

The Qur'ān: Cover to Cover

Sūrat al-Baqara

سورة البقرة

Volume Four: Āyahs 211–252

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Sūrat al-Baqara, Volume Four: Āyahs 211–252

This book began in a weekly gathering. Since 2023 the author has sat with a small congregation on Thursday nights and read the Qur'ān with them from its opening towards its close, twenty minutes at a sitting, a few āyahs at a time. What follows gathers those sessions on the two hundred and eleventh to the two hundred and fifty-second āyah of Sūrat al-Baqara and develops the notes taken from them into connected prose. The second Juz' of the Qur'ān closes at the two hundred and fifty-second āyah, and this volume carries it from a little past its middle to its end.

The Qur'ānic Arabic is given in the 'Uthmānī text. The translations of the āyahs, and of the aḥādīth quoted throughout, are the author's own, and are offered in the plain register of the gathering from which they came rather than as a rival to the established renderings. They are not reproduced from any published translation.

The general introduction to the Qur'ān and to the discipline of tafsīr stands at the front of Volume One and is not repeated here, nor is the transliteration key, which the reader will find in any of the three earlier volumes. The system used for transliteration is unchanged.

Where a source has been named, the reference is given in the notes at the back of the volume rather than at the foot of the page, so that the page may be read without interruption and the reader who wants the chain of the matter may go and find it.

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The Author's Introduction

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

All praise belongs to Allāh ﷻ, who set down the limits and then named them limits, who did not leave the marriage of a man and a woman to the customs of the market, and who has taught us that the small sacrifice is the door to the large one. Peace and blessings upon our master Muḥammad ﷺ, who was asked question after question by his Companions and answered every one of them, and upon his family and his Companions and all who follow them in excellence until the Day of Recompense.

The volume before this one took the reader from the first word of the second Juz' to the two hundred and tenth āyah, and set him down in the middle of a warning about entering the religion by halves. This volume takes up the two hundred and eleventh āyah and carries the reader to the end of the Juz', and for once the stopping place is not an accident of the pagination, because the Juz' itself ends there, at the two hundred and fifty-second āyah, with the Qur'ān turning to the Prophet ﷺ and telling him that these are the signs of Allāh recited to him in truth.

The reader should know what he is walking into. This is the heaviest legal stretch of the sūra, and much of it is about marriage and its ending. There is the wine and the gambling, the orphans and their property, the marrying of those who do not believe, the intimacy of husband and wife and its bounds, the oaths a man swears and the oaths he should not, the four months of the man who swears off his wife, the waiting period of the divorced woman, the two divorces and the third, the retaining in fairness and the releasing in fairness, the woman whose family blocks her remarriage, the suckling of a child for two full years, the widow and her four months and ten days, the hinting at a proposal, the gift owed to the woman divorced before she was touched, and the half of the dower. Nine āyahs out of every ten in the first two thirds of this volume touch a household somewhere.

I want to say something at the outset about how this section is usually read, because it is usually read badly, and it is read badly by both of the parties who read it. There are those who come to these āyahs looking for the licence in them, and there are those who come looking for the offence in them, and both of them read too quickly and both of them come away with what they brought. What is actually here is a

body of law which was set down in a society that gave a woman almost nothing and which gave her, in a few years, the right to her dower, the right to her waiting period, the right to be retained in fairness or released in fairness, the right to her maintenance while she nurses, the right not to be held in a marriage as a way of punishing her, and the right to be let go without the family of anybody standing in her way. The Qur'ān did not do this by making a speech about it. It did it by legislating, clause by clause, and the clauses are still here, and the communities which recite them every Ramaḍān are in many cases still not doing them. That, and not the objection of the stranger, is what a Muslim should be embarrassed about in these pages. I have written an addendum at the back of the volume on the reading of the divorce passages, because the matter needed more room than a commentary on a single āyah could give it, and I would ask the reader who finds these āyahs difficult to turn there before he decides what he thinks.

Then, at the two hundred and forty-third āyah, the ground changes under the reader's feet. The law stops and the stories begin: the thousands who fled their homes in fear of death and were told to die, the people who asked their prophet for a king and then turned away when the fighting was written for them, Ṭālūt and the river, the three hundred and some who crossed it, and a young man with a sling who killed a giant and was given a kingdom and a prophethood. The two halves of the volume look unrelated and are not. The law is a long training in the small sacrifice, and the river is the examination. A man who cannot keep an oath in his own kitchen will not decline to drink when he is thirsty and the water is in front of him and the enemy is over the hill.

This is a small effort of mine and a poor one. The matter deserved abler hands than mine, and where the reader finds anything of use in it, it is from Allāh ﷻ and from the books of the 'ulamā' from which I have taken it, and where he finds error, it is mine and I ask his forgiveness and I ask Allāh's. May Allāh accept it, and make it of benefit to the ordinary worshipper, and forgive its author his haste. Āmīn.

Where the Third Volume Left Us

The reader who is joining the book here should know the ground he is standing on, and it will take a page to tell him.

Sūrat al-Baqara is the second sūra of the Qur'ān and the longest of them, and it came down at Madīnah over most of the ten years the Prophet ﷺ lived there. The first volume of this book carried the reader through the first eighty-two āyahs, which set out the three sorts of men who meet the Qur'ān, and then turned to the Children of Isrā'īl and began a long accounting with them. The second volume carried that accounting to the end of the first Juz'. The third took up the second Juz' at the changing of the Qibla and carried it to the two hundred and tenth āyah, through the middlemost community, the ṣafā and the marwa, the lawful and the unlawful on our plates, the retribution and the bequest, the fasting of Ramaḍān, the fighting and its limits, and the Ḥajj from the iḥrām to the last pebble at Minā, and it closed with two men held up against each other: the one whose speech about this world impresses you and whose heart Allāh ﷻ knows, and the one who sells his own soul seeking the pleasure of his Lord. The last command before this volume opens is that the believers enter into Islam completely, all of it, and not take the steps of Shayṭān.

That is where the third volume left the reader, and the two hundred and eleventh āyah opens with an instruction to the Prophet ﷺ to put a question to the Children of Isrā'īl, which sounds like a return to the argument of the first Juz' and is in fact its conclusion.

The Isti'ādha and the Basmala

The reciter of the Qur'ān begins with the Isti'ādha, which is his taking of refuge, and it is said before the recitation and not as a part of it.

أَعُوذُ بِاللَّهِ مِنَ الشَّيْطَانِ الرَّجِيمِ

I take refuge with Allāh from Shayṭān the accursed.

Allāh ﷻ has commanded it in Sūrat al-Naḥl, that when you recite the Qur'ān, take refuge with Allāh from Shayṭān the accursed, and the 'ulamā' have noticed that the command is in the past construction, so that a man is being told to have taken refuge before he begins rather than to take it as he begins. A man who is about to read the words of his Lord is about to do the thing his enemy least wants him to do, and it would be a strange soldier who walked into that without first asking for cover.

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

In the name of Allāh, the All-Merciful, the Very-Merciful.

Then comes the Basmala, and the two names in it are from one root, and the 'ulamā' have said that the first is a mercy so wide that it takes in the believer and the disbeliever and the animal in the field, and the second is a mercy reserved, which Allāh ﷻ keeps for those who turn to Him. A man who says these words honestly at the head of a task has already said a great deal about who he thinks is doing the work.

Sūrat al-Baqara

Volume Four · Āyahs 211–252

Madinan · The second sūra of the Qur'ān

The closing portion of the second Juz'

Ask the Children of Isrāʼil How Many a Sign

سَلْ بَنِي إِسْرَٰئِيلَ كَمْ ءَاتَيْنَهُم مِّنْ ءَايَةٍ بَيِّنَةٍ وَمَن يُدِلَّ نِعْمَةُ اللَّهِ
مِنْ بَعْدِ مَا جَاءَتْهُ فَإِنَّ اللَّهَ شَدِيدُ الْعِقَابِ ﴿٢١١﴾

Ask the Children of Isrāʼil how many a clear sign We gave them. And whoever alters the favour of Allāh after it has come to him, then Allāh is severe in punishment.

al-Baqara 2:211

The āyah before this one warned the believers against entering the religion by halves and against following the footsteps of Shayṭān, and it closed by telling them that if they slip after the clear proofs have come to them, Allāh ﷻ is Mighty and Wise. Here the Qurʼān does what it has done throughout this sūra whenever it has laid down a principle, which is to produce a nation which has already been through the examination and to invite the reader to look at its result. The principle was that opposition to the truth after clear signs deserves punishment. The illustration is the Children of Isrāʼil, and the reader has spent the whole of the first Juzʼ being told their story, so the Qurʼān does not tell it again. It says only, ask them, *sal banī isrāʼil*, and leaves the reader to remember.

The word is *sal*, ask, and the ‘ulamā’ have differed over whom the Prophet ﷺ is being told to ask and why. Al-Ṭabarī رحمه الله reports the plain sense, that the Jews of Madīnah were there and could be asked, and that the question is a real one to which they knew the answer perfectly well, since their own scripture recorded every sign and every rebellion which followed it.¹ A question of this kind is not asked in order to be informed. It is asked in order to make a man say out loud what he has been avoiding saying, and there is no answer available to the man who is asked it except the one which condemns him.

How many a sign, then. Muftī Shafī رحمه الله lists them, and it is worth setting them down together, because the force of the āyah is in the accumulation and not in any one of them.² The sea was split for them and they walked through it on dry land

with the water standing on either side of them like walls, and within a few days of the crossing they came upon a people devoted to idols and asked Mūsā عليه السلام to make them a god of the same sort. The mountain was raised over their heads until they took the Tawrah, and they took it, and then they did not do it. The clouds shaded them in a desert where a man's shadow is his life, and the *mann* and the *salwā* came down to them without labour, and they asked for onions and lentils and cucumbers instead, and asked in a tone which suggested they were being cheated. Water came out of a rock in twelve springs, one for each tribe, so that nobody had to queue behind anybody. Prophets were sent to them in a stream, one after another, more than were sent to any people before or since, and they killed a number of them.

Consider what is being counted here. Every one of those signs was a favour, and every one of them was altered. That is the verb the āyah chooses, *yubaddil*, from *tabdil*, to substitute one thing for another, and it is a stronger word than to reject. A man who rejects a favour has at least understood what it was. A man who alters it has taken the thing and turned it into something else and gone on holding it, and the 'ulamā' have taken the alteration here in the widest sense: the alteration of the Book by interpretation, the alteration of a blessing by using it in disobedience, and the alteration of a sign by explaining it away.³

The Qur'ān has a companion āyah in Sūra Ibrāhīm which the mufasssirrūn bring here, and it is the same charge in more open language.

أَلَمْ تَرَ إِلَى الَّذِينَ بَدَّلُوا نِعْمَتَ اللَّهِ كُفْرًا وَأَحَلُّوا قَوْمَهُمْ دَارَ الْبَوَارِ * جَهَنَّمَ يَصْلَوْنَهَا وَبِئْسَ الْقَرَارُ

Have you not seen those who exchanged the favour of Allāh for disbelief, and settled their people in the abode of ruin? Jahannam, in which they burn, and an evil place to settle it is.

The favour was exchanged for disbelief, says that āyah, and then it says something worth stopping over, that they settled their people there. A man who alters a blessing does not go down on his own. He is usually a man of standing, and his people are watching him, and where he settles they settle. The elders of Banū Isrā'īl did not merely lose their own religion. They took a nation with them, and the Qur'ān holds them to account for the address and not only for the man.

There is a question the ordinary worshipper should put to himself before he leaves this āyah, and I would rather he put it than that I put it for him. The favour named

here was a scripture, a prophet, a deliverance, and a land. He has been given a scripture, and a prophet, and a religion complete, and he has been given it without having to cross a sea to get it. The Children of Isrā'īl were asked how many a clear sign, and the answer was a long one. If he is asked the same question, his answer will be longer.

Adorned for Those Who Disbelieve Is the Life of This World

زِنًى لِلَّذِينَ كَفَرُوا الْحَيَاةُ الدُّنْيَا وَيَسْخَرُونَ مِنَ الَّذِينَ ءَامَنُوا وَالَّذِينَ
 اتَّقَوْا فَوْقَهُمْ يَوْمَ الْقِيَمَةِ وَاللَّهُ يَرْزُقُ مَنْ يَشَاءُ بِغَيْرِ حِسَابٍ ﴿٢١٢﴾

Adorned for those who disbelieve is the life of this world, and they mock those who believe. But those who fear Allāh will be above them on the Day of Resurrection.

And Allāh provides for whom He wills without reckoning.

al-Baqara 2:212

Having named the disease in the previous āyah, which is the altering of a favour, the Qur'ān now names its cause, and it is a single word: *zuyyina*, it has been made to look beautiful. This is the root of every worldly evil there has ever been, that the *dunyā* is desired, and the desiring of it is not a thing a man decides upon in the morning. It is done to him. The verb is in the passive and the Qur'ān does not name the agent, and the 'ulamā' have said that the adorning is from Shayṭān in one sense and from Allāh ﷻ in another, since it is He who made the gold beautiful and the horses beautiful and the sons beautiful, as He says in Sūra Āl 'Imrān, and He made them so in order to test who would be taken in by them.⁴

Then the second clause, and it is the one which would have stung. *Wa yaskharūna min alladhīna āmanū*, and they mock those who believe. Ibn Kathīr رحمه الله puts the picture in front of us: Abū Jahl and the chiefs of Quraysh, men with houses and camels and standing, laughing at Bilāl and 'Ammār and Ṣuhayb رضي الله عنهم, who had nothing, and whose religion had, from where Abū Jahl was sitting, delivered them nothing.⁵ The mockery was not an argument. It never is. It was a rich man looking at a poor man and finding the poor man's certainty funny, and the Qur'ān

answers it not by defending the poor man but by telling the rich man where he will be standing later.

The same laughter appears in Sūrat al-Muṭaffifīn, where Allāh ﷻ describes the criminals laughing at the believers and winking at one another as they pass them, and then the sūra turns the whole scene over.

فَالْيَوْمَ الَّذِينَ آمَنُوا مِنَ الْكُفَّارِ يَضْحَكُونَ * عَلَى الْأَرَائِكِ يَنْظُرُونَ

So today it is those who believed who laugh at the disbelievers, upon couches, looking on.

The Qur'ān is telling us who has the last laugh, and it is telling us in the same vocabulary the mockers used, which is a mercy to a believer who is being laughed at now. He is not being told that the laughter does not hurt. He is being told when it stops.

Wa alladhīna ittaqaw fauqahum yawma al-qiāma, and those who feared Allāh will be above them on the Day of Resurrection. Note the word *fawq*, above, which is a word of position and not only of rank, and note also that the superiority the disbelievers presently enjoy is real, and the Qur'ān does not pretend otherwise. They do have the houses. What the Qur'ān says is that the arrangement is temporary and that it inverts, and that what looks like the whole of the picture is a corner of it.

Then the closing clause, and it is the answer to the whole of the difficulty: *wallāhu yarzuqu man yashā'u bi ghayri ḥisāb*, and Allāh provides for whom He wills without reckoning. Everything the mocker has is from Allāh ﷻ and not from himself, which is the one thing he does not know, and it is precisely what Qārūn did not know when he said that he had been given his wealth on account of knowledge he possessed. The provision comes without measure, without accounting, to whom He wills, and the man who understands this stops envying the mocker in the same instant, because there is nothing to envy in a gift which was given as a test.

Then Spend

The mention of provision at the end of the āyah opens the door which the following āyahs walk through, and the aḥādīth on spending gather here in the books of tafsīr because the cure for loving the *dunyā* is to give some of it away. There is nothing else which works. A man may be lectured about detachment for forty years and remain

exactly as attached as he was, and the moment he gives away something he wanted to keep, the lecture becomes unnecessary.

يَا ابْنَ آدَمَ أَنْفِقْ أَنْفِقْ عَلَيْكَ

O son of Ādam, spend, and I will spend on you.

And to Bilāl رضي الله عنه himself, who was one of those being laughed at, the Prophet ﷺ said something which reads like a direct reply to the mockery of the previous clause.

أَنْفِقْ بِلَالُ وَلَا تَخْشَ مِنْ ذِي الْعَرْشِ إِقْلَالًا

Spend, Bilāl, and do not fear from the Owner of the Throne any poverty.

Two angels descend every morning, the Prophet ﷺ told us, and one of them says, O Allāh, give the spender a replacement, and the other says, O Allāh, give the withholder ruin.⁶ The withholder is not left alone. He is prayed against, every single morning, by an angel, and he does not hear it.

And there is the ḥadīth which every ordinary worshipper should have written somewhere he will see it, in which the Prophet ﷺ quotes the son of Ādam saying, my wealth, my wealth, and then asks him what he actually owns of it.

وَهَلْ لَكَ مِنْ مَالِكَ إِلَّا مَا أَكَلْتَ فَأَفْنَيْتَ، وَمَا لَبِسْتَ فَأَبْلَيْتَ، وَمَا تَصَدَّقْتَ فَأَمْضَيْتَ، وَمَا سِوَى ذَلِكَ فَذَاهِبٌ وَتَارِكُهُ لِلنَّاسِ

Do you have of your wealth anything except what you ate and finished, or what you wore and wore out, or what you gave in charity and sent on ahead? Whatever is besides that is going, and you are leaving it for other people.

Three columns, then, and only one of them has anything in it at the end. The food is gone, the clothes are worn through, and the charity is the only portion which has been sent ahead and is waiting. Everything else in the ledger belongs already to somebody who has not yet been told he is going to inherit it. Imām Aḥmad رحمه الله records the Prophet ﷺ summarising the whole matter, that the *dunyā* is the house of the one who has no house, and the wealth of the one who has no wealth, and it is gathered up by the one who has no reason.⁷

Mankind Was a Single Community

كَانَ النَّاسُ أُمَّةً وَاحِدَةً فَبَعَثَ اللَّهُ النَّبِيِّنَ مُبَشِّرِينَ وَمُنذِرِينَ وَأَنْزَلَ
مَعَهُمُ الْكِتَابَ بِالْحَقِّ لِيَحْكُمَ بَيْنَ النَّاسِ فِي مَا اخْتَلَفُوا فِيهِ وَمَا
اِخْتَلَفَ فِيهِ إِلَّا الَّذِينَ أُوتُوهُ مِنْ بَعْدِ مَا جَاءَتْهُمْ الْبَيِّنَاتُ بَغْيًا بَيْنَهُمْ
فَهَدَى اللَّهُ الَّذِينَ ءَامَنُوا لِمَا اخْتَلَفُوا فِيهِ مِنَ الْحَقِّ بِإِذْنِهِ وَاللَّهُ
يَهْدِي مَنْ يَشَاءُ إِلَى صِرَاطٍ مُسْتَقِيمٍ ﴿٢١٣﴾

Mankind was a single community, then Allāh raised up the prophets as bearers of good news and as warners, and sent down with them the Book in truth, so that it might judge between the people in what they differed over. And none differed over it except those who had been given it, after the clear proofs had come to them, out of envy amongst themselves. Then Allāh guided those who believed to the truth of what they differed over, by His leave. And Allāh guides whom He wills to a straight path.

al-Baqara 2:213

This is one of the great āyahs of the sūra and the ‘ulamā’ have written a great deal on it, because it explains, in a single sentence, why there is revelation at all.

Begin with the word *umma*. Al-Rāghib al-Iṣfahānī رحمه الله defines it in *al-Mufradāt* as a body of people gathered together by some one thing, and he says that the gathering may be by religion, or by time, or by place, and that it may equally be by descent or by language or by colour or the like.⁸ The element which unifies them is what makes them an *umma*, and it is not fixed in advance. So the statement here is that there was a period when the human beings were one composite group, undivided by the thing which later divided them, which was religion.

When was it? The mufasssīrūn give two answers, and both are worth carrying. The first is that it refers to the covenant, the ‘*ahd*’ taken from the loins of Ādam عليه السلام, when Allāh ﷻ asked *alastu bi rabbikum*, am I not your Lord, and every soul answered yes. At that moment the human race was one community and there was

not a disbeliever amongst them. The second is that it refers to the period between Ādam عليه السلام and Nūḥ عليه السلام, which the reports put at ten generations, in which the people were upon the truth and there was no dispute, and Nūḥ عليه السلام was the first messenger sent because he was the first for whom there was a need.⁹

Sūra Yūnus states the same matter with the sequel attached, that mankind was but a single community, then they differed, and were it not for a word which had gone forth from your Lord, it would have been decided between them concerning that over which they differ. The order in that āyah is the order of history. Unity first, and the difference afterwards, and then the revelation to settle the difference.

Here is the part which deserves the reader's attention, because it is easy to read past. The Book was sent down to judge between the people in what they differed over, *li yaḥkuma bayna al-nāsi fīmā ikhtalafū fīh*. Then the very next clause says that none differed over it except those who had been given it, after the clear proofs had come to them. So the Book which came to end the dispute became the subject of the dispute, and the proofs which were sent to gather the people were the very thing which split them. Al-Rāzī رحمه الله pauses here and says that this is not a failure of the revelation but its function as a test, since a thing which sorts men must necessarily divide them, and the reader who has followed the sūra from its opening will recognise the pattern, because this is what the sūra said about the parable of the gnat, that Allāh ﷻ misguides many by it and guides many by it, and He misguides none by it except the transgressors.¹⁰

And why did they differ? The Qur'ān gives the motive in one word and refuses to give any other: *baghyān baynahum*, out of envy amongst themselves. Not out of confusion. Not because the proofs were unclear, since the āyah says the proofs had come to them. They differed because of what was between them, the jostling and the resentment and the wanting of what the other had, and the 'ulamā' note that this places the responsibility on the character of the men and not on the difficulty of the text. Most religious dispute is like this. The disagreement is announced in the vocabulary of evidence and it is conducted for reasons which have nothing to do with evidence.

Why Men Need a Judge

Stand back from the āyah for a moment and consider what it is saying about human beings. They differ. That is their nature, and the Qur'ān does not treat it as a scandal,

because it says plainly in Sūra Hūd that they will not cease to differ, except those upon whom your Lord has mercy, and for that He created them. Disputes are natural. Two men who both want the same field will want it whatever their religion, and no amount of goodwill dissolves the fact that there is one field.

What men need, therefore, is not the absence of disagreement, which they will never have, but a power above them competent to decide it. This is how every human arrangement works, and the reader knows it from his own life. Children argue, and a parent decides. Employees argue, and the man who runs the business decides. Two states argue, and they go, however unwillingly, to some body which sits above them both. Take away the higher authority and the argument does not become gentle. It becomes a fight, and it is decided by whoever is stronger, which is not a decision at all but a surrender of the very idea of a decision.

So Allāh ﷻ sent the prophets and sent the Book with them, and He describes the Book by its function: it judges. When men do not believe in something greater than themselves, they fight. The evidence is not far to find. The Jews and the Christians, who had both been given a Book, could not agree between themselves on which day of the week was the day, or which direction to face, or what the essential tenets of the religion were, and the disagreement did not stay academic for long.

And the resolution: *fa hadā allāhu alladhīna āmanū li mā ikhtalafū fīhi min al-ḥaqqi bi idhnih*, then Allāh guided those who believed to the truth of what they differed over, by His leave. Every party in a dispute holds a mixture, and there is truth in the hands of people who are wrong about a great deal, and the believers were guided to the truth *of* what was disputed, meaning to the sound portion within the argument, which is a very precise thing to be guided to. Two words in the clause carry the weight. The first is *bi idhnih*, by His leave, so that the guided man cannot claim he found it. The second is the closing sentence, that Allāh guides whom He wills to a straight path, which is where the āyah puts the matter down and leaves it, and which is the sentence a man reaches for when he watches somebody he loves refuse something obvious.

Do You Think That You Will Enter the Garden?

أَمْ حَسِبْتُمْ أَنْ تَدْخُلُوا الْجَنَّةَ وَلَمَّا يَأْتِكُمْ مَثَلُ الَّذِينَ خَلَوْا مِنْ قَبْلِكُمْ
مَسَّهُمُ الْبَاسَاءُ وَالضَّرَاءُ وَزُلْزِلُوا حَتَّى يَقُولَ الرَّسُولُ وَالَّذِينَ آمَنُوا
مَعَهُ مَتَى نَصْرُ اللَّهِ أَلَا إِنَّ نَصْرَ اللَّهِ قَرِيبٌ ﴿٢١٤﴾

Or do you think that you will enter the Garden while there has not yet come to you the like of what came to those who passed away before you? Hardship and affliction touched them, and they were shaken until the Messenger and those who believed with him said: when is the help of Allāh? Indeed, the help of Allāh is near.

al-Baqara 2:214

The reader who has been following the argument will feel the change of temperature here. The Qur'an has been speaking about mankind, and the prophets, and the disputes of the nations, and it turns suddenly and speaks to the man in the room. Do you think you will enter the Garden, *am hasibtum*, and the *am* at the head of the sentence carries a note of correction, as though a thought had been forming in the listener's mind and the Qur'an had reached in and taken hold of it before it finished.

Ibn Kathīr رحمه الله and the majority of the mufasssīrūn place the revelation of this āyah at al-Khandaq, the trench, in the fifth year, and the placement matters because it tells the reader what conditions a man may be in when this āyah is addressed to him.¹¹ Sūrat al-Aḥzāb describes those weeks, and the description is not a gentle one.

إِذْ جَاءُوكُم مِّنْ فَوْقِكُمْ وَمِنْ أَسْفَلَ مِنكُمْ وَإِذْ زَاغَتِ الْأَبْصَارُ وَبَلَغَتِ الْقُلُوبُ الْحَنَاجِرَ
وَتَظُنُّونَ بِاللَّهِ الظُّنُونَا * هُنَالِكَ ابْتُلِيَ الْمُؤْمِنُونَ وَزُلْزِلُوا زِلْزَالًا شَدِيدًا

When they came upon you from above you and from below you, and when the eyes swerved and the hearts reached the throats, and you were thinking about Allāh every kind of thought. There the believers were tested, and shaken with a severe shaking.

Note that the word *zulzilū*, they were shaken, is the same word which our āyah uses, and this is why the mufasssīrūn read the two passages together. The Companions

رضي الله عنهم at the trench were hungry, cold, surrounded on two sides, watching the tribe within the city break its treaty behind them, and hearing the hypocrites say that Allāh ﷻ and His Messenger ﷺ had promised them nothing but delusion. This is the setting in which a man is asked whether he expected the Garden to be given away at the door.

Then the āyah recounts what came before: *massathum al-ba'sā'u wa'l-darrā'*, hardship and affliction touched them. The whole of the prophetic history is folded into that clause, and the Prophet ﷺ stated the principle which governs it.

أَشَدُّ النَّاسِ بَلَاءً الْأَنْبِيَاءُ ثُمَّ الْأَمْثَلُ فَلَا أَمْثَلُ

The most severely tried of people are the prophets, then the next best and the next best.

The scale runs the wrong way round from what a man expects, and it runs that way deliberately. Trial is not a mark of Allāh's displeasure and its absence is not a certificate. The reader will want to hold this next to a thing which is also true, that some will enter the Garden by the pure grace of Allāh ﷻ without a struggle worth the name, since the Prophet ﷺ told us that no man's deeds will enter him into the Garden, including his own. Both are true. Every man has his own portion of struggle and it is measured for him and it is not measured against his neighbour's.

Khabbāb ibn al-Aratt رضي الله عنه, who was tortured at Makkah, told us what happened when the Companions asked for the thing which every believer under pressure eventually asks for, which is a supplication. They came to the Prophet ﷺ while he was in the shade of the Ka'ba with his cloak folded under his head, and they said, will you not ask Allāh to help us, will you not supplicate for us. He sat up, and his face had changed colour, and he said:

إِنَّ مَنْ كَانَ قَبْلَكُمْ كَانَ أَحَدُهُمْ يُوَضَّعُ الْمِنْشَارُ عَلَى مَفْرَقِ رَأْسِهِ فَيَخْلُصُ إِلَى قَدَمَيْهِ لَا يَصْرِفُهُ ذَلِكَ عَنْ دِينِهِ، وَيَمْشَطُ بِأَمْشَاطِ الْحَدِيدِ مَا بَيْنَ لَحْمِهِ وَعَظْمِهِ، لَا يَصْرِفُهُ ذَلِكَ عَنْ دِينِهِ

Amongst those before you, the saw would be placed on the parting of a man's head and he would be split down to his feet, and it would not turn him from his religion. And he would be combed with combs of iron between his flesh and his bone, and it would not turn him from his religion.

Then he said the sentence which the Companions رضي الله عنهم must have found harder than the first:

وَاللّٰهُ لَيُتِمِّنَّ اللّٰهُ هَذَا الْأَمْرَ حَتَّىٰ يَسِيرَ الرَّكَبُ مِنْ صَنْعَاءَ إِلَىٰ حَضْرَمَوْتَ، لَا يَخَافُ إِلَّا
اللّٰهُ وَالذِّئْبَ عَلَىٰ غَنَمِهِ، وَلَكِنَّكُمْ قَوْمٌ تَسْتَعْجِلُونَ

By Allāh, Allāh will complete this affair, until a rider travels from Ṣan‘ā’ to Ḥaḍramawt fearing none but Allāh, and the wolf for his sheep. But you are a people who are in a hurry.

They asked for a prayer and they were given a diagnosis, and the diagnosis was haste. He did not tell them the promise was false. He told them the promise was slow, and that their difficulty was with the timetable and not with the outcome.

When, and Not Where

The most instructive words in the āyah are the ones which the Messenger and the believers say when the shaking has gone on long enough: *matā naṣru’llāh*, when is the help of Allāh. The reader should look closely at the grammar of that cry, because a great deal turns on it.

They did not ask *where* is the help of Allāh, which would have been a complaint and a suggestion that it had not been sent. They asked *when*, which contains within it the certainty that it is coming and asks only after the hour. There is a whole theology inside that one word. The man who says *when* has already conceded that the help exists, that it is Allāh’s to give, that it is on its way, and that he is not in a position to hurry it, and all he is doing is confessing that he is tired. This is not weakness. It is dependence and humility, which is the very posture Allāh ﷻ loves in a servant, and it is worth noticing that the Qur’ān records a Messenger ﷺ saying it, so that no believer need ever be ashamed of having said it himself.

And the answer comes before the question has finished settling: *alā inna naṣra’llāhi qarīb*, indeed, the help of Allāh is near. Two emphatic particles in four words, *alā* and *inna*, as though the matter admitted no delay in the telling even though it admitted delay in the coming.

But how near is near? The Qur’ān does not say, and the reader should sit with that rather than hurry past it. It took our Prophet ﷺ thirteen years at Makkah and ten at Madīnah, and the rider going from Ṣan‘ā’ to Ḥaḍramawt in safety was a thing he described and did not live to see. Nearness, in the vocabulary of the Qur’ān, is

measured against the scale of Allāh ﷻ and not against the patience of a man, and a help which arrives after a lifetime is still near, because the lifetime itself is short. The believer who understands this stops asking the question in order to be answered and starts asking it in order to be heard, which is what the believers at the trench were doing, and which is why Allāh ﷻ recorded their asking in a Book that will be recited until the Hour.

They Ask You What They Should Spend

يَسْأَلُونَكَ مَاذَا يُنْفِقُونَ قُلْ مَا أَنْفَقْتُ مِنْ خَيْرٍ فَلِلْوَالِدَيْنِ وَالْأَقْرَبِينَ
وَالْيَتَامَىٰ وَالْمَسْكِينِ وَابْنِ السَّبِيلِ وَمَا تَفْعَلُوا مِنْ خَيْرٍ فَإِنَّ اللَّهَ بِهِ
عَلِيمٌ ﴿٢١٥﴾

They ask you what they should spend. Say: whatever good you spend is for parents, and relatives, and orphans, and the needy, and the traveller. And whatever good you do, Allāh knows it well.

al-Baqara 2:215

From here the sūra enters a stretch of question and answer, and the reader will meet the construction *yas'alūnaka*, they ask you, again and again over the next few pages: about spending, about the sacred month, about wine and gambling, about the orphans, about menstruation, and later about the new moons. The Companions رضي الله عنهم asked, and the revelation answered, and the ordinary worshipper today holds the answers to questions he would not have thought to put.

The āyahs of this section can look like beads on no string, and they are not. They are the marks of the road which leads to the Garden, which was the subject of the āyah just before, and having been told that the Garden is not entered without hardship, the reader is now told what the hardship consists of. It consists of patience through affliction, which was the previous āyah, and of spending in the way of Allāh ﷻ on those near to you and those in need, which is this one. In other words, one builds the bridges between the layers of a society, and one does it out of one's own pocket, and

this is a great deal harder than affliction, because affliction arrives on its own and the spending has to be decided upon.

Now look at the question and then look at the answer, and notice that they do not match. They asked *mādhā yunfiqūn*, what should we spend, meaning what kind and how much of it. The answer names no amount and no kind. It says: *fa li'l-wāliḍayni wa'l-aqrabīn*, it is for parents and relatives, and so on. The reply has quietly changed the question from what to whom, and the mufasssirrūn have not failed to notice.¹² The lesson for us is direct. Do not ask whether you should spend, because that has been settled. Ask where.

It should be said, because it is a common confusion, that this āyah is about *nafl ṣadaqa*, the voluntary giving, and not about the obligatory *zakāh*, whose rules and whose recipients are laid down elsewhere and whose recipients are not identical with this list. A man may not discharge his *zakāh* by giving it to his parents. He may, and should, spend on them from what is his.

The phrase which governs everything here is *min khayr*, of good. It is left undefined and it is left small on purpose. Any good at all. A date. A ride into town. The word is not *māl*, wealth, which would have excluded the man who has none, and the Qur'ān has taken care that nobody reading this āyah can honestly say that he has nothing which qualifies.

Charity Begins at Home

The order of the list is the ruling. Parents first, then relatives, then orphans, then the needy, then the traveller, and the sequence descends from the nearest to the furthest. The Prophet ﷺ was asked who has the most right to a man's generosity and he answered in exactly this shape.

أُمُّكَ وَأَبَاكَ وَأُخْتُكَ وَأَخَاكَ ثُمَّ أَدْنَاكَ أَدْنَاكَ

*Your mother, and your father, and your sister, and your brother, then the nearest to you
and the nearest to you.*

This wants saying plainly, because we have a disease in our communities on precisely this point. There are men amongst us who will write a cheque to a masjid appeal on a Friday night in front of five hundred people and whose own mother is waiting for a telephone call she has been waiting for since Eid. There are men who fund a well in a

country they will never visit and whose sister is short and has stopped asking. The Qur'ān has put the parents at the head of the list and the ordinary worshipper who reorders that list to suit his vanity has not been generous. He has been seen.

Then the āyah closes: *wa mā taf'alū min khayrin fa inna'llāha bihi 'alīm*, and whatever good you do, Allāh knows it well. Note that the closing clause has widened from spending to doing. The list was about money and the seal is about deeds of any kind, and it lands on the man who gave a little and thought nobody noticed, and it lands equally on the man who gave a great deal and made sure everybody did.

Fighting Is Prescribed for You

كُتِبَ عَلَيْكُمُ الْقِتَالُ وَهُوَ كُرْهُ لَكُمْ وَعَسَىٰ أَن تَكْرَهُوا شَيْئًا وَهُوَ
خَيْرٌ لَّكُمْ وَعَسَىٰ أَن تُحِبُّوا شَيْئًا وَهُوَ شَرٌّ لَّكُمْ وَاللَّهُ يَعْلَمُ وَأَنتُمْ لَا
تَعْلَمُونَ ﴿٢١٦﴾

Fighting is prescribed for you, and it is hateful to you. But it may be that you hate a thing and it is good for you, and it may be that you love a thing and it is bad for you. And Allāh knows, and you do not know.

al-Baqara 2:216

The word is *kutiba*, it has been written, which is the same verb the sūra used for the fasting and for the retribution and for the bequest, and it means that the matter has been made an obligation and entered in the register. What is written here is *al-qitāl*, the fighting, and the reader should be careful about which obligation is being described, because it is one of the most misreported sentences in the Book.

The obligation of *qitāl* is, in the settled position of the fuqahā', a *fard kifāya*, a duty upon the community which is discharged on behalf of all when a sufficient number undertake it, and it becomes *fard 'ayn*, binding upon the individual, only in defined circumstances: when the enemy has entered the land, when the ruler has called a man by name, or when a man is standing in the line and the fighting has begun. It does not oblige every Muslim in every generation to be at war. That this needs saying at all

is a mark of how the āyah has been abused, in one direction by those who wish it said louder than it says itself, and in the other by those who wish it were not there.

And the Sunnah itself supplies the limits. Imām al-Bukhārī رحمه الله records that a man came to the Prophet ﷺ and asked permission to go out on jihād, and the Prophet ﷺ asked whether his parents were alive, and the man said yes, and he was told to go back and strive in serving them.¹³ A man asked to be sent to the front and was sent home to his mother, and the Prophet ﷺ did not treat this as a lesser assignment.

At the same time the intention is not permitted to die. The Prophet ﷺ said:

مَنْ مَاتَ وَلَمْ يَغْزُ وَلَمْ يَحْدِثْ نَفْسَهُ بِالْغَزْوِ، مَاتَ مِيتَةً جَاهِلِيَّةً

Whoever dies without having fought, and without having spoken to himself about fighting, dies a death of ignorance.

And after the conquest of Makkah he said that there is no *hijra* after the conquest, but there is jihād and intention, and when you are called out, then go out. The believer is not required to be at war. He is required not to be a man who would refuse if he were called, and there is a distance between the two which is the whole space in which most of us live.

Perspective Is Everything

Now the heart of the āyah, and it is the reason it has comforted more grieving people than almost any other sentence in the Book: *wa ‘asā an takrahū shay’an wa huwa khayrun lakum, wa ‘asā an tuḥibbū shay’an wa huwa sharrun lakum*. It may be that you hate a thing and it is good for you, and it may be that you love a thing and it is bad for you.

The word *‘asā*, it may be, is a particle of hope and expectation, and when Allāh ﷻ uses it, the ‘ulamā’ say it carries the force of certainty. Note the exactness of the construction, that the two clauses are perfect mirrors of one another, so that the āyah closes both doors at once. A man might have accepted that his suffering is secretly good for him and still believed that what he wants is straightforwardly good. The second clause takes that from him too.

This āyah is the essence of *yaqīn* and *tawakkul*, and it marks the difference between a man who worships Allāh ﷻ and a man who is a slave of Allāh ﷻ. The worshipper does the acts. The slave has no opinion of his own about what he is given. He is pleased with what his Master does because his Master did it, and he does not require to be shown the reason first.

The reason he is not shown the reason is given in the final four words: *wa'llāhu ya'lamu wa antum lā ta'lamūn*. Allāh knows and you do not know. The human being sees the pixel and Allāh ﷻ sees the picture. A man stands so close to his own life that a single dark patch fills his whole field of vision, and he calls the patch a catastrophe, and he is not wrong about the colour of it. He is wrong about its size, and he will remain wrong about its size for as long as he is standing where he is standing.

The Qur'ān gives the same teaching in Sūra Āl 'Imrān in the language of kingdoms.

قُلِ اللَّهُمَّ مَالِكُ الْمُلْكِ تُؤْتِي الْمُلْكَ مَنْ تَشَاءُ وَتَنْزِعُ الْمُلْكَ مِمَّنْ تَشَاءُ وَتُعِزُّ مَنْ تَشَاءُ وَتُذِلُّ
مَنْ تَشَاءُ بِيَدِكَ الْخَيْرُ إِنَّكَ عَلَى كُلِّ شَيْءٍ قَدِيرٌ

Say: O Allāh, Owner of all sovereignty, You give sovereignty to whom You will and You take sovereignty from whom You will, and You honour whom You will and You abase whom You will. In Your hand is all good. Indeed, You have power over everything.

Look at what that āyah does. It lists four things and they come in two opposed pairs, the giving and the taking, the honouring and the abasing, and then it says *bi yadika'l-khayr*, in Your hand is all good, and it does not say that in Your hand is good and evil. All four are *khayr*. The winning is good and the losing is good, the honour is good and the disgrace is good, the kingdom is good and its removal is good, because all four are in the same hand, and the hand is not capable of anything else.

They Ask You About the Sacred Month

يَسْأَلُونَكَ عَنِ الشَّهْرِ الْحَرَامِ قِتَالٍ فِيهِ قُلْ قِتَالٌ فِيهِ كَبِيرٌ وَصَدٌّ عَنْ
سَبِيلِ اللَّهِ وَكُفْرٌ بِهِ وَالْمَسْجِدِ الْحَرَامِ وَإِخْرَاجُ أَهْلِهِ مِنْهُ أَكْبَرُ عِنْدَ
اللَّهِ وَالْفِتْنَةُ أَكْبَرُ مِنَ الْقَتْلِ وَلَا يَزَالُونَ يَقْتُلُونَكُمْ حَتَّى يَرْدُوكُمْ عَنْ
دِينِكُمْ إِنْ أَسْتَطَعُوا وَمَنْ يَرْتَدِدْ مِنْكُمْ عَنْ دِينِهِ فَيَمُتْ وَهُوَ كَافِرٌ
فَأُولَئِكَ حَبِطَتْ أَعْمَالُهُمْ فِي الدُّنْيَا وَالْآخِرَةِ وَأُولَئِكَ أَصْحَابُ النَّارِ
هُمْ فِيهَا خَالِدُونَ ﴿٢١٧﴾

They ask you about the sacred month, about fighting in it. Say: fighting in it is grave. But barring from the path of Allāh, and disbelief in Him, and in the Sacred Masjid, and expelling its people from it, is graver with Allāh. And fitna is graver than killing. And they will not cease fighting you until they turn you back from your religion, if they can. And whoever of you turns back from his religion and dies while he is a disbeliever, those are the ones whose deeds have come to nothing in this world and the Hereafter, and those are the companions of the Fire, in it they will remain.

al-Baqara 2:217

The four sacred months are Rajab, Dhū'l-Qa'da, Dhū'l-Hijja and Muḥarram, and the Arabs before Islam honoured them and hung their weapons up, and the honouring of them was not a piece of sentimentality. It was the arrangement which made the Ḥajj possible, because the pilgrim needed to travel and to worship and to travel home again, and he could only do that if the roads were quiet for a season. So the sanctity of the months was a piece of infrastructure, and it worked.

Then the Arabs began moving them. If the fighting season fell inconveniently, they would declare that this year Muḥarram would come later, and they would swap a sacred month for a profane one and settle the account afterwards, and this is the practice the Qur'an calls *al-nasi'* in Sūrat al-Tawba and names an increase in

disbelief. The law of Allāh ﷻ was kept in form and moved in substance to fit the diary, and the reader who is inclined to feel superior about this should ask himself how many of our own arrangements work in the same way.

The Occasion of the Revelation

The occasion is worth telling properly, since the whole āyah answers it.¹⁴ After Badr, the Prophet ﷺ prepared a small detachment and appointed Abū ‘Ubayda رضي الله عنه to lead it, and when Abū ‘Ubayda understood that the appointment meant leaving the Prophet ﷺ, he wept, and the Prophet ﷺ appointed ‘Abdullāh ibn Jaḥsh رضي الله عنه in his place. He was given a letter and told to march for two days before opening it, and to compel none of his men to follow him into what it contained. The letter directed him to Baṭn Nakhla, between Makkah and Ṭā’if, and there they came upon a caravan of Quraysh and killed one of the men and took two captive.

And the difficulty was the date. The killing fell on the last night of Jumādā al-Ākhira or the first night of Rajab, and nobody could say with certainty which, and Rajab is sacred. Quraysh saw the opening and took it, and the propaganda began: Muḥammad, who claims to have come with a religion, has violated the sacred month. The Companions رضي الله عنهم who had done it were left in an agony of uncertainty, and the Prophet ﷺ withheld the spoils and would not touch them, and the reader should understand that this is the situation into which the āyah descends.

Its answer is remarkable for what it concedes. *Qul qitālun fīhi kabīr*, say, fighting in it is grave. The Qur’ān does not deny the charge or minimise it. It grants it at once and in the accuser’s own language, and only then does it place the granted charge on a scale next to what the accusers have themselves been doing: barring men from the path of Allāh ﷻ, disbelief in Him and in the Sacred Maṣjid, and the expelling of its own people from it, which they had done to the Prophet ﷺ and to the Muhājirūn, who were the sons of Makkah and had been driven out of the city of their fathers. All of that, says the āyah, is *akbar ‘inda’llāh*, graver with Allāh.

Then the sentence which has been quoted more often than it has been understood: *wa’l-fitnatu akbaru min al-qatl*, and fitna is graver than killing. The word *fitna* is broad, and the ‘ulamā’ at this place give it the sense of the trial of a man’s *īmān*, and the corruption of the religion, and disbelief itself, and the torture which was applied at Makkah to make men leave their faith, and the expulsion which followed when the torture failed. The claim of the āyah is that to take a man’s religion from him is a

worse crime than to take his life, and the modern reader recoils from that until he thinks about what he himself believes. If a man believes the grave is the end, then killing is the ultimate crime, because it ends everything. If a man believes there is a life after this one and that it is the real one, then a killer has taken a few decades and a man who destroys another's faith has taken forever.

Then, *wa lā yazālūna yuqātilūnakum ḥattā yaruddūkum 'an dīnikum ini'staṭā'ū*, and they will not cease fighting you until they turn you back from your religion, if they can. Look at the goal the āyah assigns to the enemy. It is not the land and not the caravan. It is the religion, and the phrase *ini'staṭā'ū*, if they can, hangs at the end of the sentence with a certain weariness to it. Allāh ﷻ says elsewhere that many of the People of the Book wish they could turn you back into disbelievers after your faith, out of envy from themselves. The Qur'ān is not describing a war for territory. It is describing what a man is up against, and it is telling him not to be surprised by the persistence of it.

On Ridda

The āyah closes on apostasy, and it is a subject upon which the ordinary worshipper is now asked to defend a ruling he has usually never had explained to him, so it deserves a careful page.

The classical position of the fuqahā' is that the male apostate is executed and, in the Ḥanafī school, the female apostate is imprisoned until she returns. Why? Because *ridda*, as the fuqahā' conceived it and as the āyah here frames it, is not a private matter of conscience. Read the clause again and notice that it comes at the end of a passage about warfare. The apostate under discussion is not a man who has quietly stopped believing and gone about his business. He is a man who has changed sides in an armed conflict, and it is an open act of treason and a betrayal of the community, and every legal order on earth has always treated the changing of sides in wartime as the gravest offence in its book. *Ridda* in this sense is the act of the antagonist and not of the doubter.

Set religion aside for a moment and consider the parallel, because it is exact. There is a state, and it has a settled order, and it holds that its arrangements serve its people. A man within it publicly denounces that order, works to pollute the minds of others against it, undermines it, spreads terror, and causes mayhem. The state does not shrug. It has a word for him and the word is not dissenter. Now ask what the

disbelievers of Makkah did to the new Muslims, which was exactly this and worse, and ask also what has been done in living memory under the heading of national security: citizenships stripped from men who were born in the country and had nowhere else to go, imprisonment without trial and without limit, whole categories of person placed outside the protection of the law by administrative order. Under that heading we have permitted everything. A community which has permitted all of that and then finds the classical ruling on *ridḍa* uniquely barbaric is not applying a principle. It is applying a preference, and it should say so.

None of which is a licence for any individual to act. The ruling belongs to a court and to a state which has heard the man and satisfied itself, and there is not, and has never been, any permission in the Shari‘ah for a private person to appoint himself to it.

Then the consequence: *ḥabīṭat a‘mālubum*, their deeds have come to nothing, and the fuqahā’ have drawn out what this means in the concrete. The marriage is annulled. There is no inheritance from a Muslim relative. No act of worship performed thereafter is accepted, and the years of worship before it are gone too. The condition attached is *fa yamut wa huwa kāfir*, and he dies while he is a disbeliever, so the ruin is not final until the life is, and while a man breathes the door is not shut, which is the only comfort in the āyah and it is a real one.

Those Who Believed and Those Who Emigrated

إِنَّ الَّذِينَ ءَامَنُوا وَالَّذِينَ هَاجَرُوا وَجَاهَدُوا فِي سَبِيلِ اللَّهِ أُولَٰئِكَ
يَرْجُونَ رَحْمَتَ اللَّهِ وَاللَّهُ غَفُورٌ رَّحِيمٌ ﴿٢١٨﴾

Indeed, those who believed, and those who emigrated and strove in the way of Allāh, those hope for the mercy of Allāh. And Allāh is Forgiving, Merciful.

al-Baqara 2:218

The previous āyah ended in the Fire and this one opens with mercy, and this is the habit of the Qur’ān, that it does not leave a reader standing in the dark for long. The

Companions of the detachment at Nakhla, who had been in agony over what they had done, are told here where they stand.

The three verbs are worth separating. *Āmanū*, they believed. *Hājarū*, they emigrated. *Jāhadū fi sabili'llāh*, they strove in the way of Allāh. The reward is attached to each of these acts independently and not only to the three together, so that a man who believed and could not emigrate has not been left out of the sentence.

A word about *jihād*, since the term has been so mishandled that the ordinary Muslim now flinches at his own vocabulary. *Jihād* is the struggle to achieve a goal, from the root *j-h-d*, to exert oneself to the limit of one's capacity. It is not a synonym for holy war. The word for fighting is *qitāl*, and the Qur'ān uses it in the āyah before this one and uses it precisely, and when the Qur'ān means fighting it says fighting.¹⁵ Every act of *qitāl* undertaken for Allāh ﷻ is *jihād*, and the great majority of *jihād* is not *qitāl* at all.

Then look at the verb which governs these men: *ulā'ika yarjūna raḥmata'llāh*, those hope for the mercy of Allāh. Not, those have earned it. These are the Muhājirūn, the men who left their houses and their trades and their families for Allāh ﷻ, and who went out and fought, and at the end of the accounting they *hope*. The Qur'ān will not permit even them to say that they have secured anything. If they hope, then the reader of this page, whatever he has been doing with his week, may consider what his own posture ought to be.

They Ask You About Wine and Gambling

﴿يَسْأَلُونَكَ عَنِ الْخَمْرِ وَالْمَيْسِرِ ۚ قُلْ فِيهِمَا إِثْمٌ كَبِيرٌ وَمَنْفَعٌ لِلنَّاسِ
وَإِثْمُهُمَا أَكْبَرُ مِنْ نَفْعِهِمَا ۚ وَيَسْأَلُونَكَ مَاذَا يُنْفِقُونَ ۚ قُلِ الْعَفْوَ كَذَلِكَ
يُنَبِّئُ اللَّهُ لَكُمْ الْآيَاتِ لَعَلَّكُمْ تَتَفَكَّرُونَ﴾ (٢١٩)

They ask you about wine and gambling. Say: in both of them is great sin, and some benefits for the people, and their sin is greater than their benefit. And they ask you what they should spend. Say: the surplus. Thus does Allāh make clear to you the signs, so that you may reflect.

al-Baqara 2:219

Khamr was not prohibited in a sentence. It was prohibited in stages, and the stages are one of the most instructive things in the whole of the Sharīʿah, because they show the wisdom of Allāh ﷻ in taking a thing away from a people who were soaked in it.

Imām Aḥmad رحمه الله records that ‘Umar رضي الله عنه used to say, O Allāh, give us a clear ruling concerning wine. This āyah came down, and it was recited to him, and he said it again. Then the āyah of Sūrat al-Nisā’ came down, that you shall not approach the ṣalāh while you are intoxicated, and it was recited to him, and he said it again. Then the āyah of Sūrat al-Mā’ida came down, that wine and gambling and the sacrificial altars and the divining arrows are an abomination from the work of Shayṭān, so avoid it, and it ended by asking, *fa hal antum muntahūn*, will you not then desist. And ‘Umar رضي الله عنه said, we have desisted, we have desisted.¹⁶

Consider that final question. Allāh ﷻ did not say, it is forbidden. He asked whether they would stop, and a question of that kind, put by the Master to the servant, is heavier than a command, because it gives the servant the dignity of answering. ‘Umar رضي الله عنه answered it twice, and the doubling is the sound of a man closing a door and then locking it.

The word *khamr* comes from *khāmara al-‘aql*, that it curtains the intellect, and from the same root comes *khimār*, the covering a woman puts over her head. The Arabic has named the thing for what it does to the mind and not for what it does to

the mood, and the naming is itself the ruling. The definition is functional, and the Prophet ﷺ made it so explicitly:

مَا أَسْكَرَ كَثِيرُهُ فَقَلِيلُهُ حَرَامٌ

Whatever intoxicates in a large quantity, a small quantity of it is unlawful.

Anything with the potential to intoxicate falls under the ruling, whatever it is made from and whatever it is called, and the man who looks for a substance which is technically outside the list has understood the words of the ḥadīth and missed its subject.

Ithm, and Not Harm

The āyah says *fihimā ithmun kabīr*, in both of them is great sin. The word is *ithm*, sin, and not *ḍarar*, harm, and the distinction is the whole of the matter. Even if wine did no damage at all, if it improved the health and lengthened the life, its *ithm* would remain, because Allāh ﷻ has called it a sin and that is sufficient. This is what it means to be a servant. The reasons are a mercy and not a condition.

Having said that, we know what it does, and the list is not academic. Broken families. Domestic violence. Sexual violence, the great majority of which involves it somewhere. Reckless driving and the funerals which follow. Liver disease and cancer of the mouth and throat and oesophagus. Every one of those is a benefit the āyah acknowledges and then outweighs, because the āyah does concede *manāfi'u li'l-nās*, benefits for the people, and the Qur'ān is not so unserious as to pretend that a thing which enslaves half of humanity has nothing to offer. It says the sin is greater. That is all it needs to say.

The Prophet ﷺ did not confine the prohibition to the drinker. He cursed ten in respect of wine: the one who presses it, the one who has it pressed, the one who drinks it, the one who carries it, the one it is carried to, the one who serves it, the one who sells it, the one who takes its price, the one who buys it, and the one it is bought for.¹⁷ The whole chain is inside the ruling, from the field to the glass, and there is no clean position anywhere along it.

Now compare two prohibitions, because the comparison teaches something about our religion which no argument can teach. In the Two Ṣaḥīḥs, Anas ibn Mālik رضي الله عنه says that he was serving wine to Abū Ṭalḥa and Abū Dujāna and Mu'ādh ibn

Jabal and others, and a man came and said that wine had been prohibited, and they said, pour it out, and they poured it out, and it ran in the streets of Madīnah. That is the whole report. Not a single question was asked. The vessels in their hands, the drink already poured, and it went into the street.

Then look at the United States between 1920 and 1933, which prohibited alcohol by constitutional amendment, with a police force and a navy and a customs service and prisons to enforce it, and which produced instead a smuggling industry, an organised crime syndicate which outlived the ban by fifty years, a nation which drank in cellars, and a repeal. The difference between the two was not the strength of the law. It was that the Companions رضي الله عنهم had somewhere to put the command when it arrived, and a nation which has no *īmān* has nowhere to put a law except in a filing cabinet, from which it can always be removed.

Maysir

Now the second half of the question. The word *maysir*, says Muftī Shafīʿ رحمه الله, is from *yusr* and means to distribute, and the one who distributes is called *yāsir*.¹⁸ In the days of ignorance the Arabs had several games of chance and one of them was this. They would slaughter a camel and then gamble over the distribution of the meat, drawing arrows, and some would take more than one share and some would end with nothing, and the man who was left with nothing had to pay for the whole camel. The meat itself went to the poor and the gamblers did not eat it, which is the detail that people reach for when they want to make the practice sound charitable, and it changes nothing, because a man was still ruined by an arrow.

If money is staked on a game of cards, that too is *maysir*, and the fuqahāʾ have not found the question difficult. The essence of the thing is the transfer of wealth on the outcome of chance, and the name of the game is irrelevant.

The lure is the same now as it was then. *Maysir* is perceived easy money, and there is no faster way to double what you have, or treble it, or quadruple it, depending on how many are at the table. The Prophet ﷺ reached so far around this that he legislated for the sentence which precedes the act:

مَنْ قَالَ لِصَاحِبِهِ تَعَالَ أَقَامْرَكَ فَلْيَتَصَدَّقْ

Whoever says to his companion, come, let me gamble with you, let him give charity.

The words alone require an expiation. If the sin of the invitation is that great, the reader may work out for himself the sin of the sitting down.

And in the early days gambling was permitted, as drinking was, and there is an episode from that period which the ‘ulamā’ mention with some care. When the āyahs of Sūra al-Rūm came down, that the Byzantines had been defeated and would be victorious again within a few years, the disbelievers of Makkah denied the prophecy, and Sayyidunā Abū Bakr al-Ṣiddīq رضي الله عنه challenged them with a wager, which was a thing of the nature of *qimār* and permitted at that time. The prophecy came to pass, and Abū Bakr رضي الله عنه collected the stake and brought it to the Prophet ﷺ, who was pleased with what had happened and told him to give the money away in charity. He was protected from it before it was forbidden, which is a thing Allāh جلّ جلاله does for those He loves, and the money never entered the household.

What the Research Says

It is worth setting down what is now known about gambling, not because the Qur’ān requires the corroboration, but because the ordinary worshipper is surrounded by an industry which advertises during the football and calls itself entertainment, and he should know what it knows about him.

Gambling stimulates the reward system of the brain in much the same way as drugs and alcohol do. Problem gambling triggers the release of dopamine, which is what makes it addictive in the strict sense and not merely habitual. And there is a mechanism which the industry understands very well, called the near miss, whereby the gambler who almost wins is reinforced more strongly than the gambler who plainly loses, because the brain reads the near miss as evidence that a win is imminent, and the machines are designed to deliver it. Then there are the cognitive distortions which come with it: the settled conviction that one can predict or influence an outcome which is by construction pure chance, and the overconfidence and the impulsive decisions and the repeated losses which follow from it.

Look again at the word the Qur’ān used. *Khamr*, because it curtains the mind. The Book named the mechanism fourteen centuries before anybody scanned a brain, and the āyah closes by asking us to reflect.

Spend the Surplus, and the Family First

Then the āyah turns, in the same breath, back to the question of the two hundred and fifteenth āyah. They ask you what they should spend. Say: *al-ʿafw*, the surplus, the part which is over and above your need.

The Companions رضي الله عنهم were men who would have given everything, and some of them tried, and the answer here restrains them. Note that this is the second answer to the same question, and the first answer named the recipients and this one names the measure, and between them the matter is settled.

The Prophet ﷺ set out the order in a conversation which Abū Hurayra رضي الله عنه reports. A man said, O Messenger of Allāh, I have a dīnār. He said, spend it on yourself. He said, I have another. He said, spend it on your wife. He said, I have another. He said, spend it on your child. He said, I have another. He said, you know best, meaning that from that point it was for him to judge where it should go.¹⁹

The same ordering appears in the ḥadīth of Jābir رضي الله عنه in a form which reads almost like a statute:

أَبْدَأْ بِنَفْسِكَ فَتَصَدَّقْ عَلَيْهَا، فَإِنْ فَضَلَ شَيْءٌ فَلِأَهْلِكَ، فَإِنْ فَضَلَ شَيْءٌ عَنْ أَهْلِكَ فَلِذِي قَرَابَتِكَ، فَإِنْ فَضَلَ عَنْ ذِي قَرَابَتِكَ شَيْءٌ فَهَكَذَا وَهَكَذَا

Begin with yourself and give charity to it. If anything is left over, then to your family. If anything is left over from your family, then to your relatives. If anything is left over from your relatives, then like this and like that.

Four tiers, each conditional on a surplus from the one before, and the last one waves a hand at the world. This is why the man who impoverishes his own household in order to be generous to strangers has not been generous. He has moved a burden from a place where it was his duty to a place where it earned him a reputation.

The Prophet ﷺ also said:

يَا ابْنَ آدَمَ إِنَّكَ أَنْ تَبْذُلَ الْفَضْلَ خَيْرٌ لَكَ، وَأَنْ تُمْسِكَ شَرٌّ لَكَ، وَلَا تُلَامُ عَلَى كَفَافٍ

O son of Ādam, that you give away the surplus is better for you, and that you withhold it is worse for you, and you are not blamed for what is barely sufficient.

Three clauses, and the third is the one which the anxious reader needs. Giving the surplus is better. Holding the surplus is worse. And the man who has only enough is not blamed for keeping it, and he should stop feeling guilty about a thing his Lord has excused him from.

They Ask You About the Orphans

فِي الدُّنْيَا وَالْآخِرَةِ وَيَسْأَلُونَكَ عَنِ الْيَتَامَىٰ قُلْ إِصْلَاحٌ لَّهُمْ خَيْرٌ وَإِنْ تُخَالِطُوهُمْ فَإِخْوَانُكُمْ وَاللَّهُ يَعْلَمُ الْمُفْسِدَ مِنَ الْمُصْلِحِ وَلَوْ شَاءَ اللَّهُ لَأَعْتَبَتْكُمْ إِنْ اللَّهَ عَزِيزٌ حَكِيمٌ ﴿٢٢٠﴾

In this world and the Hereafter. And they ask you about the orphans. Say: setting their affairs right is best. And if you mix your affairs with theirs, they are your brothers. And Allāh knows the one who corrupts from the one who sets right. And had Allāh willed, He would have burdened you. Indeed, Allāh is Mighty, Wise.

al-Baqara 2:220

The āyah opens with a fragment, *fī'l-dunyā wa'l-ākhirā*, in this world and the Hereafter, and the reader will notice that it belongs grammatically to the end of the previous āyah, so that the reflecting we were asked to do is reflecting upon both houses and not upon one. The division of the āyahs falls where it falls and the sense runs across it, which is a thing the Qur'ān does often enough that the reader should not stumble at it.

Then the question about the orphans, and it needs its history. When the āyah of Sūrat al-Nisā' came down, that those who consume the property of orphans wrongfully are consuming fire into their bellies and will burn in a blaze, the Companions رضي الله عنهم who had orphans in their care were terrified, and they did what frightened and conscientious men do. They separated everything. The orphan's food was cooked apart and served apart and his drink was kept apart, and when the orphan did not finish his portion, it was kept for him and nobody touched it, and it sat there until he ate it or until it spoiled and was thrown away.²⁰

Consider the household this produced. Two kitchens under one roof. A child eating alone at a separate plate while the family ate together, and food going into the bin in a society which had very little of it, and all of this done out of piety and out of a real fear of the Fire. The scrupulousness was not a fault. It was a good instinct applied without knowledge, and the result was that a fatherless child was made to feel, three times a day, that he was a legal problem rather than a member of the house.

So Allāh ﷻ sent this āyah down to make life easier for them, and look at how it does it. *Qul iṣlāḥun labum khayr*, say, setting their affairs right is best. The standard is not separation but improvement, and the question a guardian must ask is not whether the arrangement keeps his hands technically clean but whether it makes the orphan's position better.

Then the sentence which repaired the household: *wa in tukhālītūhum fa ikhwānukum*, and if you mix your affairs with theirs, they are your brothers. The word *mukhālaṭa* is the mixing of two things into one, and the āyah permits the joint pot and the shared table and the common expense. And the reason it gives is not a legal reason at all. It is a description: they are your brothers. Allāh ﷻ did not say, it is permitted within limits. He named the relationship, and once the relationship is named the question of the separate plate answers itself, because nobody serves his brother at a different table in order to protect himself from him.

The safeguard is in the next clause and it is a heavy one: *wa'llāhu ya'lamu al-muṣṣida min al-muṣliḥ*, and Allāh knows the one who corrupts from the one who sets right. The Sharī'ah has relaxed the accounting in this world and it has not relaxed it anywhere else, and the guardian who takes the licence of mixing and uses it as a cover for helping himself has not been given a concession. He has been given a rope. The fuqahā' have accordingly permitted the executor to spend from the orphan's estate in reasonable proportion, on condition that he intends to repay it when he is able, and the detail of it belongs to Sūrat al-Nisā', where Allāh ﷻ has set it out.

Then: *wa law shā'a'llāhu la a'natakum*, and had Allāh willed, He would have burdened you. He could have left the two kitchens standing. He could have made the separation the law and the Companions رضي الله عنهم would have carried it, since they were already carrying it voluntarily. He chose not to, and the āyah tells us that the ease we have been given was a decision, and that a religion which could have been made unbearable was deliberately not made so. The ordinary worshipper who finds his religion demanding should sit with that for a moment. It is the light version.

Do Not Marry the Idolatresses

وَلَا تَنْكِحُوا الْمُشْرِكَةَ حَتَّىٰ تُؤْمِنَ وَلَا أُمَّةً مُّؤْمِنَةً خَيْرٌ مِّنْ مُّشْرِكَةٍ
وَلَوْ أَغَبَتْكُمْ وَلَا تُنْكِحُوا الْمُشْرِكِينَ حَتَّىٰ يُؤْمِنُوا وَلَعَبْدٌ مُّؤْمِنٌ خَيْرٌ
مِّنْ مُّشْرِكٍ وَلَوْ أَعْجَبَكُمْ أُولَٰئِكَ يَدْعُونَ إِلَى النَّارِ وَاللَّهُ يَدْعُو إِلَى
الْجَنَّةِ وَالْمَغْفِرَةِ بِإِذْنِهِ وَيُبَيِّنُ آيَاتِهِ لِلنَّاسِ لَعَلَّهُمْ يَتَذَكَّرُونَ ﴿٢٢١﴾

And do not marry idolatresses until they believe. A believing slave-woman is better than an idolatress, even though she may please you. And do not give in marriage to idolaters until they believe. A believing slave is better than an idolater, even though he may please you. Those call to the Fire, and Allāh calls to the Garden and to forgiveness, by His leave. And He makes His signs clear to the people, so that they may take heed.

al-Baqara 2:221

The prohibition here is on marriage with idolaters, in both directions, and it is qualified elsewhere in one direction only. Sūrat al-Mā'ida permits a Muslim man to marry the chaste women of those who were given the Book before us, and that exception is real and it is not abrogated, and the 'ulamā' have understood our āyah in the light of it. The reason for the exception is that we share two of the three cardinal tenets with the People of the Book: the one God, and the Last Day. What they do not share is the third, which is the messengership of Muḥammad ﷺ, and in Islam that belief is cardinal and without it no man is a Muslim. But the distance is shorter. The danger of corruption in that household is real and it is not the same danger as the other, and the Sharī'ah has legislated according to the difference.

Why is the marriage itself the site of the ruling? Because of what marriage is. Marriage requires a level of devotion to another human being which nothing else in life requires, and that devotion has a direction, and if the person to whom you are devoted is walking somewhere, you will find yourself walking there. This is not a theory. Consider the case of a very famous man of the Indian screen, married in 1991 to a Hindu wife, who has been at pains to explain over the decades that both faiths

are honoured in his house, that there is an idol in one room and a Qur'ān in another, and that his children are told they are Indians first, and that humanity is their religion. He is not a wicked man and he has never claimed to have left anything. He has simply been devoted, and the devotion took him where devotion takes people, and the children are where the devotion arrived.

And observe what the āyah offers in exchange. *Wa la amatun mu'minatun khayrun min mushrikatin wa law a'jabatkum*, a believing slave-woman is better than an idolatress, even though she may please you. Understand who a slave-woman was in that society. She was the bottom of it. She had no lineage worth naming, no property, no protector, and no standing whatsoever, and the Qur'ān places her above the free idolatress with everything, and it does so on the single ground of her *īmān*. Then the clause *wa law a'jabatkum*, even though she may please you, concedes the attraction rather than denying it. The Qur'ān does not tell the man that he is not drawn. It tells him what the drawing is worth against the scale it has just set out.

Then the reason, and it reaches past the marriage into the eternity beyond it: *ulā'ika yad'ūna ilā'l-nār*, those call to the Fire. Not, those are in error. They call, and the calling is what a spouse does merely by living beside you for forty years, without a single argument about religion ever taking place. And against it, *wa'llāhu yad'ū ilā'l-jannati wa'l-maghfirati bi idhnih*, and Allāh calls to the Garden and to forgiveness, by His leave. Two invitations, and a man accepts one of them every morning without noticing that he has voted.

Marthad ibn Abī Marthad

There is an incident which the 'ulamā' bring at this place, and it deserves to be told in full, because it puts flesh on the ruling in a way no argument does.²¹

There was a man called Marthad ibn Abī Marthad رضي الله عنه, and he was so large and so strong that he would go into Makkah and take Muslim prisoners held by Quraysh and carry them, on his back, the whole way to Madīnah. There was also a woman at Makkah named 'Anāq, and she was a prostitute, and in the days before Islam she and Marthad had been friends.

He arranged with one of the prisoners to carry him out, and he tells the rest himself. He came in at night and hid in the shadow of a wall, and the moon was full, and 'Anāq came out and saw the blackness of his shadow under the wall and came over

and knew him. Marthad, she said. Marthad, he answered. Welcome, she said, come and spend the night with me. And he said: ‘Anāq, Allāh has forbidden fornication.

So she screamed. O people of the tents, this man is carrying away your prisoners. Eight men came after him and he ran to Mount Khandama and found a cave and went down into it, and they came to the mouth of the cave and stood there and urinated, and it wet his head, and Allāh ﷻ blinded them from seeing him. When they had gone he went back and picked up his prisoner and, he says, what a heavy man he was. He carried him to al-Idhkhir and untied his bindings, and then carried him again, exhausted, all the way to Madīnah.

Then he came to the Messenger of Allāh ﷺ and asked: O Messenger of Allāh, may I marry ‘Anāq? He asked it twice. And the Prophet ﷺ said nothing at all, and gave him no answer, until the revelation came down that the fornicator marries none but a fornicatress or an idolatress, and the fornicatress is married by none but a fornicator or an idolater, and that is forbidden to the believers. And then the Prophet ﷺ said: Marthad, a fornicator marries none but a female fornicator.

Sit with that story rather than moving on from it. This is a man who had just refused her, at the risk of his life, in the dark, with nobody watching and every excuse available. He had been hunted and humiliated and had carried a man on his back for a hundred miles. His *īmān* was not in question and had just been tested in the hardest way a man's *īmān* can be tested. And still the answer was no. Not because he was suspected of anything, but because the marriage was not permitted, and the strength of the man is not a factor in the ruling, and the sincerity of the man is not a factor in the ruling. The reader who imagines that he personally would be the exception, that his faith is strong enough to carry two, may consider that Marthad's was stronger, and Marthad was told no, and the silence of the Prophet ﷺ while he waited for the revelation is one of the most eloquent silences in the Sunnah.

Marrying the People of the Book Today

The exception exists, then. The question is whether the ordinary Muslim man in our countries should be reaching for it, and the answer of the ‘ulamā’ has for a very long time been that he should not.

Muftī Shafīʿ رحمه الله begins with the ḥadīth which every Muslim knows and few apply.²²

تُكَحُّ الْمَرْأَةُ لِأَرْبَعٍ: لِمَالِهَا وَلِحَسَبِهَا وَجَمَالِهَا وَلِدِينِهَا، فَاظْفَرْ بِذَاتِ الدِّينِ تَرِبَتْ يَدَاكَ

A woman is married for four things: for her wealth, for her lineage, for her beauty, and for her religion. So take hold of the one with religion, may your hands be in the dust.

A man is directed to marry a woman who keeps the religion, so that she becomes a source of strength to him in a thing they are both pursuing, and so that their children have the chance to grow up under two people who are going the same way. Now, says Muftī Shafī رحمه الله, if marriage to a Muslim woman who does not practise was already looked upon without favour, on what basis would marriage to a woman outside the religion altogether be looked upon with favour?

Sayyidunā ‘Umar al-Fārūq رضي الله عنه acted on exactly this. When he learned that such marriages were becoming common amongst the Muslims of Iraq and Syria, he stopped them by executive order, and the reason he gave was that these marital relations cause corruption in Muslim families both religiously and politically.²³ Al-Ṭabarī رحمه الله preserves the other half of his concern, that he disliked the practice so that the Muslims would not refrain from marrying Muslim women, which is a consideration nobody thinks about and which is the whole of the matter for the women of a community whose men are looking elsewhere.

The exchange with Ḥudhayfa رضي الله عنه makes the position exactly. Ḥudhayfa married a Jewish woman, and ‘Umar رضي الله عنه wrote to him: divorce her. He wrote back: do you claim that she is unlawful for me, that I should divorce her? And ‘Umar رضي الله عنه replied: no. But I fear that you might marry the worst of them.²⁴

That is a lesson in *fiqh* as much as in marriage. ‘Umar رضي الله عنه did not have the authority to make unlawful what Allāh ﷻ had made lawful and he did not pretend to it. He said, no, it is lawful, and then he said, and I am telling you to leave her anyway, because I am responsible for what this becomes when a hundred men do it. The permission is one question and the wisdom is another, and a man who cannot tell them apart will end up doing every lawful thing available to him and wondering why his life is in pieces.

There is a further matter which is particular to our times and which the ordinary worshipper must think about honestly. The exception in the Book is for the People of the Book. If one were to look into the lives of the great mass of Europeans and Americans who are entered as Christian or Jewish in a census return, one would find

that an enormous number of them have nothing to do with Christianity or Judaism in any sense the Qur'ān would recognise. They are irreligious, and often frankly so. They do not believe in 'Īsā عليه السلام and they do not believe in the Injil. They do not believe in Mūsā عليه السلام and they do not believe in the Tawrah. A very large number of them do not believe in God at all, and do not expect a Day of Judgment. The Qur'ānic permission was given for a woman who worships the one God and awaits the Last Day and holds a revealed Book to be from Him. It is obvious that such people do not come under the purview of that injunction, and marriage with their women is not covered by the exception at all, and the man who marries on the strength of a box ticked on a form has taken a licence which was never issued to him.

Why the Ruling Runs Harder Against the Woman

The reader will have noticed that the Sharī'ah permits the Muslim man to marry a woman of the Book and does not permit the Muslim woman to marry a man of the Book, and this is felt as an asymmetry, and it is one, and it has a reason.

The husband in the Sharī'ah has been given a controlling and care-taking role in the household, and the structure of the family runs through him. So the likelihood of a wife being influenced by the beliefs and views of the man she has married is not remote. It is ordinary. Where a Muslim woman remains in a marriage with a Kitābī husband, the chances of her religion being worn down are strong, and the chances of the children's religion surviving are weaker still, since they will take the faith of the house and the house is his. The Sharī'ah has not made a judgement about the capacity of women. It has made a judgement about the physics of the arrangement it itself established, and it has declined to place a believing woman inside a structure which is designed to carry her somewhere she should not go.

They Ask You About Menstruation

وَيَسْأَلُونَكَ عَنِ الْمَحِيضِ قُلْ هُوَ أَذًى فَاعْتَزِلُوا النِّسَاءَ فِي الْمَحِيضِ
وَلَا تَقْرُبُوهُنَّ حَتَّى يَطْهُرْنَ فَإِذَا تَطَهَّرْنَ فَأْتُوهُنَّ مِنْ حَيْثُ أَمَرَكُمُ
اللَّهُ إِنَّ اللَّهَ يُحِبُّ التَّوَّابِينَ وَيُحِبُّ الْمُتَطَهِّرِينَ ﴿٢٢٢﴾

And they ask you about menstruation. Say: it is a harm, so keep away from women during menstruation, and do not approach them until they are pure. Then when they have purified themselves, come to them from where Allāh has commanded you. Indeed, Allāh loves those who turn to Him in repentance, and He loves those who keep themselves pure.

al-Baqara 2:222

Imām Aḥmad رحمه الله records from Anas رضي الله عنه that the Jews of Madīnah, when a woman menstruated, would not eat with her and would not sit with her and would not remain with her in the house. She was put out. The Companions رضي الله عنهم saw this and asked the Prophet ﷺ about the matter, and this āyah came down, and the Prophet ﷺ said:

اصْنَعُوا كُلَّ شَيْءٍ إِلَّا النِّكَاحَ

Do everything except intercourse.

Five words, and they demolished a whole architecture of exclusion. The Qur'ān restricted one act and the Sunnah made explicit that it had restricted one act, and everything else in the life of the household continued unaltered. This is the answer to a question which is asked about our religion constantly and usually in bad faith, and the answer is in the Sunnah and it is not obscure.

Look at what our Prophet ﷺ actually did, because the reports are numerous and they are not disputed. He ate from the same plate as his menstruating wife. He slept beside her. He prayed while his garment was touching her, and while she lay on the bed in front of him. She would comb his hair and wash it, and she did this while he was in *i'tikāf* in the masjid, leaning his head out to her. He would recite the Qur'ān

with his head in her lap while she was menstruating. Every single one of those acts was a deliberate contradiction of a custom which had treated the woman as contaminated, and he did them in public, in a small city, where everybody was watching.

The word the āyah uses is *adhbā*, a harm or a hurt, and the Qur'ān has been careful. It did not say *najis*, filthy. It named a discomfort and a condition, and it did not name a defilement of the woman, and the 'ulamā' have insisted on the distinction. What is being protected here, in an āyah which answers a question from men, is the woman, from intercourse at a time when it is a harm to her, and the other intimacies of husband and wife are left exactly where they were.

What She Does and Does Not Do

The rulings of the *ḥayḍ* may be set down briefly, since the ordinary worshipper needs them and they are often muddled. She does not pray, and she does not make up the prayers afterwards, and this is a mercy and not a deprivation, since the fuqahā' note that the burden would be considerable. She does not fast, and she does make up the fasts. She does not perform *ṭawāf*, and she performs every other act of the Ḥajj and the 'Umra, and stands at 'Arafa with everybody else. She does not recite the Qur'ān, though she may say the āyahs which are supplications, and a teacher may break the words and the verses in the manner the fuqahā' have described. She does not enter the masjid. And she makes du'ā', all of it, without limit and without condition, at any hour of the day or night, and the door which the Qur'ān calls the nearest of all doors is not closed to her for a single moment.

Then the closing of the āyah, and it is one of the most beautiful closings in the sūra: *inna'llāha yuḥibbu al-tawwābīna wa yuḥibbu al-mutaṭahhirīn*, indeed Allāh loves those who turn to Him in repentance, and He loves those who keep themselves pure. Two loves, side by side. The first is for the one who has fallen and come back and the second is for the one who has kept himself clean, and the Qur'ān has put them in the same sentence with the same verb, so that neither of them may look down on the other.

From Where Allāh Has Commanded You

The clause *fa'tūbunna min ḥayṭu amarakumu'llāh*, come to them from where Allāh has commanded you, has a plain meaning and the fuqahā' have drawn a ruling

from it which must be stated, however uncomfortable it is to state, because it is asked about and because silence has left people confused.

Anal intercourse is unlawful, and it is unlawful absolutely, and the marriage does not make it lawful. The Prophet ﷺ said:

لَا يَسْتَحْيِي اللَّهُ مِنَ الْحَقِّ، لَا تَأْتُوا النِّسَاءَ فِي أُخْبَارِهِنَّ

Allāh is not shy of the truth. Do not come to women in their backsides.

He said it three times, says the narration of Khuzayma ibn Thābit al-Khaṭmī رضي الله عنه, and the prefacing of it with those words tells the reader why it is being said in a public gathering by a man of the most extreme modesty. Some things must be said, and a teacher who leaves them unsaid because he finds them awkward has spared himself at the expense of the people who needed to know. And:

لَا يَنْظُرُ اللَّهُ إِلَى رَجُلٍ أَتَى رَجُلًا أَوْ امْرَأَةً فِي الدُّبُرِ

Allāh will not look at a man who comes to a man, or to a woman, in the backside.

There is a report which shows how the early ‘ulamā’ handled the question when somebody tried to put a permission in their mouths. Ismā‘īl ibn Rūḥ said that he asked Mālik ibn Anas رحمه الله what he said about this practice, and Mālik said: you are not an Arab. Does intercourse occur anywhere but in the place of pregnancy? Do it in the *farj* only. And Ismā‘īl said: O Abū ‘Abdullāh, they say that you permit it. And Mālik said: they are lying about me. They are lying about me.²⁵

His answer to the fabrication was not a legal argument. It was an appeal to the language: the word for intercourse in Arabic refers to the place from which a child comes, so a man who is not doing that is not doing the thing the word names, and the Arab ear should have known it without being taught. This was the settled position of Sa‘īd ibn al-Musayyib, Abū Salama, ‘Ikrima, Ṭāwūs, ‘Aṭā’, Sa‘īd ibn Jubayr, ‘Urwa ibn al-Zubayr, Mujāhid ibn Jabr, al-Ḥasan, and the generality of the ‘ulamā’ of the Salaf, and a number of them used language about the practice so severe that they called it *kufṛ*, meaning by that the gravity of it rather than an expulsion from the religion.

Your Wives Are a Tilth for You

نِسَاؤُكُمْ حَرْثٌ لَّكُمْ فَأَتُوا حَرْثَكُمْ أَنَّى شِئْتُمْ وَقَدِّمُوا لِأَنفُسِكُمْ
وَاتَّقُوا اللَّهَ وَاعْلَمُوا أَنَّكُمْ مُلْقَوُهُ وَبَشِّرِ الْمُؤْمِنِينَ ﴿٢٢٣﴾

Your wives are a tilth for you, so come to your tilth as you wish. And send ahead something for yourselves, and fear Allāh, and know that you will meet Him. And give good news to the believers.

al-Baqara 2:223

Imām al-Bukhārī رحمه الله records from Jābir رضي الله عنه that the Jews of Madīnah used to say that if a man came to his wife from behind, meaning in the place of pregnancy, the child would be born cross-eyed. The Companions رضي الله عنهم had heard this and it had settled in as these things do, and this āyah came down.²⁶

So the word *harth*, tilth, is doing exactly one piece of work in this āyah, and the reader who has been told that it degrades women has been told so by somebody who did not trouble to find out what it was answering. The metaphor is agricultural and it identifies the place, which is the place from which something grows, and having identified the place, the āyah says *annā shi'tum*, as you wish, and thereby throws out the superstition which had been governing people's bedrooms. That is the whole of it. The manner is open and the place is fixed, and the previous āyah fixed the place and this one opens the manner.

Then the āyah does something no reader expects. In the middle of a sentence about intimacy it says: *wa qaddimū li anfusikum*, and send ahead something for yourselves. The mufasssīrūn read it two ways and both are good. The first is the wide sense: in all your pleasure and your delight, do not forget the *ākhirah*, and send something forward, because you are going there. The second is the particular sense, that a man should say the name of Allāh ﷻ and make the supplication which al-Bukhārī رحمه الله records from Ibn 'Abbās رضي الله عنهما:

لَوْ أَنَّ أَحَدَكُمْ إِذَا أَرَادَ أَنْ يَأْتِيَ أَهْلَهُ قَالَ: بِاسْمِ اللَّهِ، اللَّهُمَّ جَنِّبْنَا الشَّيْطَانَ وَجَنِّبِ الشَّيْطَانَ مَا رَزَقْتَنَا، فَإِنَّهُ إِنْ يُقَدَّرُ بَيْنَهُمَا وَلَدٌ فِي ذَلِكَ، لَمْ يَضُرَّهُ الشَّيْطَانُ أَبَدًا

If one of you, when he wishes to come to his wife, says: in the name of Allāh, O Allāh keep Shayṭān away from us and keep Shayṭān away from what You provide us, then if a child is decreed between them from that, Shayṭān will never harm him.

Then the āyah closes with *wa'ttaqu'llāha wa'lamū annakum mulāqūh*, and fear Allāh and know that you will meet Him, and then, most unexpectedly, *wa bashshiri'l-mu'minīn*, and give good news to the believers. The reader should ask what the good news is, since none has been stated, and the answer is that the good news is the meeting. A man is told that he will meet his Lord and it is announced to him as glad tidings, and the man who has spent his life dreading that sentence has not understood who it is he is going to meet.

Do Not Make Allāh a Target for Your Oaths

ج
وَلَا تَجْعَلُوا اللَّهَ عُرْضَةً لِأَيْمَانِكُمْ أَنْ تَبَرُّوا وَتَتَّقُوا وَتُصْلِحُوا بَيْنَ النَّاسِ
وَاللَّهُ سَمِيعٌ عَلِيمٌ ﴿٢٢٤﴾

And do not make Allāh a target for your oaths, against your doing good and being mindful of Him and setting things right between people. And Allāh is All-Hearing, All-Knowing.

al-Baqara 2:224

The theme running through these pages is marriage and the relations of a household, and the reader may wonder what oaths are doing in the middle of it, and the answer is that he has never been in an argument at home. Oaths are what people reach for when they are angry, and the next āyahs will deal with the oath a man swears against his own wife, and the Qur'an is laying the groundwork for it.

The word '*urda*' means a thing set up in the way, a target or an obstacle, and the āyah forbids a man to set the name of Allāh ﷻ up as a barricade across the road to a good he ought to be doing. The construction is this: a man says, by Allāh, I will never

Speak to my brother again, and then his conscience begins to work on him, and instead of going to his brother he says that his hands are tied, that he has taken the name of Allāh ﷻ upon it and now cannot go back. He has made his Lord's name into a wall and he is sheltering behind it, and the āyah tells him that the wall is not there.

The ruling which follows from it is settled and it is in the Ṣaḥīḥayn: a man who swears an oath and then sees that something else is better should do the better thing and expiate his oath. Do the good, and pay the *kaffāra*. The oath does not sanctify the wrong; it merely costs something to leave.

The reader should think of Sayyidunā Abū Bakr رضي الله عنه in the affair of the slander, when he swore that he would never again spend on Miṣṭaḥ, who was his relative and whom he had been supporting, and who had repeated the lie against ‘Ā’isha رضي الله عنها, who was Abū Bakr's own daughter. It was, by any human measure, a justified oath. And Allāh ﷻ sent down in Sūrat al-Nūr, let them pardon and overlook, do you not love that Allāh should forgive you. And Abū Bakr رضي الله عنه said, yes, by Allāh, I love that Allāh should forgive me, and he restored the payment and never withdrew it again. There is also the incident of ‘Ā’isha رضي الله عنها and ‘Abdullāh ibn al-Zubayr رضي الله عنهما, when she swore never to speak to him, and men had to intercede for months, and when she broke the oath she freed slaves in expiation until she had freed a great number of them, and she wept whenever she remembered it.²⁷

And there is a second sense in the āyah which the mufasssīrūn also give: do not make Allāh's name a thing you throw around. Take His name when you must, and do not take it in jest, and do not scatter it over the trivia of your day.

The Kaffāra of an Oath

The expiation is set out in Sūrat al-Mā’ida and it should be known, since a man who does not know what it costs will not break an oath he ought to break. He may free a slave, which is of no application in our times. Or he may feed ten destitute people, morning and evening, or one destitute person for ten days. Or he may clothe ten destitute people, giving each of them one garment or more, the minimum being that in which the *ṣalāh* is valid. He may give the equivalent of these in money. And if he is capable of none of the three, then he fasts three consecutive days.

Allāh Will Not Take You to Task for the Idle Word

لَا يُؤَاخِذُكُمُ اللَّهُ بِاللَّغْوِ فِي أَيْمَانِكُمْ وَلَكِنْ يُؤَاخِذُكُمْ بِمَا كَسَبَتْ قُلُوبُكُمْ وَاللَّهُ غَفُورٌ حَلِيمٌ (٢٢٥)

Allāh will not take you to task for what is idle in your oaths, but He will take you to task for what your hearts have earned. And Allāh is Forgiving, Forbearing.

al-Baqara 2:225

Having tightened the matter of oaths in the previous āyah, the Qur'ān now loosens it, which is its way, and the loosening is in the word *laghw*. It means the idle thing, the speech which carries no weight and was never meant to.

The fuqahā' have identified two situations under it. The first is the *takya kalām*, the phrase a man says out of habit with no intention of an oath in it at all, as a man will say, I swear on my mother's life, when his mother has been dead for twenty years, which shows that he did not mean an oath, because a man cannot swear on a life which is over. The tongue was moving and the heart was not, and this is the very definition of *laghw*. The second is where a man swears about the past believing what he says to be true, and it turns out not to be. He said, by Allāh, I locked the door, and he was certain of it, and he had not. There is no sin in it, because the heart intended the truth.

Against this stands the *yamīn al-ghamūs*, the oath which plunges, so called because the 'ulamā' say it plunges its swearer into the Fire. It is an oath over the past which is deliberately false, and a man who takes it is a man who has decided to use the name of Allāh ﷻ to sell a lie. It is a major sin and, in the majority position, no expiation lifts it, because it is not the kind of thing an expiation is for, and nothing remains for it except repentance.

The distinguishing line in the āyah is *bimā kasabat qulūbukum*, by what your hearts have earned. Note the verb *kasaba*, to earn, which is a verb of deliberate acquisition, and note that it is attached to the heart and not to the tongue. Allāh ﷻ takes a man to account for what his heart went out and got, and the words which fell out of his mouth on the way are not the subject of the accounting. This is the mercy of a Lord

who knows the difference between a man's speech and a man's intention, and it closes, fittingly, with two names: *ghafūr*, Forgiving, and *ḥalīm*, Forbearing, which is the One who sees the offence and does not hurry.

Those Who Swear Off Their Wives

لَمَذِينَ يُؤْلُونَ مِنْ نِسَائِهِمْ تَرَبُّصُ أَرْبَعَةِ أَشْهُرٍ فَإِنْ فَاءُوا فَإِنَّ اللَّهَ
غَفُورٌ رَحِيمٌ ﴿٢٢٦﴾

For those who swear off their wives there is a waiting of four months. Then if they go back, Allāh is Forgiving, Merciful.

al-Baqara 2:226

وَإِنْ عَزَمُوا الطَّلَاقَ فَإِنَّ اللَّهَ سَمِيعٌ عَلِيمٌ ﴿٢٢٧﴾

And if they resolve upon divorce, then Allāh is All-Hearing, All-Knowing.

al-Baqara 2:227

The oath which the previous āyahs prepared us for now arrives, and it has a name. *Īlā'* is the oath of a man that he will not go near his wife, and it was a weapon in the days of ignorance, and the reader should understand how it was used before he can see what the Qur'ān did to it.

An Arab who was angry with his wife and did not wish to divorce her would swear that he would not touch her, and then he would leave her there. He was not obliged to release her and he was not going to come back to her, and she could not marry, and she could not go, and she had no claim on him, and she could remain in that condition for the rest of her life. It was a punishment with no term attached to it and the woman had no way out of it, and this is precisely what the Qur'ān has here abolished, by the simple device of putting a clock on it.

The fuqahā' have examined the oath in four situations. Where no time limit was fixed at all. Where a limit of four months was fixed. Where a limit of more than four

months was fixed. And where the limit was less than four months. The first three are *ilā'* in the Sharī'ah and the fourth is not, because the oath in that case expires before the law would have intervened and the matter resolves itself.

Then the ruling: *tarabbusu arba'ati asbbur*, a waiting of four months. At the end of it, one of two things has happened and there is no third. Either the man has gone back, in which case Allāh ﷻ is Forgiving and Merciful and the marriage stands, or he has not, and in the Ḥanafī school the divorce falls automatically at the expiry of the term, without the man having to say anything, and it falls as *bā'in*, an irrevocable divorce, so that he cannot simply reach out and take her back. She is free.

Consider the design of that. The man is given four months, which is a generous provision for his temper and his pride and whatever it was that made him swear. And when they are up, the law acts on its own and does not wait for him. He does not have to be found, or persuaded, or brought before anybody. The four months end and the woman is out, and this is the answer of the Sharī'ah to the man who wished to keep a woman in a cupboard.

What counts as going back? Shaykh al-Kandhlawī رحمه الله notes the two ways, either by breaking the oath verbally or by resuming relations, and some of the Ḥanafīs have held that it must be physical, and that the verbal breaking suffices only where the man is unable, through illness or absence or the like.²⁸ The logic is sound. The harm which was done to her was physical abandonment and a verbal retraction which changes nothing on the ground has not undone it.

And a point which the ordinary worshipper must understand, because it is a common confusion. Staying away from one another without an oath is not *ilā'* and carries none of this. Two people who are not speaking, who have been sleeping in separate rooms for a year and cannot look at each other over breakfast, are not in *ilā'*, and the four months are not running, and the law is not going to come and rescue either of them. *Ilā'* is triggered by the oath, and where there is no oath there is only a marriage which two people are quietly allowing to die, and the Sharī'ah has left that to their consciences, which is a heavier place to leave it than a court.

Then the second āyah: *wa in 'azamū al-ṭalāqa fa inna'llāha samī'un 'alīm*, and if they resolve upon divorce, then Allāh is All-Hearing, All-Knowing. The two names at the end are not decoration. *Samī'*, the One who hears, hears the oath which was sworn in a private room with nobody present. *'Alīm*, the One who knows, knows

what was in the heart of the man who swore it, and whether he swore it to correct her or to break her. Every man who has ever used this device has done so in the belief that the arrangement was between him and his wife, and the āyah tells him who else was in the room.

One further ruling which the fuqahā' mention and which the ordinary worshipper does not usually anticipate. If a man gives the divorce and takes her back within the four months, she remains unlawful to him until he breaks the oath and pays for it, because the oath is a separate matter from the marriage and it does not dissolve with it. The oath is an obligation in its own right and it must be dealt with in its own right.

Īlā' in the Sīra

There is an episode in the life of the Prophet ﷺ which the 'ulamā' discuss here, when he withdrew from his wives رضي الله عنهن and sat in his loft for a month, which was twenty-nine days, and the rumour went round Madīnah that he had divorced them, and 'Umar رضي الله عنه came to him in a state, and the affair is recorded at length in the Ṣaḥīḥayn.²⁹ The reports differ as to what occasioned it, and the 'ulamā' say either that all three of the following matters were in it or that it was only one of them.

The first is the honey, when one of the wives told him that his mouth carried a smell from it, and he resolved not to take it again, and the affair is dealt with in Sūrat al-Taḥrīm. The second is the matter of Māriya al-Qibṭiyya رضي الله عنها and the oath he took on account of Ḥafṣa رضي الله عنها, which is also in Sūrat al-Taḥrīm. The third is the request of the wives for a wider stipend, which is answered in Sūrat al-Aḥzāb, in the āyahs which gave them the choice between this world and Allāh ﷻ and His Messenger ﷺ and the home of the Hereafter, and every one of them chose Allāh ﷻ.

What the reader should take from it is that the withdrawal of the Prophet ﷺ had a term and it was short and it ended, and that he did not use the device the āyah is abolishing. He did not leave anybody suspended.

The Divorced Women Shall Wait Three Courses

وَالْمُطَلَّقَاتُ يَتَرَبَّصْنَ بِأَنْفُسِهِنَّ ثَلَاثَةَ قُرُوءٍ وَلَا يَحِلُّ لَهُنَّ أَنْ يَكْتُمْنَ مَا خَلَقَ اللَّهُ فِي أَرْحَامِهِنَّ إِنْ كُنَّ يُؤْمِنَنَّ بِاللَّهِ وَالْيَوْمِ الْآخِرِ وَبِعَوَلتهنَّ أَحَقُّ بِرَدِّهِنَّ فِي ذَلِكَ إِنْ أَرَادُوا إِصْلَاحًا وَلَهُنَّ مِثْلُ الَّذِي عَلَيْهِنَّ بِالْمَعْرُوفِ وَلِلرِّجَالِ عَلَيْهِنَّ دَرَجَةٌ وَاللَّهُ عَزِيزٌ حَكِيمٌ ﴿٢٢٨﴾

And the divorced women shall wait by themselves for three courses. And it is not lawful for them to conceal what Allāh has created in their wombs, if they believe in Allāh and the Last Day. And their husbands have more right to take them back in that period, if they desire reconciliation. And for them is the like of what is upon them, in fairness. And for men over them is a degree. And Allāh is Mighty, Wise.

al-Baqara 2:228

Now the sūra enters the law of divorce properly, and it will stay in it for a dozen āyahs, and the reader should keep hold of one thing throughout: every clause of it is a restraint upon a man who previously had none.

The waiting period is *thalāthata qurū'*, three *qurū'*, and the word is one of those which carries two opposite senses in Arabic, and the Companions رضي الله عنهم themselves differed over it. The Ḥanafīs and those with them hold that *qur'* here means *ḥayḍ*, the menstruation, and the Shāfi'īs and those with them hold that it means *ṭuhr*, the period of purity between two menstruations. The difference is old and it is honourable and both parties have their evidence, and it produces a difference of a few weeks in the length of the *'idda* and nothing more.

Why is there an *'idda* at all? For three reasons which the 'ulamā' give. To establish whether she is carrying a child, so that lineage is not confused. To give the man a period in which to come to his senses, which he very often does. And to mark the ending of a thing which ought not to be ended in an afternoon.

The Table of the 'Idda

The reader should have the cases in front of him, since he will be asked about them.

Where there has been no *khalwa*, no privacy between them at all, there is no *‘idda*, and she may marry the same day. Where the woman is pre-menstrual or has passed the age of menstruation, the period is three Islamic months. Where she menstruates, it is three *ḥayḍ* on the Ḥanafī position. Where she is pregnant, it runs until the childbirth, however long or short that turns out to be, so that a woman who is divorced and delivers an hour later has completed her *‘idda* in an hour.

And the divorce itself should be one, pronounced in a *ṭuhr* in which there has been no intimacy, and this is the *ṣunnī* divorce which the fuqahā’ describe and which almost nobody in our communities performs, because almost nobody in our communities is thinking clearly at the moment they perform it.

What She May Not Conceal

Then: *wa lā yaḥillu lahunna an yaktumna mā khalaqa’llābu fī arḥāmihinn*, and it is not lawful for them to conceal what Allāh has created in their wombs. The Qur’ān is legislating against a temptation and it is worth understanding the temptation before judging the clause.

A woman who has been divorced and is pregnant faces an *‘idda* of up to nine months, and she may not want nine months. She may want three, and to be gone, and to be finished with the man and his family and the whole business, and she may be entirely justified in wanting it. So the temptation is to say nothing, and the Qur’ān closes it, and it closes it not with a penalty but with a condition: *in kunna yu’minna bi’llāhi wa’l-yawmi’l-ākhir*, if they believe in Allāh and the Last Day. There is no court which can examine this. It is a matter which lives entirely inside the woman, and the Qur’ān addresses it to her *īmān*, because that is the only place from which it can be governed. And the reason it matters is that there is a third party in this whose interests nobody in the argument is representing, which is the child, and a child whose father does not know he exists has been robbed of a name and a maintenance and an inheritance before he has drawn breath.

Their Husbands Have More Right

Then: *wa bu’ūlatuhunna aḥaqqu bi raddihinna fī dhālika in arādū iṣlāḥan*, and their husbands have more right to take them back in that period, if they desire reconciliation.

The right of return applies to the *raj’ī* divorce, the revocable one, and there the man may take her back within the *‘idda* without a new contract and without her consent.

Where the divorce is *bā'in*, irrevocable, he may return to her only by a fresh *nikāḥ*, with her agreement and a new dower, and she is under no obligation to give it.

The condition attached is the whole clause: *in arādū islāḥan*, if they desire reconciliation. The right to take her back was given for repair and for nothing else, and a man who takes her back for any other reason has exercised a right which was not granted to him. The next āyahs will name the abuse exactly.

For Them Is the Like of What Is Upon Them

Then a sentence which changed the world: *wa laḥunna mithlu'lladhī 'alayhinna bi'l-ma'rūf*, and for them is the like of what is upon them, in fairness.

Read it carefully. Their rights are due to them just as the rights of the men are due from them. The obligations run in both directions and they are described as *mithl*, the like, and this was said to a society in which a woman's rights over her husband were, in the plain sense, none. Muftī Shafī رحمه الله notices a further hint in the wording, that the rights of the women are mentioned first, and takes it as a suggestion that the men should be the ones to move first, and should give before they claim.³⁰

There is an incident which shows how the women of that generation heard these things. Umm Salama رضي الله عنها pointed out to the Prophet ﷺ that the women were not being addressed directly in the Qur'ān, that the revelation spoke of the believers and the men and left the women to be understood. And Allāh ﷻ sent down the āyah of Sūrat al-Aḥzāb: *inna'l-muslimīna wa'l-muslimāti wa'l-mu'minīna wa'l-mu'mināti wa'l-qānitīna wa'l-qānitāt*, and it goes on, ten pairs, each masculine noun followed by its feminine, through the truthful and the patient and the humble and the giving and the fasting and the guarding and those who remember Allāh ﷻ much, and it closes with forgiveness and a great reward for both. A woman asked a question and the answer came down from above the seven heavens, and the answer was a list.

And the Qur'ān states the settlement with total clarity elsewhere: *man 'amila ṣāliḥan min dhakarīn aw unthā wa huwa mu'minun fa la nuḥyiyannahu ḥayātan ṭayyiba*, whoever does righteousness, whether male or female, and is a believer, We will surely give him a good life. The wage is identical and the workers are not distinguished.

A Degree Above Them

Then the clause which is quoted at us more than any other in the sūra: *wa li'l-rijālī 'alayhinna daraja*, and for men over them is a degree.

Begin with what is obvious and is now denied. Men and women are not the same. It would be a calamity if they were, and a mercy that they are not. They are different and they are complementary, with different emotional constitutions and different physical characteristics and different capacities, and every human society that has ever existed has known this, and the recent attempt to unknow it has not gone well for anybody, least of all for women.

Then observe that a degree of authority exists in every walk of life without anybody imagining that it settles the question of human worth. There is a man in charge of the ward and a man in charge of the site and a man in charge of the aircraft, and nobody has ever concluded from the seating plan that the passengers are inferior beings. Every social unit needs one person in charge of it in order to function, and the family is a social unit, and the man has been given the leading of it.

What that leadership does not imply is superiority. Remember what Abū Bakr رضي الله عنه said when he was appointed to the Khilāfa, which is the highest office the Ummah has: I have been appointed over you and I am not the best of you. There is the Islamic understanding of authority in one sentence, from a man who had just been given all of it.

Now here is the part which the ordinary Muslim man does not want to hear and which the mufasssūrūn have been saying for a thousand years. Ibn 'Abbās رضي الله عنه, as al-Ṭabarī رحمه الله reports him, explains the degree by saying that the men are instructed to fulfil their duties and responsibilities towards the women unconditionally and in full, while overlooking it when the women fall short of theirs.³¹ That is the degree. It is a degree of responsibility and not a degree of privilege, and a man who has been given it has been given more to do and not more to enjoy.

Al-Rāzī رحمه الله goes further and reads the clause as a threat.³² The mention of the advantage, he says, is like an open warning to men against abusing or hurting their wives, because the more divine favour is granted to a man, the more repugnant it is for him to sin with it, and the more he deserves rebuke. The clause which men quote

in order to end an argument is, in the hands of one of the greatest mufassirūn of the Ummah, the clause which makes their sin worse.

It was never meant as a licence for overbearingness or tyranny. The relationship of a husband and a wife in this religion rests on love and compassion and cooperation, and it includes consultation, and the Qur'ān says of the weaning of a child two āyahs from now that it is to be by mutual consent and consultation, which tells the reader what kind of household is envisaged.

Men are tested by leadership. Women are tested by playing the complementary role. Both are examinations and neither is a prize, and the man who reads this clause and feels pleased with himself has failed his at the moment of reading.

The āyah closes: *wa'llāhu 'azīzun ḥakīm*, and Allāh is Mighty, Wise. *'Azīz*, so that the man who has been given the degree remembers that there is a Might above his own. *Ḥakīm*, so that the woman who has been placed under it knows that the arrangement was not arbitrary and that the One who made it knew what He was doing.

Divorce Is Twice

الطَّلُقُ مَرَّتَانٍ فَإِمْسَاكَ بِمَعْرُوفٍ أَوْ تَسْرِيحٍ بِإِحْسَنٍ وَلَا يَحِلُّ لَكَمُ
 أَنْ تَأْخُذُوا بِمَا ءَاتَيْتُمُوهُنَّ شَيْئًا إِلَّا أَنْ يَخَافَا أَلَّا يُقِيمَا حُدُودَ اللَّهِ
 فَإِنْ خِفْتُمْ أَلَّا يُقِيمَا حُدُودَ اللَّهِ فَلَا جُنَاحَ عَلَيْهِمَا فِيمَا افْتَدَتْ بِهِ
 تِلْكَ حُدُودُ اللَّهِ فَلَا تَعْتَدُوهَا وَمَنْ يَتَعَدَّ حُدُودَ اللَّهِ فَأُولَئِكَ هُمُ
 الظَّالِمُونَ ﴿٢٢٩﴾

Divorce is twice. Then either retaining in fairness or releasing with excellence. And it is not lawful for you to take back anything of what you have given them, unless the two of them fear that they will not maintain the limits of Allāh. Then if you fear that they will not maintain the limits of Allāh, there is no blame on either of them in what she gives up to free herself. These are the limits of Allāh, so do not transgress them. And whoever transgresses the limits of Allāh, those are the wrongdoers.

al-Baqara 2:229

Al-ṭalāqu marratān, divorce is twice, and the whole of the reform is in those three words. Before Islam a man could divorce and take back without limit, and he would do it as a torture, releasing her as her *‘idda* approached its end and taking her back on the last day, and doing it again, and again, so that she was neither married nor free and could be held in the corridor for as long as he found it amusing. The Qur’ān said twice, and the corridor became a corridor with a door at the end of it.

The *marratān* is the limit within which a man may perform *rujū’*, return, without her having to marry somebody else first. Two. After the second, he stands at a fork with two roads and no third: *fa imsākun bi ma’rūfin aw tasrīhun bi ihsān*, either retaining in fairness or releasing with excellence.

Look at the two nouns, because the choice of them is the whole ethic of the passage. To keep her is to be done *bi ma’rūf*, in fairness, in what is recognised and decent. To let her go is to be done *bi ihsān*, with excellence, which is a higher word than fairness.

The Qur'ān has demanded the higher standard of the man at the moment he is leaving, which is exactly the moment when every human instinct says that the standard has lapsed. A man is at his worst in a divorce. That is when he is told to be at his best.

Khul'

Then the āyah turns to the money, and it begins with a prohibition: *wa lā yahillu lakum an ta'khubdhū mim mā ātaytumūhunna shay'an*, it is not lawful for you to take back anything of what you have given them. Not a thing. The dower is hers and the gifts are hers and the man who is leaving has no claim on any of it, and the practice of a family stripping a departing woman of what was given to her at the wedding is theft, and it is theft with an āyah of the Qur'ān standing against it.

Then the exception, and it is narrow: unless the two of them fear that they will not maintain the limits of Allāh ﷻ. This is *khul'*, where the woman seeks the release and gives something back to obtain it, and the word *iftadat* in the āyah, from *fidya*, a ransom, tells the reader what is happening. She is buying her way out.

The rulings on it are these. The amount must be agreed between both of them, and it is not for him to name a figure and present it. If the husband is the one at fault, he should not force her to pay anything at all, and the fuqahā' have said this plainly. Gifts do not need to be returned. And the tie remains, in the technical sense, in the husband's hand, in that the *khul'* is effected by his release of her upon the agreed terms.

Against the abuse of it in the other direction, there is a ḥadīth which must be given, because the āyah gives a right and the Sunnah guards it from being played with. Thawbān رضي الله عنه reports that the Messenger of Allāh ﷺ said:

أَيُّ امْرَأَةٍ سَأَلَتْ زَوْجَهَا طَلَاقًا فِي غَيْرِ مَا بَأْسٍ، فَحَرَامٌ عَلَيْهَا رَائِحَةُ الْجَنَّةِ

Any woman who asks her husband for a divorce without some hardship, the fragrance of the Garden is forbidden to her.

Note the condition in the middle of it: *fī ghayri mā ba's*, without some hardship. The ḥadīth is not aimed at the woman with a reason. It is aimed at the woman who has no reason at all and wants out because she is bored or because somebody has told

her she can do better, and the reader who quotes this ḥadīth at a woman who is being beaten has not read to the end of the sentence.

Then the closing: *tilka ḥudūdullāhi fa lā taʿadūhā*, these are the limits of Allāh, so do not transgress them. The word *ḥudūd* is repeated three times in this āyah, and a *ḥadd* is a boundary marker, the stone at the edge of a field. The Qurʾān has not asked us to admire the field. It has told us where the edge of it is, and the man who steps over it is named in the last clause without any softening: *fa ulāʾika humu'l-ẓālimūn*, those are the wrongdoers.

Then She Is Not Lawful for Him

فَإِنْ طَلَّقَهَا فَلَا تَحِلُّ لَهُ مِنْ بَعْدِ حَتَّى تَكَحَّ زَوْجًا غَيْرَهُ فَإِنْ طَلَّقَهَا فَلَا جُنَاحَ عَلَيْهِمَا أَنْ يَتَرَاجَعَا إِنْ ظَنَّا أَنْ يُقِيمَا حُدُودَ اللَّهِ وَتِلْكَ حُدُودُ اللَّهِ يُبَيِّنُهَا لِقَوْمٍ يَعْلَمُونَ ﴿٢٣٠﴾

Then if he divorces her, she is not lawful for him after that until she marries a husband other than him. Then if he divorces her, there is no blame on the two of them that they return to each other, if they think they can maintain the limits of Allāh. And these are the limits of Allāh, which He makes clear for a people who know.

al-Baqara 2:230

This is the third divorce, and it is the end of the road which the previous āyah described, and the reader should understand what the Sharīʿah thinks of it. The pronouncing of the third is *ṭalāq al-bidʿa*, the divorce of innovation, and a great many of the ʿulamāʾ have held it to be impermissible outright, and none of them has ever held it to be a good idea. It is valid and it is sinful, which is a combination the fuqahāʾ are entirely comfortable with and which the layman finds confusing, and the confusion has cost this Ummah more marriages than any other single misunderstanding in the law.

Once it has been said, she is not lawful to him *ḥattā tankiḥa zawjan gḥayrah*, until she marries a husband other than him. And the ‘ulamā’ have added, on the authority of the Sunnah, that the marriage must be a real one. The woman of Rifā‘a came to the Prophet ﷺ and told him that her second husband was of no use to her, and he said:

لَا، حَتَّى تَذُوقِي عُسَيْلَتَهُ وَيَذُوقَ عُسَيْلَتِكَ

No, not until you taste his sweetness and he tastes yours.

Then, if that second husband should divorce her of his own accord, and her *‘idda* from him is completed, there is no blame on the two of them returning to each other, on a condition: *in ḡannā an yuqīmā ḥudūda’llāh*, if they think they can maintain the limits of Allāh. Two people who have already failed once are permitted to try again if they honestly think they can do it, and if they do not honestly think so, the permission was not for them.

Now the ugly business. There is a practice called *ḥalāla*, in which a man is arranged for, and paid, and the marriage is contracted with the understanding that he will divorce her in the morning, and this is done in order to return a woman to a husband who threw away his three. On this the Prophet ﷺ was explicit, and he cursed the *muḥallil* and the *muḥallal lah*, the one who makes her lawful and the one for whom she is made lawful, and a curse from the mouth of the Messenger of Allāh ﷺ is not a manner of speaking. ‘Umar رضي الله عنه said that no *muḥallil* and no *muḥallal lah* would be brought before him but that he would stone them both.

The whole of the second marriage in the āyah is meant to be an accident from the man's point of view. It is the wall at the end of the road, and its function is to make him think before the third word leaves his mouth, and a man who plans his way through the wall has taken the deterrent and turned it into a turnstile.

Retain Them in Fairness or Release Them in Fairness

وَإِذَا طَلَقْتُمُ النِّسَاءَ فَلَبَسْنَ أَجَلَهُنَّ فَأَمْسِكُوهُنَّ بِمَعْرُوفٍ أَوْ
سَرِّحُوهُنَّ بِمَعْرُوفٍ وَلَا تُمْسِكُوهُنَّ ضِرَارًا لِّمُعْتَدُوا وَمَنْ يَفْعَلْ ذَلِكَ
فَقَدْ ظَلَمَ نَفْسَهُ وَلَا تَتَّخِذُوا آيَاتِ اللَّهِ هُزُوًا وَاذْكُرُوا نِعْمَتَ اللَّهِ
عَلَيْكُمْ وَمَا أُنْزِلَ عَلَيْكُمْ مِنَ الْكِتَابِ وَالْحِكْمَةِ يَعِظُكُمْ بِهِ وَاتَّقُوا اللَّهَ
وَأَعْلَمُوا أَنَّ اللَّهَ بِكُلِّ شَيْءٍ عَلِيمٌ ﴿٢٣١﴾

And when you have divorced women and they have reached their term, then retain them in fairness or release them in fairness. And do not retain them to harm them, so that you transgress. And whoever does that has wronged himself. And do not take the signs of Allāh in jest. And remember the favour of Allāh upon you, and what He has sent down to you of the Book and the wisdom, admonishing you thereby. And fear Allāh, and know that Allāh has knowledge of everything.

al-Baqara 2:231

This āyah concerns the *rajʿī* divorce, the revocable one, meaning the first or the second, said in clear words of divorce and not in words which are left to interpretation. The *ʿidda* is running and the man has the right of return, and the āyah is about how he uses it.

Ibn ʿAbbās رضي الله عنهما describes the practice which occasioned it, and it is worth having in the mind's eye.³³ A man would divorce his wife, and when her *ʿidda* came near its end he would take her back, not to live with her, but to harm her, and to stop her marrying anybody else. Then he would divorce her again and she would begin a new *ʿidda*, and when that approached its end he would take her back once more, and so the term was prolonged for her indefinitely. The right of return, which was given as a mercy for the repair of a marriage, was being used as a mechanism of imprisonment.

So the Qurʾān names it: *wa lā tumsikūhunna ḍirāran li taʿadū*, and do not retain them to harm them, so that you transgress. The word *ḍirār* is deliberate harm, and

the Qur'ān has looked into the intention behind a technically lawful act and forbidden the act on account of the intention. A man performing an entirely valid *rujū'*, with the correct words, in the correct period, has committed a sin, because of what was in him when he did it.

And then the sentence which no man expects: *wa man yaf'al dhālika fa qad ḡalama nafsah*, and whoever does that has wronged himself. Not, has wronged her. He has wronged her too, and the Qur'ān knows it, and it goes past her and says that the man has wronged his own soul, which is the more urgent injury and the one he had not considered. He thought he was holding somebody. He was holding himself.

Then: *wa lā tattakhidhū āyāti'llāhi huzuwā*, and do not take the signs of Allāh in jest. There is no joke in divorce, and the Prophet ﷺ made the ruling on it as clear as language allows:

ثَلَاثٌ جِدَّهِنَّ جِدٌّ، وَهَزَلْنَّ جِدٌّ: النِّكَاحُ، وَالطَّلَاقُ، وَالرَّجْعَةُ

Three things: their earnest is earnest and their jest is earnest. Marriage, divorce, and the taking back.

The man who said it in a temper meant it. The man who said it as a joke meant it. The man who said it to frighten her meant it. The law does not enquire into his mood, and every year in our communities a marriage of fifteen years is ended by a sentence which its author would give his right arm to withdraw, and it cannot be withdrawn, and this ḥadīth is the reason.

A practical matter for the ordinary worshipper, since the āyah is about ambiguity and its harms. Do not leave a woman in limbo. If a man takes her back, let him do it in front of witnesses, so that there is proof of it, and so that a dispute six months later about whether the marriage exists does not have to be settled by two people's memories of an argument.

Then the closing of the āyah, which lifts out of the law entirely: remember the favour of Allāh ﷻ upon you, and what He sent down to you of the Book and the wisdom. In the middle of the ugliest business two people ever transact, the Qur'ān asks the man to remember that he was given a Book. It is a way of asking him who he is, and it is asked at the one moment in his life when he has forgotten.

Do Not Prevent Them

وَإِذَا طَلَقْتُمُ النِّسَاءَ فَبَلَغْنَ أَجَلَهُنَّ فَلَا تَعْضُلُوهُنَّ أَنْ يَنْكِحْنَ
أَزْوَاجَهُنَّ إِذَا تَرْضَوْنَ بَيْنَهُنَّ بِالْمَعْرُوفِ ذَلِكَ يُوعَظُ بِهِ مَنْ كَانَ
مِنْكُمْ يُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الْآخِرِ ذَلِكَمُ أَزْكَى لَكُمْ وَأَطْهَرُ وَاللَّهُ يَعْلَمُ
وَأَنْتُمْ لَا تَعْلَمُونَ ﴿٢٣٢﴾

And when you have divorced women and they have reached their term, do not prevent them from marrying their husbands when they have agreed between themselves in fairness. That is an admonition for whoever among you believes in Allāh and the Last Day. That is purer for you and cleaner. And Allāh knows, and you do not know.

al-Baqara 2:232

The *‘idda* is over now and the man’s right of return has expired, and the woman is free, and the āyah turns to a different obstacle, which is her own family.

Al-Bukhārī رضي الله عنه records the occasion from Ma‘qil ibn Yasār عنه رضي الله عنه. His sister had been married and divorced, and the *‘idda* passed, and the man came back wanting to remarry her, and she wanted it too. And Ma‘qil said no. He said, I gave her to you and honoured you with her and you divorced her, and now you come back to me. By Allāh, she will never return to you. And this āyah came down, and Ma‘qil رضي الله عنه heard it and said, now I will do it, my Lord, and he married her to him and expiated his oath.³⁴

Notice who is being addressed. Not the woman, and not the husband, who had both agreed. The brother. His motives were not disreputable, as he saw them. He was protecting his sister and he had been slighted and his pride was in it, and it is remarkable how closely that resembles the way the same conversation goes in our houses today.

The word is *lā ta’dulūhunna*, do not prevent them, from *‘adl*, which is the withholding of a woman from marriage, and the fuqahā’ have made a body of law

out of it, and it exists precisely because the family of a woman is the party most likely to do her this injury.

We must battle this taboo, and we must not pretend that it is somebody else's problem. Look honestly at how a divorced woman is treated in our communities. Her remarriage is not facilitated, it is tolerated at best, and the proposals which come to her are of a different order from the proposals which come to her sister. Two things are doing this, and both should be said out loud so they can be seen for what they are. The first is the wondering: why did the first husband divorce her, and what is it that we have not been told, and there must be something. The second is uglier and it is rarely admitted, which is that the community regards her as used, and therefore as a lower category of person, and a family which would not say that sentence in a gathering will act on it in every decision it makes about her for the rest of her life.

Now read the āyah again. *Dhālikum azkā lakum wa aṭḥar*, that is purer for you and cleaner. Purer for whom? For *you*, the men of the family who are blocking it. The Qur'ān says that facilitating her marriage cleans *them*, which is a rebuke of a very high order, because it tells the guardian who thinks he is protecting the family's honour that the dirt in this transaction is on his own hands and that the marriage he is blocking is the thing which would wash it off.

And it closes: *wa'llāhu ya'lamu wa antum lā ta'lamūn*, and Allāh knows and you do not know, which is the same seal as the āyah of the fighting, and it is put here for the man who is certain that he knows what is best for his sister. He does not know. Allāh ﷻ knows, and Allāh ﷻ has told him what to do, and the telling is the end of the discussion.

Mothers Shall Suckle Their Children

*وَالْوَالِدَتُ يُرَضِعْنَ أَوْلَدَهُنَّ حَوْلَيْنِ كَامِلَيْنِ لِمَنْ أَرَادَ أَنْ يُتِمَّ
 الرِّضَاعَةَ وَعَلَى الْمَوْلُودِ لَهُ رِزْقُهُنَّ وَكِسْوَتُهُنَّ بِالْمَعْرُوفِ لَا تُكَلَّفُ
 نَفْسٌ إِلَّا وُسْعُهَا لَا تُضَارَّ وَلَدَةٌ بَوْلَدَهَا وَلَا مَوْلُودٌ لَهُ بِوَلَدِهِ وَعَلَى
 الْوَارِثِ مِثْلُ ذَلِكَ فَإِنْ أَرَادَا فِصَالًا عَنْ تَرَاضٍ مِنْهُمَا وَتَشَاوُرٍ فَلَا
 جُنَاحَ عَلَيْهِمَا وَإِنْ أَرَدْتُمْ أَنْ تَسْتَرْضِعُوا أَوْلَدَكُمْ فَلَا جُنَاحَ عَلَيْكُمْ
 إِذَا سَلَّمْتُمْ مَا آتَيْتُم بِالْمَعْرُوفِ وَاتَّقُوا اللَّهَ وَاعْلَمُوا أَنَّ اللَّهَ بِمَا
 تَعْمَلُونَ بَصِيرٌ ﴿٢٣٣﴾

And mothers shall suckle their children for two full years, for whoever wishes to complete the suckling. And upon the one to whom the child is born is their provision and their clothing, in fairness. No soul is burdened beyond its capacity. No mother shall be harmed on account of her child, nor the one to whom the child is born on account of his child. And upon the heir is the like of that. Then if the two of them desire weaning, by mutual consent and consultation, there is no blame on them. And if you wish to have your children suckled, there is no blame on you when you hand over what you have given, in fairness. And fear Allāh, and know that Allāh is Seeing of what you do.

al-Baqara 2:233

The reader will notice that in the middle of a long passage about divorce, Allāh ﷻ stops and speaks about a nursing infant, and the placement is not accidental. Children are what two separating people fight over. They are the most disputed property in every divorce which has ever occurred, and they are the one party to it who has no voice, and the Qur'ān has put them in the middle of the law of divorce precisely where the argument is loudest.

The period is *ḥawlayni kāmilayn*, two full years, and the word *kāmilayn* forecloses any argument about the counting. On the Ḥanafī position the outer limit is thirty months, taken from the āyah of Sūrat al-Aḥqāf where the carrying and the weaning together are given as thirty months, and beyond that there is no dispute at all amongst the ‘ulamā’ that the period has ended.

Then the maintenance: *wa ‘alā’l-mawlūdi labu rizqubunna wa kiswatubunna bi’l-ma’rūf*, and upon the one to whom the child is born is their provision and their clothing, in fairness. Look at the phrase the Qur’ān uses for the father. Not *al-ab*, the father, which was available and is shorter. *Al-mawlūdi labu*, the one for whom the child was born, the one to whom it was given. The Qur’ān is pulling on the man’s heartstrings in the middle of a legal clause, and it is telling him what the child is before it tells him what he owes.

What he owes is the mother’s food and the mother’s clothing, and this runs while she nurses, and it runs after the divorce, and it runs through her *‘idda* and beyond it, and the reader should be clear about what that means. A man who has divorced his wife is still, by the plain words of the Qur’ān, paying for her food and her clothes for as long as she is feeding his child. The relationship has ended and the obligation has not, and the child remains the responsibility of the father throughout.

The mother, for her part, cannot take payment for the nursing itself, even after the separation, because it is her responsibility, and the maintenance she receives is on a different account. The measure of the maintenance is *bi’l-ma’rūf*, in fairness, and the fuqahā’ have differed over whether it is set by the husband’s capacity or by mutual agreement, and the Ḥanafīs have their position on it, and the governing principle is the sentence which follows: *lā tukallafu nafsun illā wus’ahā*, no soul is burdened beyond its capacity.

Do Not Use the Child

Then the clause which is the heart of the āyah: *lā tuḍārra wālidatun bi waladihā wa lā mawlūdun labu bi waladib*, no mother shall be harmed on account of her child, nor the one to whom the child is born on account of his child.

Read it twice. It forbids the same act in both directions and it names the weapon. The weapon is the child. A mother must not be harmed *by means of* her child, and a father must not be harmed *by means of* his child, and the Qur’ān has anticipated, fourteen centuries in advance, the whole miserable repertoire of the modern

separation: the mother who refuses to nurse in order to hurt him, the father who withholds the money in order to hurt her, the access which is granted and withdrawn according to who said what last week, the child carried into the room as an argument.

Even in the matter of nursing, neither of them can be forced. She cannot be compelled to nurse in order to satisfy him, and she cannot refuse in order to punish him, and the same holds on his side, and the Qur'ān has removed the child from the arsenal of both parties in a single clause. Parents are not permitted to use their children as instruments of harm. That is the ruling and it is not qualified.

Then the weaning, if it comes early: *'an tarāḍin minhumā wa tashāwur*, by mutual consent and consultation. Two words, and they describe a household. *Tarāḍī*, that both are content, and *tashāwur*, that they have talked about it. This is a decision about an infant's feeding and the Qur'ān requires a conversation and an agreement, and the reader who was told two āyahs ago that men have a degree above women may consider what that degree amounts to here, which is nothing at all. And then the wet-nurse, if they want one, is permitted, on condition that what was agreed is handed over in fairness, which is to say, pay her.

And the seal: *wa 'lamū anna 'llāha bimā ta'malūna baṣīr*, and know that Allāh is Seeing of what you do. Not Hearing, at this place, though the sūra uses that name often. Seeing. Because the harm this āyah forbids is not usually said out loud. It is done, in a doorway, on a Saturday, when nobody is listening, and Allāh ﷻ is watching it.

The Age of Suckling in the Ḥadīth

The two years are not merely a recommendation for the health of the child. They are the boundary of a legal effect, since suckling establishes *tahṛīm*, the prohibition of marriage, between the child and the woman who nursed him and her family, and the question of when the milk does this and when it does not is therefore a question of who a man may marry twenty years later.

The Prophet ﷺ said:

لَا يَحْرُمُ مِنَ الرِّضَاعِ إِلَّا مَا فَتَقَ الْأَمْعَاءُ فِي النَّدْيِ وَكَانَ قَبْلَ الْفِطَامِ

Nothing establishes prohibition from suckling except what opens the intestines, at the breast, and is before the weaning.

Al-Tirmidhī رحمه الله takes from this that suckling establishes prohibition before the end of the two years and that whatever occurs after that does not. Al-Dāraquṭnī رحمه الله narrates it in the plainer form, that nothing establishes prohibition from suckling except what is within the two years, and Mālik رحمه الله relates it from Ibn ‘Abbās رضي الله عنهما traced to the Prophet ﷺ, and in the more authentic narration through Thawr from ‘Ikrima from Ibn ‘Abbās رضي الله عنهما there is an addition: and what is after the two years is nothing.³⁵

Imām Aḥmad رحمه الله records a report which touches this matter from the other side, and it is one of the tenderest things in the books. When Ibrāhīm, the son of the Prophet ﷺ, died, and he died before the age of two, the Prophet ﷺ said:

إِنَّ ابْنِي مَاتَ فِي التَّدْيِ، إِنَّ لَهُ مُرَضِعًا فِي الْجَنَّةِ

My son has died at the breast. He has one who will suckle him in the Garden.

A father buried his son and the comfort he took, and the comfort he offered, was that the child would be fed.

There is a difference over suckling after the two years. ‘Ā’isha رضي الله عنها held that it does establish *taḥrīm*, on the strength of the incident of Sālim and the wife of Abū Ḥudhayfa, and the other wives of the Prophet ﷺ did not agree with her and held that it was a dispensation particular to that case. The position of ‘Ā’isha رضي الله عنها has been taken up in some quarters and made into a practice, and men have been given a woman’s milk in order to establish a *ḥurma* and thereby permit a mixing which the Sharī‘ah did not otherwise permit, and the ordinary worshipper should know that the great majority of the ‘ulamā’ have never accepted it, and that a device engineered to reach a result the law was designed to prevent is not a piece of *fiqh*. It is an evasion wearing the clothes of one.

Custody and Its Ages

The āyah has established that the child is a responsibility and not a possession, and the question which follows from it in every separation is who has the child, and it is worth setting out what our school actually says and on what basis, because the ordinary worshipper has usually been told the ages and never told the reasoning.

In *al-Hidāya* of al-Marghīnānī and *Badā’i’ al-Ṣanā’i’* of al-Kāsānī, which are two of the foundational Ḥanafī texts, the rule is that the mother has the right of custody of

a boy until seven and of a girl until nine.³⁶ The reasoning is developmental rather than textual. A boy at around seven begins to need male company and male training, the congregational prayer and the discipline and the shaping which a father gives, and a girl approaching puberty needs maternal care and the instruction in modesty which a mother gives, and so she stays longer.

And here is the thing the reader ought to know and is usually not told: there is no authentic ḥadīth which states these ages. Not one. The ‘ulamā’ derived them from *‘urf*, the custom of the people, together with their understanding of how children develop, and there are narrations in which the Prophet ﷺ allowed a child who was old enough to discern to choose between his parents, and those narrations influenced the later rulings. This is what *fiqh* is, and the man who imagines that every ruling in the books is a verse or a ḥadīth in disguise has not understood the discipline he is defending.

Which is why the later Ḥanafīs were able to move. Ibn ‘Ābidīn رحمه الله mentions that where a child is mature enough to express a preference, the child’s choice may override the fixed limits, and the ‘ulamā’ have held that *maṣlaḥa*, the welfare of the child, can override the mother’s default right where there is a real concern about the upbringing. Many contemporary Ḥanafī scholars accordingly apply these principles with flexibility, whether the child’s best interest requires a longer stay with the mother or an earlier transition to the father.

The ages are a default and not a dogma. The principle underneath them is the welfare of a child, and the āyah above them says that the child must not be used as a weapon, and a parent who cites *al-Hidāya* at a judge while doing exactly what the āyah forbids has won a point and lost the case.

Those of You Who Die and Leave Wives

وَالَّذِينَ يَتَوَفَّوْنَ مِنْكُمْ وَيَذَرُونَ أَزْوَاجًا يَتَرَبَّصْنَ بِأَنْفُسِهِنَّ أَرْبَعَةَ أَشْهُرٍ
وَعَشْرًا فَإِذَا بَلَغْنَ أَجَلَهُنَّ فَلَا جُنَاحَ عَلَيْكُمْ فِيمَا فَعَلْنَ فِي أَنْفُسِهِنَّ
بِالْمَعْرُوفِ وَاللَّهُ بِمَا تَعْمَلُونَ خَبِيرٌ ﴿٢٣٤﴾

And those of you who die and leave wives behind, they shall wait by themselves for four months and ten. Then when they have reached their term, there is no blame upon you in what they do for themselves in fairness. And Allāh is Aware of what you do.

al-Baqara 2:234

The *'idda* of the widow is four months and ten days, and it is by consensus, and it applies whether the marriage was consummated or not, which is a departure from the rule of the divorced woman, and the reason is that this *'idda* is not only about the womb. It is about the mourning of a marriage which death and not a man has ended. Where the widow is pregnant, her term runs until the childbirth.

The *'ulamā* have looked for the wisdom in the four months and ten, and one thing they mention is the ḥadīth of the stages of creation:

إِنَّ خَلْقَ أَحَدِكُمْ يَجْمَعُ فِي بَطْنِ أُمِّهِ أَرْبَعِينَ يَوْمًا نُطْفَةً، ثُمَّ يَكُونُ عَلَقَةً مِثْلَ ذَلِكَ، ثُمَّ
يَكُونُ مُضْغَةً مِثْلَ ذَلِكَ، ثُمَّ يَبْعَثُ إِلَيْهِ الْمَلَكُ فَيَنْفُخُ فِيهِ الرُّوحَ

The creation of each of you is gathered in his mother's belly for forty days as a drop, then he is a clinging thing for the like of that, then he is a lump of flesh for the like of that, then the angel is sent to him and breathes the soul into him.

Three periods of forty are a hundred and twenty days, which is four months, and the ten are added over them, and the *'ulamā* say that at the end of that term the matter is settled beyond doubt.

The mourning itself is regulated. The Prophet ﷺ said:

لَا يَحِلُّ لِمَرْأَةٍ تُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الْآخِرِ أَنْ تُحِدَّ عَلَى مَيِّتٍ فَوْقَ ثَلَاثٍ، إِلَّا عَلَى زَوْجٍ
أَرْبَعَةَ أَشْهُرٍ وَعَشْرًا

It is not lawful for a woman who believes in Allāh and the Last Day to mourn for a dead person for more than three days, except for a husband, for four months and ten.

Consider what that ḥadīth does. It sets a ceiling on grief for everyone, a father, a mother, a child, three days, and then it makes one exception, and the exception is the husband, and it is forty times longer. This is the Sharī'ah's estimate of what a marriage is.

The Two Ṣaḥīḥs record that Umm Salama رضي الله عنها said that a woman came and said, O Messenger of Allāh, my daughter's husband has died and she is complaining of her eye, may we put kohl in it? And he said no. She asked again, and he said no. She asked a third time, and he said no. Then he said:

إِنَّمَا هِيَ أَرْبَعَةُ أَشْهُرٍ وَعَشْرٌ، وَقَدْ كَانَتْ إِحْدَاكُنَّ فِي الْجَاهِلِيَّةِ تَمْكُثُ سَنَةً

It is only four months and ten, and one of you in the days of ignorance would remain for a year.

The last clause is the commentary on the whole ruling. In the *Jābiliyya* the widow was put in a hut in the worst clothes she owned for a full year, and at the end of it she was given an animal and made to rub herself against it and throw a piece of dung, and that was her release. Four months and ten, says the Prophet ﷺ, and the tone of it is the tone of a man pointing out that the burden has already been cut by two thirds.

During the term she does not beautify herself, and the purpose of the restriction is precise: she is not to be making herself attractive to men for marriage while the term runs. When it ends, she may, and the āyah says so: *fa lā junāḥa 'alaykum fīmā fa'alna fī anfusihinna bi'l-ma'rūf*, there is no blame upon you in what they do for themselves in fairness. Note who is addressed. Not the widow. *You*, the community, the family, the people who will have opinions. There is no blame *on you* in what she does, meaning: it is not your business, and the Qur'ān has closed the file which our aunties keep open for years.

No Blame in Hinting

وَلَا جُنَاحَ عَلَيْكُمْ فِيمَا عَرَّضْتُمْ بِهِ مِنْ خِطْبَةِ النِّسَاءِ أَوْ أَكْنُتُمْ فِي
أَنْفُسِكُمْ عَلِمَ اللَّهُ أَنَّكُمْ سَتَذْكُرُونَهُنَّ وَلَكِنْ لَا تُوَاعِدُوهُنَّ سِرًّا إِلَّا أَنْ
تَقُولُوا قَوْلًا مَعْرُوفًا وَلَا تَعْزِمُوا عُقْدَةَ النِّكَاحِ حَتَّى يَبْلُغَ الْكِتَابُ
أَجَلَهُ، وَاعْلَمُوا أَنَّ اللَّهَ يَعْلَمُ مَا فِي أَنْفُسِكُمْ فَاحْذَرُوهُ وَاعْلَمُوا أَنَّ اللَّهَ
غَفُورٌ حَلِيمٌ ﴿٢٣٥﴾

And there is no blame upon you in what you hint of a proposal to the women, or conceal within yourselves. Allāh knows that you will be mentioning them. But do not promise them secretly, unless you speak a word that is fair. And do not resolve upon the tie of marriage until the prescribed term has reached its end. And know that Allāh knows what is within yourselves, so beware of Him. And know that Allāh is Forgiving, Forbearing.

al-Baqara 2:235

The woman is in her *'idda*, then, whether from death or from divorce, and a man is interested, and the Qur'ān addresses a situation which the fuqahā' could have handled with a prohibition and which Allāh ﷻ has handled with an understanding.

What is permitted is *ta'rīd*, the hint, the indirect approach, the sentence which says something without proposing anything: that a man in my position is looking to marry, or that Allāh ﷻ may send you someone good. What is forbidden is the formal contract and the private promise, and the settling of the thing while the term is still running. And any *nikāh* contracted during the *'idda* is invalid, and the fuqahā' have added that a man who contracts one and consummates it may not marry her afterwards at all, by way of closing the door on the man who would take the risk and reckon the cost.

But look at the middle of the āyah: *'alima 'llāhu annakum satadḥkurūnahunn*, Allāh knows that you will be mentioning them. Read that again, because it is one of the

most humane sentences in the Book. Allāh ﷻ is not pretending that the men will not think about it. He says that He knows they will, and He says it before He forbids the thing He forbids, and He does not scold them for it. There is a difference between a thought and an act, and the Qur'ān has just conceded the thought, out loud, in the legislation itself.

Which makes the seal of the āyah heavier and not lighter: *wa'lamū anna'llāha ya'lamu mā fī anfusikum fa'hðharūh*, and know that Allāh knows what is within yourselves, so beware of Him. He knows you will think of them, and He knows the difference between thinking of them and scheming, and He has told you that He can tell the two apart. The same teaching stands in Sūrat al-Qaṣaṣ, that your Lord knows what their breasts conceal and what they declare, and in Sūrat al-Mumtaḥana, and I know what you concealed and what you declared. And after all that, the closing: *ghafūrun ḥalīm*, Forgiving, Forbearing. He knows the whole of what is in a man and He is still slow to punish him for it.

No Blame Upon You If You Divorce

لَا جُنَاحَ عَلَيْكُمْ إِنْ طَلَقْتُمُ النِّسَاءَ مَا لَمْ تَمْسُوهُنَّ أَوْ تَفْرِضُوا لَهُنَّ
فَرِيضَةً وَمَتَّعُوهُنَّ عَلَى الْمَوْسِعِ قَدَرُهُ وَعَلَى الْمَقْتَرِ قَدَرُهُ مَتَّعًا
بِالْمَعْرُوفِ حَقًّا عَلَى الْمُحْسِنِينَ ﴿٢٣٦﴾

There is no blame upon you if you divorce women whom you have not touched, nor fixed for them an obligation. And provide for them, the wealthy according to his means and the straitened according to his means, a provision in fairness, an obligation upon those who do good.

al-Baqara 2:236

وَإِنْ طَلَّقْتُمُوهُنَّ مِنْ قَبْلِ أَنْ تَمْسُوهُنَّ وَقَدْ فَرَضْتُمْ لَهُنَّ فَرِيضَةً ج
فَنِصْفُ مَا فَرَضْتُمْ إِلَّا أَنْ يَعْفُونَ أَوْ يَعْفُوا الَّذِي بِيَدِهِ عُقْدَةُ النِّكَاحِ
وَأَنْ تَعْفُوا أَقْرَبُ لِلتَّقْوَى وَلَا تَنْسُوا الْفَضْلَ بَيْنَكُمْ إِنَّ اللَّهَ بِمَا
تَعْمَلُونَ بَصِيرٌ ﴿٢٣٧﴾

And if you divorce them before you have touched them, and you have already fixed for them an obligation, then half of what you fixed, unless they forgo it, or the one in whose hand is the tie of marriage forgoes it. And that you forgo is nearer to taqwā. And do not forget the grace between you. Indeed, Allāh is Seeing of what you do.

al-Baqara 2:237

Two cases, and they are neighbours, and the difference between them is a single fact. In both, the *nikāḥ* has been contracted and the marriage has not been consummated. In the first, no dower was named. In the second, it was.

Where no dower was named and there has been no *khalwa*, no dower is owed, and the man must give a *mutʿa*, a gift, and the Qurʾān has measured it in a way which prevents every argument that could arise: *ʿalāʾl-mūsīʿi qadaruhu wa ʿalāʾl-muqtiri qadaruh*, upon the wealthy according to his means and upon the straitened according to his means. The measure is his capacity and not her expectation, and a poor man is not to be shamed and a rich man is not to be permitted a token. The fuqahāʾ have said that the minimum is a set of clothes and, on the position of Imām Abū Ḥanīfa رحمه الله, the maximum she may demand is half of what a dower for a woman like her would have been.

Where the dower was named, half of it is owed, and half of it is owed automatically, without any conversation. Note the movement between the two āyahs, which is the sort of thing the reader misses at speed: the half which is the *minimum* in the second case was the *maximum* she could demand in the first. The floor and the ceiling have changed places because a figure was written down.

Then the release: unless they forgo it, or the one in whose hand is the tie of marriage forgoes it, meaning that she may waive her half, or he may waive his half and give her the whole. And the Qur'ān names the better course without commanding it: *wa an ta'fū aqrabu li'l-taqwā*, and that you forgo is nearer to *taqwā*. The husband should ideally return all of it, especially where he has the capacity, and no court will make him, and Allāh ﷻ has told him where the higher ground is and left him standing next to it.

And then a sentence which ought to be read at every one of our separations: *wa lā tansawū'l-faḍla baynakum*, and do not forget the grace between you. There was grace between you. There were the months of the engagement and the hopes of two families, and it has come apart, and the Qur'ān asks the two of them not to forget that it was once good. Nothing in the law requires this. It is asked of them anyway.

The phrase *alladhī bi yadihi 'uqdatu'l-nikāḥ*, the one in whose hand is the tie of marriage, is read by the majority as the husband, and the 'ulamā' take from it that the authority to continue or to terminate the bond rests with him. He pronounces the *ṭalāq*, and the woman does not divorce her husband. What she has instead is the *khul'* of the two hundred and twenty-ninth āyah and the *faskḥ* before a qāḍī, which is a route out and is not the same route, and the reader who wishes to understand why the Sharī'ah arranged it this way should read the addendum at the back of this volume.

A Word on the Delay

These two āyahs describe a marriage which was contracted and not consummated, and they treat it as an unusual case which has gone wrong. In our communities it has become the normal case which has not yet gone wrong, and it deserves comment, because I am asked about it constantly.

A *nikāḥ* is performed and then the couple are kept apart for a year, or two, or three, until the wedding can be afforded, or until the studies are finished, or until the hall is available. They are married. They are, in the sight of Allāh ﷻ, entirely and completely married, and the families will not permit them to meet alone, or to spend a night together, or to behave in any way as what they in fact are. We have taken the *nikāḥ*, which is a transformative and empowering legal relationship, and reduced it to a ceremonial placeholder, and we have made it into something not far from *mis'yār*.

The only sound reason to delay between the *nikāḥ* and the *rukḥṣatī* is that it is physically impossible, that they have obligations in different cities, or that the husband cannot yet provide for the wife. Those are real. Waiting for a venue is not.

And consider what the delay does. It creates emotional and psychological and sometimes sexual frustration in two people who have been given permission and denied access, and it puts them in the way of a temptation which the marriage was designed to remove, and it weakens the marriage before it has begun. This goes against the spirit of Islam, and the proof of it is these very āyahs, which legislate for the unconsummated marriage as a misfortune to be compensated and never once contemplate it as a plan.

Guard the Prayers, and the Middle Prayer

حَفِظُوا عَلَى الصَّلَوَاتِ وَالصَّلَاةِ الْوُسْطَى وَقُومُوا لِلَّهِ قَانِتِينَ ﴿٢٣٨﴾

Guard the prayers, and the middle prayer, and stand before Allāh devoutly.

al-Baqara 2:238

فَإِنْ خِفْتُمْ فَرِجَالًا أَوْ رُكْبَانًا فَإِذَا أَمِنْتُمْ فَأَذْكُرُوا اللَّهَ كَمَا عَلَّمَكُمْ مَا لَمْ تَكُونُوا تَعْلَمُونَ ﴿٢٣٩﴾

And if you are in fear, then on foot or riding. Then when you are secure, remember Allāh as He taught you what you did not know.

al-Baqara 2:239

Eleven āyahs of divorce, and then this. The reader who has been paying attention will feel the interruption and should ask what it is doing there, because the mufasssīrūn have asked the same question and the answer is worth having.

The Qur'ān has been legislating for people at the worst moment of their lives. It has dealt with the oath sworn in anger, the woman held in the corridor, the child used as a weapon, the family blocking a remarriage, the money withheld. And then it says:

guard the prayers. Because the prayer is what is failing in every one of those households, and a man who is standing before his Lord five times a day is not the man who does those things. The prayer has an indispensable function in the spiritual education of a human being. It instils the ideals of goodness and purity and it nurtures the disposition to obey the commands of Allāh ﷻ, it fosters adherence to piety and religious seriousness, and Allāh ﷻ has said of it in Sūrat al-ʿAnkabūt that it forbids indecency and wrongdoing. Put the prayer back into the middle of those eleven āyahs and most of what they legislate against does not occur.

The verb is *ḥāfiẓū*, from *ḥifẓ*, to guard, and it is the verb used for guarding a treasure and guarding a frontier, and it means the prayer at its time, in its form, without erosion. In the Ṣaḥīḥayn, Ibn Masʿūd رضى الله عنه asked the Prophet ﷺ which deed is most beloved to Allāh ﷻ, and he said, the prayer at its time. Then he asked, then what, and he said, jihād in the way of Allāh. Then he asked, then what, and he said, kindness to parents. The prayer at its appointed hour is placed above jihād.

The Middle Prayer

Then *wa'l-ṣalāti'l-wuṣṭā*, and the middle prayer, and it is singled out from the five after they have already all been named, which means it is being emphasised and not excluded.

Which prayer is it? The ʿulamāʾ have given nearly every answer, and the two serious candidates are ʿAṣr and Fajr, and the weight of the evidence is with ʿAṣr. Imām Aḥmad رحمه الله records the Prophet ﷺ saying plainly, *ṣalātu'l-wuṣṭā ṣalātu'l-ʿaṣr*, the middle prayer is the ʿAṣr prayer. And Muslim records that on the day of al-Aḥzāb, ʿAlī رضي الله عنه said:

شَغَلُونَا عَنِ الصَّلَاةِ الْوُسْطَى، صَلَاةِ الْعَصْرِ، مَلَأَ اللَّهُ قُلُوبَهُمْ وَبُيُوتَهُمْ نَارًا

They kept us from the middle prayer, the ʿAṣr prayer. May Allāh fill their hearts and their houses with fire.

He identified it in the middle of a battle, in the course of a curse, which is about as unstudied a piece of evidence as exists. And Ibn ʿUmar رضي الله عنهما reports:

مَنْ فَاتَهُ صَلَاةُ الْعَصْرِ فَكَأَنَّمَا وَتَرَ أَهْلَهُ وَمَالَهُ

Whoever misses the 'Aṣr prayer, it is as though he has been robbed of his family and his wealth.

The reason 'Aṣr is the one which needs the guarding is not mysterious. It falls in the middle of the working afternoon, when a man is at his busiest and his most tired and his most convinced that he will pray it later, and its window is short, and it is the prayer which the ordinary worshipper in our cities loses more often than all the others put together.

Standing Devoutly

Then *wa qūmū li'llāhi qānitīn*, and stand before Allāh devoutly. The word *qunūt* carries obedience and humility and length of standing, and the 'ulamā' at this place also give it the sense of silence, and some of them have said that this āyah is what ended the speaking in the prayer, which had been permitted at Makkah.

This is why the Prophet ﷺ did not answer Ibn Maṣ'ūd رَضِيَ اللَّهُ عَنْهُ when he greeted him while he was praying, and said to him afterwards, *inna fī'l-ṣalāti la shughlā*, there is an occupation in the prayer. And when Mu'āwiya ibn al-Ḥakam al-Sulamī رَضِيَ اللَّهُ عَنْهُ spoke during the prayer, having only recently come to Islam and not knowing, the Prophet ﷺ said to him afterwards:

إِنَّ هَذِهِ الصَّلَاةَ لَا يَصْلُحُ فِيهَا شَيْءٌ مِنْ كَلَامِ النَّاسِ، إِنَّمَا هِيَ التَّسْبِيحُ وَالتَّكْبِيرُ وَقِرَاءَةُ الْقُرْآنِ

This prayer, nothing of the speech of people is fitting in it. It is only tasbīḥ and takbīr and the recitation of the Qur'ān.

Mu'āwiya رَضِيَ اللَّهُ عَنْهُ said afterwards that he had never seen a teacher, before or after, who taught better than that man ﷺ, that he did not scold him and did not strike him and did not curse him. The correction was total and there was no wound in it.

Not Even on the Battlefield

Then the two hundred and thirty-ninth āyah, which is the measure of the whole matter. *Fa in khiftum fa rijālan aw rukbānā*, and if you are in fear, then on foot or riding.

Think about what is being said. A man is in a battle. He is running, or he is on a horse, and the enemy is on him. The prayer is not lifted. He prays walking, he prays mounted, he prays without facing the Qibla if he cannot face it, and he prays. Imām al-Bukhārī رحمه الله has devoted a chapter of his *Ṣaḥīḥ* to it, and the details of the *ṣalāt al-khawf* are set out in Sūrat al-Nisā' at the hundred and second āyah, where Allāh ﷻ says that when you are secure, establish the prayer, for the prayer has been a decree upon the believers at fixed times.

The one exception is the case of al-Khandaq, where the fighting was so continuous that the Prophet ﷺ and the Companions رضي الله عنهم could not pray at all and prayed 'Aṣr after Maghrib, and he cursed those who had kept them from it. That was the exception, and it was one day, and the man who cannot find four minutes in an office should measure his afternoon against it.

Then: *fa idhā amintum fa'dhikuru'llāha kamā 'allamakum mā lam takūnū ta'lamūn*, and when you are secure, remember Allāh as He taught you what you did not know. The clause at the end is a reminder of where the prayer came from. We did not devise it. We did not know how to approach Him and He taught us, and a man who has been given the form of the approach and then treats it as an interruption to his day has misunderstood what he was handed.

A Bequest for Their Wives

وَالَّذِينَ يَتَّقُونَ مِنْكُمْ وَيَذَرُونَ أَزْوَاجًا وَصِيَّةً لِأَزْوَاجِهِمْ مَتَاعًا إِلَى
الْحَوْلِ غَيْرِ إِخْرَاجٍ فَإِنْ خَرَجْنَ فَلَا جُنَاحَ عَلَيْكُمْ فِي مَا فَعَلْنَ فِي
أَنْفُسِهِنَّ مِنْ مَّعْرُوفٍ وَاللَّهُ عَزِيزٌ حَكِيمٌ ﴿٢٤٠﴾

And those of you who die and leave wives behind, a bequest for their wives of maintenance for a year, without expulsion. Then if they leave, there is no blame upon you in what they do for themselves in fairness. And Allāh is Mighty, Wise.

al-Baqara 2:240

The reader will notice at once that this āyah appears to contradict the two hundred and thirty-fourth, which set the widow's *'idda* at four months and ten. Here she is given a year in her husband's house.

Ibn Kathīr رحمه الله and the majority hold that this āyah was abrogated by the āyah of the *'idda* which came before it, and that the year was the earlier ruling and the four months and ten the later one.³⁷ Ibn 'Abbās رضي الله عنهما adds that a man used to have to provide for his widow for a year, and that the āyah of inheritance in Sūrat al-Nisā', which gave her a fixed share of the estate, abrogated the maintenance.

Now the question the Companions رضي الله عنهم asked, and it is the reason this āyah is worth stopping at. If the ruling has been abrogated, why is it still in the Qur'ān? And why, of all places, is it printed *after* the āyah which abrogates it, so that a reader coming to it in order will meet the answer before the question? Some of them put this to 'Uthmān رضي الله عنه during the compilation, and he said: I will not move it from its place. It came down thus, and we do not change the Qur'ān.³⁸

Sit with that answer. He had the authority. He had the Companions رضي الله عنهم in front of him telling him it looked untidy, and it does look untidy, and he had every human reason to make one small adjustment which nobody would ever have known about. And he would not touch it, because it was not his. This honesty of the Companions رضي الله عنهم with the revelation is itself a miracle, and the reader who wants evidence for the preservation of the Qur'ān may find it here as readily as in any

of the arguments the scholars of *kalām* have constructed. A book edited by its custodians would not have this āyah in this position. Ours does, and the awkwardness is the proof.

Some of the ‘ulamā’ have not read the abrogation as total, and hold that the widow may remain in the house for up to a year and cannot be removed if she wants to stay, though she may leave after the four months and ten if she wishes. And there is a report in al-Tirmidhī and Abū Dāwūd in which the Prophet ﷺ gave a fatwā that a widow should stay in her husband’s house even where the situation was not optimal, where he had bequeathed her neither the house nor any maintenance, and the ruling stood anyway. The house is hers to sit in while she grieves, whatever the paperwork says.

For the Divorced Women a Provision

وَلِلْمُطَلَّقاتِ مَتَعٌ بِالْمَعْرُوفِ حَقًّا عَلَى الْمُتَّقِينَ ﴿٢٤١﴾

And for the divorced women a provision in fairness, an obligation upon those who fear Allāh.

al-Baqara 2:241

كَذَلِكَ يُبَيِّنُ اللَّهُ لَكُمْ آيَاتِهِ لَعَلَّكُمْ تَعْقِلُونَ ﴿٢٤٢﴾

Thus does Allāh make clear to you His signs, so that you may understand.

al-Baqara 2:242

The two hundred and thirty-sixth āyah gave the *mut‘a* and closed by calling it an obligation upon *al-muḥsinīn*, those who do good. This one repeats it and closes by calling it an obligation upon *al-muttaqīn*, those who fear Allāh ﷻ, and the change of the word is the whole point of the repetition.

‘Abdur-Raḥmān ibn Zayd ibn Aslam explains why.³⁹ When the first āyah came down with *‘alā’l-muḥsinīn*, a man said: if I want, I will be excellent, and if I do not want, I will not. He found the loophole in an afternoon. The obligation had been addressed

to those who do good, so he simply declined to be one of them, and stepped outside the addressee and kept his money. So Allāh ﷻ revealed this āyah, and made it an obligation upon those who have *taqwā*, and there is no man alive who will say out loud that he has none.

Muftī Shafīʿ رحمه الله notes that if *matāʿ* here means the dower, then it must be given after *khalwa*, and if it means a gift, then it is the right thing to do and the man who does it has done right by her.⁴⁰

Then the two hundred and forty-second āyah closes the entire legal section, and the reader should feel it close. *Kadhālika yubayyinu'llāhu lakum āyātibi la'allakum ta'qilūn*, thus does Allāh make clear to you His signs, so that you may understand. Allāh ﷻ explains the same matter in different ways to clarify it for us, and He has just spent thirty āyahs on the inside of a household, clause by clause, and at the end of it He does not say, so that you may obey. He says, so that you may understand, and He puts the reasoning on us.

Have You Not Seen Those Who Went Out

*أَلَمْ تَرَ إِلَى الَّذِينَ خَرَجُوا مِنْ دِيَرِهِمْ وَهُمْ أُلُوفٌ حَذَرَ الْمَوْتِ
 فَقَالَ لَهُمُ اللَّهُ مُوتُوا ثُمَّ أَحْيَاهُمْ إِنَّ اللَّهَ لَذُو فَضْلٍ عَلَى النَّاسِ وَلَكِنَّ
 أَكْثَرَ النَّاسِ لَا يَشْكُرُونَ ﴿٢٤٣﴾

Have you not seen those who went out from their homes, and they were in thousands, in fear of death? So Allāh said to them: die. Then He gave them life. Indeed, Allāh is a possessor of bounty towards the people, but most of the people are not grateful.

al-Baqara 2:243

The law stops here. From this āyah to the end of the Juz' the Qur'ān tells stories, and the reader who has come through thirty āyahs of divorce and dower and *'idda* may feel that the subject has changed entirely. It has not. Everything the law has been teaching, which is that a man submits to the limits of Allāh ﷻ when he does not

want to and when nobody is watching, is about to be examined, and the examination is a river and a giant.

The mufassirūn identify these people as the people of a town in Iraq, and the reports name it Dāwardān or the like, and the account they give is this.⁴¹ A plague came upon them and the people split in two. Some left the town and some stayed. Of those who stayed, a great many died, and of those who left, most were saved. Then the plague came again, and the survivors of those who had stayed remembered what had happened, and reasoned as any of us would reason, that the ones who left had lived and the ones who remained had died, and therefore leaving is what saves you. So the whole town went out, in thousands, and they went out for one purpose only, which the āyah names: *ḥadbara'l-mawt*, in fear of death.

And Allāh ﷻ said to them: *mūtū*. Die. And they died, all of them, on the road, in the open, in the very act of running.

Then, at the supplication of a prophet, whom the reports name as Ḥizqīl عليه السلام, they were raised again. He was commanded to address the crumbled bones and say to them, O decayed bones, Allāh commands you to come together, and they came together, and then they were dressed with flesh, and then the souls returned to the bodies, and the people stood up and went home, and the marks of death were said to remain on their faces for the rest of their lives.

The word *ulūf* means thousands, and some of the mufassirūn have said tens of thousands.

What is the lesson? It is not that they were wrong to be afraid. It is that they had turned a means into a saviour. Leaving the town was a means and it was permitted and it may well have been sensible, and they had watched it work once and had drawn from it the conclusion that the leaving does the saving. So Allāh ﷻ killed them while they were leaving, and the demonstration is total and it does not need a word of commentary: the means does not give life and the means does not withhold it, and He alone gives death and He alone gives life, and He gave them both within an hour of each other so that nobody could mistake the point.

And then: *inna'llāha la dhū faḍlin 'alā'l-nāsi wa lākinna aktharā'l-nāsi lā yashkurūn*, indeed Allāh is a possessor of bounty towards the people, but most of the people are not grateful. They were given their lives back, which is a thing which has

happened to no other nation, and the āyah closes by saying that most people are not grateful, which lands, in that position, with a certain weight.

The Plague at Sargh

The Two Ṣaḥīḥs record an incident which the ‘ulamā’ bring at this āyah, and it is the most instructive discussion of *qadar* and precaution in the whole of the Sunnah.

‘Umar ibn al-Khaṭṭāb رَضِيَ اللَّهُ عَنْهُ set out for al-Shām, and when he reached a place called Sargh he was met by the commanders of the army, Abū ‘Ubayda ibn al-Jarrāḥ رَضِيَ اللَّهُ عَنْهُ and his companions, and they told him that the plague had broken out in al-Shām. He consulted the Muhājirūn and they differed. He consulted the Anṣār and they differed. He consulted the elders of Quraysh and they were unanimous that he should turn back. So he announced that he would ride back in the morning.

And Abū ‘Ubayda رَضِيَ اللَّهُ عَنْهُ, who was the governor of Syria and one of the ten given the good news of the Garden, said to him: are you fleeing from the decree of Allāh?

And ‘Umar رَضِيَ اللَّهُ عَنْهُ said: would that someone other than you had said it, Abū ‘Ubayda. Meaning, a sentence like that, and from you of all people. Then he said:

نَعَمْ نَفِرُّ مِنْ قَدَرِ اللَّهِ إِلَى قَدَرِ اللَّهِ

Yes. We flee from the decree of Allāh to the decree of Allāh.

Then he put the question to him in the language a man understands. If you had camels and you came down into a valley with two slopes, one of them green and one of them barren, and you grazed them on the green, would you not have grazed them by the decree of Allāh ﷻ, and if you grazed them on the barren, would you not have grazed them by the decree of Allāh ﷻ? Both slopes are His decree. Choosing between them is not an escape from it. It is obedience to it, since He is the one who told us to choose.

And then ‘Abdur-Raḥmān ibn ‘Awf رَضِيَ اللَّهُ عَنْهُ, who had been away attending to something, came and said: I have knowledge of this. I heard the Messenger of Allāh ﷺ say:

إِذَا كَانَ بِأَرْضٍ وَأَنْتُمْ بِهَا فَلَا تَخْرُجُوا فِرَارًا مِنْهُ، وَإِذَا سَمِعْتُمْ بِهِ بِأَرْضٍ فَلَا تَقْدَمُوا عَلَيْهِ

If it is in a land and you are in it, do not go out fleeing from it. And if you hear of it in a land, do not go into it.

And ‘Umar رضي الله عنه praised Allāh ﷻ and went back. Notice the whole shape of it. The Amīr al-Mu’minīn had already made the decision, on consultation, and he had defended it in argument, and then a report of the Sunnah arrived which happened to support him, and he thanked Allāh ﷻ for it rather than pointing out that he had been right. And notice that the quarantine, in both directions, was legislated by the Prophet ﷺ in the seventh century.

What Is a Believer to Do in a Pandemic?

The question is not academic for anybody who has lived through the last few years, and the reports appear to pull in two directions, and the ordinary worshipper deserves to have them laid out honestly rather than to be given whichever half suits the speaker.

On one side, ‘Ā’isha رضي الله عنها asked the Prophet ﷺ about the plague, and he told her that it is a punishment which Allāh ﷻ sends upon whom He wills, and that Allāh ﷻ has made it a mercy for the believers, and that there is no servant who is in a land in which it has broken out and who stays there in patience, knowing that nothing will reach him except what Allāh ﷻ has written for him, except that he will have the like of the reward of a martyr.⁴² And the ḥadīth of ‘Abdur-Raḥmān رضي الله عنه above says plainly: if you hear of it in a land, do not enter it, and if it breaks out where you are, do not leave fleeing from it.

On the other side is the conduct of ‘Umar رضي الله عنه at Sargh, who turned an army around rather than walk into it, and behind him stands the principle the Prophet ﷺ stated, *lā ‘adwā wa lā ṭīyara*, there is no contagion of itself and no evil omen, which denies the independent power of the disease and does not deny the taking of precautions, since the same man who said it also said, flee from the leper as you flee from the lion.

The reconciliation is not difficult and the ‘ulamā’ have made it. What is forbidden is the flight of the people of Dāwardān, the going out in terror in the belief that the going out is what saves. What is required is *yaqīn*, that nothing will reach a man

except what has been written, and then, on top of that certainty and not instead of it, the protecting of yourself and of the people around you, because the Prophet ﷺ said *lā ḍarara wa lā ḍirār*, there is to be no harm and no reciprocating of harm, and that principle is one of the pillars on which the fuqahā' have built the whole of this discussion.⁴³

So the believer does not flee in panic and does not walk into the fire, and he takes his precautions with his hand while his heart is entirely settled about who is deciding the outcome, and if he is caught in it and stays and dies, he has the reward of a martyr. That is the position, and it is neither of the two positions the shouting parties took.

Fight in the Way of Allāh

وَقَاتِلُوا فِي سَبِيلِ اللَّهِ وَاعْلَمُوا أَنَّ اللَّهَ سَمِيعٌ عَلِيمٌ ﴿٢٤٤﴾

And fight in the way of Allāh, and know that Allāh is All-Hearing, All-Knowing.

al-Baqara 2:244

The placement is the commentary. The previous āyah has just shown a nation which ran from death and was killed in the running, and now the Qur'ān says, go and fight, and it says it to men who have just watched the demonstration.

Apply the same *yaqīn* to the fighting. You will die at your appointed time, in your bed or on a field, and the field does not shorten it and the bed does not lengthen it. Allāh ﷻ says of the hypocrites who said of their brothers, if they had obeyed us they would not have been killed, say: then avert death from yourselves, if you are truthful. And He says: wherever you may be, death will overtake you, even if you are in towers built up high.

There is a scene which Ibn Kathīr رحمه الله records at this āyah and which the reader should keep.⁴⁴ Khālīd ibn al-Walīd رضي الله عنه, the commander of the Muslim armies, the Sword of Allāh, the veteran of the veterans, said while he was dying: I have been present at such and such a number of battles, and there is not a part of my body but it has a shot from an arrow or a stab from a spear or a strike from a sword.

And here I am, dying on my bed as a camel dies. May the eyes of the cowards never taste sleep.

The greatest soldier of the Ummah spent his life trying to be killed and could not manage it, and died on a mattress, and was sorry about it. His body was a record of every attempt, and not one of them was the appointed one. If a man wanted an argument that the hour is fixed and that no amount of danger brings it forward, there it is, lying on the bed, complaining.

Who Is It That Will Lend Allāh

ج
مَنْ ذَا الَّذِي يُقْرِضُ اللَّهَ قَرْضًا حَسَنًا فَيُضِعَّهُ لَهُ أَضْعَافًا كَثِيرَةً
وَاللَّهُ يَقْبِضُ وَيَبْصُطُ وَإِلَيْهِ تُرْجَعُونَ ﴿٢٤٥﴾

Who is it that will lend Allāh a goodly loan, so that He may multiply it for him many times over? And Allāh withholds and He extends, and to Him you will be returned.

al-Baqara 2:245

Sacrifice your life, said the previous āyah. Now sacrifice your wealth, says this one, and the order is deliberate, because the ‘ulamā’ have long observed that men who will offer the first will hesitate over the second.

The construction is astonishing and the reader should not read past it. *Man dhā’l-ladhī yuqridu’llāh*, who is it that will lend Allāh. Allāh ﷻ, who owns the wealth and owns the man and owns the hand which will hand it over, asks to borrow. He calls it *qard*, a loan, which is a thing that is returned, and He calls it *ḥasan*, goodly, which the ‘ulamā’ read as meaning from what is lawful, given willingly, without reminding anybody of it afterwards. And He undertakes to multiply it *ad’āfan kathīra*, many times over, which is the language of Sūrat al-Baqara itself a little earlier, where the one who spends in the way of Allāh ﷻ is like a grain which grows seven ears, in every ear a hundred grains.

When this āyah came down, Abū al-Daḥdāḥ رضي الله عنه came to the Prophet ﷺ and said: O Messenger of Allāh, may my father and my mother be sacrificed for you, does

Allāh want a loan from us, when He is *al-Ghanī*, the One who needs nothing? And the Prophet ﷺ said: yes. He wants to admit you into the Garden by it.⁴⁵

So Abū al-Daḥdāḥ رضى الله عنه said: stretch out your hand, O Messenger of Allāh. And he stretched it out. And Abū al-Daḥdāḥ said: I own two date gardens. I own nothing besides them. I give the loan of both of them to Allāh.

And the Prophet ﷺ said to him: make one of them an endowment in the way of Allāh, and keep the other for the needs of your family.

And Abū al-Daḥdāḥ رضى الله عنه said: then be my witness that I spend the better of the two in the way of Allāh, the one with six hundred date trees in it. And he went home and told his wife, and she was delighted with the transaction. And the Prophet ﷺ said: how many trees laden with dates, and how many spacious palaces, are waiting for Abū al-Daḥdāḥ in the Garden.

Read that again and look at the shape of it. He heard the question and he took it as addressed to him personally. He asked the objection which every man's mind raises and he asked it out loud rather than letting it settle in him as an excuse. He offered everything and was told to keep half, which is the ruling of the surplus from the two hundred and nineteenth āyah being applied to a live man by the Prophet ﷺ himself. And then, given the choice of which half to keep, he gave the better one. Nobody asked him to.

Then: *wa'llāhu yaqbiḍu wa yabṣuṭ*, and Allāh withholds and He extends. The two verbs are of a hand closing and a hand opening, and they are placed at the end of an āyah about giving in order to say who is actually doing the giving. And *wa ilayhi turja'un*, and to Him you will be returned, which settles where the repayment of the loan will be collected.

The 'ulamā' note, as a gesture of goodwill in an ordinary loan between men, that the borrower should return a little more than he took, provided nothing was stipulated in advance, because a stipulated increase is *ribā* and a spontaneous one is *iḥsān*. Allāh ﷻ has taken the loan and undertaken the increase in the same sentence, and the ordinary worshipper may consider what kind of a debtor he is dealing with.

Appoint for Us a King

أَلَمْ تَرَ إِلَى الْمَلَأِ مِنْ بَنِي إِسْرَءِيلَ مِنْ بَعْدِ مُوسَى إِذْ قَالُوا لِنَبِيِّهِمْ
أَبْعَثْ لَنَا مَلِكًا نَقْتُلُ فِي سَبِيلِ اللَّهِ قَالَ هَلْ عَسَيْتُمْ إِنْ كُتِبَ عَلَيْكُمُ
الْقِتَالُ أَلَّا تُقَاتِلُوا قَالُوا وَمَا لَنَا أَلَّا نُقَاتِلَ فِي سَبِيلِ اللَّهِ وَقَدْ أُخْرِجْنَا
مِنْ دِيَارِنَا وَأَبْنَاءِنَا فَلَمَّا كُتِبَ عَلَيْهِمُ الْقِتَالُ تَوَلَّوْا إِلَّا قَلِيلًا مِنْهُمْ وَاللَّهُ
عَلِيمٌ بِالظَّالِمِينَ ﴿٢٤٦﴾

Have you not seen the chiefs of the Children of Isrā'īl after Mūsā, when they said to a prophet of theirs: appoint for us a king, and we will fight in the way of Allāh.

He said: is it not likely, if fighting is prescribed for you, that you will not fight?

They said: and why would we not fight in the way of Allāh, when we have been driven from our homes and our sons? Then when fighting was prescribed for them, they turned away, except a few of them. And Allāh knows the wrongdoers.

al-Baqara 2:246

Now the long story which closes the Juz', and the reader should have its background.

The people of Mūsā عليه السلام had been commanded to fight the 'Amāliqa and to enter the holy land, and they had said to him, go, you and your Lord, and fight; we are sitting here. For that they were made to wander in Sinai for forty years, and Mūsā عليه السلام died there and did not enter. Eventually they went in, and they had no king. After the prophets who followed Mūsā عليه السلام there came a stretch of some centuries with no leader over them, and a people without a leader is a people that anybody may attack, and they were attacked. A people from Palestine took from them the relics of Mūsā عليه السلام and Hārūn عليه السلام, and their humiliation was complete.

So the chiefs came to their prophet, whom the reports name as Sham'ūn or Shamwīl, born to the last remaining line of Lāwī, and said: appoint for us a king, and we will fight in the way of Allāh.

And the prophet, who knew them, said: *hal 'asaytum in kutiba 'alaykumu'l-qitālu allā tuqātilū*, is it not likely, if fighting is prescribed for you, that you will not fight?

They were offended. *Wa mā lanā allā nuqātīla fī sabīli'llāhi wa qad ukhrijnā min diyārinā wa abnā'inā*, and why would we not fight in the way of Allāh, when we have been driven from our homes and our sons? It is a magnificent answer. It has grievance in it and it has logic in it and it has a rhetorical question in it, and it names a real injustice which had really been done to them, and every word of it was true.

And then: *fā lammā kutiba 'alayhimu'l-qitālu tawallaw illā qalīlan minhum*, then when fighting was prescribed for them, they turned away, except a few of them.

There is the whole of it. They talked the big talk and they did not walk the walk, and the prophet had told them to their faces that they would do exactly this and they had been insulted by the suggestion, and then they went and did it. The distance between a man's rhetoric about the cause and his conduct when the cause requires something of him is the oldest distance in the world, and Allāh ﷻ closes the āyah with *wa'llāhu 'alīmun bi'l-ẓālimīn*, and Allāh knows the wrongdoers, which is a sentence that had been true before they turned away and was merely confirmed by it.

Allāh Has Raised Ṭālūt for You

وَقَالَ لَهُمْ نَبِيُّهُمْ إِنَّ اللَّهَ قَدْ بَعَثَ لَكُمْ طَالُوتَ مَلِكًا قَالُوا أَنَّى يَكُونُ
لَهُ الْمُلْكُ عَلَيْنَا وَنَحْنُ أَحَقُّ بِالْمُلْكِ مِنْهُ وَلَمْ يُؤْتَ سَعَةً مِنَ الْمَالِ
قَالَ إِنَّ اللَّهَ اصْطَفَاهُ عَلَيْكُمْ وَزَادَهُ بَسْطَةً فِي الْعِلْمِ وَالْجِسْمِ وَاللَّهُ
يُؤْتِي مُلْكَهُ مَنْ يَشَاءُ وَاللَّهُ وَسِعُ عِلْمٌ ﴿٢٤٧﴾

And their prophet said to them: Allāh has raised up Ṭālūt for you as a king. They said: how can he have kingship over us when we are more entitled to kingship than him, and he has not been given abundance of wealth? He said: Allāh has chosen him over you and increased him amply in knowledge and in body. And Allāh gives His kingship to whom He wills. And Allāh is All-Encompassing, All-Knowing.

al-Baqara 2:247

They asked for a king. They were given one. They objected.

Ṭālūt is the man the Bible calls Saul, and their objection had two limbs and both of them are worth naming, because they are the two grounds on which men have rejected leadership in every century since.

The first is lineage. *Wa naḥnu aḥaqqu bi'l-mulki minh*, we are more entitled to the kingship than him. Their kingship had been in the offspring of Yahūdḥā, and Ṭālūt was not of that house, and so the objection was, in the technical language of their own tradition, correct. He was not from the family that this job comes from.

The second is money. *Wa lam yu'ta sa'atan min al-māl*, and he has not been given abundance of wealth. He was poor. And the 'ulamā' note that a poor man was, in their reckoning, self-evidently unfit, since a man who could not manage a fortune could hardly be expected to manage a kingdom, which is an argument that sounds better than it is and which has been made in every generation, including ours.

And the answer of their prophet dismantles both in one sentence. *Inna'llāha'sṭafāhu 'alaykum*, Allāh has chosen him over you. That is the credential.

It precedes the qualifications and it does not depend on them. Then he gives the qualifications anyway, and look at what they are: *wa zādahu basāṭatan fi'l-'ilmi wa'l-jism*, and increased him amply in knowledge and in body. Knowledge, so that he can decide, and body, so that he can fight, and those are the two things a war leader requires, and neither of them is a bank balance or a family tree. The Qur'ān has named the job description and it does not resemble the objection.

Then: *wa'llāhu yu'tī mulkabu man yashā'*, and Allāh gives His kingship to whom He wills. Note the possessive. *His* kingship. It was never theirs to be entitled to, and their entire objection had rested on a claim of ownership over something they had only ever been lent.

He was a good man and he had been sent by Allāh ﷻ and they had asked for him and their insolence knew no bounds anyway. The lesson for the reader is a small one and a hard one: be content with what Allāh ﷻ has decided for you, including the people He has put over you, and if you find yourself certain that you would have chosen better, remember that these men were certain too, and they were arguing with a prophet.

The Ark Shall Come to You

وَقَالَ لَهُمْ نَبِيُّهُمْ إِنَّ آيَةَ مُلْكِهِ أَنْ يَأْتِيَكُمُ التَّابُوتُ فِيهِ سَكِينَةٌ مِّنْ رَبِّكُمْ وَبَقِيَّةٌ مِّمَّا تَرَكَ آلُ مُوسَىٰ وَآلُ هَارُونَ تَحْمِلُهُ الْمَلَائِكَةُ إِنَّ فِي ذَٰلِكَ لَآيَةً لِّكُمْ إِن كُنتُمْ مُّؤْمِنِينَ ﴿٢٤٨﴾

And their prophet said to them: the sign of his kingship is that the Ark will come to you, in it a tranquillity from your Lord and a remnant of what the family of Mūsā and the family of Hārūn left behind, carried by the angels. Indeed, in that is a sign for you, if you are believers.

al-Baqara 2:248

They wanted a sign, and the sign was a box.

The *tābūt* is the Ark of the Covenant, and it held the Tawrah and the relics of the two prophets, and Banū Isrā'īl had used it in battle, carried in the front line, to draw the mercy of Allāh ﷻ. And when Jālūt overcame them he took it away, and its loss was the mark of their humiliation.

What happened to it afterwards is instructive. Wherever the disbelievers carried the chest, they were struck with an epidemic or a calamity, and five of their cities were laid waste. Nonplussed, they loaded it onto two bulls and drove them off, to be rid of it. And the angels took charge of the bullocks and brought it to the doorstep of Ṭālūt.⁴⁶

They had demanded a proof and Allāh ﷻ gave them one they could not argue with, because it was not a miracle performed in front of them which they could dispute the following morning. It was their own lost treasure arriving at the door of the man they had rejected, driven by two bulls with nobody holding the reins. And they saw it, and they believed in the kingship of Ṭālūt, and he mounted his attack on Jālūt while the weather was very hot.

The thing in the Ark which the āyah names first is not the Tawrah and not the relics. It is *sakīna*, a tranquillity from your Lord. The word is from *sukūn*, stillness, and it is what Allāh ﷻ sent down upon His Messenger ﷺ in the cave and upon the believers at Ḥunayn, and it is the settling of a heart which has every reason to be racing. That is what these men most needed, and Allāh ﷻ put it at the head of the inventory, before the scripture and before the relics, because an army which is terrified will lose whatever else it is carrying.

Allāh Will Test You With a River

فَلَمَّا فَصَلَ طَالُوتُ بِالْجُنُودِ قَالَ إِنَّ اللَّهَ مُبْتَلِيكُمْ بِنَهَرٍ فَمَنْ شَرِبَ مِنْهُ فَلَيْسَ مِنِّي وَمَنْ لَمْ يَطْعَمْهُ فَإِنَّهُ مِنِّي إِلَّا مَنْ اغْتَرَفَ غُرْفَةً بِيَدِهِ ۖ فَشَرَبُوا مِنْهُ إِلَّا قَلِيلًا مِّنْهُمْ فَلَمَّا جَاوَزَهُ هُوَ وَالَّذِينَ ءَامَنُوا مَعَهُ قَالُوا لَا طَاقَةَ لَنَا الْيَوْمَ بِجَالُوتَ وَجُنُودِهِ ۚ قَالَ الَّذِينَ يَظُنُّونَ أَنَّهُمْ مُلْقَوْنَ آلَ اللَّهِ كَمْ مِّنْ فِئَةٍ قَلِيلَةٍ غَلَبَتْ فِئَةً كَثِيرَةً بِإِذْنِ اللَّهِ وَاللَّهُ مَعَ الصَّابِرِينَ

﴿٢٤٩﴾

Then when Tālūt set out with the troops, he said: Allāh will test you with a river. So whoever drinks from it is not of me, and whoever does not taste it is of me, except one who scoops a scoop with his hand. Then they drank from it, except a few of them. Then when he had crossed it, he and those who believed with him, they said: we have no power today against Jālūt and his troops. Those who were certain that they would meet Allāh said: how many a small company has overcome a large company by the leave of Allāh. And Allāh is with the patient.

al-Baqara 2:249

وَلَمَّا بَرَزُوا لِجَالُوتَ وَجُنُودِهِ قَالُوا رَبَّنَا أَفْرِغْ عَلَيْنَا صَبْرًا وَثَبِّتْ أَقْدَامَنَا وَانصُرْنَا عَلَى الْقَوْمِ الْكَافِرِينَ ﴿٢٥٠﴾

And when they went out against Jālūt and his troops, they said: our Lord, pour out patience upon us, and make our feet firm, and help us against the disbelieving people.

al-Baqara 2:250

This was against the ‘Amāliqa, to liberate the holy land, and the army marched out, and the test was water.

Consider the design of that examination, because Allāh ﷻ designed it. These are men who have volunteered for a war. They have demanded a king in order to fight it. They have declared that they have every reason to fight and have been insulted at the suggestion that they might not. And the test placed in front of them is not a battle. It is a river, in the heat, on a march, and the command is: do not drink. And there is even a concession in the command, *illā mani’ghatarafa gburfatan bi yadih*, except one who scoops a scoop with his hand, so that a man may wet his mouth and go on.

That is not a hard test. It is the easiest test that could have been set. And: *fa sharibū minhu illā qalīlan minhum*, then they drank from it, except a few of them.

Al-Ṭabarī رحمه الله records from al-Barā’ ibn ‘Āzib رضي الله عنه that the number who passed was three hundred and thirteen, which is the number of Badr, and the Companions رضي الله عنهم who heard that would have felt the coincidence in their spines.⁴⁷

Now the thing which the reader must see, because it is the whole reason the story is here. Watch what happens after the river. The ones who crossed it, and the ones who drank and crossed anyway, look at the same enemy on the same afternoon, and they say two different things.

The ones who failed the small test say: *lā ṭāqata lanā l-yawma bi jālūta wa junūdih*, we have no power today against Jālūt and his troops. And the ones who passed it say: *kam min fi’atin qalīlatin ghalabat fi’atan kathīratan bi idhni’llāh*, how many a small company has overcome a large company by the leave of Allāh.

The men who could not decline a drink of water could not face an army. Their courage went out of them at the riverbank and not on the battlefield, and they did not know it had gone until they saw the enemy. This is the law which the story exists to teach: the man who fails the small sacrifice will fail the large one, and he will fail it while explaining, reasonably and at length, that the odds are against him.

And the Qur’ān identifies the ones who held, and it identifies them by belief and not by physique: *alladhīna yaẓunnūna annabum mulāqū’llāh*, those who were certain that they would meet Allāh. That is what was in them. Not strength and not numbers. The settled conviction that this life ends in a meeting, which is the same

conviction which gets a man out of bed for Fajr, and it turns out to be the same faculty which holds a line.

Bring it home, because it is about us. There are men who talk about the rise of the Ummah and the liberation of the holy land at length and with heat, and who cannot pray on time. Who cannot decline a purchase. Who cannot leave a screen alone for an hour. The river is not in the past. It is offered to us several times a day and we are drinking from it and telling ourselves that when the great day comes we will be found in the front rank, and Allāh ﷻ has put this story in His Book to tell us, gently and in advance, that we will not.

Then the two hundred and fiftieth āyah, and it is the summary of everything the three hundred did right. They had done the small sacrifice, and they had the right mindset, and now they make du‘ā’, because they knew that everything comes only from Allāh ﷻ.

Look at the order of what they ask for. *Rabbanā afrigh ‘alaynā ṣabran*, our Lord, pour out patience upon us. First, patience, and the verb *afrigh* is the emptying of a vessel over something, so that they are not asking for a measure of patience but to be drenched in it. *Wa thabbit aqdāmanā*, and make our feet firm, because a man whose feet move has lost before the fighting starts. *Wa’nṣurnā ‘alā’l-qawmi’l-kāfirīn*, and help us against the disbelieving people. The victory is asked for last. They asked for what they needed to be, and then for what they needed to do, and only then for the outcome, and this is the correct order of every du‘ā’ a believer will ever make.

So They Routed Them by the Leave of Allāh

فَهَزَمُوهُمْ بِإِذْنِ اللَّهِ وَقَتَلَ دَاوُدُ جَالُوتَ وَءَاتَاهُ اللَّهُ الْمُلْكَ
وَالْحِكْمَةَ وَعَلَّمَهُ مِمَّا يَشَاءُ وَلَوْلَا دَفْعُ اللَّهِ النَّاسَ بَعْضَهُم بِبَعْضٍ
لَفَسَدَتِ الْأَرْضُ وَلَكِنَّ اللَّهَ ذُو فَضْلٍ عَلَى الْعَالَمِينَ ﴿٢٥١﴾

So they routed them by the leave of Allāh, and Dāwūd killed Jālūt, and Allāh gave him the kingship and the wisdom and taught him of what He willed. And were it not for Allāh's repelling of the people, some of them by means of others, the earth would have been corrupted. But Allāh is a possessor of bounty towards all the worlds.

al-Baqara 2:251

The battle is given three words: *fa hazamūhum bi idhni'llāh*, so they routed them by the leave of Allāh. Not a line of description. Three hundred and thirteen men against an army, and the Qur'ān does not tell us how, because the how is in the third word.

Dāwūd عليه السلام was a young man in that army, not its commander and not a prophet yet, and he killed Jālūt with a sling. A stone, thrown by a boy, and the giant went down. Jālūt had promised that whoever killed Jālūt would marry his daughter and would share his kingship and his authority, and he kept his promise, which is worth noting about a man whose people had told him he was unfit for the throne. Later the kingship passed to Dāwūd عليه السلام entirely, and Allāh ﷻ gave him prophethood along with it.

Read the sentence again: *wa ātāhu'llāhu'l-mulka wa'l-hikmata wa 'allamahu mimmā yashā'*, and Allāh gave him the kingship and the wisdom and taught him of what He willed. He was given the kingship, which is power, and the wisdom, which is what makes power safe, and then teaching on top of both. And the whole of it began with a stone in a sling, in the hands of somebody nobody had considered.

The Repelling

Then the āyah lifts out of the story entirely and states a law of the world: *wa law lā dafu'llāhi'l-nāsa ba'dahum bi ba'din la fasadati'l-ard*, and were it not for Allāh's

repelling of the people, some of them by means of others, the earth would have been corrupted.

Sūrat al-Ḥajj states the same principle and names what would be lost: were it not for Allāh's repelling of the people, some by means of others, there would have been demolished monasteries and churches and synagogues and masjids in which the name of Allāh ﷻ is much mentioned. Note that the list is not a list of masjids. The Qur'ān names the monastery and the church and the synagogue before it names the masjid, and it says they would all have come down, and the reader who has been told that this religion is indifferent to the houses of worship of others should be given that āyah and left to think about it.

This system of checks and balances is a part of the divine wisdom. Allāh ﷻ allows some people to stand up against injustice and oppression and destruction, and the standing up is itself His repelling. It includes the jihād of the Muslims to protect truth and justice. It includes the natural resistance between different groups, which prevents complete domination by any tyrant. And it includes Allāh ﷻ inspiring people of virtue to rise against people of evil, which happens in every generation and which the people who do it rarely understand at the time as an act of Allāh ﷻ.

The world was not designed to be safe. It was designed to be balanced, and the balance is maintained by the pushing back, and every tyranny which has ever ended has ended because somebody pushed. The closing of the āyah tells us how to read all of it: *wa lākinna'llāha dhū faḍlin 'alā'l-'ālamīn*, but Allāh is a possessor of bounty towards all the worlds. Not towards the believers. Towards all the worlds. The repelling is a mercy which is extended to people who do not know they are receiving it and would not thank Him if they did.

These Are the Signs of Allāh

ج
تِلْكَ ءَايَاتُ اللَّهِ تَتْلُوهَا عَلَيْكَ بِالْحَقِّ وَإِنَّكَ لَمِنَ الْمُرْسَلِينَ ﴿٢٥٢﴾

These are the signs of Allāh. We recite them to you in truth. And indeed, you are among the messengers.

al-Baqara 2:252

The Juz' closes on a single short āyah, and it is addressed to one man.

All of it, then. The wine and the gambling, the orphans and the marriages, the oaths and the four months, the waiting and the two divorces and the third, the suckling and the widow and the half of the dower, the prayers and the middle prayer, the thousands who fled and were told to die, the king they asked for and refused, the box brought by two bulls, the river, the sling. *Tilka āyātu'llāh*, these are the signs of Allāh.

And *natlūbā 'alayka bi'l-ḥaqq*, We recite them to you in truth. The stories of Ṭālūt and Jālūt and the town of the plague conform exactly to the manner in which these things actually occurred, and to what still remains of them in the Books which the scholars of the Children of Isrā'īl have and know. The Prophet ﷺ was unlettered and had never read their scriptures and had no access to their traditions, and he recited to them the history of their own ancestors, and there were men in Madīnah who could have checked every clause of it and who were not friendly to him, and they did not contradict him.

Which is why the āyah closes as it does: *wa innaka la mina'l-mursalīn*, and indeed, you are among the messengers. This is a proof of prophethood, and the Qur'ān has just laid the evidence out over ten āyahs and now states the conclusion.

The reader should notice the tenderness of it as well as the logic. He had been at this for years. He had been called a liar and a poet and a madman, and he had buried children, and the Juz' which is ending had asked his community for a great deal and had asked him for more. And at the end of it Allāh ﷻ says to him, personally, with the whole sūra standing behind it: you are one of the messengers. It is what a man needs to hear at the end of a long day, and it is the last thing said before the third Juz' opens, where the reader will find those messengers ranked, and some of them raised above others, and Allāh ﷻ speaking to Mūsā عليه السلام, and 'Isā عليه السلام given the clear signs. Then the āyah of the Throne.

But that is the next volume, and the pages have run out, and this is where the second Juz' leaves us. May Allāh ﷻ make us of those who cross the river. Āmīn.

Addendum: On Reading the Divorce Passages of al-Baqara

I said in the introduction that these āyahs are read badly, and I want to make good on the claim rather than leave it as an assertion, because the ordinary worshipper is asked about this section more than about any other part of the sūra, and he is usually asked by somebody who has already decided.

Begin with the thing which nobody who argues about these āyahs ever does, which is to read them in order and notice who is being spoken to. From the two hundred and twenty-first āyah to the two hundred and forty-first, there are twenty-one āyahs, and the addressee of the great majority of them is a man. Do not marry an idolatress. Keep away from your wife in her menstruation. Do not make Allāh ﷻ a barricade for your oaths. If you swear off her, you have four months and then the law will act without you. Retain in fairness or release with excellence. Do not take back what you gave her. Do not hold her in order to harm her. Do not take the signs of Allāh ﷻ in jest. Do not prevent her marrying. Provide her food and her clothing while she nurses. Do not harm her by means of the child. Give her the gift. Give her half the dower. Give her all of it if you can, it is nearer to *taqwā*. Do not forget the grace between you.

Now count. Almost every clause in this passage is a restriction on the man, and the two which restrict the woman are the concealing of a pregnancy and the seeking of a divorce without cause. That is the balance of the legislation, and a reader who comes away from these āyahs with the impression that they are a charter for husbands has not read them. He has read a summary written by somebody who had not read them either.

Then look at what the passage found and what it left. It found a society in which a man could divorce and reclaim without limit, so that a woman could be held in a corridor for years. The Qur'ān said twice. It found a society in which a man could swear off his wife and abandon her indefinitely without releasing her. The Qur'ān put four months on it and then dissolved the marriage itself, without waiting for him. It found a society in which a departing man stripped his wife of what he had given her. The Qur'ān said not a thing of it is yours. It found a society in which a widow was shut in a hut for a year. The Qur'ān said four months and ten and then said, in as many words, that what she does afterwards is not the community's business. It found a society in which a divorced woman's family could bar her

remarriage out of pride. The Qur'ān said the barring makes *you* unclean. It found a society in which a nursing mother had no claim on the father of the child. The Qur'ān made her food and her clothing his obligation and did it in a clause which calls him the one to whom the child was given.

That is what these āyahs did, in a few years, in a small city, against the whole weight of the custom of a people. I do not say it to be triumphant about it. I say it because a Muslim who has been made to feel apologetic about this passage has been made to feel apologetic about the emancipation, and he should know what it is he has been apologising for.

The Two Bad Readings

The first bad reading is the one which comes looking for the licence. It reads *al-ṭalāqu marratān* as an allowance of two, when the whole force of the sentence is a limit on a thing which had no limit. It reads the degree in the two hundred and twenty-eighth āyah as a rank, when the mufasssīrūn who transmitted it to us read it as a burden and as a warning against abuse. It reads *ḥarth* as an ownership, when the word was answering a superstition about the manner of conception and nothing else. It reads the right of return as a power, when the Qur'ān attached a condition to it in the same breath, *in arādū iṣlāḥan*, if they desire reconciliation, and then in the next āyah forbade the exercise of it for any other motive. A man who reads this way is not being faithful to the text. He is using the text, which is what the previous volume warned about at the two hundred and fourth āyah, where the man whose speech about this world impresses you turns out to be the most quarrelsome of opponents.

The second bad reading is the one which comes looking for the offence, and it makes an error which is the mirror of the first. It takes each clause out of the passage, holds it against the standards of the present hour, and asks why it does not match. Why may a man marry a woman of the Book when a woman may not marry a man of the Book. Why does the man pronounce the divorce. Why is there a degree at all. These are real questions and they deserve real answers and I have tried to give them in their places. What they do not deserve is to be asked in isolation from the system they belong to, because a legal order is a machine and its parts are shaped for each other. The man pronounces the divorce and the man pays the dower and the man maintains the household and the man maintains the nursing mother after he has divorced her and the man gives the gift when he divorces her before touching her.

Pull out one component, hold it up on its own, and of course it looks arbitrary. Every component of every legal system looks arbitrary held up on its own.

Where the Objection Is Sound

Having said all that, I want to concede something, because a book which only defends is not honest, and because the ordinary worshipper knows perfectly well what he sees around him.

The objection which lands is not the objection to the āyahs. It is the objection to us. Every provision I have listed above is on the page and a great many of them are not in our communities. The woman held in limbo by a man who will not pronounce and will not release, so that she is married in the eyes of the law of the land and abandoned in fact, is a woman in the exact position the two hundred and thirty-first āyah forbids, and she is sitting in our cities now. The *ḥalāla* which the Prophet ﷺ cursed is arranged, for money, by men with beards. The divorced woman whose family will not let her remarry because of what people will say is the sister of Ma'qil ibn Yāsār رضي الله عنه, and Ma'qil at least had the excuse that the āyah had not yet come down. The child used as a weapon between two parents is forbidden by a clause of the Qur'ān which names the practice precisely, and it happens every week. The dower which is written on the paper and never paid. The *mut'a* which is owed and never given.

So the stranger's objection is aimed at the wrong target, and it is aimed at the wrong target because we gave him the wrong target. He looks at a Muslim community and sees these things and he reasonably concludes that the Book produced them, and the truth is that the Book forbids every one of them and we do them anyway, and it is our custom which produced them, imported wholesale from wherever our grandparents came from and dressed up in the language of the religion. The Qur'ān took the customs of the Arabs and cut them to pieces, clause by clause, over twenty āyahs. We have taken the clauses and let our customs grow back over them like ivy.

That is what an honest reader should take from this passage. Not a defence to be deployed against an outsider, but a summons addressed to us, and the two hundred and thirty-first āyah put it exactly where it belongs when it said of the man who holds a woman in order to harm her that he has wronged his own soul. He thinks he is holding her. He is holding himself. And a community which has done this for

three generations should ask what it has been holding, and for how long, and what it thinks the accounting will look like.

Notes

Ask the Children of Isrāʾīl How Many a Sign

1. al-Ṭabarī, *Jāmiʿ al-Bayān*, at 2:211. The point that the question is put to a people who cannot deny the answer is made in almost the same terms by al-Qurṭubī.
2. Muftī Muḥammad Shafī, *Maʿārif al-Qurʾān*, at 2:211. Ibn Kathīr collects the same episodes at this āyah under the heading of the favours which were altered.
3. al-Rāzī, *Maḥātib al-Ghayb*, at 2:211, canvasses the three senses and inclines to reading them together rather than choosing between them.

Adorned for Those Who Disbelieve Is the Life of This World

4. Ibn Kathīr, *Tafsīr al-Qurʾān al-ʿAẓīm*, at 2:212, reads the adornment as a trial, and cross-refers to 3:14. al-Rāzī discusses the attribution of the adorning at length at the same place.
5. Ibn Kathīr, at 2:212. The naming of Bilāl, ʿAmmār and Ṣuhayb at this āyah is common to most of the early mufasssīrūn.
6. Bukhārī and Muslim, from Abū Hurayra رضي الله عنه. The two prayers are set against each other in the same breath, which is the point of the ḥadīth.
7. Aḥmad, *Musnad*, from ʿĀʾisha رضي الله عنها. The wording is deliberately paradoxical: the *dunyā* is a house for a man who has neglected to build the house which lasts.

Mankind Was a Single Community

8. al-Rāghib al-Iṣfahānī, *al-Mufradāt fī Gharīb al-Qurʾān*, under the root *a-m-m*. The definition is the one the mufasssīrūn generally adopt at this āyah.
9. Both readings are collected by al-Ṭabarī at 2:213, the second on the authority of Ibn ʿAbbās رضي الله عنهما. Ibn Kathīr prefers the second and notes the report of ten generations.
10. al-Rāzī, at 2:213. The connection with 2:26 is the author's, though the underlying principle is drawn from al-Rāzī's treatment.

Do You Think That You Will Enter the Garden?

11. Ibn Kathīr, at 2:214, citing the reports which connect the āyah to the Battle of the Confederates. Some reports place it at Uḥud; the sense is unaffected.

They Ask You What They Should Spend

12. The point that the answer redirects the question is noted by al-Rāzī at 2:215 and, in a different register, by al-Zamakhsharī, who reads the shift as a correction of the questioner's assumption.

Fighting Is Prescribed for You

13. Bukhārī and Muslim, from ‘Abdullāh ibn ‘Amr رضي الله عنهما. The wording in one narration is *fa fthimā fa jāhid*, so strive in respect of them.

They Ask You About the Sacred Month

14. The account is given by Ibn Ishāq and is collected in Ibn Kathīr at 2:217 and in al-Ṭabarī. The differing reports over whether the killing fell on the last night of Jumādā al-Ākhira or the first of Rajab are the source of the confusion the āyah addresses.

Those Who Believed and Those Who Emigrated

15. The distinction is drawn out by ‘Alī Ūnal in his commentary at this āyah. The lexical point is uncontroversial; the confusion is a matter of translation rather than of Arabic.

They Ask You About Wine and Gambling

16. Aḥmad, *Musnad*, from Abū Maysara, reporting ‘Umar رضي الله عنه. The narration is collected by Ibn Kathīr at 2:219 and by al-Ṭabarī at 5:90.
17. Tirmidhī, from Anas رضي الله عنه. The enumeration varies slightly between narrations; the principle of extending the curse along the whole chain of supply is constant.
18. Muftī Muḥammad Shafī‘, *Ma‘āriful Qur‘ān*, at 2:219, where the pre-Islamic game and its mechanics are described at length.
19. Muslim, from Abū Hurayra رضي الله عنه; the report is cited by Ibn Kathīr at this āyah from al-Ṭabarī as well.

They Ask You About the Orphans

20. The report is in Abū Dāwūd and al-Nasā‘ī from Ibn ‘Abbās رضي الله عنهما, and it is collected by Ibn Kathīr at 2:220 as the occasion of this āyah.

Do Not Marry the Idolatresses

21. Tirmidhī, who grades it ḥasan gharīb; also in al-Nasā‘ī and Abū Dāwūd. The reports vary over whether the āyah revealed in answer was 24:3 or the present one, and the mufasssīrūn cite the story at both places.
22. Muftī Muḥammad Shafī‘, *Ma‘āriful Qur‘ān*, at 2:221. The ḥadīth is in Bukhārī and Muslim from Abū Hurayra رضي الله عنه.
23. *Kitāb al-Āthār* of Imām Muḥammad, cited by Muftī Shafī‘ at this āyah.
24. al-Ṭabarī, at 2:221, with an authentic chain from Shaqīq. The exchange is the classical basis for distinguishing the lawful from the advisable in this question.

They Ask You About Menstruation

25. Reported by Abū Bakr ibn Ziyād al-Naysābūrī and cited by Ibn Kathīr at 2:223. The repetition in Mālik's answer is in the narration.

Your Wives Are a Tilth for You

26. Bukhārī, from Jābir رضي الله عنه, through Ibn al-Munkadir. The report is the occasion of revelation for this āyah in the majority of the tafsīr works.

Do Not Make Allāh a Target for Your Oaths

27. Bukhārī, no. 6073, in the Book of Manners. The severity of her expiation is itself the commentary on the ruling.

Those Who Swear Off Their Wives

28. The discussion is in the standard Ḥanafī works; see *al-Hidāya* of al-Marghīnānī, *Kitāb al-Ṭalāq*, on *al-fay' fī'l-ilā'*.
29. Bukhārī and Muslim, from Ibn 'Abbās رضي الله عنهما, in the long ḥadīth of 'Umar and the loft.

The Divorced Women Shall Wait Three Courses

30. Muftī Muḥammad Shafī', *Ma'āriful Qur'ān*, at 2:228, where the discussion of this clause and of the *daraḡa* which follows it runs to several pages and repays reading in full.
31. al-Ṭabarī, at 2:228, from Ibn 'Abbās رضي الله عنهما. The reading is followed by a number of the mufasssīrūn and is the basis of Muftī Shafī's treatment.
32. al-Rāzī, *Maḡātīḥ al-Ghayb*, at 2:228.

Retain Them in Fairness or Release Them in Fairness

33. The report is collected by Ibn Kathīr at 2:231 and al-Ṭabarī at the same place.

Do Not Prevent Them

34. Bukhārī, in the Book of Tafsīr, at this āyah, from al-Ḥasan al-Baṣrī reporting Ma'qil ibn Yāsār رضي الله عنه.

Mothers Shall Suckle Their Children

35. Tirmidhī, al-Dāraquṭnī, and Mālik in the *Muwaṭṭa'*. The chains are set out by Ibn Kathīr at 2:233, who prefers the narration of al-Darāwardī from Thawr.
36. al-Marghīnānī, *al-Hidāya*, *Kitāb al-Ṭalāq*, *Bāb al-Ḥaḍāna*; al-Kāsānī, *Badā'ī' al-Ṣanā'ī'*, at the same chapter. The ages vary somewhat between the schools.

A Bequest for Their Wives

37. Ibn Kathīr, at 2:240, setting out the position of the majority. The dissenting readings, which preserve a residual right of residence, are noted below.
38. The exchange is reported at 2:240 in the tafsīr literature and in the reports concerning the compilation of the muṣḥaf under ‘Uthmān رضي الله عنه.

For the Divorced Women a Provision

39. Cited by Ibn Kathīr at 2:241 from Ibn Abī Ḥātim. The report is the standard explanation for the change of the closing epithet.
40. Muftī Muḥammad Shafī‘, *Ma‘āriful Qur‘ān*, at 2:241.

Have You Not Seen Those Who Went Out

41. The account is given by al-Ṭabarī at 2:243 from Ibn ‘Abbās رضي الله عنهما and others, and is followed by Ibn Kathīr and by Muftī Shafī‘. The details of the town’s name and the number vary between the reports and none of them is essential to the ruling drawn from the āyah.
42. Bukhārī, no. 5734. The ḥadīth of not entering and not leaving is at Bukhārī no. 5728 and Muslim no. 2218.
43. Ibn Māja, no. 2340. It is one of the five universal maxims of the fuqahā’.

Fight in the Way of Allāh

44. Ibn Kathīr, at 2:244. The account of Khālīd’s death is well known and appears in the historical literature in a number of forms.

Who Is It That Will Lend Allāh

45. al-Qurṭubī, *al-Jāmi‘ li Ahkām al-Qur‘ān*, at 2:245, where the account is given at length.

The Ark Shall Come to You

46. Muftī Muḥammad Shafī‘, *Ma‘āriful Qur‘ān*, at 2:248, gathering the reports of the Ark’s return.

Allāh Will Test You With a River

47. al-Ṭabarī, at 2:249, from al-Barā’ ibn ‘Āzib رضي الله عنه. The correspondence with the number at Badr is noted by al-Bukhārī, who records the Companions saying they were the number of the companions of Ṭālūt who crossed the river with him.

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Glossary

- bā'in** — an irrevocable divorce, after which the husband may return to his wife only by a fresh contract and with her consent.
- daraja** — a degree or step. Used at 2:228 of what men have over women, read by the mufasssirūn as a degree of responsibility.
- farḍ 'ayn** — an obligation binding upon each individual.
- farḍ kifāya** — a communal obligation, discharged on behalf of all when enough undertake it.
- faskh** — the annulment of a marriage by a qāḍī, as distinct from a divorce pronounced by the husband.
- fitna** — trial, temptation, persecution, or civil strife, according to context.
- ḥadd** (pl. **ḥudūd**) — a limit or boundary set by Allāh; in the technical sense, a fixed penalty.
- ḥalāla** — the arranged marriage and divorce of a woman in order to return her to a former husband. Cursed in the Sunnah.
- ḥarth** — tillage, a cultivated field. Used at 2:223.
- ḥayḍ** — menstruation.
- ḥaḍāna** — the custody of a child.
- iḥsān** — excellence, doing a thing beautifully, beyond what is owed.
- 'idda** — the prescribed waiting period of a divorced or widowed woman.
- ilā'** — the oath of a man that he will not approach his wife. Limited to four months at 2:226.
- iṣlāḥ** — setting right, reconciliation, repair.
- ithm** — sin, as distinct from *ḍarar*, harm.
- khalwa** — the lawful privacy of a married couple, upon which certain rulings turn.
- khamr** — wine; any intoxicant. From *khāmara*, to curtain the intellect.
- khul'** — the release of a wife at her request, in return for something she gives up.

laghw — the idle or unintended word; an oath sworn without intent.

ma'rūf — what is recognised as right and decent; fairness.

maysir — gambling. From the pre-Islamic game of distribution by arrows.

mīthāq — a solemn and binding covenant.

mut'a — here, the gift owed to a woman divorced before consummation.

nafl — voluntary, supererogatory.

qarḍ ḥasan — a goodly loan; used at 2:245 of spending in the way of Allāh.

qunūt — devout standing; obedience, humility, and silence in the prayer.

qur' (pl. **qurū'**) — a term meaning either a menstruation or a period of purity; the basis of a difference between the schools at 2:228.

raj'ī — a revocable divorce, during whose *'idda* the husband may take his wife back.

ridda — apostasy, in the sense of a public renunciation amounting to treason.

rujū' — the taking back of a wife during the *'idda* of a revocable divorce.

rukḥṣatī — the sending of a bride to her husband's home, following the *nikāḥ*.

sakīna — a tranquillity sent down by Allāh upon a heart which has reason to fear.

tābūt — the Ark of the Covenant.

ta'rīḍ — an indirect hint, as opposed to an express proposal.

taḥrīm — the establishing of a permanent prohibition of marriage, as through suckling.

ṭalāq — divorce.

ṭalāq al-bid'a — a divorce pronounced contrary to the Sunnah; valid, and sinful.

ṭuhr — the period of purity between two menstruations.

'urf — the settled custom of a people, a recognised source in the derivation of rulings.

yamīn al-ghamūs — the plunging oath; a deliberate lie sworn about the past.

yaqīn — certainty.