehow did not attract the attention of the Holy Prophet ﷺ. The likelihood of this action creating dissatisfaction among sincere Muslims was strong. They may have thought that sincere Muslims and wily hypocrites have been equated officially. To offset this danger, this particular prohibition was revealed in the Qur’ān – and after that, the Holy Prophet ﷺ never offered the Ṣalāh of Janāzah for any *munāfiq*.

### Rulings

1. This verse tells us that offering Ṣalāh on the Janāzah of a *kāfir* or the making of Du‘ā seeking his or her forgiveness is not permissible.

2. This verse also proves that to stand before the grave of a *kāfir* as a mark of respect for him, or to go to visit it, is *ḥarām*. Should this be to learn some lesson therefrom, or because of some compulsion, then, it is not contrary to this. For example, it appears in Hidāyah that, should a *kāfir* relative of a Muslim die without leaving a guardian or heir behind, the Muslim relative can put the deceased into hollowed ground as is, without having to make it conform to the standard practice of the Holy Prophet صلى الله عليه وسلم. (Bayān al-Qur’ān)

### Verses 85 – 89

وَلَا تُعْجِبْكَ أَمْوَالُهُمْ وَأَوْلَادُهُمْ إِنَّمَا يُرِيدُ اللَّهُ أَنْ يُعَذِّبَهُمْ بِهَا فِي الدُّنْيَا وَتَزْهَقَ أَنْفُسُهُمْ وَهُمْ كَافِرُونَ ﴿٨٥﴾ وَإِذَا أَنْزَلْتَ سُورَةَ أَنْ آمَنُوا بِاللَّهِ وَجَاهِدُوا مَعَ رَسُولِهِ اسْتَأْذَنَكَ أُولُو الطَّوْلِ مِنْهُمْ وَقَالُوا ذَرْنَا نَكُنْ مَعَ الْقَاعِدِينَ ﴿٨٦﴾ رَضُوا بِأَنْ

يَكُونُوا مَعَ الْخَوَالِفِ وَطُبِعَ عَلَى قُلُوبِهِمْ فَهُمْ لَا يَفْقَهُونَ ﴿٨٧﴾  
 لَكِنَّ الرَّسُولَ وَالَّذِينَ آمَنُوا مَعَهُ جَاهِدُوا بِأَمْوَالِهِمْ وَأَنْفُسِهِمْ  
 وَأُولَئِكَ لَهُمُ الْخَيْرَاتُ وَأُولَئِكَ هُمُ الْمُفْلِحُونَ ﴿٨٨﴾ أَعَدَّ اللَّهُ لَهُمْ  
 جَنَّاتٍ تَجْرِي مِنْ تَحْتِهَا الْأَنْهَارُ خَالِدِينَ فِيهَا ذَلِكَ الْفَوْزُ  
 الْعَظِيمُ ﴿٨٩﴾

And their wealth and children should not attract you. Allah only wants to punish them with these in this world and that their souls depart while they are disbelievers. [85]

And when a Sūrah is revealed (saying), “Believe in Allah and carry out *jihād* in the company of His Messenger” the capable ones from them seek your permission and say, “Let us remain with those sitting back.” [86]

They are happy to be with women who sit back, and their hearts are sealed; so they do not understand. [87]

But the Messenger and the believers in his company have carried out *jihād* with their wealth and lives, and for them there are the good things, and they are the successful. [88] Allah has prepared for them gardens beneath which rivers flow where they will live forever. That is the supreme success. [89]

## Commentary

Once again, the present verses carry the description of hypocrites who had avoided participating in the battle of Tabūk under one or the other pretext. Among such hypocrites, there were some rich people as well. Their affluent life could have made Muslims ask, ‘when these people are so unacceptable with Allah, why did they have to get all those blessings in this world?’

In response, it was said that a little thinking would unfold the reality behind what they possess in the form of wealth and children. These are no mercy and blessing for them. Instead, these are their trial and punishment in this world – not to say much about the additional punishment due in the Hereafter. It is not difficult to understand the reason. They love wealth, guard it and keep worrying as to how they can go on increasing it. They are never at peace. They collect things of

comfort around them but genuine peace and comfort never knock at their doors, for they are things of the heart. And since this engrossment in the pursuit of wealth makes them heedless towards the concerns of the Hereafter, they indulge in acts of disobedience to their Creator that in turn becomes the cause of their punishment. So, whether a cause or its effect, it remains a punishment. This is the reason why the Qur'an has used the words: لِيُعَذِّبَهُمْ بِهَا (to punish them with these) in the sense that Allah Ta'ālā wants to punish them by and through these very possessions.

The expression: أُولُوا الطَّوْلِ (ulu 'at-ṭaul: translated as 'the capable ones') (86) is not for particularization. Instead, it serves a purpose. It tells that there were others too, the ones not so capable. And the incapable ones had, at least, some obvious excuse to stay behind.

### Verse 90

وَجَاءَ الْمُعَذِّرُونَ مِنَ الْأَعْرَابِ لِيُؤْذَنَ لَهُمْ وَقَعَدَ الَّذِينَ كَذَبُوا  
اللَّهَ وَرَسُولَهُ سَيُصِيبُ الَّذِينَ كَفَرُوا مِنْهُمْ عَذَابٌ أَلِيمٌ ﴿٩٠﴾

**And the excuse-makers from the Bedouins came that they might be allowed (to stay behind), while those who were false to Allah and His Messengers (just) stayed behind. A painful punishment is about to fall upon those of them who disbelieve. [90]**

### Commentary

The details given in the verse tell us that there were two kinds of people among the Bedouins of the desert. First, there were those who visited the Holy Prophet صلى الله عليه وسلم and requested that they might be excused from Jihād and allowed to stay behind. Then, there were the arrogant and rebellious among them who did not even bother to take the trouble of excusing themselves out of it. They just stayed behind.

'When the Holy Prophet صلى الله عليه وسلم allowed Jadd ibn Qays that he may not go on Jihād,' says Sayyidnā Jābir ibn 'Abdullāh, رضى الله عنه, 'some hypocrites also came to him, offered their excuses and sought his permission to stay out of Jihād. As for the permission, he let them have it, but he did realize that they were making false excuses, therefore, he turned away from them. Thereupon, this verse was revealed.'

It made it clear that their excuse was unacceptable. Therefore, they were served with the warning of a painful punishment. However, by saying: الَّذِينَ كَفَرُوا مِنْهُمْ (those of them who disbelieve), a hint was given that the excuse given by some of them was not because of their disbelief or hypocrisy, rather, it was because of their natural laziness. So, they were not to be affected by the punishment to fall upon those disbelievers.

### Verses 91 - 93

لَيْسَ عَلَى الضَّعَفَاءِ وَلَا عَلَى الْمَرْضَى وَلَا عَلَى الَّذِينَ لَا يَجِدُونَ مَا يَنْفِقُونَ حَرَجٌ إِذَا نَصَحُوا لِلَّهِ وَرَسُولِهِ مَا عَلَى الْمُحْسِنِينَ مِنْ سَبِيلٍ وَاللَّهُ غَفُورٌ رَحِيمٌ ﴿٩١﴾ وَلَا عَلَى الَّذِينَ إِذَا مَا أَتَوْكَ لِتَحْمِلَهُمْ قُلْتَ لَا أَجِدُ مَا أَحْمِلُكُمْ عَلَيْهِ تَوَلَّوْا وَ أَعْيُنُهُمْ تَفِيضُ مِنَ الدَّمْعِ حَرَنًا أَلَّا يَجِدُوا مَا يُنْفِقُونَ ﴿٩٢﴾ إِنَّمَا السَّبِيلُ عَلَى الَّذِينَ يَسْتَأْذِنُونَكَ وَهُمْ أَغْنِيَاءُ رَضُوا بِأَنْ يَكُونُوا مَعَ الْخَوَالِفِ وَطَبَعَ اللَّهُ عَلَى قُلُوبِهِمْ فَهُمْ لَا يَعْلَمُونَ ﴿٩٣﴾

There is no blame on the weak, or on the sick, or on those who have nothing to spend, if they are sincere to Allah and His Messenger. There is no way against those good in deeds. And Allah is most Forgiving, Very Merciful. [91]

Nor (is there any blame) on those who - when they came to you so that you might provide them with a carrier and you said (to them), "I find no carrier to give to you" - went back, their eyes flowing with tears grieving that they had nothing to spend. [92]

Blame lies, in fact, on those who ask you permission despite being rich. They are happy being with women who sit back. And Allah has sealed their hearts; so they do not know. [93]

### Commentary

Previous verses mentioned people who were not really excusable from participation in Jihād but sat it out because of laziness. Then, there were hypocrites who had taken permission from the Holy Proph-

et صلى الله عليه وسلم under false pretexts because of their disbelief and hypocrisy. And then there were the arrogant ones who did not bother about excuses and permissions and just sat back. They were told there that they were not excusable and that there was a painful punishment waiting for those of them who practiced disbelief and hypocrisy.

The present verses mention sincere Muslims who were deprived of participation in Jihād because they were genuinely incapable of doing so. Some of them were blind, or sick, or handicapped. Their excuse was all too evident. Then, there were some of those who were ready to take part in Jihād, in fact, were 'dying' to go into the Jihād, but they could not make the trip because they did not have an animal to ride on. The journey was long and the weather was very hot. They told the Holy Prophet صلى الله عليه وسلم how eager they were to participate in the Jihād but how unfortunate that they had nothing to ride on. They requested him to see if they could have some mounts.

There are many events of this nature recorded in books of Exegesis and History. So, different things happened. To some of them who came initially, the Holy Prophet صلى الله عليه وسلم had no choice but to say that they had no arrangements to provide mounts to warriors. But, these people returned from him weeping and when they kept weeping in despair, Allah Ta'ālā took care of them in His own way. Six camels arrived before the Holy Prophet صلى الله عليه وسلم right at that time. He let them have these. (Maẓhari) Then, Sayyidnā 'Uthmān رضى الله عنه arranged mounts for three of them, although he had already made similar arrangements for many more of them earlier.

Ultimately, there were some of them still left out for the simple reason that they could not find a mount. Rendered totally helpless, they could do nothing about their aspirations for Jihād. These are the kinds of people mentioned in the cited verses whose excuse was accepted by Allah Ta'ālā. However, at the end, the warning was repeated by saying that particularly cursed are those who, despite their ability, elected to stay away from Jihād like women. The sentence: **إِنَّمَا السَّبِيلُ عَلَى الَّذِينَ يَسْتَأْذِنُونَكَ وَهُمْ أَغْنِيَاءُ** (Blame lies, in fact, on those who ask your permission despite being rich - 93) means exactly this.

#### Verses 94 - 96

يَعْتَذِرُونَ إِلَيْكُمْ إِذَا رَجَعْتُمْ إِلَيْهِمْ قُلْ لَا تَعْتَذِرُوا لَنْ نُؤْمِنَ

لَكُمْ قَدْ بَيَّنَّا اللَّهُ مِنْ أَخْبَارِكُمْ<sup>ط</sup> وَسَيَرَى اللَّهُ عَمَلَكُمْ وَرَسُولُهُ  
 ثُمَّ تَرَدُّونَ إِلَىٰ عِلْمِ الْغَيْبِ وَالشَّهَادَةِ فَيُنَبِّئُكُمْ بِمَا كُنْتُمْ  
 تَعْمَلُونَ ﴿٩٤﴾ سَيَحْلِفُونَ بِاللَّهِ لَكُمْ إِذَا انْقَلَبْتُمْ إِلَيْهِمْ  
 لَتَعْرِضُوا عَنْهُمْ<sup>ط</sup> فَأَعْرِضُوا عَنْهُمْ<sup>ط</sup> إِنَّهُمْ رَجَسٌ وَمَا وَهُمْ  
 بِجَهَنَّمَ جَزَاءً<sup>١</sup> بِمَا كَانُوا يَكْسِبُونَ ﴿٩٥﴾ يَحْلِفُونَ لَكُمْ لَتَرَضُوا  
 عَنْهُمْ<sup>٢</sup> فَإِنْ تَرَضُوا عَنْهُمْ<sup>٣</sup> فَإِنَّ اللَّهَ لَا يَرْضَىٰ عَنِ الْقَوْمِ  
 الْفَاسِقِينَ ﴿٩٦﴾

They will make excuses to you when you return to them. Say, “Do not make excuses. We shall never believe you. Allah has told us the facts about you. And Allah will see what you do, and His Messenger as well. Then you shall be returned to the Knower of the Seen and the Unseen, and He will tell you what you have been doing.” [94]

They will swear by Allah before you, so that you may ignore their misdeed. So, you ignore them. They are filth, and their abode is Jahannam, as a recompense for what they used to do. [95]

They swear before you so that you may be pleased with them. So, even if you are pleased with them, Allah will not be pleased with the sinning people. [96]

### Commentary

Mentioned in the previous verses were hypocrites who came up with false excuses at the time Jihād forces were getting ready to march out and succeeded in being allowed to stay behind. The present verses mention those who visited the Holy Prophet صلى الله عليه وسلم after his return from Jihād and offered false excuses for their absence from it. These verses had been revealed before his return to Madīnah and had told him beforehand about the forthcoming event, that is, the hypocrites will come to him as soon as he reaches Madīnah and will offer their excuses. And so it happened.

Three instructions about them have been given to the Holy Prophet صلى الله عليه وسلم in the verses cited above. These are as follows:

1. When they come to make excuses, they should be told that they

do not have to make false excuses for they were not going to be believed in their word. Allah Ta'ālā had already told the Holy Prophet ﷺ about the condition of their thinking and doing including the details of their wicked plans and secret intentions. This was enough to prove that they were liars, therefore, offering excuses makes no sense. After that, it was said: **وَسَيَرَى اللَّهُ عَمَلَكُمْ** (And Allah will see what you do...). Here, respite has been given to them so that they could still make their Tau-bah (repentance), renounce Nifaq (hypocrisy) and become true Muslims – because, the wording of the text stipulates that Allah and His Messenger shall see what they do and how they do it. In other words, action shall be taken in consonance with their behavior pattern. If they repented sincerely and became true Muslims, their sins shall stand forgiven. Otherwise, these false excuses were not going to do them any good.

2. The second instruction to the Holy Prophet صلى الله عليه وسلم appears in the second verse (95) where it has been said that these people will come to him after his return to Madīnah, impress him with their feigned oaths and try to satisfy him. What they would wish to achieve from this initiative is: **لِتُعْرِضُوا عَنْهُمْ** (so that you may ignore their misdeed), that is, 'ignore their absence from Jihād and spare the reproach due on it.' Thereupon, it was said that he might as well grant their wish. The text says: **فَاعْرِضُوا عَنْهُمْ** 'you ignore them.' Thus, the instruction carries the sense: 'neither reproach and admonish, nor deal with pleasantly' – because, reproach usually brings no good. When they have no faith in their heart – and they do not want to have it either – what would come out of reproach? So, why waste good time!

3. The third instruction given to the Holy Prophet صلى الله عليه وسلم appears in the third verse (96): "They swear before you so that you may be pleased with them." The order of Allah Ta'ālā is that their wish was not to be granted and he was not to be pleased with them. However, it was also said that, 'even if you were to be pleased with them, it was not going to work for them in any manner, because Allah is not pleased with them. And how could Allah be pleased with them when they are still adamant about their denial and hypocrisy?

#### Verses 97 - 99

الْأَعْرَابُ أَشَدُّ كُفْرًا وَنِفَاقًا وَأَجْدَرُ أَلَّا يَعْلَمُوا حُدُودَ مَا أَنْزَلَ

اللَّهُ عَلَى رَسُولِهِ وَاللَّهُ عَلِيمٌ حَكِيمٌ ﴿٩٧﴾ وَمِنَ الْأَعْرَابِ مَنْ  
يَتَّخِذُ مَا يُنْفِقُ مَغْرَمًا وَيَتَرْتَضِ بِكُمْ الدَّوَابِرَ عَلَيْهِمْ دَائِرَةٌ  
السَّوْءِ وَاللَّهُ سَمِيعٌ عَلِيمٌ ﴿٩٨﴾ وَمِنَ الْأَعْرَابِ مَنْ يُؤْمِنُ  
بِاللَّهِ وَالْيَوْمِ الْآخِرِ وَيَتَّخِذُ مَا يُنْفِقُ قُرْبًا عِنْدَ اللَّهِ وَصَلَاتِ  
الرَّسُولِ إِلَّا إِنَّمَا قُرْبَةٌ لَهُمْ سَيُدْخِلُهُمُ اللَّهُ فِي رَحْمَتِهِ إِنَّ  
اللَّهَ غَفُورٌ رَحِيمٌ ﴿٩٩﴾

The Bedouins are often more strict in disbelief and hypocrisy and are most likely to be ignorant of the limits of what Allah has sent down to His Messenger. And Allah is All-Knowing, Wise. [97]

And among the Bedouins there are those who take what they spend as a penalty and they look forward to the cycles of time to turn against you. Upon those is the evil cycle. And Allah is All-Hearing, All-Knowing. [98]

And among the Bedouins there are others who believe in Allah and in the Last Day and take what they spend as a source of nearness to Allah and of prayers from the Messenger. It is indeed a source of nearness for them. Allah will admit them to His mercy. Surely, Allah is Most Forgiving, Very Merciful. [99]

### Commentary

Described in the previous verses were the hypocrites of Madīnah. The present verses mention hypocrites who lived on the desert around the outskirts of Madīnah.

The word الاعراب (*al-a'rāb*) is not a plural form of العرب (*al-'arab*). It is جمع اسم (*ism al-jam'*: collective noun) and is used for the Bedouins of the desert. In its singular form, it becomes الاعرابي (*al-a'rābiyy*) – similar to (*al-anṣariyy*), the singular form of الانصار (*al-anṣār*).

According to their condition described in verse 97, they outdid city dwellers in disbelief and hypocrisy. The reason given is that these people generally remained ignorant and hard-hearted as they lived far away from knowledge and the knowledgeable. Then the text says: 'the Bedouins are more likely to be ignorant of the limits of what Allah has sent down.' It means that the very surroundings in which they live are such as would keep them in the dark about the limits set by Allah

through the revelation – because the Qur'an does not come before them, nor do they have access to its meanings, explanations and injunctions.

In the second verse (98) too, yet another aspect of the condition of these very Bedouins has been described as: 'those who take what they spend (in Zakāh etc.) as a penalty.' Why would they do so? The reason is that they hardly have any faith in their heart. When it comes to making Ṣalāh, they would, though, do that, but just to camouflage their disbelief. They would even fulfill the obligation of Zakāh, but their hearts would keep worrying as to why they had to put good money down the drain. Therefore, they always look forward to the time when Muslims are hit by some calamity or defeat that may possibly deliver them from having to pay this penalty. The word: الدوائر (*al-dawā'ir*: the cycles of time) is the plural of: دائرة (*dā'irah*). According to the Arabic lexicon, *dā'irah* is the changed state that shifts away from the good state into a bad one. Therefore, the Holy Qur'an says in response to them: عَلَيْهِمْ دَائِرَةُ السُّوءِ (upon them is the evil cycle). In other words, the evil state of affairs they wish would strike at Muslims is going to descend upon them all right – and, because their words and deeds are such, they will find themselves far more disgraced.

After having described the state of affairs prevailing among hypocrites of distant deserts, it was considered appropriate that the true and staunch Muslims from among the same stock of Bedouins should also be mentioned. This was done in verse 99 – very much in line with the typical style of the Qur'an – so that, it stands established that Bedouins too are not all alike. Among them, there are many sincere Muslims, and people of sense and discernment as well. Their style of life is different. When they give in obligatory alms (Zakāh) or in voluntary charities (Ṣadaqāt), they regard these as a source of nearness to Allah Ta'ālā and hope that the Holy Prophet صلى الله عليه وسلم would be praying for them.

That Ṣadaqāt are a source of nearness to Allah Ta'ālā is obvious. However, the hope of prayers from the Holy Prophet صلى الله عليه وسلم is on a different basis. It should be borne in mind that the Holy Qur'an – wherever it has asked the Holy Prophet صلى الله عليه وسلم to collect Zakāh on the wealth and property of Muslims – has also directed him that he should also pray for those who pay Zakāh. The forthcoming verse (103):

حُدِّ مِنْ أَمْوَالِهِمْ صَدَقَةٌ تُطَهِّرُهُمْ وَتُزَكِّيهِمْ بِهَا وَصَلَّ عَلَيْهِمْ (Take out of their wealth a Ṣadaqah [obligatory alms] through which you may cleanse and purify them, and pray for them) is a good example? The instruction to the Holy Prophet صلى الله عليه وسلم that he should pray for these people has been termed: وصل (and pray for them) using the word: صلاة (ṣalāt) for it. Therefore, in the present verse as well, the sense of the prayers of the Holy Prophet صلى الله عليه وسلم has been expressed by the use of the word: صلاة (ṣalāt).

### Verse 100

وَالسَّبِقُونَ الْأَوْلُونَ مِنَ الْمُهَاجِرِينَ وَالْأَنْصَارِ وَالَّذِينَ اتَّبَعُوهُمْ  
بِإِحْسَانٍ رَضِيَ اللَّهُ عَنْهُمْ وَرَضُوا عَنْهُ وَأَعَدَّ لَهُمْ جَنَّاتٍ تَجْرِي  
تَحْتَهَا الْأَنْهَارُ خَالِدِينَ فِيهَا أَبَدًا ذَلِكَ الْفَوْزُ الْعَظِيمُ ﴿١٠٠﴾

As for the first and foremost of the Emigrants and the Supporters and those who followed them in goodness, Allah is pleased with them and they are pleased with Allah, and He has prepared for them gardens beneath which rivers flow where they shall live for ever. That is the supreme success. [100]

### Commentary

The verse before this (99) carried a description of sincere and true Muslims among the Bedouins of the desert. The present verse mentions all sincere and true Muslims along with their relative degrees of excellence.

Let us begin with the opening statement: السَّبِقُونَ الْأَوْلُونَ مِنَ الْمُهَاجِرِينَ وَالْأَنْصَارِ (the first and foremost of the Emigrants and the Supporters). Most commentators have taken the preposition من (min) for *tab'īd* which denotes a part of something and may be translated as 'out of') and thus have set up two categories of the noble Ṣaḥābah from among the Emigrants (*al-muhājirīn*) and the Supporters (*al-anṣār*) – (1) 'the first and foremost,' then, (2) the rest of them.

This interpretation implies that it is only first category that is referred to in the above verse, i.e. 'the first and foremost'. Then, for identifying 'the first and foremost' the commentators have different views. Some consider 'the first and foremost' from among the noble Companions to be those who have offered their Ṣalāh by turning to both the Qiblahs, that is, those who had embraced Islām before the change of Qi-

blah were 'the first and foremost.' This is the view of Sa'īd ibn al-musayyab and Qatādah. 'Atā' ibn Abī Rabāḥ has said that 'the first and foremost' are the Ṣaḥābah who participated in the battle of Badr. Sha'bī said that the Ṣaḥābah who were a party to the Bai'atur-Riḍwān (the pledge taken at the time of the expedition of Ḥudaibiyah) are 'the first and foremost.' And according to each view, after respective 'first and foremost,' the rest of the Ṣaḥābah – *muhājir* (emigrant) or *anṣār* (supporter) – are in the second category. (Maḥzarī, Qurṭubī)

All these views were based on the interpretation that takes the preposition من (*min*) in this verse for *tab'id* as aforesaid. Tafsīr Maḥzarī has however, reported another interpretation. According to this interpretation, the preposition من (*min*) is not for *tab'id* here. It is rather for *bayan* which explains the preceding words and stands for 'that is'. The translation of the verse, in this case, would be as follows: "As for the first and the foremost people, that is, all the Emigrants (the Muhājirīn) and the supporters (the Anṣār)..." The sentence thus will mean that all the *muhājirīn* and the Anṣār are the first and foremost as compared to the rest of the Muslim community.

To sum up, in accordance with the first Tafsīr, there are two categories of Ṣaḥābah, being that of 'the first and foremost' and that of those who embraced Islām after the change of Qiblah or the battle of Badr or the Bai'atur-Riḍwān. The substance of the last Tafsīr is that the noble Ṣaḥābah, all of them, are but 'the first and the foremost' – because, their 'Imān (faith) is first and foremost as compared to that of the rest of the Muslim Ummah.

The second sentence of the verse: وَالَّذِينَ اتَّبَعُوهُمْ بِإِحْسَانٍ has been translated as 'and those who followed them in goodness.' It means Muslims who followed the footsteps of 'the first and foremost' precisely and perfectly in all fields of deeds and morals. According to the first Tafsīr of the first sentence, the first category belongs to those Emigrants and Supporters among Ṣaḥābah who embraced Islām after the change of Qiblah or the battle of Badr or the Bai'at of Ḥudaibiyah. After them, all Muslims fall in the second category, Muslims who followed the model set by the noble Ṣaḥābah in all matters of faith, deeds and morals honestly and staunchly right through the Last Day of Qiyāmah.

And according to the other Tafsīr, the expression: الَّذِينَ اتَّبَعُوا (those who followed them) includes great people who came after the noble Ṣaḥā-

bah and who are called *Tābi'ī* in the Islamic terminology. After these technically specified *Tābi'īn* or Successors of the *Ṣaḥābah*, included here are all Muslims who shall keep appearing right through the Last Day of *Qiyāmah* and who shall follow the noble *Ṣaḥābah* precisely and perfectly in purity of faith and goodness of deeds (*al-'Imān and al-'amal-as-ṣāliḥ*).

### All the *Ṣaḥābah* are the people of Jannah and are blessed with the pleasure of Allah

Someone asked Muḥammad ibn Ka'b al-Qurazī, 'what do you say about the noble Companions of the Holy Prophet صلى الله عليه وسلم?' He said, 'the *Ṣaḥābah*, all of them, are in Jannah – irrespective of whether mistakes and sins may have been committed by some of them.' The man again asked him, 'on what basis did you say that?' He said, 'Read this verse of the Holy Qur'an: *الْأَوَّلُونَ* (...the first and foremost...). Here, what has been said about all revered *Ṣaḥābah*, without any condition, is clear: *رضى الله عنهم ورضوا عنه* (Allah is pleased with them and they are pleased with Allah). However, a condition has been placed in the case of the *Tābi'īn* (the successor to the *Ṣaḥābah*), the condition of: *اتباع باحسان* (following with goodness). This tells us that the revered *Ṣaḥābah*, all of them, without any condition or restriction or exemption, stand in honor as recipients of Divine pleasure.

After reporting this statement, the author of *Tafsīr Mazharī* has said, 'in my view, the following verse carries a more solid proof of the fact that all revered *Ṣaḥābah* belong to Jannah : *لَا يَسْتَوِي مِنْكُمْ مَنْ أَنْفَقَ مِنْ قَبْلِ* *الْفَتْحِ وَقَتْلِ أَوْلِيَاءِ أَعْظَمُ دَرَجَةً مِنَ الَّذِينَ أَنْفَقُوا مِنْ بَعْدِ وَقَتْلِهِمْ وَكَذَلِكَ وَعَدَ اللَّهُ الْمُحْسِنِينَ* It has been fully and clearly stated in this verse that all revered *Ṣaḥābah*, first or the last, have been promised *al-ḥusnā*, that is, Jannah or Paradise.'

And in *Ḥadīth*, the Holy Prophet صلى الله عليه وسلم has been reported to have said, 'the fire of Jahannam (hell) cannot touch the Muslim who has seen me or has seen those who have seen me,' (Tirmidhī from Sayyidnā *Jābir* رضى الله عنه)

### A note of warning

People who criticize some revered *Ṣaḥābah* on the basis of what transpired during their mutual controversies with the aim of sowing seeds of suspicion and discord in the hearts of those who hold them in esteem are really treading a dangerous course. We seek the protection of Allah against it.

## Verse 101

وَمِمَّنْ حَوْلَكُم مِّنَ الْأَعْرَابِ مُنْفِقُونَ ۖ وَمِنْ أَهْلِ الْمَدِينَةِ مَرَدُوا  
عَلَى النِّفَاقِ ۖ لَا تَعْلَمُهُمْ ۖ نَحْنُ نَعْلَمُهُمْ ۖ سَنُعَذِّبُهُمْ مَّرَّتَيْنِ ثُمَّ  
يُرَدُّونَ إِلَىٰ عَذَابٍ عَظِيمٍ ﴿١٠١﴾

And among those Bedouins who are around you there are hypocrites, and among the people of Madīnah as well. They are adamant in hypocrisy. You do not know them. We know them. We shall punish them twice, then they shall be driven to a great punishment. [101]

## Commentary

Mentioned in several previous verses there are hypocrites whose hypocrisy stood exposed through their words and deeds, and the Holy Prophet صلى الله عليه وسلم did realize that they were hypocrites. Mentioned in the present verse appearing above there are hypocrites whose hypocrisy was so perfect in its camouflage that it remained hidden from the Holy Prophet صلى الله عليه وسلم until then. In this verse, two Divine punishments to come much before 'Ākhirah upon such diehard hypocrites have been mentioned. In the first instance, right here in this world, they are consumed by the concern to hide their hypocrisy and the fear that it may be exposed. Then, no less a punishment is their being under compulsion to respect and follow Islām and Muslims, at least outwardly, despite their extreme malice and hostility for them. And then, there is the other punishment, the punishment of the grave and the punishment of Barzakh (the post-death ~ pre-resurrection state) that will reach them well before Qiyāmah (doomsday) and 'Ākhirah (Hereafter).

## Verses 102 - 106

وَآخِرُونَ اعْتَرَفُوا بِذُنُوبِهِمْ خَلَطُوا عَمَلًا صَالِحًا وَآخَرَ سَيِّئًا ۗ  
عَسَى اللَّهُ أَن يَتُوبَ عَلَيْهِمْ ۗ إِنَّ اللَّهَ غَفُورٌ رَّحِيمٌ ﴿١٠٢﴾ ۖ خُذْ  
مِنْ أَمْوَالِهِمْ صَدَقَةً تُطَهِّرُهُمْ وَتُزَكِّيهِمْ بِهَا وَصَلِّ عَلَيْهِمْ ۗ إِنَّ  
صَلَوَاتِكَ سَكَنٌ لَّهُمْ ۗ وَاللَّهُ سَمِيعٌ عَلِيمٌ ﴿١٠٣﴾ ۖ أَلَمْ يَعْلَمُوا أَنَّ  
اللَّهَ هُوَ يَقْبَلُ التَّوْبَةَ عَنْ عِبَادِهِ وَيَأْخُذُ الصَّدَقَاتِ وَأَنَّ اللَّهَ  
هُوَ التَّوَّابُ الرَّحِيمُ ﴿١٠٤﴾ ۖ وَقُلْ اعْمَلُوا فَسَيَرَى اللَّهُ عَمَلَكُمْ

وَرَسُولُهُ وَالْمُؤْمِنُونَ وَسَتَرَدُونَ إِلَىٰ عِلْمِ الْغَيْبِ وَالشَّهَادَةِ  
 فَيُنَبِّئُكُمْ بِمَا كُنْتُمْ تَعْمَلُونَ ﴿١٠٥﴾ وَأَخْرَجُونَ مُرْجُونَ لِأَمْرِ اللَّهِ  
 إِمَّا يُعَذِّبُهُمْ وَإِمَّا يَتُوبُ عَلَيْهِمْ وَاللَّهُ عَلِيمٌ حَكِيمٌ ﴿١٠٦﴾

And there are others who admitted their sins while they had mixed a good deed with another that was evil. It is likely that Allah will relent towards them. Surely, Allah is Most Forgiving, Very Merciful. [102]

Take out of their wealth a *Ṣadaqah* (obligatory alms) through which you may cleanse and purify them. Surely, your prayer is peace for them. And Allah is (All-) Hearing, (All-) Knowing. [103]

Have they not come to know that Allah is He who accepts repentance from His slaves and takes the *Ṣadaqāt*, and that Allah is Most-Relenting, Very-Merciful. [104]

And say, “Do (what you do) Allah will see your deed, as will the Messenger and the believers.” And you shall be returned to the Knower of the Seen and the Unseen, then He will tell you what you have been doing. [105]

And there are others whose matter is deferred till the command of Allah (comes): either He punishes them or relents towards them. And Allah is All-Knowing, Wise. [106]

## Commentary

When Muslims were given a general call for Jihād at Tabūk, the weather was extremely hot. The journey was long and they were supposed to be up against the trained army of a big state, the first such episode in Islāmic history. These were some of the causes why people split into different groups.

The first group was that of sincere Muslims who got ready for Jihād without any hesitation at the very first call. Another group first hesitated initially, then joined in. They are the ones mentioned in: **الَّذِينَ اتَّبَعُوهُ فِي سَاعَةِ الْعُسْرَةِ مِنْ بَعْدِ مَا كَادَ يَزِيغُ قُلُوبَ فَرِيقٍ مِّنْهُمْ** (who followed him in the hour of hardship after the hearts of a group of them were about to turn crooked – 9:117).

The third group was that of people who were genuinely handicapped because of which they could not go. They have been mentioned

in : كَيْسَ عَلَى الضَّعَفَاءِ (There is no blame on the weak – 9:91). The fourth group belonged to sincere Muslims who had no excuse yet they did not take part in the Jihād because of laziness. They have been mentioned in وَالْآخِرُونَ اعْتَرَفُوا (And there are others who admitted – 9:102) and الْآخِرُونَ مَرْجُونَ (And there are others whose matter is deferred – 9:106) under study now. The fifth group was that of hypocrites who did not participate in the Jihād because of hypocrisy. They have been mentioned at several places in the previous verses. In short, the fifth group of hypocrites featured mostly in previous verses while the present verse (102) mentions people in the fourth group, that is, those who, despite being true Muslims, did not participate in the Jihād because of laziness.

It was said in the first verse (102) that some had admitted their sins. Their deeds were mixed. Some of their deeds were good while some others were bad. For them, there was hope that Allah Ta‘ālā may accept their repentance. Sayyidnā ‘Abdullāh ibn ‘Abbās رضى الله عنه said, ‘Ten persons did not go for the battle of Tabūk. They had no valid excuse for it. Later, they were sorry for what they had done. Seven of them tied themselves up to the pillars of the Mosque of the Holy Prophet صلى الله عليه وسلم resolving that they would continue to remain tied as they were like prisoners until the Holy Prophet صلى الله عليه وسلم were to accept their repentance and untie them. All narratives of the incident agree that Sayyidnā Abū Lubābah رضى الله عنه was one of them. As for other names, narratives differ.

When the Holy Prophet صلى الله عليه وسلم saw them so tied up and he was told that they had resolved to remain tied until the Holy Prophet صلى الله عليه وسلم unties them, he said, ‘By Allah, I too shall not untie them until Allah Ta‘ālā orders me to do that. The crime is serious.’ Thereupon, this verse (102) was revealed and the Holy Prophet صلى الله عليه وسلم ordered that they be untied. They were. (Qurṭubī)

According to a narrative of Sa‘īd ibn al-Musaiyyab, when people went to untie Sayyidnā Abū Lubābah رضى الله عنه, he refused and said, ‘I shall remain tied until the Holy Prophet صلى الله عليه وسلم does not, with his pleasure, untie me with his own blessed hands.’ So, when he came for the Fajr Ṣalāh, he himself untied him.

### What were these mixed deeds?

It has been said in the verse that they had mixed a good deed with another that was evil. Obvious among the good ones were ‘Imān, Ṣalāh,

and Fasting. Then, they had participated in earlier battles with the Holy Prophet صلى الله عليه وسلم. And then, following this battle of Tabūk in which they could not participate, they had admitted their misconduct, were ashamed of it and had repented. As for the evil ones, they had not participated in the battle of Tabūk and thus they had acted in a manner that resembled the approach of the hypocrites.

### Mixed Deeds of all the Muslims are governed by the same rule

It appears in Tafsīr al-Qurṭubī that this verse though revealed about a particular group, is universal in its application and the injunction it carries is valid until the day of Qiyaamah. It covers Muslims whose deeds are a mixture of the good and the bad. If they were to repent from their sins, it can be hoped that they shall be pardoned and forgiven.

Abū ‘Uthmān رضى الله عنه has said, ‘this verse of the Holy Qur’ān brings great hope for this *ummah*.’ A detailed Ḥadīth relating to the Ascension of the Holy Prophet صلى الله عليه وسلم appearing in the Ṣaḥīḥ of Al-Bukhārī on the authority of Sayyidnā Samurah ibn Jundub رضى الله عنه says, ‘On the seventh heaven, when the Holy Prophet صلى الله عليه وسلم met with Sayyidnā Ibrāhīm عليه السلام, he saw some people with him whose faces were bright. And some of them had some spots and stains on their faces. When these people went into a stream and came out all washed up, their faces had also turned bright. The Archangel Jibra’īl told the Holy Prophet صلى الله عليه وسلم that these people with bright faces you saw first were those who had professed faith and then kept clean from sins: *الَّذِينَ آمَنُوا وَلَمْ يَلْبِسُوا إِيمَانَهُمْ بِظُلْمٍ* (those who have believed and have not mixed their faith with injustice – 6:82). The others were people who did what was a mixture of good and evil, but repented later. Allah accepted their repentance and their sins were forgiven.’ (Qurtubī)

The imperative: *خُذْ مِنْ أَمْوَالِهِمْ صَدَقَةً*: “Take out of their wealth a Ṣadaqah (obligatory alms)” in the second verse (103) has its background. Some people, as mentioned a little earlier, had stayed back from the battle of Tabūk without a valid excuse. Then, out of remorse, they had tied themselves to the pillars of the Mosque. Then came the acceptance of their repentance as revealed in the previous verse (102) and they were released from their self-imprisonment. When this happened, they presented their entire wealth as a token of their gratitude so that it could

be given out as *Ṣadaqah*. The Holy Prophet صلى الله عليه وسلم refused to accept it by saying that he did not have the authority to take it. Thereupon, this verse (103): *خُذْ مِنْ أَمْوَالِهِمْ* (Take out of their wealth a *Ṣadaqah*) was revealed and he accepted to take one third of it as *Ṣadaqah*. He did not take the entire wealth, rather, took a part of it – as indicated in the verse. The preposition *من* (*min*: out of) proves it.

### Collection and disbursement of Zakāh is the responsibility of an Islamic State

Though, according to the background of the revelation, the collection of *Ṣadaqah* was to be made from a particular group of people but, the words being general, they have universal application.

This is the view preferred in Tafsīr al-Qurṭubī, Aḥkām al-Qurʾān by al-Jaṣṣāṣ, Tafsīr Maḏharī and others. Al-Qurṭubī and Al-Jaṣṣāṣ has gone on to further explain it. According to them, even if the same particular event is taken to be the cause of the revelation in this verse, still then, in terms of the Qurʾānic principle, this injunction shall remain general – and shall remain binding on Muslims right through the day of Qiyāmah. The reason is that most of the injunctions of the Holy Qurʾān were revealed in the background of one or the other particular event, but nobody has ever held that their application remains restricted to that particular event. In fact, unless there is a certain proof of its particularization, that injunction is invariably regarded as universally applicable to all Muslims.

On the basis of the same principle, the entire Muslim *ummah* agrees that, though the address in this verse is to the Holy Prophet صلى الله عليه وسلم, yet this injunction is neither restricted to him, nor to his period of time. Instead of that, every such person who will succeed the Holy Prophet صلى الله عليه وسلم as the Amīr of Muslims shall be the addressee of this injunction, and the assignee to carry it out. It will be one of his duties that he administers the collection of Zakāh and *Ṣadaqāt* paid by Muslims and ensures that these are disbursed on authorized heads.

Even in the event of Jihād declared against those who refused to pay Zakāh during the initial stage of the Caliphate of Sayyidnā Abū Bakr رضى الله عنه, there were some non-payers of Zakāh who had openly rebelled against Islām and had turned apostates. Then, there were

some others who called themselves Muslims and did not refuse that Zakāh was a religious obligation, but the excuse they made for not paying Zakāh was that the authority given to the Holy Prophet ﷺ to collect Zakāh from them was valid during the life of the Holy Prophet ﷺ only, and they kept paying Zakāh that time. Now, after he has passed away, they questioned, what right did Abū Bakr have to demand Zakāh and Ṣadaqāt from them? In the beginning, Sayyidnā ‘Umar رضى الله عنه hesitated about waging Jihād against them for the reason that they were after all Muslims who wanted to avoid paying Zakāh under the cover of a verse of the Qur’an – therefore, they should not be treated in the manner usual apostates are treated. But, Sayyidnā Abū Bakr رضى الله عنه had reached an irrevocable decision. He said, ‘we shall wage Jihād against anyone who will differentiate between Ṣalāh and Zakāh.’

This gave a clear hint. Today people say that the injunction of Zakāh is particular to the Holy Prophet ﷺ and that it stands dropped after his demise. Tomorrow they may say that Ṣalāh too was particular to the Holy Prophet ﷺ – because, a verse of the Qur’an reads: *أَمِ الصَّلَاةَ: إِذْ يُدْرِكُ الشَّمْسُ* (Establish prayer at the decline of the sun – 17:78) where the Holy Prophet ﷺ is the addressee. But, the injunction of the verse of prayer is universal. It applies to the entire Muslim *ummah*. So, this verse cannot save those who wrongly interpret it as being particular to the Holy Prophet ﷺ from becoming *kāfirs*. Similarly, this interpretation in the verse: *خُذْ مِنْ أَمْوَالِهِمْ* (Take out of their wealth a Ṣadaqah) will not save them from *kufr* and apostasy. Thereupon, Sayyidnā ‘Umar رضى الله عنه was also satisfied and it was with the consensus of the Ṣaḥābah that Jihād was launched against them.

### **Zakāh is ‘Ibādah, not a government tax**

In the statement: *خُذْ مِنْ أَمْوَالِهِمْ* (Take out of their wealth) appearing soon after: *صَدَقَةً تُطَهِّرُهُمْ وَتُزَكِّيهِمْ بِهَا* (a Ṣadaqah [obligatory alms] through which you may cleanse and purify them) in verse 103 of the Holy Qur’an, there is a clear hint that Zakāh and Ṣadaqāt are not like taxes that governments collect to run the system. The truth of the matter is that their purpose is to cleanse the men of wealth themselves from sins.

At this point, it should be noted that the collection of Zakāh and Ṣadaqāt yields two benefits. The first benefit is received by the owner of the wealth himself through which he comes out clean from sins and

from the germs of moral diseases that are generated by the greed for wealth. As for the other benefit, it provides support for the weaker components of the society, people who are incapable of finding what they need to eke out an existence. Orphaned children, widows, crippled and handicapped men and women, common people who are poor and needy are obvious examples.

But, at this place, the Holy Qur'ān has told us about the first benefit only. Thus, by confining itself in that manner, it has also given the indication that the first benefit is what happens to be the real objective of *Zakāh* and *Ṣadaqāt*. The second benefit comes as a corollary. Therefore, in the event there is no orphan, widow, or a poor or needy person present at any place or time, still then, the injunction of *Zakāh* as applicable to the wealthy will not stand dropped.

What has been stated here has its support in the practice of past communities. When some part of wealth or property was set aside for Allah, its use became impermissible for everyone. Rather, according to the custom, this offering was put at some detached place where came a lightning from the heavens and burnt it up. This was a sign that Allah Ta'ālā has accepted the *Ṣadaqah*. When this heavenly fire did not come, it was supposed to be a sign of the *Ṣadaqah* remaining unacceptable. Nobody would then touch this ill-omened property.

This makes it clear that the legal enforcement of *Zakāh* and *Ṣadaqāt* is not exclusively designed to alleviate the suffering of needy people. In fact, it is a financial obligation and an act of *'Ibādah* – very similar to praying and fasting that are acts of physical *'Ibādah*. This is one of the distinctions of the blessed community of Muslims that their poor and needy have been allowed to use wealth set aside in the way of Allah. A Ṣaḥīḥ Ḥadīth from Muslim reports its confirmation from the Holy Prophet صلى الله عليه وسلم.

### A question and its answer

A question arises here – when the repentance of these gentlemen was accepted following the event mentioned above, it stands established that sins were forgiven and purification was accomplished through the very act of repentance. What then, would be the sense of declaring that a portion from their wealth was being taken to purify them?

The answer is that the sin has, no doubt, been forgiven by virtue of the repentance, but it is quite possible that it may have left behind some residual effects following the forgiveness of sin which could become the cause of falling into sin. *Ṣadaqah* removes such residual effects and makes purification perfect.

The word: صلوة (*ṣalāh*) used in the expression: وَصَلِّ عَلَيْهِمْ (and pray for them – 103) means praying for Allah's mercy. This corresponds to what has been reported from the Holy Prophet صلى الله عليه وسلم – that he prayed for some people by using this very word: *ṣalāh*, for example: اللَّهُمَّ صَلِّ عَلَى آلِ أَبِي أَوْفَى (O Allah, bless the family of Abū Awfā) as is reported in a Ḥadīth. But, later on the use of the word: *ṣalāt* became special to prophets, may peace be upon them. Therefore, Muslim jurists say that now one should not pray for anyone using the word: *ṣalāh*. Instead, the use of this word should be limited to prophets to avoid any ambiguousness or doubt.<sup>1</sup> (Bayān al-Qur'ān etc.)

Here we see that the Holy Prophet صلى الله عليه وسلم has been asked to pray for those who give *Ṣadaqah*. On this basis, some Muslim jurists rule that it is *wājib* (obligatory, necessary) for the Muslim head of the state (Imām, 'Amīr) to pray for those who give *Ṣadaqah*. However, there are others who take this command to be of a recommendatory nature (*mustaḥabb*: recommended). (Qurtūbī)

Let us now turn to the statement: وَالْأَخْرُورَ مُزَجَّوْنَ لِأَمْرِ اللَّهِ (And there are others whose matter is deferred till the command of Allah – 106). We already know that seven of the ten believers, who had missed the battle of Tabūk without a valid excuse, had demonstrated their heart-felt remorse by tying themselves up to the pillars of the Prophet's Mosque. The injunction which covers them appeared in the first verse (102): الْأَخْرُورَ ائْتَرْتُمُوهُمُ (And there are others who admitted their sins). Verse 106 is now referring to the other three gentlemen who had not done what the group of seven had done in the *Masjid*. Thus, they had not admitted their misconduct openly. In their case, the Holy Prophet صلى الله عليه وسلم ordered his Companions to see that Muslims boycott them by not talking to them. When things reached those limits, they learnt their les-

1. However, it is permissible to use this word for others in conjunction with a prophet. It is therefore allowed to say, اللَّهُمَّ صَلِّ عَلَى مُحَمَّدٍ وَعَلَى آلِهِ وَأَصْحَابِهِ (Muhammad Taqi Usmani)

son, confessed to their misconduct and repented sincerely, following which orders were given for their pardon. (Ṣaḥīḥ al-Bukhārī and Muslim)

### Verses 107 - 110

وَالَّذِينَ اتَّخَذُوا مَسْجِدًا ضِرَارًا وَكُفْرًا وَتَفْرِيقًا بَيْنَ الْمُؤْمِنِينَ  
وَارْصَادًا لِمَنْ حَارَبَ اللَّهَ وَرَسُولَهُ مِنْ قَبْلُ وَلَيَحْلِفُنَّ إِنْ  
أَرَدْنَا إِلَّا الْحُسْنَىٰ وَاللَّهُ يَشْهَدُ إِنَّهُمْ لَكَاذِبُونَ ﴿١٠٧﴾ لَا تَقُمْ  
فِيهِ أَبَدًا لِمَسْجِدٍ أُسِّسَ عَلَى التَّقْوَىٰ مِنْ أَوَّلِ يَوْمٍ أَحَقُّ أَنْ  
تَقُومَ فِيهِ فِيهِ رِجَالٌ يُحِبُّونَ أَنْ يَتَّطَهَّرُوا وَاللَّهُ يُحِبُّ  
الْمُطَهَّرِينَ ﴿١٠٨﴾ أَمْ مَنْ أَسَّسَ بُنْيَانَهُ عَلَى تَقْوَىٰ مِنَ اللَّهِ  
وَرِضْوَانٍ خَيْرٍ أَمْ مَنْ أَسَّسَ بُنْيَانَهُ عَلَى شَفَا جُرْفٍ هَارٍ فَأَنْهَارُ  
بِهِ فِي نَارِ جَهَنَّمَ وَاللَّهُ لَا يَهْدِي الْقَوْمَ الظَّالِمِينَ ﴿١٠٩﴾  
لَا يَزَالُ بُنْيَانُهُمُ الَّذِي بَنَوْا رِيبَةً فِي قُلُوبِهِمْ إِلَّا أَنْ تَقَطَّعَ  
قُلُوبُهُمْ وَاللَّهُ عَلِيمٌ حَكِيمٌ ﴿١١٠﴾

And (there are) those who have built a mosque to cause mischief and infidelity and to create dissention among the believers and to make preparations for one who has been at war with Allah and His Messenger even before. And they will certainly swear (and say), "We intended nothing but good." And Allah testifies that they are liars. [107]

Do not ever stand there (in prayer). In fact, the mosque that was founded on *Taqwā* (piety) from the very first day is more-worthy that you stand there. In it there are people who like to observe purity; and Allah loves those observing purity. [108]

Is, then, a person who has founded his building on fear from Allah and His pleasure better or the one who has founded his building on the edge of an abyss about to collapse, so it did collapse with him into the fire of Jannaham? And Allah does not give guidance to the unjust people. [109]

The building they have made shall always remain a

source of doubt in their hearts unless their hearts are cut into pieces. And Allah is All-Knowing, Wise. [110]

### Commentary

Anti-Islām activities of hypocrites have been described in several previous verses. The present verses mention yet another conspiracy hatched by them. It has been reported that there was a man in Madīnah. His name was Abū 'Āmir. He had become a Christian during the days of Jāhiliyyah and was known as Abū 'Āmir the Rāhib (that is, a monk). This is the same Abū 'Āmir whose son Hanẓalah رضى الله عنه is a well-known Ṣaḥābī whose dead body was washed by angels and which gave him the sobriquet of 'the one who was bathed by angels.' But, the father stuck by his error and remained a Christian.

When the Holy Prophet صلى الله عليه وسلم came to Madīnah, Abū 'Āmir the Rāhib visited him and criticized Islām. Even the answers given by the Holy Prophet صلى الله عليه وسلم did not satisfy this unfortunate man. In fact, he said, 'may the liar between the two of us be cursed and die in travel far away from friends and relatives.' He also said, 'I shall be there to help any aggressor against you.' And so he did. He fought on the side of the enemies of Muslims in all battles right through the battle of Ḥunain. When the big and strong tribe of Hawāzin too was defeated, he lost hope. He ran away to Syria, the stronghold of Christians where he died far away from his friends and relatives. The prayer he had made was before him. When disgrace is destined for someone, this is how he acts. His own prayer brought that disgrace upon him.

But, as long as he lived, he remained busy hatching conspiracies against Islām and Muslims. He virtually tried to induce the Byzantine ruler to attack Madīnah and expel Muslims from there.

One aspect of this conspiracy materialized when he wrote a letter to the hypocrites of Madīnah with whom he had a sinister understanding. He told them that he was working on the Byzantine ruler to attack Madīnah. But, it was necessary to have group strength to lend local support to the invader. For this purpose, he suggested that they should make a building right there in Madīnah giving people the impression that they were building a mosque so that Muslims do not get to be suspicious. After that, they should get their men together in this place and collect as much of weapons and supplies as they could. He

wanted this to become an undercover center where his accomplices would be conducting their activities against Muslims by mutual consultation.

It was on his suggestion that twelve hypocrites got together in Qubā', a locality of Madīnah where the Holy Prophet صلى الله عليه وسلم had first stayed during his *hijrah* and where he had built a *masjid*. They chose the same place to lay the foundation of another '*masjid*.' Ibn Ishāq and others have also reported the names of these hypocrites. Then, to keep Muslims under deception, the hypocrites made a plan that they would have the Holy Prophet صلى الله عليه وسلم lead a Ṣalāh in congregation at their so-called *masjid* so that all Muslims are convinced that this new place was also a *masjid* very much like the one built there earlier.

A delegation from them came to the Holy Prophet صلى الله عليه وسلم. They pleaded that the existing Masjid of Qubā' was far away. It was difficult for old and sick people to reach there. Moreover, they argued, the Masjid of Qubā' itself was not spacious enough to accommodate all residents of the locality. Therefore, they claimed, they had founded another *masjid* for that purpose so that older Muslims may benefit by it. Finally, (releasing their punch line) they said, 'please lead a Ṣalāh in this '*masjid*' so that it stands blessed!'

That was a time when the Holy Prophet صلى الله عليه وسلم was getting ready for the battle of Tabūk. He told them that he would be unable to do that as he was about to leave the city but he promised that he would pray there when he returned.

However, on his return from the battle of Tabūk, when he camped at a place close to Madīnah, the verses cited above were revealed to him which had exposed the conspiracy of these hypocrites. After the revelation of these verses, the Holy Prophet صلى الله عليه وسلم ordered some of his Companions, 'Āmir ibn Sakan, Waḥshī, the killer of Ḥamzah and others, to go, demolish and burn the structure (of the ill-intentioned '*masjid*'). So these gentlemen took off, carried out the orders and the structure was leveled flat on the ground. (This event has been abridged from narratives reported in Tafsīr al-Qurtubī and Mazhari.)

Quoting Muḥammad ibn Yūsuf Ṣāliḥī, Tafsīr Mazhari also reports that the site of Masjid Dīrār was still lying vacant at the time the Holy