بسم الله الرحمن الرحيم

Series of Questions Addressed to the Eminent Scholar Ata Bin Khalil Abu Al-Rashtah,

Ameer of Hizb ut Tahrir through his Facebook Page (Fiqhi)

Answer to Question:

Has the Messenger (saw) Interpreted the Quran and Clarified its Meanings?

To: Hamed Nazzal

(Translated)

Question:

Assalamu Alaikum wa Rahmatullah,

It came in the book: "The Islamic Personality Vol. 3", under the subject "The existence of the juridical (Shar'i) realities" what reads: "... it is established that the Shaari' (the Legislator) has informed the Ummah of transferring these terms from their linguistic (lughawi) meaning to a new meaning established by the Shariah, through the Prophet's (saw) clarification of these meanings. Allah Almighty says: وَالْتُوْلُنُوْ اللَّذِي اللَّذَي الللَّذَي اللللَّذَي الللَّذَي الللَّذَي الللَّذَي الللَّذَي اللَّذَي الللَّذَي اللَّذَي الللَّذَي اللَّذَي الللَّذَي الللَّذَي الللَّذَي اللَّذَي الللَّذَي الللَّذَي اللَّذَي الللَّذَي اللَّذَي اللللله الللَّذَي اللَّذَي اللَّذَي الللَّذَي اللَّذَي اللَّذَي الللَّذَي الللله اللله اللله اللله اللله اللله اللله اللله الله اللله اللله الله اللله اللله اللله اللله اللله الله اللله الله اللله اللله الله اللله الله الله الله الله الله الله الله الله اللله الله ال

them." [An-Nahl: 44], which means to clarify its meanings, including the meanings of the Shari' names. And the Prophet (saw) said: «صَلُوا كَمَا رَأَيْتُمُونِي أُصَلًى» **"Pray as you have seen me pray"** (Narrated by al-Bukhari). Thus, he commanded them certain actions, and gave the understanding of these actions to them, as he did not command them to do what they do not understand."

The question: Do we understand from this that the Prophet (saw) interpreted Quran and its meanings? Or is his interpretation (Tafseer) limited to the clarification of the meanings of the legal names?

May Allah reward you with good.

Answer:

Wa Alaikum Assalam wa Rahmatullahi wa Barakatuh,

To clarify the answer, I will mention the following:

First: Your question is related to what is stated in Ash-Shaksiya 3 (Islamic Personality Volume III):

"In fact, juridical (Shari') names are found in the words of Shariah and found as realities distinct from the linguistic realities (haqaa'iq lughawiyyah). It is a term used by Arabs, and the Shara' transmitted it to another meaning which then became famous for it. Its transmission is not a metaphor (Majaz), but it is a transfer of the customary reality (haqeeqah urfiyah), since Shariah did not transfer it to the second meaning because of a connection, as is the condition of the metaphor (Majaz), in addition of it became famous in the second meaning, whereas, the metaphor is a term used for a meaning and then transferred to another because of a connection and did not become famous in the second meaning. That is, it did not become dominant over it; and therefore, the transfer of the juridical (Shari') name to the second meaning, which was laid down by Shariah, is not in any way a metaphor, but is a haqeeqah shar'iyyah (legal reality). However, it is established that the Shaari' (the Legislator) has informed the Ummah of transferring these terms from their linguistic (lughawi) meaning to a new meaning established by the Shariah, through the Prophet's (saw) clarification of these meanings. Allah Almighty says:

شَكْثَرُ لِتُبَيِّنَ لِلنَّاسِ مَا نُزَّلَ إِلَيْهِمْ» And We have also sent down unto you (Muhammad) the Reminder and the Advice (the Qur'an), that you may explain clearly to men what is sent down to them." [An-

The Advice (the Qur'an), that you may explain clearly to men what is sent down to them." [An-Nahl: 44], which means to clarify its meanings, including the meanings of the Shari' names. And the Prophet (saw) said: «مَنَقُوا عَمَا رَأَيْتُمُونِي أُمَتَلَي» "Pray as you have seen me pray" (Narrated by al-Bukhari). Thus, he commanded them certain actions, and gave the understanding of these actions to them, as he did not command them to do what they do not understand..." End.

Second: the clarification of the Prophet (saw) of what is stated in the Holy Quran is not only for the meaning of Shari' names, but the clarification of the Sunnah of the Book is summarized as follows:

1- Elaboration of the ambivalent text (Mujmal) of the Quran: such as, Allah has obliged Salah in the Book, without an elaboration of its timings, and the pillars, and the number of rak'aat; so, the Sunnah clarified all that. The Prophet (saw) said: «صَلَّوا كَمَا رَأَيْتُمُونِي أُصَلِّي» "Pray as you have seen me pray" (Narrated by al-Bukhari). Then the Messenger (saw) has clarified for Muslims how Salah is to be «حَانَ رَسُولُ اللهِ صلى الله عليه وسلم إذًا قَامَ إلَى (r.a: «حَانَ رَسُولُ اللهِ صلى الله عليه وسلم إذًا قَامَ إلَى (r.a) «حَانَ رَسُولُ اللهِ صلى الله عليه وسلم إذًا قَامَ إلَى (r.a) الصَّلَاةِ اعْتَدَلَ قَائِمًا وَرَفَعَ يَدَيْهِ حَتَّى يُحَاذِيَ بِهُمَا مَنْكِيَيْهِ فَإِذَا أَرَادَ أَنْ يَرْعَعَ رَفَعَ يَدَيْهِ حَتَّى يُحَاذِيَ بِهِمَا مَنْكِيَيْهِ ثُمَّ قَالَ اللهُ أَكْبَرُ وَرَكَعَ ثُمَّ اعْتَدَلَ فَلَمْ يُصَوِّبْ رَأْسَهُ وَلَمْ يُقْتِعْ وَوَضَعَ يَدَيْهِ كَلَى رُكْبَتَيْهِ ثُمَّ قَالَ سَمِعَ اللَّهُ لِمَنْ حَمِدَهُ وَرَفَّعَ يَدَيْهِ وَاعْتَدَلَ حَتَّى يَرْجِعَ كُلُّ عَظْم فِي مَوْضِعِهِ مُعْتَدِلًا ثُمَّ أَهُوَى إلَى الْأَرْضِ سَاجِدًا ثُمَّ قَالَ اللَّهُ أَكْبَرُ ثُمَّ جَافَى ۖعَصْدَيْهِ عَنْ إبْطَيْهِ وَفَتَخَ أَصَابِعَ رجْلَيْهِ ثُمَّ ثَنَى رجْلَهُ الْيُسْرَى وَقَعَّدَ عَلَيْهَا ثُمَّ آعْتَدَلَ حَتَّى يَرْجِعَ كُلُّ عَظْم فِي مَوْضِعِهِ مُعْتَدِلًا ثُمَّ أَهْوَى سَاجدًا ثُمَّ قَالَ اللَّهُ أَكْبَرُ ثُمَّ تَنَى رَجْلَهُ وَقَعَدَ وَاغْتَدَلَ حَتَّى يَرْجِعَ كُلُّ عَظْم فِي مَوْضِعِهِ ثُمَّ نَهْصَ ثُمَّ صَنَعَ فِي الْرَّئُعَةِ الثَّانِيةِ مِثْلَ When Allah's Messenger stood for Salat he would stand with his back straight and raise his "When Allah's Messenger stood for Salat he would stand with his back straight and raise his hands until they were at the level of his shoulder. Then he would say: (Allahu Akbar) "Allah is Most Great" and bow. Then he would straighten (his back) so that he would not lower his head, nor raise it, and he placed his hands on his knees. Then he said: (Sami Allahu liman hamidah) "Allah listens to those who praise Him." And he raised his hands and stood up straight until all of his bones completely returned to their places. Then he went down to the ground prostrating, then he said: (Allahu Akbar) "Allah is Most Great." Then he held his upper arms away from his midsection, and opened his toes on his feet (facing the Qiblah), then he bend his left foot and sat on it then straightened up until all of his bones completely returned to their placed, then he went down to prostrate. Then he said: (Allahu Akbar) "Allah is Most Great." then he bent his foot and sat and straightened up until all of his bones completely returned to their places. Then he got up. Then in the second Rak'ah he did the same as that. "(Narrated by al-Tirmidhi and said: This is a Sahih Hasan hadeeth).

2- Specifying the general text ('Aamm) of the Quran: The Qur'an contains general texts, and the Sunnah specified these general texts. Allah commanded that children inherit their parents in the manner Allah (swt) described in His saying in the verse: ﴿يُوصِيكُمُ اللَّهُ فِي أَوْلَائِكُمْ لِلنَّكَرِ مِثْلُ حَظَّ الْأُنْتَيَيْنِ﴾ "Allah instructs you concerning your children: for the male, what is equal to the share of two females." [An-Nisaa:11]

This Hukum is general in every father who is inherited and, in every son, inheriting from his father. Then, the Sunnah specified the inherited father as other than the Prophets, by the saying of the Prophet (saw): «لاَ نُورَتُ، مَا تَرَكُنا صَدَقَةً» **"We, the Prophets, do not leave in inheritance, what we leave is** Sadaqah." (Narrated by al-Bukhaari and Muslim).

And the Sunnah specified the inheritor as any person other than those who murder their inheritors, in his (saw) saying: «وَلاَ يَرِثُ الْفَاتِلُ شَيْنَاً» **"The murderer does not inherit."** (Narrated by Abo Dawood).

3- In Quran there are general verses, and the Sunnah came and limited the general by a certain restriction, like in the saying of Allah (swt): ﴿وَلَا تَحْلِقُوا رُءُوسَكُمْ حَتَّى يَبْلُغَ الْهَدِيُ مَحِلَّهُ فَمَنْ كَانَ مِنْكُمْ مَرِيضًا أَوْ بِهِ أَذًى مِنْ And do not shave your heads until the sacrificial animal has reached its place of slaughter. And whoever among you is ill or has an ailment of the head [making shaving necessary must offer] a ransom of fasting [three days] or charity or sacrifice." [Al-Baqara: 196].

These three words: 'fasting, sadaqa, ritual' are Nakira Muthbata (unspecified nouns) and they came in general form and were restricted by the hadeeth which was narrated by Muslim from the path of Ka`b ibn 'Ajra, that the Messenger of Allah (saw) said to him: (فَاَحْتِقْ رَأْسَكَ وَاَطْعِمْ فَرَقًا بَيْنَ سِتَّةِ مَسَاكِينَ وَالْفَرَقُ ثَلَائَةُ آصُعِ أَنْ السُكُ مُنسِيكَةً (And shave your head, feed six massakeen (needy persons) with a Faraq, and a Faraq is three Sa', or fast three days or slaughter a sacrifice."

So, it limited fasting to three days, limited sadaqa by a Faraq for six massakeen, and a Faraq is three Sa', and limited the ritual by the slaughter one sheep.

4 - Adding a peripheral rule with an original rule present in the Qur'an. This peripheral rule appears as a new legislation, but upon scrutiny it is found to be linked to its origin that was mentioned in the Quran, and examples of this are many, such as, Allah Almighty mentioned the Fara'id (the shares of the inheritance that are prescribed in the Qur'an) with a quantified portion, and did not mention the inheritance of the 'Asabaat (paternal relations) except what is stated in the verse: ﴿ يُوصِيكُمُ اللَّهُ فِي أَوْ لَا لِكُمْ لِللَّهُ

مِتْلُ حَظَّ الْأُنْثَيْنِنِ﴾ "Allah instructs you concerning your children: for the male, what is equal to the share of two females." [An-Nisaa:11].

And His Saying (swt): ﴿وَإِنْ كَانُوا إِخْوَةً رِجَالًا وَنِسَاءً فَلِلذَّكَرِ مِثْلُ حَظَّ الْأُنْتَيْنِ﴾ "If there are both brothers and sisters, the male will have the share of two females." [An-Nisaa:176].

Which stipulate that the 'Asib (relatives on the paternal side), other than sons and brothers, does not have a quantified portion, instead, he takes what remains after distributing the Fara'id. The Prophet (saw) has clarified this when he said: « أَفْتَى رَجُلْ ذَكَر» (the Fara'id (the shares of the inheritance that are prescribed in the Qur'an) to those who are entitled to receive it. Then whatever remains, should be given to the closest male relative of the deceased."

So, he added the 'Asib other than sons to the brothers and sons. As well as, he has made sisters and daughters 'Asabah. Al-Aswad said: «أَنَّ مُعَاذَ بْنَ جَبَلٍ وَرَّتُ أَخْتًا وَابْنَةً، فَجَعَلَ لِكُلَّ وَاحِدَةٍ مِنْهُمَا النَّصْفَ، وَهُوَ بِالْيَمَنِ، وَنَبِيُّ تَنْجَبُلٍ وَرَّتَ أُخْتًا وَابْنَةً، فَجَعَلَ لِكُلَّ وَاحِدَةٍ مِنْهُمَا النَّصْفَ، وَهُوَ بِالْيَمَنِ، وَنَبِيُّ (Mu'adh b. Jabal gave shares of inheritance to a sister and a daughter. He gave each of them half. He was at Yemen while the Prophet (saw) was alive". (Narrated by Abu Dawood).

And Mu'adh would not have decided in such a case during his (saw) life except for an evidence he knows, as he would not have hastened to decide concerning the matter if he had no evidence... etc.

Thirdly: To my knowledge, it was not transmitted from the Prophet (saw) hadiths clarifying every Ayah, and the books of Tafsir, despite their large numbers and extensive explanations, they did not mention for every ayah an authentic (Saheeh) Hadith. Therefore, whatever is transmitted from the Messenger of Allah (saw) is adopted; otherwise, the correct method of Tafsir is followed as follows:

1- As for the Tafsir transmitted from the Messenger (saw) even if authentic, it is considered part of the Hadith. It is not considered as Tafsir in the sense known to the Mufassirin since whatever is proven from the Messenger of Allah (saw) in explaining any verse is considered a legislative text like the Holy Quran.

2- As for what was transmitted from the Sahabah of Tafsir, one can seek aid from their Tafsirs, since they, Allah's mercy on them, are the closest people to the correct opinion in the Tafsir of the Quran due to their high rank in the Arabic language and their closeness to the one on whom the Quran was revealed, peace and prayers of Allah be upon him.

3- However, the method of performing Tafsir of the Quran is that the Arabic language and the Sunnah of the Prophet (saw) should be adopted as the only tool in understanding the Quran and its Tafsir in terms of its vocabulary and construction in terms of the Shariah meanings, Shariah rules, and the thoughts that have a legal reality. If there is a Hadith that is authentic from the Messenger of Allah (saw) that explains the verse of the Quran, then it is the one which is adopted; otherwise, it is referred to the Arabic language in which the Holy Quran was revealed, in interpreting the Holy verse, but from the people of the language who master it.

This is the method of performing Tafsir of the Quran the Mufassir has to adhere to it and its burdens must be borne by whoever wishes to perform Tafsir of the Quran, and Allah is the Most Wise and Most Knowledgeable.

Your brother,

Ata Bin Khalil Abu Al-Rashtah

25th Dhul Hijjah 1439 AH

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