

## Tafseer Al-Baqarah (2: 197-199)

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:

﴿الْحَجُّ أَشْهُرٌ مَّعْلُومَاتٌ فَمَنْ فَرَضَ فِيهِنَّ الْحَجَّ فَلَا رَفَثَ وَلَا فُسُوقَ وَلَا جِدَالَ فِي الْحَجِّ وَمَا تَفَعَّلُوا مِنْ خَيْرٍ يَعْلَمُهُ  
اللَّهُ وَتَزَوَّدُوا فَإِنَّ خَيْرَ الزَّادِ التَّقْوَى وَاتَّقُونِي يَا أُولِيَ الْأَلْبَابِ (197). لَيْسَ عَلَيْكُمْ جُنَاحٌ أَنْ تَبْتَغُوا فَضْلًا مِنْ رَبِّكُمْ  
فَإِذَا أَقَضْتُمْ مِنْ عَرَفَاتٍ فَاذْكُرُوا اللَّهَ عِنْدَ الْمَشْعَرِ الْحَرَامِ وَاذْكُرُوهُ كَمَا هَدَاكُمْ وَإِنْ كُنْتُمْ مِنْ قَبْلِهِ لَمَنِ الضَّالِّينَ  
(198). ثُمَّ أَفِيضُوا مِنْ حَيْثُ أَفَاضَ النَّاسُ وَاسْتَغْفِرُوا اللَّهَ إِنَّ اللَّهَ غَفُورٌ رَحِيمٌ (199)﴾.

“Hajj is [during] well-known months, so whoever has made Hajj obligatory upon himself therein [by entering the state of ihram], there is [to be for him] no sexual relations and no disobedience and no disputing during Hajj. And whatever good you do - Allah knows it. And take provisions, but indeed, the best provision is fear of Allah. And fear Me, O you of understanding (197). There is no blame upon you for seeking bounty from your Lord [during Hajj]. But when you depart from 'Arafat, remember Allah at al- Mash'ar al-Haram. And remember Him, as He has guided you, for indeed, you were before that among those astray. (198). Then depart from the place from where [all] the people depart and ask forgiveness of Allah. Indeed, Allah is Forgiving and Merciful. (199)” [Surah al-Baqarah 2:197-199]

Allah (swt) clarified in these verses as follows:

1) ﴿الْحَجُّ أَشْهُرٌ مَّعْلُومَاتٌ﴾ “Hajj is (during) well known months”. This is the Cause (سبب Sabab) for Hajj, hence it is not allowed in other than Hajj months and they are, *Shawwal*, *Dhul Qa'da* and nine days of *Dhul Hajj* in addition to the night of *Nahr* (sacrifice). (Abdullah bin Umar, the mass of the Companions and *Tabiyeen* said, Those are *Shawwal*, *Dhul Qa'da* and (first) ten of *Dhul Hajj*. It is Sahih based on the condition of the two (Imams: Bukhari and Muslim) and comes in *Mustadrak*). Ten of *Dhul Hajj* does not include the tenth day. This is the outweighed opinion as we will explain with the permission of Allah.

As for why we said that Hajj is not allowed in other than the months of Hajj, it is because, ﴿الْحَجُّ أَشْهُرٌ مَّعْلُومَاتٌ﴾ “Hajj is (during) well known months” i.e. the time for Hajj is well known months, as it is the opinion of grammarians. These months are assigned from all the months of the year and it is a Cause (Sabab) for Hajj, just as the timings of Salah are causes for Salah, whilst the arrival of the month of Ramadhan is the Cause (Sabab) for Fasting.

Ibn Abbas (ra) said, *الحج إلا في أشهر الحج لا يحرم بالحج إلا في أشهر الحج*, “It is Sunnah of not to take *Ihram* except during the months of Hajj” [Al-Durr Al-Manthur: 2/526, Tafseer Al-Qurtubi: 2/406, Tafseer Al-Tabari: 2/257]. The saying of the companion: ‘such a thing is Sunnah’ is the Hukm raised (*Marfu*) about RasulAllah (saaw), particularly in the saying of Ibn Abbas, as he is the Interpreter of the Quran (ترجمان القرآن).

As for why we said that the end of Hajj months is the ninth of *Dhul Hajj* in addition to the night of *Nahr*, this is because the ninth of *Dhul Hajj* is the day of *Arafah*. And Messenger of Allah (saw) said: «الحج عرفة من جاء قبل صلاة الفجر من ليلة جمع فقد تم حجه» “Hajj is *Arafah*, whoever came before the dawn prayer in the night of *Jam'u*, He has completed the Hajj” [Tirmidhi: 814]. It is said in the narration of Abu Dawood, «من أدرك عرفة قبل أن يطلع الفجر فقد أدرك» “Whoever reaches the *Arafah* before dawn, he has attained the Hajj” [Abu Dawood: 1664]. It is said in the narration of Dar Al-Qutni, «الحج عرفة الحج عرفة» “Hajj is *Arafah* and *Arafah* is Hajj” [Al-Daraqutni: 2/241]. This means whoever misses the Day of *Arafah* until the dawn (طلوع فجر) on the Day of *Nahr* (يوم النحر), without standing in *Arafah*, there is no Hajj for him. The Night of *Jam'u* means the Night of *Muzthalifah*.

As the months of Hajj are the Causes for Hajj, and because the Hajj is missed by missing the Day of *Arafah* until the dawn of the tenth day, without standing in *Arafah*, this means Months of Hajj end with the dawn of the night of *Nahr*.

2) ﴿فَمَنْ فَرَضَ فِيهِنَّ الْحَجَّ فَلَا رَفَثَ وَلَا فُسُوقَ وَلَا جِدَالَ فِي الْحَجِّ وَمَا تَفْعَلُوا مِنْ خَيْرٍ يَعْلَمْهُ اللَّهُ﴾ **“So whoever has made Hajj obligatory upon himself therein [by entering the state of ihram], there is [to be for him] no sexual relations and no disobedience and no disputing during Hajj. And whatever good you do - Allah knows it.”** i.e. Whoever committed himself to perform Hajj and took *Ihram* for Hajj therein, then it is forbidden for him the *rafath* (sexual relations), *Fusuq* (disobedience) and *Jidal* (disputes) during Hajj.

The word *rafath* (الرفث) means sexual intercourse or speaking of that in front of women, and what accompanies that, and obscenity in the speech.

The word *Fusuq* (الفسوق) is disobedience or reviling due to RasulAllah (saaw): «سباب المؤمن» **“Reviling a Muslim is *Fusuq*”** [Al-Bukhari: 46, Muslim: 97]

The word *Jidal* (الجدال Altercation) is a dispute of a person with companions and those who involve in Hajj, until it makes them angry, with quarreling and shouting in speech. (Enjoining the good and forbidding the evil does not fall within *Jidal*.)

As for why we said that it is Haram (Forbidden), this is because Allah (swt) says, ﴿وَمَا﴾ **“And whatever good you do - Allah knows it.”** This Literal Wording (منطوق Mantuq) has an Intended Meaning (مفهوم Mafhum) indicating that the above mentioned matters in Hajj i.e. ﴿فَلَا رَفَثَ وَلَا فُسُوقَ وَلَا جِدَالَ فِي الْحَجِّ﴾ **“No sexual relations and no disobedience and no disputing during Hajj”** are not optional, i.e. these are amongst what angers Allah (swt). In addition to this, some of the matters, such as *Fusuq*, are of an understood description that gives Decisiveness in Prohibition (الجزم في النهي) and this is the Qareenah (قرينة Indication) for Decisive Prohibition (النهي الجازم). Hence the Prohibition is Decisive for these matters and doing such actions is Haram (حرام Forbidden) in Hajj.

**It can be asked** that these matters, or most of them, are Haram (Forbidden) whether during Hajj or other than Hajj. Then why is the Prohibition specified here, as in *Fusuq*, for example?

**The answer to this is:** This is the indication for the magnitude of the sin and severity of its crime, in this rite (of Hajj) during the months of Hajj. This is like the saying of Allah, ﴿وَمَنْ﴾ **“Whoever intends [a deed] therein (Masjid Al-haram) of Deviation or Wrongdoing - We will make him taste of a painful punishment.”** [TMQ 22:25].... (الإلحاد بظلم) Deviation (of deed) or Wrongdoing, whoever commits it, will have a painful punishment, same as during Hajj and other than Hajj.

This is like the saying of Allah (swt), ﴿مِنْهَا أَرْبَعَةٌ حُرْمٌ ذَلِكَ الدِّينُ الْقَيِّمُ فَلَا تَظْلِمُوا فِيهِنَّ أَنْفُسَكُمْ﴾ **“Of these (twelve months), four are sacred. That is the correct religion, so do not wrong yourselves during them (i.e. during four months)”** [TMQ 9:36]. Wrongdoing is Haram (Forbidden) for both sacred months and other months. Here it is mentioned to explain the magnitude of sin during that time.

3. ﴿وَتَرَوُودُوا فَإِنَّ خَيْرَ الزَّادِ التَّقْوَىٰ وَاتَّقُونِي يَا أُولِيَ الْأَلْبَابِ﴾ **“And take provisions, but indeed, the best provision is fear of Allah. And fear Me, O you of understanding”**

Bukhari reported from Ibn Abbas (ra) that people from Yemen used to perform Hajj, while they did not take their provisions and they said ‘we are dependent on Allah (Mutawakkil)’, then when they reached (Mecca), they used to beg from the people. So Allah (swt) revealed the verse ﴿وَتَرَوُودُوا﴾ **“And take provisions.”** This comes with the Real Meaning (المعنى الحقيقي) which is ‘Taking food for travelling’.

When Allah (swt) mentions the provisions for travelling, He (swt) alerts the necessity to accompany this materialistic provision, with the other provision, which is the best of provisions and here the word (زاد) ‘provision’ comes with the Metaphorical Meaning (المعنى

(المجازي) i.e. the best provision and support for you, which is *Taqwa* (piety), which comes with the Sharia Meaning (المعنى الشرعي) i.e. fearing Allah and obedience to Him.

And it is a guidance from Allah (swt) for the Hajj to take the material provisions that help him during the travel, so that he will not beg the people during Hajj, and to include the provision, which is better than the first, in addition to the material provisions of food and expenditure, which is the Piety of Allah, obedience of Him, fearing Him, adhering to His commands and abstaining from His prohibitions.

Then Allah (swt) concludes with public address to all the people of understanding to fear Allah. Allah (swt) directs the address to the people of understanding, as they are those who know goodness from evil, Allah's Mercy from His Punishment, what benefits their life from what harms them, such that they distance themselves from Disobedience of Allah and draw closer to Allah, through obedience, in order to become pious people.

4. Allah (swt) clarifies that the trade activities and their ruling, such as renting a riding animal or car, are all permissible for a person, who is in a state of *Ihram* during the months of Hajj and it will not nullify his Hajj, as long as he made an intention (niyyah), took *Ihram* of Hajj to Allah (swt) and performed it with its conditions and pillars.

It should not be said that Hajj is *Ibadah* (worship) and intention is a condition for its validity! If Niyyah (Intention) is made for Hajj i.e. *Ihram* is taken for hajj, it is not allowed for the *Muhrim* (one who is in a state of *Ihram*) to deal with any activity other than Hajj, just as the one who is in *Salah* (prayer), must not do any action other than prayer.

It cannot be said that as there is no *Qiyas* (analogy) in worships, rather what is to be originally followed is the divine texts that have come for the worship and restricting it to what has come. Hence Hajj cannot be analogized with *Salah* (prayer). Hence, the time during which *Salah* is performed, cannot accommodate actions other than *Salah* and it is limited to this condition. However, the time during which *Ihram* for Hajj is taken, can accommodate actions other than Hajj, as is applicable for the duration of Hajj months, and for the duration needed for the rites of Hajj.

This is in addition to the divine text about the permissibility of trading during Hajj season, as comes in the aforementioned verse of the Quran, «لَيْسَ عَلَيْكُمْ جُنَاحٌ أَنْ تَبْتَغُوا فَضْلًا مِنْ رَبِّكُمْ» **“There is no blame upon you for seeking bounty from your Lord [during Hajj]”** i.e. seeking Rizq (provision) from your Lord such as profit in the trade and others.

Similarly, it has also come in the Sunnah as reported by Ahmed from the authority of Abu Umama At-taimi: “He said, I said to Ibn Umar (radi) that, “We are drowsy, do we have Hajj?” He said, Didn't you say *Talbiya*? Didn't you make Tawaf around the Ka'ba? Didn't you make Sa'ee between Safa and Marwa...so and so? I said: yes. He replied: A person asked RasulAllah (saaw) about what you are asking, and RasulAllah (saaw) did not reply until the following verse was revealed, «وَاذْكُرُوهُ كَمَا هَدَاكُمْ وَإِنْ كُنْتُمْ مِنْ قَبْلِهِ لَمَنِ الضَّالِّينَ» **“And remember Him, as He has guided you, for indeed, you were before that among those astray.”** [Surah al-Baqarah 2:197]. Then RasulAllah (saaw) called him and recited the verse that was revealed and said, «أَنْتُمْ الْحَجَّاجُ» **“You are pilgrims.”** [Al-Talsy P.O. 259, No. 1909, Al-Durr Al-Manthur-2/535].

5. After that, Allah (swt) clarifies in this verse that when the Hujjaj (pilgrims) hasten on from *Arafah* to *Muzthalifa*, let them remember Allah (swt), near *Mash'ar Al-Haram* and let them praise Allah (swt), for He (swt) guided them to the right path and blessed them to perform the obligation of Hajj and taught them its rulings. Let them remember as they were previously, during *Jahiliya* (Days of Ignorance), on misguidance and they used to perform Hajj without guidance, whilst associating partnerships with Allah (swt). «وَاذْكُرُوهُ كَمَا هَدَاكُمْ وَإِنْ كُنْتُمْ مِنْ قَبْلِهِ لَمَنِ الضَّالِّينَ» **“And remember Him, as He has guided you, for indeed, you were before that among those astray.”**

«فَإِذَا أَفَضْتُمْ مِنْ عَرَفَاتٍ» **“But when you hasten on (afadthum) from Arafah (Arafathin), remember Allah at al-Mash'ar al-Haram.”** i.e. when you push yourself heavily from *Arafah*,

(it is said) as (فاض الماء) 'Faadhal Ma'u -water overflows,' when the water flows gushingly. Hence, (إفاضة الماء) *Ifadathul Ma'u*- pouring the water heavily) is pouring the water heavily.

And **Arafaatin** (عَرَافَات) here is not the plural of *Arafah*. It itself means the well-known place in Hajj. It is a noun from the plural word and there is no plurality or singularity for it, i.e. there are no partialities in the place, each part of the place is named as '*Arafah* (عرفة).' Then they are pluralised as (عارفات) (arafatin). However, '*Arafah* (عرفة) and '*Arafaat*' (عارفات) have the same, denoting the known place. The letter (ة) in *Arafaat* (عارفات) is not the (ة) denoting the feminine case. This is with respect to the Morphology (صرف).

﴿وَإِنْ كُنْتُمْ مِنْ قَبْلِهِ لَمَنِ الضَّالِّينَ﴾ **"for indeed, you were before that among those astray."** i.e. You were misguided before the arrival of the Messenger of Allah (saw) who brought you the guidance, and clarified the Legal Rulings (*Ahkam Sharia*) for Hajj and other matters.

**'Masha'ar Al-Haram'** is the whole *Muzthalifah* as stated by Ibn Umar (ra). *Muzthalifah* is also called as 'Jam'u (جَمْع)'

6. And in the last verse, Allah (swt) commanded the Muslims, whether they are from Quraish or other than Quraish, to hasten from *Arafah* to *Muzthalifah* and not from *Muzthalifah* i.e. their stay must be in *Arafah*, and not in *Muzthalifah*. It is the invalidation of what the Quraish practiced during *Jahiliyaa* (days of Ignorance) by staying in *Muzthalifah*, and not in *Arafah*, unlike the rest of the people. Quraish did not stay in *Arafah* where *Al-hil* (Boundaries where pilgrimages enters in the state of *Ihram*) is located, rather they stayed in *Muzthalifah* as it is inside the *Haram*. They said 'we are the traders of cotton (قَطَان) for the noble house of Allah, so we will not leave from *Haram*.' And they named themselves as '*hums*' and they particularly stayed in *Muzthalifah*, unlike other people. Allah (swt) says in this verse, addressing the Quraish and all the Muslims that 'make your stay in *Arafah* where the rest of the people stay' and seek repentance from Allah (swt) for your previous mistakes, in your Hajj without guidance. Allah (swt) is All-Forgiving to his sincere servants and Most merciful to them.

It is reported by Bukhari and Muslims on the authority of Aisha (ra) who said: Quraish, and those who followed their religious practices, stayed at *Muzthalifah*, and they named themselves as *Hums*, whereas all other Arabs stayed at *Arafah*. With the advent of Islam, Allah, the Exalted and Glorious, commanded His Prophet (saaw) to come to *Arafah* and stay there, and then hurry from there, and this is the significance of the words of Allah, ﴿ثُمَّ أَفِضُوا مِنْ﴾ **"Then hasten on from where the people hasten on"**. [Al-Bukhari: 4248, Muslim: 1219, Abu Dawood: 1910, Al-Tirmidhi: 884]

Based on this meaning, the word (ثُمَّ **then**) comes attached to the verse (preceding verse) ﴿وَاتَّقُونِي يَا أُولِي الْأَلْبَابِ﴾ **"Fear me, O you of understanding"** i.e. there are advancing and deferring in the verses according to the meaning. Therefore orderliness meaning (ترتيب) (for the above three verses) is as follows: "Take your provisions and the best of provisions is piety. Fear me O' you of understanding, then haste on from where people haste on from *Arafah* and not from *Muzthalifah* as done by Quraish during the days of *Jahiliyya* (ignorance), when you hastened on from *Arafah* and fulfilled the command of Allah (swt), go to *Muzthalifah* and remember Allah near *Mash'ar Al-Haram*- i.e. *Muzthalifah*- and praise Allah for the guidance given to you before that you were on Misguidance without guidance".

Here some may ask: How come that what is mentioned after the word (ثُمَّ) "Then" is in orderly (ترتيب) occurs before what is previously mentioned in the previous verse?

We know that the word (ثُمَّ) 'Then' gives the orderliness (الترتيب) of actions with *Tarakhee* (الترخي) i.e. what follows after the word 'then' occurs after a while) and it means what follows after the word 'then' occurs after what precedes it with *tarakhee* i.e. after a while.

And in the previous verse, ﴿فَإِذَا أَفَضْتُمْ مِنْ عَرَفَاتٍ فَاذْكُرُوا اللَّهَ عِنْدَ الْمَشْعَرِ الْحَرَامِ﴾ **"But when you hasten on from *Arafah*, remember Allah at al- Mash'ar al-Haram."** i.e. near *Muzthalifah*. Hence Hujjaj have reached *Muzthalifah*.

And it comes in the last verse as ﴿ثُمَّ أَفِيضُوا مِنْ حَيْثُ أَفَاضَ النَّاسُ﴾ **“Then hasten on from the place from where [all] the people hasten on”**. The meaning that comes to the mind from the word (ثُمَّ) ‘then,’ is: You have reached *Muzthalifah* and after your remembrance of Allah and Salah of Fajr, go to *Mina* i.e. the meaning comes as ﴿ثُمَّ أَفِيضُوا مِنْ حَيْثُ أَفَاضَ النَّاسُ﴾ **“Then hasten on from the place from where [all] the people hasten on”** i.e. hasten on from *Muzthalifah* to *Mina*.

Then how is it that the meaning of the verse, ﴿ثُمَّ أَفِيضُوا مِنْ حَيْثُ أَفَاضَ النَّاسُ﴾ **“Then hasten on from the place from where [all] the people hasten on,”** according to the causes of revelation, is that ‘your hastening on is from *Arafah* and not from *Muzthalifah*’ with the knowledge that, as we said before, the word (ثُمَّ) ‘then,’ gives the order of occurrence, as what follows it occurs after what precedes it, and not before it?

#### **The answer to this is based on two matters:**

1. What has come in the narration of Bukhari and Muslim about the revelation of the verse outweighs that the meaning of the verse, ﴿ثُمَّ أَفِيضُوا مِنْ حَيْثُ أَفَاضَ النَّاسُ﴾ **“Then hasten on from the place from where [all] the people hasten on,”** is to hasten on from *Arafah*, and not from *Muzthalifah*.

2. The word (ثُمَّ) ‘then,’ means the orderliness with *Taraakhee* (tardiness), hence what follows the word ‘then,’ occurs after what precedes it. However, this is not its entire meaning. Instead, this word is used with other than this meaning, where its usage means ‘what follows the word ‘then,’ occurs before what precedes it’ in the sentence. However, this usage is infrequent in the language of the Arabs. Arabs used to say *أعجبني ما صنعت اليوم ثم ما صنعت أمس* ‘أعجب’ ‘What you have done today amazed me, then amazed by what you have done yesterday’

Here there is a Conjunction (عطف) of ‘what he did yesterday,’ over what he did today i.e. the subsequent is attached to the previous, without sequential order. However, the well-known meaning is that the subsequent, occurs after the previous, whilst having a time delay between them. Therefore, an Indication (*Qareena*) is needed to use the Conjunction in the other way. And the intention of using this type is to highlight the focus of required matter. This is because the differences of usage order in Classical Arabic, is for purpose and it will not be used without purpose.

Upon studying the above statement of the Arabs, we can find that the *Qareena* indicates that what follows the word ‘then’ is preceding to what precedes it. This is an explicit usage, due to the word ‘yesterday,’ which is used after the word ‘then’ and ‘today’ is used before the word ‘then’.

As for the intended of its highlighting in their speech, it is the undermining of the value of what he has done today. The apparent sentence praises what he did yesterday and its reality is the dispraise of his abilities, so that he makes progression in action ahead, in order to return to the likes of before. Hence today’s action was inferior to yesterday’s action.

And in the noble verse, the Indication (*Qareena*) is the cause of revelation, as reported by Bukhari and Muslim.

As for the intended purpose to highlight, it is the invalidation of what the Quraish were accustomed to do, which was staying in *Muzthalifah*, without going and staying in *Arafah*. So Allah (swt), after mentioning in the previous verse about the hastening on from *Arafah* to *Muzthalifah*, He (swt) again mentions them, regarding this hastening on from *Arafah* to *Muzthalifah*, as it is Obligatory for the Quraish, as it is for those other than them amongst people.