

«نَعَمْ»

«كَيْفَ قُلْتَ؟»

«نَعَمْ، إِلَّا الدَّيْنَ، قَالَهُ لِي جِبْرِيلُ أَنْفًا»

(‘O Messenger of Allah! If I was killed in Allah’s cause, observing patience, awaiting Allah’s reward, attacking, not retreating, would Allah forgive my sins’ The Prophet said, ‘Yes.’ The Prophet then asked the man, ‘What did you ask’ When the man repeated the question, the Prophet said, ‘Yes, except for the debt, for Jibril conveyed this to me right now’.)

This is why Allah said here,

(لَا كُفِّرَنَّ عَنْهُمْ سَيِّئَاتِهِمْ وَلَا نُدْخِلُهُمْ جَنَّاتٍ تَجْرِي  
مِنْ تَحْتِهَا الْأَنْهَارُ)

(verily, I will expiate from them their evil deeds and admit them into Gardens under which rivers flow), within Paradise, where there are rivers of various drinks: milk, honey, wine and fresh water. There is what no eye has ever seen, no ear has ever heard and no heart has ever imagined of delights in Paradise . Allah’s statement,

(ثَوَابًا مِّنْ عِنْدِ اللَّهِ)

(a reward from Allah) testifies to His might, for the Mighty and Most Great only gives tremendous rewards. Allah’s statement,

(وَاللَّهُ عِنْدَهُ حُسْنُ الثَّوَابِ)

(and with Allah is the best of rewards.) for those who perform good deeds.

(لَا يَغُرَّتْكَ تَقَلُّبُ الَّذِينَ كَفَرُوا فِي الْبِلَادِ - مَتَّعٌ قَلِيلٌ ثُمَّ مَأْوَاهُمْ جَهَنَّمُ وَيَسَّ الْمِهَادُ - لَكِنَّ الَّذِينَ اتَّقَوْا رَبَّهُمْ لَهُمْ جَنَّاتٌ تَجْرِي مِنْ تَحْتِهَا الْأَنْهَارُ خَالِدِينَ فِيهَا نُزُلًا مِّنْ عِنْدِ اللَّهِ وَمَا عِنْدَ اللَّهِ خَيْرٌ لِلْأَبْرَارِ )

(196. Let not the free disposal (and affluence) of the disbelievers throughout the land deceive you.) (197. A brief enjoyment; then their ultimate abode is Hell; and worst indeed is that place for rest.) (198. But, for those who have Taqwa of their Lord, are Gardens under which rivers flow (in Paradise); therein are they to dwell, an entertainment from Allah; and that which is with Allah is the best for Al-Abrar (the most righteous).) u

### Warning Against Being Deceived by This Life; the Rewards of the Righteous Believers

Allah said, do not look at the disbelievers, who are enjoying various delights and joys. Soon, they will loose all this and be tied to their evil works, for verily, we are only giving them time, which deceives them, when all they have is,

(مَتَّعٌ قَلِيلٌ ثُمَّ مَأْوَاهُمْ جَهَنَّمُ وَيَسَّ الْمِهَادُ )

(A brief enjoyment; then their ultimate abode is Hell; and worst indeed is that place for rest.)

This Ayah is similar to several other Ayat, such as,

(مَا يُجَادِلُ فِي آيَاتِ اللَّهِ إِلَّا الَّذِينَ كَفَرُوا فَلَا يَغُرُّكَ تَقَلُّبُهُمْ فِي الْبِلَادِ )

(None disputes in the Ayat of Allah but those who disbelieve. So, let not their ability of going about here and there through the land deceive you!) 40:4 ,

قُلْ إِنَّ الَّذِينَ يَقْتَرُونَ عَلَى اللَّهِ الْكَذِبَ لَا  
يُفْلِحُونَ - مَتَّعْ فِي الدُّنْيَا ثُمَّ إِلَيْنَا مَرْجِعُهُمْ ثُمَّ  
نُذِيقُهُمُ الْعَذَابَ الشَّدِيدَ بِمَا كَانُوا يَكْفُرُونَ )

(Verily, those who invent a lie against Allah, will never be successful. (A brief) enjoyment in this world! and then unto Us will be their return, then We shall make them taste the severest torment because they used to disbelieve.) 10:69,70 ,

(نُمَتِّعُهُمْ قَلِيلًا ثُمَّ نَضْطَرُّهُمْ إِلَىٰ عَذَابٍ غَلِيظٍ )

(We let them enjoy for a little while, then in the end We shall oblige them to (enter) a great torment.) 31:24 ,

(فَمَهْلٌ الْكَافِرِينَ أَمَهُمْ رُويَدًا )

(So, give a respite to the disbelievers; deal gently with them for a while.) 86:17 , and,

(أَفَمَنْ وَعَدْنَاهُ وَعَدَاً حَسَنًا فَهُوَ لَاقِيهِ كَمَنْ مَتَّعْنَاهُ  
مَتَّعَ الْحَيَاةِ الدُّنْيَا ثُمَّ هُوَ يَوْمَ الْقِيَامَةِ مِنَ  
الْمُحْضَرِينَ )

(Is he whom We have promised an excellent promise (Paradise) which he will find true -- like him whom We have made to enjoy the luxuries of the life of (this) world, then on the Day of Resurrection, he will be among those brought up (to be punished in the Hell-fire)) 28:61 .

After Allah mentioned the condition of the disbelievers in this life and their destination to the Fire, He said,

(لَكِنَّ الَّذِينَ اتَّقَوْا رَبَّهُمْ لَهُمْ جَنَّاتٌ تَجْرِي مِنْ  
تَحْتِهَا الْأَنْهَارُ خَالِدِينَ فِيهَا نُزُلًا مِّنْ عِنْدِ اللَّهِ )

(But, for those who have Taqwa of their Lord, are Gardens under which rivers flow (in Paradise); therein are they to dwell, an entertainment from Allah,) 3:198 , for certainly,

(وَمَا عِنْدَ اللَّهِ خَيْرٌ لِلْأَبْرَارِ)

(and that which is with Allah is the best for Al-Abrar.)

Ibn Jarir recorded that Abu Ad-Darda' used to say, "Death is better for every believer. Death is better for every disbeliever, and those who do not believe me should read Allah's statements,

(وَمَا عِنْدَ اللَّهِ خَيْرٌ لِلْأَبْرَارِ)

(and that which is with Allah is the best for Al-Abrar), and,

(وَلَا يَحْسَبَنَّ الَّذِينَ كَفَرُوا أَنَّمَا نُؤْمَلِي لَهُمْ خَيْرٌ  
لأنفسهم إِنَّمَا نُؤْمَلِي لَهُمْ لِيَزْدَادُوا إِثْمًا وَلَهُمْ عَذَابٌ  
مُّهِينٌ )

(And let not the disbelievers think that Our postponing of their punishment is good for them. We postpone the punishment only so that they may increase in sinfulness. And for them is a disgraceful torment.) 3:178 ."

(وَإِنَّ مِنْ أَهْلِ الْكِتَابِ لَمَنْ يُؤْمِنُ بِاللَّهِ وَمَا أُنزِلَ  
إِلَيْكُمْ وَمَا أُنزِلَ إِلَيْهِمْ خَشَعِينَ لِلَّهِ لَا يَشْتَرُونَ  
بَايَتِ اللَّهِ تَمَنَّا قَلِيلًا أُولَئِكَ لَهُمْ أَجْرُهُمْ عِنْدَ  
رَبِّهِمْ إِنَّ اللَّهَ سَرِيعُ الْحِسَابِ - يَا أَيُّهَا الَّذِينَ  
ءَامَنُوا اصْبِرُوا وَصَابِرُوا وَرَابِطُوا وَاتَّقُوا اللَّهَ  
لَعَلَّكُمْ تُفْلِحُونَ )

(199. And there are, certainly, among the People of the Scripture (Jews and Christians), those who believe in Allah and in that which has been revealed to you, and in that which has been revealed to them, humbling themselves before Allah. They do not sell the verses of Allah for a small price, for them is a reward with their Lord. Surely, Allah is swift in account.) (200. O you who believe! Endure and be more patient, and Rabitu, and have Taqwa of Allah, so that you may be successful.)

## The Condition of Some of the People of the Scriptures and their Rewards

Allah states that some of the People of the Book truly believe in Him and in what was sent down to Muhammad , along with believing in the previously revealed Books, and they are obedient to Him and humble themselves before Allah.

(لَا يَشْتَرُونَ بِآيَاتِ اللَّهِ ثَمَنًا قَلِيلًا)

(They do not sell the verses of Allah for a small price) 3:199 , for they do not hide what they know of the glad tidings about the description of Muhammad , his Prophethood, and the description of his Ummah. Indeed, these are the best people among the People of the Book, whether they were Jews or Christians. Allah said in Surat Al-Qasas,

(الَّذِينَ آتَيْنَهُمُ الْكِتَابَ مِنْ قَبْلِهِ هُمْ بِهِ يُؤْمِنُونَ  
وَإِذَا يُتْلَىٰ عَلَيْهِمْ قَالُوا ءَأَمَّا بِهِ إِنَّهُ الْحَقُّ مِنْ رَبِّنَا  
إِنَّا كُنَّا مِنْ قَبْلِهِ مُّسْلِمِينَ أَجْرَهُمْ مَرَّتَيْنِ بِمَا  
صَبَرُوا)

(Those to whom We gave the Scripture before it, they believe in it (the Qur'an). And when it is recited to them, they say: "We believe in it. Verily, it is the truth from our Lord. Indeed even before it we were Muslims. These will be given their reward twice over, because they are patient,) 28:52-54 . Allah said,

(الَّذِينَ آتَيْنَهُمُ الْكِتَابَ يَتْلُونَهُ حَقَّ تِلَاوَتِهِ أُولَٰئِكَ  
يُؤْمِنُونَ بِهِ)

(Those to whom We gave the Book, recite it (follow it) as it should be recited (i.e. followed), they are the ones who believe therein.) 2:121 ,

(وَمِنْ قَوْمِ مُوسَىٰ أُمَّةٌ يَهْدُونَ بِالْحَقِّ وَبِهِ يَعْدِلُونَ  
(

(And of the people of Musa there is a community who lead with truth and establish justice therewith.) 7:159 ,

(لَيْسُوا سَوَاءً مِّنْ أَهْلِ الْكِتَابِ أُمَّةٌ قَائِمَةٌ يَتْلُونَ  
آيَاتِ اللَّهِ ءَانَاءَ اللَّيْلِ وَهُمْ يَسْجُدُونَ )

(Not all of them are alike; a party of the people of the Scripture stand for the right, they recite the verses of Allah during the hours of the night, prostrating themselves in prayer.) 3:113 , and,

(قُلْ ءَامِنُوا بِهِ أَوْ لَا تُؤْمِنُوا إِنَّ الَّذِينَ أُوتُوا الْعِلْمَ  
مِن قَبْلِهِ إِذَا يُتْلَى عَلَيْهِمْ يَخِرُّونَ لِلأَذْقَانِ سُجَّدًا -  
وَيَقُولُونَ سُبْحَانَ رَبِّنَا إِنْ كَانَ وَعْدُ رَبِّنَا لَمَفْعُولًا  
- وَيَخِرُّونَ لِلأَذْقَانِ يَبْكُونَ وَيَزِيدُهُمْ خُشُوعًا )

(Say: "Believe in it (the Qur'an) or do not believe (in it). Verily, those who were given knowledge before it, when it is recited to them, fall down on their faces in humble prostration." And they say: "Glory be to our Lord! Truly, the promise of our Lord must be fulfilled." And they fall down on their faces weeping and it increases their humility.) 17:107-109 .

These qualities exist in some of the Jews, but only a few of them. For instance, less than ten Jewish rabbis embraced the Islamic faith, such as `Abdullah bin Salam. Many among the Christians, on the other hand, embraced the Islamic faith. Allah said,

(لَتَجِدَنَّ أَشَدَّ النَّاسِ عَدَاوَةً لِّلَّذِينَ ءَامَنُوا الْيَهُودَ  
وَالَّذِينَ أَشْرَكُوا وَلَتَجِدَنَّ أَقْرَبَهُم مَّوَدَّةً لِّلَّذِينَ  
ءَامَنُوا الَّذِينَ قَالُوا إِنَّا نَصَارَى)

(Verily, you will find the strongest among men in enmity to the believers the Jews and those who commit Shirk, and you will find the nearest in love to the believers those who say: "We are Christians.") 5:82 , until,

(فَأْتَابَهُمُ اللَّهُ بِمَا قَالُوا جَنَّاتٍ تَجْرِي مِنْ تَحْتِهَا  
الْأَنْهَارُ خَالِدِينَ فِيهَا)

(So because of what they said, Allah rewarded them Gardens under which rivers flow (in Paradise), they will abide therein forever) 5:85 . In this Ayah,

Allah said,

(أُولَئِكَ لَهُمْ أَجْرُهُمْ عِنْدَ رَبِّهِمْ)

(for them is a reward with their Lord) 3:199 .

When Ja`far bin Abi Talib recited Surah Maryam chapter 19 to An-Najashi, King of Ethiopia, in the presence of Christian priests and patriarchs, he and they cried until their beards became wet from crying. The Two Sahihs record that when An-Najashi died, the Prophet conveyed the news to his Companions and said,

«إِنَّ أَخًا لَكُمْ بِالْحَبَشَةِ قَدْ مَاتَ، فَصَلُّوا عَلَيْهِ»

(A brother of yours from Ethiopia has passed, come to offer the funeral prayer.) He went out with the Companions to the Musalla lined them up in rows, and after that led the prayer.

Ibn Abi Najih narrated that Mujahid said that,

(وَإِنَّ مِنْ أَهْلِ الْكِتَابِ)

(And there are, certainly, among the People of the Scripture), refers to those among them who embraced Islam. `Abbad bin Mansur said that he asked Al-Hasan Al-Basri about Allah's statement,

(وَإِنَّ مِنْ أَهْلِ الْكِتَابِ لَمَنْ يُؤْمِنُ بِاللَّهِ)

(And there are, certainly, among the People of the Scripture, those who believe in Allah).

Al-Hasan said, "They are the People of the Book, before Muhammad was sent, who believed in Muhammad and recognized Islam. Allah gave them a double reward, for the faith that they had before Muhammad , and for believing in Muhammad (after he was sent as Prophet)." Ibn Abi Hatim recorded both of these statements. The Two Sahihs record that Abu Musa said that the Messenger of Allah said,

«ثَلَاثَةٌ يُؤْتَوْنَ أَجْرَهُمْ مَرَّتَيْنِ»

(Three persons will acquire a double reward. )

He mentioned among them,

«وَرَجُلٌ مِنْ أَهْلِ الْكِتَابِ آمَنَ بِنَبِيِّهِ وَآمَنَ بِي»

(A person from among the People of the Book who believed in his Prophet and in me.)

Allah's statement,

(لَا يَشْتَرُونَ بِآيَاتِ اللَّهِ ثَمَنًا قَلِيلًا)

(They do not sell the verses of Allah for a small price), means, they do not hide the knowledge that they have, as the cursed ones among them have done. Rather, they share the knowledge without a price, and this is why Allah said,

(أُولَئِكَ لَهُمْ أَجْرُهُمْ عِنْدَ رَبِّهِمْ إِنَّ اللَّهَ سَرِيعُ  
الْحِسَابِ)

(for them is a reward with their Lord. surely, Allah is Swift in account.)

Mujahid commented on the verse,

(سَرِيعُ الْحِسَابِ)

((Surely, Allah is) swift in account), "He is swift in reckoning," as Ibn Abi Hatim and others have recorded from him.

### The Command for Patience and Ribat

Allah said,

(يَا أَيُّهَا الَّذِينَ ءَامَنُوا اصْبِرُوا وَصَابِرُوا  
وَرَابِطُوا)

(O you who believe! Endure and be more patient, and Rābitu) 3:200 .

Al-Hasan Al-Basri said, "The believers are commanded to be patient in the religion that Allah chose for them, Islam. They are not allowed to abandon it in times of comfort or hardship, ease or calamity, until they die as Muslims. They are also commanded to endure against their enemies, those who hid the truth about their religion." Similar explanation given by several other scholars among the Salaf.

As for Murabatah, it is to endure in acts of worship and perseverance. It also means to await prayer after prayer, as Ibn `Abbas, Sahl bin Hanif and Muhammad bin Ka`b Al-Qurazi stated. Ibn Abi Hatim collected a Hadith that was also collected by Muslim and An-Nasa'i from Abu Hurayrah that the Prophet said,

«أَلَا أُخْبِرُكُمْ بِمَا يَمْحُو اللَّهُ بِهِ الْخَطَايَا، وَيَرْفَعُ بِهِ  
الدَّرَجَاتِ؟ إِسْبَاغُ الْوُضُوءِ عَلَى الْمَكَارِهِ، وَكَثْرَةُ  
الْخُطَا إِلَى الْمَسَاجِدِ، وَانْتِظَارُ الصَّلَاةِ بَعْدَ  
الصَّلَاةِ، فَذَلِكَ الرَّبَّاطُ، فَذَلِكَ الرَّبَّاطُ، فَذَلِكَ  
الرَّبَّاطُ»

(Should I tell you about actions with which Allah forgives sins and raises the grade Performing perfect ablution in unfavorable conditions, the many steps one takes to the Masajid, and awaiting prayer after the prayer, for this is the Ribat, this is the Ribat, this is the Ribat.)

They also say that the Murabatah in the above Ayah refers to battles against the enemy, and manning Muslim outposts to protect them from enemy incursions inside Muslim territory. There are several Hadiths that encourage Murabatah and mention its rewards. Al-Bukhari recorded that Sahl bin Sa`d As-Sa`idi said that the Messenger of Allah said,

«رَبَّاطُ يَوْمٍ فِي سَبِيلِ اللَّهِ خَيْرٌ مِنَ الدُّنْيَا وَمَا  
عَلَيْهَا»

(A Day of Ribat in the cause of Allah is better than this life and all that is in it.)

Muslim recorded that Salman Al-Farisi said that the Messenger of Allah said,

«رِبَاطُ يَوْمٍ وَلَيْلَةٍ خَيْرٌ مِنْ صِيَامِ شَهْرٍ وَقِيَامِهِ،  
وَإِنْ مَاتَ جَرَى عَلَيْهِ عَمَلُهُ الَّذِي كَانَ  
يَعْمَلُهُ، وَأُجْرِي عَلَيْهِ رِزْقُهُ، وَأَمِنَ  
الْفِتَانَ»

(Ribat for a day and a night is better than fasting the days of a month and its Qiyam (voluntary prayer at night). If one dies in Ribat, his regular righteous deeds that he used to perform will keep being added to his account, and he will receive his provision, and will be saved from the trials of the grave.)

Imam Ahmad recorded that Fadalah bin `Ubayd said that he heard the Messenger of Allah saying,

«كُلُّ مَيِّتٍ يُخْتَمُ عَلَى عَمَلِهِ إِلَّا الَّذِي مَاتَ  
مُرَاطِبًا فِي سَبِيلِ اللَّهِ، فَإِنَّهُ يَنْمِي لَهُ عَمَلُهُ إِلَى يَوْمِ  
الْقِيَامَةِ، وَيَأْمَنُ فِتْنَةَ الْقَبْرِ»

(Every dead person will have his record of deeds sealed, except for whoever dies while in Ribat in the cause of Allah, for his work will keep increasing until the Day of Resurrection, and he will be safe from the trial of the grave.)

This is the same narration collected by Abu Dawud and At-Tirmidhi, who said, "Hasan Sahih". Ibn Hibban also collected this Hadith in his Sahih. fAt-Tirmidhi recorded that Ibn `Abbas said that he heard the Messenger of Allah saying,

«عَيْنَانِ لَا تَمَسُّهُمَا النَّارُ: عَيْنٌ بَكَتْ مِنْ خَشْيَةِ  
اللَّهِ، وَعَيْنٌ بَاتَتْ تَحْرُسُ فِي سَبِيلِ اللَّهِ»

(Two eyes shall not be touched by the Fire: an eye that cried for fear from Allah and an eye that spent the night guarding in Allah's cause.)

Al-Bukhari recorded in his Sahih that Abu Hurayrah said that the Messenger of Allah said,

«تَعِسَ عَبْدُ الدِّينَارِ وَعَبْدُ الدَّرْهِمِ وَعَبْدُ الْخَمِيصَةِ،  
 إِنْ أُعْطِيَ رَضِيَ، وَإِنْ لَمْ يُعْطَ سَخِطَ، تَعِسَ  
 وَأَنْتَكَسَ، وَإِذَا شَيْكَ فَلَا انْتَقَشَ، طُوبَى لِعَبْدٍ أَخَذَ  
 بِعِنَانِ فَرَسِهِ فِي سَبِيلِ اللَّهِ، أَشَعَتْ رَأْسَهُ، مُعْبَرَةً  
 قَدَمَاهُ، إِنْ كَانَ فِي الْحِرَاسَةِ كَانَ فِي الْحِرَاسَةِ،  
 وَإِنْ كَانَ فِي السَّاقَةِ كَانَ فِي السَّاقَةِ، إِنْ اسْتَأْذَنَ  
 لَمْ يُؤْذَنَ لَهُ، وَإِنْ شَفَعَ لَمْ يُشَفَّعَ»

(Let the servant of the Dinar, the servant of the Dirham and the servant of the Khamisah (of clothes) perish, as he is pleased if these things are given to him, and if not, he is displeased. Let such a person perish and be humiliated, and if he is pierced with a thorn, let him not find anyone to take it out for him. Paradise is for him who holds the reins of his horse, striving in Allah's cause, with his hair unkempt and feet covered with dust: if he is appointed to the vanguard, he is perfectly satisfied with his post of guarding, and if he is appointed in the rearguard, he accepts his post with satisfaction; if he asks for permission he is not permitted, and if he intercedes, his intercession is not accepted.)

Ibn Jarir recorded that Zayd bin Aslam said, "Abu `Ubaydah wrote to `Umar bin Al-Khattab and mentioned to him that the Romans were mobilizing their forces. `Umar wrote back, `Allah will soon turn whatever hardship a believing servant suffers, to ease, and no hardship shall ever overcome two types of ease. Allah says in His Book,

(يَا أَيُّهَا الَّذِينَ ءَامَنُوا اصْبِرُوا وَصَابِرُوا  
 وَرَابِطُوا وَاتَّقُوا اللَّهَ لَعَلَّكُمْ تُفْلِحُونَ )

(O you who believe! Endure and be more patient, and Rabitu, and have Taqwa of Allah, so that you may be successful)' 3:200 ."

Al-Hafiz Ibn `Asakir mentioned in the biography of `Abdullah bin Al-Mubarak, that Muhammad bin Ibrahim bin Abi Sakinah said, "While in the area of Tarsus, `Abdullah bin Al-Mubarak dictated this poem to me when I was greeting him goodbye. He sent the poem with me to Al-Fudayl bin `Iyad in the year one hundred and seventy, `O he who worships in the vicinity of the Two Holy Masjids! If you but see us, you will realize that you are only jesting in worship. He who brings wetness to his cheek with his tears, should know that our necks are being wet by our blood. He who tires his horses without purpose, know that our horses are getting tired in battle. Scent of perfume is yours, while our scent is the glimmer of spears and the stench of dust in battle . We were narrated about in the speech of our Prophet, an authentic statement

that never lies. That the dust that erupts by Allah's horses and which fills the nostrils of a man shall never be combined with the smoke of a raging Fire. This, the Book of Allah speaks among us that the martyr is not dead, and the truth in Allah's Book cannot be denied.' I met Al-Fudayl Ibn `lyad in the Sacred Masjid and gave him the letter. When he read it, his eyes became tearful and he said, `Abu `Abdur-Rahman (`Abdullah bin Al-Mubarak) has said the truth and offered sincere advice to me.' He then asked me, `Do you write the Hadith' I said, `Yes.' He said, `Write this Hadith as reward for delivering the letter of Abu `Abdur-Rahman to me. He then dictated, `Mansur bin Al-Mu`tamir narrated to us that Abu Salih narrated from Abu Hurayrah that a man asked, `O Messenger of Allah! Teach me a good deed that will earn me the reward of the Mujahidin in Allah's cause.' The Prophet said,

«هَلْ تَسْتَطِيعُ أَنْ تُصَلِّيَ فَلَا تَقْرَ، وَتَصُومَ فَلَا تُفْطِرَ؟»

(Are you able to pray continuously and fast without breaking the fast) The man said, `O Messenger of Allah! I cannot bear it.' The Prophet said,

«فَوَالَّذِي نَفْسِي بِيَدِهِ لَوْ طَوَّقْتَ ذَلِكَ مَا بَلَغْتَ  
الْمُجَاهِدِينَ فِي سَبِيلِ اللَّهِ، أَوْ مَا عَلِمْتَ أَنَّ فَرَسَ  
الْمُجَاهِدِ لَيْسَتْ فِي طَوْلِهِ، فَيُكْتَبُ لَهُ بِذَلِكَ  
الْحَسَنَاتُ»

(By He in Whose Hand is my soul! Even if you were able to do it, you will not achieve the grade of the Mujahidin in Allah's cause. Did you not know that the horse of the Mujahid earns rewards for him as long as it lives.)

Allah said next,

(وَآتَقُوا اللَّهَ)

(and have Taqwa of Allah), concerning all your affairs and situations. For instance, the Prophet said to Mu`adh when he sent him to Yemen,

«اتَّقِ اللَّهَ حَيْثُمَا كُنْتَ، وَأَتَّبِعِ السَّيِّئَةَ الْحَسَنَةَ  
تَمَحُّهَا، وَخَالِقِ النَّاسَ بِخُلُقِ حَسَنٍ»

(Have Taqwa of Allah wherever you may be, follow the evil deed with a good deed and it will erase it, and deal with people in a good manner.)

Allah said next,

(لَعَلَّكُمْ تُفْلِحُونَ)

(so that you may be successful.), in this life and the Hereafter. Ibn Jarir recorded that Muhammad bin Ka`b Al-Qurazi said that, Allah's statement,

(وَاتَّقُوا اللَّهَ لَعَلَّكُمْ تُفْلِحُونَ)

(and have Taqwa of Allah, so that you may be successful.) means, "Fear Me concerning what is between you and Me, so that you may acquire success when you meet Me tomorrow."

The Tafsir of Surah Al `Imran ends here, all praise is due to Allah, and we ask Him that we die while on the path of the Qur'an and Sunnah, Amin.

## The Tafsir of Surat An-Nisa

### (Chapter 4)

#### Virtues of Surat An-Nisa 257 , A Madinan Surah

Al-`Awfi reported that Ibn `Abbas said that Surat An-Nisa' was revealed in Al-Madinah. Ibn Marduwyah recorded similar statements from `Abdullah bin Az-Zubayr and Zayd bin Thabit. In his Mustadrak, Al-Hakim recorded that `Abdullah bin Mas`ud said, "There are five Ayat in Surat An-Nisa' that I would prefer to the life of this world and all that is in it,

(إِنَّ اللَّهَ لَا يَظْلِمُ مِثْقَالَ ذَرَّةٍ)

(Surely, Allah wrongs not even the weight of an atom,) 4:40 ,

(إِنْ تَجْتَنِبُوا كَبَائِرَ مَا تُنْهَوْنَ عَنْهُ)

(If you avoid the great sins which you are forbidden to do) 4:31 ,

(إِنَّ اللَّهَ لَا يَغْفِرُ أَنْ يُشْرَكَ بِهِ وَيَغْفِرُ مَا دُونَ ذَلِكَ لِمَنْ يَشَاءُ)

(Verily, Allah forgives not that partners should be set up with Him (in worship), but He forgives except that (anything else) to whom He wills) 4:48 ,

(وَلَوْ أَنَّهُمْ إِذْ ظَلَمُوا أَنفُسَهُمْ جَاءُوكَ)

(If they (hypocrites), when they had been unjust to themselves, had come to you) 4:64 , and,

(وَمَنْ يَعْمَلْ سُوءاً أَوْ يَظْلِمْ نَفْسَهُ ثُمَّ يَسْتَغْفِرِ اللَّهَ  
يَجِدِ اللَّهَ غَفُوراً رَحِيماً )

(And whoever does evil or wrongs himself, but afterwards seeks Allah's forgiveness, he will find Allah Oft-Forgiving, Most Merciful) 4:110 . " Al-Hakim recorded that Ibn `Abbas said, "Ask me about Surat An-Nisa', for I learned the Qur'an when I was still young." Al-Hakim said, "This Hadith is Sahih according to the criteria of the Two Sahihs, and they did not collect it."

(بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ )

In the Name of Allah, the Most Gracious, the Most Merciful

(يَا أَيُّهَا النَّاسُ اتَّقُوا رَبَّكُمُ الَّذِي خَلَقَكُمْ مِنْ نَفْسٍ  
وَاحِدَةٍ وَخَلَقَ مِنْهَا زَوْجَهَا وَبَثَّ مِنْهُمَا رِجَالاً  
كَثِيراً وَنِسَاءً وَاتَّقُوا اللَّهَ الَّذِي تَسَاءَلُونَ بِهِ  
وَالْأَرْحَامَ إِنَّ اللَّهَ كَانَ عَلَيْكُمْ رَقِيباً )

(1. O mankind! Have Taqwa of your Lord, Who created you from a single person, and from him He created his mate, and from them both He created many men and women, and have Taqwa of Allah through Whom you demand your mutual (rights), and revere the wombs. Surely, Allah is always watching over you.)

### **The Command to have Taqwa, a Reminder about Creation, and Being Kind to Relatives**

Allah commands His creatures to have Taqwa of Him by worshipping Him Alone without partners. He also reminds to them of His ability, in that He created them all from a single person, Adam, peace be unto him.

## (وَخَلَقَ مِنْهَا زَوْجَهَا)

(And from him He created his wife) Hawwa' (Eve), who was created from Adam's left rib, from his back while he was sleeping. When Adam woke up and saw Hawwa', he liked her and had affection for her, and she felt the same toward him. An authentic Hadith states,

«إِنَّ الْمَرْأَةَ خُلِقَتْ مِنْضَلْعٍ، وَإِنَّ أَعْوَجَ شَيْءٍ فِي الضِّلْعِ أَعْلَاهُ، فَإِنْ ذَهَبْتَ تُقِيمُهُ كَسَرْتَهُ، وَإِنْ اسْتَمْتَعْتَ بِهَا اسْتَمْتَعْتَ بِهَا وَفِيهَا عِوَجٌ»

(Woman was created from a rib. Verily, the most curved portion of the rib is its upper part, so, if you should try to straighten it, you will break it, but if you leave it as it is, it will remain crooked.) Allah's statement,

## (وَبَتَّ مِنْهُمَا رَجَالًا كَثِيرًا وَنِسَاءً)

(And from them both He created many men and women;) means, Allah created from Adam and Hawwa' many men and women and distributed them throughout the world in various shapes, characteristics, colors and languages. In the end, their gathering and return will be to Allah. Allah then said,

## (وَاتَّقُوا اللَّهَ الَّذِي تَسَاءَلُونَ بِهِ وَالْأَرْحَامَ)

(And have Taqwa of Allah through Whom you demand your mutual (rights) and revere the wombs), protect yourself from Allah by your acts of obedience to Him. Allah's statement,

## (الَّذِي تَسَاءَلُونَ بِهِ)

(through Whom you demand your mutual (rights)), is in reference to when some people say, "I ask you by Allah, and then by the relation of the Rahim (the womb, i.e. my relationship to you)", according to Ibrahim, Mujahid and Al-Hasan. Ad-Dahhak said; "Fear Allah Whom you invoke when you conduct transactions and contracts." "And revere the womb by not cutting the relations of the womb, but keep and honor them, as Ibn `Abbas, `Ikrimah, Mujahid, Al-Hasan, Ad-Dahhak, Ar-Rabi`, and others have stated. Allah's statement,

## (إِنَّ اللَّهَ كَانَ عَلَيْكُمْ رَقِيبًا)

(Surely, Allah is always watching over you.) means, He watches all your deeds and sees your every circumstance. In another Ayah, Allah said;

﴿وَاللَّهُ عَلَىٰ كُلِّ شَيْءٍ شَهِيدٌ﴾

(And Allah is Witness over all things.) 58:6 . An authentic Hadith states,

«اعْبُدِ اللَّهَ كَأَنَّكَ تَرَاهُ، فَإِنْ لَمْ تَكُنْ تَرَاهُ، فَإِنَّهُ يَرَاكَ»

(Worship Allah as if you see Him, for even though you cannot see Him, He sees you.) This part of the Ayah encourages having a sense of certainty that Allah is always watching, in a complete and perfect manner. Allah mentioned that He has created mankind from a single father and a single mother, so that they feel compassion for each other and are kind to the weaker among them. In his Sahih, Muslim recorded that Jarir bin `Abdullah Al-Bajali said that a delegation from Mudar came to the Messenger of Allah , and he saw their state, wearing striped woolen clothes due to poverty. After the Zuhr prayer, the Messenger of Allah stood up and gave a speech in which he recited,

﴿يَا أَيُّهَا النَّاسُ اتَّقُوا رَبَّكُمُ الَّذِي خَلَقَكُمْ مِنْ نَفْسٍ وَاحِدَةٍ﴾

(O mankind! Have Taqwa of your Lord, Who created you from a single person,) until the end of the Ayah. He also recited,

﴿يَا أَيُّهَا الَّذِينَ ءَامَنُوا اتَّقُوا اللَّهَ وَلْتَنْظُرْ نَفْسٌ مَّا قَدَّمَتْ لِغَدٍ﴾

(O you who believe! Have Taqwa of Allah. And let every person look to what he has sent forth for the tomorrow) 59:18 . He also encouraged them to give charity, saying,

«تَصَدَّقَ رَجُلٌ مِنْ دِينَارِهِ، مِنْ دِرْهَمِهِ، مِنْ صَاعِ بُرِّهِ، مِنْ صَاعِ تَمْرِهِ»

(A man gave Sadaqah from his Dinar, from his Dirham, from his Sa` of wheat, from his Sa` of dates) until the end of the Hadith. This narration was also collected by Ahmad and the Sunan compilers from Ibn Mas`ud.

وَعَاثُوا الْيَتَمَىٰ أَمْوَالَهُمْ وَلَا تَتَبَدَّلُوا الْخَبِيثَ  
بِالطَّيِّبِ وَلَا تَأْكُلُوا أَمْوَالَهُمْ إِلَىٰ أَمْوَالِكُمْ إِنَّهُ كَانَ  
حُوبًا كَبِيرًا - وَإِنْ خِفْتُمْ أَلَّا تُقْسِطُوا فِي الْيَتَمَىٰ  
فَانكِحُوا مَا طَابَ لَكُمْ مِنَ النِّسَاءِ مَنَىٰ وَثَلَاثَ  
وَرُبَاعَ فَإِنْ خِفْتُمْ أَلَّا تَعْدِلُوا فَوَاحِدَةً أَوْ مَا مَلَكَتْ  
أَيْمَانُكُمْ ذَلِكَ أَذْنَىٰ أَلَّا تَعُولُوا - وَعَاثُوا النِّسَاءَ  
صَدُقَاتِهِنَّ نِحْلَةً فَإِنْ طِبْنَ لَكُمْ عَنْ شَيْءٍ مِّنْهُ نَفْسًا  
فَكُلُوهُ هَنِيئًا مَّرِيئًا )

(2. And give unto orphans their property and do not exchange (your) bad things for (their) good ones; and devour not their substance (by adding it) to your substance. Surely, this is a great sin.) (3. And if you fear that you shall not be able to deal justly with the orphan girls, then marry (other) women of your choice, two or three, or four; but if you fear that you shall not be able to deal justly (with them), then only one or (the captives and the servants) that your right hands possess. That is nearer to prevent you from Ta`ulu.) (4. And give to the women (whom you marry) their Saduqat (or dowry) Nihlah (with a good heart), but if they, of their own good pleasure, remit any part of it to you, take it, and enjoy it without fear of any harm.)

## Protecting the Property of the Orphans

Allah commands that the property of the orphans be surrendered to them in full when they reach the age of adolescence, and He forbids using or confiscating any part of it. So He said;

(وَلَا تَتَبَدَّلُوا الْخَبِيثَ بِالطَّيِّبِ)

(and do not exchange (your) bad things for (their) good ones;) Sa`id bin Al-Musayyib and Az-Zuhri commented, "Do not substitute a weak animal of yours for a fat animal (of the orphans)." Ibrahim An-Nakha'i and Ad-Dahhak commented, "Do not give something of bad quality for something of good quality." As-Suddi said, "One of them (caretakers of orphans) would take a fat sheep from the orphan's property and put in its place, a weak sheep of his, saying, `A sheep

for a sheep.' He would also take a good Dirham and exchange it for a fake Dirham, saying, 'A Dirham for a Dirham.'" Allah's statement,

(وَلَا تَأْكُلُوا أَمْوَالَهُمْ إِلَىٰ أَمْوَالِكُمْ)

(and devour not their substance to your substance.) means, do not mix them together so that you eat up both, as Mujahid, Sa`id bin Jubayr, Muqatil bin Hayyan, As-Suddi and Sufyan bin Hassin stated. Allah said,

(إِنَّهُ كَانَ حُوبًا كَبِيرًا)

(Surely, this is a great sin. ), a major and substantial sin, according to Ibn `Abbas. This was also reported from Mujahid, `Ikrimah, Sa`id bin Jubayr, Al-Hasan, Ibn Srin, Qatadah, Muqatil bin Hayyan, Ad-Dahhak, Abu Malik, Zayd bin Aslam and Abu Snan. The meaning above is: adding their property to your property is a grave sin and a major mistake, so avoid it.

### The Prohibition of Marrying Female Orphans Without Giving a Dowry

Allah said,

(وَإِنْ خِفْتُمْ أَلَّا تُقْسِطُوا فِي الْيَتَامَىٰ فَانكِحُوا مَا طَابَ لَكُمْ مِنَ النِّسَاءِ مَنَّىٰ)

(And if you fear that you shall not be able to deal justly with the orphan girls, then marry (other) women of your choice, two) Allah commands, when one of you is the caretaker of a female orphan and he fears that he might not give her a dowry that is suitable for women of her status, he should marry other women, who are plenty as Allah has not restricted him. Al-Bukhari recorded that `A'ishah said, "A man was taking care of a female orphan and he married her, although he did not desire to marry her. That girl's money was mixed with his, and he was keeping her portion from her. Afterwards, this Ayah was revealed about his case;

(وَإِنْ خِفْتُمْ أَلَّا تُقْسِطُوا)

(If you fear that you shall not be able to deal justly)" Al-Bukhari recorded that `Urwah bin Az-Zubayr said that he asked `A'ishah about the meaning of the statement of Allah,

(وَإِنْ خِفْتُمْ أَلَّا تُقْسِطُوا فِي الْيَتَامَىٰ)

(If you fear that you shall not be able to deal justly with the orphan girls.) She said, "O my nephew! This is about the orphan girl who lives with her guardian and shares his property. Her wealth and beauty may tempt him to marry her without giving her an adequate dowry which might have been given by another suitor. So, such guardians were forbidden to marry such orphan girls unless they treated them justly and gave them the most suitable dowry; otherwise they were ordered to marry woman besides them." `A'ishah further said, "After that verse, the people again asked the Messenger of Allah (about marriage with orphan girls), so Allah revealed the Ayah,

(وَيَسْتَفْتُونَكَ فِي النِّسَاءِ)

(They ask your instruction concerning the women..) 4:127 ." She said, "Allah's statement in this Ayah,

(وَتَرَّ غُبُونًا أَنْ تَنْكَحُوهُنَّ)

(yet whom you desire to marry) 4:127 refers to the guardian who does not desire to marry an orphan girl under his supervision because she is neither wealthy nor beautiful. The guardians were forbidden to marry their orphan girls possessing property and beauty without being just to them, as they generally refrain from marrying them (when they are neither beautiful nor wealthy)."

### The Permission to Marry Four Women

Allah's statement,

(مَنْنَى وَثَلَاثَ وَرُبَاعًا)

(two or three, or four), means, marry as many women as you like, other than the orphan girls, two, three or four. We should mention that Allah's statement in another Ayah,

(جَاعِلِ الْمَلَكَةَ رُسُلًا أُولَى أَجْنِحَةٍ مِّننَى وَثَلَاثَ وَرُبَاعًا)

(Who made the angels messengers with wings, - two or three or four) 35:1 , does not mean that other angels do not have more than four wings, as there are proofs that some angels do have more wings. Yet, men are prohibited from marrying more than four wives, as the Ayah decrees, since the Ayah specifies what men are allowed of wives, as Ibn `Abbas and the majority of scholars stated. If it were allowed for them to have more than four wives, the Ayah would have mentioned it. Imam Ahmad recorded that Salim said that his father said that Ghilan bin Salamah Ath-Thaqafi had ten wives when he became Muslim, and the Prophet said to him, "Choose any four of them (and divorce the rest)." During the reign of `Umar, Ghilan divorced his remaining wives and divided his money between his children. When `Umar heard news of

this, he said to Ghilan, "I think that the devil has conveyed to your heart the news of your imminent death, from what the devil hears during his eavesdropping. It may as well be that you will not remain alive but for a little longer. By Allah! You will take back your wives and your money, or I will take possession of this all and will order that your grave be stoned as is the case with the grave of Abu Righal (from Thamud, who was saved from their fate because he was in the Sacred Area. But, when he left it, he was tormented like they were)." Ash-Shafi`i, At-Tirmidhi, Ibn Majah, Ad-Daraqutni and Al-Bayhaqi collected this Hadith up to the Prophet's statement, "Choose any four of them." Only Ahmad collected the full version of this Hadith. Therefore, had it been allowed for men to marry more than four women at the same time, the Prophet would have allowed Ghilan to keep more than four of his wives since they all embraced Islam with him. When the Prophet commanded him to keep just four of them and divorce the rest, this indicated that men are not allowed to keep more than four wives at a time under any circumstances. If this is the case concerning those who already had more than four wives upon embracing Islam, then this ruling applies even more so to marrying more than four.

### **Marrying Only One Wife When One Fears He Might not Do Justice to His Wives**

Allah's statement,

(فَإِنْ خِفْتُمْ أَلَّا تَعْدِلُوا فَوَاحِدَةً أَوْ مَا مَلَكَتْ أَيْمَانُكُمْ)

(But if you fear that you will not be able to deal justly (with them), then only one or what your right hands possess.) The Ayah commands, if you fear that you will not be able to do justice between your wives by marrying more than one, then marry only one wife, or satisfy yourself with only female captives, for it is not obligatory to treat them equally, rather it is recommended. So if one does so, that is good, and if not, there is no harm on him. In another Ayah, Allah said,

(وَلَنْ تَسْتَطِيعُوا أَنْ تَعْدِلُوا بَيْنَ النِّسَاءِ وَلَوْ حَرَصْتُمْ)

(You will never be able to do perfect justice between wives even if it is your ardent desire) 4:129 . Allah said,

(ذَلِكَ أَذْنَىٰ أَلَّا تَعُولُوا)

(That is nearer to prevent you from Ta`ulu), meaning, from doing injustice. Ibn Abi Hatim, Ibn Marduwyah and Abu Hatim Ibn Hibban, in his Sahih, recorded that `Aishah said that, the Prophet said that the Ayah,

## (ذَلِكَ أَذْنَىٰ إِلَّا تَعُولُوا)

(That is nearer to prevent you from Ta`ulu), means, from doing injustice. However, Ibn Abi Hatim said that his father said that this Hadith to the Prophet is a mistake, for it should be attributed to `A'ishah not the Prophet . Ibn Abi Hatim reported from Ibn `Abbas, `A'ishah, Mujahid, `Ikrimah, Al-Hasan, Abu Malik, Abu Razin, An-Nakha`i, Ash-Sha`bi, Ad-Dahhak, `Ata' Al-Khurasani, Qatadah, As-Suddi and Muqatil bin Hayyan that Ta`ulu means to deviate from justice .

### Giving the Dowry is Obligatory

`Ali bin Abi Talhah reported Ibn `Abbas saying, Nihlah, in Allah's statement,

## (وَأَتُوا النِّسَاءَ صَدُقَاتِهِنَّ نِحْلَةً)

(And give to the women (whom you marry) their Saduqat Nihlah) refers to the dowry. Muhammad bin Ishaq narrated from Az-Zuhri that `Urwah said that `A'ishah said that `Nihlah' means `obligatory'. Muqatil, Qatadah and Ibn Jurayj said, `Nihlah' means `obligatory' Ibn Jurayj added: `specified.' Ibn Zayd said, "In Arabic, Nihlah, refers to what is necessary. So Allah is commanding: Do not marry unless you give your wife something that is her right. No person after the Prophet is allowed to marry a woman except with the required dowry, nor by giving false promises about the dowry intended ." Therefore, the man is required to pay a dowry to his wife with a good heart, just as he gives a gift with a good heart. If the wife gives him part or all of that dowry with a good heart, her husband is allowed to take it, as it is lawful for him in this case. This is why Allah said afterwards,

## (فَإِنْ طِبْنَ لَكُمْ عَنْ شَيْءٍ مِّنْهُ نَفْسًا فَكُلُوهُ هَنِيئًا مَّرِيئًا)

(But if they, of their own pleasure, remit any part of it to you, take it, and enjoy it without fear of any harm.)

## (وَلَا تُؤْتُوا السُّفَهَاءَ أَمْوَالَكُمُ الَّتِي جَعَلَ اللَّهُ لَكُمْ قِيَمًا وَارْزُقُوهُمْ فِيهَا وَاكْسُوهُمْ وَقُولُوا لَهُمْ قَوْلًا مَعْرُوفًا - وَابْتَلُوا الْيَتَامَىٰ حَتَّىٰ إِذَا بَلَغُوا النِّكَاحَ

فَإِنْ ءَانَسْتُمْ مِنْهُمْ رُشْدًا فَادْفَعُوا إِلَيْهِمْ أَمْوَالَهُمْ وَلَا  
تَأْكُلُوهَا إِسْرَافًا وَبِدَارًا أَنْ يَكْبَرُوا وَمَنْ كَانَ غَنِيًّا  
فَلْيَسْتَعْفِفْ وَمَنْ كَانَ فَقِيرًا فَلْيَأْكُلْ بِالْمَعْرُوفِ  
فَإِذَا دَفَعْتُمْ إِلَيْهِمْ أَمْوَالَهُمْ فَأَشْهَدُوا عَلَيْهِمْ وَكَفَى  
بِاللَّهِ حَسِيبًا )

(5. And give not unto the unwise your wealth which Allah has made a means of support for you, but feed and clothe them therewith, and speak to them words of kindness and justice.) (6. And test orphans until they reach the age of marriage; if then you find sound judgment in them, release their property to them, but consume it not wastefully and hastily, fearing that they should grow up. And whoever among guardians is rich, he should take no wages, but if he is poor, let him have for himself what is just and reasonable (according to his work). And when you release their property to them, take a witness in their presence; and Allah is All-Sufficient in taking account.)

### **Holding the Property of the Unwise in Escrow**

Allah prohibited giving the unwise the freedom to do as they wish with wealth, which Allah has made as a means of support for people. This ruling sometimes applies because of being young, as young people are incapable of making wise decisions. It also applies in cases of insanity, erratic behavior and having a weak intellect or religious practice. It applies in cases of bankruptcy, when the debtors ask that the property of a bankrupt person is put in escrow, when his debts cannot be paid off with his money. Ad-Dahhak reported that Ibn `Abbas said that Allah's statement,

(وَلَا تُؤْتُوا السُّفَهَاءَ أَمْوَالَكُمُ)

(And give not unto the unwise your property) refers to children and women. Similar was also said by Ibn Mas`ud, Al-Hakam bin `Uyaynah, Al-Hasan and Ad-Dahhak: "Women and boys." Sa`id bin Jubayr said that `the unwise' refers to the orphans. Mujahid, `Ikrimah and Qatadah said; "They are women."

### **Spending on the Unwise with Fairness**

Allah said,

وَأَرْزُقُوهُمْ فِيهَا وَاكْسُوهُمْ وَقُولُوا لَهُمْ قَوْلًا  
مَعْرُوفًا)

(but feed and clothe them therewith, and speak to them words of kindness and justice.) `Ali bin Abi Talhah said that Ibn `Abbas commented, "Do not give your wealth, what Allah has made you responsible for and made a means of sustenance to you, to your wife or children. Rather, hold on to your money, take care of it, and be the one who spends on them for clothes, food and provision." Mujahid said that the Ayah,

وَقُولُوا لَهُمْ قَوْلًا مَعْرُوفًا)

(and speak to them words of kindness and justice.) refers to kindness and keeping good relations. This honorable Ayah commands kind treatment, in deed, with family and those under one's care. One should spend on them for clothes and provisions, and be good to them, such as saying good words to them.

### **Giving Back the Property of the Orphans When They Reach Adulthood**

Allah said,

وَابْتَلُوا الْيَتَامَى)

(And test orphans) meaning, test their intelligence, as Ibn `Abbas, Mujahid, Al-Hasan, As-Suddi and Muqatil bin Hayyan stated.

حَتَّىٰ إِذَا بَلَغُوا النُّكَاحَ)

(until they reach the age of marriage), the age of puberty, according to Mujahid. The age of puberty according to the majority of scholars comes when the child has a wet dream. In his Sunan, Abu Dawud recorded that `Ali said, "I memorized these words from the Messenger of Allah ,

«لَا يُتَمَّ بَعْدَ احْتِلَامٍ، وَلَا صُمَاتَ يَوْمٍ إِلَى اللَّيْلِ»

(There is no orphan after the age of puberty nor vowing to be silent throughout the day to the night.) In another Hadith, `A'ishah and other Companions said that the Prophet said,

«رُفِعَ الْقَلَمُ عَنْ ثَلَاثَةٍ، عَنِ الصَّبِيِّ حَتَّى يَحْتَلِمَ،  
وَعَنِ النَّائِمِ حَتَّى يَسْتَيْقِظَ، وَعَنِ الْمَجْنُونِ حَتَّى  
يُفِيقَ»

(The pen does not record the deeds of three persons: the child until the age of puberty, the sleeping person until waking up, and the senile until sane.) Or, the age of fifteen is considered the age of adolescence. In the Two Sahihs, it is recorded that Ibn `Umar said, "I was presented in front of the Prophet on the eve of the battle of Uhud, while I was fourteen years of age, and he did not allow me to take part in that battle. But I was presented in front of him on the eve of the battle of Al-Khandaq (The Trench) when I was fifteen years old, and he allowed me (to join that battle)." `Umar bin `Abdul-`Aziz commented when this Hadith reached him, "This is the difference between a child and an adult." There is a difference of opinion over whether pubic hair is considered a sign of adulthood, and the correct opinion is that it is. The Sunnah supports this view, according to a Hadith collected by Imam Ahmad from `Atiyah Al-Qurazi who said, We were presented to the Prophet on the day of Qurizah, whoever had pubic hair was killed, whoever did not was left free to go, I was one of those who did not, so I was left free." The Four Sunan compilers also recorded similar to it. At-Tirmidhi said, "Hasan Sahih." Allah's statement,

(فَإِنْ ءَانَسْتُمْ مِنْهُمْ رُشْدًا فَادْفَعُوا إِلَيْهِمْ أَمْوَالَهُمْ)

(if then you find sound judgment in them, release their property to them,) Sa`id bin Jubayr said that this portion of the Ayah means, when you find them to be good in the religion and wise with their money. Similar was reported from Ibn `Abbas, Al-Hasan Al-Basri and others among the Imams. The scholars of Fiqh stated that when the child becomes good in the religion and wise concerning with money, then the money that his caretaker was keeping for him should be surrendered to him.

### **Poor Caretakers are Allowed to Wisely Spend from the Money of the Orphan Under Their Care, to Compensate for Their Work**

Allah said,

(وَلَا تَأْكُلُوهَا إِسْرَافًا وَبِدَارًا أَنْ يَكْبَرُوا)

(But consume it not wastefully and hastily, fearing that they should grow up.) Allah commands that the money of the orphan should not be spent unnecessarily,

(إِسْرَافًا وَبِدَارًا)

(Wastefully and hastily) for fear they might grow up. Allah also commands,

(وَمَنْ كَانَ غَنِيًّا فَلْيَسْتَعْفِفْ)

(And whoever among guardians is rich, he should take no wages,) Hence, the guardian who is rich and does not need the orphan's money, should not take any of it as wages.

(وَمَنْ كَانَ فَقِيرًا فَلْيَأْكُلْ بِالْمَعْرُوفِ)

(but if he is poor, let him have for himself what is just and reasonable.) Ibn Abi Hatim recorded that `A'ishah said, "This Ayah,

(وَمَنْ كَانَ غَنِيًّا فَلْيَسْتَعْفِفْ وَمَنْ كَانَ فَقِيرًا  
فَلْيَأْكُلْ بِالْمَعْرُوفِ)

(And whoever among guardians is rich, he should take no wages, but if he is poor, let him have for himself what is just and reasonable.) was revealed about the guardian of the orphan and pertains to whatever work he does for the orphan's estate. " Al-Bukhari also collected this Hadith. Imam Ahmad recorded that `Amr bin Shu`ayb said that his father said that his father told him that a man asked the Messenger of Allah , "I do not have money, but I have an orphan under my care." The Messenger said,

«كُلْ مِنْ مَالِ يَتِيمِكَ غَيْرَ مُسْرِفٍ وَلَا مُبَدِّرٍ وَلَا  
مُتَأَثِّلٍ مَالًا، وَمِنْ غَيْرِ أَنْ تَقِيَّ مَالَكَ أَوْ قَالَ تَقْدِي  
مَالَكَ بِمَالِهِ»

(Eat from your orphan's wealth without extravagance or wastefulness, or mixing it, and without saving your money by spending his.)" Allah said,

(فَإِذَا دَفَعْتُمْ إِلَيْهِمْ أَمْوَالَهُمْ)

(And when you release their property to them.) after they become adults, and you see that they are wise, then,

(فَأَشْهَدُوا عَلَيْهِمْ)

(take a witness in their presence;) Allah commands the guardians of orphans to surrender the property of the orphans who become consenting adults, in the presence of witnesses, so that none of them denies the fact that he received his money. Allah said next,

(وَكَفَى بِاللَّهِ حَسِيبًا)

(and Allah is All-Sufficient in taking account.) meaning, Allah is sufficient as Witness, Reckoner and Watcher over their work for orphans, and when they surrender their money to them, whether their property was complete and whole, or deficient and less. Indeed, Allah knows all of that. In his Sahih, Muslim recorded that the Messenger of Allah said,

«يَا أَبَا ذَرٍّ إِنِّي أُرَاكَ ضَعِيفًا، وَإِنِّي أَحِبُّ لَكَ مَا أَحِبُّ لِنَفْسِي، لَا تَأْمُرَنَّ عَلَى اثْنَيْنِ، وَلَا تَلِينَنَّ مَالَ يَتِيمٍ»

(O Abu Dharr! Verily, you are weak, and I love for you what I love for myself. Do not become a leader of two nor assume guardianship of an orphan's property.)

(لِلرِّجَالِ نَصِيبٌ مِّمَّا تَرَكَ الْوَالِدَانِ وَالْأَقْرَبُونَ  
وَلِلنِّسَاءِ نَصِيبٌ مِّمَّا تَرَكَ الْوَالِدَانِ وَالْأَقْرَبُونَ مِمَّا  
قَلَّ مِنْهُ أَوْ كَثُرَ نَصِيبًا مَّفْرُوضًا - وَإِذَا حَضَرَ  
الْقِسْمَةَ أُولُو الْقُرْبَى وَالْيَتَامَى وَالْمَسْكِينُ  
فَارْزُقُوهُمْ مِنْهُ وَقُولُوا لَهُمْ قَوْلًا مَعْرُوفًا -  
وَلْيَخْشَ الَّذِينَ لَوْ تَرَكَوْا مِنْ خَلْفِهِمْ ذُرِّيَّةً ضِعْفًا  
خَافُوا عَلَيْهِمْ فَلْيَتَّقُوا اللَّهَ وَلْيَقُولُوا قَوْلًا سَدِيدًا -  
إِنَّ الَّذِينَ يَأْكُلُونَ أَمْوَالَ الْيَتَامَى ظُلْمًا إِنَّمَا يَأْكُلُونَ  
فِي بُطُونِهِمْ نَارًا وَسَيَصْلُونَ سَعِيرًا )

(7. There is a share for men and a share for women from what is left by parents and those nearest in relation, whether the property be small or large -- a legal share.) (8. And when the relatives, and the orphans, and the poor are present at the time of division, give them from the property, and speak to them words of kindness and justice.) (9. And let those (executors and guardians) have the same fear in their minds as they would have for their own, if they had left weak offspring behind. So, let them have Taqwa of Allah and speak truthfully.) (10. Verily, those who unjustly eat up the property of orphans, they eat up only a fire into their bellies, and they will be burnt in the blazing Fire!)

## The Necessity of Surrendering the Inheritance According to the Portions that Allah Ordained

Sa`id bin Jubayr and Qatadah said, "The idolators used to give adult men a share of inheritance and deprive women and children of it. Allah revealed;

(لِّلرِّجَالِ نَصِيبٌ مِّمَّا تَرَكَ الْوَالِدَانِ وَالْأَقْرَبُونَ)

(There is a share for men from what is left by parents and those nearest in relation)." Therefore, everyone is equal in Allah's decision to inherit, even though their shares vary according to the degree of their relationship to the deceased, whether being a relative, spouse, etc. Ibn Marduwyah reported that Jabir said, "Umm Kujjah came to the Messenger of Allah and said to him, 'O Messenger of Allah! I have two daughters whose father died, and they do not own anything.' So Allah revealed;

(لِّلرِّجَالِ نَصِيبٌ مِّمَّا تَرَكَ الْوَالِدَانِ وَالْأَقْرَبُونَ)

(There is a share for men from what is left by parents and those nearest in relation.)" We will mention this Hadith when explaining the two Ayat about inheritance. Allah knows best. Allah said,

(وَإِذَا حَضَرَ الْقِسْمَةَ)

(are present at the time of division,) those who do not have a share in the inheritance,

(وَالْيَتَامَىٰ وَالْمَسْكِينُ)

(and the orphans and the poor), are also present upon dividing the inheritance, give them a share of the inheritance. Al-Bukhari recorded that Ibn `Abbas said that the Ayah,

## (وَإِذَا حَضَرَ الْقِسْمَةَ أُولُو الْقُرْبَىٰ وَالْيَتَامَىٰ وَالْمَسْكِينُ)

(And when the relatives and the orphans and the poor are present at the time of division), was not abrogated. Ibn Jarir recorded that Ibn `Abbas said that this Ayah still applies and should be implemented. Ath-Thawri said that Ibn Abi Najih narrated from Mujahid that implementing this Ayah, "Is required from those who have anything to inherit, paid from whatever portions their hearts are satisfied with giving away." Similar explanation was reported from Ibn Mas`ud, Abu Musa, `Abdur-Rahman bin Abi Bakr, Abu Al-`Aliyah, Ash-Sha`bi and Al-Hasan. Ibn `Urin, Sa`id bin Jubayr, Makhul, Ibrahim An-Nakha`i, `Ata' bin Abi Rabah, Az-Zuhri and Yahya bin Ya`mar said this payment is obligatory. Others say that this refers to the bequeathal at the time of death. And others say that it was abrogated. Al-`Awfi reported that Ibn `Abbas said that this Ayah,

## (وَإِذَا حَضَرَ الْقِسْمَةَ)

(And when are present at the time of division), refers to divisions of inheritance. So, when poor relatives, who are ineligible for inheritance, orphans, and the poor attend the division of the inheritance, which is sometimes substantial, their hearts will feel eager to have a share, seeing each eligible person assuming his share; while they are desperate, yet are not given anything. Allah the Most Kind, Most Compassionate, commands that they should have a share in the inheritance as an act of kindness, charity, compassion and mercy for them.

### Observing Fairness in the Will

Allah said,

## (وَلْيَخْشَ الَّذِينَ لَوْ تَرَكَوْا مِنْ خَلْفِهِمْ)

(And let those have the same fear in their minds as they would have for their own, if they had left behind...) `Ali bin Abi Talhah reported that Ibn `Abbas said that this part of the Ayah, "Refers to a man who is near death and he dictates a will and testament that harms some of the rightful inheritors. Allah commands whoever hears such will to fear Allah, and direct the dying man to do what is right and to be fair, being as eager to protect the inheritors of the dying man as he would be with his own." Similar was reported from Mujahid and several others. The Two Sahihs record that when the Messenger of Allah visited Sa`d bin Abi Waqqas during an illness he suffered from, Sa`d said to the Messenger, "O Messenger of Allah! I am wealthy and have no inheritors except a daughter. Should I give two-thirds of my property in charity" He said, "No." Sa`d asked, "Half" He said, "No." Sa`d said, "One-third" The Prophet said;

«الثُّلُثُ، وَالثُّلُثُ كَثِيرٌ»

(One-third, and even one-third is too much.) The Messenger of Allah then said,

«إِنَّكَ أَنْ تَذَرَ وَرَثَتَكَ أَغْنِيَاءَ خَيْرٌ مِنْ أَنْ تَذَرَهُمْ  
عَالَةً يَتَكَفَّفُونَ النَّاسَ»

(You'd better leave your inheritors wealthy rather than leaving them poor, begging from others.)

### A Stern Warning Against Those Who Use Up the Orphan's Wealth

It was also said that the Ayah

(وَلَا تَأْكُلُوهَا إِسْرَافًا وَبِدَارًا أَنْ يَكْبَرُوا)

(consume it not wastefully and hastily, fearing that they should grow up,) means, let them have Taqwa of Allah when taking care of the orphan's wealth, as Ibn Jarir recorded from Al-`Awfi who reported this explanation from Ibn `Abbas. This is a sound opinion that is supported by the warning that follows against consuming the orphan's wealth unjustly. In this case, the meaning becomes: Just as you would want your offspring to be treated fairly after you, then treat other people's offspring fairly when you are given the responsibility of caring for them. Allah proclaims that those who unjustly consume the wealth of orphans, will be eating fire into their stomach, this is why Allah said,

(إِنَّ الَّذِينَ يَأْكُلُونَ أَمْوَالَ الْيَتَامَىٰ ظُلْمًا إِنَّمَا  
يَأْكُلُونَ فِي بُطُونِهِمْ نَارًا وَسَيَصْلُونَ سَعِيرًا )

(Verily, those who unjustly eat up the property of orphans, they eat up only a fire into their bellies, and they will be burnt in the blazing Fire!) meaning, when you consume the orphan's wealth without a right, then you are only consuming fire, which will kindle in your stomach on the Day of Resurrection. It is recorded in the Two Sahihs that Abu Hurayrah said that the Messenger of Allah said,

«اجْتَنِبُوا السَّبْعَ الْمُؤِيقَاتِ»

(Avoid the seven great destructive sins. ) The people asked, "O Allah's Messenger! What are they" He said,

«الشِّرْكَ بِاللَّهِ، وَالسَّحْرُ، وَقَتْلُ النَّفْسِ الَّتِي حَرَّمَ  
اللَّهُ إِلَّا بِالْحَقِّ، وَأَكْلُ الرِّبَا، وَأَكْلُ مَالِ الْيَتِيمِ،  
وَالتَّوَلَّى يَوْمَ الزَّحْفِ، وَقَذْفُ الْمُحْصَنَاتِ  
المُؤْمِنَاتِ الغَافِلَاتِ»

(To join others in worship along with Allah, magic, to kill the life which Allah has forbidden except for a just cause, to consume interest, to consume an orphan's property, to turn your back to the enemy and flee from the battlefield at the time of fighting, and to accuse chaste women who never even think of anything harmful to their chastity being good believers.)

(يُوصِيكُمُ اللَّهُ فِي أَوْلَادِكُمْ لِلذَّكَرِ مِثْلُ حَظِّ  
الْأُنثَيَيْنِ فَإِن كُنَّ نِسَاءً فَوْقَ اثْنَتَيْنِ فَلَهُنَّ ثُلُثَا مَا  
تَرَكَ وَإِن كَانَتْ وَاحِدَةً فَلَهَا النِّصْفُ وَلِأَبَوَيْهِ لِكُلِّ  
وَاحِدٍ مِّنْهُمَا السُّدُسُ مِمَّا تَرَكَ إِن كَانَ لَهُ وَلَدٌ فَإِن  
لَمْ يَكُنْ لَهُ وَلَدٌ وَوَرِثَتْهُ أَبَوَاهُ فَلِأُمِّهِ الثُّلُثُ فَإِن كَانَ  
لَهُ إِخْوَةٌ فَلِأُمِّهِ السُّدُسُ مِنْ بَعْدِ وَصِيَّةٍ يُوصِي  
بِهَا أَوْ دَيْنٍ ءَابَاؤُكُمْ وَأَبْنَاؤُكُمْ لَا تَدْرُونَ أَيُّهُمْ  
أَقْرَبُ لَكُمْ نَفْعًا فَرِيضَةٌ مِنَ اللَّهِ إِنَّ اللَّهَ كَانَ  
عَلِيمًا حَكِيمًا )

(11. Allah commands you for your children's (inheritance): to the male, a portion equal to that of two - females; if only daughters, two or more, their share is two thirds of the inheritance; if only one, her share is half. For parents, a sixth share of inheritance to each if the deceased left children; if no children, and the parents are the (only) heirs, the mother has a third; if the deceased left brothers or (sisters), the mother has a sixth. (The distribution in all cases is) after the payment of legacies he may have bequeathed or debts. You know not which of them, whether your parents or your children, are nearest to you in benefit, (these fixed shares) are ordained by Allah. And Allah is Ever All-Knower, All-Wise.)

## Learning the Various Shares of the Inheritance is Encouraged

This, the following, and the last honorable Ayah in this Surah contain the knowledge of Al-Fara'id, inheritance. The knowledge of Al-Fara'id is derived from these three Ayat and from the Hadiths on this subject which explain them. Learning this knowledge is encouraged, especially the specific things mentioned in the Ayat. Ibn `Uyaynah said; "Knowledge of Al-Fara'id was called half of knowledge, because it effects all people." o

### The Reason Behind Revealing Ayah 4:11

Explaining this Ayah, Al-Bukhari recorded that Jabir bin `Abdullah said, "Allah's Messenger came visiting me on foot with Abu Bakr at Banu Salamah's (dwellings), and the Prophet found me unconscious. He asked for some water, performed ablution with it, then poured it on me, and I regained consciousness. I said, `What do you command me to do with my money, O Allah's Messenger' this Ayah was later revealed,

(يُوصِيكُمُ اللَّهُ فِي أَوْلَادِكُمْ لِلذَّكَرِ مِثْلُ حَظِّ  
الأنثيين)

(Allah commands you for your children's (inheritance); to the male, a portion equal to that of two females)." This is how it was recorded by Muslim and An-Nasa'i. The remainder of the Six compilers also collected this Hadith. Another Hadith from Jabir concerning the reason behind revealing Ayah 4:11 Ahmad recorded from Jabir that he said, "The wife of Sa`d bin Ar-Rabi` came to Allah's Messenger and said to him, `O Allah's Messenger! These are the two daughters of Sa`d bin Ar-Rabi`, who was killed as a martyr at Uhud. Their uncle took their money and did not leave anything for them. They will not be married unless they have money.' The Messenger said, `Allah will decide on this matter.' The Ayah about the inheritance was later revealed and the Messenger of Allah sent word to their uncle commanding him,

«أَعْطِ ابْنَتِي سَعْدِ الْكَلْبِيِّ، وَأُمَّهُمَا التُّمْنَ، وَمَا  
بَقِيَ فَهُوَ لَكَ»

(Give two-thirds (of Sa`d's money) to Sa`d's two daughters and one eighth for their mother, and whatever is left is yours.)" Abu Dawud, At-Tirmidhi, and Ibn Majah collected this Hadith. It is apparent, however, that the first Hadith from Jabir was about the case of the last Ayah in the Surah 4:176, rather than 4:11, for at the time this incident occurred, Jabir had sisters and did not have daughters, parents or offspring to inherit from him. Yet, we mentioned the Hadith here just as Al-Bukhari did.

### Males Get Two Times the Share of Females for Inheritance

Allah said,

(يُوصِيكُمُ اللَّهُ فِي أَوْلَادِكُمْ لِلذَّكَرِ مِثْلُ حَظِّ  
الْأُنثَى)

(Allah commands you for your children's (inheritance): to the male, a portion equal to that of two females;) Allah commands: observe justice with your children. The people of Jahiliyyah used to give the males, but not the females, a share in the inheritance. Therefore, Allah commands that both males and females take a share in the inheritance, although the portion of the males is twice as much as that of the females. There is a distinction because men need money to spend on their dependants, commercial transactions, work and fulfilling their obligations. Consequently, men get twice the portion of the inheritance that females get. Allah's statement,

(يُوصِيكُمُ اللَّهُ فِي أَوْلَادِكُمْ لِلذَّكَرِ مِثْلُ حَظِّ  
الْأُنثَى)

(Allah commands you for your children's (inheritance): to the male, a portion equal to that of two females;) testifies to the fact that Allah is more merciful with children than their own parents are with them, since He commands the parents to be just and fair with their own children. An authentic Hadith stated that a captured woman was looking for her child and when she found him, she held him, gave him her breast and nursed him. The Messenger of Allah said to his Companions,

«أُثْرُونَ هَذِهِ طَارِحَةً وَوَلَدَهَا فِي النَّارِ وَهِيَ تَقْدِرُ  
عَلَى ذَلِكَ»

(Do you think that this woman would willingly throw her child in the fire) They said, "No, O Messenger of Allah." He said,

«قَوْلَ اللَّهِ لِي أَرْحَمُ بِعِبَادِهِ مِنْ هَذِهِ بِوَلَدِهَا»

(By Allah! Allah is more merciful with His servants than this woman is with her own child.) Al-Bukhari recorded that Ibn `Abbas said, "The custom (in old days) was that the property of the deceased would be inherited by his offspring; as for the parents (of the deceased), they would inherit by the will of the deceased. Then Allah cancelled whatever He willed from that custom and ordained that the male get twice the amount inherited by the female, and for each parent a sixth (of the whole legacy), for the wife an eighth or a fourth, and for the husband a half or a fourth."

## The Share of the Females When They Are the Only Eligible Heirs

Allah said,

(فَإِنْ كُنَّ نِسَاءً فَوْقَ اثْنَتَيْنِ فَلَهُنَّ ثُلُثَا مَا تَرَكَ)

(if only daughters, two or more, their share is two-thirds of the inheritance;) We should mention here that some people said the Ayah only means two daughters, and that 'more' is redundant, which is not true. Nothing in the Qur'an is useless or redundant. Had the Ayah been talking about only two women, it would have said, "The share of both of them is two-thirds." As for the daughters, two or more, the ruling that they get two-thirds was derived from this Ayah, stating that the two sisters get two-thirds. We also mentioned the Hadith in which the Prophet commanded that two-thirds be the share of the two daughters of Sa`d bin Ar-Rabi`. So this is proven in the Book and the Sunnah.

(وَإِنْ كَانَتْ وَحِدَةً فَلَهَا النِّصْفُ)

(if only one, her share is half.) If there are two daughters, then there are texts to prove they share a half. Therefore, two-thirds is the share of the two daughters or sisters, and Allah knows best.

## Share of the Parents in the Inheritance

Allah said,

(وَالْأَبَوَيْنِ لِكُلِّ وَاحِدٍ مِّنْهُمَا السُّدُسُ)

(For parents, a sixth share of inheritance to each) There are several forms of the share that the parents get in the inheritance. 1. If the deceased left behind children, the parents get a sixth each. When the deceased had only one daughter, she gets half of the inheritance and the parents each one sixth, and another sixth is given to the father. 2. When the parents are the only inheritors, the mother gets one-third while the father gets the remaining two-thirds. In this case, the father's share will be twice the mother's share. If the deceased had a surviving spouse, the spouse gets half, in the case of a husband, or a fourth in the case of a surviving wife. In both cases, the mother of the deceased gets one-third of the remaining inheritance. This is because the remaining portion of the inheritance is treated just as the entire legacy in regard to the parents' share. Allah has given the mother one-half of what the father gets. Therefore, the mother gets a third of the remaining inheritance while the father gets two-thirds. 3. If the deceased left behind surviving brothers and sisters, whether half brothers, half sisters or from the same father and mother, their presence does not cause reduction in the father's share. Yet, their presence reduces the share of the mother to one-sixth instead of one-third, and the father gets the rest, when there are no other heirs. Ibn Abi Hatim recorded that Qatadah commented on the Ayah,

(فَإِنْ كَانَ لَهُ إِخْوَةٌ فَلِأُمِّهِ السُّدُسُ)

(If the deceased left brothers or (sisters), the mother has a sixth.) "Their presence will reduce the share of the mother, but they will not inherit. If there is only one surviving brother, the mother's share will remain one-third, but her share will be reduced if there is more than one surviving brother. The people of knowledge attribute this reduction in the mother's share from one-third (to one-sixth) to the fact that the father is the one who helps the brothers (and sisters) of the deceased get married, spending from his own money for this purpose. The mother does not spend from her money for this purpose." This is a sound opinion.

## First the Debts are Paid Off, then the Will, then the Fixed Inheritance

Allah said,

(مِن بَعْدِ وَصِيَّةٍ يُوصَىٰ بِهَا أَوْ دَيْنٍ)

((The distribution in all cases is) after the payment of legacies he may have bequeathed or debts.) The scholars of the Salaf and the Khalaf agree that paying debts comes before fulfilling the will, and this is apparent to those who read the Ayah carefully. Allah said next,

(ءَابَاؤُكُمْ وَأَبْنَاؤُكُمْ لَا تَدْرُونَ أَيُّهُمْ أَقْرَبُ لَكُمْ نَفَعًا)

(You know not which of them, whether your parents or your children, are nearest to you in benefit.) This Ayah means: We have appointed a share to the parents and children, contrary to the practice of Jahiliyyah and the early Islamic era, when the inheritance would go to the children, and parents get a share only if they were named in the will, as Ibn `Abbas stated. Allah abrogated this practice and appointed a fixed share for the children and for the parents. One may derive benefit in this life or for the Hereafter from his parents, the likes of which he could not get from his children. The opposite of this could also be true. Allah said,

(ءَابَاؤُكُمْ وَأَبْنَاؤُكُمْ لَا تَدْرُونَ أَيُّهُمْ أَقْرَبُ لَكُمْ نَفَعًا)

(You know not which of them, whether your parents or your children, are nearest to you in benefit,): since benefit could come from one or the other of these relatives, We appointed a fixed share of inheritance for each. Allah knows best. Allah said,

(فَرِيضَةً مِّنَ اللَّهِ)

(ordained by Allah), meaning: These appointed shares of inheritance that We mentioned and which give some inheritors a bigger share than others, is a commandment from Allah that He has decided and ordained,

(إِنَّ اللَّهَ كَانَ عَلِيمًا حَكِيمًا)

(And Allah is Ever All-Knower, All-Wise.), Who places everything in its rightful place and gives each his rightful share.

(وَلَكُمْ نِصْفُ مَا تَرَكَ أَزْوَاجُكُمْ إِنْ لَمْ يَكُنْ لَهُنَّ  
وَلَدٌ فَإِنْ كَانَ لَهُنَّ وَلَدٌ فَلَكُمْ الرُّبْعُ مِمَّا تَرَكَنَ مِنْ  
بَعْدِ وَصِيَّةٍ يُوصِينَ بِهَا أَوْ دَيْنٍ وَلَهُنَّ الرُّبْعُ مِمَّا  
تَرَكَتُمْ إِنْ لَمْ يَكُنْ لَكُمْ وَلَدٌ فَإِنْ كَانَ لَكُمْ وَلَدٌ فَلَهُنَّ  
النُّصْبُ مِمَّا تَرَكَتُمْ مِنْ بَعْدِ وَصِيَّةٍ تُوصُونَ بِهَا أَوْ  
دَيْنٍ وَإِنْ كَانَ رَجُلٌ يُورَثُ كَلَالَةً أَوْ امْرَأَةٌ وَلَهُ  
أَخٌ أَوْ أُخْتٌ فَلِكُلِّ وَاحِدٍ مِّنْهُمَا السُّدُسُ فَإِنْ كَانُوا  
أَكْثَرَ مِنْ ذَلِكَ فَهُمْ شُرَكَاءُ فِي الثُّلُثِ مِنْ بَعْدِ  
وَصِيَّةٍ يُوصَى بِهَا أَوْ دَيْنٍ غَيْرَ مُضَارٍّ وَصِيَّةً  
مِّنَ اللَّهِ وَاللَّهُ عَلِيمٌ حَلِيمٌ )

(12. In that which your wives leave, your share is half if they have no child; but if they leave a child, you get a fourth of that which they leave after payment of legacies that they may have bequeathed or debts. In that which you leave, their (your wives) share is a fourth if you leave no child; but if you leave a child, they get an eighth of that which you leave after payment of legacies that you may have bequeathed or debts. If the man or woman whose inheritance is in Kalalah has left neither ascendants nor descendants, but has left a brother or a sister, each one of the two gets a sixth; but if more than two, they share in a third; after payment of legacies he (or she) may have bequeathed or debts, so that no loss is caused (to anyone). This is a Commandment from Allah; and Allah is Ever All-Knowing, Most Forbearing.)

### Share of the Spouses in the Inheritance

Allah says to the husband, you get half of what your wife leaves behind if she dies and did not have a child. If she had a child, you get one-fourth of what she leaves behind, after payment of legacies that she may have bequeathed, or her debts. We mentioned before that payment of debts comes before fulfilling the will, and then comes the will, then the inheritance, and there is a consensus on this matter among the scholars. And the rule applies to the grandchildren as well as the children, even if they are great-grandchildren (or even further in generation) Allah then said,

(وَلَهُنَّ الرَّبْعُ مِمَّا تَرَكَتُمْ)

(In that which you leave, their (your wives) share is a fourth) and if there is more than one wife, they all share in the fourth, or one-eighth that the wife gets. Earlier, we explained Allah's statement,

(مِنْ بَعْدِ وَصِيَّةٍ)

(After payment of legacies)

### The Meaning of Kalalah

Allah said,

(وَإِنْ كَانَ رَجُلٌ يُورَثُ كَلَالَةً)

(If the man or woman whose inheritance is in question was left in Kalalah.) Kalalah is a derivative of Iklil; the crown that surrounds the head. The meaning of Kalalah in this Ayah is that the person's heirs come from other than the first degree of relative. Ash-Sha`bi reported that when Abu Bakr As-Siddiq was asked about the meaning of Kalalah, he said, "I will say my own opinion about it, and if it is correct, then this correctness is from Allah. However, if my opinion is wrong, it will be my error and because of the evil efforts of Shaytan, and Allah and His Messenger have nothing to do with it. Kalalah refers to the man who has neither descendants nor ascendants." When `Umar became the Khalifah, he said, "I hesitate to contradict an opinion of Abu Bakr." This was recorded by Ibn Jarir and others. In his Tafsir, Ibn Abi Hatim recorded that Ibn `Abbas said, "I was among the last persons to see `Umar bin Al-Khattab, and he said to me, `What you said was the correct opinion.' I asked, `What did I say?' He said, `That Kalalah refers to the person who has no child or parents.'" This is also the opinion of `Ali bin Abi Talib, Ibn Mas`ud, Ibn `Abbas, Zayd bin Thabit, Ash-Sha`bi, An-Nakha'i, Al-Hasan Al-Basri, Qatadah, Jabir bin Zayd and Al-Hakam. This is also the view of the people of Al-Madinah, Kufah, Basrah, the Seven Fuqaha', the Four Imams and the majority of scholars of the past and present, causing some scholars to declare that there is a consensus on this opinion.

## The Ruling Concerning Children of the Mother From Other Than the Deceased's Father

Allah said,

(وَلَهُ أَخٌ أَوْ أُخْتٌ)

(But has left a brother or a sister), meaning, from his mother's side, as some of the Salaf stated, including Sa`d bin Abi Waqqas. Qatadah reported that this is the view of Abu Bakr As-Siddiq.

(فَلِكُلِّ وَاحِدٍ مِّنْهُمَا السُّدُسُ فَإِن كَانُوا أَكْثَرَ مِن ذَلِكَ فَهُمْ شُرَكَاءُ فِي التُّلْتِ)

(Each one of the two gets a sixth; but if more than two, they share in a third.) There is a difference between the half brothers from the mother's side and the rest of the heirs. First, they get a share in the inheritance on account of their mother. Second, the males and females among them get the same share. Third, they only have a share in the inheritance when the deceased's estate is inherited in Kalalah, for they do not have a share if the deceased has a surviving father, grandfather, child or grandchild. Fourth, they do not have more than a third, no matter how numerous they were. Allah's statement,

(مِن بَعْدِ وَصِيَّةٍ يُوصَىٰ بِهَا أَوْ دَيْنٍ غَيْرَ مُضَارٍّ)

(After payment of legacies he (or she) may have bequeathed or debts, so that no loss is caused (to anyone).) means, let the will and testament be fair and free of any type of harm, without depriving some rightful heirs from all, or part of their share, or adding to the fixed portion that Allah or dained for some heirs. Indeed, whoever does this, will have disputed with Allah concerning His decision and division. An authentic Hadith states,

«إِنَّ اللَّهَ قَدْ أَعْطَىٰ كُلَّ ذِي حَقٍّ حَقَّهُ فَلَا وَصِيَّةَ لِمَوَارِثٍ»

(Allah has given each his fixed due right. Therefore, there is no will for a rightful inheritor.)

(تِلْكَ حُدُودُ اللَّهِ وَمَنْ يُطِيعِ اللَّهَ وَرَسُولَهُ يُدْخِلْهُ جَنَّاتٍ تَجْرِي مِنْ تَحْتِهَا الْأَنْهَارُ خَالِدِينَ فِيهَا)

وَذَلِكَ الْفَوْزُ الْعَظِيمُ - وَمَنْ يَعْصِ اللَّهَ وَرَسُولَهُ  
وَيَتَعَدَّ حُدُودَهُ يُدْخِلْهُ نَارًا خَالِدًا فِيهَا وَلَهُ عَذَابٌ  
مُهِينٌ (

(13. These are the limits (set by) Allah, and whosoever obeys Allah and His Messenger, will be admitted to Gardens under which rivers flow (in Paradise), to abide therein, and is the great success.) (14. And whosoever disobeys Allah and His Messenger, and transgresses His (set) limits, He will cast him into the Fire, to abide therein; and he shall suffer a disgraceful torment.)

### Warning Against Transgressing the Limits for Inheritance

Meaning, the Fara'id are Allah's set limits. This includes what Allah has allotted for the heirs, according to the degree of relation they have to the deceased, and their degree of dependency on him. Therefore, do not transgress or violate them. So Allah said;

(وَمَنْ يُطِيعِ اللَّهَ وَرَسُولَهُ)

(And whosoever obeys Allah and His Messenger,) regarding the inheritance, and does not add or decrease any of these fixed shares by use of tricks and plots. Rather, he gives each his appointed share as Allah commanded, ordained and decided,

(تِلْكَ حُدُودُ اللَّهِ وَمَنْ يُطِيعِ اللَّهَ وَرَسُولَهُ يُدْخِلْهُ  
جَنَّاتٍ تَجْرِي مِنْ تَحْتِهَا الْأَنْهَارُ خَالِدِينَ فِيهَا  
وَذَلِكَ الْفَوْزُ الْعَظِيمُ - وَمَنْ يَعْصِ اللَّهَ وَرَسُولَهُ  
وَيَتَعَدَّ حُدُودَهُ يُدْخِلْهُ نَارًا خَالِدًا فِيهَا وَلَهُ عَذَابٌ  
مُهِينٌ (

(Will be admitted to Gardens under which rivers flow (in Paradise), to abide therein, and is the great success. And whosoever disobeys Allah and His Messenger, and transgresses His (set) limits, He will cast him into the Fire, to abide therein; and he shall have a disgraceful torment.) This is because he changed what Allah has ordained and disputed with His judgment. Indeed, this is the behavior of those who do not agree with what Allah has decided and divided,

and this is why Allah punishes them with humiliation in the eternal, painful torment. Imam Ahmad recorded that Abu Hurayrah said that, the Messenger of Allah said,

«إِنَّ الرَّجُلَ لَيَعْمَلُ بِعَمَلِ أَهْلِ الْخَيْرِ سَبْعِينَ سَنَةً، فَإِذَا أَوْصَى حَافٍ فِي وَصِيَّتِهِ، فَيُخْتَمُ لَهُ بِشَرِّ عَمَلِهِ، فَيَدْخُلُ النَّارَ، وَإِنَّ الرَّجُلَ لَيَعْمَلُ بِعَمَلِ أَهْلِ الشَّرِّ سَبْعِينَ سَنَةً، فَيَعْدِلُ فِي وَصِيَّتِهِ فَيُخْتَمُ لَهُ بِخَيْرِ عَمَلِهِ فَيَدْخُلُ الْجَنَّةَ»

(A man might perform the actions of righteous people for seventy years, but when it is time to compile his will, he commits injustice. So his final work will be his worst, and he thus enters the Fire. A man might perform the deeds of evil people for seventy years, yet he is fair in his will. So his final work will be his best, and he thus enters Paradise.) Abu Hurayrah said, "Read, if you will,

(تِلْكَ حُدُودُ اللَّهِ)

(These are the limits (set by) Allah) until,

(عَذَابٌ مُّهِينٌ)

(a disgraceful torment.)." In the chapter on injustice in the will, Abu Dawud recorded in his Sunan that Abu Hurayrah said that the Messenger of Allah said,

«إِنَّ الرَّجُلَ لَيَعْمَلُ أَوْ الْمَرْأَةُ بِطَاعَةِ اللَّهِ سِتِّينَ سَنَةً، ثُمَّ يَحْضُرُهُمَا الْمَوْتُ، فَيُضَارَّانِ فِي الْوَصِيَّةِ، فَتَجِبُ لَهُمَا النَّارُ»

(A man or a woman might perform actions in obedience to Allah for sixty years. Yet, when they are near death, they leave an unfair will and thus acquire the Fire.) Abu Hurayrah then recited the Ayah,

(مِنْ بَعْدِ وَصِيَّةٍ يُوصَىٰ بِهَا أَوْ دَيْنٍ غَيْرِ مُضَارٍّ)

(After payment of legacies he (or she) may have bequeathed or debts, so that no loss is caused), until,

(وَذَلِكَ الْفَوْزُ الْعَظِيمُ)

(and that is the great success.) This was also recorded by At-Tirmidhi and Ibn Majah, and At-Tirmidhi said, "Hasan Gharib".

(وَاللَّتِي يَأْتِيَنَّ الْفَحِشَةَ مِنْ نِسَائِكُمْ فَاسْتَشْهِدُوا  
عَلَيْهِنَّ أَرْبَعَةً مِّنْكُمْ فَإِنْ شَهِدُوا فَأَمْسِكُوهُنَّ فِي  
الْبُيُوتِ حَتَّىٰ يَتَوَقَّاهُنَّ الْمَوْتُ أَوْ يَجْعَلَ اللَّهُ لَهُنَّ  
سَبِيلًا - وَاللَّذَانِ يَأْتِيَنَّهَا مِنْكُمْ فَادُّوهُمَا فَإِنْ تَابَا  
وَأَصْلَحَا فَأَعْرِضُوا عَنْهُمَا إِنَّ اللَّهَ كَانَ تَوَّابًا  
رَّحِيمًا )

(15. And those of your women who commit illegal sexual intercourse, take the evidence of four witnesses from among you against them; and if they testify, confine them (i.e. women) to houses until death comes to them or Allah ordains for them some (other) way.) (16. And the two persons among you who commit illegal sexual intercourse, punish them both. And if they repent and do righteous good deeds, leave them alone. Surely, Allah is Ever the One Who accepts repentance, (and He is) Most Merciful.)

### **The Adulteress is Confined in her House; A Command Later Abrogated**

At the beginning of Islam, the ruling was that if a woman commits adultery as stipulated by sufficient proof, she was confined to her home, without leave, until she died. Allah said,

(وَاللَّتِي يَأْتِيَنَّ الْفَحِشَةَ)

يعني الزنا

(مِنْ نِّسَائِكُمْ فَاسْتَشْهِدُوا عَلَيْهِنَّ أَرْبَعَةً مِّنْكُمْ فَإِنْ شَهِدُوا فَأَمْسِكُوهُنَّ فِي الْبُيُوتِ حَتَّىٰ يَتَوَقَّاهُنَّ الْمَوْتُ أَوْ يَجْعَلَ اللَّهُ لَهُنَّ سَبِيلًا)

(And those of your women who commit illegal sexual intercourse, take the evidence of four witnesses from among you against them; and if they testify, confine them (i.e. women) to houses until death comes to them or Allah ordains for them some (other) way.) `Some other way' mentioned here is the abrogation of this ruling that came later. Ibn `Abbas said, "The early ruling was confinement, until Allah sent down Surat An-Nur (chapter 24) which abrogated that ruling with the ruling of flogging (for fornication) or stoning to death (for adultery)." Similar was reported from `Ikrimah, Sa`id bin Jubayr, Al-Hasan, `Ata' Al-Khurasani, Abu Salih, Qatadah, Zayd bin Aslam and Ad-Dahhak, and this is a matter that is agreed upon. Imam Ahmad recorded that `Ubadah bin As-Samit said, "When the revelation descended upon the Messenger of Allah , it would affect him and his face would show signs of strain. One day, Allah sent down a revelation to him, and when the Messenger was relieved of its strain, he said,

«خُذُوا عَنِّي، قَدْ جَعَلَ اللَّهُ لَهُنَّ سَبِيلًا، النَّيِّبُ  
بِالنَّيِّبِ، وَالْبِكْرُ بِالْبِكْرِ، النَّيِّبُ جَلْدُ مِائَةٍ، وَرَجْمٌ  
بِالْحِجَارَةِ، وَالْبِكْرُ جَلْدُ مِائَةٍ ثُمَّ نَقْيُ سَنَةٍ»

(Take from me: Allah has made some other way for them. The married with the married, the unmarried with the unmarried. The married gets a hundred lashes and stoning to death, while the unmarried gets a hundred lashes then banishment for a year.)" Muslim and the collectors of the Sunan recorded that `Ubadah bin As-Samit said that the Prophet said,

«خُذُوا عَنِّي خُذُوا عَنِّي، قَدْ جَعَلَ اللَّهُ لَهُنَّ سَبِيلًا،  
الْبِكْرُ بِالْبِكْرِ جَلْدُ مِائَةٍ وَتَعْرِيبُ عَامٍ، وَالنَّيِّبُ  
بِالنَّيِّبِ جَلْدُ مِائَةٍ وَالرَّجْمُ»

(Take from me, take from me. Allah has made some other way for them: the (unmarried) gets a hundred lashes and banishment for one year, while the (married) gets a hundred lashes and stoning to death.) At-Tirmidhi said, "Hasan Sahih". Allah said,

(وَاللَّذَانَ يَأْتِيَنَهَا مِنْكُمْ فَادُوهُمَا)

(And the two persons among you who commit illegal sexual intercourse, punish them both.) Ibn `Abbas and Sa`id bin Jubayr said that this punishment includes cursing, shaming them and beating them with sandals. This was the ruling until Allah abrogated it with flogging or stoning, as we stated. Mujahid said, "It was revealed about the case of two men who do it." As if he was referring to the actions of the people of Lut, and Allah knows best. The collectors of Sunan recorded that Ibn `Abbas said that the Messenger of Allah said,

«مَنْ رَأَيْتُمُوهُ يَعْمَلُ عَمَلَ قَوْمِ لُوطٍ، فَاقْتُلُوا  
الْفَاعِلَ وَالْمَفْعُولَ بِهِ»

(Whoever you catch committing the act of the people of Lut (homosexuality), then kill both parties to the act.) Allah said,

(فَإِنْ تَابَا وَأَصْلَحَا)

(And if they repent and do righteous good deeds), by refraining from that evil act, and thereafter their actions become righteous,

(فَأَعْرِضُوا عَنْهُمَا)

(leave them alone), do not verbally abuse them after that, since he who truly repents is just like he who has no sin,

(إِنَّ اللَّهَ كَانَ تَوَّابًا رَحِيمًا)

(Surely, Allah is Ever the One Who accepts repentance, Most Merciful.) The following is recorded in the Two Sahih:

«إِذَا زَنَتِ أَمَةٌ أَحَدِكُمْ، فَلْيَجْلِدْهَا الْحَدَّ، وَلَا يُتْرَبْ  
عَلَيْهَا»

(When the slave-girl of one of you commits illegal sexual intercourse, let him flog her and not chastise her afterwards. ) because the lashes she receives erase the sin that she has committed.

(إِنَّمَا التَّوْبَةُ عَلَى اللَّهِ لِلَّذِينَ يَعْمَلُونَ السُّوءَ  
بِجَهْلَةٍ ثُمَّ يَتُوبُونَ مِنْ قَرِيبٍ فَأُولَئِكَ يَتُوبُ اللَّهُ  
عَلَيْهِمْ وَكَانَ اللَّهُ عَلِيمًا حَكِيمًا - وَلَيْسَتِ التَّوْبَةُ  
لِلَّذِينَ يَعْمَلُونَ السَّيِّئَاتِ حَتَّىٰ إِذَا حَضَرَ أَحَدَهُمُ  
الْمَوْتُ قَالَ إِنِّي تُبْتُ الْآنَ وَلَا الَّذِينَ يَمُوتُونَ  
وَهُمْ كُفَّارٌ أُولَئِكَ أَعْتَدْنَا لَهُمْ عَذَابًا أَلِيمًا )

(17. Allah accepts only the repentance of those who do evil in ignorance and foolishness and repent soon afterwards ; it is they to whom Allah will forgive and Allah is Ever All-Knower, All-Wise.) (18. And of no effect is the repentance of those who continue to do evil deeds until death faces one of them and he says: "Now I repent;" nor of those who die while they are disbelievers. For them, We have prepared a painful torment.)

### Repentance is Accepted Until one Faces death

Allah states that He accepts repentance of the servant who commits an error in ignorance and then repents, even just before he sees the angel who captures the soul, before his soul reaches his throat. Mujahid and others said, "Every person who disobeys Allah by mistake, or intentionally is ignorant, until he refrains from the sin." Qatadah said that Abu Al-`Aliyah narrated that the Companions of the Messenger of Allah used to say, "Every sin that the servant commits, he commits out of ignorance." `Abdur-Razzaq narrated that, Ma`mar said that Qatadah said that, the Companions of the Messenger of Allah agreed that every sin that is committed by intention or otherwise, is committed in ignorance." Ibn Jurayj said, "Abdullah bin Kathir narrated to me that Mujahid said, `Every person who disobeys Allah (even willfully), is ignorant while committing the act of disobedience.'" Ibn Jurayj said, " `Ata' bin Abi Rabah told me something similar." Abu Salih said that Ibn `Abbas commented, "It is because of one's ignorance that he commits the error." `Ali bin Abi Talhah reported that Ibn `Abbas said about the Ayah,

(ثُمَّ يَتُوبُونَ مِنْ قَرِيبٍ)

(and repent soon (afterwards)), "Until just before he (or she) looks at the angel of death." Ad-Dahhak said, "Every thing before death is `soon afterwards ." Al-Hasan Al-Basri said about the Ayah,

(ثُمَّ يَتُوبُونَ مِنْ قَرِيبٍ)

(and repent soon afterwards), "Just before his last breath leaves his throat." `Ikrimah said, "All of this life is `soon afterwards ." Imam Ahmad recorded that Ibn `Umar said that the Messenger said,

«إِنَّ اللَّهَ يَقْبَلُ تَوْبَةَ الْعَبْدِ مَا لَمْ يُغْرَ غِرَّ»

(Allah accepts the repentance of the servant as long as the soul does not reach the throat.) This Hadith was also collected by At-Tirmidhi and Ibn Majah, and At-Tirmidhi said, "Hasan Gharib". By mistake, Ibn Majah mentioned that this Hadith was narrated through `Abdullah bin `Amr. However, what is correct is that `Abdullah bin `Umar bin Al-Khattab was the narrator. Allah said,

(فَأُولَئِكَ يَتُوبُ اللَّهُ عَلَيْهِمْ وَكَانَ اللَّهُ عَلِيمًا  
حَكِيمًا)

(It is they to whom Allah will forgive and Allah is Ever All-Knower, All-Wise.) Surely, when hope in continued living diminishes, the angel of death comes forth and the soul reaches the throat, approaches the chest and arrives at the state where it is being gradually pulled out, then there is no accepted repentance, nor a way out of that certain end. Hence Allah's statements,

وَلَيْسَتِ التَّوْبَةُ لِلَّذِينَ يَعْمَلُونَ السَّيِّئَاتِ حَتَّى إِذَا  
حَضَرَ أَحَدَهُمُ الْمَوْتُ قَالَ إِنِّي تُبْتُ الْآنَ

(And of no effect is the repentance of those who continue to do evil deeds until death faces one of them and he says: "Now I repent,") and,

(فَلَمَّا رَأَوْا بَأْسَنَا قَالُوا ءَامَنَّا بِاللَّهِ وَحَدَّهُ)

(So when they saw Our punishment, they said: "We believe in Allah Alone...") 40:84 Allah decided that repentance shall not be accepted from the people of the earth when the sun rises from the west, as Allah said,

(يَوْمَ يَأْتِي بَعْضُ ءَايَاتِ رَبِّكَ لَا يَنْفَعُ نَفْسًا  
إِيمَانُهَا لَمْ تَكُنْ ءَامَنَتْ مِنْ قَبْلُ أَوْ كَسَبَتْ فِي  
إِيمَانِهَا خَيْرًا)

(The day that some of the signs of your Lord do come, no good will it do to a person to believe then, if he believed not before, nor earned good through his faith.) 6:158 . oAllah said,

(وَلَا الَّذِينَ يَمُوتُونَ وَهُمْ كُفَّارٌ)

(nor of those who die while they are disbelievers.) Consequently, when the disbeliever dies while still a disbeliever and polytheist, his sorrow and repentance shall not avail him. If he were to ransom himself, even with the earth's fill of gold, it will not be accepted from him. Ibn `Abbas, Abu Al-`Aliyah and Ar-Rabi` bin Anas said that the Ayah:

(وَلَا الَّذِينَ يَمُوتُونَ وَهُمْ كُفَّارٌ)

(nor of those who die while they are disbelievers), was revealed about the people of Shirk. Imam Ahmad recorded that Usamah bin Salman said that Abu Dharr said that the Messenger of Allah said,

«إِنَّ اللَّهَ يَقْبَلُ تَوْبَةَ عَبْدِهِ أَوْ يَعْفِرُ لِعَبْدِهِ مَا لَمْ يَقَعِ  
الْحِجَابُ»

(Allah accepts the repentance of His servant, or forgives His servant, as long as the veil does not drop.) They asked, "And what does the drop of the veil mean " He said,

«أَنْ تَخْرُجَ النَّفْسُ وَهِيَ مُشْرِكَةٌ»

(When the soul is removed while one is a polytheist.) Allah then said,

(أُولَئِكَ أَعْتَدْنَا لَهُمْ عَذَابًا أَلِيمًا)

(For them We have prepared a painful torment), torment that is severe, eternal and enormous.

(يَأْيُهَا الَّذِينَ ءَامَنُوا لَا يَحِلُّ لَكُمْ أَنْ تَرِثُوا النِّسَاءَ  
كُرْهًا وَلَا تَعْضُلُوهُنَّ لِتَذْهَبُوا بِبَعْضِ مَا  
ءَاتِيَهُنَّ إِلَّا أَنْ يَأْتِيَنَّ بِفَاحِشَةٍ مُبَيَّنَةٍ

وَعَاشِرُوهُنَّ بِالْمَعْرُوفِ فَإِنْ كَرِهْتُمُوهُنَّ فَعَسَى  
 أَنْ تَكْرَهُوا شَيْئًا وَيَجْعَلَ اللَّهُ فِيهِ خَيْرًا كَثِيرًا -  
 وَإِنْ أَرَدْتُمْ اسْتِبْدَالَ زَوْجٍ مَّكَانَ زَوْجٍ وَعَآتَيْتُمْ  
 إِحْدَاهُنَّ قِنطَارًا فَلَا تَأْخُذُوا مِنْهُ شَيْئًا أَتَأْخُذُونَهُ  
 بُهْتَنًا وَإِثْمًا مُّبِينًا - وَكَيْفَ تَأْخُذُونَهُ وَقَدْ أَفْضَى  
 بَعْضُكُمْ إِلَى بَعْضٍ وَأَخَذْنَ مِنْكُمْ مِيثَاقًا غَلِيظًا -  
 وَلَا تَنْكِحُوا مَا نَكَحَ آبَاؤُكُمْ مِنَ النِّسَاءِ إِلَّا مَا قَدْ  
 سَلَفَ إِنَّهُ كَانَ فَحِشَةً وَمَقْتًا وَسَاءَ سَبِيلًا )

(19. O you who believe! You are not permitted to inherit women against their will, nor to prevent them from marriage in order to get part of (the dowry) what you have given them, unless they commit open Fahishah. And live with them honorably. If you dislike them, it may be that you dislike a thing and Allah brings through it a great deal of good.) (20. But if you intend to replace a wife by another and you have given one of them a Qintar, take not the least bit of it back; would you take it wrongfully without a right and (with) a manifest sin) (21. And how could you take it (back) while you have gone in unto each other, and they have taken from you a firm and strong covenant) (22. And marry not women whom your fathers married, except what has already passed; indeed it was shameful and Maqtan, and an evil way.)

### Meaning of ` Inheriting Women Against Their Will

Al-Bukhari recorded that Ibn ` Abbas said about the Ayah,

(يَأْيُهَا الَّذِينَ ءَامَنُوا لَا يَحِلُّ لَكُمْ أَنْ تَرِثُوا النِّسَاءَ  
 كَرِهًا)

(O you who believe! You are not permitted to inherit women against their will.) "Before, the practice was that when a man dies, his male relatives used to have the right to do whatever they wanted with his wife. If one of them wants, he would marry her, give her in marriage, or prevent her from marriage, for they had more right to her than her own family. Thereafter, this Ayah was revealed about this practice,

يَا أَيُّهَا الَّذِينَ ءَامَنُوا لَا يَحِلُّ لَكُمْ أَنْ تَرِثُوا النِّسَاءَ  
كَرْهًا

(O you who believe! You are not permitted to inherit women against their will)."

### Women Should not Be Treated with Harshness

Allah said,

وَلَا تَعْضُلُوهُنَّ لِتَذْهَبُوا بِبَعْضِ مَا ءَاتَيْتُمُوهُنَّ

(nor to prevent them from marriage, in order to take part of what you have given them,) Allah commands: Do not treat the woman harshly so that she gives back all or part of the dowry that she was given, or forfeits one of her rights by means of coercion and oppression. Allah's statement,

إِلَّا أَنْ يَأْتِيَنَّ بِفَاحِشَةٍ مُّبَيِّنَةٍ

(unless they commit open Fahishah.) Ibn Mas`ud, Ibn `Abbas, Sa`id bin Al-Musayyib, Ash-Sha`bi, Al-Hasan Al-Basri, Muhammad bin Srin, Sa`id bin Jubayr, Mujahid, `Ikrimah, `Ata' Al-Khurasani, Ad-Dahhak, Abu Qilabah, Abu Salih, As-Suddi, Zayd bin Aslam and Sa`id bin Abi Hilal said that this refers to illicit sex. Meaning that if the wife commits adultery, you are allowed to take back the dowry you gave her. You are also allowed to annoy her, until she gives back the dowry in return for a Khula`." In Surat Al-Baqarah, Allah said,

وَلَا يَحِلُّ لَكُمْ أَنْ تَأْخُذُوا مِمَّا ءَاتَيْتُمُوهُنَّ شَيْئًا إِلَّا  
أَنْ يَخَافَا أَلَّا يُقِيمَا حُدُودَ اللَّهِ

(And it is not lawful for you (men) to take back (from your wives) any of what you have given them, except when both parties fear that they would be unable to keep the limits ordained by Allah) 2:229 . Ibn `Abbas, `Ikrimah and Ad-Dahhak said that Fahishah refers to disobedience and defiance. Ibn Jarir chose the view that it is general, encompasses all these meanings, adultery, disobedience, defiance, rudeness, and so forth. Meaning that he is allowed to annoy his wife when she does any of these acts until she forfeits all or part of her rights and he then separates from her, and this view is good, and Allah knows best.

**Live With Women Honorably**

Allah said,

(وَعَاشِرُوهُنَّ بِالْمَعْرُوفِ)

(And live with them honorably), by saying kind words to them, treating them kindly and making your appearance appealing for them, as much as you can, just as you like the same from them. Allah said in another Ayah,

(وَلَهُنَّ مِثْلُ الَّذِي عَلَيْهِنَّ بِالْمَعْرُوفِ)

(And they have rights similar over them to what is reasonable) 2:228 . The Messenger of Allah said,

«خَيْرُكُمْ خَيْرُكُمْ لِأَهْلِهِ، وَأَنَا خَيْرُكُمْ لِأَهْلِي»

(The best among you is he who is the best with his family. Verily, I am the best one among you with my family.) It was the practice of the Messenger of Allah to be kind, cheerful, playful with his wives, compassionate, spending on them and laughing with them. The Messenger used to race with `A'ishah, the Mother of the Faithful, as a means of kindness to her. `A'ishah said, "The Messenger of Allah raced with me and I won the race. This occurred before I gained weight, and afterwards I raced with him again, and he won that race. He said,

«هَذِهِ بِتِلْكَ»

(This victory is for that victory .)" When the Prophet was at the home of one of his wives, sometimes all of his wives would meet there and eat together, and they would then go back to their homes. He and his wife would sleep in the same bed, he would remove his upper garment, sleeping in only his lower garment. The Prophet used to talk to the wife whose night it was, after praying `Isha' and before he went to sleep. Allah said,

(لَقَدْ كَانَ لَكُمْ فِي رَسُولِ اللَّهِ أُسْوَةٌ حَسَنَةٌ)

(Indeed in the Messenger of Allah you have a good example to follow) 33:21 . Allah said,

(فَإِنْ كَرِهْتُمُوهُنَّ فَعَسَى أَنْ تَكْرَهُنَّ هُوَ شَيْئًا وَيَجْعَلَ اللَّهُ فِيهِ خَيْرًا كَثِيرًا)

(If you dislike them, it may be that you dislike a thing and Allah brings through it a great deal of good.) Allah says that your patience, which is demonstrated by keeping wives whom you

dislike, carries good rewards for you in this life and the Hereafter. Ibn `Abbas commented on this Ayah, "That the husband may feel compassion towards his wife and Allah gives him a child with her, and this child carries tremendous goodness." An authentic Hadith states,

«لَا يَفْرَكُ مُؤْمِنٌ مُؤْمِنَةً، إِنْ سَخِطَ مِنْهَا خُلُقًا،  
رَضِيَ مِنْهَا آخَرَ»

(No believing man should hate his believing wife. If he dislikes a part of her conduct, he would surely like another.)

### The Prohibition of Taking Back the Dowry

Allah said,

(وَإِنْ أَرَدْتُمْ اسْتِبْدَالَ زَوْجٍ مَّكَانَ زَوْجٍ وَعَآئِبْتُمْ  
إِحْدَاهُنَّ قِنْطَارًا فَلَا تَأْخُذُوا مِنْهُ شَيْئًا أَتَأْخُذُونَهُ  
بُهْتَنًا وَآثِمًا مُبِينًا )

(But if you intend to replace a wife by another and you have given one of them a Qintar, take not the least bit of it back; would you take it wrongfully without a right and (with) a manifest sin) The Ayah commands: When one of you wants to divorce a wife and marry another one, he must not take any portion of the dowry he gave to the first wife, even if it were a Qintar of money. We mentioned the meaning of Qintar in the Tafsir of Surah Al `Imran. This Ayah is clear in its indication that the dowry could be substantial. `Umar bin Al-Khattab used to discourage giving a large dowry, but later on changed his view. Imam Ahmad recorded that Abu Al-`Ajfa' As-Sulami said that he heard `Umar bin Al-Khattab saying, "Do not exaggerate with the dowry of women, had this practice been an honor in this world or a part of Taqwa, then the Prophet would have had more right to practice it than you. The Messenger of Allah never gave any of his wives, nor did any of his daughters receive a dowry more than twelve Uwqiyah. A man used to pay a substantial dowry and thus conceal enmity towards his wife!" Ahmad and the collectors of Sunan collected this Hadith through various chains of narration, and At-Tirmidhi said, "Hasan Sahih". Al-Hafiz Abu Ya`la recorded that Masruq said, "Umar bin Al-Khattab stood up on the Minbar of the Messenger of Allah and said, `O people! Why do you exaggerate concerning the dowry given to women The Messenger of Allah and his Companions used to pay up to four hundred Dirhams for a dowry, or less than that. Had paying more for a dowry been a part of Taqwa or an honor, you would not have led them in this practice. Therefore, I do not want to hear about a man who pays more than four hundred Dirhams for a dowry.' He then went down the Minbar, but a woman from Quraysh said to him, `O Leader of the Faithful! You prohibited people from paying more than four hundred Dirhams in a dowry for women' He said, `Yes.' She said, `Have you not heard what Allah sent down in the Qur'an' He said, `Which part of it' She said, `Have you not heard Allah's statement,

(وَأَتَيْتُمْ إِحْدَاهُنَّ قِنْطَارًا)

(And you have given one of them a Qintar)' He said, 'O Allah! Forgive me...' He then went back and stood up on the Minbar saying, 'I had prohibited you from paying more than four hundred Dirhams in a dowry for women. So, let everyone pay what he likes from his money.'" The chain of narration for this Hadith is strong.

(وَكَيْفَ تَأْخُذُونَهُ وَقَدْ أَفْضَى بَعْضُكُمْ إِلَى بَعْضٍ)

(And how could you take it (back) while you have gone in unto each other) how can you take back the dowry from the woman with whom you had sexual relations and she had sexual relations with you Ibn `Abbas, Mujahid, As-Suddi and several others said that this means sexual intercourse. The Two Sahihs record that the Messenger of Allah said three times to the spouses who said the Mula` anah;

«اللَّهُ يَعْلَمُ أَنَّ أَحَدَكُمْ كَاذِبٌ، فَهَلْ مِنْكُمْ تَائِبٌ؟»

(Allah knows that one of you is a liar, so would any of you repent ) The man said, "O Messenger of Allah! My money," referring to the dowry that he gave his wife. The Messenger said,

«لَا مَالَ لَكَ، إِنْ كُنْتَ صَدَقْتَ عَلَيْهَا فَهُوَ بِمَا  
اسْتَحَلَّتْ مِنْ فَرْجِهَا، وَإِنْ كُنْتَ كَذَبْتَ عَلَيْهَا  
فَهُوَ أَبْعَدُ لَكَ مِنْهَا»

(You have no money. If you are the one who said the truth, the dowry is in return for the right to have sexual intercourse with her. If you are the one who uttered the lie, then this money is even farther from your reach.) Similarly Allah said;

(وَكَيْفَ تَأْخُذُونَهُ وَقَدْ أَفْضَى بَعْضُكُمْ إِلَى بَعْضٍ  
وَأَخَذْنَ مِنْكُمْ مِيثَاقًا غَلِيظًا )

(And how could you take it (back) while you have gone in unto each other and they have taken from you a firm and strong covenant) (Be kind with women, for you have taken them by Allah's covenant and earned the right to have sexual relations with them by Allah's Word.)

**Marrying the Wife of the Father is Prohibited**