

THE FIRST PRINCIPLE OF THE SOURCES

THE BOOK OF ALLĀH, ﷻ

Know, upon actual examination, that the source of rules is one, that is, the statements of Allāh, ﷻ, for the statements of the Messenger of Allāh, ﷺ, do not establish rules nor obligations. Rather, he informs on the authority of Allāh, ﷻ, that He has ruled on such and such. Therefore, ruling is for Allāh, ﷻ, alone. *Ijmā'* indicates the *Sunna*, and the *Sunna*, the ruling of Allāh, ﷻ. As for reason, it is not a cause¹ of the *Sharī'a* rules; rather, it proves that rules are nonexistent in the absence of revealed authority. So, calling reason a source from among the principles of the sources is figurative, as will be substantiated later.

However, when we consider the manifestation of rules in relation to us, they do not become manifest except by the statements of the Messenger, ﷺ, for we do not [directly] hear the words from Allāh, ﷻ, nor from Jibrīl. Thus, the Book is manifested to us through the utterances of the Messenger, ﷺ. So, if we consider that which manifests these rules, it is

¹The root '*dalla*' linguistically means directed, guided, or caused. See Lane, 3:900. In view of Ghazālī's position on reason with regard to revelation, the term *cause* is more reflective of the meaning of this word. See Zabīdī, *Tāj al-'Arūs*, 7:324-25.

only the utterances of the Messenger, since *ijmâ'* indicates that they [jurists] relied on his statements.

When we consider the cause of obligation, it is [only] one, namely the rule of Allâh, ﷻ. Yet if we do not make rational abstractions but [instead] combine the established avenues of knowledge, the principles—which must be examined—would become four, as mentioned above.

Thus, let us begin with the Book and examine its essence, its definition—which sets it apart from what is not the Book—its expressions, and then its ruling.

THE FIRST CONSIDERATION: ITS ESSENCE

This refers to the speech subsisting in the being of Allâh, ﷻ, which is one of His eternal attributes. The term *speech* is ambiguous and may be applied to utterances indicating what is in the mind. You say, [for example], “I *heard* the speech of so and so and his eloquence.” Or it may apply to what the expressions represent, that is, the meanings in the mind, as has been said: “Indeed, words inhere in the mind, and the tongue is made only to convey what is in it.”² Allâh, ﷻ, said, “*And they said to themselves, ‘Why does not Allâh punish us for what we say?’*”³ and, “*Whether you conceal your words or proclaim them . . .*”⁴ It is

²This verse is attributed to al-Akhtal, “Ghiyâth al-Taghlibî.” But, according to A. Hârûn, it is not in his *diwân*. See al-Jâhiz, *al-Bayân wa al-Tabyîn*, 1:218.

³Qur’ân, 58:8.

⁴Qur’ân, 67:13.

impossible to deny the ambiguity of this term.

Some people have said that it originally stood for utterances and, metaphorically, for their meanings. The reverse also has been stated. But this serves no purpose after its ambiguity has been established.

The speech inherent in the mind is divisible into predicates,⁵ inquiries, commands, prohibitions, and admonitions. These are meanings that differ in their genre by [their] various volitions and cognitions. They are by their essence related to their objects, just as power, will, and knowledge are likewise related. Some people claim that they are reducible to knowledge and will, and are not independent genres. But establishing this is the task of a theologian, not a jurist.

*Faṣl:*⁶ The speech of Allāh, *كَلَامُ اللَّهِ*, is one. And in its unicity, all the meanings of words are contained, just as His knowledge is one, yet [with] its unicity, it encompasses the infinity of what is known, to the extent that not an atom's weight, neither in the heavens nor the Earth, escapes His knowledge.⁷ But this is difficult to

⁵For this technical meaning of '*khavar*' (i.e. statements that are either affirmed or denied), see al-Jurjānī, *Kitāb al-Ta'rifāt*, p. 101 and Tahānawī, *Kashshāf Istilāḥāt al-Funūn*, 1:412.

⁶Ghazālī, not following the classical conventions of book divisions, chooses '*faṣl*' here as a division approximately equivalent to a 'Discussion.'

⁷Ghazālī is echoing the two verses in the Qur'ān, 10:61 and 34:3.

comprehend. Again explaining it is the task of the theologian, not the jurist.

As for speech inherent in the mind, with respect to us, it is multiple just as knowledge is multiple. His speech differs from ours in another way, namely no creature is capable of expressing words inherent in his mind except through utterances, signs, or gestures. But Allâh, ﷻ, has the power to create necessary knowledge of His speech in whomsoever He wills among His servants without the intermediary of letters, sounds, or signs. He also creates in them hearing of [His] speech without the intermediary of letters, sounds, or senses. Whosoever hears it without an intermediary has definitely heard the speech of Allâh. That was the privilege of Moses, may the blessings of Allâh, ﷻ, be upon him, upon our Prophet, and all other prophets. As for one who hears it from other than Him, such as from an angel or a prophet, calling it *hearing* the speech of Allâh, ﷻ, is just like *hearing* the poetry of al-Mutanâbbi [recited] from other than him and saying that he has heard the poetry of al-Mutanâbbi. This is also permissible. Because of this, Allâh, ﷻ, said, "*If any one of the pagans seeks your protection, grant it to him, so that he may hear the word of Allâh.*"⁸

THE SECOND CONSIDERATION: ITS DEFINITION

The Book is defined as that which has been transmitted to us

⁸Qur'ân, 9:6.

through *tawâtur* between the two covers of the *Mushaf* [Codex] based on the well known seven recitations.⁹ What we mean by *the Book* is the revealed Qur'ân; we have qualified it by the [term] '*Mushaf*' because the Companions took great precautions in transmitting it to the extent that they prohibited *ta'âshîr* [marking the Qur'ân in tenths] and *naqt* [inserting diacritical marks], requiring a bare [text] so that the Qur'ân would not be mixed with what was not [of the] Qur'ân.

It [the Qur'ân] has been transmitted to us via *tawâtur*. Hence we know that what is written in the agreed upon *Mushaf* is the Qur'ân. What is apart from this is not of it. For it is, by custom and habit, impossible—in the face of the super-abundant impetus to preserve it—that a part of it was neglected and not transmitted or that it was mixed with that which is not part of it.

If it is said: Do you not define it as *mu'jiz* [inimitable]?

We shall say: No, [for] its inimitability demonstrates the truth of the Messenger, ﷺ, not necessarily that it is the Book of Allâh, ﷻ, since inimitability is conceivable for other than the Book of Allâh, and a *portion* of a given verse is not inimitable, yet it is part of the Book.

If it is said: Then why do you require *tawâtur*?

⁹For details on the various readings of the Qur'ân, see *Encyclopaedia of Islam*, s.v. "Qur'ân," by J. D. Pearson; and Kristina Nelson, *The Art of Reciting the Qur'ân* (Austin: University of Texas Press, 1985), pp.133-135.

We shall say: So that certain knowledge accrue by it because ruling based on what is not [certainly] known is ignorance. For something to be the speech of Allâh, قوله , is an actual fact, and is not based on supposition, so that it depends on our presumptions. So it could be said, "If you think this way, then we have prohibited or made lawful for you certain acts." Thus, prohibition would be known to us by our presumption. In fact, our presumption would be an indication that prohibition is dependent on it, for prohibition is based on supposition. So, it becomes possible to base it on supposition at times of presumption. But considering that something is the speech of Allâh, قوله , is an actual fact and is not based on supposition; so judging based on it is ignorance. Two discussions stem from the definition of speech.

I. DISCUSSION: Consecutive fasting for the atonement of breaking an oath is not mandatory, according to one view, in spite of Ibn Mas'ûd reciting, "Then fast three days *consecutively*" ¹⁰ For this addition has not come through *tawâtur* and, therefore, is not from the Qur'ân. So it should be construed that he mentioned it in the course of expressing what he held as an opinion. He may have believed in consecutive [fasting], construing the general to

¹⁰The verse in the Qur'ân, 2:196, does not include the word *consecutive*, although in this report attributed to Ibn Mas'ûd it is added. For references to the *hadith*, see Wensinck, *Concordance*, 1:263. However, according to Mâlik, *al-Muwatta'*, 1:305, and Zamakhsharî, *Kashshâf*, 1:345, this addition is attributed to 'Ubay b. Ka'b.

[mean] the specific as in the consecutive [months of fasting] for *zihâr*.¹¹

Abû Hanîfa said that [consecutive fasting] is obligatory, even though it was not established as being of the Qur'ân. It is, at the very least, a report; and it is incumbent to act according to a solitary report. But this is weak because there is no proof denying a solitary report. If he considers it part of the Qur'ân, he is definitely wrong. For it is incumbent for the Messenger of Allâh, ﷺ, to convey it to a group of the community such that proof is established by their statement. To secretly entrust it to one person was not permissible for him

If he [Abû Hanîfa] does not consider it part of the Qur'ân, it is possible that this may be one of his opinions based on proof indicated to him. Another possibility is that it may have been a report. However, it is not permissible to act based on what wavers between being accepted as a report or not. It is only permissible to act based on what a reporter explicitly states that he heard from the Messenger of Allâh, ﷺ.

¹¹This is in reference to the Qur'ân (58:3-4) prescribing the atonement of fasting two consecutive months for the act of *zihâr*, which refers to a pre-Islamic form of divorce consisting of the statement of repudiation, "You are to me like my mother's back." For details on its definition and its rulings, see al-Zahîlî, *al-Fiqh al-Islâmî wa Adillatuhu*, 7:585-620, and Ibn Rushd, *Bidâyat al-Mujtahid*, 2:90-5.

II. DISCUSSION: *Al-Basmala*¹² is a verse of the Qur'ân.

But whether it is the first verse of every *sûra* is disputed. The inclination of al-Shâfi'i, رَجُمَهُ اللهُ, is that it is a verse of every *sûra*, be it "al-Hamd" [the opening *sûra*] or the rest of the *sûras*. But it is, in the beginning of every *sûra*, a verse by itself, or it is a verse with the first verse of those *sûras*. This has been obscurely reported from al-Shâfi'i, رَجُمَهُ اللهُ. But this is more sound than the position of a those who construed the ambiguous statements of al-Shâfi'i to mean whether or not it is a part of the Qur'ân [at all] at the beginning of every *sûra*. Indeed, the correct view is that wherever it has been written in the Qur'ân in the script of Qur'ân, it is of the Qur'ân.

If it is said: The Qur'ân cannot be established except through decisively *mutawâtir* transmissions, and if this is decisive, then how could they differ with regard to it? If it is undecisive, how can the establishment of the Qur'ân rest on conjecture? If this is permissible, then it would be permissible to establish the mandatoriness of fasting consecutively for the atonement of [breaking an] oath, based on Ibn Mas'ûd's statement. Also, it would be permissible for the Rafidites to say that the Imamate of 'Ali, رَجُمَهُ اللهُ, has been determined by the text of the Qur'ân and that there were verses revealed about him which the Companions

¹²This term refers to بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ, (In the Name of Allâh, the Merciful, the Compassionate), the first verse of all but one of the *sûras* of the Qur'ân.

concealed because of prejudices against him.

Our way of refuting them is to say only that the Qur'ân has been revealed as a miracle for the Messenger, ﷺ, and the Messenger, ﷺ, has been commanded to present it to a group of people by which proof is established. And since they are the people [constituting] *tawâtur*, it is not suspected of them to agree to conceal it, nor to confidentially relate it to a few individuals, so that know one brings forth denials. For the Companions exerted themselves to preserve the Qur'ân, to the extent that they were strict with the letters [of the Qur'ân] and prevented writing the names of the *sûras* together with the Qur'ân, *ta'âshîr*, and the [placing of] diacritical marks, so that the Qur'ân is not mixed with other than it. Since the customary practice makes concealment impossible, it is necessary that the manner of establishing the Qur'ân be decisive.

It was for this idea that al-Qâḍî held decisively the incorrectness of those who hold *basmala* as part of the Qur'ân, except in "Sûrat al-Naml." He further stated that if it was part of the Qur'ân, it would have been mandatory for the Messenger, ﷺ, to clarify that it is from the Qur'ân in a way that precludes all doubts and uncertainties. Yet he [al-Qâḍî] stated, "He who holds this, I consider him mistaken, but do not charge him with unbelief. For its exclusion from the Qur'ân has also not been established by an explicit and *mutawâtir* text. Therefore, an adherent of this is mistaken and not an unbeliever." He admitted that the *basmala* was revealed to the Messenger of Allâh, ﷺ, at the beginning of every *sûra* and was written as part of the Qur'ân in

the script of the Qur'ân by the command of the Messenger of Allâh, **حَدَّثَنَا اللَّهُ عَلَيْهِ وَسَلَّمَ**.

Indeed, Ibn 'Abbâs, **رَضِيَ اللَّهُ عَنْهُمَا**, said that Messenger of Allâh, **حَدَّثَنَا اللَّهُ عَلَيْهِ وَسَلَّمَ**, did not know the end of one *sûra* from the beginning of the next *sûra* until Jabrîl came to him with "*In the name of Allâh, the Merciful, the Compassionate*" [**بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ**] But it is not impossible that what was not Qur'ân[ic] was revealed to him.

Al-Qâdî rejected the opinion of those who attribute *bid'a* [heretical innovation] to 'Uthmân, **رَضِيَ اللَّهُ عَنْهُ**, for writing "*In the name of Allâh, the Merciful, the Compassionate*" [**بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ**] in the beginning of every *sûra*, and stated that if he has created *bid'a*, then it would have been customarily impossible for the people of religion to remain silent with him, despite their firmness in religion. How could this be since they objected to those people who entered the names of the *sûras*, diacritical marks, and *ta'âshîr*? So why did they not reply by saying, "We have innovated it as 'Uthman, **رَضِيَ اللَّهُ عَنْهُ**, did in writing the *basmala*," especially when the names of the *sûras* are written distinguished from the Qur'ân itself, while the *basmala* is written similar to the text of the Qur'ân and is adjoined to it in a way that is not distinguish from it. Therefore, being silent with one who innovates this is customarily impossible unless it was a command of the Messenger of Allâh, **حَدَّثَنَا اللَّهُ عَلَيْهِ وَسَلَّمَ**.

As for the reply, we shall say: There is no validity in al-Qâdî's categorical faulting of al-Shâfi'i, **رَحِمَهُ اللَّهُ**, because adding what is not the Qur'ân to the Qur'ân is infidelity, such that he who adds

the *qunût* [specific supplication] or *tashahhud* or *ta'awwudh*¹³ to the Qur'ân is an infidel. So why doesn't he who adds *basmala* become an infidel? [For] he has no excuse, except when it is said that its negation from the Qur'ân is not established through a *mutawâtir* text.

Thus, we shall say that if it is not part of the Qur'ân, it would have been incumbent for the Messenger, ﷺ, to explicitly state that it is not part of the Qur'ân and to promulgate it in a way that uproots doubt such as in *ta'awwudh* and *tashahud*.

If it is said: What is not part of the Qur'ân is unlimited and so can be denied, and, on the contrary, that which must be specified is what is actually from the Qur'ân.

We shall say: This would be correct if the *basmala* was not written by the command of Messenger of Allâh, ﷺ, with the Qur'ân in script, and if it had not been revealed to the Messenger, ﷺ, at the beginning of every *sûra*, which decisively impresses [upon one] that it is from the Qur'ân. It is inconceivable that the Messenger of Allâh, ﷺ, did not know of its suggesting this and that it was permissible for him to remain silent from negating it—especially when adding it to [the Qur'ân] is suggested.

¹³The *qunût* is a supplication said during a prayer, while *ta'awwudh* is saying *a'ûdhu billâh min al-Shaytân al-rajîm*, I seek refuge with Allâh from Satan, the accursed. *Tashahhud* is the declaration of faith, witnessing that there is no god but Allâh and Muḥammad is His messenger.

However, al-Qâdî, رَحِمَهُ اللهُ، said that if it was from the Qur'ân, then doubt would be uprooted by a *mutâwatir* text that constitutes proof.

We shall say: If it is not part of the Qur'ân, it would have been incumbent upon the Messenger of Allâh, ﷺ, to explicitly state that it is not part of the Qur'ân and to promulgate [this]. And he would have negated it by a *mutâwatir* text after he had commanded its writing in the script of the Qur'ân, since there is no excuse for being silent from uprooting this notion.

As for not explicitly stating that it [the *basmala*] is from the Qur'ân, this is based on circumstantial evidence, since it was dictated to the scribe with the Qur'ân. But the Messenger, ﷺ, in the course of dictating [the Qur'ân], did not repeat with every word and verse that it was part of the Qur'ân. /1:104/ Rather, his sitting for it and his circumstantial evidences indicate that it was. All of this is known decisively.

Furthermore, since the *basmala* was ordered to be said at the beginning of all important matters, and since it appears at the beginning of *sûras*, some people think that it was written as a blessing. But this thinking is false. This is why Ibn 'Abbâs said, "Has Satan stolen a verse of the Qur'ân from the people,"¹⁴ when some of them neglected reciting *basmala* at the beginning of the *sûras*. So he decisively stated that it is a verse. Yet he was

¹⁴ Ibn 'Abbâs' statement is reported in various ways. Some are in interrogative form. See al-Suyûtî, *al-Durr al-Manthûr fî al-Tafsîr bi al-Ma'thûr*, 1:19-23.

unopposed, as was the case with those who added *ta'awwudh* and *tashahhud* to the Qur'ân. Therefore, this proves that it was held as decisive and that doubt arose afterwards.

If it is said: After the occurrence of doubt and speculation, *basmala* became subject to *ijtihâd*, thus exiting the sphere of decisiveness. So how can the Qur'ân be established on the basis of *ijtihâd*?

We shall say: Al-Qâdî, رحمته الله, has held that differing in the numbering and length of the verses is permissible. He has admitted that this matter depends on the *ijtihâd* of the reciters; it was not sufficiently clarified in a manner that uproots doubt. But the *basmala* is part of the Qur'ân in "Sûrat al-Naml"; thus, it is decisively part of the Qur'ân. The dispute is only whether it is part of the Qur'ân once or as many times as it has been written. In this regard, it is possible for doubt to occur. Yet certainty is obtained through *ijtihâd* because it is an inquiry to determine the specific place of the verse after it has been written in the script of the Qur'ân. The occurrence of this is possible. Proof of the possibility of its occurrence and that it is permeable to *ijtihâd* is that the negator does not charge infidelity to he who adds it nor does he who adds it charge the negator with infidelity, contrary to [adding] the *qunût* and *tashahhud*. Thus, *basmala* has been opened to speculation. But writing it in the script of the Qur'ân with the Qur'ân, when considering the firmness of the Companions and their determination in preserving the Qur'ân from additions, has made it decisively or near decisively part of the Qur'ân.

If it is said: This issue has become speculative and has exited from being known through *tawâtur* as necessary knowledge, and is yet either decisive or speculative.

We shall say: Objectively, it is not decisive, but is subject to *ijtihâd*. The proof for the permissibility of [applying] *ijtihâd* upon it is the occurrence of differences about it during the time of the Companions, رَضِيَ اللهُ عَنْهُمْ, to the extent that Ibn 'Abbâs, رَضِيَ اللهُ عَنْهُمَا, said, "Has Satan stolen a verse of the Qur'ân from the people," and he was not charged with infidelity for adding it to the Qur'ân, nor did he face objections. Also, we know that if [Abû Bakr] al-Siddîq, رَضِيَ اللهُ عَنْهُ, has transmitted that the Messenger, صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ, has said, "*Basmala* is [part] of 'Sûrat al-Hamd' and is at the beginning all *sûras* written with it," this would have been accepted for the reason that it is written by the command of the Messenger of Allâh, صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ. Had it been transmitted that the *qunûl* is part of the Qur'ân, then its falsity would be known in a decisive way in which there is no doubt in it.

In sum, if we are to be objective, we find ourselves in doubt concerning the issue of the *basmala*, but certain in the case of the *ta'awwudh* and the *qunûl*. But when we examine it being written with the Qur'ân by the command of the Messenger of Allâh, صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ, together with his silence on explicitly denying that it is part of the Qur'ân, and after the cause of this impression is determined, this then becomes an evident proof or nearly decisive [for it] being part of the Qur'ân, proving that *ijtihâd* does not extend to the origin of the Qur'ân.

As for what is of the Qur'ân and is written in its script, *ijtihâd* does extend to it with regard to the specification of its placement and whether it is in /1:105/ the Qur'ân once or twice. We have presented proofs concerning this in the book, *Haqîqat al-Qur'ân*, and explained what has been thrust against al-Shâfi'î, رحمه الله، for wavering in his positions concerning this issue.

If it is said: You have made reciting the *basmala* in prayer mandatory, and this is based on it being part of the Qur'ân. But its being of the Qur'ân cannot be established by conjecture because conjecture indicates the mandatoriness of acting with regard to what is subject to *ijtihâd*, otherwise it is ignorance, that is, not certain knowledge. Thus, it should be considered similar to *consecutive fasting* in the reading of Ibn Mas'ûd.

We shall say: Sound and explicit reports have been transmitted concerning the obligatoriness of reciting the *basmala*; and the fact that it is part of the Qur'ân is *mutawâtir* and certain.

But what it is doubtful is only whether it is part of the Qur'ân [only] in "Sûrat al-Naml" or many times at the of beginning every *sûra*. So how can it be equated with the reading of Ibn Mas'ûd while the Qur'ân is not established by it, nor is it a report? where sound reports have come to us concerning the mandatoriness of *basmala*, and it has been authenticated by *tawâtur* that it is part of the Qur'ân. In sum, the difference between the two issues is evident.

THE THIRD CONSIDERATION: THE WORDS OF THE QUR'ĀN Three Discussions

I. DISCUSSION: The words of the Arabs contain literal and figurative [expressions], as their distinction shall follow.¹⁵

Therefore, the Qur'ân contains figurative [expressions], contrary to what it held by some.

We shall say that the term *figurative* is ambiguous and may apply to falsities that have no reality. But the Qur'ân is exonerated from this. And this may have been what was taken by those who deny the existence of figurative usage in the Qur'ân.

Also, it may apply to a word that has exceeded its literal meaning. This, in the Qur'ân, cannot be denied, for He, ﷻ, has said:

“ ‘ . . . And ask the village where we have been and the caravan . . . ’ ”¹⁶

“ . . . And they found a wall willing to fall, and he repaired it.. ”¹⁷

“ . . . There surely would have been pulled down Monasteries, Temples, Prayers, and Mosques . . . ”¹⁸ But how can “prayers”

¹⁵See the seventh chapter of the Third *Qurḡb*, 1:341-45. For more information consult, al-Zarkashî, *Burhân fî 'Ulûm al-Qur'ân*, 2:255-98, where he lists 26 types of metaphorical usages in the Qur'ân.

¹⁶Qur'ân, 12:82.

¹⁷Qur'ân, 18:77.

¹⁸Qur'ân, 22:40.

be pulled to the the ground.

*"... When some of you return from the call of nature ..."*¹⁹

*"... Allâh is the light of the heavens and the Earth ..."*²⁰

*"... Those who annoy Allâh ...,"*²¹ meaning His Messenger;

*"... The one who assaults you, assault him in a like manner."*²² If retribution is just, how can it be called assault?

*"Recompense an offense with an equal offense ..."*²³

*"... And then Allâh mocks them ..."*²⁴

*"They plot and Allâh plots ..."*²⁵

*"Whenever they light a fire of war, Allâh extinguishes it."*²⁶

¹⁹Qur'ân, 2:43.

²⁰Qur'ân, 35:24.

²¹Qur'ân, 33:57.

²²Qur'ân, 2:194.

²³Qur'ân, 42:40.

²⁴Qur'ân, 2:15.

²⁵Qur'ân, 8:30.

²⁶Qur'ân, 5:64.

"We have prepared for disbelievers a fire, its tent encloses them . . ." ²⁷

[There are] countless cases like these. All are figurative, as it will be discussed below.

II. DISCUSSION: Al-Qâdî, رحمه الله, said that the entire Qur'ân is Arabic and that there are no foreign elements in it. But some people have said that there are non-Arabic words in it. ²⁸ They argue that '*mishkah*' [niche] is Hindi and that '*istabraq*' [type of silk] is Persian. And, [concerning] His saying, "*And fruits and abb* [a type of grass] . . . ,"²⁹ some have said that '*abb*' is not Arabic.

Arabs may use foreign words. In some poetry, the word '*athjat*' ³⁰ means the head position and it has become Arabicized, just as *mishkah*. Al-Qâdî forced the addition of these words to

²⁷Qur'ân, 18:29.

²⁸Al-Shâfi'î's *Risâla*, p. 41, contains the oldest recorded discussion on the Arabicity of the language of the Qur'ân, where he states that the Qur'ân is purely Arabic. Others held the same opinion, like Abû 'Ubayd, al-Tabarî, and al-Bâqillânî. The majority of the *fuqahâ* hold the opinion that foreign words found in the Qur'ân have become Arabicized. For details, see al-Zarkashî, *Burhân fî 'Ulûm al-Qur'ân*, 2:289.

²⁹Qur'ân, 80:31.

³⁰According to Muḥammad al-Bilbâsî al-Husaynî, the editor of the Amîrî edition of *al-Mustasfâ*, in another manuscript the word is '*ashjat*'. According to Ibn Manzûr, *Lisân*, 2:318; and Zabidî, *Tâj al-'Arûs*, 2:70, the root '*'ayn*' '*thâ*' '*jîm*' means a group journeying, a large number, or a huge, solid, and speedy camel.

Arabic, and explained its forms. He said that every word in the Qur'ân that has been used by people of other languages has its roots in Arabic. But other people altered them to a degree, as did the Hebrews. For *illah* [God], they say *lahût* and for *nas* [people], *nasût*. And he denied that there are in the Qur'ân non-Arabic words. He argued on the basis of His saying, ضَعَلَى, "... *The tongue of he whom they wickedly point to is outlandish, while this is clear Arabic speech . . .*"³¹ "Had we sent this as a Qur'ân in a foreign tongue, they would have said, 'If only its verses were expounded. Not in Arabic? And an Arab? . . .'"³² Thus, if there were in it non-Arabic words, then it would not be pure Arabic. Rather, it would be Arabic and non-Arabic. The Arabs would have used this as an argument saying, "We are not impotent as far as Arabic is concerned. As for the foreign tongues, we are unable to comprehend them."

This is unacceptable to us in view of the fact that the entire Qur'ân contains two or three [words] of foreign origin. Moreover, the Arabs had used them, so they had occurred in their language. This does not change the Qur'ân from being Arabic nor the use of this term [Arabic] to describe it. There would be no smooth way for Arabs to argue [on this basis]. For Persian poetry is Persian, even though it contains certain Arabic words, since those words are common in Persian. There is no need to belabor this.

³¹Qur'ân, 16:103.

³²Qur'ân, 41:44.

III. DISCUSSION: The Qur'ân contains perspicuous and allegorical verses, just as the Exalted said, ". . . *The Book, wherein there are perspicuous verses—they are the essence of the Book—and others which are allegorical . . .*"³³ They have differed on its meaning. And since no text³⁴ came explaining these words, they should be interpreted based on what the philologists recognize and what corresponds with the literal meaning of the words. Thus, it is inappropriate to say that the allegorical are the individual letters occurring at the beginning of some *sûras* and that the rest are the perspicuous; nor [is it appropriate] to say that the perspicuous is known to the well-grounded in knowledge and that the allegorical is known only to Allâh, ﷻ; nor [is it appropriate] to say that the perspicuous are the promises and threats or the lawful and unlawful and that the allegorical are the stories and examples—and this is more remote.

Rather, the correct position is that the perspicuous is reduced to two meanings:

The first of which is that its meanings are open and is not permeable by ambiguities and probabilities, while in the allegorical, probabilities are contradictory. The second is that the perspicuous is what has been systematized and arranged

³³Qur'ân, 3:7.

³⁴Here Ghazâlî uses the term *tawqîf*, which means decisive authoritative text. Consult Zabîdî, *Tâj al-'Arûs*, 6:270; and Madkûr et al., *al-Mu'jam al-Wasîl*, 2:1064.

sequentially to impart meaning, either based on what is evident or interpreted, as long as there are neither contradictions nor variance in it. The perspicuous is opposite to the obscure and the corrupt, not to the allegorical.

As for the allegorical, it is possible to express through it ambiguous terms such as *qur'*;³⁵ and as in his saying, *قُرْ*, "... *He who has in his hand the knot of marriage . . .*"— for *he* wavers between the *husband* and the *guardian*— also '*lams*', which wavers between *touching* and *sexual intercourse*.³⁶

It may apply to what has been transmitted regarding the attributes of Allâh, in which its apparent meaning deludes assigning direction and ascribing human characteristics to Him, requiring interpretation.

If it is said: [In] His saying, *قُرْ*, "*None knows its interpretation except Allâh and those who are well-grounded in knowledge . . .*,"³⁷ is *and* conjoining what precedes it with what follows it, or is it more appropriate to stop after [the word] *Allâh*?

We shall say: Either one is tolerated. So, if what is intended by this is at the time of resurrection, stopping is more appropriate; if otherwise, conjoining is. For it is evident that Allâh, *قُرْ*, does not address Arabs with that which there is no way for any creature

³⁵This term may mean either menstruation or purity. See Qal'aji, *Mu'jam al-Lughat al-Fuqahâ'*, p. 359.

³⁶See Qal'aji, *Mu'jam al-Lughat al-Fuqahâ'*, p. 393.

³⁷Qur'ân, 3:7.

or any person to know.

If it is said: What is the signification, then, of the letters in the beginning of some *sûras* since no one knows their meanings?

We shall say: People have said much about this. One of the more likely assertions is that they are names of the *sûras* so that they can be recognized by them. Hence, it is said that the *sûra*'s name is "Yâ Sîn" or "Tâ Hâ."

It has also been said that Allâh, ﷻ, has mentioned them to focus the attention of the Arabs to listen because it differs with their conventions. It thus awakens them from heedlessness, such that it moves their hearts to attentiveness. Hence, he did not mention them for a stated meaning.

Then again, it is said that He only mentioned them alluding to the rest of the alphabet, which none of the Arabic words exceed, alerting that He does not address them except through their language and their alphabet, and one may alert by using part of something for the whole.

It is said, "He recited 'Sûrat al-Baqara' and sung 'Alâ Hubbî,'"³⁸ meaning the entire *sûra* and the whole poem. A poet has said, "He implores me with 'Ha Mîm.', at the piercing of the spear; but why did he not recite 'Ha Mîm' before attacking?" He eluded to the

³⁸This is the opening phrase of the first verse in 'Amr b. al-Kulthûm's poem. For more information, see Paulis Salâma, *al-Mu'allaqât al-'Ashr* (Beirut: Dar Sa'b, 1981), p. 113; and Aḥmad al-Shanqîṭî, *Sharḥ al-Mu'allaqât al-'Ashr wa Akhbâr Shu'arâ'ihâ*, (Beirut: Dâr al-Andulus, 1402/1982), p. 137.

Qur'ân with '*Ha Mîm.*' Thus, it is established that there is nothing in the Qur'ân that Arabs do not understand.

If it is said: Arabs only understand a direction and settling from His statement, *هُوَ*, "*He is the Omnipotent over His worshippers . . .*";³⁹ "*The Beneficent One, who is established on the throne . . .*"⁴⁰ But what is intended by this is different. Therefore, it is allegorical.

We shall say: This is preposterous! These are metonymical and metaphorical expressions understood by the believers among Arabs who testify that nothing resembles Allâh, *هُوَ*, and these verses are interpreted in a way suitable to the comprehension of the Arabs.

THE FOURTH CONSIDERATION: THE CHARACTERISTICS OF THE QUR'ÂN

Part of these characteristics include the penetration of interpretations to the apparent meaning of its words, the penetration of specification to the general cases, and the penetration of abrogation to its requirements. As for specification and interpretation, they will follow in the Third *Quib*. For we have elaborated on the manners of its utilization and deduction from expressions, connotations, etc.

³⁹Qur'ân, 6:61.

⁴⁰Qur'ân, 20:5.

As for abrogation, the general custom has been to place it after the book of traditions because abrogation permeates the Book and the *Sunna* altogether. But we have placed it with the characteristics of the Book for two reasons: One of which is its ambiguity and obscurity in view of it being permeable by the speech of Allâh, *فَعَلَى*, despite the impossibility of *bada'* [His change of mind]. Second is that the discussion on traditions has been extended because of its connection with knowing its various types of *tawâtur* and *ahâd* [reports]. Therefore, we have decided that it is more appropriate to place it after the characteristics of the Book.

THE BOOK OF ABROGATION

EXAMINATION OF ITS DEFINITION AND ESSENCE; ESTABLISHING IT AGAINST ITS DENIERS; ITS ESSENTIAL CONSTITUENTS AND CHARACTERISTICS

Outlined in [Two] Chapters

CHAPTER ONE: ITS DEFINITION, ESSENCE, AND ESTABLISHMENT

[Section one of this Chapter: Its definition]

As for its definition, know that in its original linguistic sense *abrogation* ['*naskh*'] means to *obliterate* or *eliminate*, as in saying, "The sun *eliminated* [*nasakhat*] the shade, and the wind *obliterated* the traces," when it signifies 'abolition.' At times, however, '*naskh*' applies to the abrogation of documents. Thus, it is ambiguous. For our purposes, *abrogation* denotes *obliteration* or *elimination*. Therefore, we say that it can be defined as an address—which must be in delay of the address it obliterates—that indicates the elimination of an established rule of a prior address in such a manner that, were it not for [the new address], the prior would have remained standing.¹

We prefer the term *address to text* so as to be inclusive of

¹Al-Râzî copied this definition and stated that Ghazâlî took it from al-Bâqillânî because he was satisfied with and agreed to it; al-Râzî, *al-Mahsûl*, 1:423.

form, signification, implication, and each proof, since abrogation is possible on the basis of any of these. In addition, we have made the phrase *prior address* a provision in the definition, for locating the obligations of worship in the *Sharî'a* abolishes the authority of Reason in [man's pre-*Sharî'a*] state of nonresponsibility. This, then, cannot be termed abrogation, for it does not 'eliminate' a rule of an address.

Indeed, we have made 'elimination of a rule' a provision—and not simply the elimination of 'commands' or 'prohibitions'—so as to include every type of rule, including the recommended, the reprehensible, and the permissible, for each of these may be abrogated.

We state that 'were it not for [the new address], the prior one would have remained standing' because the essence of abrogation is obliteration. Thus, if the one were not established, the other would be eliminating nothing. For /1:108/ if a command comes with a time-specific rite of worship, and a second obliges a certain worship outside that [rite's] time, the second is not considered to be in abrogation of the first. Therefore, when He says, "*Completing fasting until night..*"² and then instructs, "*Do not fast at night . . .*," this is not abrogation. Rather, an eliminating address is one without which a rule cannot be removed.

We also say "in delay of the address" simply because if there were no interruption it would be merely explanation for or completion of the prior address, setting its duration or condition.

²Qur'ân, 2:187.

Also, it can be elimination only if it comes after the prior rule has arrived and been established in such a way as to remain [in effect] but for the abrogating address.

As for the *fuqahâ'*, they do not accept the elimination of the speech of Allâh, ﷻ. So they say, in defining *naskh*, "It is an address which indicates or reveals the duration of the rites of worship or the time of their expiration. This necessitates that His statement, "*Fast in the daytime, and eat at night . . .*" be a case of abrogation, and also His statement, ﷻ, "*. . . Then complete fasting till night . . .*" be one of abrogation. But this verse does imply elimination, nor is it sufficient for the *fuqahâ'* to add the condition of delay; for since His first statement is confined to daytime only, it in itself excludes night. So where is the notion of abrogation?

In fact, what is eliminated is only that which comes under the earlier address—and the expression is intended to indicate this. Rather, what they have mentioned is specification. However we shall explain how abrogation is distinct from specification. Furthermore, we shall even demonstrate that one act, when it is commanded at a certain time, may be abrogated even before the ability to comply with it exists, or before its time. Therefore, this cannot be merely indicative rite of worship's duration or expiration.³

As for the Mu'tazilites, they define *abrogation* as an address indicating that the equivalent of a rule established by a prior text

³See al-Râzî, *al-Mahsûl*, 1:467-478, for his discussion on this point.

has ceased, and that [address] without which [a given rule] would have remained established. Sometimes they substitute the term *ceased* with *dropped*. At other times they substitute it by the word *unestablished*. All of this is to avoid [using] the term *elimination*.

Yet the essence of abrogation is elimination. Thus, it is as if they have emptied the definition of the essence of what it defines.

If it is said: Substantiating the meaning of elimination with respect to the [*Shari'a*] rules is objected to for five reasons:

First, an eliminated rule must be either established or not established. It is not possible to eliminate an established rule, and there is no need to eliminate what has not been established, which proves that abrogation is the obliteration of an equivalent to the established rule, not the rule's elimination per se; or it is an explanation for the time of the rites of worship, as the *fuqahâ'* have stated.

Second, according to you, the speech of Allâh, ﷻ, is eternal.⁴ Yet the obliteration of the eternal is inconceivable.

Third, what Allâh, ﷻ, has established has been so purely because of its goodness. Therefore, if He then were to prohibit it, this would result in changing the good into bad, which is absurd.

Fourth, whatever He commands is willed into existence. How, then, could it be prohibited, such that its existence would be 'unwilled' and abhorred?

⁴This refers to the Ash'arites.

Fifth, abrogation indicates change of mind [*badâ'*],⁵ for He would have forbidden something 'after' ordering it to be. Thus, it is as though something occurred to Him about a judgement He made, which He regretted.

So the first absurdity arises from the impossibility of elimination per se. The second concerns the eternity of speech. The third regards an attribute of what is commanded, as to whether it is essentially good or bad. The fourth concerns the coalescence of will to command. The fifth concerns knowledge in relation to [the act of abrogation] and the occurrence of a subsequent change of mind.

In answer to the first objection, eliminating the obliterated is like the breaking of what is broken, or the annulment of a contract. For if someone says, "What is the meaning of 'breaking' a utensil /1:109/ but the destruction of its form, be it quadrangular, hexagonal, or circular? For what is obliterated by the breaking [in the latter case] is the 'roundness,' which either 'is' or 'is not.' As for the nonexistent, there is *no need* to eliminate it; and as for the existent, there is *no way* to eliminate it." Thus, it must be said that this implies that the integrity of the utensil's form necessitates the continuity of its form perpetually, so long as a 'breaking' cause does

⁵Linguistically *badâ'* means appearance or emergence. In the terminology of *kalâm*, it refers to the appearance of new situations causing a change in a prior divine judgement. See *The Encyclopaedia of Islam*, new ed., s.v. "Badâ'," by I. Goldziher's [A. S. Tritton]; and Mulla Sadra for a philosophical discussion on *badâ'*,

not occur. Therefore, the breaking cause disrupts what the integrity of the utensil's structure would perpetually necessitate, were it not for the 'breakage.'

Similarly, annulment terminates a contract's validity, where it would be perpetual, provided that nothing new enters upon it, were it not for the annulment's occurrence. This is because sale is a cause for exclusive ownership, so long as no unforeseen disruptions occur. But, with respect to annulment, the occurrence of an unanticipated disruption does not prove to us that at the time of contraction the sale was temporarily extended to the point of annulment.

We do not comprehend when you say, "I sold you this house for a year." But we do understand your statement, "I sold and granted possession of this house to you forever. Then we can annul it after the passing of one year." We realize the difference between the two forms: The first establishes a limited ownership, *per se*; and the second establishes absolute ownership, perpetuating until disrupted by annulment. But when it is annulled, the annulment terminates its perpetual nature, which were it not for the disrupting clause, exists by virtue of the contract; nor is the annulment a qualification of limitation *per se*.

Based on this, abrogation is distinguished from specification. For specification clarifies to us that an expression was intended to include only some [of its meanings], while abrogation lifts out from an expression that which it was intended to indicate. But owing to the obscurity of the meaning of *elimination*, it became problematic for the *fuqahâ'*; who fell into denying the meaning of abrogation

altogether.

As for the reply to the second objection, namely the impossibility of obliterating eternal speech, this is corrupt. For the meaning of *abrogation* is not [actually] *obliterating* the speech; rather, it denotes terminating its relationship with the locus of obligation.

Moreover, eternal speech is related to the able and the sane. So, if incapacitation or insanity occurs, this relationship terminates. But when sanity and capacity are restored, the relationship resumes, though eternal speech does not change per se. Furthermore, the incapacitation or the death of the addressee are 'causes' for severing the relationship between the address and the person. But the abrogation of the Addressor is a 'means' of terminating the relevance of the address [to the person]—just as with the status of sales, where granting ownership to a buyer [of a slave, for example] is at times annulled by the death of the sold slave and at other times by the annulment of a contracting party. Due to the obscurity of these ideas, a group denied the eternity of [Allâh's] speech.

In answer to the third objection—the transformation of good into evil—we have already refuted the [Mu'tazilites'] notion of good and evil, and the fact is that they have no meaning. This is better than an argument based on the excuse that it is possible for a thing

to be good at times and bad at other times.⁶ For He has said, in regard to *Ramadân*, “*Do not eat in the day*,” and “*Eat at night*.” For abrogation is not confined, according to us, [only] to like things. Rather, it is possible for Him to command something at one time and prohibit it before the beginning of [the given] time. Thus, He would be prohibiting what He has commanded to be fulfilled, as will follow.

As for the reply to the fourth objection, namely that what is willed becomes abhorred, this is false because command, according to us [i.e., Ash‘arites], is distinct from will. For disobedience, in our view, is intended [by Allâh] but is not commanded. A full examination will come in the Book of Commands.⁷

In response to the fifth objection, namely the necessity of change of mind [on Allâh’s part], this is false. For if what is intended is that it necessarily follows from abrogation that He prohibits what He has allowed and forbids what He has commanded, then this /1:110/ is permissible. “Allâh blots out and He establishes whatsoever He wills. . . .”⁸ Nor is there contradiction in this, just as He allowed eating at night and prohibited it during the day [in *Ramadân*].

⁶See Lane, 5:1984, for the various meanings of ‘*uthr*.’

⁷Ghazâlî, *al-Mustasfâ*, 1:411-417.

⁸Qur’ân, 13:39.

But if what was intended is that something had become unveiled to Him of which He was not previously aware, this is impossible. Nor does this follow necessarily from abrogation. Rather, Allâh, ﷻ, knows that He orders people with a general command and perpetuates the obligation until a determined time. Then He terminates the obligation by abrogating it for them. So He abrogates it at the time which He has determined for its abrogation. Hence, this does not entail learning after ignorance.

If it is said: Are people commanded in Allâh's knowledge up until the time of abrogation only, or forever? If it be until the time of abrogation, then abrogation specifies the duration of worship, as the *fuqahâ* have stated. But if they are commanded forever, then His knowledge and its object have changed.

We shall say: They are commanded in His knowledge until the time of abrogation, which is the termination of the general command for them, without which the command would continue, just as Allâh, ﷻ, knows that the general contract imparts ownership until it is terminated by annulment. But He does not know the contract, per se, to be limited to a period. Rather, He knows it to be necessitating ownership perpetually, provided that no annulling factor occurs. Still, He knows that abrogation shall occur. Thus, the command is terminated for the elimination of its condition, not for its inadequacy, per se. Therefore, abrogation does not necessitate a change of mind.

As a result of the failure of the Jews to comprehend [this], they denied abrogation. Also, the Rafidites committed *badâ'* due to

their failure to comprehend. They have related about ‘Ali, رَضِيَ اللهُ عَنْهُ, that he did not report on the unseen, for fear that something might appear to Allâh, رَضِيَ اللهُ عَنْهُ, with regard to it and cause Him to change His mind. Also, they said of Ja‘far b. Muḥammad that he said, “Allâh has never changed His mind with regard to anything as He changed it concerning Ismâ‘îl”— that is, His command to sacrifice him. This is unadulterated infidelity, relating Allâh, رَضِيَ اللهُ عَنْهُ, to ignorance and change! What demonstrates its absurdity is the proof that He encompasses everything in His knowledge. Furthermore, He is not a locus for accidents or changes.

Sometimes they argue on the basis of His statement, رَضِيَ اللهُ عَنْهُ, that *“Allâh ‘blots out,’ and He ‘establishes’ whatsoever He wills. . . .”*⁹

But it means only that He “blots out” the abrogated command and “establishes” the abrogating [one]. Or, He “blots out” misdeeds with repentance, as He, رَضِيَ اللهُ عَنْهُ, said, “. . . Surely the good deeds will drive away the evil deeds. . . .”¹⁰ Or, He “blots out” the good deeds with infidelity and apostasy. Or, He “blots out” what the guardian Angels take up to Him from that which is permissible and affirms obedience.

If it is said: What is the distinction between specification and abrogation?

We shall say: In one respect, both share common meaning,

⁹Qur’ân, 13:9.

¹⁰Qur’ân, 11:114.

since each necessitate specifying the command [in the sense of restricting it] to 'part' of what is obtained in the meaning of the [target] expressions. But *specification* clarifies that what has been excluded from the [implications] of the general [linguistic] form is not meant to be denoted by its expression, while abrogation eliminates from the expression [exactly] what it was intended to denote. For example, His statement, "*Do everlastingly!*" is possible to be abrogated, though the expression is not intended for a specific time, but for all time. But its continuation [depends] upon the condition that no abrogating command occurs, as when someone says, "I grant you ownership forever"; but then says, "I annul it." Therefore, this annulment expresses what contradicts the condition of the command's continuity after its establishment, that is, what is meant to be indicated by the expression. Therefore, they differ on five points.

First, the abrogating command must come later [than the standing one], while it is permissible for specification to be adjoined, for it is an explanation. In fact, its adjoinment is necessary according to those who do not permit a delay for the explanation.

Second, specification does not apply to a command if only one thing is commanded, /1:111/ though abrogation does apply.

Third, abrogation occurs only through a statement and an address, while specification may occur by rational proof, circumstantial evidence, or other authoritative proofs.

Fourth, specification preserves the meaning of the expression which is applied to that portion of it which remains

unspecified—whether the expression is literal or figurative and irrespective of any dispute concerning this. But abrogation abolishes entirely the indication of the abrogated [expression] for the future.

Fifth, specification of a general [expression] which has a decisive base is permissible through *qiyâs*, solitary reports, and other proofs, though abrogation of what is decisive is not permissible except by what is likewise decisive.

So the position that some of them espouse, namely that abrogation applies only to time, is not a correct distinction, though specification applies to time, entities, and circumstances. But this is figurative and vague because entities and time are not of the acts of the loci of obligation. For abrogation applies to an act at certain times, and specification applies to an act in certain conditions.

Therefore, if He says, "*Kill the misbelievers [mushrikîn], except those with whom you have a compact [mu'âhada]*,"¹¹ which means do not kill them in the state of compact, but kill them in the state of war. What is intended is for each of them [specification and abrogation] to apply to acts.

Now, this is sufficient for revealing the essence of abrogation.

Section Two of this Chapter: Establishing Abrogation Against its Deniers

The occurrence of abrogation based on either rational possibility or revealed authority is denied.

¹¹This term refers to a Christian, a Jew, or a Sabian who is subject to Muslim rule.

As for its rational possibility, it is proven by the fact that if abrogation were impossible, it would then be impossible either *per se*, in form, or in the falsehood it generates or the absurdity it leads to.

It is not impossible in itself or in its form, based on the evidence that we have established regarding the meaning of *elimination* [*raf'*] and our clarifications of its obscurities. Nor is it impossible as a result of its leading to corruption and evil, for we have refuted this whole principle. Even if we granted this, it is not out of the question that Allâh, ﷻ, may know that the benefit of His worshippers [lies] in ordering them [first] with a general command so as to prepare them with the determination to refrain from disobediences and passions; and then He lightens their burden.

With reference to its occurrence on the basis of revealed authority, it is proven by *ijmâ'* and the texts.

As for the *ijmâ'*, the consensus of the entire *ummah* is that the *Sharî'a* of Muḥammad, ﷺ, has abrogated the *sharî'as* preceding him, either in their entirety or only with regard to that where he disagrees with them. This is agreed upon. Thus, whoever denies this is violating *ijmâ'*. Indeed, a few Muslims have denied abrogation, though *ijmâ'* preceded them. Therefore, this *ijmâ'* is proof against them, even though it is not proof against the Jews.

As for the text, there is His statement, ﷻ, "And when We substitute a verse in place of another verse—and Allâh knows very well what He sends down—they say you are a forger. Rather, most

of them have no knowledge."¹² Substitution [here] includes elimination and affirmation, and what is eliminated is either recitation or a standing rule. Whatever the case may be, it is elimination and abrogation.

If it is said: What is meant by this is not the elimination of what is revealed, for the elimination or the substitution of what has been revealed is not possible. Rather, it means substituting the place of a verse by revealing one instead of another that has not been revealed. So, it is as if what has not been revealed is substituting what has been revealed.

We shall say: This is a senseless, convoluted [argument]. For how can what has not been revealed be substituted, while the substitute requires something to substitute? Furthermore, how could the term *substitution* be applied to the first [instance] of revelation? This is foolishness and absurd.

The second proof [1:112] is His statement, *وَأَنذَرْتُ*, "*As for the wrongdoings of the Jews, We have forbidden them good things which were permitted to them . . .*"¹³ There is no meaning for abrogation except the forbidding of what has been permitted. So it is with His statement, *وَأَنذَرْتُ*, "*And whatever verse We abrogate or cause to be forgotten, We bring one better or its like . . .*"¹⁴

¹²Qur'ân, 16:101.

¹³Qur'ân, 4:160.

¹⁴Qur'ân, 2:106.

If it is said: He may have meant specification by this.

We shall say: We have distinguished between specification and abrogation. Therefore, there is no way to change the expression. How could this be, while specification does not require a substitute that is like or better than it? Rather, it is only an explanation of the meaning of the discourse.

The third proof is an example well known in the *Sharî'a*, concerning the abrogation of a widow's waiting period of one year by [a period] of four months and ten days; and the abrogation of the obligation of giving charity before having private counsel with the Messenger, *صلى الله عليه وسلم*, since the Exalted has said, "... Give charity before having private counsel with the Messenger. . . ." ¹⁵ Such is the case with the abrogation changing the *qibla* from Jerusalem to the Ka'ba by His statement, *تَوَلَّوْا*, "... Turn your face toward the Sacred Mosque. . . ." ¹⁶ In sum, the Muslim *ummah* has agreed upon the application of the term *abrogation* in *Sharî'a*.

If it is said: *Abrogation* means copying what is in the Preserved Tablet on the tablet of messengers and prophets, and this has the connotation of copying or transcribing the Book.

We shall say: Our *Sharî'a* then is abrogated like the *Sharî'as* preceding us! But this expression is, by consensus, heres. How

¹⁵Qur'ân, 68:12.

¹⁶Qur'ân, 2:149.

could this be, while we have been changed from one *qibla* to another *qibla* and from one 'idda¹⁷ period to another? Therefore, abrogation is decisively a *change*, a *substitution*, and an *elimination*.

Section Three of this Chapter: Discussions Stemming from the Examination of the Essence of Abrogation—Six discussions

I. DISCUSSION: The abrogation of a command is permissible, in our view, even before the ability to obey it [exists], contrary to the Mu'tazilites.

Its form is, for example, when the Lawgiver says in the month of *Ramadân*, "Perform pilgrimage in this year." Then, before the ninth day of *Dhul Hijjah*, He says, "Do not perform pilgrimage because I have abrogated this command for you." Also, He said, "Sacrifice your son." So he [Prophet Abraham] hastened to prepare means for it. But then He said before the sacrifice, "Don't sacrifice [him] because I have abrogated the command for you." For abrogation, in our view, is obliterating the command, that is, the effect of the command and its meaning.

Nor is it an explanation for excluding the abrogated [portion of] the expression of the command, unlike specification. For if He says, "Pray everlastingly!" then it is permissible for Him—even after a year—to abrogate the obligatoriness of the prayers for the future,

¹⁷This refers to the waiting period of a woman after the death of her husband, which is four months and ten days; or divorce, which last through three menstrual periods. See Qal'aji, *Mu`jam Lughat al-Fuqahâ*, p. 439.

not in the sense that He did not intend by the first expression to indicate all time; rather, He meant the elimination of the effect of the expression after its [intended] continuance, since its continuance is conditioned on the absence of abrogation.

Furthermore, each command includes a condition that it not be abrogated, as if saying, "Pray everlastingly, as long as I do not prohibit you or abrogate My command from you." If this is the case, then it is comprehensible for the abrogation of pilgrimage to appear before the tenth of *Dhul Hijjah* and the abrogation of the sacrifice before it is performed; for a command exists prior to ability, even though it is a command conditional upon ability, since commanding the condition is established.

It is for this reason that the commanded person knows he is being commanded before being able [to comply]. But since the Mu'tazilites did not understand this, they denied the establishment of commands with a condition. The discussion of the wrongness of their opinion will follow in the Book of Commands. The closest proof of its incorrectness, however, is that a person praying determines to pray an obligatory prayer and to obey the command at the commencement of the prayer. Yet he may die during it or before he is able to complete it. But if he died before [completion], it would not be clear that he was not commanded. Rather, we say that he was obliged by a command stipulated /1:113/ by a condition. This command stipulated by a condition is established immediately, whether the condition exists or not. But they say that if the condition does not exist, we know that the command was never established from the beginning, but we [the Mu'tazilites]

mistook its obligatoriness. Yet it became clear that it was not. So this question stems from the preceding one.

This is why the Mu'tazilites hold abrogation to be impossible prior to ability. They also say that it leads to a situation where one thing at one time and in one respect becomes commanded and prohibited, good and evil, undesirable and desirable, and useful and corrupting. But all that relates to good and evil and benefit and corruption, we have already refuted.

However, there remains for them two grounds [for argument]:

First, how could one thing at one time and in one respect be both prohibited and commanded?

There are two ways to answer this. One is that we do not submit to the fact that it is prohibited in the same respect as it is commanded. Rather, it is commanded in two respects: For example, prayer is prohibited while in the state of impurity, but commanded in the state of purity, as it is with prohibiting prostration to an idol while commanding prostration to Allâh, عز وجل. For they are of two distinct aspects.

Again, they disagree about the way the two aspects differ. Some have said that [an act] is commanded on the condition that when the command is eliminated it becomes prohibited. So the [aspects] are two different cases. Others have substituted the clause *the command's continuance with the nonexistence of prohibition or the nonexistence of impediments*; the expressions are close.

Some people have said that a person is commanded to act at a specified time on the condition that he chooses to act or is determined [to act], and is only prohibited from it if it is known

that he cannot choose it. They attribute the occurrence of this in the knowledge of Allâh, ﷻ, to its being conditional to abrogation.

Some have said that He commands on the condition of the command being beneficiary and that it is only beneficial for the duration of the command. But after the prohibition, it is no longer beneficial.

Still others have said that He only commands when it is beneficial. But when the circumstances change, what is prohibited becomes beneficial. However, Allâh, ﷻ, orders it knowing that commanding it is beneficial for the duration of the command. But after the prohibition, it is no longer beneficial. However, some people have said that Allâh orders it knowing that the contexts are [subject to] change and that its performance is determined for the locus of obligation on the condition that its benefit remains.

All of these [arguments] are close but weak. For a condition is not conceived of as being existent or nonexistent. So there is no sense in making the inevitable conditional. Moreover, what is commanded cannot occur as such except within the duration of the command and in the absence of prohibition. Therefore, how could He say, "I command you on the condition that I do not prohibit you." It is like saying, "I command you on the condition that I command you," provided that the command is not related to the one who is commanded; and on the condition that the commanded act be either incidental, originated, or some other inevitability, for this is not suitable for conditionality.

But it is not like praying with impurity or prostrating before an idol because [these acts] are capable of being divided. [For]

those who prefer this way, a more comprehensive expression for them to say is, "As for commanding something before its time, it is permissible for its effect to remain applicable on the commanded [person] until its appointed time. Also, it is permissible for the effect of its command to be eliminated before its appointed time." Thus, it is permissible that the continuance of its effect be made a condition of the command. For it can be said, "Do what I have commanded you as long as the effect of my command to you is not obliterated by a prohibition." /1:114/ Thus, when he prohibits it, the effect of the command will be eliminated. It is not, then, prohibited in the same way that He has commanded it.

The second ground [for argument] is that we do not deem it necessary to reveal the differences in the aspects [of a command]. But we say that it is possible for Him to state, "As for what We have commanded you to perform in one respect, We thus prohibit you from this act in the same respect." This is not impossible. For the commanded [act] is not good per se or by an inherent peculiarity present before the command which would render it contradictory. Nor does the willing or unwilling of the command render it contradictory. Rather, all of these are principles of the Mu'tazilites, which we have refuted.

If it is said: If Allâh, **خَلَقَ**, knows that He is going to prohibit something, what is the sense of Him commanding what He decisively knows will be annulled, since He knows the outcome of all events?

We shall say: This is not true if the outcome of His command

is known to the commanded person. But if it is unknown to the commanded person and known only to the Commander, then the command is possible in order to test him for his determination and preoccupation with being ready [to obey], thus preventing him from various kinds of amusements and corruptions, in order that he be liable through his determination to reward, or in abandoning it, to punishment. This may contain Grace and reclamation for a person. Its examination will come in the Book of Commandments.¹⁸

What is astonishing, however, is the Mu'tazilites' denial of the establishment of a command with a condition while they themselves have held it permissible for promises to be conditional on the part of one who knows the outcome of affairs. Furthermore, they have stated that the promise of Allâh, ﷻ, to give reward for obedience is conditional on the nonexistence of what nullifies it, such as sinfulness or apostasy, and that the punishment for disobedience is conditional on it being void of that which atones for it, such as repentance.

But, Allâh, ﷻ, knows the outcome of the affairs of whoever dies, whether in apostasy or repentance. Yet He has made this conditional with His promise. So why is it impossible for a condition to be attached to His commands and prohibitions, though its conditionality is in relation to a servant who does not know the outcome of affairs? He may say, "I shall reward you for your obedience as long as you do not nullify it by apostasy," while He knows whether or not he will nullify it. Similarly, He may say, "I

¹⁸ *al-Mustasfâ*, 2:15-24.

command you on the condition that you remain [alive] and have ability, and on the condition that I do not abrogate it for you."

The second way [of replying] concerns the impossibility of abrogation before the ability [to obey], as in their statement, "Command and prohibition, according to you [Ash'arites], is the eternal speech of Allâh, **كَلَامُ اللَّهِ**. How then can the one statement be commanding and prohibiting the same thing at the same time? Furthermore, how can the eliminating [verse] and the eliminated one be the same, considering that the abrogating [command] and the abrogated one are both the speech of Allâh, **كَلَامُ اللَّهِ**?"

We shall say: This indicates two controversies. One of them concerns the nature of the unicity of the speech of Allâh, **كَلَامُ اللَّهِ**. But that issue is not confined to this question. Rather, according to us, this is similar to their statement that "knowledgeableness" is one state which subsumes knowing the infinity of details. This controversy can be clarified only in theology.

As for the second controversy, it is that of His speech being one, commanding something and prohibiting it [simultaneously]. If the locus of obligation were to know this at one time, then it is inconceivable that he would believe [in its] obligatoriness and be determined to fulfill [it]; nor would this be worthier to him than believing in its prohibition and being determined to abandon it.

So we shall say: The speech of Allâh, **كَلَامُ اللَّهِ**, is in itself one. But it is in relation to one thing a command and in relation to another thing, a predicate. But testing by it is conceivable only when the locus of obligation has heard both of these at two different times.

This is the reason we require a delay for abrogation, while if he heard both at the same time it becomes impossible. /1:115/

As for Jibrîl, عَلَيْهِ السَّلَام, it is possible for him to hear it at one time since he is not a locus of obligation. Moreover, he conveys it to the Messenger of Allâh, صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ, at two different times only if the Messenger is included in the command. But if he is not, then it may be conveyed to him at one time. Yet he is ordered to convey [them] to the *ummah* at two times. So he orders them, generally, to make peace and abandon fighting the unbelievers and generally to face Jerusalem in all prayers, and then prohibits them from this afterward. Thus, he severs the standing rule of the general command from them, just as he severs the standing rule of a contract by annulment

Some of our fellows [i.e. Ash'arites] say that a command does not become a command before reaching the commanded person. Therefore, it is not a command and a prohibition in the same situation, but in two [different] situations. This also eliminates inconsistencies and refutes it.

Thus, the decisive proof that it is possible in revealed authority is the story of Abraham, عَلَيْهِ السَّلَام, namely, the abrogation of [the command to] sacrificing his son before [his] performance [of the act], and the statement of Allâh, تَعَالَى, "*We ransomed him [Ismâ'il] with a great sacrifice.*"¹⁹ So he was commanded with one act and did not neglect hastening and submitting [to obey]; then it was abrogated. This is difficult for the Mu'tazilites to comprehend,

¹⁹Qur'ân 37:107.

to the extent that they arbitrarily interpret it and are divided into different groups.

They sought to resolve this in five ways. The first of which is [holding] that this was a dream [of Abraham], not a command.

The second is that he was commanded; but it was intended to oblige him with [only] the determination to perform the act in order to test his heart for patience in determination. Thus slaughtering was not commanded per se.

The third is that the command was not abrogated, but Allâh, ﷻ, changed [Ismâ'il's] neck into copper or iron so that it was not cut. Thus, the obligation was terminated because of the impossibility [to fulfill it].

The fourth concerns disputing what has been commanded, which was to throw him down on his forehead, passing the knife without actual slaughtering.

The fifth is rejecting abrogation and saying that he slaughtered him obediently, then it [his neck] was rejoined and healed. Those who hold this interpretation agree that Ismâ'il was not slaughtered. But they differ with regard to Abraham being the slaughterer. Some have said that he was the slaughterer for he did cut [him], while the son was not slaughtered because of the healing. Others have said that being a slaughterer without a slaughtered object is impossible.

All of this is abusive and artificial.

As for the first, namely that it was a dream, the dreams of prophets are part of prophethood; they came to know the commands of Allâh, ﷻ, through them. Indeed, the prophecy of

various prophets was solely through dreams. What indicates his comprehension of His command is the statement of his son, "*Do as you have been commanded.*"²⁰ If he [Abraham] had not been so commanded, he [Ismâ'il] would be a liar. Also, intending to slaughter and to throw [his son] down on [his] face is not possible on the basis of an unfounded dream. Furthermore, He has called it "*a manifest trial.*"²¹ And what trial is there in a dream? And what is the sense of sacrifice?

As for the second, namely that he [Abraham] was commanded in order to test his determination, this is impossible because He who knows the unseen is not in need of testing. Also, since testing occurs only through obligation, then if obligation does not exist, testing does not occur. Moreover, their statement, "Determination is the obligation," is absurd because determination [to obey] what is not obligatory is not mandatory [in itself], for it follows the [rule] of the determined object; and determination is not obligatory as long as one does not believe in the obligatoriness of the determined object.

Even if the determined object was not mandatory, then Abraham, عَلَيْهِ السَّلَام, would have been more deserving to know this than the Mu'tazilites. Why should it not be so when he [Abraham], said, " . . . *I saw in a dream that I shall sacrifice you.*" And so his son said to him, "*Do as you have been commanded,*" meaning

²⁰Qur'ân 37:102.

²¹Qur'ân 37:106.

slaughtering. Also, His saying, *ٱلْأَنفُسَ*, /1:116/ “ . . . *He threw him down on his face,*” is surrendering to the action of slaughtering, not to determination.

As for the third, namely that laying down and nothing more than it is what is commanded, this is absurd. For this cannot be called sacrificing, nor is it an affliction. Nor does it need sacrifice after obedience

As for the fourth—denial of abrogation and that he [Abraham] had obeyed, but his [Ismâ'il's] neck turned to iron, thus it was beyond [his] ability, terminating the obligation—this is incorrect according to their principles. For commanding what is conditional is not established according to them. Rather, since Allâh, *ٱلْأَنفُسَ*, knew that He will turn his [Ismâ'il's] neck into iron, He would not, therefore, be commanding that which He knows its impossibility and will not need ransom. Thus, it would not be an affliction on his part.

As for the fifth, namely that he did [sacrifice Ismâ'il], but it healed, this is absurd because how could ransom be needed after the healing? And if this were true, this would have been known and become one of His manifest signs. Yet this has never been reported. Rather, it is just an invention on the part of the Mu'tazilites.

If it is said: Did He not say, “*You have already fulfilled the vision*”?²²

²²Qur'ân, 37:105.