

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Tafseer Al-Baqarah (2: 188)

From the book, Introduction to the Tafseer of the Quran,

by the Ameer of Hizb ut Tahrir, the eminent jurist and statesman, Ata Bin Khalil Abu Al-Rashtah:

﴿وَلَا تَأْكُلُوا أَمْوَالَكُمْ بَيْنَكُمْ بِالْبَاطِلِ وَتُدْخُلُوا بِهَا إِلَى الْحُكَّامِ لِتَأْكُلُوا فَرِيقًا مِنْ أَمْوَالِ النَّاسِ بِالْإِثْمِ وَأَنْتُمْ تَعْلَمُونَ﴾

“And do not consume one another's wealth unjustly or draw it [in bribery] to the rulers in order that [they might aid] you [to] consume a portion of the wealth of the people in sin, while you know [it is unlawful].” [Surah Al-Baqara:188]

This noble Verse has come as a conjunction to the Verses of Fasting. It should be noted that the subject is other than Ritual Worships (عبادات Ibaadaat) i.e. Transactions (معاملات Muaamalaat). There are two important matters therein:

1. Regarding the Verses of Allah (swt) and His (swt) Rulings, some of them do follow in close succession to others, but there is no difference between one ruling over another ruling or one Obligation (واجب Waajib) over another Obligation. The One (swt) elucidates the Riual Worships is the one who elucidates the Transactions, punishments, politics and Jihad. And He is (swt) the One (swt) who elucidates the morals, foodstuffs, clothing as well as others. They are all in themselves of equal rank and import in terms of implementation and abidance. Hence the Obligation in Ritual Worship is like to the Obligation in Transactions, and also like the Obligation in punishments, which is like the Obligation of the Pledge of Allegiance (بيعة Bay'ah) to the Khaleefah and Jihad and all other Rulings. It is not correct to differentiate between them in any case. Hence Islam is comprehensive and cannot be divided. Calling for Islam is one in the call for its implementation in all the aspects of state, life and society.

2. The one who fasts should be the most abiding of people in the purity of his food and drinks. So he adheres to the lawful, pure wealth. And he distances himself from the illegitimate ways of earning such as bribery, forgery, hypocrisy and violating the rights of people by obeying the rulers in disobedience to the Creator (swt), adorning the evils for them in order to pave their way to other than that Allah (swt) has made lawful for them.

All of this is for the one who fasts to realise his Piety (تقوى Taqwa), which Allah has made as a Wisdom (حكمة Hikmah) for Fasting. Thus, He (swt) said in the last Verses of Fasting, ﴿كَذَلِكَ يُبَيِّنُ اللَّهُ آيَاتِهِ لِلنَّاسِ لَعَلَّهُمْ يَتَّقُونَ﴾ **“Thus does Allah make clear His ordinances to the people so they may become Pious” [2:187]**

Then the Verse of conjunction comes after them, about not consuming of unlawful wealth, due to Piety. The one who possessed this quality of piety must refrain from every unlawful wealth and from every illegitimate cause to acquire wealth.

It does not mean that distancing oneself from the Prohibited (حرام Haraam) is restricted to the Fasting person alone, rather it is the Command of Allah (swt)

applicable to all the servants. However, it is most emphasised and most rewardable for those who fast, as it is the indication of their sincerity in Fasting and the sign of their truthfulness in Piety.

Allah (swt) said, ﴿وَلَا تَأْكُلُوا أَمْوَالَكُمْ بَيْنَكُمْ بِالْبَاطِلِ﴾ **“And do not consume one another's wealth unjustly”** i.e. do not eat one another's wealth without due rights. It is like the saying of Allah (swt) ﴿وَلَا تَلْمِزُوا أَنْفُسَكُمْ﴾ **“And do not insult yourself”** [Surah al-Hujaraat 49:11] i.e. do not insult one another. It is not in the Type of Dividing Plural from Plural (Baabu Taqseemi l-Jam'i a'la l-Jam'i باب تقسيم الجمع على الجمع) as in the example (ركبوا (they all ride on their horses) i.e. each one of them rides on their horses. This Verse is not of that Type, otherwise the meaning would be that 'each one you must not eat his own wealth'. And it is clear that this is not the intended meaning, as indicated by His (swt) saying ﴿بَيْنَكُمْ﴾ **“between you.”**

Allah (swt) said, ﴿وَتَدُلُّوا بِهَا إِلَى الْحُكَمِ﴾ **“And draw it [in bribery] to the rulers”**. The word Idlaa'a (إدلاء Drawing) means lowering a rope down into the well to draw from it. And here it is used as a Metaphor, with the meaning of drawing it (in bribery) in return for gaining something.

So, here it means 'do not give some of it to the evil rulers as a bribe'.

Allah (swt) said, ﴿لِتَأْكُلُوا فَرِيقًا مِنْ أَمْوَالِ النَّاسِ بِالْإِثْمِ وَأَنْتُمْ تَعْلَمُونَ﴾ **“So that you consume a portion of the wealth of the people in sin, while you knowing (it)”** i.e. in order to seize the wealth of others, without due rights, and so that the judgment will be in your favor because of the bribe that you have presented, whilst you know that it is not your due right.

And whoever knows that it is not his right, but the judgement is given in favor of him, it is not in his right to take that wealth, rather it is a portion of Hell Fire, as mentioned in a hadith, «إِنَّمَا أَنَا بَشَرٌ وَأَنْتُمْ تَخْتَصِمُونَ إِلَيَّ وَلَعَلَّ بَعْضَكُمْ أَنْ يَكُونَ الْحَنُّ بِحُجَّتِهِ مِنْ بَعْضٍ فَأَقْضِي» **“Verily, I am only a human and the claimants bring to me (their disputes); perhaps some of them are more eloquent than others. I judge according to what I hear from them). So, he whom I, by my judgment, (give the undue share) out of the right of a Muslim, I in fact give him a portion of (Hell) Fire”** (Bukhari 2483, Muslim 6452, Muslim 1259)

As indicated by the Verse and Hadith, the Ruling of the Judge does not perceive the hidden. And so it is for the one who knows to take wealth over which he has no due right.