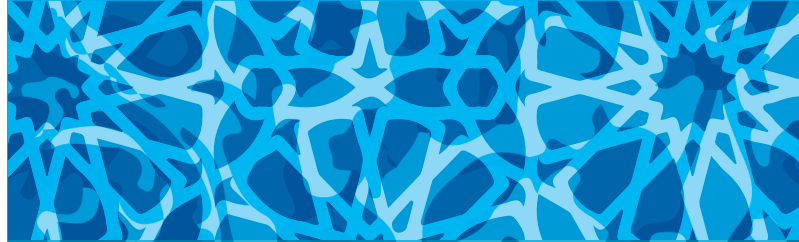




The Exegetical Impact Between Historical Truth and Jurisprudential Evidence



Asst. Prof.Dr. Majid Hameed Kassab Shihan
Department of Quran and Hadith Sciences / College
of Imam Kadhim (peace be upon him) University
majid.kassab78@gmail.com



The Exegetical Impact Between Historical Truth and Jurisprudential Evidence

Majid Hameed Kassab Shihan¹

1-Department of Quran and Hadith Sciences / College of Imam Kadhim (peace be upon him) University

Thi Qar / Shia Endowment Diwan / Iraq

majid.kassab78@gmail.com

Ph.D. in Contemporary Islamic Thought / Assistant Professor



Received:

7/8/2023

Accepted:

21/9/2023

Published:

1/12/2023

DOI: 10.55568/n.v3i6.75-98.e



Keywords: Narrative impact, Prophetic infallibility, Islam of Abu Talib.

Abstract

The impact of jurisprudential schools in exegesis books goes beyond elucidating jurisprudential opinions; it extends to the stance on certain rulings, beliefs, and doctrinal assumptions, influencing the interpretation to become more of a juristic opinion or definitive ruling than subject to the views of the early scholars or its historical reality. For instance, when encountering varying opinions on the verse related to ablution, it is acceptable, given the diversity of jurisprudential perspectives. However, when these opinions are laden with doctrinal affiliations, it may not be acceptable from an interpretative standpoint. One of the historical realities where the doctrinal affiliation governs and manifests its impact on interpretation is the claim of disbelief in Abu Talib – may God be pleased with him. In this case, the matter does not adhere to a jurisprudential opinion but represents a historical fact, becoming the criterion and measure for elucidating it in exegesis or narrative evidence. Therefore, this research delves into these two issues, the historical reality, and the jurisprudential aspect, examining the differences in two contentious matters in Islamic history – one being jurisprudential, the divergence among Muslims regarding the verse on ablution, and the other historical, the faith of Abu Talib. The research emphasizes the need to distinguish between the two, acknowledging that each has its domain in the realm of scholarly inquiry.

Introduction

Quranic studies have witnessed a continuous renewal of theories, perspectives, and ideas. This renewal can take a negative turn when it involves undue justification and acceptance of these views and ideas within a Quranic context. However, the realistic and positive aspect lies in the hidden meaning within the Quranic text and its miraculous facets, making it a focal point for diverse studies. Those who resort to the Quran for citation or reference are often reminded not to overlook the sanctity of the Quranic text and its authoritative origin from Allah. Researchers may find a notable diversity in the approaches and ideas of scholars, stemming from the text's potential for multiple interpretations or the inclination of scholars to attribute to the religious text what they believe, based on reprehensible opinions devoid of the prerequisites of knowledge.

Hence, if the source of divergence and difference lies in the inherent ambiguity of the text and the inability to attain certainty regarding the intended meaning by the Almighty, the circle of possibility remains open. Researchers have the right to present their evidence. However, if the origin of the difference is the diverse viewpoints of researchers or commentators who adhere to a particular creed and approach, resorting to the interpreter's opinion rather than the text itself, this matter may surpass mere divergence and reach the level of contradiction. Such a situation is incompatible with the sanctity of the Quranic text.

Section One: The Exegetical Influence on Historical Reality

Exegetical influence refers to the cultural input produced by each commentator after acquiring the foundations of the science of interpretation. This results in the commentator developing their own interpretive personality, methodology, and style. Some commentators approach interpretation through narration, resulting in a historical or narrational approach. Others engage in intellectual interpretation, while a third group leans towards Sufism and behavioral refinement, adopting a symbolic approach. The outcome of these accomplished interpretive methods reflects the mindset and beliefs of the commentator and is termed exegetical influence.

The focus should be on the doctrinal impact in the interpretive output, an element almost inseparable from any commentator. It may be a natural and realistic aspect of their reality. However, what is unacceptable is the intensified effort spent discrediting and criticizing other opinions simply due to their divergence from the commentator's beliefs.

As for historical reality, considering it as an additional compound, it denotes the events addressed by the Quran, those narrated by the Quran, or those for which Quranic verses were revealed (reasons for revelation). The expression of these events as historical truth is attributed to the Quran's reality and truthfulness.

In this context, it is crucial to distinguish between historical reality and historical reading. Historical reality refers to events as mentioned, while historical reading represents an interpretation influenced by modernist trends that have deeply penetrated the reading of religious texts. Even though proponents of this approach claim not to violate the sanctity of religious texts, their assertions were not realistic due to intellectual studies that have looked at the Quranic text beyond sanctification and more closely to human aspects.

Consequently, the Quranic text loses its characteristic of being the source compared to other texts or its legislative quality governing human behaviors and conduct.

Responses to orientalists, who sometimes adopt a humanistic approach towards religious texts, can inadvertently play into their hands. Since the Renaissance era until today, some orientalists, such as Goldziher and Theodor Noldeke, with purely secular perspectives towards religion encompassing Judaism and Christianity, see no sanctity in religion as we perceive it, considering it one of the primitive superstitions. Therefore, when they criticize Islam, some Muslims may vehemently counter them without realizing that, in doing so, they unwittingly support the intellectual trajectory followed by these orientalists. Instead of offering a rebuttal, they inadvertently lend credence to their approach.¹

When orientalists claim that the Quran is authored by Prophet Muhammad or originated from him, they may be given some leniency when their views do not align with the truth or when their opinions are reactionary due to the excesses of the Christian religion, such as the torture and killing of scholars, accusing them of heresy, and dissent from the Church. However, what is inexcusable is the adoption of such views or ideas by some Muslim thinkers. These ideas are far removed from the historical reality of the Quran.

Even when Sheikh Muhammad Hadi Ma'rifat wrote his encyclopedic work *Introduction to the Sciences of the Quran*, he began with the history of the Quran. He stated: "The composition of the Quran in its form, the arrangement of its verses, the organization of its chapters, as well as its vocalization and diacritical marks, was not the product of a single factor and was not completed during the early period of revelation. It went through stages that began with the era of the prophetic mission and concluded with the standardization of the Mus'hafs during the time of Uthman, and even further to the era of Al-Khalil ibn Ahmad Al-Farahidi, who completed its vocalization based on the existing structure."² He later acknowledges that the choice of words in its present formulation is entirely the product of revelation, and the wording has not changed with additions,

1 Al-Hashemi, *Critical Reading in the History of the Qur'an*, p. 48.

2 Maarafa, *Introduction to the Sciences of the Qur'an*, p. 277.

deletions, or positional alterations in terms of arrangement.³

Many historical facts in the Quran concerning the stories of previous nations (Quranic narratives) and the positions of the prophets with their nations exhibit a considerable degree of consensus among the commentators, with minor differences. For instance, the story of Prophet Joseph, particularly the matter of “Hamma,” meaning his inclination or intention (وهم به وهم بها), has seen varying perspectives among interpreters. Despite these differences, the overall agreement is on the innocence of Joseph from committing the sin.

Various opinions exist regarding the interpretation of “Hamma,” but they converge on Joseph’s innocence in the end. Some interpret it as an inclination or intention towards her, while others negate the essence of the inclination. Al-Baydawi, for instance, stated: “همت به وهم بها: He intended and aspired to be with her, and “Hamma” refers to the inclination and the determination to engage, not intentional choice. It is an inclination of nature and a conflict with desire, not a matter of obligation. ‘If he had not seen the evidence of his Lord’ refers to the ugliness of fornication and its evil consequences, so he refrained from engaging with her due to the allure of the slave girl and the abundance of obstacles”.⁴

Said Qutb asserts: “Joseph was merely a human being, a chosen human being. Thus, his concern did not extend beyond the psychological inclination at a given moment. When he witnessed the proof of his Lord pulsating within his conscience and heart after a moment of temporary weakness, he returned to steadfastness and resistance.”⁵

The implication of the preceding statement is an acceptance of the human psychological burden of sin, in accordance with human nature. However, it is crucial to remember that within this humanity resides the status of prophethood, which rejects moments of weakness and infuses strength in its possessor.

³ Maarafa, Introduction to the Sciences of the Qur’an, p. 278.

⁴ Al-Baidawi, Anwar al-Tanzil and the Secrets of Interpretation, vol. 3, p. 282.

⁵ Sayyed Qutb, In the Shadows of Quran, vol. 4, p. 712.

As for what appears to be more plausible, it aligns with the opinion of al-Fakhr al-Razi in his work *Ismah al-Anbiya* (Infallibility of the Prophets) and his extensive commentary. He dissected the subject from all angles, presenting various perspectives. He arrived at the innocence of Joseph based on the Quran itself, by juxtaposing its noble verses and recalling the individuals involved in the incident, from the woman herself to her husband: the women, the judge, and the king. Joseph declared his innocence, and his adversary acknowledged the truthfulness of his statement twice. This acknowledgment was witnessed by the Lord. This was achieved by combining the Quranic verses with an objective interpretation.

The testimony of the wife is encapsulated in the divine statement, “Verily, it is a plot of you women; indeed, your plot is great” (Yusuf: 28). As for the testimony of the judge, it is reflected in the following verse: “And a witness from her family testified: ‘If his shirt is torn from the front, then she has told the truth, and he is among the liars. But if his shirt is torn from the back, then she has lied, and he is among the truthful’” (Yusuf: 26-27).

As for what appears to be more credible, it aligns with the opinion of al-Fakhr al-Razi in his work *Ismah al-Anbiya* (Infallibility of the Prophets) and his extensive commentary. He thoroughly examined the subject from all its facets, presenting a comprehensive overview of various perspectives. Al-Razi concluded that Joseph’s exoneration is evident through the Quran itself, achieved by synthesizing its noble verses and recalling the characters involved in the incident – encompassing everyone associated with it, from the woman herself to her husband, the women, the judge, and the king.

Joseph asserted his innocence, and his adversary acknowledged the truthfulness of his statement twice. This acknowledgment was witnessed by the Lord of the worlds, the Most High and Exalted, as well as by Satan. Al-Razi employed an objective interpretation by combining Quranic verses and explained them in a methodical manner.

The testimony of the husband is encapsulated in the divine statement, “Indeed, it is of your plan. Indeed, your plan is great” (Yusuf: 28). As for the testimony of the judge, it is reflected in the divine words, “And a witness from her family testified: ‘If

his shirt is torn from the front, then she has told the truth, and he is among the liars. But if his shirt is torn from the back, then she has lied, and he is among the truthful” (Yusuf: 26-27).

The testimony of women is expressed in the following divine statement: “They said, ‘Perfect is Allah! We have no knowledge except what You have taught us. Indeed, it is You who is the Knowing, the Wise.’” (Yusuf: 51). As for the testimony of the king, it is conveyed in the words: “Indeed, you are established this day [as a trusted minister] and [an honored] messenger [of the king].” (Yusuf: 54). Regarding the claim made by Joseph, the Quran narrates: “He said, ‘It was she who sought to seduce me from my self...’” (Yusuf: 26), and similarly, when he said: “He said, ‘My Lord, prison is more to my liking than what they invite me to...’” (Yusuf: 33). The admission of guilt by the adversary is expressed in the verse: “And I did not acquit myself of blame. Indeed, the soul is a persistent enjoiner of evil.” (Yusuf: 32). Likewise, the statement: “Now the truth has become evident, and indeed, I tried to seduce him away from his self, but he remained steadfast...” (Yusuf: 51). As for the testimony of the Lord of the Worlds, it is stated: “Thus [it was] to avert from him evil and immorality. Indeed, he was of Our chosen servants.” (Yusuf: 24). The confession of Satan is reflected in the verse: “And I will surely mislead them all, except, among them, Your chosen servants.” (Al-Hijr: 39-40), and Joseph is among the chosen.^{6 7}

Addressing the question, if there were no concerns, what benefit is there in saying, “And they testified falsely”? The answer lies in the informative nature of the statement, indicating that Joseph abstained from responding to the women’s advances due to incapacity. He left the resolution to Allah, seeking His reward and refuge from the painful consequences.^{8 9}

Now, let’s delve into the historical context of the Quranic verse: “Indeed, you do

⁶ Al-Razi, *The Infallibility of the Prophets*, p. 54-55.

⁷ Al-Razi, *Interpretation of al-Razi*, vol. 18, p. 114 -115.

⁸ Al-Razi, *Infallibility of the Prophets*, p. 55.

⁹ Majid, Hamid, *Islam and its impact on dismantling religious debate*, unpublished master’s thesis, University of Baghdad / College of Education, Ibn Rushd, p. 108-109.

not guide whom you love, but Allah guides whom He wills. And He is most knowing of the [rightly] guided.” (Al-Qasas: 56). This narration is mentioned in Sahih Bukhari, Sahih Muslim, and Musnad Ahmad^{10 11}. Al-Tabari, narrating from Al-Zuhri, quotes Saeed bin Al-Musayyib, who narrates from his father, stating that when Abu Talib was on his deathbed, the Prophet (peace be upon him and his Household) came to him. Abu Jahl and Abdullah bin Abi Umayyah were present, and the Prophet urged Abu Talib to testify to the oneness of Allah. Despite continuous efforts, Abu Talib adhered to the religion of Abd al-Muttalib and refused to say, “There is no deity except Allah.” The Prophet (peace be upon him and his Household) continued to present this testimony until Abu Talib’s last words expressed his adherence to the religion of Abd al-Muttalib. The Prophet said, “By Allah, I will seek forgiveness for you unless I am forbidden to do so.” Subsequently, the verse was revealed: “It is not for the Prophet and those who have believed to ask forgiveness for the polytheists, even if they were relatives, after it has become clear to them that they are companions of Hellfire.” (At-Tawbah: 113). When confronted by the Prophet, Abu Talib asserted, “You cannot guide whom you love,”¹² and the verse was revealed accordingly.

It is noteworthy that most commentaries reproduce this narration without alteration, avoiding elaboration on the sources, whether hadith or exegesis, as they rely on the transmitted narrative. Ibn Hajar mentions in Fath al-Bari that Abu Huraira narrated regarding the incident of Abu Talib, and this verse was revealed. This shows the claim of the narrators that Abu Talib died without embracing Islam. However, the assertion by As-Suhayli¹³ that he saw in some of Al-Mas’udi’s books that Abu Talib embraced Islam contradicts the narration, and Ibn Hajar rejects it. This demonstrates how personal inclinations can influence historical truths. In contrast, Tirmidhi also weakens this narration, classifying it as solitary, and comments, “This is a strange

10 Al -Bukhari,Sahih Al-Bukhari, chapter on Surat Al-Qasas, vol. 6, p. 17.

11 Al -Nisaburi, Sahih Muslim, Chapter: The beginning of faith is saying there is no god but God, vol. 1, p. 40.

12 Al-Tabari ,Jami’ al-Bayan on the interpretation of verses of the Qur’an, vol. 11, p. 57.

13 Al-Asqalani, Fath al-Bari, Chapter on the Story of Abu Talib, vol. 7, p. 149.

hadith that we only know through the narration of Yazid ibn Kaysan.”¹⁴

Even when Al-Wahidi suggested that the revelation of the verse came late after the death of Abu Talib and ruled out its revelation at the time of his demise, Al-Razi counters this argument, quoting Al-Wahidi saying: “Al-Husayn ibn Al-Fadl ruled it out because this Surah is among the last revealed in the Quran, and the death of Abu Talib occurred in Mecca during the early days of Islam. I find this ruling out improbable. It is not unreasonable to say that the Prophet, peace be upon him and his Household, continued seeking forgiveness for Abu Talib from that time until the revelation of this verse. The emphasis on firmness towards disbelievers became apparent in this Surah. Perhaps the believers were allowed to seek forgiveness for their parents among the disbelievers. The Prophet also used to do so. Then, when this Surah was revealed, Allah prohibited them from doing so. This, in essence, is not ruled out altogether.”¹⁵

It should be noted that Al-Razi himself acknowledges in another part of his exegesis that there is no explicit indication in the verse regarding the disbelief of Abu Talib. However, the presumed consensus led him to align with the sentiments of those expressing this opinion. He states: “There is no clear indication in the apparent meaning of this verse about the disbelief of Abu Talib. However, the alleged consensus compelled him to conform to the inclinations of the proponents of this view.” He adds: “This verse does not provide evidence of the disbelief of Abu Talib on its surface. Then Al-Zajjaj said: ‘Muslims agree that it was revealed regarding Abu Talib,’ and that is because Abu Talib, upon his death, advised the sons of Abd Manaf, saying, ‘Obey Muhammad and believe in him, and you will prosper and be guided.’ Prophet Muhammed responded, ‘O uncle, are you advising them to be sincere to themselves and leaving it for yourself?’ Abu Talib asked, ‘What do you want, my nephew?’ Muhammed replied, ‘I want one word from you. On the last day of your life in this world, say: There is no deity but Allah. I bear witness to it before Allah, the Most High.’ Abu Talib said, ‘O my nephew, I know that you are truthful, but I am averse to saying it out

¹⁴ Al-Tirmidhi, Sunan al-Tirmidhi, chapter on Surat al-Qasas, vol. 5, p. 21.

¹⁵ Al-Razi, Al-Tafsir Al-Kabir, vol. 16, p. 209.

of fear that it would be said that I uttered it in distress at the time of death. If it were not for the fact that there will be humiliation and reproach upon you and the sons of your father after me, I would have said it and affirmed it with my own eyes at the time of parting, seeing the intensity of your sincerity and advice. However, I will die upon the religion of the forefathers, Abd al-Muttalib and Hashim.”¹⁶

From the preceding discussion, it becomes apparent that the doctrinal aspect often takes precedence over historical truth. Otherwise, one might question why exeges do not acknowledge the weakness and fabricated nature of certain hadiths when explaining this particular Quranic verse and elucidating its reason for revelation. Here, I will elaborate on the insights provided by the exeges within the school of Ahl al-Bayt – peace be upon them.

Sheikh al-Tusi remarked: “This verse was revealed because the Prophet, peace and blessings be upon him and his family, was earnestly desiring the faith of his people. He prioritized that all of them embrace Islam and acknowledge his prophethood, especially his relatives. Allah then conveyed to him: ‘You do not have the power to guide them. It is not within your capacity to soften their hearts towards faith. Rather, it is within the capability of Allah to do so with those whom He wills. If He knows that they will be guided by something He does to them, your eagerness in this matter will not benefit.’” It is narrated by Ibn Abbas, Mujahid, Al-Hasan, Qatada, and others that this verse was revealed concerning Abu Talib. Additionally, according to Abu Abdullah and Abu Ja’far, Abu Talib was a Muslim, and there is a unanimous agreement among the Imami Shia on this point, supported by decisive evidence.¹⁷

As for Sayyid al-Tabatabai, in his renowned exegesis, he interprets the Quranic verse by exploring the nuances of guidance within its context, emphasizing the Prophet’s love for the guidance of all people. This aligns with the understanding that his mission was to be a mercy to humanity. After clarifying the meanings of guidance, he transitions to the narrative evidence in the narrational research. He states, “The intended

¹⁶ Al-Razi, *Al-Tafsir Al-Kabir*, vol. 25, p.2.

¹⁷ Al-Tusi, *Al-Tibyan fi Tafsir Al-Qur’an*, vol. 8, p.164.

meaning of guidance is the attainment of the desired goal and the return to the overflowing of faith in the heart. It is known that this is an exclusive function of Allah, to which no one else can contribute. The denial of the Prophet's involvement in this matter does not negate his role. The intended meaning of being guided is the acceptance of guidance." He further connects this discussion to the previous verses, highlighting the denial of guidance to the disbelievers among the Prophet's people while acknowledging the acceptance of truth by the People of the Book. The discourse concludes by asserting that the matter of guidance belongs solely to Allah – guiding those whom He wills, with His knowledge being supreme in recognizing the guided ones.¹⁸

Sayyid al-Tabaṭabā'i then shifts to the narrational aspect, aiming to respond to narratives that may challenge historical truth. He states: "The narrations from the Imams of the Ahl al-Bayt, peace be upon them, are abundant in confirming his faith. The narrated verses from his poetry are laden with affirmations of the Prophet's truthfulness, peace and blessings be upon him and his family, and the reality of his religion. It was he who provided refuge for the Prophet, peace and blessings be upon him and his family, when he was a child, safeguarding him after the mission and before the migration. Indeed, the impact of his struggle alone in preserving his honorable self during the ten years before the migration is deemed equivalent to the combined efforts of the Muhajirin and Ansar in the ten years following the migration."¹⁹

Moreover, Sheikh Nasser Makarem al-Shirazi extensively explores both the interpretative and narrative dimensions, scrutinizing the content of the narration, and its chain of narrators. He expresses astonishment at the persistence of a group of narrators in claiming that Abu Talib was a polytheist and non-believer, asserting that he died in disbelief. This claim, despite the consensus among Muslims that Abu Talib made unparalleled sacrifices for Islam and defended the Prophet, raises perplexing questions. The sheikh questions the motivation behind such insistence, suggesting a dangerous political game orchestrated by enemies of Ali and those opposed to him.

¹⁸ Al Tabatabai, *Al-Mizan in the Interpretation of the Qur'an*, vol. 16, p.55.

¹⁹ Al Tabatabai.

He posits that Umayyad rulers and their adherents sought to undermine every virtue associated with Ali, even portraying his close relatives as disbelievers. This narrative, according to the sheikh, was strategically fabricated to serve political motives and is devoid of credible evidence. Several points are raised to challenge the historical authenticity of these narratives:

1. The investigation focuses on the verse “You cannot guide whom you love,” asserting that it has no relevance to Abu Talib. It is argued that the preceding verses clearly address a group of believing People of the Book, contrasting them with the polytheists of Mecca.

2. The alleged consensus among Muslims that Abu Talib died as a polytheist is considered their main evidence. The sheikh contests this consensus, claiming it to be baseless and lacking authenticity.

3. The scrutiny and investigation indicate that the alleged consensus is based on reports from isolated narrators (Ahad) who lack credibility. In the chain of narrators of these narratives, individuals are identified as dubious and dishonest, such as Abu Sahl al-Sari and Abd al-Qadus Abu Saeed al-Damashqi. One of these narrations, mentioned by Ibn Mardawayh, claims that the verse “You cannot guide whom you love” was revealed regarding Abu Talib. The sheikh emphasizes that Abu Sahl al-Sari, a crucial link in the narrators chain, is acknowledged among leading scholars as unreliable. Another questionable figure, Abd al-Qadus Abu Saeed al-Damashqi, is also part of this narration. The apparent expression of the narration suggests that Ibn Abbas conveyed it without any intermediary, claiming to have witnessed it. However, the sheikh argues that Ibn Abbas was born three years before the Hijra, making him an infant when Abu Talib passed away. This raises doubts about the reliability of the narration. Another narration involves Abu Huraira, stating that on the deathbed of Abu Talib, the Prophet urged him to declare the Shahada. The sheikh questions the authenticity of this narration, pointing out that Abu Huraira embraced Islam several years after Abu Talib’s death. The sheikh raises the issue of an unknown person who transmitted

these hadiths to Abu Huraira and Ibn Abbas. Given that both were not eyewitnesses to Abu Talib's death, the sheikh questions the identity and reliability of this unknown individual. It is regrettable that a group of narrators and commentators transmitted these hadiths without thorough scrutiny in their works, gradually forming a consensus on these narratives.

4 - After all, the content of these fabricated narrations indicates that Abu Talib (peace be upon him) believed in the legitimacy of the Prophet, although he did not explicitly express it due to specific circumstances. It is well-known that faith resides in the heart, and the tongue serves as a means of expressing what the heart holds. In certain Islamic traditions, Abu Talib is likened to the companions of the cave, who were believers even though they could not openly profess their faith.

5 - Can we accept a transmitted narration from Abu Huraira or Ibn Abbas regarding such a crucial matter? Why not rely on the consensus of the Imams of the Ahlul Bayt (peace be upon them) and the scholars of Shia Islam, who are more acquainted with the Prophet's family? Moreover, contemporary records include numerous poems by Abu Talib illustrating his faith in Islam and the message of Prophet Muhammad (peace be upon him and his Household), as narrated by various scholars in their works.

6 - Setting aside all that has been presented, the life history and immense sacrifices of Abu Talib for the Prophet coupled with the profound connection between the Prophet and the Muslims, to the extent that the year of Abu Talib's death was named "The Year of Sorrow" by the Prophet, all point to his deep love for Islam. His defense of the Prophet wasn't merely due to familial ties but rather the commitment of a sincere, devout man and a dedicated soldier for his leader. In light of this reality, it is perplexing and unjust for some to insist that this devoted, unified man died as a polytheist.²⁰

Therefore, when the discussion turns to the faith of Abu Talib, it initiates an intervention from the doctrinal, personal, and sectarian aspects, overshadowing the historical aspect in interpreting the Quranic verse and taking precedence over historical truths.

²⁰ Al -Shirazi ,Al-Amthal in the Interpretation the Revealed Book of God, vol. 12, p. 264-268.

The Exegetical Influence on the Juridical Evidence

In this section, I use the term “juridical evidence” rather than “juridical truth” because it is subject to the opinions of jurists according to their respective schools in later stages. By juridical evidence, I refer to the exertion of mujtahids (scholars engaged in independent reasoning). However, the original juridical evidence in its early stages, originating from the infallible, whether from the Quran or the Sunnah, constitutes a historical reality. Yet, when applied to evolving events, it is subject to the independent reasoning of the mujtahid, leading to variation and divergence. In such cases, it does not necessarily represent the absolute truth.

If there is a clear text from the Prophet’s biography or his Ahl al-Bayt, peace be upon them, it unquestionably becomes the reference for application or non-application. However, in the absence of an explanatory text from the Quranic Sunnah, various interpretations emerge. Exegetes then resort to linguistic knowledge and the variations in grammatical constructions to justify specific readings or interpretations. In this context, juridical evidence and linguistic perspectives collide in the absence of narrative evidence. When narrative evidence is present, the different grammatical constructions become a way to evade historical truth. Therefore, the focus of this research revolves around the noble verse about ablution and its various interpretations: “O 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.” (Maida:6)

In this verse, differences arose among jurists and exegetes based on their respective jurisprudential affiliations. The divergence revolves around whether the verse implies washing or wiping, and the disagreement extends to whether the directive is general or specific to particular body parts.

According to Al-Sharif Al-Murtadha, the crux of the matter lies in the inclination towards washing or wiping, influenced by the grammatical construction, be it jarr (accusative) or nasb (nominative), attributed to the object. Al-Murtadha contends that

if the verse is construed as nasb, it implies the obligation of washing. Conversely, if it is considered jarr, indicating rubbing or wiping, it is associated with hands. He argues that this linguistic analysis is based on the presumption that the intended meaning leans towards washing rather than wiping.

However, a valid counterargument is that legal opinions should be constructed based on evidence and legal implications. Therefore, reliance on linguistic analysis alone might not be sufficient. If the Quran mandates wiping instead of washing, the interpretation should align with the apparent meaning of the verse. The decision to mandate washing or wiping should be derived from scrutinizing the explicit content and grammatical structure of the verse, establishing either washing if consistent or wiping if congruent.

The insistence on washing, as suggested in the argument, contradicts the obligation of wiping according to the Quranic injunction. When confronted with the choice between washing or wiping, the preferable reading is that which adheres to the apparent meaning of the verse, either washing or wiping. The argument in favor of washing implies a grammatical structure that deviates from the imperative meaning of the verse and is, therefore, inconsistent with the required understanding.²¹

Regarding the statement, Sheikh al-Tusi stated: “And your feet up to the ankles,” it is an annexation to “the heads,” so those who read it with the genitive (jar) construed that wiping them is obligatory, similar to the obligation of wiping the head. Meanwhile, those who construed it with the nominative (nasb) believed it is annexed to the location of the heads. This is because their location is considered as nasb for the occurrence of wiping on them. The reason for reading the heads with jarr is to accommodate the entering of the ba’ that necessitates differentiation.

Both readings collectively imply wiping, as we conclude. Among those who advocated wiping are Ibn Abbas, Al-Hasan al-Basri, Abu Ali al-Jubai, and Muhammad ibn Jarir al-Tabari. However, they stipulated a combination of wiping and washing: wiping as per the Quran and washing as per the Sunnah. Al-Tabari, on this matter, gave a

²¹ Al-Murtada, Treaties of Al-Sharif Al-Murtada, vol. 3, p. 162.

choice. They all required comprehensiveness, both externally and internally, for all parts of the feet. According to our perspective, wiping encompasses both the apparent and hidden aspects, from the tips of the fingers to the ankles. The ankles are the protruding parts in the middle of the foot, as indicated by evidence.

Ibn Abbas, Al-Hasan al-Basri, Abu Ali al-Jubai, and Muhammad ibn Jarir al-Tabari asserted that the wudu' includes two washings and two wipings. They maintained that the wiping encompasses the apparent parts, and the washing includes the hidden ones. Anas ibn Malik agrees with this idea. Ikrimah conveyed from Ibn Abbas that there is no washing on the two feet; rather, it involves wiping. Al-Sha'bi stated that you can see that tayammum includes what is washed and nullifies what is wiped. Qatadah expressed that Allah mandated two wipings and two washings. Aus ibn Abi Aus reported: "I saw the Prophet (peace be upon him and his Household) perform ablution and wipe over his footwear, then he stood up and prayed."²²

In this context, Sheikh al-Tusi discusses the wiping over footwear, stating that it cannot be considered as washing a body part, just as the veil cannot be considered a face. He argues: "In the verse, there is an indication that wiping over a turban or socks is not valid, as a turban is not called a head, and socks are not called feet, just as a veil does not cover the face or the hands." The reports about wiping over socks are solitary reports, and their apparent meaning contradicts the Quran.²³

Fathullah al-Kashani, depending on narrations, elaborated on the interpretation of the verse, saying: "And your feet to the ankles." Some reciters, like Nafi', Ibn 'Amir, Al-Kisai, and Hafs, read it with the accusative case, implying a connection to the location of "your faces," as the governed and the governing share the accusative case due to causation. Others read it with the genitive case, linking it to "your faces." Both readings indicate the same meaning: the obligation of wiping, as per the Imami school of thought. Narrations attributed to the Prophet (peace and blessings be upon him and his family) describe him performing ablution and wiping over his feet and shoes.

²² Al -Tusi, Al-Tibyan fi Tafsir al-Qur'an, vol. 3, p. 452.

²³ Al -Tusi, vol. 3, p. 457.

Similar reports are attributed to Ali, Ibn Abbas, and other companions. The consensus of the Imams from the Ahl al-Bayt supports the obligation of wiping.

Ibn Abbas was asked about ablution, and he replied: “It involves two washings and two wipings.” The four Sunni jurists argued for the obligation of washing, based on the recitation with the accusative case in connection to “your faces.” However, this argument is flawed, as the linkage of “and your faces” with “and your feet” in the accusative case is inappropriate linguistically. The preference for this connection over the genitive case is contrary to linguistic norms. Furthermore, it is noted that this linkage does not occur elsewhere, and it contradicts the apparent meaning of the verse.²⁴

As for the interpretation of the recitation with the genitive case, it can be understood by considering “to your faces” as an adverbial phrase, leaving “your feet” to be understood with an implied verb, such as “wash.” This interpretation is linguistically sound and consistent with the structure of the sentence. Additionally, it aligns with the reports from the Prophet and the Imams regarding the practice of wiping over the feet.²⁵

The observation made when examining the majority of commentators on the Quranic verse reveals their discussion of the limits of ablution, whether it pertains to the face or the hands, and whether the ears are considered part of the face. Furthermore, it raises questions about whether the forearms are included in the washing or not. Additionally, the practice of some companions performing the obligatory prayers with a single ablution, while others renew their ablution, adds several dimensions to the debate. Various evidences are presented by the majority of commentators, each relying on linguistic or doctrinal considerations.

This diversity contributes to the differences in interpretative perspectives, depending on the evidence that each commentator finds compelling, whether linguistic or narrated. In both schools of thought, the absence of a focused discussion on the grammatical aspect of the verse regarding the washing of the feet stands out. Both aspects, centering on either proximity or location, necessitate wiping rather than washing. No-

²⁴ Al -Kashani, Concise Interpretation, vol. 2, p. 277.

²⁵ Al -Shirazi, Al-Amthal in the Interpretation of the Revealed Book of God, vol. 3, p. 618.

tably, commentators from the majority tradition treat the washing of the feet as an undisputed or non-controversial matter. This observation, in certain details, supports the researcher's viewpoint regarding the dominance of personal perspective over the interpretative truth, which language, as seen in historical reality, substantiates.

One example supporting the aforementioned perspective is the statement of Al-Tha'labi, who narrated that Abu 'Ufa al-Hudhali observed Ibn 'Umar performing ablution for Dhuhr, then Asr, and finally Maghrib. Al-Hudhali questioned him, asking if this ablution was a prescribed practice. Ibn 'Umar responded, stating that it was sufficient for all prayers unless one needed to renew ablution. However, he added that he heard the Prophet Muhammad say: "Whoever performs ablution on purity, Allah records ten good deeds for him." This inspired Ibn 'Umar to perform ablution for each prayer, but it was later abrogated for ease.²⁶

The same commentator then delves into the discussion concerning washing the feet, stating: "(And your feet) – the reciters differed regarding it. Some recited it with a nasb (accusative) inflection, and some recited it with a khafd (genitive) inflection, such as Abdullah and his companions. Al-A'mash said, 'Abdullah's companions used to recite: 'And your feet' with a nasb inflection, meaning they wash them.'"

The recitation of Ibn Abbas supports the accusative inflection, and some argued that the command was initially for washing but later retreated to the previous reading. The remaining reciters, including Anas, Al-Hasan, Al-Auza'i, and Ash-Sha'bi, recited it with a genitive inflection. Those who favored the accusative inflection argue that it implies washing, and the particle "ba" (with) has a generalizing effect, meaning "wash all your feet." Those who favored the genitive inflection assert that feet are mentioned in connection with heads, with the accusative inflection, for permissibility without denoting a particular meaning. Some suggest it implies wiping the feet due to their proximity.

A group of scholars supported the straightforward interpretation of the verse, allowing wiping over the feet. Ibn Abbas, for instance, stated, "Ablution consists of two

²⁶ Al -Nisaburi, *Revealing and Clarifying the Interpretation of the Qur'an*, vol. 4, p. 26.

wipes and two washes.” Hammad reported from Asim al-Ahwal, who narrated from Anas, saying: “The Quran was revealed allowing wiping, and the Sunnah prescribed washing.” Hasan and Sha’bi also shared a similar view. Sha’bi added: “Gabriel revealed wiping, then said, ‘Don’t you see the one performing tayammum wipes what would have been washed and abandons what would have been wiped.’”

Qatadah stated: “Allah obligated the washing and wiping of feet.” This view is shared by Dawud ibn Ali al-Asfahani, Muhammad ibn Jarir al-Tabari, and Abu Ya’la. Some argue that the person performing ablution has the choice between washing or wiping the feet. The evidence for the obligation of washing the feet in ablution is derived from the Quranic verse: “And your feet up to the ankles”. The specification of “up to the ankles” indicates washing, just as the hands are specified up to the elbows, making washing obligatory for them.

Support for this position is found in the Sunnah, as reported by Uthman, Ali, Abu Huraira, and Abdullah bin Zaid. They narrated the details of the Prophet’s ablution, emphasizing the washing of their feet.

Khalid ibn al-Sa’ib reported from his father, citing the Prophet Muhammad, who said: “Allah does not accept the prayer of a person until he places the ablution in its proper places, washing his face, hands, wiping his head, and washing his feet.”

Furthermore, there is a narration from Abu Huraira, Uthman, Ali, and Abdullah bin Zaid, where they described the Prophet’s ablution, specifically washing their feet.

Khalid ibn al-Sa’ib also reported from his father, narrating from the Prophet Muhammad: “Allah does not accept the prayer of a person until he places the ablution in its proper places, washing his face, hands, wiping his head, and washing his feet.”

Abdul Rahman ibn Abi Layla reported from Ata, who reported from Jabir that the Prophet commanded them to wash their feet when performing ablution. It is also reported that the companions of the Prophet unanimously agreed on the obligation of washing the feet.²⁷ Abu Qilaba reported that Umar once saw a man performing ablution but left the soles of his feet unwashed. Umar ordered him to redo the ablution and prayer.

²⁷ Al -Nisaburi, Revealing and Explaining the Interpretation of the Qur’an, vol. 4, p. 28-29.

Al-Sam'ani remarked: "Scholars have differed regarding the obligation of washing the feet. The majority of scholars, and there is unanimous agreement on this today, assert that washing the feet is obligatory. It is narrated that Ali said: 'Wiping the feet is permissible.' Although there are reports indicating a difference of opinion from him."

Al-Sha'bi argued: "The Quran descended with the obligation of two washings and two wipings." Muhammad ibn Jarir al-Tabari stated: "One has the choice between wiping and washing due to the differences in recitation. However, the stronger opinion is that washing is obligatory, and this is supported by the Sunnah."²⁸

The clear divergence of opinions is evident here, with some advocating wiping and asserting that the Quran descended or commanded two washings (face and hands) and two wipings (head and feet). The commentator then reconciles the conflicting views by stating: "The stronger opinion is that washing is obligatory, and this is supported by the Sunnah." The question raised is whether the Sunnah contradicts what the Quran ordered or mandated.

Now, let's turn to Al-Fakhr Al-Razi as he discusses the grammatical aspects and their impact on directing meaning. However, the reader is surprised by his departure from the apparent meaning and resorting to an alternative direction supported by some reports. He states: "When the feet are linked to the heads, it is permissible to interpret 'feet' with 'heads' using nasb (accusative) as an attachment to the place of the heads and jarr (genitive) as an attachment to the apparent. This is a well-known doctrine among grammarians. If this is established, then it seems possible that the operative element for nasb in 'and your feet' could be 'wipe' or 'wash.' However, when both operative elements converge on a single object, prioritizing the closer one is more appropriate. Therefore, the operative element for nasb in 'and your feet' must be 'wipe.' Thus, it is confirmed that reading 'and your feet' with nasb on the lam implies the obligation of wiping as well. This is the basis for using this verse as evidence for the obligation of wiping. They further argue that countering this with reports is not permissible since those reports are primarily based on singular narra-

²⁸ Al-Samani, Tafsir Al-Samani, vol. 2, p. 16.

tions, and abrogating the Quran with an isolated report is impermissible.”

And know that there are only two possible responses to this: Firstly, numerous reports affirm the obligation of washing, and washing encompasses wiping, with no contradiction. Hence, washing is closer to precaution, making it obligatory, and on this basis, it must be concluded that washing the feet takes the place of wiping. Secondly, the prescription for washing the feet is confined to the ankles, and the specificity pertains to washing, not wiping.²⁹

From the preceding discussion, the dominance of the jurisprudential narration over the interpretative reality, as indicated by linguistic indicators and the apparent meaning of the noble Quran, becomes distinctly clear.

²⁹ Al-Razi, Al-Tafsir Al-Kabir, vol. 11, p. 161-162.

Conclusion

The interpretative reality is often constrained by doctrinal and ideological considerations that overpower the thoughts of the exegete and their interpretation, whether knowingly or unknowingly. The consequence of this natural and realistic outcome is the absence of the interpretative truth due to the dominance of a particular opinion or creed. Even if historical indicators do not assist the exegete in clarifying historical truth, the prevailing mindset, often manipulated, takes its place in issuing judgments contrary to historical facts. This is evident in incidents such as the death of Abu Talib, may Allah be pleased with him, where false claims were made about him dying as a disbeliever.

Regarding the prevalence of juristic opinion, even if it contradicts the apparent language and the consensus of its authorities by resorting to isolated reports to abrogate Quranic verses, understand that this is another form of dominance over the Quranic truth for the sake of doctrinal orientation and its imposition on that truth.

References

- The Holy Quran.
- Al-Baydawi, Nasser al-Din Abu Saeed Abdullah bin Omar bin Muhammad al-Shirazi. Lights of Revelation and Secrets of Interpretation. Dar al-Fikr, Beirut.
- Al-Bukhari, Abu Abdullah Muhammad bin Ismail. Sahih Al-Bukhari. Dar Al-Fikr for Printing and Publishing, Beirut (1401 AH - 1981 AD).
- Al-Hashemi, Hassan Ali Hassan Matar. A Critical Reading of the History of the Qur'an by the Orientalist Theodernöldke. Al-Mustafa International Center for Translation and Publishing, Iran, 2021.
- Al-Kashani, Mullah Fathallah bin Shukrullah Al-Sharif. Concise Interpretation. Al-Ma'arif Publications Foundation, Qom - Iran, 2002.
- Al-Musawi, Abu Al-Qasim Ali bin Al-Hussein bin Musa bin Muhammad. Letters of Sharif Al-Murtada. Sayyid Al-Shuhada Press, Qom, 2004.
- Al-Razi, Al-Fakhr. The Infallibility of the Prophets. Al-Kutbi Al-Najafi Publications, Qom - Iran (1406 AH - 1986 AD).
- Al-Razi, Muhammad bin Omar Ibn Al-Hussein. Tafsir Al-Fakhr Al-Razi: The Great Interpretation and the Keys to the Unseen. Presented by Khalil Muhyiddin Al-Mays. Dar Al-Fikr for Printing and Publishing, Beirut (1415 AH - 1995 AD).
- Al-Samani, Abu Al-Muzaffar Mansur bin Muhammad. Interpretation of the Qur'an. Edited by Yasser bin Ibrahim and Ghoneim bin Abbas bin Ghoneim. Dar Al-Watan, Saudi Arabia - Riyadh, 1997.
- Al-Shirazi, Nasser Makarem. The Optimal Interpretation of the Revealed Book of God. Al-Alami Publications Foundation, Beirut, 2007.
- Al-Tabari, Abu Jaafar Muhammad bin Jarir. Jami' al-Bayan on the Interpretation of the Qur'an. Presented by Khalil al-Mays. Compiled, documented, and produced by Sedqi Jamil al-Attar. Dar Al-Fikr for Printing and Publishing, Beirut (1415 AH - 1995 AD).
- Al-Thaalabi, Abu Ishaq Ahmad bin Muhammad. Revealing and Explaining the Interpretation of the Qur'an. Edited by Muhammad bin Ashour. Dar Ihya' al-Turath al-Arabi, Beirut, 2002.
- Al-Tirmidhi, Abu Issa Muhammad bin Issa. Sunan Al-Tirmidhi. Edited by Abdul Wahhab Abdul Latif. Dar Al-Fikr for Print-



ing and Publishing, Beirut, 2003.

Al-Tusi, Abu Jaafar Muhammad bin al-Hasan. *Al-Tibyan fi Tafsir al-Qur'an*. Edited and corrected by Ahmed Habib Qasir al-Amili. Dar Ihya' al-Turath al-Arabi, Beirut.

Hamid, Majid. *Islam and its Impact on Dismantling Religious Debates*.

Ibn Hajar Al-Asqalani, Al-Hafiz. *Fath Al-Bari in the Explanation of Sahih Al-Bukhari*. Dar Al-Ma'rifa for Printing and Publishing, Beirut, 2005.

Ma'rifa, Muhammad Hadi. *Intro-*

duction to the Sciences of the Qur'an. Dhul-Qirba Publications, Qom - Iran, 2010.

Qutb, Sayyid. *In the Shadows of the Qur'an*. Arab Heritage Revival House, Beirut - Lebanon, 1971.

Tabatabaei, Muhammad Hussein. *Al-Mizan in the Interpretation of the Qur'an*. Al-Alami Foundation, Beirut - Lebanon, 1997.

Unpublished master's thesis, University of Baghdad / College of Education, Ibn Rushd, 2011.

