



RULINGS
FROM SURAT AL-MA'IDAH

Author

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(1952-2018)

TRANSLATION

BY; TALAAT SEDDEQ 2024

ALLAH (S.W.T) has said:

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

يَا أَيُّهَا الَّذِينَ آمَنُوا أَوْفُوا بِالْعُقُودِ أَحَلَّتْ لَكُمْ بَهِيمَةَ الْأَنْعَامِ إِلَّا مَا يُتْلَى عَلَيْكُمْ غَيْرِ مَحَلِّي الصَّيْدِ وَأَنْتُمْ حَرَمٌ
إِنَّ اللَّهَ يَحْكُمُ مَا يُرِيدُ (1) يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَحْلُوا شَعَائِرَ اللَّهِ وَلَا الشُّهُرَ الْحَرَامَ وَلَا الْهَدْيَ وَلَا الْقُلُوبَ وَلَا
أَمِينَ الْبَيْتِ الْحَرَامِ يَبْتَغُونَ فَضْلًا مِنْ رَبِّهِمْ وَرِضْوَانًا وَإِذَا حَلَلْتُمْ فَاصْطَادُوا وَلَا يَجْرِمَنَّكُمْ شَنَا نَقَوْمٍ أَنْ
صَدَّوْكُمْ عَنِ الْمَسْجِدِ الْحَرَامِ أَنْ تَعْتَدُوا وَتَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَىٰ وَلَا تَعَاوَنُوا عَلَى الْإِثْمِ وَالْعُدْوَانِ وَاتَّقُوا اللَّهَ
إِنَّ اللَّهَ شَدِيدُ الْعِقَابِ (2) حُرِّمَتْ عَلَيْكُمْ الْمَيْتَةَ وَالْدَّمَ وَلَحْمَ الْخَنزِيرِ وَمَا أَهَلَ لِغَيْرِ اللَّهِ بِهِ وَالْمُنْخَنِقَةَ
وَالْمُوتُودَةَ وَالْمُتَرَدِّيَةَ وَالنَّطِيجَةَ وَمَا أَكَلَ السَّبْعُ إِلَّا مَا ذُكِّرْتُمْ وَمَا ذُبِحَ عَلَى النَّصَبِ وَأَنْ تَسْتَقْسِمُوا بِالْأَزْوَاجِ ذَلِكُمْ
فِسْقٌ الْيَوْمَ يَنْسَى الَّذِينَ كَفَرُوا مِنْ دِينِكُمْ فَلَا تَحْشَوْهُمْ وَاخْشَوْنِ الْيَوْمَ أَكْمَلْتُ لَكُمْ دِينَكُمْ وَأَتَمَمْتُ عَلَيْكُمْ
نِعْمَتِي وَرَضِيتُ لَكُمُ الْإِسْلَامَ دِينًا فَمَنِ اضْطُرَّ فِي مَخْمَصَةٍ غَيْرِ مُتَجَانِفٍ لِإِثْمٍ فَإِنَّ اللَّهَ غَفُورٌ رَحِيمٌ (3) يَا أَيُّهَا الَّذِينَ
آمَنُوا لَا تَحْلُوا مَا حَلَّ لِلَّهِ عَلَيْكُمْ مِنَ الْغَنَائِمِ وَلَا تُكَلِّمُوا بِاللَّيْلِ وَالنَّجْوَىٰ مَنْ أَسْرَبَ بِكُمُ الْمُنَافِقِينَ كَانُوا كَذِبًا
مَاذَا أَحَلَّ لَهُمْ قُلُوبَ الَّذِينَ كَفَرُوا مِنْ الْغَنَائِمِ وَمَا حَلَّ لَكُمْ مِنَ الْغَنَائِمِ وَمَا حَلَّ لَكُمْ مِنَ الْغَنَائِمِ وَمَا حَلَّ لَكُمْ مِنَ الْغَنَائِمِ
أَمْسِكْنَ عَلَيْكُمْ وَادْكُرُوا اسْمَ اللَّهِ عَلَيْهِ وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ سَرِيعُ الْحِسَابِ (4) الْيَوْمَ أَحَلَّ لَكُمْ مِنَ الْغَنَائِمِ وَطَعَامَ
الَّذِينَ أُوتُوا الْكِتَابَ حَلَّ لَكُمْ وَطَعَامَكُمْ حَلَّ لَهُمْ وَالْمُحْصَنَاتُ مِنَ الْمُؤْمِنَاتِ وَالْمُحْصَنَاتُ مِنَ الَّذِينَ أُوتُوا
الْكِتَابَ مِنْ قَبْلِكُمْ إِذَا آتَيْتُمُوهُنَّ أَجْرَهُنَّ مِنْ حَيْثُ أَجَرْتُمُوهُنَّ وَلَا تَحْزَنْ عَلَيْهُنَّ بِمَا وَصَّيْنَ مِنْهُنَّ بِمَا وَصَّيْنَا
لَهُنَّ مِنْ قَبْلِكُمْ وَمَنْ يَعْزِبْ عَنْهُنَّ فَإِنَّهُ يَعْزِيبُ عَنْهُنَّ مِنْ قَبْلِكُمْ وَمَنْ يَعْزِبْ عَنْهُنَّ فَإِنَّهُ يَعْزِيبُ عَنْهُنَّ مِنْ قَبْلِكُمْ
حَبِطَ عَمَلُهُ وَهُوَ فِي الْآخِرَةِ مِنَ الْخَاسِرِينَ (5). سورة المائدة.

Translation of the concept of the Holy Verse:

O you who have believed, fulfill [all] contracts. Lawful for you are the Animals of grazing Livestock except for that which is recited to you [in this Qur'an] - hunting not being permitted while you are in the State of Ihram. Indeed, ALLAH ordains what He intends (1) O you who have believed, do not violate the rights of ALLAH or [the sanctity of] the sacred Month or [neglect the marking of] the sacrificial Animals and garlanding [them] or [violate the safety of] those coming to the Sacred House seeking bounty from their Lord and [His] approval. But when you come out of Ihram, then [you may] hunt. And do not let the hatred of a people for having obstructed you from al-Masjid al-Haram lead you to transgress. And cooperate in Righteousness and Piety, but do not cooperate in Sin and aggression. And fear ALLAH; indeed, ALLAH is severe in penalty (2) Prohibited to you are Dead Animals, Blood, the flesh of Swine , and that which has been dedicated to other than ALLAH, and [those Animals] killed by strangling or by a violent blow or by a head-long fall or by the goring of Horns, and those from which a wild Animal has eaten, except what you [are able to] slaughter [before its death], and those which are sacrificed on stone Altars, and [prohibited is] that you seek decision through divining arrows. That is grave disobedience. This day those who disbelieve have despaired of [defeating] your Religion; so, fear them not, but fear Me. This

day I have perfected for you your Religion and completed My favor upon you and have approved for you Islam as Religion. But whoever is forced by severe hunger with no inclination to Sin - then indeed, ALLAH is Forgiving and Merciful (3) They ask you, [O Muhammad], what has been made Lawful for them. Say, "Lawful for you are [all] good Foods and [hunt caught by] what you have trained of hunting Animals which you train as ALLAH has taught you. So, eat of what they catch for you, and mention the name of ALLAH upon it, and fear ALLAH." Indeed, ALLAH is swift in account (4) This day [all] good Foods have been made Lawful, and the Food of those who were given the Scripture is Lawful for you and your Food is Lawful for them. And [Lawful in marriage are] chaste Women from among the Believers and chaste Women from among those who were given the Scripture before you, when you have given them their due compensation, desiring chastity, not unlawful sexual intercourse or taking [secret] lovers. And whoever denies the faith - his work has become worthless, and he, in the Hereafter, will be among the losers (5).

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Translator's Introduction

In the Name of ALLAH, the Most Gracious, the Most Merciful.

Praise be to ALLAH, Lord of the Worlds.

Peace and blessings be upon the Messenger, the unlettered Prophet Muhammad, and upon his family.

ALLAH Almighty said:

*** (وَلْتَكُنْ مِنْكُمْ أُمَّةٌ يَدْعُونَ إِلَى الْخَيْرِ وَيَأْمُرُونَ بِالْمَعْرُوفِ وَيَنْهَوْنَ عَنِ الْمُنْكَرِ وَأُولَئِكَ هُمُ الْمُفْلِحُونَ (104). آل عمران.
*(وَالْمُؤْمِنُونَ وَالْمُؤْمِنَاتُ بَعْضُهُمْ أَوْلِيَاءُ بَعْضٍ يَأْمُرُونَ بِالْمَعْرُوفِ وَيَنْهَوْنَ عَنِ الْمُنْكَرِ وَيُقِيمُونَ الصَّلَاةَ وَيُؤْتُونَ الزَّكَاةَ وَيُطِيعُونَ
اللَّهَ وَرَسُولَهُ أُولَئِكَ سَيَرْحَمُهُمُ اللَّهُ إِنَّ اللَّهَ عَزِيزٌ حَكِيمٌ (71). التَّوْبَةُ.
*(يَا أَيُّهَا النَّاسُ إِنَّا خَلَقْنَاكُمْ مِنْ ذَكَرٍ وَأُنْثَى وَجَعَلْنَاكُمْ شُعُوبًا وَقَبَائِلَ لِتَعَارَفُوا إِنَّ أَكْرَمَكُمْ عِنْدَ اللَّهِ أَتْقَاكُمْ إِنَّ اللَّهَ عَلِيمٌ خَبِيرٌ (13).
الحجرات.**

***(And let there be [arising] from you a nation inviting to [all that is] good, enjoying what is right and forbidding what is wrong, and those will be the successful.). Al-Imran.**

***(The believing men and believing Women are allies of one another. They enjoin what is right and forbid what is wrong and establish prayer and give zakah and obey ALLAH and His Messenger. Those -ALLAH will have mercy upon them. Indeed, ALLAH is Exalted in Might and Wise.). At-Tawbah.**

***(O mankind, indeed We have created you from male and Female and made you peoples and tribes that you may know one another. Indeed, the most noble of you in the sight of ALLAH is the most righteous of you. Indeed, ALLAH is Knowing and Acquainted). Al-Hujurat.**

There are Some Notes it should be mentioned, which are;

First:

Mentioning the Verses of the Holy Quran is supposed to be in the Arabic language as they were revealed, and then I mention the meanings of the Verses translated into the English language. The reason for that is: ALLAH, the Almighty, revealed them in the Arabic language, and it is not correct or we attribute to ALLAH, the Almighty, mentioning the Verses in a language other than the one in which they were revealed; this would be a slander against ALLAH, the Almighty, because He, the Almighty, did not reveal them in any language other than Arabic.

Second:

On the authority of Abu Hurairah, (may ALLAH be pleased with him), who said: The Messenger of ALLAH, (may ALLAH bless him and grant him peace), said:

((When a man dies, his acts come to an end, but three, recurring charity, or knowledge (by which people) benefit, or a pious son, who prays for him (for the deceased)). Sahih Muslim.

Based on the Noble Hadith, the Honorable Al- Sheikh Dr. Saeed bin Ali bin Wahf Al-Qahtani (may ALLAH have mercy on him and grant him a place in His spacious gardens), author of the book (Rulings from Surat Al-Ma'idah), will have a share of the reward for continuing his Deeds, ALLAH Almighty willing.

Third:

This is a humble contribution towards spreading Islamic knowledge and delivering it to our Brothers and Sisters in Islam, who do not speak Arabic, and for the benefit of them.

I ask ALLAH, the Generous, to accept it Sincerely for His sake, and to benefit all Muslims in all times and places. I ask Him, the Almighty, to forgive me for any mistake or error that occurred in the translation unintentionally or deliberately from Human Being who is poor in need of ALLAH's mercy, forgiveness and kindness.

I also ask the Dear Readers to Pardon me for any Mistakes, If it existed.

The Pleasure, Mercy and Paradise of ALLAH Almighty is our hope, Supported by our Good Deeds with the Success and Guidance of ALLAH Almighty.

Talaat Seddeq

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22/11/2024

Author's Biography

This is a brief biography of Al-Sheikh Dr. Saeed bin Ali bin Wahf Al-Qahtani (may ALLAH have mercy on him and grant him a place in Paradise).

*** Name:**

Saeed bin Ali bin Wahf bin Muhammad from the tribe of Al Sulaiman from Ubaidah Qahtan.

Date of Birth:

He was born in the year: 1372 AH / 1952 AD.

Place of Birth:

In the desert of Wadi Al-Arin in Wadi Al-Isli in the mountains of Al-Sud, approximately 150 km east of the city of Abha in the Asir region. Kingdom of Saudi Arabia.

*** He began studying at the age of fifteen at Al-Arin Elementary School in the year 1387 AH, then continued his studies until he obtained his high school diploma from King Abdulaziz High School in Riyadh on 11/7/1400 AH, and he moved to Riyadh in the year 1399 AH.**

*** He studied at Imam Muhammad ibn Saud Islamic University, Faculty of Fundamentals of Religion, General Section, in 1401 AH, and graduated from this college in 1404 AH.**

*** He studied the preparatory year for the Master's degree at the Faculty of Fundamentals of Religion in 1405 AH, Department of Sunnah and its Sciences.**

*** He obtained a Master's degree from Imam Muhammad ibn Saud Islamic University, and his thesis was: "The Wisdom in Calling to ALLAH" and was approved with an excellent grade on 1/25/1412 AH.**

*** He obtained a PhD from Imam Muhammad ibn Saud Islamic University, and his thesis was: "The Jurisprudence of Calling in Sahih Al-Bukhari", and was approved with an excellent grade with first class honors on 11/15/1419 AH.**

*** He obtained Three licenses in the Holy Quran as follows:**

*** The First license:**

in the narration of Hafs from Asim with the mediation of the separate and connected from Sheikh Ahmed bin Ahmed, Mustafa Abu Al-Hassan, teacher of the Quran and readings at the College of Fundamentals of Religion at Imam Muhammad bin Saud Islamic University, on 10/1/1414 AH, certified by the Dean of the College of Fundamentals of Religion.

*** The Second license:**

in the narration of Hafs from Asim from Sheikh Hassan bin Ahmed bin Hammad, teacher of the Holy Quran at the College of Fundamentals of Religion at Imam Muhammad bin Saud Islamic University, on 3/11/1414 AH, certified by the Dean of the College of Fundamentals of Religion.

*** The Third license:**

in the narration of Hafs from Asim with the shortening of the separate and the mediation of the connected from the path of Tayyibat Al-Nashr in the ten readings of Ibn Al-Jazari, from the honorable Sheikh/ Ahmed bin Ahmed Mustafa Abu Al-Hassan, teacher of the Quran and readings at the College of Fundamentals of Religion, on 28/1/1416 AH, certified by the Dean of the College of Fundamentals of Religion.

Date of Death:

He passed away on Monday, 21 Muharram 1440 AH, corresponding to October 1, 2018.

We ask ALLAH Almighty to forgive the virtuous Sheikh, have mercy on him, and grant him the Almighty Paradise, and to benefit all Muslims, as well as those seeking truth and reality, through his writings.

PREFACE

In the name of ALLAH, the Most Gracious, the Most Merciful

All praise is due to ALLAH, we praise Him, seek His aid, and ask for His forgiveness. We seek refuge in ALLAH from the evils of our souls and the wickedness of our deeds. He whom ALLAH guides, none can misguide, and he whom He misguides, none can guide. I bear witness that there is no ALLAH but ALLAH, alone, without partner, and I bear witness that Muhammad is His servant and Messenger. May ALLAH's prayers and peace be upon him, his family, and his companions.

Now then, this is a brief message on ((Interpretation of the First Five Verses of Surat Al-Ma'idah)). In it, I have explained, by the grace of ALLAH, the rulings contained in these noble Verses:

I have divided this topic into six Chapters, and under each Chapter there are two sections:

The first Chapter:

Introductions to this research, and the first Section of it is about knowing the reason for the Revelation of Surat Al-Ma'idah, its purposes, and its contents, and the second Section: about knowing the reason for the Revelation of the five Verses, and the importance of the Revelation of these Verses, and what was abrogated from them and what was not abrogated.

The second Chapter:

Interpretation of the First Verse of Surat Al-Ma'idah, and the first section of this Chapter, defining contracts, and what is meant by covenants, and defining Livestock, and the Second Section: explaining what ALLAH has made permissible for the Believers from Livestock, and the occasion for mentioning what is permissible, and explaining what is excluded from what ALLAH has made permissible for the Believers, and the general rule for the types of forbidden Animals and Birds.

Chapter Three:

Interpretation of the Second Verse of Surat Al-Ma'idah, the First Section of this Chapter defines Rituals, explains the reason for the Revelation of this noble Verse, and the Scholars' Statements regarding what was abrogated from this Verse and what was not abrogated, and the Second Section regarding the permissibility of hunting after the end of the State of Ihram, and the command to cooperate in Righteousness and Piety.

Chapter Four:

Interpretation of the Third Verse of Surat Al-Ma'idah, the First Section of this Chapter is knowing what ALLAH has forbidden from Livestock, and invalidating the customs of Ignorance in eating forbidden Livestock, and defining the Lawful slaughter, and mentioning

its conditions, and the Second Section is the prohibition of eating what was slaughtered for other than ALLAH, and casting lots with arrows, and mentioning ALLAH's completion of His favor upon this nation, and His completion of the Religion, and lifting the Sin from whoever is forced to do something forbidden from Livestock, neither transgressing nor exceeding the limits, and mentioning the wisdom behind that.

Chapter Five:

Interpretation of the Fourth Verse of Surat Al-Ma'idah, the First Section of this Chapter explains the conditions for hunting with Birds of prey: Dogs and Birds, and the Second Section explains the difference in the permissibility of hunting some Birds of prey, and explains the difference of opinion among Scholars regarding keeping Birds of prey and Dogs from eating the hunted Food, is that a condition or not?

Chapter Six:

Interpretation of the Fifth Verse of Surat Al-Ma'idah, the First Section of this Chapter: Explaining what is meant by permissibility in the Food of the People of the Book, and when is it permissible and when is it not permissible? And The Ruling on marrying Women of the Book, and the Second Section: The Ruling on the apostate, and the Ruling on the one who rules by other than what ALLAH has revealed.

I ask ALLAH Almighty to make these few words blessed, beneficial, and Sincere for His sake, and to benefit me with them in my life and after my death, and to benefit those to whom they have reached; for He is the best to be asked, and the most generous to be hoped for, and He is sufficient for us and the best Disposer of affairs. May ALLAH Almighty's prayers and peace be upon His servant and messenger, our Prophet Muhammad, and upon all his family and companions.

Written in the year 1404 AH/1984AD.

Chapter (1)

This Chapter consists of the following researches:

Section (1):

It includes Two Topics;

First Topic:

Knowing the reason for the Revelation of Surat Al-Ma'idah.

Second Topic:

The purposes and contents of Surat Al-Ma'idah.

Section (2):

It includes Three Topics;

First Topic:

Knowing the reason for the Revelation of the first five Verses of Surat Al-Ma'idah.

Second Topic:

The importance of the Revelation of these five Verses.

Third Topic:

What was abrogated from it and what was not abrogated.?

Section (1):

First Topic:

Knowing the reason for the Revelation of Surat Al-Ma'idah.

Ibn Abbas and Ad-Dahhak said: It is Madani. Muqatil said: It was revealed during the day, and all of it is Madani. Abu Sulayman Ad-Dimashqi said: It contains the Makki Verse:

﴿ **الْيَوْمَ أَكْمَلْتُ لَكُمْ دِينَكُمْ...** ﴾ “This day I have perfected your Religion for you...” The correct view is that the Almighty’s Statement: ﴿ **الْيَوْمَ أَكْمَلْتُ لَكُمْ دِينَكُمْ...** ﴾ “This day I have perfected your Religion for you” was revealed in Arafah on the Day of Arafah; that is why it was attributed to Makkah¹.

Al-Hakim narrated in Al-Mustadrak on the authority of Jubayr ibn Nufayr who said: “I performed Hajj and entered upon Aisha, and she said to me: O Jubayr, do you recite Al-Ma’idah? I said: Yes. She said: It is the last Surah to be revealed, so whatever you find in it that is permissible, then consider it permissible, and whatever you find in it that is forbidden, then forbid it.” Al-Hakim said: “This is sound Hadith according to the conditions of the two sheikhs, and they did not include it.” Adh-Dhahabi agreed with him² .

Al-Qurtubi said: It is Medinan by consensus... and everything that was revealed of the Qur’an after the Prophet’s migration, peace and blessings be upon him, is Medinan, whether it was revealed in Medina or during a journey³.

¹ (Zad Al-Maseer fi Elm Al-Tafseer) by Abu al-Faraj Abd al-Rahman ibn al-Jawzi al-Qurashi al-Baghdadi.

² Al-Mustadrak Al-Hakim authenticated it, and Al-Dhahabi agreed with him, 2/311, and it was narrated by Imam Ahmad, 6/54, No. 26063, and he added: ((And I asked her about the character of the Messenger of God, may God bless him and grant him peace? She said: The Qur’an)).

³ (Al-Jami3 Li Ahkam Al-Quran) by Abu Abdullah Muhammad bin Ahmad al-Ansari al-Qurtubi, 6/30.

Second Topic:

The purposes and contents of Surat Al-Ma'idah.

ALLAH Almighty began this Surah with the command to fulfill contracts, then proceeded after this opening to explain what is permissible and what is forbidden, from slaughtering, Food, drink, and marriage, and explaining many of the legal and devotional rulings, and explaining the truth of the correct belief, and explaining the truth of servitude, and the truth of divinity, and explaining the relationships of the believing nation with various nations, Religions, and sects, and explaining the duties of the believing nation in standing up for ALLAH, and bearing witness to justice, and guardianship over humanity with its book that dominates all the books before it, and Ruling in it with what ALLAH Almighty has revealed in its entirety, and warning against temptation from some What ALLAH Almighty has revealed, and caution against injustice, influenced by personal feelings, affection and hatred... Opening the surah in this manner, and proceeding in this manner, gives the word ((contracts)) a broader meaning than the meaning that comes to mind at first glance, and reveals that what is meant by contracts is all the controls of life that ALLAH Almighty has decreed... and at the beginning of them is the contract of faith in ALLAH Almighty, and knowledge of the truth of His divinity, glory be to Him, and the requirement of servitude to His divinity, this contract from which all other contracts and controls in life emerge, and upon which all others are based¹.

In Surat Al-Ma'idah there are nineteen obligatory acts that are not found in any other surah, and they are mentioned in Noble Verses:

...وَالْمُنْحَنِقَةَ وَالْمُؤَفَّوْدَةَ وَالْمُتَرَدِّبَةَ وَالنَّطِيجَةَ وَمَا أَكَلَ السَّبْعُ إِلَّا مَا ذُكِّرْتُمْ وَمَا ذُبِحَ عَلَى النَّصْبِ وَأَنْ تَسْتَقْسِمُوا بِالْأَزْلَامِ ذَلِكَ
فَسُقِ الْيَوْمَ يَسِ الْيَوْمَ الَّذِينَ كَفَرُوا مِنْ دِينِكُمْ فَلَا تَخْشَوْهُمْ وَاخْشَوْنَ الْيَوْمَ أَكْمَلْتُ لَكُمْ دِينَكُمْ وَأَتْمَمْتُ عَلَيْكُمْ نِعْمَتِي وَرَضِيْتُ لَكُمْ الْإِسْلَامَ
دِينًا فَمَنْ اضْطُرَّ فِي مَخْمَصَةٍ غَيْرَ مُتَجَانِفٍ لِإِثْمٍ فَإِنَّ اللَّهَ غَفُورٌ رَحِيمٌ (3) يَسْأَلُونَكَ مَاذَا أَحَلَّ لَهُمْ قُلْ أَحَلَّ لَكُمْ الطَّيِّبَاتِ وَمَا عَلَّمْتُمْ مِنَ
الْجَوَارِحِ مُكَلِّبِينَ تُعَلِّمُونَهُنَّ مِمَّا عَلَّمَكُمُ اللَّهُ فَكُلُوا مِمَّا أَمْسَكْنَ عَلَيْكُمْ وَاذْكُرُوا اسْمَ اللَّهِ عَلَيْهِ وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ سَرِيعُ الْحِسَابِ (4)
الْيَوْمَ أَحَلَّ لَكُمْ الطَّيِّبَاتِ وَطَعَامَ الَّذِينَ أُوتُوا الْكِتَابَ حَلَّ لَكُمْ وَطَعَامَكُمْ حَلَّ لَهُمْ وَالْمُحْصَنَاتُ مِنَ الْمُؤْمِنَاتِ وَالْمُحْصَنَاتُ مِنَ الَّذِينَ أُوتُوا
الْكِتَابَ مِنْ قَبْلِكُمْ إِذَا آتَيْتُمُوهُنَّ أَجُورَهُنَّ مُحْصِنِينَ غَيْرَ مُسَافِحِينَ وَلَا مُتَّخِذِي أَخْدَانٍ وَمَنْ يَكْفُرْ بِالْإِيمَانِ فَقَدْ حَبِطَ عَمَلُهُ وَهُوَ فِي
الْآخِرَةِ مِنَ الْخَاسِرِينَ (5). يَا أَيُّهَا الَّذِينَ آمَنُوا إِذَا قُمْتُمْ إِلَى الصَّلَاةِ فَاغْسِلُوا وُجُوهَكُمْ وَأَيْدِيَكُمْ إِلَى الْمَرَافِقِ وَامْسَحُوا بِرُءُوسِكُمْ
وَأَرْجُلَكُمْ إِلَى الْكَعْبَيْنِ وَإِنْ كُنْتُمْ جُنُبًا فَاطَّهَّرُوا وَإِنْ كُنْتُمْ مَرْضَى أَوْ عَلَى سَفَرٍ أَوْ جَاءَ أَحَدٌ مِنْكُمْ مِنَ الْغَائِطِ أَوْ لَامَسْتُمُ النِّسَاءَ فَلَمْ
تَجِدُوا مَاءً فَتَيَمَّمُوا صَعِيدًا طَيِّبًا فَامْسَحُوا بِوُجُوهِكُمْ وَأَيْدِيكُمْ مِنْهُ مَا يُرِيدُ اللَّهُ لِيَجْعَلَ عَلَيْكُمْ مِنْ حَرَجٍ وَلَكِنْ يُرِيدُ لِيُطَهِّرَكُمْ وَلِيُتِمَّ
نِعْمَتَهُ عَلَيْكُمْ لَعَلَّكُمْ تَشْكُرُونَ (6). المائدة.

*(وَالسَّارِقُ وَالسَّارِقَةُ فَاقْطَعُوا أَيْدِيَهُمَا جَزَاءً بِمَا كَسَبَا نَكَالًا مِنَ اللَّهِ وَاللَّهُ عَزِيزٌ حَكِيمٌ (38)).

*(وَإِذَا نَادَيْتُمْ إِلَى الصَّلَاةِ اتَّخَذُوا هُزُورًا وَلَعِبًا ذَلِكَ بَأْتُهُمْ قَوْمٌ لَا يَعْقِلُونَ (58)).

*(يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَقْتُلُوا الصَّيِّدَ وَأَنْتُمْ حُرْمٌ وَمَنْ قَتَلَهُ مِنْكُمْ مُتَعَمَّدًا فَجَزَاءٌ مِثْلُ مَا قَتَلَ مِنَ النَّعْمِ يَحْكُمُ بِهِ ذَوَا عَدْلٍ مِنْكُمْ هَدْيًا
بَالِغَ الْكَعْبَةِ أَوْ كَفَّارَةٌ طَعَامُ مَسَاكِينَ أَوْ عَدْلٌ ذَلِكَ صِيَامًا لِيَذُوقَ وَبَالَ أَمْرِ عَفَا اللَّهُ عَمَّا سَلَفَ وَمَنْ عَادَ فَيَنْتَقِمِ اللَّهُ مِنْهُ وَاللَّهُ عَزِيزٌ ذُو
الْإِنْتِقَامِ (95). المائدة.

¹ (Fi Dhilal Al-Quran), Sayyid Qutb, 2/835, with some modifications.

* (مَا جَعَلَ اللَّهُ مِنْ بَحِيرَةٍ وَلَا سَائِبَةٍ وَلَا وَصِيلَةٍ وَلَا حَامٍ وَلَكِنَّ الَّذِينَ كَفَرُوا يَفْتَرُونَ عَلَى اللَّهِ الْكَذِبَ وَأَكْتَرُهُمْ لَا يَعْقِلُونَ (103)).

* (يَا أَيُّهَا الَّذِينَ آمَنُوا شَهَادَةُ بَيْنَكُمْ إِذَا حَضَرَ أَحَدَكُمْ الْمَوْتُ حِينَ الْوَصِيَّةِ اثْنَانِ ذُوَا عَدْلٍ مِنْكُمْ أَوْ آخَرَانِ مِنْ غَيْرِكُمْ إِنْ أَنْتُمْ ضَرَبْتُمْ فِي الْأَرْضِ فَأَصَابَتْكُمْ مُصِيبَةُ الْمَوْتِ تَحْبِسُونَهُمَا مِنْ بَعْدِ الصَّلَاةِ فَيُقْسِمَانِ بِاللَّهِ إِنْ ارْتَبْتُمْ لَا نَشْتَرِي بِهِ ثَمَنًا وَلَوْ كَانَ ذَا قُرْبَىٰ وَلَا نَكْتُمُ شَهَادَةَ اللَّهِ إِنَّا إِذَا لَمِنَ الْأَثِمِينَ (106)).

Translation of the concept of the Holy Verse;

Prohibited to you are Dead Animals, Blood, the flesh of Swine , and that which has been dedicated to other than ALLAH, and [those Animals] killed by strangling or by a violent blow or by a head-long fall or by the goring of Horns, and those from which a wild Animal has eaten, except what you [are able to] slaughter [before its death], and those which are sacrificed on stone Altars, and [prohibited is] that you seek decision through divining arrows. That is grave disobedience. This day those who disbelieve have despaired of [defeating] your Religion; so, fear them not, but fear Me. This day I have perfected for you your Religion and completed My Favor upon you and have approved for you Islam as Religion. But whoever is forced by severe hunger with no inclination to Sin - then indeed, ALLAH is Forgiving and Merciful. (3). They ask you, [O Muhammad], what has been made Lawful for them. Say, "Lawful for you are [all] good Foods and [hunt caught by] what you have trained of hunting Animals which you train as ALLAH has taught you. So, eat of what they catch for you, and mention the name of ALLAH upon it, and fear ALLAH." Indeed, ALLAH is swift in account(4) This day [all] good Foods have been made Lawful, and the Food of those who were given the Scripture is Lawful for you and your Food is Lawful for them. And [Lawful in marriage are] chaste Women from among the Believers and chaste Women from among those who were given the Scripture before you, when you have given them their due compensation, desiring chastity, not unlawful sexual intercourse or taking [secret] lovers. And whoever denies the faith - his work has become worthless, and he, in the Hereafter, will be among the losers (5). you who have believed, when you rise to [perform] prayer, wash your faces and your forearms to the elbows and wipe over your heads and wash your feet to the ankles. And if you are in a State of janabah, then purify yourselves. But if you are ill or on a journey or one of you comes from the place of relieving himself or you have contacted Women and do not find water, then seek clean Earth and wipe over your faces and hands with it. ALLAH does not intend to make difficulty for you, but He intends to purify you and complete His favor upon you that you may be grateful(6).

* ([As for] the thief, the male and the Female, amputate their hands in recompense for what they committed as a deterrent [punishment] from ALLAH. And ALLAH is Exalted in Might and Wise (38).

*(And when you call to prayer, they take it in ridicule and amusement. That is because they are a people who do not use reason(58).

*(O you who have believed, do not kill hunt while you are in the State of Ihram. And whoever of you kills it intentionally - the penalty is an equivalent from sacrificial Animals to what he killed, as judged by two just men among you as an offering [to ALLAH] delivered to the

Ka'bah, or an expiation: the feeding of needy people or the equivalent of that in fasting, that he may taste the consequence of his deed. ALLAH has pardoned what is past; but whoever returns [to violation], then ALLAH will take retribution from him. And ALLAH is Exalted in Might and Owner of Retribution (95).

***(ALLAH has not appointed [such innovations as] Bahirah or Sa'ibah or Waseelah or ham. But those who disbelieve invent falsehood about ALLAH, and most of them do not reason (103).**

***(O you who have believed, testimony [should be taken] among you when death approaches one of you at the time of bequest - [that of] two just men from among you or two others from outside if you are traveling through the land and the disaster of death should strike you. Detain them after the prayer and let them both swear by ALLAH if you doubt [their testimony, saying], "We will not exchange our oath for a price, even if he should be a near relative, and we will not withhold the testimony of ALLAH. Indeed, we would then be of the Sinful(106).**

(that which is strangled, or beaten to death, or falls to the ground, or is gored, or that which is eaten by a wild Animal), (that which is slaughtered on stone Altars, or that you seek division by arrows), (that which you have taught of Birds of prey, or that you have trained them to hunt), (The Food of the People of the Scripture is Lawful for you and your Food is Lawful for them), (that which is chaste Women from among those who were given the Scripture, or that which is not Lawful for you to hunt, or that which is ... Before you, and the completion of purification in His saying

“When you rise to prayer,” “And the male thief, male or Female,” “Do not hunt while you are in Ihram,” to His saying: “Mighty, Owner of Retribution,” and “ALLAH has not appointed any bahirah, nor Sa'ibah, nor Wasilah, nor Ham,” and His saying, the Most High: “A testimony between you when death approaches one of you,” the Verse, and the nineteenth obligation is His saying, the Most High:]And when you call to prayer[, the call to prayer is not mentioned in the Qur'an except in this surah.

As for what is mentioned in Surah Al-Jumu'ah, it is specific to Friday, and in this surah, it is general for all prayers¹.

The nineteen obligatory acts are as following;

- | | |
|---------------------------|------------------|
| 1- The strangled one | الْمُنْحِقَةُ |
| 2- The one who was struck | الْمَوْقُودَةُ |
| 3 - The deteriorating | الْمُتْرَبِيَّةُ |

¹ (Al-Jami3 Li Ahkam Al-Quran) by Abu Abdullah Muhammad bin Ahmad Al-Qurtubi 6/30 and Al-Baghawi's Interpretation 2/5.

- 4 - Horned Animal النَّطِيحَةُ
- 5 - Which is eaten by a wild Animal مَا أَكَلَ السَّبْعُ إِلَّا مَا ذَكَّيْتُمْ
- 6 - What was slaughtered on the altar مَا ذُبِحَ عَلَى النَّصْبِ
- 7- That you should seek division by arrows أَنْ تَسْتَفْسِمُوا بِالْأَزْلَامِ
- 8 - What you have taught of the Birds of prey to hunt مَا عَلَّمْتُمْ مِنَ الْجَوَارِحِ مُكَلِّبِينَ تُعَلِّمُونَهُنَّ...
- 9 - The Food of the People of the Scripture is Lawful for طَعَامَ الَّذِينَ أُوتُوا الْكِتَابَ حَلَّ لَكُمْ...
- 10- Chaste Women from among those who were given the Scripture before you... الْمُحْصَنَاتُ مِنَ الَّذِينَ أُوتُوا الْكِتَابَ مِنْ قَبْلِكُمْ...
- 11- ...When you rise to prayer, wash your faces..... إِذَا قُمْتُمْ إِلَى الصَّلَاةِ فَاغْسِلُوا وُجُوهَكُمْ...
- 12 - And the thief, male or Female, cut off their hands. وَالسَّارِقُ وَالسَّارِقَةُ فَاقْطَعُوا أَيْدِيَهُمَا
- 13 - And when you call to prayer. وَإِذَا نَادَيْتُمْ إِلَى الصَّلَاةِ
- 14 – ...Do not hunt while you are in Ihram. ... لَا تَقْتُلُوا الصَّيْدَ وَأَنْتُمْ حُرُمٌ
- 15- Baheerah. مَا جَعَلَ اللَّهُ مِنْ بَحِيرَةٍ
- 16 –Nor Sa'ibah. وَلَا سَائِبَةٍ
- 17 – Nor Waseelah. وَلَا وَصِيلَةٍ
- 18 – Nor Ham وَلَا حَامٍ
- 19 – A testimony between you when death approaches... شَهَادَةٌ بَيْنَكُمْ إِذَا حَضَرَ أَحَدَكُمْ الْمَوْتُ

Section (2):

It includes Three Topics;

First Topic:

Knowing the reason for the Revelation of the first five Verses of Surat Al-Ma'idah.

Second Topic:

The importance of the Revelation of these five Verses.

Third Topic:

What was abrogated from it and what was not abrogated?

First Topic:

Knowing the reason for the Revelation of the first five Verses of Surat Al-Ma'idah.

First: Knowing the reason for the Revelation of the first five Verses of Surat Al-Ma'idah:

1 - Ibn Jarir and Ibn Abi Hatim narrated on the authority of Ibn Abbas, may ALLAH Almighty be pleased with them, regarding the Almighty's Statement: (Do not violate the symbols of ALLAH), He said: The Polytheists used to perform Hajj to the Sacred House, offer gifts, honor the sanctity of the sacred sites, and slaughter Animals during their Hajj. The Muslims wanted to attack them, so ALLAH Almighty said: (Do not violate the symbols of ALLAH Almighty.)¹.

2 - In the two Sahihs, from the Hadith of Tariq bin Shihab, he said: ((A Jewish man came to Omar bin Al-Khattab and said: O Commander of the Faithful, you recite a Verse from your book, if it had been revealed to us Jews, we would have taken that day as a festival. He said: And which Verse is it? He said: His Statement:

(This day I have perfected your Religion for you, completed My favor upon you, and have approved for you Islam as Religion)², Omar said: I know the day on which it was revealed to the Messenger of ALLAH, may ALLAH Almighty bless him and grant him peace, and the hour in which it was revealed, and the place in which it was revealed to the Messenger of ALLAH, may ALLAH Almighty bless him and grant him peace, while he was standing in Arafat on a Friday, and in another version: It was revealed on the eve of Arafat³, Saeed bin Jubair said: The Messenger of ALLAH, may ALLAH Almighty bless him and grant him peace, lived after that for eighty-one days.

3- Ibn al-Jawzi said in his interpretation: ((Zad al-Maseer fi 'Ilm al-Tafsir)): In the words of ALLAH Almighty: (They ask you, what is Lawful for them...) the Verse: ((There are two opinions about the reason for its Revelation:

1ST: When the Prophet, may ALLAH Almighty bless him and grant him peace, ordered the killing of Dog s, the people said: O Messenger of ALLAH, what is Lawful for us from this nation that you ordered to kill? So, this Verse was revealed⁴.

2^{SD}: That 'Adi bin Hatim and Zaid al-Khayl, whom the Messenger of ALLAH, may ALLAH Almighty bless him and grant him peace, called Zaid al-Khayr, said: ((O Messenger of ALLAH, we are a people who hunt with Dog s and falcons, some of which we know how to slaughter, and some of which we do not know how to slaughter, and ALLAH Almighty has

¹ Book Fatih Al Qadeer-2/7.

² Surah Al-Ma'idah, verse: 4.

³ Al-Bukhari, Book of Faith, Chapter on the Increase and Decrease of Faith, No. 45, and Muslim, Book of Interpretation, No. 3017, and Muslim's wording is similar to that, and it was narrated by Ahmad, 1/237, No. 188.

⁴ Narrated by Al-Hakim in his Mustadrak, and he said: ((This hadith has a sound chain of transmission, but they did not include it)), and Al-Dhahabi agreed with him. In its chain of transmission is Muhammad ibn Ishaq, who narrated it through an unbroken chain of transmission. Al-Mustadrak, 2/311.

forbidden Dead Animals, so what is Lawful for us from them? So, this Verse was revealed, said Sa'id bin Jubair))¹.

The reason for the Prophet's, may ALLAH Almighty blesses him and grant him peace, ordering the killing of Dog s was what Muslim narrated on the authority of 'Abdullah bin 'Abbas, may ALLAH Almighty be pleased with him) On their authority, he said: Maimuna reported that one morning ALLAH's Messenger (ﷺ) was silent with grief. Maimuna said: ALLAH's Messenger, I find a change in your mood today. ALLAH's Messenger (ﷺ) said: Gabriel had promised me that he would meet me tonight, but he did not meet me. By ALLAH, he never broke his promises, and ALLAH's Messenger (ﷺ) spent the day in this sad (mood). Then it occurred to him that there had been a puppy under their cot. He commanded and it was turned out. He then took some water in his hand and sprinkled it at that place. When it was evening Gabriel met him and he said to him: you promised me that you would meet me the previous night. He said: Yes, but we do not enter a house in which there is a Dog or a picture. Then on that very morning he commanded the killing of the Dog s until he announced that the Dog kept for the orchards should also be killed, but he spared the Dog meant for the protection of extensive fields (or big gardens)².

Jabir b. 'Abdullah (may ALLAH Almighty be pleased with him) said: (ALLAH's Messenger (ﷺ) ordered us to kill Dog s, and we carried out this order so much so that we also kill the Dog coming with a woman from the desert. Then ALLAH's Apostle (ﷺ) forbade their killing. He (the Prophet further) said: It is your duty the jet-black (Dog) having two spots (on the eyes), for it is a devil)³.

4 - The Revelation of the Almighty's saying: (And whoever disbelieves in the faith, his work has become worthless)⁴ :

Ibn al-Jawzi said: ((When ALLAH Almighty permitted marriage to Women of the Book, they said among them: Had ALLAH not been pleased with us, He would not have permitted the Believers to marry us, and the Muslims said: How can a man marry a woman of the Book who is not of our Religion? So, the following was revealed: (And whoever disbelieves in the faith, his work has become worthless), narrated by Abu Salih from Ibn Abbas.

Muqatil ibn Hayyan said: It was revealed regarding the Muslims' chastity of the Women of the People of the Book, meaning: The Muslims' chastity of them is not what takes them out of disbelief⁵.

¹ It was narrated by Ibn Abi Hatim on the authority of Saeed bin Jubair on the authority of Adi bin Hatim and Zaid bin Muhallil al-Ta'yyin, and in its chain of transmission is Ibn Lahi'ah. Al-Hafiz said in al-Taqreeb: "He is trustworthy and made mistakes after his books were burned." It was said that Ata' bin Dinar, the narrator on the authority of Saeed bin Jubair, did not hear from him.

² Narrated by Muslim, Book of Clothing and Adornment, Chapter on the prohibition of making pictures of animals, and the prohibition of making anything that has a picture of something that is not used... No. 2105.

³ Sahih Muslim 1572--Chapter: The command to kill dogs, and its abrogation. The prohibition of keeping dogs, except for hunting, farming, (herding) livestock and the like.

⁴ Surah Al-Ma'idah, Verse: 5.

⁵ Zad al-Maseer fi 'Ilm al-Tafsir 2/297.

Second Topic:

The importance of the Revelation of these five Verses.

There is no doubt that these five Verses included rulings Great, and these rulings are firm and have not been abrogated, as these Verses include rulings including:

A- Rulings on contracts and covenants.

B- Rulings on hunting during and outside State of Ihram.

C- Abolishing the customs of the Jahiliyah: where they forbade themselves, the Baheerah, the Sa'ibah, the Waseelah, and the Ham, and they used to eat Dead Animals, those that were beaten, those that fell, those that were gored, and Blood, and they used to eat what was killed by wild Animals from the Livestock, and other things that I will explain in the coming Chapters, ALLAH willing.

So, Islam came to abolish all of these customs, and permitted the Believers good things, and forbade them bad things such as these prohibitions and others.

D- These five Verses also included an exception for what was slaughtered from the previously mentioned prohibitions, so whatever the Muslims realized was alive from these mentioned and was slaughtered before it died, it is from the good things.

E- These five Verses included the Ruling on hunting with Birds of prey and trained Dogs.

F- It also States that the Food of the People of the Book - Jews and Christians - is permissible.

G- It also States the Ruling on marrying chaste Women from the People of the Book.

H- These five Verses State the Ruling on those who disbelieve in faith, and that their deeds are nullified by their disbelief.

These rulings are not exhaustive of what is mentioned in these five Verses of rulings, but rather they are examples of what is mentioned in them of rulings that were not abrogated, and the evidence that the rulings in this Verse.

Third Topic:

What was abrogated from it and what was not abrogated?

It was previously mentioned that the Mother of Believers Aisha (may ALLAH be pleased with her) said to Jubayr ibn Nufayr: “O Jubayr, do you recite Al-Ma’idah?” He said: “I said: ‘Yes.’ She said: ‘It is the last surah to be revealed, so whatever you find in it that is permissible, then consider it permissible, and whatever you find in it that is forbidden, then forbid it)¹, so, this indicates that none of the rulings mentioned in Surat Al-Ma’idah were abrogated.

Scholars’ Statements on this Ibn al-Jawzi said: ((The Scholars of abrogation and abrogated differed regarding this Verse: (O you who believe! Do not make Lawful the symbols of ALLAH...)² the Verse, with two opinions:

First:

It is decisive. It was narrated on the authority of al-Hasan that he said: Nothing was abrogated from al-Ma’idah. Abu Maysarah said the same with others. They said: It is not permissible to make Lawful the symbols, nor the sacrificial Animal before the time of slaughtering it. They differed regarding necklaces. Some people said: It is forbidden to remove the necklace from the sacrificial Animal until it is slaughtered. Others said: The pre-Islamic era used to wear necklaces from the trees of the sanctuary, so it was said to them: Do not consider it permissible to take necklaces from the sanctuary, and do not turn away those intending to go to the House.

Second:

It is abrogated. Regarding the abrogated Verses, there are four opinions:

The first:

That all of them are abrogated, which is the opinion of al-Sha’bi.

The second:

It was mentioned regarding the Polytheists who used to wear necklaces Their gifts, and they show the Rituals of Hajj from Ihram and Talbiyah, so the Muslims were forbidden by this Verse from exposing them, then that was abrogated by the Almighty’s saying: (Then kill the Polytheists wherever you find them)³, and this is the saying of the majority.

¹ Al-Mustadrak Al-Hakim, who authenticated it and Al-Dhahabi agreed with him, 2/311, and its chain of transmission was presented above.

² Al-Mustadrak Al-Hakim 2/311, and its graduation was previously mentioned.

³ Surah Al-Ma’idah, verse: 2.

The Third:

That which abrogated the Almighty's saying: (And those who are at home in the Sacred House) was abrogated by the Almighty's saying: (So let them not approach Al-Masjid Al-Haram after this year of theirs)¹. It was narrated on the authority of Ibn Abbas and Qatadah.

The Fourth:

(Abu Sulayman Al-Dimashqi said):That which was abrogated from it is the prohibition of the sacred Month, and those who are at home in the Sacred House: if they are Polytheists, and the offerings of the Polytheists)² .

¹ Surah At-Tawbah, verse: 38.

² Zad al-Masir fi 'Ilm al-Tafsir2/278

Chapter (2)

This Chapter consists of the following:

Interpretation of the first Verse of Surat Al-Ma'idah.

First Section:

defining contracts, and what is meant by covenants, and defining Livestock.

Second Section:

explaining what ALLAH has made permissible for the Believers from Livestock, and the occasion for mentioning what is permissible, and explaining what is excluded from what ALLAH has made permissible for the Believers , and the general rule for the types of forbidden Animals and Birds.

Interpretation of the first Verse of Surat Al-Ma'idah.

ALLAH the Almighty said:

(يا أَيُّهَا الَّذِينَ آمَنُوا أَوْفُوا بِالْعُقُودِ أُحِلَّتْ لَكُمْ بَهِيمَةُ الْأَنْعَامِ إِلَّا مَا يُتْلَى عَلَيْكُمْ غَيْرَ مُجَلِّي الصَّيْدِ وَأَنْتُمْ حُرْمٌ إِنَّ اللَّهَ يَحْكُمُ مَا يُرِيدُ (1)

*** (O you who have believed, fulfill [all] contracts. Lawful to you is the beast of grazing Livestock, except what is recited to you, except for the hunt you hunt while you are in a State of Ihram. Indeed, ALLAH judges as He wills)¹.**

A man came to Abdullah bin Masoud(May ALLAH be pleased with him), and said: Give me a covenant. He said: If you hear ALLAH say: (O you who have believed...), ((Listen to it, for it is either good that He commands or evil that He forbids.))².

This Verse with which ALLAH Almighty began this Surah, up to His saying: “Indeed, ALLAH decrees what He wills.” It contains eloquence that human powers fall short of, despite its comprehensiveness of several rulings: including:

- 1- The fulfillment of contracts.**
- 2- The permissibility of eating Livestock.**
- 3- The permissibility of hunting for those who are not in a State of Ihram³.**

¹ Surah Al-Ma'idah, verse:1.

² Ibn Kathir's interpretation, 2/2, with some modifications.

³ Fath Al-Qadir, 2/4, with some modifications.

First Section:

defining contracts, and what is meant by covenants, and defining Livestock.

First: Definition of Contracts.

Contracts in the language: the rope, the sale, and the covenant. He ties it, tightens it and takes refuge in it. The accountant is according to him. The contract is the guarantee and the covenant. The Camel with a strong back. It is from me that the belt is tied, meaning that it is close in status. The contractor is the sanctuary of the well and what is around it¹.

Contracts in terminology: covenants, as Stated by Ibn Abbas, Mujahid, Qatadah, Ad-Dahhak, As-Suddi, and Az-Zajjaj said:

((Contracts are the most binding of covenants))², and Ibn Jarir narrated the consensus that what is meant by contracts are covenants³, Ibn Abbas said: What is meant by contracts here is: (O you who believe, fulfill contracts), meaning what ALLAH has permitted and what He has forbidden, what He has imposed, and what He has set limits in the entire Qur'an, and do not betray, and do not break them, then He emphasized that and said the Most High:

(And those who break the covenant of ALLAH after ratifying it and sever that which ALLAH has ordered to be joined and spread corruption on Earth - those will have the punishment of the Fire. The curse is upon them, and they will have an evil home)⁴.

What is meant by covenants?

Imam Abu al-Faraj Abd al-Rahman ibn al-Jawzi said in his interpretation (Zad al-Maseer fi Elm al-Tafseer) : ((They differed regarding what is meant by covenants here in five sayings: First: that they are the covenants of ALLAH that He took from His servants regarding what He permitted and prohibited, and this is the saying of Ibn Abbas and Mujahid.

Second: that they are all covenants of Religion, said by al-Hasan.

Third: that they are the covenants of Ignorance , which is the oath that was between them, said by Qatada.

Fourth: that they are the covenants that ALLAH took from the People of the Book regarding belief in the Prophet Muhammad, peace and blessings be upon him, said by Ibn Jarir, and we mentioned that the address is to the People of the Book.

Fifth: that they are the contracts of people among themselves: from selling, marriage, or a person's contract upon himself from a vow, or an oath, and this is the saying of Ibn Zayd⁵.

¹ Al-Qamoos Al-Muheet, Chapter on the letter 'Ayn, Chapter on the letter 'Dal', 1/315.

² Zad al-Maseer fi Elm al-Tafseer 2 /267.

³ Ibn Kathir's interpretation, 2/3, with some modifications.

⁴ Surah Ar-Ra'd, Verse: 25.

⁵ Zad al-Maseer fi Elm al-Tafseer 2/268.

I said: And ALLAH, the Almighty, mentioned in His Noble Book the first covenant that He took from the children of Adam, so He, the Almighty, said: (And when your Lord took from the children of Adam from Their descendants and made them testify over themselves, “Am I not your Lord?” They said, “Yes, we testify,” lest you should say on the Day of Resurrection, “Indeed, we were of this unaware)¹.

Second: Definition of Livestock:

The Almighty said: (Lawful to you are the Livestock).

Beast: Linguistically:

every four-legged Animal, even in the water, and every living creature that cannot distinguish... and the mute is the one who is dumb, and he is dumb to him, so he is unable to speak².

The Livestock are: Camels, Cows, and Sheep, said: Al-Hasan, Qatadah, and more than one³.

Ibn Al-Jawzi said: There are three opinions regarding the Livestock:

The first: They are the Fetuses of Livestock that are found Dead in the wombs of their mothers if the mothers are slaughtered, said by Ibn Omar and Ibn Abbas.

In the Hadith: ((The slaughter of the Fetus is the slaughter of its mother)) from the Hadith of Jabir, and it is a saheeh Hadith⁴.

The second: They are Camels, Cows, and Sheep, said: Al-Hasan, Qatadah, and Al-Suddi.

The third: They are wild Livestock such as gazelles and wild Cows⁵.

Ibn Atiyah said:

This is a good Statement; that is because the Livestock are the eight pairs, and what is added to them from the rest of the Animals is called: Livestock grouped with them, and it is as if the predator is like the lion, and everything with fangs is outside the definition of Livestock, so the Livestock is: the shepherd from the quadrupeds... And according to the Statement that the Livestock is limited to Camels, Cows, and Sheep, the addition is explanatory, and what is permissible from outside of it is attached to it by analogy, rather by the texts in the Book and Sunnah, such as the saying of the Almighty: (Say: I do not find in what has been revealed to me anything forbidden to one who eats it, unless it be Dead) the Verse⁶, and the Prophet (peace and blessings of ALLAH be upon him) forbade: ((every fanged beast of prey and every

¹ Surah Al-A'raf, Verse: 172.

² Al-Qamoos Al-Muheet, Chapter of Baa, Section of Meem, 4/82.

³ Interpretation of the Great Qur'an by Ibn Kathir, 2/3, and Interpretation of Al-Baghawi, 2/6.

⁴ Narrated by Abu Dawud, Book of Sacrifices, Chapter on What Was Said About the Slaughter of the Fetus, No. 2830, and Al-Tirmidhi, Book of Foods on the authority of the Messenger of God, may God bless him and grant him peace, Chapter on the Slaughter of the Fetus, No. 1476, and Ibn Majah, Book of Slaughtering, Chapter on the Aqeeqah, No. 3199. See: Sahih Al-Tirmidhi, 2/83.

⁵ Zad al-Maseer fi Elm al-Tafseer 2/269. This was narrated on the authority of Ibn Abbas and Abu Salih.

⁶ Surat Al-An'am, verse: 145.

taloned Bird))¹, and he (peace and blessings of ALLAH be upon him) said: ((every fanged beast of prey, its eating is forbidden))²; It indicates by its implication that everything else is permissible, as are all the specific texts as in the books of the pure Sunnah³.

Ibn Al-Arabi said:

As for the one who said: The blessings are: Camels, Cows, and Sheep, you have learned the correctness of that through evidence, which is that the blessings according to some linguists is a specific name for Camels that is Masculine and Feminine... And ALLAH the Almighty said:

(وَالْأَنْعَامَ خَلَقَهَا لَكُمْ فِيهَا دَفَاءٌ وَمَنَافِعُ وَمِنْهَا تَأْكُلُونَ) (وَلَكُمْ فِيهَا جَمَالٌ حِينَ تُرِيحُونَ وَحِينَ تَسْرَحُونَ) (وَتَحْمِلُ أَثْقَالَكُمْ إِلَىٰ بَلَدٍ لَّمْ تَكُونُوا بِالْغَيْهِ إِلَّا بِشِقَىٰ الْأَنْفُسِ إِنَّ رَبَّكُمْ لَرَءُوفٌ رَّحِيمٌ). النحل: 5-7.

Translation of the concept of the Holy Verse;

(And the grazing Livestock He has created for you; in them is warmth and [numerous] benefits, and from them you eat. And for you there is adornment in them when you drive them back [to their homeland] and when you send them out to pasture, and they carry your loads)⁴.

And ALLAH the Almighty said:

(وَمِنَ الْأَنْعَامِ حَمُولَةٌ وَفَرَشَاتٌ كُلُوا مِمَّا رَزَقَكُمُ اللَّهُ وَلَا تَتَّبِعُوا خُطُوَاتِ الشَّيْطَانِ إِنَّهُ لَكُمْ عَدُوٌّ مُّبِينٌ) 142 (ثَمَانِيَةَ أَزْوَاجٍ مِّنَ الضَّأْنِ اثْنَيْنِ وَمِنَ الْمَعْزِ اثْنَيْنِ قُلْ آلذَّكَرَيْنِ حَرَّمَ أَمِ الْأُنثَيَيْنِ أَمَا اسْتَمَلْتُمْ عَلَيْهِ أَرْحَامُ الْأُنثَيَيْنِ بَنِي نُوحٍ يَعْلَمُ إِنْ كُنْتُمْ صَادِقِينَ) 143 (وَمِنَ الْإِبِلِ اثْنَيْنِ وَمِنَ الْبَقَرِ اثْنَيْنِ قُلْ آلذَّكَرَيْنِ حَرَّمَ أَمِ الْأُنثَيَيْنِ أَمَا اسْتَمَلْتُمْ عَلَيْهِ أَرْحَامُ الْأُنثَيَيْنِ أَمْ كُنْتُمْ شُهَدَاءَ إِذْ وَصَّاكُمْ اللَّهُ بِهَذَا فَمَنْ أَظْلَمُ مِمَّنِ افْتَرَىٰ عَلَى اللَّهِ كَذِبًا لِّيُضِلَّ النَّاسَ بِغَيْرِ عِلْمٍ إِنَّ اللَّهَ لَا يَهْدِي الْقَوْمَ الظَّالِمِينَ) 144. الأنعام.

(And of the grazing Livestock are burdens and furnishings. Eat of what ALLAH has provided for you and do not follow the footsteps of the Satan - indeed, he is to you a clear enemy. Eight pairs of Sheep, two, and of goats, two. And He said: {And of Camels, two, and of Cows, two.}⁵, this is connected to His Statement: {And of the grazing Livestock, loads and beds.} meaning, He created gardens and created from the grazing Livestock loads and beds, meaning large and small. Then He explained it and said: eight pairs... the Verse.

¹ Muslim, Book of Hunting, Slaughtering, and the Meat of which May Be Eaten, Chapter on the Prohibition of Eating All Fanged Wild Animals and All Clawed Birds, No. 1934.

² Sahih Muslim, Book of Hunting, Slaughtering, and the Meat of which May Be Eaten, Chapter on the Prohibition of Eating All Fanged Wild Animals and All Clawed Birds, No. 1933.

³ Fath al-Qadir by al-Shawkani, 2/5.

⁴ Surah An-Nahl, verses: 5-7.

⁵ Surat Al-An'am, verses: 142-144.

ALLAH Almighty said:

(وَاللَّهُ جَعَلَ لَكُمْ مِنْ بُيُوتِكُمْ سَكَنًا وَجَعَلَ لَكُمْ مِنْ جُلُودِ الْأَنْعَامِ بُيُوتًا تَسْتَخِفُّونَهَا يَوْمَ ظَعْنِكُمْ وَيَوْمَ إِقَامَتِكُمْ وَمِنْ أَصْنُوفِهَا وَأَوْبَارِهَا وَأَشْعَارِهَا أَثَاثًا وَمَتَاعًا إِلَى حِينٍ). النحل: 80.

Translation of the concept of the Holy Verse;

(And ALLAH has made for you, from the hides of Livestock, houses which you find light on the day of your departure and on the Day of Resurrection.” Your residence and from their wool **[- which are Sheep-]** and their fur **[-which are Camels -]** and their hair **[-which are goat]** furniture and provisions for a time)¹.

These are three pieces of evidence that indicate that the name of blessings includes these three types: Camels, Cows, and Sheep, to make all of that tame. As for the wild, I have not known it until now except by following the people of language².

Narrated Sa`id bin Al-Musayyib:

Al-Baheera was an Animal whose milk was spared for the Idols and other Deities, and so nobody was allowed to milk it. As-Saiba was an Animal which they (i.e. infidels) used to set free in the names of their ALLAHs so that it would not be used for carrying anything. Abu Huraira said, ((The Prophet (ﷺ) said, 'I saw `Amr bin `Amir bin Luhai Al-Khuza`i dragging his intestines in the (Hell) Fire, for he was the first man who started the custom of releasing Animals (for the sake of false ALLAHs).)). Al-Bukhari:3521.

¹ Surah An-Nahl, verse: 80.

² Ahkam Al-Quran- by Abu Bakr Muhammad ibn Abdullah, known as Ibn al-Arabi, 2/529.

Second Section:

explaining what ALLAH Almighty has made permissible for the Believers from Livestock, and the occasion for mentioning what is permissible, and explaining what is excluded from what ALLAH has made permissible for the Believers , and the general rule for the types of forbidden Animals and Birds.

This Section Includes:

First Topic:

A Statement of what ALLAH Almighty has permitted for Believers and the reason for mentioning the permissibility.

Second Topic:

What is excluded from what ALLAH Almighty has made Lawful for Believers of Livestock?

First Topic:

A Statement of what ALLAH Almighty has permitted for Believers and the reason for mentioning the permissibility.

ALLAH Almighty says: (Lawful to you are the Animals of Cattle).

The definition of Livestock has been previously made, in language and terminology, and that ALLAH Almighty has made it permissible for the Believers - except for what He has excluded and will come, ALLAH Almighty willing - and I have previously mentioned that the majority of commentators are of the opinion that Livestock are three types: Camels, Cows, and Sheep. I have mentioned the Statements of the Scholars in detail, and they are three Statements as mentioned above, and Ibn al-Arabi preferred the first Statement, which is that Livestock are Camels, Cows, and Sheep - and he provided evidence for that with three pieces of evidence that I mentioned there. So, ALLAH, the Blessed and Exalted, has made Livestock permissible for the Believers , except for what He has excluded from them, the Almighty. The reason for mentioning the permissibility here is that the Polytheists used to forbid: bahirah, Sa'ibah, Waseelah, and Ham. ALLAH, the Almighty, said:

﴿مَا جَعَلَ اللَّهُ مِنْ بَحِيرَةٍ وَلَا سَائِبَةٍ وَلَا وَصِيلَةٍ وَلَا حَامٍ وَلَكِنَّ الَّذِينَ كَفَرُوا يَفْتَرُونَ عَلَى اللَّهِ الْكُذِبَ وَأَكْثَرُهُمْ لَا يَعْقِلُونَ. المائدة.

Translation of the concept of the Holy Verse;

(ALLAH has not ordained any Baheerah, or Sa'ibah, or Waseelah, or Ham, but those who They disbelieved, inventing lies against ALLAH, and most of them do not reason)¹.

When a Female Camel gave birth to five children, the last of which was a male, the people of the Age of Ignorance would slit its ear and forbid riding it, which is called “al- Baheerah.”

The man used to say: If I return from my journey or recover from my illness, my she-Camel is a free-ranging Camel, and he made it like the Bahirah in prohibiting benefiting from it. And if a Sheep gave birth to a Female, it was for them, and if it gave birth to a male, it was for their ALLAHs. And if it gave birth to a male and a Female, they said: It joined its brother - meaning a male and a Female from one womb - and it is the Waseelah. And if it produced ten wombs from the loins of the stallion, they said: It protected his back, and it is the Ham. When Islam came, it abolished all of these customs, so there was no bahīrah, no Ham, no Waseelah, and no Ham. So, ALLAH Almighty made all Livestock permissible except for what He I excluded from these Livestock. He made permissible the good things and prohibited the bad things, and abolished the customs of the Age of Ignorance . What is permissible is what ALLAH Almighty and His Messenger(P.B.U.H) made permissible, and what is forbidden is what ALLAH Almighty and His Messenger made forbidden. As for what He, the Almighty, excluded from what He made permissible for the Believers , it is His Almighty saying: “Except what is recited to you.” And its explanation will come, ALLAH willing

¹ Surat Al-Ma'idah 103.

Second Topic:

What is excluded from what ALLAH Almighty has made Lawful for Believers of Livestock?

ALLAH the Almighty said:

(Except what is recited to you, other than what is Lawful for you to hunt while you are in a State of Ihram). Ali bin Abi Talhah (May ALLAH Almighty be pleased with him) said on the authority of Ibn Abbas (May ALLAH Almighty be pleased with him) :

((He means by that, Dead Animals, Blood, and pork...)), Ibn Kathir said: ((And it appears - and ALLAH knows best - that what is meant by that is ALLAH the Almighty's saying: (Forbidden to you are Dead Animals, Blood, the flesh of Swine , and that which has been dedicated to other than ALLAH, and that which has been strangled, or that which has been beaten, or that which has fallen from its neck, or that which has been gored, and that which has been eaten by a wild Animal)¹.

Al-Qurtubi said: ((ALLAH the Almighty's saying: (Except What is recited to you) that is, what is read to you in the Qur'an and Sunnah, from the Almighty's saying: (Forbidden to you are Dead Animals...) the Verse and His saying, may ALLAH bless him and grant him peace: ((And every fanged Animal from Wild Animals is forbidden)².

And the Almighty's saying: "Not Lawful for hunting while you are in a State of Ihram." Some of them said: This is in the accusative case as a State, and what is meant by Livestock is what includes humans such as Camels, Cows, and Sheep, and what includes wild Animals such as gazelles, Cows, and donkeys. So, what was mentioned above was excluded from humans, and hunting during a State of Ihram was excluded from wild Animals.

It was said: What is meant is that we have made Livestock Lawful except for what was exempted from it for those who committed themselves to the prohibition of hunting, and it is forbidden, according to the Almighty's saying: (But whoever is forced [by necessity], neither desiring [it] nor transgressing [its limits], then indeed, ALLAH is Forgiving and Merciful)³.

That is, we permitted the consumption of Dead Meat for the one in need, provided that he is neither a transgressor nor an aggressor. And so, it is here, that is, just as we permitted Livestock in all circumstances, they prohibited hunting during Ihram; for ALLAH has ruled this and He is the Wise in all that He commands and prohibits; and for this reason, He said: (Indeed, ALLAH decrees what He wills)⁴.

¹ Interpretation of the Great Qur'an by Ibn Kathir, 2/4, and verse 3 of Surat Al-Ma'idah.

² Al-Jami' li Ahkam al-Quran by al-Qurtubi, and the hadith was narrated by Muslim, No. 1933, but with the wording: "Every fanged beast of prey is forbidden to eat," and its chain of transmission was presented above.

³ Surah An-Nahl, Verse: 115.

⁴ Interpretation of the Qur'an by Ibn Kathir, 2/4, and the first verse of Surat Al-Ma'idah.

Third Topic:

The general rule for the types of forbidden Animals and Birds:

On the authority of Abu Tha'labah, may ALLAH be pleased with him, that the Messenger of ALLAH, may ALLAH bless him and grant him peace, ((forbade eating every fanged beast of prey))¹.

In Sahih Muslim: On the authority of Ibn Abbas may ALLAH be pleased with him :

((The Messenger of ALLAH, may ALLAH bless him and grant him peace, forbade eating every fanged beast of prey and every taloned Bird))²

The Claw of a Bird is like the Nail of another, but it is stronger, thicker and sharper, like the fang of a wild Animal. Ibn Hajar said in Fath al-Bari: "Those who say it is forbidden differed about what is meant by what has a fang. It was said: It is what strengthens itself and attacks others, and hunts and runs by its nature, usually like the lion, the leopard, the falcon, and the eagle. As for what does not run, like the Hyena and the fox, no. This is what al-Shafi'i, al-Layth, and those who followed them agreed with. Then he said: There are Hadiths that are acceptable regarding the permissibility of the Hyena.

Then he said: There are Hadiths that are acceptable regarding the permissibility of eating Hyenas. As for the fox, there is a Hadith of Khuzaymah ibn Juz' regarding its prohibition that was reported by al-Tirmidhi and Ibn Majah, but its chain of transmission is weak³.

On the authority of Abu Hurairah, may ALLAH Almighty be pleased with him, on the authority of the Prophet, may ALLAH Almighty bless him and grant him peace, (who said: "Every beast of prey with fangs is forbidden to eat)⁴, Al-Nawawi, may ALLAH Almighty have mercy on him, said in his commentary on Sahih Muslim in explaining this Hadith: His saying: "The Prophet, may ALLAH Almighty bless him and grant him peace, forbade every beast of prey with fangs, and every Bird with Talons.

In another narration: "Every beast of prey with fangs is forbidden to eat." The word "mukhalab" is pronounced with a kasra on the "mim" and a Fatha on the "lam" and the linguists said: The Claw is for Birds and beasts like the fingernail is for humans.

These Hadiths are evidence for the view of Al-Shafi'i, Ahmad, Abu Hanifa, and Dawud, that it is forbidden to eat every beast of prey with fangs, and every Bird with Talons.

As for Imam Malik, he said: It is not forbidden, rather it is Disliked, and his evidence is the saying of Almighty: (Say: I do not find in what has been revealed to me anything forbidden...)

¹ Al-Bukhari, Book of Slaughtering and Hunting, Chapter on Eating All Fanged Wild Animals, No. 5530, and Book of Medicine, Chapter on Donkey Milk, Hadith No. 5780.

² Sahih Muslim, No. 1934, and its chain of transmission was presented.

³ Fath Al-Bari, 9/658.

⁴ Muslim, No. 1933, and its graduation was presented.

the Verse¹. Then An-Nawawi said: ((Our companions responded to him with these Hadiths, and they said: The Verse does not contain any information that he did not find anything forbidden at that time except what is mentioned in the Verse, then he was revealed to prohibit every fanged beast of prey - and every Clawed Bird - so it was obligatory to accept it and act upon it))².

I said: In general, predatory Animals and Birds that eat Meat are forbidden, and an exception is made from these Animals that are mentioned in the Shariah as an exception from these Animals, such as the Hyena, as there are Hadiths that have been mentioned regarding its permissibility, including:

- 1- **On the authority of Abu Ammar, he said: ((I said to Jabir: The Hyena, can I hunt it? He said: Yes. He said: I said: Can I eat it? He said: Yes. He said: I said: Did the Messenger of ALLAH (peace and blessings of ALLAH be upon him) excuse him? He said: Yes))³.**
- 2- **On the authority of Jabir ibn Abdullah, may ALLAH Almighty be pleased with them both, he said: I asked the Messenger of ALLAH, may ALLAH Almighty bless him and grant him peace, about the Hyena, and he said: ((It is hunt and a ram is put in it if the pilgrim hunts it))⁴, and Ibn Hajar al-Asqalani said: ((There are Hadiths that are acceptable regarding the permissibility of the Hyena))⁵.**

The summary of this topic is that it is forbidden:

every fanged beast of prey, and every Bird with Talons, except for what was excluded, such as the Hyena, as mentioned above.

¹ Surat Al-An'am, verse: 145.

² Al-Nawawi's explanation of Sahih Muslim, 13/82.

³ Narrated by Al-Tirmidhi, Chapter: What was said about the hyena that a pilgrim in ihram may have intercourse with, No. 851. He said: "This is a good and authentic hadith." See: Sahih Al-Tirmidhi, 1/255.

⁴ Narrated by Abu Dawud, Book of Foods, Chapter on Eating Hyena, No. 3801. Many hadiths have been narrated about hyenas, including Ahmad, Al-Tirmidhi, Abu Dawud, Al-Nasa'i, Al-Darimi, and Malik. I have chosen two hadiths, which are the ones mentioned above from Sunan Al-Tirmidhi and Sunan Abu Dawud.

⁵ Fath Al-Bari, Book of Hunting, 9/658.

Chapter (3)

This Chapter consists of the following researches of:

1- Interpretation of the second Verse of Surat Al-Ma'idah.

2- First Section:

Defines Rituals, explains the reason for the Revelation of this noble Verse, and the Scholars' Statements regarding what was abrogated from this Verse and what was not abrogated.

3- Second Section:

Regarding the permissibility of hunting after the end of the State of Ihram, and the command to cooperate in Righteousness and Piety.

1- Interpretation of the second Verse of Surat Al-Ma'idah.

ALLAH Almighty Said:

(يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَحِلُّوا شَعَائِرَ اللَّهِ وَلَا الشَّهْرَ الْحَرَامَ وَلَا الْقَلْبَةَ وَالْأَقْلَابَ وَلَا الْهَدْيَ وَلَا الْفَلَاحِ وَلَا آمِينَ الْبَيْتِ الْحَرَامِ يَبْتَغُونَ فَضْلًا مِّن رَّبِّهِمْ
وَرِضْوَانًا وَإِذَا حَلَلْتُمْ فَاصْطَادُوا وَلَا يَجْرِمَنَّكُمْ شَنَاٰنُ قَوْمٍ أَن صَدُّوكُمْ عَنِ الْمَسْجِدِ الْحَرَامِ أَن تَعْتَدُوا وَتَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَىٰ وَلَا
تَعَاوَنُوا عَلَى الْإِثْمِ وَالْعُدْوَانِ وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ شَدِيدُ الْعِقَابِ)¹.

Translation of the concept of the Holy Verse;

(O you who have believed, do not violate the Rituals of ALLAH or [the sanctity of] the sacred Month or [neglect the marking of] the sacrificial Animals and garlanding [them] or [violate the safety of] those coming to the Sacred House seeking bounty from their Lord and [His] approval. But when you come out of Ihram, then [you may] hunt. And do not let the hatred of a people for having obstructed you from al-Masjid al-Haram lead you to transgress. And cooperate in Righteousness and Piety, but do not cooperate in Sin and aggression. And fear ALLAH; indeed, ALLAH is severe in penalty).

This Section Contains Two Topics:

First Topic: Definition of Rituals.

Second Topic:

1- Permission to hunt after the pilgrim has finished his Ihram, and the prohibition of attacking others unjustly.

2- The command to cooperate in Righteousness and Piety and the prohibition of cooperation in Sin and aggression.

¹ Surah Al-Ma'idah, verse: 2.

First Topic: Definition of Rituals;

First:

Rituals in language; refer to the act of making something a Ritual. The Rituals of Hajj are its rites and signs. A Ritual (Sha'irah) and a symbol (Sha'irah) are among its most significant aspects, and its Rituals are the landmarks that ALLAH Almighty has called upon and commanded to be observed. The more you associate something with it, the more you make it a Ritual. The term (Rituals-Sha'air**-شعائر) is the plural of (Ritual-**Sha'irah**-شعيرة), following the pattern of "fa'ila". This includes the act of marking the sacrificial Animals (Ish'ar) and the landmarks (Masha'r), with the Singular form being "Mish'ar."¹.**

Ata' said about the Rituals: ((All that ALLAH Almighty has commanded and prohibited)). Al-Hasan said: The Religion of ALLAH is all, like His saying: (That is so. And whoever honors the symbols of ALLAH - indeed, it is from the Piety of hearts)².

Al-Qurtubi said: (This is the preferred view that should not be replaced by anything else, due to its generality.)³ .

Second:

The reason for Revelation, and the Scholars' Statements about what was abrogated from this Verse and what was not abrogated:

Al-Shawkani said: ((The reason for the Revelation of this Verse is that the Polytheists were performing Hajj and Umrah, and offering sacrifices, so the Muslims wanted to change them, so the Almighty's Statement was revealed: (O you who have believed, do not violate the symbols of ALLAH...)⁴ to the end of this Verse, so this was abrogated by the Almighty's Statement: (Kill the Polytheists wherever you find them...)⁵,and His Statement: (So let them not approach Al-Masjid Al-Haram after this year of theirs)⁶ ,and His Statement, may ALLAH Almighty bless him and grant him peace: ((He should not perform Hajj after this year Polytheist))⁷,and some people said: The Verse is decisive, and it is about Muslims))⁸.

I said: I have previously mentioned the Scholars' Statements in detail in the first Chapter, Third Topic, under the title: What was abrogated from these five Verses and what was not abrogated, and I mentioned the three Statements made by the Scholars of abrogation and abrogated Verses, so there is no need to repeat them here. The Almighty said: "nor the sacred Month nor the sacrificial Animals nor the garlands," meaning by that its prohibition and the

¹ Al-Qamoos Al-Muheet, chapter on the letter Sheen, chapter on the letter Ra, 2/59.

² Surah Al-Hajj, Verse: 32.

³ The Compendium of the Rulings of the Holy Qur'an by Al-Qurtubi, 6/37.

⁴ Surah Al-Ma'idah, verse: 2.

⁵ Surah At-Tawbah, Verse: 5.

⁶ Surah At-Tawbah, Verse: 38.

⁷ Al-Bukhari, Book of Hajj, Chapter: No one shall circumambulate the House naked and no polytheist shall perform Hajj, No. 1622, but it is worded as: ((No polytheist shall perform Hajj after this year and no one shall circumambulate the House naked)).

⁸ Fath al-Qadir by al-Shawkani, 2/6.

recognition of its greatness, and leaving what ALLAH has forbidden to do in it, such as initiating fighting, and emphasizing the avoidance of forbidden things.

In Sahih Al-Bukhari, on the authority of Abu Bakrah, may ALLAH be pleased with him, that the Messenger of ALLAH, may ALLAH's prayers and peace be upon him, said during the Farewell Pilgrimage: (Time has returned to its original State as it was on the day ALLAH created the Heavens and the Earth. The year is Twelve Months, Four of which are sacred: three consecutive Months: Dhul-Qi'dah, Dhul-Hijjah, and Muharram, and Rajab of Mudar, which is between Jumada and Sha'ban.)¹.

Ibn Abbas, may ALLAH be pleased with them both, said: It means that you should not consider fighting permissible in it... The majority of Scholars are of the view that this has been abrogated, and that it is permissible to initiate fighting in the sacred Months... Imam Abu Ja'far narrated the consensus that ALLAH Almighty has permitted fighting the Polytheists in the sacred Months and other than them.

And His saying: "nor the offerings nor the necklaces," meaning do not abandon the offerings to the Sacred House, for in it is the glorification of the symbols of ALLAH Almighty, and do not abandon the garlanding of them around their necks to distinguish em from other Livestock; and let it be known that they are offerings to the Kaaba, so that whoever wants to harm them avoids them, and it prompts whoever sees them to bring something similar; for whoever calls to guidance will have a reward like the rewards of those who follow him without anything being diminished from their rewards².

ALLAH the Almighty says: (And those who come to the Sacred House, seeking bounty from their Lord and approval), meaning, do not consider it permissible to fight those who intend to go to the Sacred House of ALLAH for Hajj or Umrah. ALLAH the Almighty forbade raiding them or preventing them from the House as the people of Ignorance used to do³.

And ALLAH the Almighty says: (Seeking bounty from their Lord and approval...(meaning by that trade, and this is as mentioned previously in ALLAH the Almighty's saying:)There is no blame upon you for seeking bounty from your Lord)⁴.

¹ Al-Bukhari, Book of the Beginning of Creation, Chapter on What Was Said About the Seven Earths, No. 3197, and Muslim, Book of Blood Money, Combatants, Retaliation, and Blood Money, Chapter on the Strict Prohibition of Blood, Honor, and Money, No. 1679.

² Interpretation of the Great Qur'an by Ibn Kathir, 2/4.

³ (Safwat Al-Tafaseer) by Al-Sabuni, 1/226.

⁴ Surah Al-Baqarah, Verse: 198.

Second Topic:

1- Permission to hunt after the pilgrim has finished his Ihram, and the prohibition of attacking others unjustly.

2- The command to cooperate in Righteousness and Piety and the prohibition of cooperation in Sin and aggression.

1- Permission to hunt after the pilgrim has finished his Ihram, and the prohibition of attacking others unjustly.

ALLAH the Almighty says:

(وَإِذَا حَلَلْتُمْ فَاصْطَادُوا ... (2) المائدة.

(And when you have finished your State of Ihram, then hunt), meaning; when you have finished your State of Ihram and have finished it, then We have permitted you what was forbidden to you during the State of Ihram of hunting.

This is a command after the prohibition, and the correct view upon which the path is established is that the Ruling is returned to what it was. If it was obligatory, then it is obligatory. If it was recommended, then it is recommended, or if it was permissible, then it is permissible¹.

ALLAH the Almighty says:

(وَلَا يَجْرِمَنَّكُمْ شَنَاَنُ قَوْمٍ أَنْ صَدُّوكُمْ عَنِ الْمَسْجِدِ الْحَرَامِ أَنْ تَعْتَدُوا ... (2). المائدة.

(And let not the hatred of a people because they prevented you from al-Masjid al-Haram prevent you from transgressing), meaning; do not let the hatred of a people who prevented you from al-Masjid al-Haram lead you to transgress against them².

Some of the predecessors said:

(You have not treated someone who disobeyed ALLAH Almighty in you in a way that you would obey ALLAH in him, and justice is what the Heavens and the Earth were established with)³.

¹ interpretation of the Great Qur'an by Ibn Kathir, 2/5.

² (Safwat Al-Tafaseer) by Al-Sabuni, 1/226.

³ Interpretation of the Great Qur'an by Ibn Kathir, 2/6.

2- The command to cooperate in Righteousness and Piety and the prohibition of cooperation in Sin and aggression.

ALLAH the Almighty says:

...وَتَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَىٰ وَلَا تَعَاوَنُوا عَلَى الْإِثْمِ وَالْعُدْوَانِ وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ شَدِيدُ الْعِقَابِ (2). المائدة.

(And cooperate in Righteousness and Piety, but do not cooperate in Sin and aggression. And fear ALLAH; indeed, ALLAH is severe in penalty). (Surat Al-Ma'idah:2).

ALLAH the Almighty commands His believing servants to cooperate in doing good deeds, which is Righteousness, and to abandon evil deeds, which is Piety. He prohibits them from supporting one another in falsehood and from cooperating in Sins and forbidden acts¹.

Anas ibn Malik, may ALLAH be pleased with him, said: The Messenger of ALLAH, may ALLAH bless him and grant him peace, said:

“Support your brother, whether he is an Oppressor or Oppressed.” It was said: O Messenger of ALLAH, this is supporting him when he is Oppressed, so how do I support him when he is an Oppressor? He said: ((You prevent him from injustice, and that is your support for him))².

In the Sahih: ((Whoever calls to guidance will have a reward like the rewards of those who follow him, without that detracting from their reward in the slightest. And whoever calls to misguidance will have a Sin like the Sins of those who follow him, without that detracting from their Sin in the slightest))³.

On the authority of Abu Mas`ud al-Ansari, may ALLAH be pleased with him, who said:

The Messenger of ALLAH, may ALLAH bless him and grant him peace, said:

((Whoever guides to good will have a reward like that of the one who does it))⁴.

¹ Interpretation of the Great Qur'an by Ibn Kathir, 2/6.

² Al-Bukhari, Book of Coercion, Chapter: A man's oath to his companion: He is his brother if he fears that he will be killed or something similar, No. 6952, and Muslim, Book of Piety, Kinship, and Manners, Chapter: Supporting a brother, whether he is an oppressor or oppressed, No. 2584, with a different wording, but close to it.

³ Sahih Muslim, Book of Knowledge, Chapter: Whoever establishes a good or bad practice, and whoever calls to guidance or misguidance, No. 2674, on the authority of Abu Hurayrah, may God be pleased with him.

⁴ Sahih Muslim, Book of Leadership, Chapter on the virtue of helping the fighter in the way of God with a mount or other means..., No. 1893.

Chapter (4):

Interpretation of the Third Verse of Surat Al-Ma'idah.

This Chapter consists of the following:

First Section:

knowing what ALLAH has forbidden from Livestock, and invalidating the customs of Ignorance in eating forbidden Livestock, and defining the Lawful slaughter, and mentioning its conditions.

Second Section:

The prohibition of eating what was slaughtered for other than ALLAH, and casting lots with arrows, and mentioning ALLAH's completion of His favor upon this nation, and His completion of the Religion, and lifting the Sin from whoever is forced to do something forbidden from Livestock, neither transgressing nor exceeding the limits, and mentioning the wisdom behind that.

First Section:

knowing what ALLAH has forbidden from Livestock, and invalidating the customs of Ignorance in eating forbidden Livestock, and defining the Lawful slaughter, and mentioning its conditions.

This Section includes Two Topics:

First Topic:

knowing what ALLAH has forbidden from Livestock, and invalidating the customs of Ignorance in eating forbidden Livestock.

Second Topics:

knowing what ALLAH has forbidden from Livestock, and invalidating the customs of Ignorance in eating forbidden Livestock.

First Topic:

knowing what ALLAH has forbidden from Livestock, and invalidating the customs of Ignorance in eating forbidden Livestock.

ALLAH Almighty said:

(حُرِّمَتْ عَلَيْكُمْ الْمَيْتَةُ وَالِدَمُّ وَلَحْمُ الْخِنْزِيرِ وَمَا أَهَلَ لِغَيْرِ اللَّهِ بِهِ وَالْمُنْخَنِقَةُ وَالْمَوْقُوذَةُ وَالْمُتَرَدِّيَةُ وَالنَّطِيحَةُ وَمَا أَكَلَ السَّبْعُ إِلَّا مَا دَكَيْتُمْ وَمَا دُبِحَ عَلَى النُّصَبِ وَأَنْ تَسْتَقْسِمُوا بِالْأَزْلَامِ ذَلِكَ فِسْقٌ الْيَوْمَ الَّذِينَ كَفَرُوا مِنْ دِينِكُمْ فَلَا تَحْشَوْهُمْ وَاخْشَوْنَ الْيَوْمَ أَكْمَلْتُ لَكُمْ دِينَكُمْ وَأَتَمَمْتُ عَلَيْكُمْ نِعْمَتِي وَرَضِيْتُ لَكُمْ الْإِسْلَامَ دِينًا فَمَنِ اضْطُرَّ فِي مَخْمَصَةٍ غَيْرِ مُتَجَانِفٍ لِإِثْمٍ فَإِنَّ اللَّهَ غَفُورٌ رَحِيمٌ (3). المائدة.

Translation of the concept of the Holy Verse;

(Prohibited to you are Dead Animals, Blood, the flesh of Swine , and that which has been dedicated to other than ALLAH, and [those Animals] killed by strangling or by a violent blow or by a head-long fall or by the goring of Horns, and those from which a wild Animal has eaten, except what you [are able to] slaughter [before its death], and those which are sacrificed on stone Altars, and [prohibited is] that you seek decision through divining arrows. That is grave disobedience. This day those who disbelieve have despaired of [defeating] your Religion; so, fear them not, but fear Me. This day I have perfected for you your Religion and completed My Favor upon you and have approved for you Islam as Religion. But whoever is forced by severe hunger with no inclination to Sin - then indeed, ALLAH is Forgiving and Merciful)¹.

What ALLAH Almighty has forbidden of Livestock, to abolish the customs of the Age of Ignorance : The people of the Age of Ignorance used to eat Dead Animals, and strangle a Sheep, and when it died, they would eat it. They used to beat Livestock with wood for their ALLAHs until it died, and then they would eat it.

When they slaughtered, they would mention (Al-Llat and Al-Uzza)², and raise their voices in doing so. When one of them was hungry, he would take a specific thing, such as a Bone or something similar, and bleed his Camel with it, and collect the Blood that came out of it and drink it. They were also like that. When a Wild Animal ate a Sheep, they would eat it, whether it died or not, and they did not slaughter it.

When Islam came, it prohibited all of that. ALLAH Almighty said: {Forbidden to you are Dead Animals...} (Verse). Similar to this Verse is ALLAH Almighty's saying: {Say, "I do not find in what has been revealed to me anything forbidden to one who would eat it unless it be Dead Animals, or Blood poured forth, or the flesh of Swine - for indeed, it is impure - or an abomination dedicated to other than ALLAH. But whoever is forced [by necessity], neither

¹ Surat Al-Ma'idah:3.

² Two names for two idols that were worshipped in the pre-Islamic era. Age of Ignorance

desiring [it] nor transgressing [its limits] - then indeed, your Lord is Forgiving and Merciful.”¹ (Verse).

ALLAH Almighty also said: {Indeed, He has forbidden to you Dead Animals, Blood, the flesh of Swine , and that which has been dedicated to other than ALLAH. But whoever is forced [by necessity], neither desiring [it] nor transgressing [its limits], there is no Sin upon him. Indeed, ALLAH is Forgiving and Merciful².

This is the beginning of the prohibitions that ALLAH the Almighty referred to in His saying: (Except what is recited to you).

ALLAH the Almighty forbids His servants from consuming these prohibited things of Dead Animals, which are Animals that die a natural death without being slaughtered or hunted, because of the harm they cause from the congested Blood, so it is harmful to the Religion and the Body. That is why He, the Almighty, forbade it.

An exception to Dead Animals is Fish, which is permissible whether it died by Ritual slaughter or otherwise, as Abu Hurairah, may ALLAH Almighty be pleased with him, narrated that the Messenger of ALLAH, may ALLAH Almighty bless him and grant him peace, was asked about Seawater, and he said: (Its Water is Pure and its Dead Animals are permissible)³.

Locusts are also excluded. On the authority of Ibn Umar, may ALLAH Almighty be pleased with them both, he said: The Messenger of ALLAH, may ALLAH Almighty bless him and grant him peace, said: (Two Dead things and two types of Blood are permissible for you. As for the two Dead things, they are Fish and Locusts. As for the two types of Blood, they are the Liver and the Spleen)⁴.

The Almighty’s saying: “and Blood” means that which is spilled, like the Almighty’s saying: “or Blood poured out.” When one of the people of the Age of Ignorance was hungry, he would bleed his Camel and collect the Blood that came out of it and drink it. For this reason, ALLAH has forbidden spilled Blood to this nation.

¹ Surat Al-An'am, verse: 145.

² Surah Al-Baqarah, verse: 173.

³ Narrated by Malik in Al-Muwatta' 1/22, Ash-Shafi'i 1/2, Ahmad 1/214, Abu Dawud, Book of Purification, Chapter on Ablution with Seawater, No. 83, At-Tirmidhi, Chapters on Purification and Its Sunnah's, Chapter on What Was Said About Seawater Being Purifying, No. 69, An-Nasa'i, Book of Purification, Chapter on Seawater, No. 59, Ibn Majah, Book of Purification and Its Sunnah's, Chapter on Ablution with Seawater, No. 386, Ibn Khuzaymah, and Ibn Hibban in their Sahihis. It is a saheeh hadeeth. See Saheeh At-Tirmidhi, 1/21.

⁴ Narrated by Ash-Shafi'i 2/173 and Ahmad, Ibn Majah, Kitab Al-Atima-Foods', Chapter on Liver and Spleen, No. 3212, Ad-Daraqutni and Al-Bayhaqi 1/254. It was narrated by Sulayman ibn Bilal, one of the trustworthy narrators, on the authority of Zayd ibn Aslam on the authority of Ibn 'Umar, who attributed it to him. Abu Zur'ah Ar-Razi and Abu Hatim authenticated the attributed narration. Al-Hafiz Ibn Hajar said in At-Talkhees: Yes, the attributed narration that Abu Hatim and others authenticated is considered to be marfu' (upon the Prophet), because the statement of a Companion made such-and-such permissible for us and such-and-such forbidden for us. Such as his statement: We were commanded to do such-and-such and forbidden from such-and-such. So, the evidence is obtained from this narration because it is in the meaning of marfu' (upon the Prophet). Zuhair Ash-Shawish said this in his commentary on this hadith in Zaad Al-Masir fi 'Ilm At-Tafsir. I said: Ibn Abi Awfa said: We fought with the Messenger of ALLAH (peace and blessings of ALLAH be upon him) on seven battles in which we ate locusts. As for eating fish, the evidence for its permissibility is his statement (peace and blessings of ALLAH be upon him) about seawater: "Its water is pure and its dead are permissible."

Al-A'sha¹ said:

Beware of Dead Animals, do not approach them

And do not take an iron Bone to bleed.

And His Statement: (And the flesh of Swine) means its domestic and wild parts, and the flesh includes all its parts, even the Fat.

ALLAH the Almighty said:

{And that which has been dedicated to other than ALLAH} meaning; that which has been slaughtered and the name of other than ALLAH has been mentioned over it is forbidden; because ALLAH the Almighty has made it obligatory that His creations be slaughtered in His great name, so whenever He deviates from that and mentions over it the name of someone other than Him, such as an Idol, a tyrant, a statue, or any other creature, then it is forbidden by consensus. ALLAH the Almighty said: {And that which has been strangled}, which is the one that dies by strangulation, whether that was done by its own actions, such as by putting its head in a Rope, or between two sticks, or by the actions of a human or someone else. ALLAH the Almighty said: {And that which has been beaten to death}, which is the one that has been struck with a heavy, unsharpened object until it dies – such as being struck with a stone or a stick – without slaughtering it.

In Sahih Muslim, it is narrated that Adi bin Hatim (may ALLAH be pleased with him) said: I said, O Messenger of ALLAH, I shoot with a Spear at hunt and I hit it. He said: ((If you shoot with a spear and it pierces it, then eat it, but if it hits its side, then it is a wound, so do not eat it))².

This is from the explanation of the Sunnah , and of the Qur'an, so whatever is pierced with a spear is permissible because it is from the good things, and whatever falls under the Ruling of this Verse - the Verse of prohibition - is if it hits it with its side, then it is not eaten because it is a wound. Likewise, if a hunting Dog is sent after hunt and kills it with its weight and does not injure it or run it over, then the most correct opinion, as Ibn Kathir said in his interpretation - is that if a Dog is sent after hunt and does not injure it or run over it, then it is a wound. He said: I chose this opinion and many Imams preferred it, and it is more likely to be correct. In the Two Sahihs, it is narrated on the authority of Rafi' bin Khudaij (may ALLAH be pleased with him) that he said: I said, O Messenger of ALLAH, we will meet the enemy tomorrow and we do not have knives, so should we slaughter with Reeds? He said: (Whatever Blood flows and the name of ALLAH is mentioned over it, eat it, except for the Tooth and the Nail. I will tell you about that: As for the Tooth, it is a Bone, and as for the Nail, it is the knife of the people of Abyssinia)³.

¹Al-A'sha or Maymun Ibn Qays Al-A'sha was an Arabic Jahiliyah poet from Al-Yamama, Arabia.

² Sahih Muslim, Book of Hunting, Slaughtering, and What is Eaten of Animals, Chapter on Hunting with Trained Dogs, No. 1929.

³ Narrated by Al-Bukhari, Book of Partnership, Chapter on the Division of Sheep, No. 2488, and narrated by Muslim, Book of Sacrifices, Chapter on the Permissibility of Slaughtering with Anything That Causes Blood to Flow, No. 1968, with similar wording.

ALLAH the Almighty says:

(And the one that falls from a Height to a Bottom and dies), regardless of whether it falls from a Mountain or into a well or something else.

ALLAH the Almighty says:

(And the one that is gored) is the one that is gored by another Sheep or Cow and dies without being slaughtered.

ALLAH the Almighty says:

(And that which the wild beast has eaten) meaning that which has fanged prey, such as a Lion, Tiger, Leopard, Wolf, Hyena, and the like.

What is meant here is that which the wild beast has eaten; because all that the wild beast has eaten has been destroyed, and regardless of whether Blood flows from what the wild beast has eaten, even from its slaughterhouse or not, it is not eaten; Because ALLAH Almighty said: "Except what you slaughter."

This refers to what can be referred to, from what caused its Death and could be remedied, and in which there is a Stable Life.

What is meant is: except what you slaughter of the strangled, the beaten, the fallen, the gored, and what was eaten by a wild beast.

It was narrated on the authority of Tawus and other followers that:

(When the slaughtered Animal moves in a way that indicates that Life remains in it after slaughter, it is permissible. This is the opinion of the Majority)¹.

¹ Interpretation of Ibn Kathir, 2/11.

Second Topics:

knowing what ALLAH has forbidden from Livestock, and invalidating the customs of Ignorance in eating forbidden Livestock.

Sharia-compliant slaughter: Definition and Conditions:

1- Definition:

- A- (Al-Zajjaj)¹ said: The Root of Intelligence in the Language is: the completion of something. From it comes Intelligence in age, which is the completion of age, and from it comes Intelligence in understanding, which is that it is a complete understanding.
- B- It was narrated on the authority of Ali, Ibn Abbas, Al-Hasan, and Qatada that they said:
- C- (Whatever is known to be Lawful, such that it has an Eye that blinks or a Tail that moves, then its eating is permissible)²

Sheikh Muhammad bin Saleh Al-Uthaymeen, may ALLAH Almighty have mercy on him, said:

**** The Lawful slaughter of an Animal is performed in one of the following Methods:**

1. (Nahr), Plunging a knife in the base of the neck: This is the Method preferred by Shariah for slaughtering Camels and similar Animals. This Method is also permissible for the Cattle.
2. (Dhabh), Cutting the Animal's Throat: it consists of cutting the Oesophagus, the two Jugular Veins, and the Pharynx of the This is the Method preferred by Shariah for slaughtering Cattle, Sheep, goats, and poultry. It is also permissible for other Animals.
3. (Aqr), Wounding: it consists in wounding an Animal when there is no other choice, at any part of the body. This Method is applied for Wild Animals hunting of which is Lawful, or ferocious domestic If the Animal is captured alive, it should be slaughtered using the first or the.

*** * What must be cut off in slaughtering?**

1 - On the authority of Imam Ahmad:

Two narrations:

The First narration:

that it is the Trachea, the Oesophagus - and the Two Veins between them - that is, between the Trachea and the esophagus, and the Two Veins are the Jugular veins - if something is

¹Al-Zajjaj or Abu Ishaq Al-Zajjaj or Abu Ishaq Ibrahim bin Muhammad bin Al-Sarri bin Sahl Al-Zajjaj Al-Baghdadi (241 AH - 311 AH / 855 - 923 AD) Grammarian. He worked in the glass industry, but left it and worked in literature.

² (Zad Al-Maseer fi Elm Al-Tafseer)- 2/282.

missing from that, it is not eaten, this is the apparent meaning of Ahmad's words in the narration of Abdullah.

The second narration:

cutting the Trachea and the Esophagus is sufficient, and this is the apparent meaning of his words in the narration of Hanbal, and Al-Shafi'i said the same.

2 - Abu Hanifa said: cutting the Trachea, the esophagus, and one of the Jugular veins is sufficient.

3 - Malik said: cutting the jugular veins is sufficient even if the Trachea is not cut. Ibn Qudamah said in Al-Mughni: Imam Malik said: According to the first narration of Ahmad, which is: cutting: the Trachea, the Esophagus, and the Jugular Veins)¹.

I said: The Scholars agree that the most complete way to slaughter is to cut four parts, which are: 1- The Trachea, which is the passageway for air.

2-The Esophagus, which is the passageway for Food.

3-4- The Jugular Veins, which are Two Veins that the slaughterer cuts, between which is the Trachea and the Esophagus. If the slaughterer cuts anything short of that, then disagreement arises.

***** Al-Bukhari said in his Sahih:**

((Chapter on slaughtering and slaughtering)). Ibn Jurayj said on the authority of Ata': There is no slaughtering or slaughtering except in the place of slaughter and the place of slaughtering. I said: Is it permissible for me to slaughter what is slaughtered to slaughter it? He said: Yes, ALLAH mentioned the slaughter of a cow, so if I slaughter something that is slaughtered, it is permissible, and slaughtering is more beloved to me, and slaughtering is cutting the jugular veins. I said: Is the Jugular Vein left until the marrow is cut? He said: I do not think so. Nafi' informed me that Ibn 'Umar forbade the Nakha', saying: It is cut below the Bone, then left until it dies²

*****Al-Shafi'i said:**

The Nakha' is to slaughter the Sheep and then break its Back from the place of slaughtering... or to Strike it to hasten the cessation of its movement. Abu Ubaidah said: He only forbade breaking the Neck of the slaughtered Animal before it cools down, this is shown by the Hadith: (And do not hasten the souls before they are lost),³ .

¹ (Zad Al-Maseer fi Elm Al-Tafseer). 2/282.

² Al-Bukhari with Fath Al-Bari, 9/640.

³ Ibn Hajar mentioned it in Fath al-Bari, 9/641, and attributed it to Abu Ubaid in al-Gharib on the authority of Umar.

And on the authority of Saeed bin Jubair on the authority of Ibn Abbas, may ALLAH be pleased with them both, that he said: Slaughter is in the Throat and the Brain¹and this is a Sound Chain of Transmission².

*** The sacrifice of the Bedouins:**

On the authority of Believer's Mother Aisha, may ALLAH be pleased with her, that some People said to the Prophet, peace and blessings be upon him: ((Some People bring us Meat and we do not know whether ALLAH's name was mentioned over it or not, so he said: Say ALLAH's name and eat it, she said: And they were recent converts from disbelief))³.

*** The sacrifice of the Woman and the Female slave:**

On the authority of Nafi' bin Ka'b, on the authority of his father, that a Woman slaughtered a Sheep with a Stone, so the Prophet, peace and blessings be upon him, was asked about that and he ordered it to be eaten⁴.

*** Slaughtering Tools and slaughtering the uncontrollable;**

On the authority of Rafi' ibn Khudaij, he said: I said, O Messenger of ALLAH, we will meet the enemy tomorrow and we do not have a knife, He said: ((Hurry - or I will cut - whatever makes the Blood flow and mention the name of ALLAH over it, then eat, except for the tooth and the Nail; I will tell you: As for the tooth, it is a Bone, and as for the Nail, it is the knife of the Abyssinians)) And we captured Camels and Sheep, and one of them ran away, so a man shot it with an arrow and detained it, so the Messenger of ALLAH, peace and blessings be upon him, said: ((These Camels have Wild Animals like Wild Animals, so if one of them is defeated, then do this to it))⁵.

So, if a Camel runs Wild or falls into a well, it is like hunt, its slaughter is to hamstring it.

¹ Al-Bukhari with Al-Fath, 9/640.

² See: Fath Al-Bari, 9/641, and he said that Saeed bin Mansour and Al-Bayhaqi connected it.

³ Al-Bukhari, Book of Slaughtering and Hunting, Chapter on the Slaughtering of the Bedouins and the Like, No. 5507.

⁴ Al-Bukhari, Book of Hunting, No. 5504.

⁵ Al-Bukhari, Book of Slaughtering and Hunting, Chapter: What is slaughtered from animals is like wild animals, No. 5509.

*** Summary of the conditions of slaughter;**

The first condition: That the one slaughtering be someone who can intend slaughtering, and he is discerning and sane.

The second condition: That he be a Muslim or a People of the Book.

The third condition: That he intends slaughtering.

The fourth condition: That he not slaughter for anyone other than ALLAH Almighty.

The fifth condition: It should not be dedicated to anyone other than ALLAH Almighty, by mentioning a name other than ALLAH Almighty over it.

The sixth condition: That ALLAH Almighty be mentioned over it.

The seventh condition: That the slaughtering be done with a sharp object that makes the Blood flow, other than a tooth or fingernail.

The eighth condition: That the Blood flows in its place.

The ninth condition: That the slaughtered Animal be Lawfully slaughtered ¹.

¹ A message on legitimate slaughtering by Sheikh Muhammad Al-Uthaymeen, p. 64

Second Section:

The prohibition of eating what was slaughtered for other than ALLAH, and casting lots with arrows, and mentioning ALLAH's completion of His Favor upon this nation, and His completion of the Religion, and lifting the Sin from whoever is forced to do something forbidden from Livestock, neither transgressing nor exceeding the limits, and mentioning the wisdom behind that.

This section includes Three Topics:

First Topic:

The prohibition of eating what was slaughtered for other than ALLAH, and casting lots with arrows.

Second Topic:

Mentioning ALLAH's completion of His favor upon this nation, and His completion of the Religion.

Third Topic:

lifting the Sin from whoever is forced to do something forbidden from Livestock, neither transgressing nor exceeding the limits, and mentioning the wisdom behind that.

First Topic:

The prohibition of eating what was slaughtered for other than ALLAH, and casting lots with Arrows.

ALLAH the Almighty said after mentioning the forbidden things of Dead Animals, Blood, Pork, and that which has been dedicated to other than ALLAH, and that which has been strangled, beaten to death, fallen, gored, and that which has been eaten by wild beasts, except what you have slaughtered. Here He said: (And that which has been slaughtered on Altars).

Mujahid and Ibn Jurayj said:

((The Altars were stones around the Kaaba, and they were Three Hundred and Sixty Altars. The Arabs in their Ignorance used to slaughter at them, and sprinkle whatever came towards the House with the Blood of those Sacrifices, and they would cut up the Meat and place it on the Altars, and more than one person mentioned this. So, ALLAH forbade the Believers from this action, and He forbade them to eat these sacrifices that were done at the Altars, even if the name of ALLAH was mentioned over them in the slaughter at the Altar, from the polytheism that ALLAH and His Messenger forbade, this should be interpreted as such, because it has been previously Stated that what is dedicated to other than ALLAH Almighty is forbidden))¹.

And the Almighty's saying: "And that you seek to decide by arrows," meaning, it is forbidden for you, O Believers, to seek to decide by Arrows, the Singular of which is Zalam, the Arabs in the pre-Islamic Era used to do that, and it is a set of Three Arrows, on one of which is written do – and it was said: my Lord commanded me – and on the other is written do not do – and it was said: my Lord forbade me – and on the third: nothing is on it. So, if he turns it and the arrow of command appears, he does it, or the Arrow of prohibition leaves it, and if it appears empty, he repeats it. And the seeking of an oath from these arrows is taken from seeking to take an oath from these Arrows.

In Sahih, it is reported that when the Prophet (peace and blessings of ALLAH be upon him) saw the pictures in the house, he did not enter until he ordered them to be erased. He saw Isma'il and Ibrahim (peace be upon them) holding arrows in their hands, so he said: "May ALLAH curse them. By ALLAH, they have never cast lots with arrows." (Al-Bukhari and Muslim)².

And ALLAH Almighty has commanded the Believers, when they are hesitant in their affairs, to seek His guidance by worshipping Him, then asking Him for the best in the matter they want, as narrated by Imam Ahmad, Al-Bukhari, and the People of the Sunnah on the authority of Jabir ibn Abdillah (may ALLAH be pleased with them both), who said: The Messenger of ALLAH (peace and blessings of ALLAH be upon him) taught us to seek guidance in all matters just as he taught us a surah from the Qur'an. He said: If one of you is concerned about a matter, let him perform two Rak'ahs other than the obligatory prayer,

¹ Interpretation of the Great Qur'an by Ibn Kathir, 2/11.

² Al-Bukhari, Book of Hadiths of the Prophets, Chapter on the words of God Almighty: "And God took Abraham as a friend," No. 3352.

then let him say: “O ALLAH, I seek Your guidance by Your knowledge, and I seek Your power by Your power, and I ask You from Your great bounty, for You are able and I am not, and You know and I do not, and You are the Knower of the unseen, O ALLAH, if You know that this matter – and he named it by its name – is good for me in my Religion and my livelihood, And the consequence of my affair, or he said: the immediate and deferred of my affair, then decree it for me, and make it easy for me, then bless me in it, and if You know that this matter is bad for me in my Religion, my livelihood, and the consequence of my affair, or he said: the immediate and deferred of my affair, then turn me away from it and turn it away from me and decree for me what is good wherever it may be, then make me content with it.”¹

And the Almighty’s saying: “Today those who disbelieve have despaired of [defeating] your Religion,” meaning they have despaired of resembling the Muslims, because the Muslims are distinguished by these characteristics that are contrary to Polytheism and its People. For this reason, the Almighty said, commanding His believing Servants should be patient and steadfast in opposing the infidels, and not fear anyone but ALLAH. So, ALLAH Almighty said: {So do not fear them, but fear Me} meaning, do not fear them in opposing them, and fear Me, and I will support you against them, and I will destroy them and make you victorious over them, and I will heal your hearts from them, and I will make you above them in this world and the Hereafter.”²

¹ Al-Bukhari, Chapters on Night Prayer, Chapter on What Was Said About Voluntary Prayers in Pairs, No. 1162, and Book of Supplications, Chapter on Supplication When Praying for Guidance, No. 6382, and Book of Monotheism, Chapter on the Saying of ALLAH Almighty: “Say: He is the All-Powerful,” No. 7390, and Ahmad, No. 14707, and this is its wording.

² Interpretation of the Great Qur’an by Ibn Kathir, 2/10.

Second Topic:

Mentioning ALLAH's completion of His Favor upon this Nation, and His completion of the Religion.

ALLAH Almighty said:

(... أَلْيَوْمَ أَكْمَلْتُ لَكُمْ دِينَكُمْ وَأَتَمَمْتُ عَلَيْكُمْ نِعْمَتِي وَرَضِيْتُ لَكُمُ الْإِسْلَامَ دِينًا...). المائدة: 3.

“This day I have perfected for you your Religion, completed My favor upon you, and have approved for you Islam as Religion.”

Ibn Kathir said:

((This is the greatest blessing of ALLAH Almighty upon this nation; as He has perfected their Religion for them, so they do not need any other Religion, nor any prophet other than their Prophet, may the prayers and peace of ALLAH be upon him; and for this reason ALLAH made him the Seal of the Prophets, and sent him to mankind and the Jinn, so there is nothing permissible except what He has made permissible, and nothing is forbidden except what He has made forbidden, and there is no Religion except what He has legislated, and everything he has informed us of is the truth and honesty, and there is no lie in it, nor is there any breach))¹.

ALLAH Al mighty has informed His Prophet and the Believers that He has perfected their Faith, so they do not need anything more, and He has completed it so it will never decrease, and He has been pleased with it so He will never be angry with it. ALLAH has made it perfect because it has prevailed over all Religions and has overcome them; And to complete its rulings that Muslims need from what is permissible and what is forbidden... they said: And after that, much of the Qur’an was revealed, such as the Verse on Usury, the Verse on Kalalah, and the like.

What is meant by the day here is Friday, which is the Day of Arafah after the afternoon prayer during the Farewell Pilgrimage in the year Ten. This is how it was established in the Sahih from the Hadith of Umar ibn al-Khattab, may ALLAH Almighty be pleased with him.²

¹ Interpretation of the Great Qur’an by Ibn Kathir, 2/10.

² Fath al-Qadir by al-Shawkani, 2/11, and the hadith is in Sahih al-Bukhari, No. 45, and Muslim, No. 3017, and its chain of transmission was presented above.

Third Topic:

Lifting the Sin from whoever is forced to do something forbidden from Livestock, neither transgressing nor exceeding the limits, and mentioning the wisdom behind that.

ALLAH the Almighty said:

... فَمَنْ اضْطُرَّ فِي مَخْمَصَةٍ غَيْرَ مُتَجَانِفٍ لِإِثْمِهِ فَإِنَّ اللَّهَ غَفُورٌ رَحِيمٌ. المائدة:3 *

... فَمَنْ اضْطُرَّ غَيْرَ بَاغٍ وَلَا عَادٍ فَلَا إِثْمَ عَلَيْهِ إِنَّ اللَّهَ غَفُورٌ رَحِيمٌ. البقرة: 173. *

... فَمَنْ اضْطُرَّ غَيْرَ بَاغٍ وَلَا عَادٍ فَإِنَّ رَبَّكَ غَفُورٌ رَحِيمٌ. الأنعام:145 *

***{But whoever is forced by severe hunger with no inclination to Sin - then indeed, ALLAH is Oft-Forgiving, Most Merciful}¹,and similar to this is His Statement, the Almighty: *{...But whoever is forced [by necessity], neither desiring [it] nor transgressing [its limit], there is no Sin upon him. Indeed, ALLAH is Forgiving and Merciful}²,and His Statement, the Almighty: *{But whoever is forced [by necessity], neither desiring [it] nor transgressing [its limit], then indeed, your Lord is Forgiving and Merciful}³, so His Statement, the Almighty: {But whoever is forced by severe hunger} means Necessity called him]in a State of famine[in a State of famine, and famine is hunger, and this Statement refers to the previously mentioned prohibitions of: Dead Meat, Blood and what was mentioned with it,]not inclined to Sin[. not inclined to that, and Sin is the forbidden, meaning the State of the one forced in a State of famine not inclined to Sin, and it means not transgressing nor exceeding⁴ ,and Ibn Kathir said: ((So, whoever needs to take something from these prohibitions that ALLAH the Almighty mentioned due to a necessity that forced him to do that, then he may take it]for ALLAH is Oft-Forgiving, Most Merciful[meaning, ALLAH is Oft-Forgiving, Most Merciful to him; because He the Almighty knows the need of His Slave who is forced, and his need for that, so He overlooks it and forgives him, and in Al-Musnad, and Sahih Ibn Hibban on the authority of Ibn Umar, may ALLAH be pleased with them both, with a Chain of transmission traceable to the Prophet, may ALLAH bless him and grant him peace, he said: ALLAH's Messenger, may ALLAH bless him and grant him peace, said: ((Indeed, ALLAH He likes to be given permission as He hates to be disobeyed))⁵.**

That is why the Jurists said: ((Eating Dead Meat may be obligatory in some cases, such as if he fears for himself and cannot find anything else, and it may be recommended, or it may be permissible, depending on the circumstances))⁶.

¹ Surah Al-Ma'idah, verse: 3.

² Surah Al-Baqarah, verse: 173.

³ Surat Al-An'am, verse: 145.

⁴ Zad Al-Maseer in the Science of Interpretation, 2/288, and Fath Al-Qadir, 2/11, with some modifications.

⁵ Musnad Ahmad, 2/108, and it is in Majma' al-Zawa'id, 3/162, and its men are the men of Sahih, and al-Bazzar and al-Tabarani in al-Awsat and its chain of transmission is good. See also Sahih al-Jami' al-Saghir by al-Albani, 2/146, No. 1881 and 1882.

⁶ Interpretation of Ibn Kathir, 2/11.

There is no disagreement about eating someone else's Food if the person in need finds it without cutting or causing harm, and in this case, it is not permissible for him to eat Dead Meat and the like, but the disagreement is whether he is responsible for what he ate, and the correct view is that he is not responsible))¹.

Ibn Kathir also said: ((But whoever is forced [by necessity], neither desiring [it] nor transgressing [it]), meaning neither desiring nor transgressing [it]... and not considering it permissible, and he is not entitled to anything from it except the amount that reaches what is permissible, and he may carry from it what reaches that, and if he reaches it, he throws it away, and this is His saying {nor transgressing [it]}).

Al-Qurtubi said: ((As for hunger, it may be permanent or not. If it is permanent, then there is no disagreement about the permissibility of eating one's fill from Dead Meat, except that it is not permissible for him to eat it while he has the money of a Muslim in which he does not fear cutting off the road, such as hanging dates, mountain guards, and the like in which there is no cutting off or harm))².

Mujahid said: ((So whoever is forced, neither transgressing nor transgressing, cutting off the way, or departing from the leaders, or going out in disobedience to ALLAH, then he has a Concession. And whoever goes out transgressing, or transgressing, or in disobedience to ALLAH, then he has no concession, even if he is forced to do so...

Qatadah said: So, whoever is forced, neither transgressing nor transgressing, he said: He is not seeking in the matter of Dead Meat, meaning in eating it, that he transgresses from what is permissible to what is forbidden, and he finds an alternative to it...)), and Al-Qurtubi narrated from Mujahid regarding his Statement: (So whoever is forced): ((That is, he is forced to do that without his choice))³.

Ibn al-Arabi said: ((This harm that we have explained occurs either by coercion from an Oppressor, or hunger in a State of famine, or poverty in which one cannot find anything else, for the prohibition is lifted from that by virtue of the exception and it is permissible, but coercion permits all of that until the end of coercion))⁴.

And Imam Ahmad narrated: ((They said: O Messenger of ALLAH, we are in a land where famine afflicts us, so when will carrion be permissible for us there? He said: ((If you do not eat breakfast, or lunch, or celebrate, then it is your business))⁵.

The wisdom behind permitting these forbidden things in times of necessity is that ALLAH, the Blessed and Exalted, is Merciful to His Servants, He wants ease for them and does not want hardship for them, and He, the Glorified, has permitted them these forbidden things in

¹Interpretation of Ibn Kathir, 1/133.

²(Al-Jami3 Li Ahkam Al-Quran) by Al-Qurtubi, 1/226.

³Interpretation of the Great Qur'an by Ibn Kathir, 1/205.

⁴(Ahkam Al-Quran) by Ibn al-Arabi, 1/55.

⁵Musnad Ahmad, 5/218, No. 22246. Zuhair al-Shawish said: "He is the only one who transmitted it from this source, and it is a sound chain of transmission according to the conditions of the two Sahihs."

times of necessity that may destroy a person, so He, the Glorified, is Merciful to them, so whoever needs to eat something from these forbidden things that ALLAH, the Almighty, mentioned due to a necessity that forced him to do so, then he may eat it, and ALLAH is Forgiving and Merciful to him; Because the Almighty knows the need of His Servant who is in need and his poverty for that, so He overlooks it and forgives him.

And He, glory be to Him, loves for His concessions to be taken advantage of just as He hates for His disobedience to be taken advantage of¹, and the Servant the one who is in need of his Lord's mercy, if this necessity forces him to do so, resorts to his Lord's permission, so he avoids the greater of two evils by committing the lesser of them, for the Sin of killing a soul is greater than the Sin of eating Dead Meat, and indeed ALLAH Almighty has permitted it in times of necessity. ALLAH Almighty said:

(And do not kill yourselves. Indeed, ALLAH is to you ever Merciful.)².

¹ Musnad Ahmad, 2/108, and it was previously graduated.

² Surah An-Nisa, Verse: 29.

Chapter (5):

Interpretation of the fourth Verse of Surat Al-Ma'idah, the first section of this section Explains the conditions for hunting with Birds of prey: Dog s and Birds., and the second section explains the difference in the permissibility of hunting some Birds of prey, and explains the difference of opinion among Scholars regarding keeping Birds of prey and Dog s from eating the hunted Food, is that a condition or not?

This Chapter consists Two Section;

First Section:

Explains the conditions for hunting with Birds of prey: Dog s and Birds.

Second Section:

Explains the difference in the permissibility of hunting some Birds of prey, and explains the difference of opinion among Scholars regarding keeping Birds of prey and Dogs from eating the hunted Food, is that a condition or not?

First Section:

Explains the conditions for hunting with Birds of prey: Dogs and Birds.

ALLAH Almighty said;

*** (يسألونك ماذا أحل لهم قل أحل لكم الطيبات وما علمتم من الجوارح مكلبين تعلمونهن مما علمكم الله فكلوا مما أمسكن عليكم واذكروا اسم الله عليه واتقوا الله إن الله سريع الحساب). المائدة:4.**

***(They ask you, [O Muhammad], what has been made Lawful for them. Say, "Lawful for you are [all] good Foods and [hunt caught by] what you have trained of hunting Animals which you train as ALLAH has taught you. So, eat of what they catch for you, and mention the name of ALLAH upon it, and fear ALLAH." Indeed, ALLAH is swift in account)¹.**

Statement of the conditions for hunting with Birds of prey, such as Dogs and Birds:

On the authority of Adi bin Hatim, may ALLAH Almighty be pleased with him, he said:

I said: O Messenger of ALLAH, I send my Dog and I say the name of ALLAH. He said: ((If you send your Dog and say the name of ALLAH and it catches and kills, then eat, but if it eats from it, do not eat, for it has only caught itself)), I said: I send my Dog and I find another Dog with it, I do not know which one it took? He said: ((Do not eat, for you only said the name of ALLAH for your Dog and did not say the name of ALLAH for the other))².

And on the authority of Adi bin Hatim also: He said:

I said: O Messenger of ALLAH, I shoot with a spear at hunt and I hit it, he said: ((If you shoot with a spear at hunt and it pierces it, then eat, but if it hits its side, then it is only a Dead Animal, so do not eat it))³.

Al-Qurtubi, may ALLAH Almighty have mercy on him, said: The nation agreed that the Dog:

1- If it is not Black.

2- And a Muslim taught it, so it will run away if it is let down, and respond if it is called, and will be deterred after it has caught the prey if it is deterred.

3- And that it does not eat from the prey it has hunted.

4- And it has affected it with a wound or a reprimand.

5- And a Muslim hunted with it.

6- And mentioned the name of ALLAH when sending it, then its prey is valid and may be eaten without dispute. If one of these conditions is violated, then there is a dispute.

¹ Surah Al-Ma'idah, verse: 4.

² Narrated by Al-Bukhari, Book of Sales, Chapter on Interpretation of Ambiguous Things, No. 2054, and Muslim, Book of Hunting, Slaughtering, and What is Eaten of Animals, Chapter on Hunting with Trained Dogs, No. 1929.

³ Muslim, Book of Hunting, Slaughtering, and What is Eaten of Animals, Chapter on Hunting with Trained Dogs, No. 1929.

If what is hunted with it is not a Dog:

Such as a Cheetah and the like, and a Hawk, a Falcon, and similar Birds, then the majority of the nation is that what it hunts after training is a predatory, earning Bird¹.

Ibn al-Jawzi, may ALLAH Almighty have mercy on him, said:

((It was said that the naming goes back to sending, as Ibn Abbas and al-Suddi said.

Then he said-First Opinion:

((And we believe that saying Bismillah is a condition for the permissibility of hunting))².

Zuhair Al-Shawish said in his commentary on Zad Al-Maseer: ((Ibn Qudamah said in Al-Mughni: ((If he leaves out Bismillah intentionally or by mistake, it is not permissible)), I said: Their evidence is: the Verse, and the Hadith of Adi.

The second opinion:

that saying Bismillah refers to eating, so saying Bismillah is recommended))³.

Al-Qurtubi also said:

((But if the Bird of prey springs forth of its own accord without being sent or enticed, then it is not permissible to hunt it, and it is not permissible to eat it according to the majority, Malik, Al-Shafi'i, Abu Thawr, and the people of opinion; because he only hunted it for himself without being sent, and held it, and the hunter had no action in it, so sending it is not attributed to him; because the saying of the Prophet, peace and blessings be upon him, does not apply to him: ((If You sent your trained Dog ...))⁴.

I said:

The most correct opinion is that of the majority and those who followed them, based on the Almighty's saying: (And what you have taught of the Birds of prey to train them)⁵, and the saying of the Messenger, may ALLAH Almighty bless him and grant him peace, to Adi: ((If you send your trained Dog ...))⁶.

¹ The Compendium of the Rulings of the Qur'an by Al-Qurtubi, 6/66.

² Zad Al-Maseer:2/294.

³ Zad Al-Maseer:2/294.

⁴ Al-Jami3 li Ahkam al-Quran al-Qurtubi, and the hadith is in al-Bukhari, No. 2054, and Muslim, No. 1929, and its chain of transmission was presented.

⁵ Surah Al-Ma'idah, verse: 4.

⁶ Its graduation is presented in the footnote before the previous one.

Second Section:

Explains the difference in the permissibility of hunting some Birds of prey, and explains the difference of opinion among Scholars regarding keeping Birds of prey and Dogs from eating the hunted Food, is that a condition or not?

First:

Clarification of the disagreement regarding the permissibility of hunting some Birds of prey:

It was said: The Lion is called a Dog , so every Lion that is hunted with it is included, and it was said: This Verse is specific to Dogs.

Ibn al-Mundhir narrated on the authority of Ibn Umar that he said:

((What is hunted with Falcons and other Birds, whatever you find slaughtered is permissible, otherwise do not feed it)).

If the Black Dog is an Animal, then al-Hasan, Qatadah, and al-Nakha3i, disliked its hunting, and Ahmad said: I do not know anyone who permits it if it is an Animal... They argued with the Hadith ((The Black Dog is a devil))¹.

As for the majority of the Scholars in Medina and Kufa, they see the permissibility of hunting any trained Dog.

Al-Shawkani said:

((The truth is that it is permissible to hunt with everything that falls under the general category of Birds of prey, without any distinction between Dogs and others, Black Dogs and others, or Birds and others))² .

I said:

Judge Iyadh and Abu Ya3la said: ((Our companions forbade hunting with a Black Dog even if it was trained, because the Prophet (peace and blessings of ALLAH be upon him) ordered it to be killed, and the order to kill prevents the proof of hunting and nullifies the Ruling of the act, so its existence becomes like its nonexistence.

I said: Judge Iyadh and his companions mean by the Prophet's (peace and blessings of ALLAH be upon him) order to kill a Black Dog : the hadeeth: ((You should kill the Black, Dumb Dog with two Spots, for it is a devil))³.

¹ It was previously graduated, and it is in Muslim, No. 510.

² Fath al-Qadir by Al-Shawkani, 2/13.

³ Muslim, Book of MUSAQAT and MUZARA3AH, Chapter on the command to kill dogs and the explanation of its abrogation and the explanation of the prohibition of owning them, except for hunting, farming, livestock, and the like, No. 1572.

And the hadeeth of Abdullah ibn Mughaffal from the Prophet (peace and blessings of ALLAH be upon him) who said: ((If Dogs were not a nation among nations, I would have ordered the killing of all of them, so kill every black, dumb Dog))¹.

Imam Ahmad also excluded the Black Dog because he considered it to be something that must be killed, and it is not permissible to keep it, as it was proven in Sahih Muslim on the authority of Abu Bakrah (may ALLAH be pleased with him) that the Messenger of ALLAH (peace and blessings of ALLAH be upon him) said: (A Donkey, a Woman, and a Black Dog interrupt the prayer). I said: What is the difference between a Black Dog and a red Dog ? He said: (A Black Dog is a devil)².

As for what is other than the Black Dog, the Shari3ah has come with an exception of three Dog s, and the evidence for that is what Abu Hurayrah(may ALLAH Almighty be pleased with him) narrated on the authority of the Prophet (peace and blessings of ALLAH be upon him) that he said: (Whoever keeps a Dog that is not a hunting Dog, or a Herding Dog, or a Land Dog, then two Qirats will be deducted from his Reward every day.)³.

I said:

As for what Ibn al-Mundhir mentioned on the authority of Ibn ‘Umar (may ALLAH be pleased with him) that he said: (Whatever is hunted by falcons or other Animals, then whatever you catch after slaughtering it is permissible, otherwise do not feed it.).

At-Tirmidhi narrated on the authority of ‘Adi Ibn Hatim that he asked the Messenger of ALLAH (peace and blessings of ALLAH be upon him) about hunting by falcons, and he said: (Whatever you catch, eat.)⁴. At-Tirmidhi said: “This is what is acted upon.” .

Ibn Kathir said:

(What is reported from the majority is that hunting with Birds is like hunting with Dogs, because they catch prey with their Claws just as Dogs catch prey, so there is no difference. This is the doctrine of the four and others, and Ibn Jarir chose it.)⁵.

¹ Abu Dawud, Book of Hunting, Chapter on Keeping a Dog for Hunting and Other Purposes, No. 2847, Al-Tirmidhi, Book of Rulings and Benefits, Chapter on Killing Dogs, No. 1486, Al-Nasa’i, Book of Hunting and Slaughtering, Description of Dogs That We Are Commanded to Kill, No. 4791, Al-Darimi, 2/90, and see: Sahih Al-Jami’ Al-Saghir, 5/75, No. 5198.

² Muslim, Book of Prayer, Chapter on the amount of space that should cover the person praying, Chapter on the command to kill dogs and an explanation of its abrogation and an explanation of the prohibition of owning them, except for hunting, farming, livestock, and the like, No. 510.

³ Muslim, Book of Musaqat and Muzara3ah, Chapter No. 1575.

⁴ Al-Tirmidhi, 4/66, No. 1467, and he said: “We do not know this hadith except from the hadith of Mujalid on the authority of Al-Sha3bi, and the scholars act on this basis.” See: Sahih Al-Tirmidhi, 2/85.

⁵ Interpretation of the Great Qur’an by Ibn Kathir, 2/16.

Second:

Statement of the Scholars' disagreement regarding the requirement to restrain Birds and Dogs from eating Hunts:

Scholars, may ALLAH have mercy on them, differed on three Opinions:

The first opinion:

That the hunter refraining from eating is a condition for all Birds of prey. If they eat, they are not eaten. This was narrated on the authority of Ibn Abbas and Ata' (may ALLAH be pleased with them).

The second opinion:

That it is not a condition for all Birds of prey, so they are eaten even if they eat. This was narrated on the authority of Sa'd Ibn Abi Waqqas, Ibn Umar, Abu Hurairah, and Salman al-Farsi (may ALLAH be pleased with them).

The third opinion:

That it is a condition for the Birds of prey, but not a condition for the Dogs of prey. This was Stated by al-Sha'bi, al-Nakha3i, and al-Suddi.

Ibn al-Jawzi said:

((This is more correct, because the Bird of prey is trained to eat, so what it eats from it is permissible, and the beasts of prey are trained to refrain from eating... So based on this, if a Dog, a Cheetah, or any trained beast of prey eats from the hunt, it is not permissible to eat it))¹.

I said: This is the most correct, ALLAH Almighty willing, because of the Hadith of Adi bin Hatim mentioned above, in which it says: ((...and if it eats from it, do not eat, for it has only kept it for its own sake))², meaning the trained Dog if it eats from the hunt. The Almighty said: (They ask you, what is Lawful for them. Say, "Lawful for you are [all] good things).

Saeed said: He means the Lawful and good slaughtered Animals for them.

And the Almighty's saying:

(And what you have taught of the Birds of prey, while they are trained to hunt); means that He has made Lawful for you the slaughtered Animals upon which the name of ALLAH Almighty has been mentioned, and the good things of sustenance, and He has made Lawful for you what you hunt with Birds of prey, which are Dogs, cheetahs, Falcons, and the like, as is the doctrine of the majority of the Companions and Followers.

¹ Zad Al-Maseer in the Science of Interpretation, 2/293 with some modification.

² Sahih Al-Bukhari, No. 2054, and Sahih Muslim, No. 1929, and its chain of transmission was mentioned above.

(Trained) means what you have taught of the Birds of prey while they are trained to hunt: (You teach them from what ALLAH has taught you) is that if He releases it, it will let go, and if He drags it, it will draw it back, and if He takes the prey, it will hold it for its owner until he comes to it, and it will not hold it for itself; That is why ALLAH the Almighty said: {So eat of that which they catch for you, and mention the name of ALLAH over it.}.

So, when the predator is marked, and catches its owner, and the name of ALLAH was mentioned over it when it was released, then the hunt is permissible, even if it is killed, by consensus¹.

{And fear ALLAH Indeed, ALLAH is swift in account.}, that is, be mindful of ALLAH Almighty in your actions, for He is swift in rewarding His servants².

¹ Interpretation of the Great Qur'an by Ibn Kathir 2/15.

² Safwat Al-Tafaseer: 1/328.

Chapter (6):

Interpretation of the fifth Verse of Surat Al-Ma'idah.

ALLAH Almighty said:

﴿الْيَوْمَ أُحِلَّ لَكُمْ الطَّيِّبَاتُ ۗ وَطَعَامُ الَّذِينَ أُوتُوا الْكِتَابَ حَلْلٌ لَكُمْ وَطَعَامُكُمْ حَلْلٌ لَهُمْ ۗ وَالْمُحْصَنَاتُ مِنَ الْمُؤْمِنَاتِ وَالْمُحْصَنَاتُ مِنَ الَّذِينَ أُوتُوا الْكِتَابَ مِنْ قَبْلِكُمْ إِذَا آتَيْتُمُوهُنَّ أُجُورَهُنَّ مُحْصِنِينَ غَيْرَ مُسَافِحِينَ وَلَا مُتَّخِذِي أَخْدَانٍ ۗ وَمَنْ يَكْفُرْ بِالْإِيمَانِ فَقَدْ حَبِطَ عَمَلُهُ وَهُوَ فِي الْآخِرَةِ مِنَ الْخَاسِرِينَ﴾. المائدة:5.

(This day [all] good Foods have been made Lawful, and the Food of those who were given the Scripture is Lawful for you and your Food is Lawful for them. And [Lawful in marriage are] chaste Women from among the Believers and chaste Women from among those who were given the Scripture before you, when you have given them their due compensation, desiring chastity, not unlawful sexual intercourse or taking [secret] lovers. And whoever denies the faith - his work has become worthless, and he, in the Hereafter, will be among the losers)¹.

This Chapter Consists Two Section:

First section:

Explaining what is meant by permissibility in the Food of the People of the Book, and when is it permissible and when is it not permissible? And The Ruling on marrying Women of the Book.

Second section:

The Ruling on the apostate, and The Ruling on the one who rules by other than what ALLAH has revealed.

¹ Surat Al-Ma'idah:5.

First section:

Explaining what is meant by permissibility in the Food of the People of the Book, and when is it permissible and when is it not permissible? And the Ruling on marrying Women of the Book.

This section includes two topics:

First:

Explanation of the meaning of the solution in the Food of the People of the Book.

Second:

The Ruling on marrying Women of the People of the Book.

First:

Explanation of the meaning of the solution in the Food of the People of the Book.

When ALLAH Almighty mentioned what He forbade His believing servants from impurities, and what He permitted them from good things, He said after that: {This day [all] good things are Lawful for you}, then He mentioned the sacrifices of the People of the Book, the Jews and the Christians, and ALLAH Almighty said: {And the Food of those who were given the Scripture is Lawful for you}, ((Ibn Abbas and others said: He means their sacrifices, and this is a matter agreed upon by the Scholars that their sacrifices are Lawful for the Muslims; because they believe that slaughtering for anyone other than ALLAH Almighty is forbidden, and they do not mention anything over their sacrifices except the name of ALLAH, even if they believe in Him, the Blessed and Exalted, what He is free from, the Exalted and Holy))¹.

It is proven in Sahih that the people of Khaybar presented the Messenger of ALLAH (peace be upon him) with a roasted Sheep, and they had poisoned its Foreleg. He liked the Foreleg and took it, but he bit it and the Foreleg told him that it was poisoned, so he spat it out. This affected the teeth of the Messenger of ALLAH (peace be upon him) and his Aorta. Bishr ibn al-Bara' ibn Ma'rur ate some of it with him and he died. He killed the Jewish Woman who poisoned it, and her name was Zaynab².

The evidence for this is that he and those with him decided to eat it, and he did not ask them whether they had removed from it what they believed to be forbidden from its fat or not... He did not permit the slaughtering of those other than the Jews and Christians from the people of Polytheism and those similar to them, because they do not mention the name of ALLAH over their slaughtering, and rather they eat Dead Meat, unlike the People of the Book. There are those other than the People of the Book who are treated by taking the Jizyah from them, following and adding them to the People of the Book, and despite that, their slaughtering is not eaten, and their Women are not married³.

The Almighty's saying:

“The Food of those who were given the Scripture is Lawful for you” indicates by its implication – the implication of opposition – that the Food of those other than them from the people of Religions is not Lawful⁴.

Al-Shawkani, may ALLAH Almighty have mercy on him, said: “Ali, Aisha, and Ibn Umar said: If you hear a People of the Book naming someone other than ALLAH, then do not eat it. This is the opinion of Tawus and Al-Hasan.

¹ Interpretation of the Great Qur'an by Ibn Kathir, 2/19.

² The story of the Prophet, may God bless him and grant him peace, eating from the sheep that was poisoned for him in Khaybar. See it in: Al-Bukhari, Book of Gifts, Chapter on Accepting Gifts from Polytheists, No. 2617, Muslim, Book of Peace, Chapter on Poison, No. 2190, and Ahmad in Al-Musnad, No. 2785.

³ Interpretation of the Great Qur'an by Ibn Kathir, 2/20 with some modification.

⁴ Interpretation of the Great Qur'an by Ibn Kathir, 2/20.

They held fast to the words of ALLAH Almighty:

(And do not eat of that upon which the name of ALLAH has not been mentioned, for indeed, it is grave disobedience)¹, and this is indicated by His words: (And that which has been dedicated to other than ALLAH.)², and Malik said: It is disliked but not forbidden.

This is the disagreement if we know that the People of the Book mentioned the name of someone other than ALLAH on their slaughtered Animals. As for not knowing, Al-Tabari and Ibn Kathir narrated the consensus on its permissibility due to this Verse.)³.

Ibn al-Jawzi said: “Some people have claimed that this Verse necessitated the permissibility of the slaughtering of the People of the Book absolutely, even if they mentioned something other than the name of ALLAH over it. This abrogates the Statement of ALLAH the Almighty: (And do not eat of that over which the name of ALLAH has not been mentioned...)⁴.

The correct view is that it made their slaughtering permissible, because the basic principle is that they mention ALLAH, so their command is interpreted as this. If we are certain that they mentioned something other than Him, then we do not eat, and there is no reason for abrogation.

And to this I said: (Ali, Ibn Omar, Ubadah, Abu al-Darda’, al-Hasan, and a group said it.)⁵.

I said:

This Statement is the Statement of Ali, Aisha, and others as mentioned by Al-Shawkani, and it is the most correct, ALLAH Almighty willing; for the evidence mentioned above regarding the prohibition of eating what the name of ALLAH has not been mentioned over. What is meant by the Food of the People of the Book is their slaughtered Animals, this is the Statement of Ibn Abbas and a group⁶.

Al-Shawkani said, quoting Al-Qurtubi:

(There is no disagreement among Scholars that what does not require slaughtering, such as Food, is permissible to eat. As for the Magians, the majority of Scholars are of the view that their slaughtered Animals are not to be eaten, and their Women are not to be married because they are not People of the Book, according to the well-known view among Scholars.

Abu Thawr disagreed with that, and the Jurists denounced him for that, until Ahmad ibn Hanbal said: Abu Thawr, as his name suggests, means in this issue. It seems that he held fast to what was narrated from the Prophet, may ALLAH Almighty bless him and grant him

¹ Surat Al-An'am, verse: 121.

² Surah Al-Ma'idah, verse: 3.

³ Fath al-Qadir by al-Shawkani, 2/14.

⁴ Surat Al-An'am, verse: 121.

⁵ Zad Al-Maseer in the Science of Interpretation, 2/296.

⁶ Zad Al-Maseer in the Science of Interpretation, 2/295.

peace, in a (mursal Hadith) that he said about the Magians: (Treat them as you would the People of the Book,' but this wording was not proven)¹.

Ibn al-Jawzi said in this issue: ((As for the sacrifices of the Magians, they agreed on their prohibition))², I said: It seems that Ibn al-Jawzi did not take into account the disagreement of Abu Thawr.

Al-Qurtubi said in this issue:

((As for the Magians, the Scholars agreed - except for those who deviated from them - that their sacrifices are not to be eaten, and one should not marry from them; because they are not people of the Book according to what is well-known among the Scholars)).

He also said:

((There is nothing wrong with eating, drinking, and cooking in the vessels of all the infidels, as long as they are not made of gold, silver, or pigskin, after they are washed and boiled because they do not avoid impurities))³.

In Sahih Muslim, on the authority of Abu Tha'labah Al-Khushani, he said:

((I came to the Messenger of ALLAH (peace and blessings of ALLAH be upon him) and said: O Messenger of ALLAH, we are in the land of a people of the Book and we eat from their utensils, and it is a land of Hunts. I hunt with my Bow, and I hunt with my trained Dog , and I hunt with my untrained Dog . So, tell me what is permissible for us in that regard. He said: As for what you mentioned, that you are in the land of a people of the Book and you eat from their utensils, if you find utensils other than theirs, do not eat from them, and if you do not find any, wash them and then eat from them. As for what you mentioned, that you are in a land of Hunts, then whatever you hunt with your bow, mention the name of ALLAH and eat. Whatever you hunt with your trained Dog , mention the name of ALLAH and eat. Whatever you hunt with your untrained Dog and you manage to slaughter it, then eat it.))⁴.

ALLAH the Almighty said:

((And your Food is Lawful for them.)), Al-Qurtubi said: (This is evidence that they are addressed by the details of our law)⁵.

Ibn Kathir said:

((That is, you may feed them from your slaughtered Animals, just as you ate from their slaughtered Animals. This is a form of recompense, compensation, and recompense, just as

¹ Fath al-Qadir, 2/15, and the hadith was included by Malik in al-Muwatta' in the Book of Zakat, Chapter on the Jizya of the People of the Book and the Magians, 1/278, and it was deemed weak by al-Albani in Irwa' al-Ghaleel, No. 1248.

² Zad Al-Maseer in the Science of Interpretation, 2/295.

³ Al-Jami3 Li Ahkam Al-Quran- by Al-Qurtubi, 6/77.

⁴ Al-Bukhari, Book of Slaughtering and Hunting, Chapter on the Vessels of the Magians and Dead Animals, No. 5496.

⁵ Al-Jami3 Li Ahkam Al-Quran- by Al-Qurtubi, 6/79.

the Prophet, may ALLAH bless him and grant him peace, dressed Abdullah bin Ubayy bin Salul in his garment when he died and buried him in it. They said:

Because he had dressed Al-Abbas in his garment when he came from Medina, so the Prophet, may ALLAH bless him and grant him peace, rewarded him for that. As for the Hadith in which it says:

“Do not accompany anyone but a Believer, and do not let anyone but a pious person eat your Food”¹, it is based on recommendation and desirability, and ALLAH knows best))².

¹ Narrated by Abu Dawud in his Sunan, Book of Etiquette, Chapter on Who is Commanded to Sit with, No. 4834, and by al-Tirmidhi, Book of Asceticism, on the authority of the Messenger of God, may God bless him and grant him peace, Chapter on What was said about the company of the believer, No. 2395, and by Musnad Ahmad, 3/38, No. 11357, and al-Albani authenticated it in Sahih al-Tirmidhi, No. 2519.

² Interpretation of the Great Qur’an by Ibn Kathir, 2/20.

Second:

The Ruling on marrying Women of the People of the Book.

ALLAH Almighty said:

(الْيَوْمَ أُحِلَّ لَكُمُ الطَّيِّبَاتُ ۖ وَطَعَامُ الَّذِينَ أُوتُوا الْكِتَابَ حَلَّلٌ لَكُمْ وَطَعَامُكُمْ حَلَّلٌ لَهُمْ ۗ وَالْمُحْصَنَاتُ مِنَ الْمُؤْمِنَاتِ وَالْمُحْصَنَاتُ مِنَ الَّذِينَ أُوتُوا الْكِتَابَ مِنْ قَبْلِكُمْ إِذَا آتَيْتُمُوهُنَّ أَجُورَهُنَّ مُحْصِنِينَ غَيْرَ مُسَافِحِينَ وَلَا مُتَّخِذِي أَخْدَانٍ ۗ وَمَنْ يَكْفُرْ بِالْإِيمَانِ فَقَدْ حَبِطَ عَمَلُهُ وَهُوَ فِي الْآخِرَةِ مِنَ الْخَاسِرِينَ). المائدة:5.

(This day [all] good Foods have been made Lawful, and the Food of those who were given the Scripture is Lawful for you and your Food is Lawful for them. And [Lawful in marriage are] chaste Women from among the Believers and chaste Women from among those who were given the Scripture before you, when you have given them their due compensation, desiring chastity, not unlawful sexual intercourse or taking [secret] lovers. And whoever denies the faith - his work has become worthless, and he, in the Hereafter, will be among the losers)¹.

His Statement:

“And chaste Women from among the Believers ” means that it is permissible for you to marry free, chaste believing Women. He mentioned this as an introduction to what follows, which is the Statement of ALLAH Almighty: “And chaste Women from among those who were given the Scripture before you” meaning chaste Women who are free from fornication, as ALLAH Almighty said: “Chaste Women, not fornicators nor taking lovers”².

People did not marry Women of the People of the Book after the Verse in Surat Al-Baqarah was revealed: “And do not marry polytheistic Women until they believe. And a believing slave woman is better than a polytheist, even though she might please you.”³, so, they made this Verse specific to the one in Surat Al-Baqarah: “And do not marry polytheistic Women until they believe...” If it is said that Women of the People of the Book are included in its generality, otherwise there is no contradiction between them and it; Because the People of the Book were mentioned separately from the Polytheists in more than one place, such as the Almighty’s saying: “Those who disbelieved among the People of the Scripture and the Polytheists would not cease [from disbelief] until there came to them clear evidence.”⁴, Ibn Kathir also said: “A group of the Companions married Christian Women, and they saw no harm in that, taking this noble Verse into account.”⁵.

¹ Surat Al-Ma’idah:5.

² Surah An-Nisa, Verse: 25.

³ Surah Al-Baqarah, verse: 221.

⁴ Surah Al-Bayyinah, verse: 1.

⁵ Interpretation of the Great Qur’an by Ibn Kathir, 2/20.

Ibn al-Jawzi said:

((It was narrated on the authority of Uthman that he married Nailah Bint al-Farafisa in addition to his other wives, and she was a Christian. On the authority of Talhah ibn Ubayd ALLAH: that he married a Jewish Woman... As for the Magians, the majority are of the opinion that they are not People of the Book, and those who said: They are People of the Book have deviated))¹.

And Almighty's Statement:

(When you have given them their dowries), means their bridal-gifts, meaning just as they are chaste and pure, then give them dowries willingly.

And His Statement:

(Chaste, not fornicators nor taking lovers), just as He stipulated chastity for Women, which is chastity from fornication, so He stipulated it for Men, that they be chaste and pure; That is why ALLAH Almighty said: "Not fornicators," meaning adulterers, "nor those who take lovers," meaning those who have mistresses and only do things with them.

That is why Imam Ahmad ibn Hanbal, may ALLAH have mercy on him, said that the marriage of a prostitute is not valid until she repents, and likewise the marriage of an immoral man to a chaste woman is not valid in his view until he repents, because of this Verse and the Hadith: "A flogged adulterer may not marry anyone except someone like him."²

Qatada said:

"ALLAH has made two chaste Women Lawful for us: a chaste believing Woman and a chaste Woman from the People of the Book. Our Women are forbidden to them, but their Women are Lawful to us."³

¹ Zad Al-Maseer in the Science of Interpretation, 2/296.

² Tafsir Ibn Kathir, 2/17, and the hadith in Musnad Ahmad, 2/324, No. 8283, and Sunan Abi Dawud, Book of Marriage, Chapter on the words of God Almighty: "The adulterer does not marry except an adulteress or a polytheist," No. 2054, 2/221, and see: Sahih al-Jami' by al-Albani, 6/255.

³ Fath al-Qadir by al-Shawkani 2/16.

Second section:

The Ruling on the apostate, and the Ruling on the one who rules by other than what ALLAH has revealed.

This Section includes Two Topics:

First Topic:

The Ruling on the apostate.

Second Topic:

The Ruling on the one who rules by other than what ALLAH has revealed.

First Topic:

The Ruling on the apostate.

The Almighty says:

(... وَمَنْ يَكْفُرْ بِالْإِيمَانِ فَقَدْ حَبِطَ عَمَلُهُ وَهُوَ فِي الْآخِرَةِ مِنَ الْخَاسِرِينَ). المائدة:5.

(And whoever disbelieves in Faith, his work has become worthless, and he, in the Hereafter, will be among the losers.)¹That is, whoever turns away from the Religion and disbelieves in the laws of Faith, his work has become worthless, and he is among those who perish.²,and Laith narrated on the authority of Mujahid: And whoever disbelieves in Faith: he said faith in ALLAH Almighty.

Al-Zajjaj said:

The meaning of the Verse is: Whoever permits what ALLAH has forbidden, or forbids what ALLAH has permitted, is a disbeliever.

Abu Sulayman said:

Whoever denies what ALLAH has revealed of the laws of Faith, and knows what is permissible and what is forbidden, his previous deeds have been rendered worthless.

I heard Al-Hasan bin Abi Bakr Al-Naysaburi, the Jurist, say:

ALLAH, the Exalted, only permitted Women of the Book because some Muslims may be impressed by their beauty, so He warned those who marry them against inclining toward their Religion by saying:

(And whoever disbelieves in the Faith, his work has become worthless)³.

¹ Surah Al-Ma'idah, verse: 5.

² (Safwat Al-Tafaseer) by Al-Sabuni, 1/329.

³ Zad Al-Masir fi Amal Al-Tafsir, 2/297, and see the ruling on the apostate in detail in my book: ((The Issue of Takfir)).

Second Topic:

The Ruling on the one who rules by other than what ALLAH has revealed.

ALLAH Almighty said:

- 1- (...وَمَنْ لَمْ يَحْكَمْ بِمَا أَنْزَلَ اللَّهُ فَأُولَئِكَ هُمُ الْكَافِرُونَ (44). المائدة.
- 2- (...وَمَنْ لَمْ يَحْكَمْ بِمَا أَنْزَلَ اللَّهُ فَأُولَئِكَ هُمُ الظَّالِمُونَ (45). المائدة.
- 3- (...وَمَنْ لَمْ يَحْكَمْ بِمَا أَنْزَلَ اللَّهُ فَأُولَئِكَ هُمُ الْفَاسِقُونَ (47). المائدة.

- 1- (...And whoever does not judge by what ALLAH has revealed - then it is those who are the disbelievers)¹.
- 2- (...And whoever does not judge by what ALLAH has revealed - then it is those who are the wrongdoers)².
- 3- (...And whoever does not judge by what ALLAH has revealed - then it is those who are the defiantly disobedient)³.

Since the topic before this was about some of the rulings on the apostate, I wanted to follow it with Ruling on the one who rules by other than what ALLAH has revealed; because the one who rules by other than what ALLAH has revealed may be an apostate, or he may be a disobedient Muslim who has committed a major Sin; therefore, we find that the people of knowledge have divided the following words into two categories, which are: disbeliever, immoral, Oppressor, hypocrite, and polytheist. So, disbelief is less than disbelief, oppression is less than oppression, immorality is less than immorality, hypocrisy is less than hypocrisy, and polytheism is less than polytheism.

The greater Sin takes one out of the fold of Islam; because it completely contradicts the essence of the Religion.

The lesser Sin diminishes Faith, contradicts its perfection, and does not take its owner out of the fold of Islam.

Therefore, the Scholars have detailed the Statement on the one who rules by other than what ALLAH has revealed.

His Eminence Sheikh Abdul Aziz bin Abdullah bin Baz, may ALLAH have mercy on him, said when he was asked about the Ruling on the one who rules by other than what ALLAH has revealed?

¹ Surat Al-Ma'idah:44.

² Surat Al-Ma'idah:45.

³ Surat Al-Ma'idah:47.

He said:

((Whoever rules by other than what ALLAH has revealed does not go beyond Four types:

- 1- Whoever says: I rule by this because it is better than the Islamic Shari'ah, then he is a disbeliever with a greater disbelief.**
- 2- Whoever says: I rule by this because it is like the Islamic Shari'ah, then Ruling by this is permissible, and by the Shari'ah is permissible, then he is a disbeliever with a greater disbelief.**
- 3- Whoever says: I rule by this, and Ruling by the Islamic Shari'ah is better, but Ruling by other than what ALLAH has revealed is permissible, then he is a disbeliever with a greater disbelief.**
- 4- And whoever says: I rule with this, and he believes that Ruling with other than what ALLAH has revealed is not permissible, and he says: Ruling with Islamic law is better, and it is not permissible to rule with other than it, but he is lenient, or he does this because of an order issued by his rulers, then he is a disbeliever with a lesser disbelief that does not take him out of the Religion, and it is considered one of the greatest major Sins))¹.**

There is no contradiction between calling an act immoral or its doer immoral, and calling it a Muslim and the rulings of Muslims being applied to it; because not every immoral act is disbelief, nor is everything called disbelief or injustice an expulsion from the Religion until its implications and necessities are considered, and that is because each of disbelief, injustice, immorality, and hypocrisy came in the texts in two categories:

A - Major that expels from the Religion; because it contradicts the foundation of the Religion completely.

B - Minor that diminishes faith and contradicts its perfection, and its doer does not exit from it, so disbelief is less than disbelief, injustice is less than injustice, immorality is less than immorality, and hypocrisy is less than hypocrisy.

The immoral person who commits Sins that do not necessitate disbelief will not remain in Hell forever, rather his matter is returned to ALLAH the Most High, if He wills He will pardon him and admit him to Paradise from the first moment by His mercy and grace, and if He wills He will punish him according to the extent of the Sin that he died persisting in, and He will not keep him in Hell forever, rather He will bring him out by His mercy, then by the intercession of the intercessors if he died upon Faith².

The Sunnis and the Jama'ah have agreed that Sins, whether small or large, do not in themselves lead to a Muslim being deemed a disbeliever. Rather, disbelief occurs due to

¹ Sheikh Abdul Aziz bin Abdullah bin Baz told us this during a lecture he gave at the Grand Mosque after the year 1402 AH, and I think it was in the year 1403 AH. Then this lecture was printed later under the title Al-Qawadih fi al-Aqeedah.

² (Ma3arj Al-Qobool bi Sharh Sullam Al-Wosool Ela Elm Asool Al-Tawheed)2/423.

making the Sin permissible by making permissible what ALLAH has forbidden, or making permissible what ALLAH has permitted. This is an issue on which no two Scholars differ¹.

ALLAH the Almighty says: {Indeed, ALLAH does not forgive association with Him, but He forgives what is less than that for whom He wills}².

I cannot write in this limited discussion everything that the Scholars of the Sunnis and the Jama'ah have said, but I have mentioned the summary. Whoever wants details on the Ruling on the apostate should refer to my book, The Issue of Takfir (The Issue of Takfir).

I ask ALLAH to show us the truth as truth and enable us to follow it, and falsehood as falsehood and enable us to avoid it. He is the Guardian of that and is able to do it. May ALLAH's prayers and peace be upon our Prophet Muhammad, his family, his companions, and those who follow his path and call to his message until the Day of Judgment.

¹ The ruling and the issue of declaring a Muslim, p. 186, and the issue of declaring a Muslim, p. 40 By the author.

² Surah An-Nisa, verse: 116.

This booklet explains the following:

- 1- Completing the Religion and completing the blessing for this nation.**
- 2- Defining contracts and what is meant by the covenant.**
- 3- What ALLAH has made Lawful for the Believers from the Livestock.**
- 4- What ALLAH has forbidden for the Believers from the Livestock.**
- 5- What is meant by Rituals.**
- 6- The general rule for the forbidden types of Animals and Birds.**
- 7- Cooperation in Righteousness and Piety.**
- 8- The Lawful slaughter and its conditions.**
- 9- The Ruling on the slaughter of a Woman.**
- 10-TheRuling on the slaughter of a Bedouin.**
- 11- Slaughtering tool.**
- 12- Slaughtering of the incapable.**
- 13-Ruling on divination with arrows.**
- 14-Ruling on eating what was slaughtered for other than ALLAH.**
- 15- Lifting the Sin from those who are forced to eat something forbidden.**
- 16- Conditions for hunting with Birds and Birds of prey.**
- 17- What is meant by permissibility in the Food of the People of the Book.**
- 18- Marrying chaste Women.**
- 19-Ruling on apostasy.**
- 20-Ruling on those who rule by other than what ALLAH has revealed.**
- 21- Abolishing the customs of the Age of Ignorance.**
- 22- Hunting with Birds of prey**
- 23- Explaining the disagreement over the permissibility of hunting some Birds of prey.**

**PRAISE BE TO ALLAH
ALMIGHTY, BY HIS GRACE
GOOD DEEDS ARE
ACCOMPLISHED.**

RULINGS FROM SURAT AL-MA'IDAH

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