

قال الشافعى و مالك و أبو حنيفة وأحمد و جماهير العلماء من السلف
والخلف يقع الثلاث ، وقال طاؤس وبعض أهل الظاهر: لا يقع بذلك إلا
واحدة (شرح مسلم ج ١ ص ٤٧٨)

Imām al-Shāfi‘ī, Imām Mālik, Imām Abū Hanīfah, Imām Ahmad and a large number of earlier and later ‘*ulamā*’ have said that three talaqs do become effective. And Tāwūs and some Zāhiri adherents have said what becomes effective with this is one *ṭalāq* only. (Sharḥ Muslim, page 475, volume 1)

Imām al-Tahāwī says in Sharḥ Ma‘ānī al-Athār:

فخاطب عمر رضى الله عنه بذلك الناس جميعا ، وفيهم أصحاب رسول
الله صلى الله عليه وسلم، رضى الله عنهم الذين قد علموا ما تقدم من
ذلك فى زمن رسول الله صلى الله عليه وسلم، فلم ينكر عليه منهم منكر
ولم يدفعه دافع . (شرح معانى الانارج ٢ ص ٢٩)

So, Sayyidnā ‘Umar addressed people on this subject publicly, and present among those were Companions of the Holy Prophet ﷺ who knew about the method practiced prior to this during the time of the Holy Prophet ﷺ. But no one from among them challenged it and no one from among them rejected it. (Sharḥ al-Ma‘ānī p. 29, v.2)

In the event cited above, no doubt, the course of action for the Muslim community has been laid down with the consensus of *Ṣaḥābah* and *Tābi‘īn*, warning that giving three talaqs simultaneously is certainly a cause of the anger of the Holy Prophet ﷺ, and therefore undesirable, but despite this, anyone who commits this mistake will end up finding that his wife has become unlawful for him, and thereafter, not to become lawful again, unless she goes through the process of marriage and divorce with another man.

Intellectually and theoretically, two questions arise here. First: As stated earlier with the support of several *ḥadīth* reports, it stands proved that the Holy Prophet has himself enforced three talaqs on those who gave three talaqs simultaneously. They were not permitted by him to revoke the divorce pronouncements or enter into a fresh marriage contract. What would then be the meaning of what Sayyidnā ‘Abdullāh ibn ‘Abbās said in relation to this incident, that is, during the times of the Prophet, during the Siddiqī caliphate, and upto to two

years, during the Fārūqī caliphate, three ṭalāqs were taken as one when Sayyidnā Fārūq al-A'zām gave the ruling about three ṭalāqs.

The second question is that if it is accepted that three ṭalāqs were taken as one during the times of the Holy Prophet and the Siddiqi caliphate, how it was that Sayyidnā Fārūq al-A'zām رضى الله عنه changed this decision? And even if, supposedly, a mistake was made by him, how did all the *Ṣaḥābah* present there accept it?

Both these questions have been answered variously by respected *fuqahā'* and *muhaddithīn*. The most clear and unburdened answer given is the one by Imam Nawawi which he has reported in *Sharh Muslim* calling it 'the most authentic (اصح)' suggesting that this executive order of Sayyidnā Fārūq al-A'zām and the total agreement (اجماع) of the noble *Ṣaḥābah* upon it, should be related to a particular form of three ṭalāqs in which someone might say three times: 'You are divorced, you are divorced, you are divorced' -- or he might say: 'I divorce you, I divorce you, I divorce you'.

This situation, meaning-wise, has two possibilities. (1) The pronouncer may have said these words with the intention of giving three ṭalāqs. (2) The three repeated pronouncements were simply for the sake of emphasis without any intention of giving three ṭalāqs, and it is obvious that the knowledge of intention can come only through the statement of the pronouncer. During the blessed times of the Holy Prophet ﷺ truth and honesty were common and dominant. If, after using such words, someone stated that he did not intend to give three ṭalāqs, instead, the words were said repeatedly just for the sake of emphasis, the Holy Prophet ﷺ would then confirm his sworn statement and rule that this was only one ṭalāq.

This is corroborated by the *ḥadīth* of Sayyidnā Rukāna رضى الله عنه which says that he had divorced his wife with the word, '*albattah*'. This word was spoken for three ṭalāqs in common Arab usage but the sense of three was not clear in it. Sayyidnā Rukāna رضى الله عنه said: 'I never intended three ṭalāqs with this word. In fact, I wanted to give one ṭalāq'. The Holy Prophet ﷺ put him on oath to which he swore. Then, he ruled it to be only one ṭalāq.

This *ḥadīth* appears in al-Tirmidhī, Abū Dāwūd, Ibn Majah and al-Dārimi with different chains of authorities and in different words. Some of the words also indicate that Sayyidnā Rukāna رضى الله عنه had given three ṭalāqs to his wife. But, Abū Dāwūd has preferred the position that Sayyidnā Rukāna, in reality, had given ṭalāq by using the

word '*albattah*' (البتة). Since this word was used for three *ṭalāqs* in common usage, some narrator has interpreted it as three *ṭalāqs*.

In any case, this *ḥadīth* proves, as generally agreed upon, that the Holy Prophet ﷺ ruled Sayyidnā Rukāna's *ṭalāq* to be one only when he declared on oath that he did not intend to give three *ṭalāqs*. This too, indeed, proves that he had not pronounced the words of three *ṭalāqs* explicitly and clearly, otherwise there would have remained no possibility of his having not intended three *ṭalāqs* and consequently, there would have been no need to question him.

The incident clarifies that if the words of *ṭalāq* had two possibilities about whether the husband had actually intended to give three *ṭalāqs* or he had used the words of divorce thrice just for the sake of emphasis, and had actually intended to give one *ṭalāq* only, the Holy Prophet ﷺ ruled only after a solemn declaration under oath, that it was one because those were the days of truth and honesty and the chance that someone would take a false oath was far too remote.

This practice continued during the caliphate of Sayyidnā Siddiq al-Akbar and during the first two years of the caliphate of Sayyidnā Fārūq al-A'zām. It was during his time that Sayyidnā Fārūq al-A'zām realized that the standard of truth and honesty was on the decline now, and according to the prophecy made in *ḥadīth* will further decline in the future. On the other hand, incidents became numerous wherein those who pronounced the words of divorce three times started declaring that their intention was that of one *ṭalāq* only. It was then realized that should the practice of ruling (three *ṭalāqs* as) one *ṭalāq* following confirmation of the statement of intent by the pronouncer of *ṭalāq* continue like this into the future, it will not be too far when people start misusing this concession given by the Shari'ah and go about lying that their intention was for one *ṭalāq* just to take a wife back. All *Ṣaḥābah*, finding the intelligence and far-sightedness of Sayyidnā Fārūq al-A'zām in the management of religion (*dīn*) as correct, agreed with him. These were blessed people who knew the thinking of the Holy Prophet ﷺ. They came to the conclusion that, should he be present in their particular time, surely he too, would not rule on the basis of the intention hidden in hearts and on the statement given by the person concerned. Therefore, the law he made

for this purpose declared that whosoever repeats the word of *ṭalāq* three times will find his very three *ṭalāqs* ruled as effective. His contention -- that he had intended to give only one *ṭalāq* -- would not be considered (in the courts) as valid.

In the foregoing incident related to Sayyidnā Fārūq al-A'zām, the words of the report themselves confirm the subject under discussion. He said:

إن الناس قد استعجلوا في أمر كانت لهم فيه اناة فلو أمضينا عليهم

People are becoming haste-prone in a matter in which there was a room for deferment for them. Therefore, it would be appropriate if we enforce it on them.

This explanation of the executive order of Sayyidnā Fārūq al-A'zām رضى الله عنه , and the consensus of the noble *Ṣaḥābah* on it, is confirmed by *Ḥadīth* reports as well. It automatically supplies answers to the two questions referred to above.

The problem is resolved as we know that a particular *ṭalāq* (divorce) given by the word 'three', or the repetition of the word *ṭalāq* with the intention of 'three', were ruled as three after all -- even during the time of the Holy Prophet ﷺ . The ruling of 'one' concerns a *ṭalāq* in which *thalāth* or 'three' is not mentioned clearly or in which the act of giving three *talaqs* is not admitted and instead, it is claimed that the count of three was for emphasis only.

Then the other question -- when the Holy Prophet ﷺ had already ruled three divorce pronouncements to be one, why did Sayyidnā 'Umar رضى الله عنه act otherwise and how did the noble Companion agree with it? -- is also eliminated because, in this particular situation, Sayyidnā 'Umar has blocked the indiscriminate use of the leave given by the Holy Prophet ﷺ . God forbid, there is no trace of doubt here about any decision of the Holy Prophet ﷺ having been reversed.

Now that all doubts have been removed, let Allah be praised. The purpose here does not warrant going into comprehensive and exhaustive details on the subject of three *talaqs*. That appears in extensive details in *Ḥadīth* commentaries and several '*ulamā* have explained it in detailed treatises. Here, this much is sufficient to understand the subject. And Allah is our supporter and helper.

Verses 231 - 232

وَإِذَا طَلَّقْتُمُ النِّسَاءَ فَبَلَغْنَ آجَلَهُنَّ فَامْسِكُوهُنَّ بِمَعْرُوفٍ أَوْ
 سَرِّحُوهُنَّ بِمَعْرُوفٍ وَلَا تُمْسِكُوهُنَّ ضِرَارًا لِّتَعْتَدُوا وَمَنْ
 يَفْعَلْ ذَلِكَ فَقَدْ ظَلَمَ نَفْسَهُ وَلَا تَتَّخِذُوا آيَاتِ اللَّهِ هُزُوًا
 وَادْكُرُوا نِعْمَتَ اللَّهِ عَلَيْكُمْ وَمَا أَنْزَلَ عَلَيْكُمْ مِنَ الْكِتَابِ
 وَالْحِكْمَةِ يَعِظُكُمْ بِهِ وَاتَّقُوا اللَّهَ وَاعْلَمُوا أَنَّ اللَّهَ بِكُلِّ شَيْءٍ
 عَلِيمٌ ۝ وَإِذَا طَلَّقْتُمُ النِّسَاءَ فَبَلَغْنَ آجَلَهُنَّ فَلَا تَعْضُلُوهُنَّ أَنْ
 يَنْكِحْنَ أَزْوَاجَهُنَّ إِذَا تَرَاضَوْا بَيْنَهُمْ بِالْمَعْرُوفِ ذَلِكَ يُوعِظُ بِهِ
 مَنْ كَانَ مِنْكُمْ يُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الْآخِرِ ذَلِكَمْ أَزْكَى لَكُمْ
 وَأَطْهَرُ وَاللَّهُ يَعْلَمُ وَأَنْتُمْ لَا تَعْلَمُونَ ۝

And when you have divorced women, and they have reached (the end of) their waiting period, then, either retain them as recognized or release them as recognized. And do not retain them with wrongful intent resulting in cruelty on your part. And whoever does this actually wrongs his own self. And do not take the verses of Allah in jest, and remember the grace of Allah on you and what He has revealed to you of the Book and the wisdom giving you good counsel thereby. And fear Allah, and be sure that Allah is all-knowing in respect of everything.

And when you have divorced women and they have reached (the end of) their waiting period, do not prevent them from marrying their husbands when they mutually agree as recognized. This is how advice is given, to one of you who believes in Allah and in the Hereafter. This is more pure and clean for you. And Allah knows and you do not know. (Verses 231 - 232)

Commentary:

In the previous two verses, it will be recalled, important rules of the law of *ṭalāq* (divorce) were given. Also delineated there was the just and moderate system of divorce in Islam. Now some other relevant injunctions and rulings have been mentioned in the verses under discussion (231 - 232).

Special instructions for revocation of divorce or annulment of marriage

The first rule given in the first verse is: When women divorced revocably reach near the completion of their *'iddah* (waiting period), the husband has two choices; either he may revoke his divorce and let her continue to be married to him or he may not revoke his divorce, discontinue the *nikāh* relationship and release her totally.

But along with both these choices, the noble Qur'an places a restriction which requires that a wife, if retained, must be retained in accordance with a manner well-recognized and should it come to a parting of ways, even then, the parting should be in accordance with the rule as approved by the Shari'ah. Here, the word **بِالْمَعْرُوفِ** (in fairness), which appears separately at both the places, suggests that there are some conditions and rules governing the choice of retaining, similarly as there are, in the choice of releasing. When choice is made from either of the two options, it must be done in accordance with the method prescribed by the Shari'ah and not under the heat of spot anger or sentiments. Some of these rules of Islamic law appear in the Qur'an itself. Rest of the details have been given by the Holy Prophet ﷺ.

For instance, should the thought of ugly consequences of separation after the incident of divorce produce a change of heart in favour of revoking it and keeping the marriage intact, then the Shari'ah has a method. It stipulates that the purpose in doing so should be to wash out past anger and displeasure and resolve to live anew in good family relationship with intention to give her the due rights. The purpose should not be to hold the woman in captivity or to harass and torture her. Therefore, the following words were said in the verse under reference: **وَلَا تُسِكْرُوهُنَّ ضَرَارًا لِّتَعْتَدُوا**, that is, 'do not retain them with intent to harm them unjustly'.

The other method of *raj'ah* (revocation) has been mentioned in Sūrah Al-Ṭalāq:

وَأَشْهِدُوا ذَوَىٰ عَدْلٍ مِّنكُمْ وَأَقِيمُوا الشَّهَادَةَ لِلَّهِ

And let two trustworthy persons from amongst you be witnesses; then, let witness be given if needed, precisely for the sake of Allah, (without fear or favour). (65:2)

It means that anyone intending to take his wife back by *raj'ah* (revocation) should invite two trustworthy Muslims to act as witnesses. Out of the many advantages it has, one is the possible use of these witnesses in case there is a legal claim against *raj'ah* filed by the woman.

Moreover, if the rule of having witnesses on *raj'ah* is not observed there is a possibility that someone, out of selfishness or Satanic instigation, comes up with a claim, even after the 'iddah has expired, that he had already done his *raj'ah* (revocation) before the expiry of 'iddah (waiting period).

In order to eradicate these evils, the Holy Qur'an has directed that the act of revocation should have two trustworthy witnesses.

Looking at the other side of the matter, it is also possible that hearts remain heavy and anger does not go away even after the long span of 'iddah which has given them sufficient time for thinking. So, a termination of relationship may seem to be the choice, in which case the danger of hostile emotions flaring up is acute, which again may become contagious -- starting from two persons, it could envelope two families and could become, for both, a danger for both this world and the Hereafter. To offset this danger, it was briefly said: **أَوْسِرْهُنَّ بِمَعْرُوفٍ** : 'Or release them in fairness,' that is, if you have to leave or free a wife and sever your relationship with her, that too, must be done in accordance with the recognised method. Some details of this method are given in the noble Qur'an itself; rest of the details stand proved through what the Holy Prophet ﷺ said and did.

For instance, in the preceding verse, it was said: **وَلَا يَجِلُّ لَكُمْ أَنْ تَأْخُذُوا مِمَّا** **أَتَيْتُمُوهُنَّ مِنْ شَيْءٍ** that is, do not take back (without a valid ground admitted by the Islamic Law) that which you have already given to the woman as *mahr* (dower), in return for the divorce, or go about demanding some other compensation.

Then, in the following verse, it was said: **وَالْمَطْلَقَاتِ مَتَاعٌ بِالْمَعْرُوفِ حَقًّا عَلَى الْمُتَّقِينَ** , that is, 'for all divorced women, there is some benefit as recognized rightly due on those who fear Allah'. The explanation of **مَتَاعٌ** : *mata'* or compensatory benefit to be given to a divorced wife is that she should be given some present or cash or a set of clothing at the least. Thus the fulfillment of some rights of the divorced wife has been made

mandatory for the divorcing husband while the fulfillment of some others has been assigned to him in the form of kind treatment and good conduct. This is a chaste lesson in high morals and social manners which points to the fact that, just as the marriage was a transaction and mutual contract, the divorce is the termination of a transaction. There is no reason why the termination of this transaction should be a hotbed of enmity and hostility. The final annulment of the transaction should also be done decently and compassionately, that is, following *talaq*, the divorced wife should be given some benefits.

The details of this 'benefit' are that he should allow her to stay in the family house during *'iddah*, pay for her total sustenance, pay the full amount of *mahr* (dower) if still unpaid while intercourse has already occurred; and in case the incident of divorce has occurred before intercourse, then half of the dower should be paid in good cheer. All these are obligatory rights which have to be given to a divorced woman necessarily; however, it is not only desirable but excellent as well, if the divorced wife, on her parting day, goes with some cash or at the least, with a set of clothing as parting gift. *Subhān Allāh*, what a decent teaching it is -- all that customarily causes quarrels and fights and takes families to ruin has been so wisely transformed into everlasting goodwill and peace.

After all these injunctions, it was said: *وَمَنْ يَفْعَلْ ذَلِكَ فَقَدْ ظَلَمَ نَفْسَهُ*, that is, anyone who acts against these divine commands will harm none but himself. It is obvious that Hereafter (the life to come) will be the place where every injustice and cruelty will be avenged in the sight of Allah and the oppressor is not going to move one step forward unless the oppressed is avenged.

If we ponder with discernment and hindsight, we shall discover that, if some oppressor gets away with his cruelty against the oppressed, the evil consequences of this act do disgrace him, more than often, right here in this world. He may or may not comprehend it, but fairly often, he is overtaken by misfortunes which make him taste at least some retribution of his oppression during his life of the mortal world. This is what Shaykh Sa'dī, mercy be on him, said in a Persian couplet:

پنداشت ستمگر که جفا بر ما کرد

برگردنِ وے بماند ویرما بگذشت

The oppressor presumed that he had hit me.
But his weapon boomeranged back into his neck while it sailed past me!

The noble Qur'ān has an approach which is wise, and a style that is special, when it does not describe law in the manner penal laws of the world are described. It rather explains its injunctions in a sympathetic and persuasive manner, showing its wisdom and describing the series of losses man suffers while acting against it, which, if duly understood, will render one incapable of embarking on such crimes. So, behind every law there comes the reminder that man must fear Allah and that man should never forget his accountability in the Hereafter.

Do not make a marriage and divorce a plaything

The second rule presented in this verse is that the word of Allah should not be taken lightly as some amusement: **ولا تتخذوا آيات الله هزوا** : 'And do not take the verses of Allah in jest.' According to one explanation of the expression -- playing games with the verses of Allah or making a mockery of it -- means acting against Divine ordinances in matters of marriage and divorce. The second explanation reported from Sayyidnā Abū al-Dardā 'رضى الله عنه' is that some people during pre-Islam Arabia would give divorce or free a slave, then they would go back on their word and start saying that this was all in fun; *ṭalāq* (divorce) or *'itāq* (to free a slave) was not intended. Thereupon, this verse was revealed which gave the ruling that anyone going through divorce and marriage, even if it be playfully or jokingly, would find these enforced and the plea of 'having no intention' will not be accepted as valid.

The Holy Prophet ﷺ has said that there are three things in which acting seriously, or in jest, are both equal: One -- *ṭalāq* (divorce); two - *'itāq* (to free a slave); three -- *nikāh* (marriage) (reported by Ibn Marduwayh from Ibn al-'Abbas and Ibn al-Mundhir from 'Ubadah ibn al-Samit).

This *ḥadīth* has been reported from Sayyidnā Abū Hurayrah in the following words:

ثلاث جدهن جد وهزلهن جد: النكاح والطلاق والرجعة

It means that there are three things which take effect equally whether done seriously or jokingly. These are: The marriage, the divorce and the revocation of divorce. (Mazhari)

The Islamic law governing these three is: Should a man and a woman go through the process of offer and acceptance before witnesses, even if it be without any intention or just in jest, the marriage stands solemnized anyway. Similarly, if divorce is given in clear words, without any intention, or just in jest, divorce takes effect; or revocation, if done, becomes valid too. Similarly again, if a slave is playfully declared to be free, the slave becomes free. Jest or fun are not taken as valid excuses.

After stating this injunction, the noble Qur'ān then educates man, in its unique style, how he should obey Allah Almighty and fear the consequences of the life to come (*ākhirah*). It was said:

وَأذْكُرُوا نِعْمَةَ اللَّهِ عَلَيْكُمْ وَمَا أَنْزَلَ عَلَيْكُمْ مِنَ الْكِتَابِ وَالْحِكْمَةِ لِيُعْظَمَ بِهِ
وَاتَّقُوا اللَّهَ وَأَعْلَمُوا أَنَّ اللَّهَ بِكُلِّ شَيْءٍ عَلِيمٌ ۝

That is, 'And remember the grace of Allah on you and what He has revealed to you of the Book and the wisdom giving you good counsel thereby. And fear Allah, and be sure that Allah is all-knowing in respect of everything' -- It means: He knows the secrets hidden in your hearts, your intentions and your purposes. Therefore, when you have to release your wife from your marriage bond by giving divorce, you should do so with the intention of avoiding mutual disputes, loss of mutual rights and doing injustice, and not with the intention of releasing anger on your wife or disgracing or hurting her.

The basic rules of giving a divorce

The third rule identified in this verse is: Should a man be left with no other option but divorce, then the basic and true method in the view of Shari'ah and *Sunnah* is that he should give one revocable divorce in clear and unambiguous words so that the choice of taking the wife back remains open. Words that cause sudden severance of marriage relationship should not be spoken. This is known as *al-ṭalāq al-bā'in*, the divorce that cannot be revoked. In addition to this, reaching three talaqs must be avoided following which even fresh marriage between the couple becomes *ḥaram* (unlawful). This point is indicated by the use of the universal and unqualified words in *طَلَقْتُمُ النِّسَاءَ*

(when you have divorced women), because the injunction contained in this verse covers only one or two revocable *ṭalāqs*. It does not concern the irrevocable three *talaqs*; but the Holy Qur'an, by not mentioning any related qualification, has suggested that the real *ṭalāq* (divorce) is none other than the revocable *ṭalāq* as approved by the Shari'ah. Other forms are not devoid of repugnance or undesirability.

Rules of the remarriage of the divorced women

The second verse stops the unjust treatment meted out to divorced women, that is, they are discouraged to marry again. In some cases the first husband generally opposes the idea of his divorced wife marrying someone else and considers this to be a violation of his honour. In some families, even guardians of the divorced woman stop her from marrying a second time -- some of them often do that out of greed hoping to let her marry only when there is some financial gain for them. There are times when the divorced woman agrees to remarry her former husband but the guardians and relatives develop a sort of hostility towards him after the incident of divorce. As such, they oppose their remarriage even after both of them agree to it. Stopping free women, without any valid reason admitted by Islamic law, from marrying at their choice, is a grave injustice whether it comes from the former husband or from the guardians of the woman. This injustice has been prevented through this verse.

This verse was revealed in the background of an incident of this nature. It appears in Ṣaḥīḥ al-Bukhārī that Sayyidnā Ma'qil ibn Yasār رضى الله عنه had given his sister in marriage to someone. He divorced her and the period of *'iddah* expired as well. Following that, this man was sorry for what he did and wished to remarry her. His wife, that is, the sister of Ma'qil ibn Yasār رضى الله عنه also agreed to it. When this man talked to Ma'qil about it, he said, of course, in anger against the man's act of divorce: 'I did you an honour. I gave you the hand of my sister and you did this to me. You divorced her. Now you have come again to me so that I can let you marry her once again. By Allah, she will not go back in your *nikāh* now.'

There was another incident concerning a cousin of Sayyidnā Jābir ibn 'Abdullāh رضى الله عنه similar to the one above. Thereupon, this verse was revealed in which the approach of Ma'qil and Jābir رضى الله عنهما was declared to be undesirable and impermissible.

The noble *Ṣaḥābah* (Companions) were true lovers of Allah Almighty and His Messenger ﷺ. Such was the beneficence of the verse that Ma'qil ibn Yasār's anger cooled down as he heard it. He himself went to his former brother-in-law and gave his sister in his marriage once again and then gave *kaffārah* (expiation) for his oath. Similarly, Jābir also carried out the instruction.

Keeping in view the form of address used here, this verse includes husbands who have given a divorce as well as the guardians of the women. Both have been commanded: *فَلَا تَعْضُلُوهُنَّ أَنْ يَنْكِحْنَ أَزْوَاجَهُنَّ إِذَا تَرَاضَوْا بَيْنَهُنَّ بِالْمَعْرُوفِ*; that is, 'do not prevent them from marrying their husbands when they mutually agree with fairness.' They may even be their previous husbands who had divorced them or they may be others. But a condition has been imposed here which is: *إِذَا تَرَاضَوْا بَيْنَهُنَّ بِالْمَعْرُوفِ*, that is, 'when they mutually agree with fairness.' It means: When a man and woman agree to marry in accordance with the rules set by the Shari'ah, then, do not stop them from getting married. Here it was hinted that the absence of an agreement between the two, or compulsion from any quarter, is a valid reason for people around to stop them. Or, it may be that there is mutual agreement of the couple but it is not in accordance with the method prescribed by the Shari'ah. For instance, the couple may agree to live together without marrying; or may, in between them, enter into a new *nikāh* illegitimately after three talaqs. Still more, should there be an intention to marry another husband during the period of *'iddah*, every Muslim, specially those closely related to the man and woman concerned, have a right to stop them from doing so. In fact, it is *wājib* or obligatory to stop them within the limits of one's ability.

Similarly, if a girl wishes to marry outside her *kaf* (كفر : equal, like) without the permission of her guardians, or wishes to enter into *nikāh* (marriage) on a dower which is less than her *mahr al-mithl* (a dower approximately similar to the one customary in her family) then this affects the family. Since she has no right to do this, her consent is also not in accordance with the method prescribed by the Shari'ah. In this situation, the guardians of the girl have a right to stop her from this

marriage. However, the words إِذَا تَرَاضُوا : 'When they mutually agree' do point out that a sane and pubert girl cannot be given in marriage without her consent or permission.

Towards the end of verse 232 there are three sentences appearing one after the other. The first one is: ذَلِكَ يُوعِظُ بِهِ مَنْ كَانَ مِنْكُمْ يُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الْآخِرِ : It means: 'These injunctions are for those who believe in Allah and the Last Day.' Here it was hinted that the necessary outcome of believing in Allah and the Last Day, (the Day of Judgment) is that man should observe, practice and be bound by these Divine injunctions *in toto*. Those who fall short in following these injunctions should realize that their *Īmān* or belief is in disarray.

In the second sentence, it was said: ذَلِكَمُؤْمِنِيكُمْ وَأَطْهَرُ , that is, 'adherence to these injunctions is for you a modality of purity and cleanliness.' It has been suggested here that the result of acting contrary to these injunctions is defilement with the pollution of sin, and involvement in discord and strife; for instance, if sane, pubert and young girls were categorically prevented from marriage, it would, on one hand, be an act of cruelty to them and a denial of their rights and on the other, this would put their modesty and chastity in danger. Thirdly, if God forbid, they get involved in sin, the resulting curse will also fall on those who prevented them from marrying. And it is quite possible that, much before the curse of the life to come (the *ākhirah*), the misfortune of these helpless women may drive men to the outside limits of wars and murders, as is not uncommon even now. If that happens, much before the curse of the *ākhirah*, their deeds will become a curse for them right here in this world. And if they were not, categorically at least, prevented from marriage, but were forced to enter into marriage with a person not of their choice and liking, that too will result in perpetual hostility, discord and strife, or *talaq* (divorce) and *khul'* (خُلِعَ : Divorce at the instance of wife against compensation). Its unpleasant effects are obvious. It was, therefore, said that in not preventing them from marrying the husbands of their choice there is for you easy access to purity and cleanliness.

In the third sentence it was said: وَاللَّهُ يَعْلَمُ وَأَنْتُمْ لَا تَعْلَمُونَ , that is, 'and Allah knows (that which is good for you) and you do not know'. The purpose of this statement is that people who prevent divorced women

from marrying see some benefits coming to them according to their conjecture, for instance, the notion of retaining honour and prestige or the hope of extracting some money on the pretext of their marriage. In order to remove this Satanic deception and unjust expediency, it was said: Allah Almighty knows very well what is suitable or beneficial for you -- so, when injunctions are given, these considerations are already taken care of. Since you do not know the reality of things and the end of affairs, you go ahead with your imperfect thoughts and faulty opinions, taking such things to be suitable or beneficial at times, while in them there is nothing but ruin and destruction for you. The assumed honour and prestige that you uphold will be rolling in dust if divorced women were to go out of control. And when you think of illegitimate monetary gains, it is likely that these may get you involved in intrigues and conflicts which may become dangerous not only for your money but also for your life.

The Qur'ānic strategy about the enforcement of a law

At this point here, the Holy Qur'an presents a law to the effect that preventing divorced women from marrying as they choose is prohibited. Now, in order that acting in accordance with this law becomes easy, and that a climate of acceptance is generated in the public mind, these three sentences have followed after the initial declaration of the law. In the first sentence man is induced to be ready for action in accordance with this law by warning him against the accountability of the Day of Judgment and the subsequent punishment of crimes. In the second sentence, man is persuaded to abide by the law by telling him about evils caused by acting against it and many a harm that such contravention may bring to humanity. In the third sentence it was said that your own betterment lies in abiding by the law given by Allah Almighty. If, in acting against it, you have some expedient gain in mind, that then, is an outcome of your short-sightedness and insensitivity to consequences.

This manner and style of the Holy Qur'an does not end here; in fact, it runs throughout all injunctions. When a law is identified, along with it comes the warning that Allah is Almighty and that there is accountability and punishment in the Hereafter. With the beginning and the end of each law there are affixes and suffixes like **اتَّقُوا اللَّهَ** (Fear

Allah) and **إِنَّ اللَّهَ خَبِيرٌ بِمَا تَعْمَلُونَ** (Allah is All-Aware of what you do) and **إِنَّ اللَّهَ بَصِيرٌ بِمَا تَعْمَلُونَ** (Allah is watchful of what you do). The Qur'ān is, for the whole world, and for the generations to come till the Day of Doom (*Qiyāmah*), a complete code of life, and a law covering all aspects of living. Of course, it does describe restrictive ordinances and legal punishments, but the manner in which these are handled is unique, not to be found in the law books of the whole world. The diction it has is more sympathetic than authoritarian. In the description of each law, there is an objective approach that no man should, by disobeying it, become deserving of punishment. This is not something like the governments of the contemporary world which make a law, publish it and then anyone who acts against it is left out to go through his punishment.

Moreover, a rather long-term benefit that comes out of this method of Qur'ān and its special style, is that man, once he has sensed it, does not start abiding by the law simply because he knows that acting against it would bring some sort of punishment in the mortal world; much contrary to this, he starts worrying about the displeasure of Allah Almighty and the punishment that would come in the Hereafter (*ākhirah*) and this very concern of his renders his outside and inside, his open and his secret, all even -- one and indivisible. He cannot act against the law even at a place where there are no chances at all of his being policed, openly or secretly, because he believes that Allah Almighty, great is His Majesty, is present everywhere, watching and knowing everything down to the minutest particle. This is the reason why every Muslim abided by the law considering it to be an ideal of his life as a result of the principles of clean social living taught by the Qur'ān.

Aside from identifying limits and restrictions of law, the distinction of a Qur'ānic system of government is that by using the tools of persuasion and warning, it raises the standards of human morals and character to heights where legal limits and restrictions become second nature to him, before which he makes his personal desires and preferences take the back seat. A hard look into the history and governments of nations and the roster of crimes and punishments they offer would show that law alone has never reformed

any nation or individual. The police and the army alone have never succeeded in rooting crimes out unless the fear of Allah Almighty and the realization of His supreme greatness is impinged on human hearts. That which helps prevent crimes is, in reality, the fear of Allah and the fear of accountability on the Day of Judgment. If this is not there, nobody can keep anybody away from crimes.

Verse 233

وَالْوَالِدَاتُ يُرْضِعْنَ أَوْلَادَهُنَّ حَوْلَيْنِ كَامِلَيْنِ لِمَنْ أَرَادَ أَنْ يُتِمَّ
الرِّضَاعَةَ وَعَلَى الْمَوْلُودِ لَهُ رِزْقُهُنَّ وَكِسْوَتُهُنَّ بِالْمَعْرُوفِ
لَا تُكَلَّفُ نَفْسٌ إِلَّا وُسْعَهَا لَا تُضَارَّ وَالِدَةٌ بِوَلَدِهَا وَلَا
مَوْلُودٌ لَهُ بِوَلَدِهِ وَعَلَى الْوَارِثِ مِثْلُ ذَلِكَ فَإِنْ أَرَادَا فِصَالًا
عَنْ تَرَاضٍ مِّنْهُمَا وَتَشَاوُرٍ فَلَا جُنَاحَ عَلَيْهِمَا وَإِنْ أَرَدْتُمْ أَنْ
تَسْتَرْضِعُوا أَوْلَادَكُمْ فَلَا جُنَاحَ عَلَيْكُمْ إِذَا سَلَّمْتُمْ مَا آتَيْتُمْ
بِالْمَعْرُوفِ وَاتَّقُوا اللَّهَ وَاعْلَمُوا أَنَّ اللَّهَ بِمَا تَعْمَلُونَ بَصِيرٌ ۝

And mothers suckle their children full two years; it is for one who wants to complete the (period of) suckling. And on him, to whom the child is born, falls the provision of food and clothing for them (the mothers) with fairness. Nobody is obligated beyond his capacity. No mother shall be made to suffer on account of her child, nor a man to whom the child is born, on account of his child. And on the heir it falls likewise. Now, if they want to wean, with mutual consent, and consultation, there is no sin on them. And if you want to get your children suckled (by a wet-nurse), there is no sin on you when you pay off what you are to give, as recognized. And fear Allah and be sure that Allah is watchful of what you do. (Verse 233)

The injunctions of suckling the children by the mothers

This verse contains injunctions relating to *raḍā'ah* (رضاعة) or the suckling of children. It will be recalled that in verses appearing earlier and later than this, the injunctions of *ṭalāq* (divorce) have been taken up. In between, there appear injunctions relating to the suckling of

children, because it generally happens that issues concerning the feeding and upbringing of children are disputed following a divorce. Since these disputations lead to violence, this verse offers moderate injunctions which can be carried out easily and appropriately by man and woman both. For the two situations of suckling and weaning, whether these show up during the period of marriage, or after divorce, a system was suggested which helps stop mutual bickering, or injustice to any of the parties.

For instance, it was said in the first sentence of the verse:

وَالْوَالِدَاتُ يُرْضِعْنَ أَوْلَادَهُنَّ حَوْلَيْنِ كَامِلَيْنِ لِمَنْ أَرَادَ أَنْ يُنْتَمِ الرِّضَاعَةَ

that is, 'And mothers suckle their children for full two years' -- unless there be some strong compelling reason which leads to weaning before that time.

Some rules concerning *raḍā'ah* or suckling of children come out from this verse; these are:

Suckling of children is an obligation of the mother

Naturally suckling is an obligation of the mother. If she does not feed without a valid reason or because of some hostility or displeasure, she will be a sinner. And she cannot accept any payment for suckling from her husband, as long as she is married to him because that is her own duty.

The total period of suckling

The second rule is about the total period of suckling which is two years. Unless there be some special reason, it is the right of the child that this period be completed.

From this we also know that the total time given for suckling is full two years after which suckling should not be done. However, on the basis of some verses of the Qur'ān and reports from *ahādīth*, Imām Abū Hanīfah ruled that if it was carried on over a period of 30 months or two and a half years, all the legal effects of suckling shall be applicable and if this was done because of the weakness of the child, a legitimate excuse, it would then be no sin either. But breast-feeding a child after completing two and a half years is unanimously *ḥaram* (forbidden).

In the second sentence of this verse, it was said:

وَعَلَى الْمَوْلُودِ لَهُ رِزْقُهُمْ وَكِسْوَتُهُمْ بِالْمَعْرُوفِ لَا تَكْفُلُ نَفْسٌ إِلَّا أَوْسَعَهَا

And on him, to whom the child is born, falls the provision of food and clothing for them (the mothers) with fairness. No-body is obligated beyond his capacity.

The first point that must be noted here is that the Qur'an uses the word *الذات*, for mothers but while referring to the father, it opts for *المَوْلُودِ لَهُ*: 'to whom the child is born' leaving out the smaller word *والد*, although the said word, '*wālid*' (father) does appear elsewhere in the Qur'an, for instance: *لَا يَجْزِي وَالِدٌ عَنْ وَلَدِهِ*: '(Fear the Day) when no father shall be of avail to his child' (31:33). But the use of *al-mawlūdi lahu* in place of *wālid* in this setting has a secret behind it. The whole of Qur'an has a unique method and style so it does not describe any law in the way governments of the mortal world do. It rather presents it in a sympathetic and affectionate manner, a manner in which it could become easy for human beings to accept it and act accordingly.

Since the father has been obligated to pay for the expenses of the child, even though the child belongs to the father and the mother both, it was possible that the father could take this injunction to be somewhat burdensome, therefore, the expression *al-mawlūdi lahu* ('to whom the child is born') was preferred over *wālid* ('father'). The meaning of this expression -- 'to whom the child is born' -- suggests that, no doubt both father and mother share in the birth of the child, but the child is, however, ascribed to the father. The lineage comes from the father. Now that the child is his, the responsibility of the child's expenses should not be heavy on him.

Responsibilities of mothers and fathers

The third rule of Islamic law given in this verse is: While suckling the child is certainly the responsibility of the mother but the sustenance of the mother, inclusive of all necessities of life, is the responsibility of the father and this responsibility continues as far as the marriage or the post-divorce waiting period of wife (*'iddah*) continues. When divorce and *'iddah* have matured, the responsibility of the husband towards the expenses of his wife will end, but the father will continue to be obligated to pay for the suckling of the child. (Mazharī)

The standard of wife's liabilities

When the husband and wife are both affluent, matching expenses will be obligatory. When both are poor, correspondingly matching expenses will be obligatory. On this much there is total agreement. However, the Muslim jurists differ if both have a different financial status. Following al-Khassāf, the author of *Hidāyah* has ruled that should the woman be poor and the man rich, her expenses will be medial, that is, higher than those of the poor and lower than those of the rich. According to al-Karkhī, the status of the husband will be the criterion. In *Fath al-Qadīr*, *fatwā* has been reported on this position from many jurists. (*Fath al-Qadīr*, pp 422, v.3)

In the verse under discussion, after stating injunctions, the Qur'an says: *لَا تُضَارَّ وَالِدَةٌ بِوَلَدِهَا وَلَا مَوْلُودٌ لَهُ بِوَالِدِهِ*, that is, 'no mother shall be made to suffer on account of her child, nor a man to whom the child is born, on account of his child.' It means that the father and mother of the child should not stonewall each other. For instance, the mother may be unable to suckle the child due to some excuse but the father may start forcing her to do so, hoping that she being the mother of the child, would finally melt down and suckle the child. Or, take the case of a mother who has no excuse, yet she refuses to suckle the child hoping that the poor husband, being the father of the child would, in one way or the other, find the means to have the child suckled elsewhere.

Forcing or not forcing a mother for suckling

The fifth rule deduced from *لَا تُضَارَّ وَالِدَةٌ بِوَلَدِهَا* (No mother shall be made to suffer on account of her child) appearing above is that it is not permissible for the father to compel the mother to suckle the child if she refuses to do so under some excuse, or need. And if the child refuses to be suckled by another woman, or also refuses to feed on any milk other than that of his or her mother, the mother will then be compelled to feed the child. This rule we know from *وَلَا مَوْلُودٌ لَهُ بِوَالِدِهِ* (nor a man to whom the child is born, on account of his child).

Wages of suckling for a divorced woman

The sixth rule that we learn about is: If the mother demands wages to suckle, she has no right to do that as long as she is married to her husband or is within the post-divorce waiting period. Here her maintenance, which is the responsibility of the child's father, is

enough in itself. Asking for additional wages amounts to harming the father. The situation changes if the post-divorce waiting period has expired and the responsibility of maintenance is all over. Now, if this divorced woman demands from the father wages to suckle her child, the father will have to pay it -- since not doing so amounts to a loss to the mother. However, the condition is that she should ask for the same amount of wages as is taken by some other woman. If she asks for more, the father will have the right to engage a wet-nurse to suckle the child in her place.

The responsibility of suckling an orphan

Later in the subject verse, it is said: **وَعَلَى الْوَارِثِ مِثْلُ ذَلِكَ**. It means: If the father is not alive, the responsibility for arranging to have the child suckled falls on the person who is the legal heir (*wāriṭh*) of the child and a *maḥram* (person with whom marriage is prohibited for ever); that is, those who are entitled to be inheritors of the child. If he dies, would be the ones responsible for his sustenance in the absence of the father. If, there be more than one heir like him, everyone will share that responsibility in proportion to their share in the inheritance. Imām Abū Ḥanīfah explained that assigning the responsibility of having the orphaned child suckled to the heirs also tells us that the sustenance of a minor child will continue to be, even after weaning, a charge of the heirs since there is nothing special about milk, the purpose is to have the expenses of the child covered. For instance, if the mother of the orphaned child and his grandfather are both alive, these two then, are his *maḥram*, and heirs as well. Therefore, the maintenance of the child shall be borne by both of them in proportion to their share in the inheritance, that is, the mother will bear one-third and the grandfather, two-thirds. Herefrom we also know that the right of the orphaned grandson on his grandfather is much stronger than the rights of his own adult sons, since he is not responsible for the sustenance of his adult child, while the sustenance of the orphaned grandson is obligatory on him. However, a grandson has not been given a share in inheritance in the presence of sons, because it is against the principle of inheritance and justice, as giving a share to the farther in presence of the nearer children is not rational in itself and is certainly, against the *ḥadīth* لا ولي رجل ذكر (for the nearest male) in Ṣaḥīḥ al-Bukhārī. Nevertheless, the grandfather does have

the right to make some provision in his will for the orphaned grandson, if he feels there is need to do that. This will could even turn out to be higher than the share of sons. Thus the need of the orphaned grandson was taken care of, while at the same time, the principle of inheritance -- that in the presence of the nearer, the farther should not receive -- remained intact.

The injunctions of weaning

After that, it is said in the subject verse:

فَإِنْ أَرَادَا فِصَالًا عَنْ تَرَاضٍ مِّنْهُمَا وَتَشَاوُرٍ فَلَا جُنَاحَ عَلَيْهِمَا

that is, if the mother and father of the child, after mutual consultation and agreement, decide that they have to wean the child earlier than two years, because of the inability of the mother or some sickness of the child, then there is no sin involved here as well. The condition of 'mutual consultation and agreement' was placed for the reason that in weaning the child, his or her welfare should be the paramount concern. Making the child a target-board of mutual differences and quarrels is undesirable.

Injunctions of suckling by a nurse

In the end, it is said:

وَإِنْ أَرَدْتُمْ أَنْ تَسْتَرْضِعُوا أَوْلَادَكُمْ فَلَا جُنَاحَ عَلَيْكُمْ إِذَا سَلَّمْتُمْ مَا اتَّيَمْتُمْ بِالْمَعْرُوفِ

It means: If you wish, for some expedient reason, to have your children suckled by a wet-nurse in place of the mother, even then there is no sin in doing so. However, the condition is that the wages settled with the wet-nurse be paid in full. If the wages were not paid as settled, the sin thereof will rest with the parents.

From this we learn that should a father realize that the feed of the mother, who is willing to suckle, is not good for the child, he has the right to stop the mother from suckling and get a wet-nurse to do that.

From this we also learn that the wages or salary of the woman employed for suckling should be negotiated and settled clearly so that there is no dispute later on; and then let the settled wages be handed over to her at the appointed time and let there be no postponement or evasion.

After stating all these injunctions relating to *raḍā'ah* (suckling), the Qur'an once again returns to its special manner and style whereby

it brings into focus the fear of Allah Almighty and the concept of His all-encompassing Knowledge so that acting in accordance with law becomes easy, and one remains bound by it under all conditions, seen or unseen. It is said: *وَاتَّقُوا اللَّهَ وَأَعْلَمُوا أَنَّ اللَّهَ بِمَا تَعْمَلُونَ بَصِيرٌ*; that is, 'keep fearing Allah and know for sure that Allah Almighty is fully watching over your open and secret, and your seen and unseen, and He is aware of all intents and purposes hidden in your hearts.' Any party that acts against these injunctions of suckling and weaning or takes a decision in this connection disregarding the welfare of the child, shall deserve punishment.

Verses 234-235

وَالَّذِينَ يُتَوَفَّوْنَ مِنْكُمْ وَيَذَرُونَ أَزْوَاجًا يَتَرَبَّصْنَ بِأَنْفُسِهِنَّ
 أَرْبَعَةَ أَشْهُرٍ وَعَشْرًا فَإِذَا بَلَغْنَ أَجَلَهُنَّ فَلَا جُنَاحَ عَلَيْكُمْ فِيمَا
 فَعَلْنَ فِي أَنْفُسِهِنَّ بِالْمَعْرُوفِ وَاللَّهُ بِمَا تَعْمَلُونَ خَبِيرٌ ۝ وَلَا
 جُنَاحَ عَلَيْكُمْ فِيمَا عَرَّضْتُمْ بِهِ مِنْ خِطْبَةِ النِّسَاءِ أَوْ أَكْنَنْتُمْ
 فِي أَنْفُسِكُمْ عَلِمَ اللَّهُ أَنَّكُمْ سَتَذْكُرُونَهُنَّ وَلَكِنْ لَا تُؤَاعِدُوهُنَّ
 سِرًّا إِلَّا أَنْ تَقُولُوا قَوْلًا مَعْرُوفًا وَلَا تَعْزِمُوا عُقْدَةَ النِّكَاحِ
 حَتَّىٰ يَبْلُغَ الْكِتَابَ أَجَلَهُ وَأَعْلَمُوا أَنَّ اللَّهَ يَعْلَمُ مَا فِي
 أَنْفُسِكُمْ فَاحْذَرُوهُ وَأَعْلَمُوا أَنَّ اللَّهَ غَفُورٌ حَلِيمٌ ۝

And those among you who pass away and leave wives behind, their wives keep themselves waiting for four months and ten days. So, when they have reached (the end of) their waiting period, there is no sin on you in what they do for themselves as recognized. And Allah is All-Aware of what you do. There is no sin on you if you hint as a proposal to the women or conceal it in your hearts. Allah does know what you will mention to them. But do not make a promise to them secretly, except that you speak in a recognized manner. And do not resolve upon a contract of marriage until the prescribed time is reached. And be sure that Allah knows what is in your hearts. So, fear Him and be sure that Allah is most Forgiving, Forbearing. (Verse 234-235)

Some injunctions relating to 'Iddah

1. For one whose husband dies, it is not correct to wear perfume or make-up or use *kohl*⁵² or hair oil, beauty-treat unnecessarily, apply henna and dress gaudily. It is also not correct to talk about the second marriage in clear and unambiguous words as appears in the succeeding verse. In addition to this it is also incorrect to stay overnight in homes other than one's own. The text's "*yatarabbaşna bi anfusihinna*" translated as "keep themselves waiting" hint towards these avoidances. And this is also the injunction for the woman who has received an irrevocable divorce, that is, in which revocation is not possible. However, it is not right for her to go out of the house even during the daytime unless there is an extreme compulsion.

2. Another rule most people are not aware of is: If the husband dies on the night of the new moon, these months will be completed in accordance with the lunar calendar. Their being of 29 or 30 days makes no difference. But, if he died after the night of the new moon, all these months will be completed as of 30 days each. In all, 130 days will be completed. And when this period expires, and the same time when the death occurred comes, 'iddah will be over.

And now a word concerning what was said about women -- "There is no sin on you in what they do for themselves as recognized." This teaches us that it becomes obligatory on others to stop one who acts against the Shari'ah, of course, if they have the ability or power to do so. Otherwise, these people too become sinners. And the expression, *bi l'ma'rūf* ('with fairness' or 'as recognized') means that the marriage solemnized should be correct, and permissible according to the Shari'ah; all conditions of its being lawful should be observed.

Verses 236 - 237

لَا جُنَاحَ عَلَيْكُمْ إِنْ طَلَقْتُمُ النِّسَاءَ مَا لَمْ تَمْسُوهُنَّ أَوْ تَفْرِضُوا
لَهُنَّ فَرِيضَةٌ وَمَتَّعُوهُنَّ عَلَى الْمَوْجِعِ قَدْرَهُ وَعَلَى الْمُقْتِرِ قَدْرُهُ
مَتَاعًا بِالْمَعْرُوفِ حَقًّا عَلَى الْمُحْسِنِينَ ٥ وَإِنْ طَلَقْتُمُوهُنَّ مِنْ

52. *Surma*: collorium, claimed to be an inorganic lead compound -- 'Galena', which has been erroneously translated as 'Antimony' by Western writers. Since 'Antimony' is a known ingredient of modern sophisticated explosives, this age-old eye-cosmetic has gone out of fashion and favour.

قَبْلَ أَنْ تَمْسُوهُنَّ وَقَدْ فَرَضْتُمْ لَهُنَّ فَرِيضَةً فَنِصْفُ مَا فَرَضْتُمْ
 إِلَّا أَنْ يَعْفُونَ أَوْ يَعْفُوهَا الَّذِي بِيَدِهِ عُقْدَةُ النِّكَاحِ وَأَنْ تَعْفُوا
 أَقْرَبُ لِلتَّقْوَى وَلَا تَنْسُوا الْفَضْلَ بَيْنَكُمْ إِنَّ اللَّهَ بِمَا تَعْمَلُونَ
 بَصِيرٌ ۝

There is no sin on you if you divorce women when you have not yet touched them nor fixed for them an amount. So, give them benefit, a rich man according to his means and a poor one according to his means -- a benefit in the recognized manner, an obligation on the virtuous. And if you divorce them before you have touched them, while you have already fixed for them an amount, then there is one half of what you have fixed, unless they (the women) forgive, or forgives the one in whose hand lies the marriage tie. And it is closer to *Taqwa* ⁵³ that you forgive. And do not forget being graceful to one another. Surely, Allah is watchful of what you do. (Verses 236 - 237)

Commentary

Keeping dower and consummation in view, divorce can be of four situations. The injunction concerning the first two of these has been stated in these verses. (1) Dower is not fixed and consummation has not taken place. (2) Dower is fixed but consummation has not taken place. (3) Dower is fixed and consummation has taken place. Here the fixed dower will have to be paid in full. This injunction appears elsewhere in the Holy Qur'an. (4) Dower has not been pre-fixed but divorce was given after consummation. Here full *mahr al-mithl* (a dower as in the divorcees' family) will have to be paid. It means the amount of the dower will be the same as customarily given in the immediate family circle of the woman. This too has been taken up in yet another verse of the Holy Qur'an.

The injunction related to the first two situations has been stated in the verses appearing here. Out of the two, the injunction for the first situation is: No dower is due but it is obligatory for the husband to

53. The sense of being responsible to Allah.

give something on his own to the woman -- the least being a set of clothes. In fact, the Holy Qur'an has not fixed any amount for this gift. However, it does indicate that the affluent should give in accordance with their capacity, which carries an element of persuasion for the man of means who should not behave tight-fisted in this act of grace. Sayyidnā Ḥasan رضى الله عنه, in a situation like this, gave a gift of twenty thousand *dirhams* to the divorced woman, and Qādī Shurayh, that of five hundred *dirhams*; and Sayyidnā Ibn 'Abbās رضى الله عنه has said that the lowest degree here is to give one set of clothes. (Qurtubī)

In the second situation, when the woman's dower has been fixed before marriage and divorce occurs before actual consummation, the injunction says that the man shall be obligated to pay half of the dower already fixed. However, should the woman forgive, or should the man pay the whole, this will be a matter of free choice, as is evident from the verse:

إِلَّا أَنْ يَعْفُونَ أَوْ يُعْفُوا الَّذِي بِيَدِهِ عَقْدَةُ النِّكَاحِ

Unless they (the women) forgive, or forgives the one in whose hand lies the marriage tie. (2:237)

The use of the word *ya'fū* ('forgives') to cover even the payment of full dower, perhaps, reflects the customary Arab practice of the payment of dower amount simultaneously with the marriage. If so, the husband has become, in the event of a pre-consummation divorce, deserving of taking half of the dower back. Now, if he yields voluntarily and does not take his half back, this too, would virtually be an act of forgiving. And the act of forgiving has been declared more merit-worthy, and closer to *Taqwā* (the sense of being responsible to Allah, commonly rendered as piety or fear or righteousness in absence of an exact equivalent); because this forgiveness symbolically indicates that the severance of the bond of marriage was also done with magnanimity and good grace, which is the objective of the Shari'ah and certainly, deserving of great merit -- the forgiveness could come from the woman, or from the man, it does not matter.

Explaining the words of the verse (الَّذِي بِيَدِهِ عَقْدَةُ النِّكَاحِ) (in whose hands lies the marriage tie), the Holy Prophet ﷺ has himself said: *ولى عقدة النكاح* , that is, 'the husband is the guardian (*walī*) of the bond of mar-

riage.' This *ḥadīth* appears in *Dārquṭnī* as narrated by 'Amr ibn Shu'ayb from his father on the authority of his grandfather, and also from Sayyidnā 'Alī رضى الله عنه and Sayyidnā ibn 'Abbās رضى الله عنه (Qurtubī).

This also proves that the authority to continue or terminate the bond of marriage rests with the husband. It is he who can pronounce *ṭalāq* (divorce). The woman cannot divorce her husband.

Verses 238 - 239

حَافِظُوا عَلَى الصَّلَوَاتِ وَالصَّلَاةِ الْوَسْطَىٰ وَوَقُّومُوا لِلَّهِ
قِنِينَ ۝ فَإِنْ خِفْتُمْ فَرِجَالًا أَوْ رُكْبَانًا فَإِذَا أَمِنْتُمْ فَأَدْكُرُوا
اللَّهَ كَمَا عَلَّمَكُم مَّا لَمْ تَكُونُوا تَعْلَمُونَ ۝

Take due care of all the prayers, and the middle prayer, and stand before Allah in total devotion. But if you are in fear, then (pray) on foot or riding. And when you are in peace, recite the name of Allah as He has taught you what you did not know. (Verses 238 - 239)

Commentary

Based on the authority of some *aḥādīth*, a very large number of 'ulamā', have said that *al-salāt al-wustā* or the middle *ṣalāh* is the *ṣalāh* of 'Aṣr because there are before it, two *Salāhs* during the day, that of *Fajr* and *Zuhr*; and after these come two evening *Salāhs*, that of *Maghrib* and 'Ishā'. Special emphasis has been placed on it because this is a time in which most of the people are busy in their professional work.

Incidentally, the Qur'ānic word, *Qānitin* meaning obedient or submitting, rendered here as 'stand before Allah in total devotion', has been explained in *Ḥadīth* as denoting *sukut* or motion-less silence.

It was through this very verse that talking in *ṣalāh* was forbidden. Earlier, talking was permissible. The verse 239 has allowed a special way of offering prayers in the state of 'fear' i.e. the state of war. In such a state, one can offer *ṣalāh* (prayer) while standing, with a condition that he can stand in one place without moving, and can make the gesture of *sajdah* in a lower position than he makes in *rukū'*. However, *ṣalāh* cannot be performed while walking. If it is not possible to perform the prayer in the said manner, such as at the time of actual

fighting, then, it is permissible to delay the prayer and to offer it later as *qada'*.

Verses 240 - 242

وَالَّذِينَ يَتَوَفَّوْنَ مِنْكُمْ وَيَذَرُونَ أَزْوَاجًا وَلِأَزْوَاجِهِمْ
مَتَاعًا إِلَى الْحَوْلِ غَيْرَ إِخْرَاجٍ فَإِنْ خَرَجْنَ فَلَا جُنَاحَ عَلَيْكُمْ
فِي مَا فَعَلْنَ فِي أَنْفُسِهِنَّ مِنْ مَّعْرُوفٍ وَاللَّهُ عَزِيزٌ حَكِيمٌ ۝
وَلِلْمُطَلَّقاتِ مَتَاعٌ بِالْمَعْرُوفِ حَقًّا عَلَى الْمُتَّقِينَ ۝ كَذَلِكَ
يُبَيِّنُ اللَّهُ لَكُمْ آيَاتِهِ لَعَلَّكُمْ تَعْقِلُونَ ۝

And those among you who pass away and leave wives behind are to make a will in favour of their wives to benefit them for one year without being expelled. Then, if they move out, there is no sin on you in what they have done for themselves of the recognized practice. And Allah is Mighty, Wise. And the divorced women deserve a benefit as recognized, being an obligation on the God-fearing. This is how Allah makes His verses clear to you, that you may understand. (Verses 2:240 - 242)

The text now returns to the subject of divorce mentioned in verses 234-237. The command to take due care of all prayers (verses 238-239) put in between was to remind that the real thing in life is a constant orientation towards Allah, not only in prayers where it is more pronounced, but also in social relationships such as marriage and divorce, rather, in all areas of one's life. The message is: Follow rules set by Allah in your ultimate interest.

Verses 240-242 cited above give guidance on the provision of residence and maintenance for widows which has been explained in the commentary which follows.

1. In the Age of Ignorance, the period of waiting for a widow was one year, and in Islam, it came to be four months and ten days rather than one full year as we already know from *بِعَرَّتَيْنِ بِأَنْفُسِهِنَّ أَرْبَعَةَ أَشْهُرٍ وَعَشْرًا* : 'They keep themselves waiting for four months and ten days,' in Verse 234, explained earlier. However, women were given a certain advantage in this respect. Those were the days when the injunction of

inheritance was not revealed and a wife's share in the inheritance was yet to be determined; in fact, the rights of all others simply revolved around the will of the deceased, as we have already learnt from the explanation of the verse 2:180. Therefore, it was made obligatory that a woman should be allowed to live in the premises of her late husband's house for one full year if she so desires. It was also mandatory under this arrangement that she be given her maintenance during this period out of what has been left behind by her husband. This rule is mentioned in this verse. Husbands have been instructed to make wills to this effect. Since this was the right of the woman and she had the choice to receive or leave it, therefore, it was not permissible for the inheritors to evict her out of the house, but it was permissible for her not to live in that house at her discretion, and leave her due for the inheritors. The condition, however, was that 'iddah or the waiting period of four months and ten days be completed. After the completion of this period she could leave the house of her husband and could enter into a new marriage with another person. This is what is meant by the Qur'ānic expression: "Then, if they move out, there is no sin on you in what they have done for themselves of the recognized practice." However, going out during the period of 'iddah and getting married was all counted as sin -- not only for the woman concerned but also for those who could stop her yet did not do so. When 'the verse of inheritance' was revealed, the woman received her ordained share in the house and in all other items of inheritance on the strength of which she had the choice to live in her section of the house and spend out of her share in the inheritance after the completion of four months and ten days, and this verse was abrogated.

Verse 241: The divorced women deserve a benefit

Providing compensatory benefits (مَتَاةٌ : *matā'*) for divorced women has also been dealt with in verses earlier than this, but that was restricted to two types of divorced women who were divorced before privacy and consummation. The first case of providing compensatory benefits was the giving of a set of clothes. The second case was of providing compensatory benefit in the form of half of the dower. Now remains the case of divorcees who were divorced after privacy and consummation. Here, providing compensatory benefits to one whose dower has already been fixed lies in giving her the full amount of dower or

maḥr. For one whose dower has not already been fixed, a post-consummation divorce will make it obligatory to give her *maḥr al-mithl* or 'equivalent dower' (as customarily given in the immediate family circle of the woman). If the word 'benefit' used in this verse is taken to mean 'dower', its payment is obligatory according to these details. However, if we take *matā'* to mean a particular benefit, that is, the giving of a gift or set of clothes, then giving this to a particular type of divorced woman is obligatory which has been pointed out earlier. In the rest of the cases, this is *mustaḥabb* or desirable. And should *matā'* be taken to mean maintenance or *nafaqah*, then it is obligatory until the expiry of 'iddah in the case of a divorce after which 'iddah has to be observed. The divorce may be revocable (رجعى) or irrevocable (بانئن) -- it does not matter. To sum up, the verse, by using universally applicable words, covers all situations.

Verses 243 - 244

أَلَمْ تَرَ إِلَى الَّذِينَ خَرَجُوا مِنْ دِيَارِهِمْ وَهُمْ أُلُوفٌ حَذَرَ الْمَوْتِ
فَقَالَ لَهُمْ اللَّهُ مُوتُوا ثُمَّ أَحْيَاهُمْ إِنَّ اللَّهَ لَذُو فَضْلٍ عَلَى
النَّاسِ وَلَكِنَّ أَكْثَرَ النَّاسِ لَا يَشْكُرُونَ ۝ وَقَاتِلُوا فِي سَبِيلِ
اللَّهِ وَاعْلَمُوا أَنَّ اللَّهَ سَمِيعٌ عَلِيمٌ ۝

Have you not seen those who being in thousands, left their homes to escape death? So, to them Allah said, "Be dead." Then He raised them alive. Surely, Allah is all-gracious to people, but most of the people are not grateful. And fight in the way of Allah, and know that Allah is All-Hearing, All-Knowing. (Verses 243 - 244)

Commentary

In a uniquely eloquent manner, the two verses (243, 244) appearing above and verse 245 which follows, present guidance that prompts the sacrifice of one's life and possessions in the way of Allah Almighty. Consequently, before stating related injunctions, an important event of history has been taken up which makes it clear that death and life are subservient to the destiny determined by Allah. Going into a battle in *jihād* is not the cause of death, and running away from it, out of cowardice, is not the means to avoid death.

On the authority of revered Companions (*Ṣaḥābah*) and their successors (*Tābi'in*), Tafsīr ibn Kathīr explains this event as follows:

There was a group of Israelites in a city which was struck by plague or some other epidemic. The whole group, some ten thousand in number, panicked. Leaving the city out of fear of death, all of them went out to camp in an open plain located between two mountains. Allah Almighty, in order to impress upon other peoples of the world that no living being can escape death by running away from it, sent two angels who stood on the two ends of the plain and sent forth some sort of shrill cry which caused all of them to drop dead instantly. Not one of them was left alive. When the people living in the adjoining area heard about this event, they hurried to the site. Making arrangements to shroud and bury ten thousand human beings was no easy task. They, therefore, enclosed the whole area with a fence of boughs making a hovel-like shed for the corpses which, in due course, were decomposed leaving bare bones lying around. After a long time, one of the prophets of Banī Israel, whose name has been identified as *Hizqīl* or Ezekiel, passed through this location. He was amazed to see human bone structures strewn all over inside an enclosed shed. The whole story of these people was related to him through revelation. Prophet Ezekiel, عليه السلام prayed Allah to bring these people back to life. Allah Almighty answered his prayer and he was asked to address those crumbled bones in the following manner: *ابتها العظام البالية أن: 'O bones, old and worn, Allah commands you to gather together (joint by joint, as you were).'*

These bones received the command of Allah Almighty through the words of the Prophet and obeyed it. Isn't it that these very bones are considered by the whole world, devoid of reason and consciousness but they too, like every single particle of the world, are oriented to Divine commands and, possess senses and perceptive ability in proportion to their state of being, and are obedient to Allah Almighty. This is what the Holy Qur'ān points to in the verse: *أَعْطَى كُلَّ شَيْءٍ خَلْقَهُ نِسْمَ هَدَى* (20:50). It means that Allah Almighty created everything and then gave it (built-in) guidance in proportion to its state of being. The great poet, Maulanā Rūmī has said about such phenomena:

خـــاك و باد و آب و آتش بنده اند

بامن و تو مـــــــرده باحق زنده اند

Dust, air, water and fire have been bonded together;
To me and you they are dead; to God they are alive.

So, when every human bone found its proper place at the behest of a single call, the Prophet was commanded to give yet another call to them as follows:

أيتها العظام إن الله يأمرك أن تكتسى لحما و عسبا و جلدا

O bones, Allah Almighty commands you to wear your muscles,
flesh, nerves and skin.

Immediately following the call, every skeleton of bones turned into a complete corpse under their very eyes. Then came the command that their souls be addressed as follows:

أيتها الأرواح إن الله يأمرك أن ترجع كل روح إلى الجسد الذي كانت تعمه

O souls, Allah Almighty commands you to return to your re-
spective bodies you once inhabited.

As the call was given, all corpses stood up alive before their very eyes and started looking around in wonder. They were saying: سبحانك لا
'Sacred are You (O Lord); there is no god but You.'

This formidable event was not only a thought-provoker for the wise of the world, its philosophers and thinkers, and certainly, a decisive argument against the deniers of the Last Day, but was also a guidance for mankind pointing out that running because of the fear of death, be it from *jihād* or from plague or some other epidemic, is just not possible for one who believes in Allah Almighty and in the fate He has determined -- the one who is certain in his belief (*imān*) that there is a time for death; it cannot come a second earlier, and it cannot be postponed to a second later. Therefore, this effort to run from death is not only redundant and wasteful, but also goes on to become the cause of Allah Almighty's displeasure.

Now let us look at this incident through the words of the Holy Qur'an. To relate the event, it says: أَلَمْ تَرَ إِلَى الَّذِينَ خَرَجُوا مِنْ دِيَارِهِمْ that is, 'Have you not seen those who left their homes to escape death?'

It must be noted here that this incident belongs to a time thousands of years before the Holy Prophet ﷺ. He just cannot be asked to see it. What then, is the purpose of saying *أَلَمْ تَرَ*: 'Have you not seen?' Commentators have said that, in all situations where the Holy Prophet ﷺ has been addressed with the words: *أَلَمْ تَرَ* (Have you not seen?) -- although the incident belongs to a time earlier than him, and it cannot be 'seen' by any stretch of imagination -- the act of seeing (*ru'yah*) stands for seeing through the heart (*ru'yah al-qalb*), which means seeing through knowledge and insight. In still other words, 'Have you not seen?' appears on such occasions in the sense of *أَلَمْ تَعْلَمْ*: 'Did you not know?' But there is wisdom in allowing this situation to be expressed through the Qur'ānic form: *أَلَمْ تَرَ*. It points out that this incident is patently known and seen and that this incident is as certain as if it is being seen today, and is worth seeing too. The addition of the word *إِلَى* (*ilā*: toward) after *أَلَمْ تَرَ*: 'Have you not seen?' helps pointing out in this direction as based on the nuances of the language.

Immediately following this, they have been identified as being fairly large in numbers -- *وَهُمُ الرُّوفُ* (being in thousands). As to what the exact number was, there are various reports, but in accordance with the rules of Arabic language, this word *ulūfun* is *jam' al-kathrah* (plural of multitude), which is not used for something less than ten. This tells us that their number was not less than ten thousand.

After that, it is said: *فَقَالَ لَهُمُ اللَّهُ مُوتُوا* that is, Allah Almighty said to them: 'Be dead'. This command of Allah Almighty could both be direct, or indirect -- through an angel, as it is in another verse (36:82): *إِذَا أَرَادَ إِذَا أَرَادَ سَيْئًا أَنْ يَقُولَ لَهُ كُنْ فَيَكُونُ* which means: When He wishes to do something, He bids it to be, so it comes to be.

After that, it is said: *إِنَّ اللَّهَ لَذُو فَضْلٍ عَلَى النَّاسِ* that is, surely Allah Almighty is immensely graceful to human beings. This includes the grace He showed to that particular group of people from the Bani Israel by bringing them back to life, as well as the grace He has shown to the community of Muḥammad ﷺ by telling them about this incident and by making it a model lesson for them.

In the end, to awaken the negligence-prone man, it was said: *وَلَكِنَّ أَكْثَرَ النَّاسِ لَا يَشْكُرُونَ*: 'But most of the people are ungrateful.' It means

that human beings do behold thousands of demonstrations of Divine grace and mercy, yet most of them show no gratitude.

Related Injunctions and Rulings

This verse helps us identify some facts and injunctions. These are as follows:

Divine decree overcomes human planning: No effort can be effective against that which has been determined by Allah (*Taqdir*) and running away from *jihād* or plague or its likes cannot help one save his life (*Tadbīr*), nor being in it can become a cause of death. The fact is that death comes at an appointed time; it can neither be earlier nor later.

Rules pertaining to the place of epidemic: It is not permissible to escape out from an area affected by plague and its likes for safety elsewhere. In addition to this, as said by the noble Prophet ﷺ, it is not correct for other people to go there. It appears in *Hadīth*:

إن هذا السقم عذب به الأمم قبلكم فإذا سمعتم به في الأرض فلا تدخلوها، وإذا وقع بأرضٍ وأنتم بها فلا تخرجوا فرارا

Allah Almighty has, through this disease (plague), punished peoples who were before you. So, when you hear about its spreading in a certain area, do not go there; and if it spreads in an area where you already are, do not go out escaping from it. (Bukhārī and Muslim and Ibn Kathīr)

It appears in *Tafsīr al-Qurtūbī* that Sayyidnā 'Umar رضى الله عنه once embarked on a journey heading for Syria. When he reached *Sarāgh*, a place near *Tabūk* bordering Syria, he came to know that the whole of Syria was affected by a severe plague. This was regarded as a great calamity in the history of Syria. This plague is known as '*Amawās*', because it started from a town called '*Amawas*' (located near *Baytul-Maqdis*) and spread throughout the country. Thousands died and became *shahid* in this plague including many *Ṣaḥābah* and *Tābī'in* (Companions and their Successors).

When Sayyidnā 'Umar رضى الله عنه heard about the severity of the plague, he decided to stay where he was and sought the advice of the noble Companions, رضى الله عنهم اجمعين whether they should go into Syria at

such a time, or they should return back. There was not one blessed person present during the consultations who was aware of any guidance from the Holy Prophet ﷺ about this matter. Later, Sayyidnā 'Abd al-Rahman ibn 'Awf رضى الله عنه narrated the following *ḥadīth* :

إن رسول الله صلى الله عليه وسلم ذكر الوجد فقال: رجز وعذاب عذب به الأمم ثم بقى منه بقية فيذهب المرة وبأتى الأخرى فمن سمع به بأرض فلا يقدمن عليه ومن كان بأرض وقع بها فلا يخرج فراراً منها

The Holy Prophet ﷺ referring to the disease (plague) said: This is a punishment that was inflicted on some peoples; later on some of it remained. This remainder goes away for some-time, then returns. So, one who hears that a certain area is affected by it, he should not go there; and one who is already there, he should not go out running from it (the plague). (al-Bukhari and others)

When Sayyidnā 'Umar رضى الله عنه heard this *ḥadīth*, he ordered his men to return. Sayyidnā Abū 'Ubaydah رضى الله عنه, the governor of Syria was present on the occasion. Taking notice of the orders given by Sayyidnā 'Umar رضى الله عنه, he commented: أفرارا من قدر الله (Do you want to run from Divine destiny?) In reply, Sayyidnā 'Umar رضى الله عنه said: 'O Abū 'Ubaydah, I wish this was said by someone else' meaning thereby 'a comment like this, and that too from you, is certainly surprising.' Then he said: نعم نفر من قدر الله إلى قدر الله 'Yes, we do run from Divine decree to (nothing but) Divine decree' meaning thereby -- 'whatever we are doing we are doing in obedience to none else but Allah and His command which the Messenger of Allah ﷺ has explained to us.'

3. There is great wisdom in the prophetic sayings about plague: In accordance with the *ḥadīth* stated above, we have been told that it is prohibited for outsiders to enter an area affected by plague or its likes; while it is equally prohibited for those who live there to run for their lives from that area.

In addition to this, the basic Islamic belief is that neither going anywhere is the cause of death, nor running from anywhere is the source of deliverance from it. Keeping this cardinal belief of Islam in view, the given instruction is based on very far-sighted stances of wisdom.

(1) Let's look at the first element of wisdom in stopping outsiders

from going into a plague-affected area. Isn't it quite possible that someone may be at the fag end of his years and should he die because of this disease, it might have occurred to the deceased at some stage before his death that he might have lived had he not come into that area. Not only him, others might also think that his death occurred because he came there; although, whatever happened was pre-ordained. His age was no more than that. No matter where he lived, his death had to come at that particular time. It may be noted that the belief of Muslims has been saved from indecision through this instruction lest they should fall a victim to misunderstanding.

(2). The second aspect of wisdom here relates to the guidance Allah Almighty has given to man that he should not go where there is a danger of being harmed, or an apprehension of being killed; in fact, he should do his best to keep away from everything that could cause harm or death. Not only that, it has been made binding on every man to save his life. This rule demands that one should, keeping his total trust and belief in Divine decree, take all necessary precautionary measures without any negligence. One of these measures is that he should not go to a place where his life may be in danger.

Similarly, the instruction, that residents of an area infected with plague should not escape out of their fearing death, has its own merits:

a) The first wise counsel has a social and collective nature. For instance, should this escaping in panic become contagious, the rich and the powerful in the area would certainly run away. But, what would happen to those who are incapable of going anywhere. To begin with, left all alone, they will be terrified to their death. Then there will be sick among them -- who will take care of them? Should they die, who will manage their burial?

b) The second point of wisdom here tells that there will be some among the people present in that area who would be carrying germs of this disease. If they travel in that condition, they are likely to suffer more from all sorts of hardships. If they get sick while travelling, who knows what would come upon them. Ibn al-Madini has quoted the saying of scholars: *ما فر أحد من الوباء فسلم* : 'One who runs from an epidemic never stays safe.' (Qurṭubī)

c) There is still a third element of wisdom here. Isn't it that people infected by germs of the disease would be potential carriers of the epidemic wherever they go? If they elected to stay where they are, with patience and in trust, they might possibly get rid of the disease. And if, death was pre-ordained in this very disease, they will have the proud rank of *shahādah* (martyrdom) because of their patience and perseverance, as has been pointed out in *Ḥadīth*.

Imām al-Bukhārī has reported from Yaḥyā ibn Ya'mur that Sayyidah 'Ā'ishah al-Ṣiddīqah رضى الله تعالى عنها told him that she had asked the Holy Prophet ﷺ about plague when he informed her that this disease was a punishment sent to a people who were to be punished by Allah's will. Then, Allah made it mercy for true believers. So, a slave of Allah who stays on with patience and peace in his locality believing that no harm can touch him except that which Allah has decreed for him -- for such a person the merit in return shall be equal to that of a *shahīd*.

And this also explains the *ḥadīth* in which it is said: 'The plague is *shahādah* (martyrdom) and one who dies in the plague is a *shahīd* (martyr).' (Qurṭubī, vol.3, p. 235).

Some Exceptions

The words used in the *ḥadīth* are: فلا تخرجوا فرارا منه (You should not go out running from it) which tell us that a person who goes somewhere else, not because of the fear of death, but because of some other pressing need, will not be affected by this prohibition. Similarly, if someone has a firm belief that he cannot escape his destiny wherever he goes, but he wants to go simply for change of climate, he is also exempted from this prohibition.

Similarly, if a person enters an area affected by plague because of some pressing need while he firmly believes that death will not come to him just because he is coming here -- since death is subservient to the will of Allah, it will be permissible for him to go there.

(3) The third principle inferred from this verse is: that it is also not permissible to desert *Jihād* from fear of death. This question has been taken up elsewhere in the noble Qur'ān in greater details, where some special situations have been exempted.

The subject dealt with in this verse reappears in yet another verse which deals with those who run away from *Jihād* or do not take part in it. It is said:

الَّذِينَ قَالُوا لِإِخْوَانِهِمْ وَقَعَدُوا لَوْ أَطَاعُونَا مَا قُتِلُوا قُلْ فَادْرَأُوا عَنْ أَنْفُسِكُمُ
الْمَوْتَ إِنْ كُنْتُمْ صَادِقِينَ

Some people (who did not themselves take part in *jihād*) say (about those who do take part in *jihād*, and die as *shahīds*) 'These people did not listen to us, therefore, they were killed. If they had listened to us, they would have not been killed.' (The blessed Prophet ﷺ was commanded to) tell them: 'If you have the power to escape death, why worry about others, worry about your own selves and rescue yourselves from death', (that is, whether or not you go in *jihād* does not matter; death will come to you even when sitting home).

It is a marvel of nature that the greatest commander of the Muslim army in the early days of Islam, Sayyidnā Khālīd ibn Walīd رضى الله عنه, who was known as the 'sword of Allah' and who spent his entire Islamic life in *jihād*, did not meet his death as a *shahīd* on the battlefield! He died on his sick-bed, at his home. Close to his hour of death, lamenting over his dying on bed, he said to his family: 'I participated in so many great battles in *jihād*. I do not have a single part on my body, which has no wound-mark inflicted by swords and spears; but here I am, dying like a donkey on my bed. May Allah Almighty give no rest to cowards. Let them hear my advice.'

The incident relating to the Bani Israel was brought in this verse as an introduction. In the next verse appears the injunction relating to *jihād* and *qitāl* (fighting in the way of Allah) which was the real purpose in introducing this story, that is: Do not take going on *jihād* as going into the jaws of death and do not assume that running away from *jihād* will deliver you from your appointed time of death. Better still, obey the injunctions of Allah Almighty and achieve the best of both the worlds. Allah Almighty is the Hearer and Knower of all you say and do.

The third verse (245), which follows, deals with the merits of spending in the way of Allah.

Verses 245

مَنْ ذَا الَّذِي يُقْرِضُ اللَّهَ قَرْضًا حَسَنًا فَيُضِعْفَهُ لَهُ أَضْعَافًا
كَثِيرَةً وَاللَّهُ يَقْبِضُ وَيَبْصُطُ وَإِلَيْهِ تُرْجَعُونَ 0

Who is the one who would give Allah a good loan so that Allah multiplies it for him many times? And Allah withholds and extends, and to Him you are to be returned.

Commentary

1. In *يُقْرِضُ اللَّهَ قَرْضًا حَسَنًا* (who would give Allah a good loan?) the word 'loan' refers to good deeds and to the act of spending in the way of Allah. This was expressed figuratively as *qard* (literally, 'loan'), otherwise everything belongs to Allah. It simply means that whatever you spend will surely be returned to you (in the form of a reward in the Hereafter) just as a loan is surely returned. The promise of increased or multiplied return appears in a *hadith* which declares that a date spent in the way of Allah is so increased by Allah Almighty that it outgrows the mountain of *Uhud*.

Giving 'loan' to Allah Almighty has also been explained as the giving of actual loan to His slaves i.e. the human beings and thereby helping them in their hour of need. So, the act of giving loan has been credited with great merit in *Hadith*. The noble Prophet ﷺ said:

ما من مسلم يقرض مسلماً قرضاً مرةً إلا كان كصدقته مرتين

For every Muslim, who gives loan to another Muslim, it will be equal to having given *ṣadaqah* (charity) twice. (Mazhari with reference to Ibn Majah)

2. Hearing this verse, says Ibn al-'Arabi, people split in three groups. The first group is that of those unfortunate people who, after hearing this verse, said: 'Muhammad's Lord is poor, and we are rich.' The reply to this comment was given by another verse:

لَقَدْ سَمِعَ اللَّهُ قَوْلَ الَّذِينَ قَالُوا إِنَّ اللَّهَ فَقِيرٌ وَنَحْنُ أَغْنِيَاءُ

Allah has surely heard the saying of those who said, "Allah is poor and we are rich". (3:181)

The second group is that of those who, hearing this verse, elected to act against it and adopted miserliness as their way of life. The love

and greed of material possessions so tied them down that they remained deprived of the very ability to spend in the way of Allah.

The third group is that of sincere Muslims who lost no time and acted as directed by the verse giving the best of their possessions in the way of Allah, such as is the case of Companion Abū al-Daḥḍāḥ and others. When this verse was revealed, Sayyidna Abu al-Daḥḍāḥ رضى الله عنه presented himself before the Holy Prophet ﷺ and asked him: 'O Messenger of Allah, may my father and mother be sacrificed to you, does Allah Almighty need loan from us, although He is *Ghani*, the one who needs no loan?' The Holy Prophet ﷺ said: 'Yes, Allah Almighty does wish to grant you entry in Paradise through it.' Hearing this, Sayyidnā Abū al-Daḥḍāḥ رضى الله عنه said. 'Let the Messenger of Allah ﷺ stretch his hand forward.' He stretched his hand forward. Now Abū al-Daḥḍāḥ started saying:

'I own two date farms. I own nothing except these. I give the loan of these two farms of mine to Allah Almighty.'

The Holy Prophet ﷺ said to him: 'Dedicate one of these as *waqf* (endowment) in the way of Al'ah and keep the other to take care of your family needs.' Abū al-Daḥḍāḥ said: "You be my witness that I 'spend' the better of the two farms which has six hundred date trees in the way of Allah." He said: 'Allah will bless you with Paradise in return.'

Abū al-Daḥḍāḥ رضى الله عنه came to his house and told his wife about it. She too was very pleased with this wonderful deal. The noble Prophet ﷺ said:

كم من عذق رداح و دار فياح لأبى الدحداح

Countless trees laden with dates and spacious palaces are eagerly waiting for Abū al-Daḥḍāḥ (in Paradise). (Qurṭubī)

3. While returning *qard* (loan), paying a little more than taken is a favourable practice only if any increase on the amount of loan has not been made a pre-condition. The Holy Prophet ﷺ said:

ان خياركم أحسنكم قضاءً

The best person among you is the one who fulfils his obligation (loan) in a good manner.

If increase or premium has been made a condition, then, that is *haram* (unlawful), and it is *riba* (interest) as well.

Verses 246 - 251

أَلَمْ تَرَ إِلَى الْمَلَأِ مِنْ بَنِي إِسْرَائِيلَ مِنْ بَعْدِ مُوسَى إِذْ قَالُوا لِنَبِيِّ لَهُمْ ابْعَثْ لَنَا مَلِكًا نُقَاتِلَ فِي سَبِيلِ اللَّهِ قَالَ هَلْ عَسَيْتُمْ إِنْ كُتِبَ عَلَيْكُمُ الْقِتَالُ أَلَّا تُقَاتِلُوا قَالُوا وَمَا لَنَا أَلَّا نُقَاتِلَ فِي سَبِيلِ اللَّهِ وَقَدْ أُخْرِجْنَا مِنْ دِيَارِنَا وَابْتَأْنَا ظَلَمًا كُتِبَ عَلَيْهِمُ الْقِتَالُ تَوَلَّوْا إِلَّا قَلِيلًا مِّنْهُمْ هُوَ اللَّهُ عَلَيْهِمُ بِالظَّالِمِينَ ۝ وَقَالَ لَهُمْ نَبِيُّهُمْ إِنَّ اللَّهَ قَدْ بَعَثَ لَكُمْ طَالُوتَ مَلِكًا قَالُوا أَنَّى يَكُونُ لَهُ الْمُلْكُ عَلَيْنَا وَنَحْنُ أَحَقُّ بِالْمُلْكِ مِنْهُ وَلَمْ يُؤْتَ سَعَةً مِّنَ الْمَالِ قَالَ إِنَّ اللَّهَ اصْطَفَاهُ عَلَيْكُمْ وَزَادَهُ بَسْطَةً فِي الْعِلْمِ وَالْجِسْمِ وَاللَّهُ يُؤْتِي مُلْكَهُ مَن يَشَاءُ وَاللَّهُ وَاسِعٌ عَلِيمٌ ۝ وَقَالَ لَهُمْ نَبِيُّهُمْ إِنَّ آيَةَ مُلْكِهِ أَنْ يَأْتِيَكُمُ التَّابُوتُ فِيهِ سَكِينَةٌ مِّن رَّبِّكُمْ وَبَقِيَّةٌ مِّمَّا تَرَكَ آلُ مُوسَىٰ وَآلُ هَارُونَ تَحْمِلُهُ الْمَلَائِكَةُ ۚ إِنَّ فِي ذَلِكَ لَآيَةً لِّكُم إِنْ كُنْتُمْ مُّؤْمِنِينَ ۝ فَلَمَّا فَصَلَ طَالُوتُ بِالْجُنُودِ قَالَ إِنَّ اللَّهَ مُبْتَلِيكُمْ بِنَهَرٍ فَمَنْ شَرِبَ مِنْهُ فَلَيْسَ مِنِّي ۚ وَمَنْ لَّمْ يَطْعَمْهُ فَإِنَّهُ مِنِّي إِلَّا مَنِ اغْتَرَفَ غُرْفَةً بِيَدِهِ فَشَرِبُوا مِنْهُ إِلَّا قَلِيلًا مِّنْهُمْ ۖ فَلَمَّا جَاوَزَهُ هُوَ وَالَّذِينَ آمَنُوا مَعَهُ قَالُوا لَا طَاقَةَ لَنَا الْيَوْمَ بِجَالُوتَ وَجُنُودِهِ قَالَ الَّذِينَ يَظُنُّونَ أَنَّهُم مُّلَّفُوا لِلَّهِ لَئِنْ مَنَّا مِنْ فِتْنَةٍ قَلِيلَةٍ غَلَبْتَ فِتْنَةً كَثِيرَةً بِإِذْنِ اللَّهِ وَاللَّهُ مَعَ الصَّابِرِينَ ۝ وَلَمَّا بَرَزُوا لِجَالُوتَ وَجُنُودِهِ قَالُوا رَبَّنَا أَفْرِغْ عَلَيْنَا صَبْرًا وَثَبِّتْ أَقْدَامَنَا وَانصُرْنَا عَلَى الْقَوْمِ الْكَافِرِينَ ۝ فَهَزَمُوهُمْ بِإِذْنِ اللَّهِ وَقَتَلَ دَاوُدُ جَالُوتَ وَآتَاهُ اللَّهُ الْمُلْكَ وَالْحِكْمَةَ وَعَلَّمَهُ مِمَّا يَشَاءُ ۚ وَلَوْلَا دَفْعُ اللَّهِ النَّاسَ بَعْضَهُم بِبَعْضٍ ۖ

تفسير

لَفَسَدَتِ الْأَرْضُ وَلَكِنَّ اللَّهَ ذُو فَضْلٍ عَلَى الْعَالَمِينَ ۝

Did you not see a group from the children of Isrā'il, after (the time of) Mūsā when they said to a prophet of theirs: "Send us a king so that we may fight in the way of Allah." He said: "Is it (not) likely, if fighting is enjoined upon you, that you would not fight." They said: "What is wrong with us that we would not fight while we have been driven away from our homes and our sons?" But, when fighting was enjoined upon them, they turned away, except a few of them. And Allah is All-Aware of the unjust. And their prophet said to them: "Allah has sent you 'Ṭālūt' ⁵⁴ as king. They said: "How could he have kingship over us when we are more entitled to the kingship than he? And he has not been given a wide measure of wealth." He said: "Allah has chosen him over you and has increased his size in knowledge and physique. And Allah gives His kingship to whom He wills. And Allah is All-Embracing, All-Knowing." And their prophet said to them: "The sign of his kingship is that the Ark shall come to you having therein tranquility from your Lord, and the remains of what the House of Mūsā and the House of Harūn had left, carried by the angels. Surely, in it there is a sign for you, if you are believers." So, when 'Ṭālūt' set out along with the troops, he said: "Allah is going to test you by a river, so, whoever drinks from it is not my man, and whoever does not taste it is surely a man of mine, except the one who scoops a little with his hand." Then, they drank from it, except a few of them. So, when he crossed it and (crossed) those who believed with him, they said: "There is no strength with us today against 'Jālūt' ⁵⁵ and his troops." Said those who believed that they were to meet Allah: "How many small groups have overcome the large groups by the will of Allah. And Allah is with the patient." And when they faced 'Jālūt' and his troops they said: "Our Lord, pour out patience on us, make firm our feet and help us against the disbelieving people." So, they defeated them

54. Known in the Bible as Saul.

55. Known in the Bible as Goliath.

by the will of Allah, and Dāwūd killed 'Jālūt', and Allah gave him the kingdom and the wisdom and taught him what He willed. Had Allah not been pushing back some people by means of some others, the earth would have been spoiled. But Allah is all-gracious to all the worlds. (Verses 246 - 251)

Commentary

1. Verse 246: إِذْ قَالُوا لِنَبِيِّهِمْ ائْتِنَا مَلِكًا تَقَاتِلْ فِى سَبِيلِ اللّٰهِ (When they said to a prophet of theirs: "Send us a king so that we may fight in the way of Allah)."

These people from the Banī Isrā'īl had abandoned the injunctions given by Allah Almighty. When the infidel Amalekites were made to rule over them, they began thinking about correcting the situation. The name of the prophet mentioned here is Samuel (Arabic: شموئيل, Hebrew: *Shemuel*).

Verse 248: The story of Tālūt and Jālūt

The Banī Isrā'īl used to have the legacy of a wooden chest (also identified as the Ark of the Covenant). Moses and other prophets of Bani Isra'il would keep this chest in the frontline of the battlefield. Its *barakah* (blessing, benediction) used to give them victory. When *Jālūt* (جالوت : Goliath) overcame Banī Isrā'īl, he took this chest away with him. When Allah Almighty willed the return of the chest, it so happened that the infidels were struck by some epidemic or calamity at places where they carried this chest. Five cities were turned desolate. Nonplussed, they loaded it on two bullocks and drove them off. Then, the angels took control of the bullocks and made it reach Talut's doorsteps. (*Tālūt* is the Qur'ānic name of the king known in the Bible as Saul) When the Bani Isra'il saw this sign, they believed in the kingdom of *Tālūt*, who then mounted an attack on *Jālūt* while the weather was very hot.

Verse 249: قَالَ اِنَّ اللّٰهَ مُبْتَلِيكُمْ بِنَهْرٍ (He said: Allah is going to test you by a river).

The wisdom behind this test, as perceived by this humble commentator, appears to be as follows. Not difficult to imagine is the excitement created on such occasions but there are not many who would stay firm in their hour of trial. And should such a time come,

the weakness shown by such people becomes contagious making others panic as well. Allah Almighty willed that such people be pruned out. This purpose was accomplished by this test, which is very appropriate, because steadfastness is necessary in fighting. So, being patient, when water is made available without asking in a state of intense thirst, is a proof of steadfastness, and dashing for water is a proof of its absence. Later on comes the unusual: Those who drank too much water became mysteriously more incapacitated. This has appeared in Rūh al-Maʿānī on the authority of Ibn Abī Ḥātim from Ibn ʿAbbās رضى الله عنه . Now the events and sayings mentioned in this story tell us that there were three kinds of people among them:

- (1) The weak in faith who failed to make the grade in their hour of trial.
- (2) The perfect who fully succeeded in their trial but did feel concerned about how low they were in numbers.
- (3) The most perfect who did not bother even about that.

Verse 252

تِلْكَ آيَاتُ اللَّهِ نَتْلُوهَا عَلَيْكَ بِالْحَقِّ وَإِنَّكَ لَمِنَ الْمُرْسَلِينَ ۝
 These are the verses of Allah that We recite to you with all veracity, and certainly you are among the Messengers. (Verse 252)

Since the affirmation of the prophethood of the noble Messenger of Allah ﷺ is also a major objective of the Holy Qurʾān, it has been so asserted as and when the occasion warrants. That he is correctly reporting the event (in verses 246-251), while he neither learnt it from someone nor heard it anywhere nor saw it, is a miracle which is a sound proof of his prophethood. Verse 252 here (and verse 253 which follows) demonstrate this proof.

It is being said here that these verses in which this event has been mentioned 'are the verses of Allah that We recite to you with all veracity' and this proves that 'you are certainly among the Messengers.'

Verse 253

تِلْكَ الرُّسُلُ فَضَّلْنَا بَعْضَهُمْ عَلَى بَعْضٍ مِنْهُمْ مَنْ كَلَّمَ اللَّهُ

وَرَفَعَ بَعْضَهُمْ دَرَجَاتٍ وَأَتَيْنَا عِيسَى ابْنَ مَرْيَمَ الْبَيْتَ وَإِيَّاهُ
 بِرُوحِ الْقُدُسِ وَلَوْشَاءَ اللَّهُ مَا اقْتَتَلَ الَّذِينَ مِنِّي بَعْدَهُم مِّنْ
 بَعْدِ مَا جَاءَتْهُمْ الْبَيِّنَاتُ وَلَكِنْ اخْتَلَفُوا فَمِنْهُمْ مَّنْ آمَنَ
 وَمِنْهُمْ مَّنْ كَفَرَ وَلَوْشَاءَ اللَّهُ مَا اقْتَتَلُوا وَلَكِنَّ اللَّهَ يَفْعَلُ
 مَا يُرِيدُ ۝

Those are the messengers some of whom We have given excellence over some others. Among them there is he whom Allah spoke to, and some of them He raised steps higher. And We gave clear signs to 'Isa, the son of Maryam (Jesus, the son of Mary) and supported him with the Holy Spirit. And if Allah so willed, those succeeding him would have not fought against each other after clear signs had come to them. But they disagreed among themselves. So, there were some who believed and there were some who disbelieved and if Allah so willed, they would have not fought against each other. But Allah does what He intends. (Verse 253)

Commentary

1. In Verse 253, beginning with تِلْكَ الرُّسُلُ ('those are the Messengers'), the purpose is to give solace and comfort to the noble Prophet ﷺ since the deniers refused to recognize his prophethood, inspite of the fact that it was conclusively proved, as has been stated in the verse 252: وَأَنَّكَ مِنَ الرُّسُلِينَ (And certainly you are among the Messengers.) as well. This situation caused him pain. Therefore, Allah Almighty made him aware of the coming of other prophets too, in varying degrees of station, but universal belief was not witnessed in any of their communities -- some supported while some others opposed. However, this too has its wise considerations which may not necessarily be visible to everyone, but this much is important that one should generally believe that there is definitely a certain wisdom behind this.

2. Since the words تِلْكَ الرُّسُلُ فَضَّلْنَا بَعْضَهُمْ عَلَى بَعْضٍ (Those are the Messengers some of whom We have given excellence over others) in this verse clearly indicate that some prophets are given higher status than others, we have a difficulty on our hands when we compare this with a *hadith*, where the Holy Prophet ﷺ has said:

لا تفضلوا بين أنبياء الله

Do not seek preference among prophets.

لا تخيروني على موسى

Do not give me precedence over Mūsā.

لا أقول إن أحدا أفضل من يونس بن متى

I cannot say if anyone is better than Yūnus ibn Mātta.

These *aḥādīth* so obviously forbid the giving of preference to some prophets over some other prophets.

The reply is: These *aḥādīth* mean to tell us not to give preference to some prophets over some others, without any proof, out of our own opinion. This is because a prophet's having higher status means that he has a high station in the sight of Allah. Obviously, this knowledge cannot be acquired through conjectures and surmises but should such a proof come from the *Qur'ān* and *Sunnah*, establishing the precedence of some prophets over some others, then it will be necessary to believe in it.

Now, as to his saying: لا أقول إن أحدا أفضل من يونس بن متى (I cannot say if anyone is better than Yūnus ibn Mātta) and لا تخيروني على موسى (Do not give me precedence over Mūsā), this is related to the time when he was not given the knowledge that he has precedence over all other prophets. This was disclosed to him later on through revelation and he did tell the noble Companions about it. (Mazharī)

3. As regards the statement مِنْهُمْ مَن كَلَّمَ اللَّهُ (Among them there is he whom Allah spoke to), it may be noted that the conversation with Mūsā عليه السلام may be without an angel as intermediary, but it certainly was not without *ḥijāb* (obstruction of view). So, there remains no conflict of meaning with what has been stated in the verse: مَا كَانَ لِنَشْرِ أَنْ يُكَلِّمَهُ اللَّهُ (It belongs not to any mortal that God should speak to him) (42:51), in which conversation without *ḥijāb* has been negated. However, post-death conversation without *ḥijāb* is possible, so this verse from *Sūrah al-Shūrā* relates to the life in this world.

Verse 254

يَا أَيُّهَا الَّذِينَ آمَنُوا أَنْفِقُوا مِمَّا رَزَقْنَاكُمْ مِنْ قَبْلِ أَنْ يَأْتِيَ يَوْمٌ

لَا يَبِيعُ فِيهِ وَلَا خَلَّةٌ وَلَا شَفَاعَةٌ وَالْكَافِرُونَ هُمُ الظَّالِمُونَ ۝

O those who believe spend from what We have given to you before comes a day when there is no trading, no friendship, no intercession. And the disbelievers are the unjust. (Verse 254)

Commentary

Many injunctions relating to acts of worship and dealings with human beings have been taken up in this Sūrah, specially all those a person dislikes to obey finding them burdensome. Then, the most difficult act is to 'spend' one's life and possessions; and when you look at Divine injunctions relating to most situations they either relate to a man's life or his possessions. And when a man falls into the trap of sin, it is either caused by his love of life or expediency of possessions in most cases. As such, the love for these two is the root of sins, and the defence against and the deliverance from it is the object of all acts of obedience. It is for this reason that, following the injunctions relating to worship and social transactions, the subject of 'fighting' and 'spending' in the way of Allah were taken up. The first appeared in وَقَاتِلُوا فِي سَبِيلِ اللَّهِ (And fight in the way of Allah) (244) and the second in مَنْ ذَا الَّذِي يقرضُ اللَّهَ (Who is the one who would give Allah a good loan?) (245) After that, the former was emphasized by the story of *Tālūt*, and now, emphasis is being laid on the later by أَنْفِقُوا مِمَّا رَزَقْنَاكُمْ (Spend from what We have given to you) (254). Since a large number of affairs relating to the worship of Allah and dealings with human beings depend on spending out of what Allah has given, this subject has been dealt with in a greater detail. Therefore, the sections that follow have, in most of them, a discussion of the second aspect, which is, the 'spending' out of one's possessions. To sum up, it means: The time to act is still there. In the Hereafter, deeds are not on sale. They cannot be borrowed from a friend either. Once caught by the punishment, one cannot be released on someone's intercession, unless Allah Himself forgives.

Verse 255

اللَّهُ لَا إِلَهَ إِلَّا هُوَ الْحَيُّ الْقَيُّومُ لَا تَأْخُذُهُ سِنَّةٌ وَلَا نَوْمٌ لَهُ مَا فِي السَّمَوَاتِ وَمَا فِي الْأَرْضِ مَنْ ذَا الَّذِي يَشْفَعُ عِنْدَهُ إِلَّا

بِأَذْنِهِ يَعْلَمُ مَا بَيْنَ أَيْدِيهِمْ وَمَا خَلْفَهُمْ وَلَا يُحِيطُونَ بِشَيْءٍ مِّنْ
عِلْمِهِ إِلَّا بِمَا شَاءَ وَسِعَ كُرْسِيُّهُ السَّمَوَاتِ وَالْأَرْضَ وَلَا يَئُودُهُ
حِفْظُهُمَا وَهُوَ الْعَلِيُّ الْعَظِيمُ 0

Allah: There is no god but He, the Alive, the All-Sustaining. Neither doze overtakes Him nor sleep. To Him belongs what is in the heavens and what is on the earth. Who can intercede with Him without His permission? He knows what is before them and what is behind them. And they encompass nothing of His knowledge except what He wills. His *Kursi* (chair) extends to the Heavens and to the Earth, and it does not weary Him to look after them. And he is the High, the Supreme. (Verse 255)

The merits of *Ayāt-al Kursī*

This is the greatest verse of the noble Qur'an. *Aḥādīth* carry statements featuring its wonderful merits and blessings. It appears in the Musnad of Aḥmad that the Holy Prophet ﷺ has said that this verse is the most meritorious of all. According to another *ḥadīth*, the Holy Prophet ﷺ asked Sayyidnā 'Ubayy ibn Ka'b رضى الله عنه: 'Which is the greatest *āyah* (verse) of the Qur'an?' Sayyidnā 'Ubayy ibn Ka'b رضى الله عنه said: '*Āyah al-Kursī*'. Approvingly, the Holy Prophet ﷺ said: 'O Abū al-Mundhir, may Allah bless you in your knowledge.'

Sayyidnā Abū Dharr رضى الله عنه asked the Holy Prophet ﷺ: 'O Messenger of Allah, which is the greatest *ayah* (verse) of the Qur'an?' He said: '*Āyah al-Kursī*'. (Ibn Kathīr from Aḥmad in Al-Musnad).

Sayyidnā Abū Hurayrah رضى الله عنه has reported the Holy Prophet ﷺ saying: 'There is a verse in *Sūrah Al-Baqarah* which is the *Sayyidah* (the Chief) of the verses of the Qur'an. The Satan leaves the house where it is recited.'

According to a *ḥadīth* in al-Nasā'ī, the Holy Prophet ﷺ said: 'If someone recites *Āyah al-Kursī* after every *fard ṣalāh*, nothing stops him from entering Paradise except death.' It means that, immediately after death, this person will start witnessing the traces of Paradise and its comfort and tranquillity.

This verse describes the Oneness of Allah's being and attributes in

a unique manner -- He is living, He hears and sees, He speaks, He is self-existent, He is eternal and everlasting, He is the innovator and creator of the entire universe, He is above changes and effects, He is the master of the whole universe, He is so exalted in His majesty that no one can speak before Him without His permission; He is the wielder of such absolute power that the tremendous function of creating the universe, sustaining it and making it work steadily, does not cause him to tire or relax. So all-encompassing is His knowledge that not the minutest possible atom or drop, open or hidden, could stay out of it. This is, in brief, the core sense of the verse. Now let us take up the meanings of its words in some details.

This verse has ten sentences. The first sentence is: **اللَّهُ لَا إِلَهَ إِلَّا هُوَ** : 'Allah: There is no god but He.' The word, **اللَّهُ** (Allah) is like a proper noun for Allah's being. It means: 'the Being who combines all perfections and is free of all shortcomings.' 'There is no god but He' explains this Being. It says that there is absolutely nothing worth worshipping except this Being.

The second sentence is: **الْحَيُّ الْقَيُّومُ** : 'The Alive, the All-Sustaining.' The word '**حَيُّ**' means 'the living' in Arabic. Out of the Divine names, the introduction of this word is to emphasize that He is Ever-living and Ever-lasting. He is above and beyond death. The word **قَيُّومٌ** is derived from *Qiyām* which means 'to stand' and *qā'im* refers to 'one who stands.' The words, *Qayyūm* and *Qayyām* are forms of exaggeration. They mean: 'one who himself stands firmly and keeps others sustained and supported, all simultaneously.' *Qayyūm* is an attribute of Allah Almighty with which no created being can be associated, for what depends on others for its own existence and survival can hardly be expected to support something else. Therefore, a human being should not be called, '*Qayyūm*'. It is not permissible. People who corrupt the name, '*Abdūl-Qayyūm* (the slave of the *Qayyūm*)' by casually using just the second part -- *Qayyūm*, commit a grave error resulting in their sinfulness.

The combination of *Hayy* and *Qayyūm* from among the attributive names of Allah Almighty is **الاسم الاعظم** (*al-ism al-a'zam*: the Great Name) according to several revered elders. Sayyidnā 'Alī **رضى الله عنه** says: 'There was a time during the Battle of *Badr* when I wished I could see what

the Holy Prophet ﷺ was doing. On arrival, I saw him in the state of *sajdah*, (the prescribed prostration) constantly saying, يَا حَيُّ يَا قَيُّوْمُ يَا حَيُّ يَا قَيُّوْمُ يَا حَيُّ يَا قَيُّوْمُ.

The third sentence is: لَا تَأْخُذُهُ سِنَّةٌ وَلَا نَوْمٌ: 'Neither doze overtakes Him nor sleep.' The word (سِنَّةٌ : *sinatun*) denotes drowsiness which is the preliminary effect of coming sleep, while the word, نَوْمٌ : *nawm* refers to full sleep. The sense of the sentence; is that Allah Almighty is above and beyond states of drowsiness or sleep. When the word, *Qayyūm*, appearing in the previous sentence; told man that Allah is holding in perfect working unison the whole universe, which includes in itself, all skies and earths and all there is in them -- one could stray on to the idea, naturally so, in view of man's instinctive inquisitiveness, that the sacred 'Being' doing such a stupendous task must, at some time, feel tired, and need due moments of rest and sleep. In this second sentence of the text, man, who has limited knowledge and insight, and limited power, was warned that he should not measure Allah on his analogy or that of other created beings, never taking Him as similar to one's own self. He is above and beyond similarities and analogies. His power is absolutely perfect before which these doings are neither difficult nor tiresome and that His sacred being is above and beyond all sense-effects, weariness, exhaustion, drowsiness and sleep.

The fourth sentence is: لَهُ مَا فِي السَّمَوَاتِ وَمَا فِي الْأَرْضِ: 'To Him belongs what is in the havens and what is in the earth.' The letter (*lām*) appearing in the very beginning, has been used to denote ownership. Thus it means that everything on the earth or in the heavens is all owned by Allah Almighty. He is the authority, and may do whatever He deems fit with them.

The fifth sentence is: مَنْ ذَا الَّذِي يَشْفَعُ عِنْدَهُ إِلَّا بِإِذْنِهِ: 'Who can intercede with Him without His permission?' Here are some points implied in this sentence:

To begin with, when Allah Almighty is the master-owner of the entire universe and there is no one above Him, certainly then, no one is entitled to question Him about anything He does. In the wake of a command that flows from Him, the option of saying why and wherefore does not exist for anyone. However, someone interceding on someone's behalf was possible. This too has now been made clear that no mortal could even dare breath in the most exalted Presence of Allah

Almighty; but there are servants of Allah Almighty who have received the favour of His approval and acceptance and who would be specially allowed to speak and intercede. In short, recommendation or intercession, from anyone for anyone, will not be possible without Divine permission. It appears in *Hadith* that the Holy Prophet ﷺ said: 'On the day of resurrection, I shall be the first to intercede on behalf of all human communities'. This is called *al-Maqām al-Maḥmūd*, the praised station, which is one of the distinctions of our noble Prophet ﷺ.

The sixth sentence is: *يَعْلَمُ مَا بَيْنَ أَيْدِيهِمْ وَمَا خَلْفَهُمْ*: 'He knows what is before them and what is behind them.' It means that Allah Almighty is aware of all the states and events surrounding them. 'Before' and 'after' may also mean that Allah Almighty is aware of all states and events before their birth and after their birth. It is also possible that 'before' refers to states and events that are open to men, and 'after' denotes states and events that are hidden. If so, it would mean that the human knowledge covers certain things and does not cover certain others. Some things are open before a human being and some are hidden. But, before Allah Almighty all these are equal. His knowledge encompasses all these things equally. Incidentally, there is no contradiction in these two senses, which are both included in the scope of the verse.

The seventh sentence is: *وَلَا يَحِيطُونَ بِشَيْءٍ مِّنْ عِلْمِهِ إِلَّا بِمَا شَاءَ*: 'And they encompass nothing of His knowledge except what He wills.' It means that man and the rest of the created beings cannot cover even a part of Allah's infinite knowledge except a certain part which Allah Almighty Himself allows to be given out of His knowledge. This is all one can know. Here it has been made clear that the all-encompassing knowledge of every particle in the universe is a particular attribute of none but Allah Almighty. No man, no created being can claim to have a share in it.

The eighth sentence is: *وَسِعَ كُرْسِيُّهُ السَّمَاوَاتِ وَالْأَرْضَ*: 'His *Kursī* extends to the Heavens and to the Earth.' It means that His *Kursī* (translated as chair or base of power) is so magnified that its spatial infinity houses, within itself, the seven heavens and the earth. Allah Almighty is above and beyond sitting and standing and all spatial location and

placement. Such verses should not be taken up on the analogy of our own states and affairs. The comprehension of the state of being, and the reality of His attributes, is above and beyond human reason. However, there are authentic narrations in *aḥādīth* which simply tell us that 'Arsh (translated as 'throne', being a seat of authority) and Kursi (chair) are heavenly bodies many times larger than the heavens and the earth.

Ibn Kathīr has reported from Sayyidnā Abū Dharr al-Ghifārī رضى الله عنه that he asked the Holy Prophet ﷺ as to what the Kursi was and what did it look like. He said: 'By Allah, who is the master of my life, the seven heavens and the earth as compared with Kursi are like the small circle of a finger-ring lying on a huge plain.'

In some other narrations it has been stated that Kursi as compared to 'Arsh (Throne) is also like the circle of a finger-ring on a huge plain.

The ninth sentence is: 'وَلَا يُؤَدُّهُمْ حَظُّهُمْ': 'And it does not weary Him to look after them.' It means that supporting the two magnificent creations of the heavens and the earth is not the least burdensome for Allah Almighty since doing so, with the perfect power of the Absolute Master, is easy.

The tenth and the last sentence is: 'وَهُوَ الْعَلِيُّ الْعَظِيمُ': 'And He is the High, the Supreme.' It means that He is most exalted and great in majesty. In the previous nine sentences, the perfections of Allah's being and His attributes were stated. After having seen and understood these, every rational human being is bound to acknowledge that all honour, power and superiority belongs to none but the same Allah Almighty. To sum up, these ten sentences epitomize a description of Allah's Oneness and His perfections with clarity, and in detail.

Verse 256

لَا إِكْرَاهَ فِي الدِّينِ تَبَيَّنَ الرُّشْدُ مِنَ الْغَيِّ فَمَنْ يَكْفُرْ
بِالطَّاغُوتِ وَيُؤْمِنْ بِاللَّهِ فَقَدِ اسْتَمْسَكَ بِالْعُرْوَةِ الْوُثْقَىٰ لَا
أَنْفَصَامَ لَهَا وَاللَّهُ سَمِيعٌ عَلِيمٌ ۝

There is no compulsion in Faith. The correct way has become distinct from the erroneous. Now, whoever rejects the Rebel and believes in Allah has grasped the