

PRECISION IN THE FOUNDATIONS OF LEGAL RULINGS

الباب 1: صدر الكتاب والغرض منه

Chapter 1: Opening and Purpose

Ibn Ḥazm · Arabic–English parallel edition

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L0-1 The jurist and imam Abū Muḥammad ʿAlī ibn Aḥmad—may God's mercy and good pleasure be upon him—said: Praise belongs to God, who has graciously bestowed upon us blessings both general and particular. He bestowed a general blessing upon humankind by sending them messengers bearing good tidings and warnings, so that whoever perished might perish upon clear evidence, and whoever lived might live upon clear evidence. He singled out whomever He willed among them by granting him success in attaining the truth, guiding him to it, making its understanding easy for him, directing him to choose it, and easing his path towards it. He withheld His aid from whomever He willed among them, sealing his heart and making the path of truth difficult for him. He granted some people success in one path and withheld it from them in another, as He, mighty and majestic, said: "Those who deny Our signs are deaf and dumb in darkness. Whomever God wills, He leads astray; and whomever He wills, He places upon a straight path"; and: "We made the sky a protected roof, yet they turn away from its signs."

This is without compelling someone who desires the truth to desire it, forcing someone intent upon falsehood into that intention, or preventing anyone from doing what He, exalted is He, has called or urged him to do. Rather, it is as He, mighty and majestic, said: "Know that the Messenger of God is among you. Were he to obey you in many matters, you would fall into hardship. But God has made faith beloved to you and adorned it in your hearts, and made unbelief, wrongdoing and disobedience hateful to you. Those are the rightly guided, as a bounty and favour from God; and God is knowing, wise." And as He, exalted is He, said: "Then he drew near and came down." And He, exalted is He, said: "Do not insult those whom they invoke apart from God, lest they insult God in hostility, without knowledge. Thus We have adorned the deeds of every community for them. Then to their Lord is their return, and He will inform them of what they used to do." To God.

Likewise, the two excellent prophets Abraham and Joseph—may God bless them both—said: Abraham said, "When he saw the moon rising, he said: 'This is my Lord.' But when it set, he said: 'Unless my Lord guides me, I shall certainly be among the people who go astray.'" Joseph said, "My Lord, prison is dearer to me than what they invite me to. Unless You turn their

قال الفقيه الإمام أبو محمد علي بن أحمد رحمة الله عليه ورضوانه: الحمد لله الذي امتن علينا بنعم عامة وخاصة، فعم النوع الآدمي بأن أرسل إليهم رسلا مبشرين ومنذرين ليهلك من هلك عن بينة، ويحيى من حي عن بينة، وخص من شاء منهم بأن وفقه للحق وهداه له، ويسره لفهمه، وسدده لاختياره، وسهل عليه سبيله، وخذل منهم من شاء، فطبع على قلبه، ووعر عليه طريق الحق، ووفق قوما في سبيل ما، ومنعهم التوفيق في سبيل أخرى، كما قال عز وجل: {والذين كذبوا بآياتنا صم وبكم في الظلمات من يشإ الله يضلله ومن يشأ يجعله على صراط مستقيم} و {وجعلنا السمآء سقفا محفوظا وهم عن آياتها معرضون} دون أن يجبر مريد حق على إرادته، أو يقسر قاصد باطل على قصده، أو يحول بين أحد وبين ما دعاه تعالى إليه، أو ندبه إليه، لكن كما قال عز وجل: {وآعلموا أن فيكم رسول الله لو يطيعكم في كثير من الأمر لعنتم ولكن الله حبب إليكم الأيمان وزينه في قلوبكم وكره إليكم الكفر والفسوق والعصيان أولئك هم الراشدون * فضلا من الله ونعمة والله عليم حكيم} وكما قال تعالى: {ثم دنا فتدلى} وقال تعالى: {ولا تسبوا الذين يدعون من دون الله فيسبوا الله عدوا بغير علم كذلك زينا لكل أمة عملهم ثم إلى ربهم مرجعهم فينبئهم بما كانوا يعملون} لله وكما قال النبيان الفاضلان صلى الله عليهما إبراهيم ويوسف إذ يقول إبراهيم {فلما رأى القمر بازغا قال هذا ربي فلما أفل قال لئن لم يهدني ربي لأكونن من القوم الضالين} ويقول يوسف {قال رب السجن أحب إلي مما يدعونني إليه وإلا تصرف عني كيدهن أصب إليهن وأكن من الجاهلين} وصلى الله على محمد عبده ورسوله إلى جميع الجن والإنس بالدين القيم بشيرا ونذيرا، وداعيا إلى الله بإذنه وسراجا منيرا.

scheming away from me, I shall incline towards them and be among the ignorant." May God bless Muḥammad, His servant and His messenger to all jinn and human beings, with the upright religion: a bearer of good tidings, a warner, one who calls to God by His permission, and an illuminating lamp.[1][2]

L2–3 To proceed: God, mighty and majestic, has placed different powers within the human soul. Among them is justice, which makes fairness seem beautiful to it and makes conformity to the truth beloved to it. He, exalted is He, said: "God commands justice, doing good, and giving to relatives, and forbids indecency, wrongdoing and oppression. He admonishes you so that you may take heed." He, exalted is He, also said: "You who believe, stand firmly for justice as witnesses for God, even against yourselves, your parents or your relatives. Whether a person is rich or poor, God has a greater claim upon them both. Do not follow desire, lest you turn aside from justice. If you distort or turn away, God is fully aware of what you do."

Among these powers are anger and desire, which make injustice seem beautiful to the soul and blind it to the path of right guidance. He, exalted is He, said: "When he is told, 'Fear God,' pride in sin takes hold of him. Hell is sufficient for him; what an evil resting place!" He, exalted is He, also said: "Every soul shall taste death. We test you with evil and good as a trial, and to Us you will be returned." The virtuous person rejoices through his knowledge in proportion to what God, exalted is He, has granted him; the ignorant person rejoices in something whose true character he does not know and in what brings him ruin in the Hereafter and destruction at his final return.

[1] **Translator's note (L0):** The source includes the brief quotation "Then he drew near and came down" at a seemingly abrupt point; it is retained rather than replaced or omitted. The isolated ﷻ following the quotation about insulting other objects of worship is rendered "To God." Its syntactic attachment is unclear in this transcription. The source juxtaposes the quotation about the protected sky with the discussion of guidance. This sequence is preserved.

[2] **Qur'an references (L0):** Qur'an 8:42 (Al-Anfal); Qur'an 6:39 (Al-An'am); Qur'an 21:32 (Al-Anbya); Qur'an 49:7 (Al-Hujurat); Qur'an 53:8 (An-Najm); Qur'an 6:108 (Al-An'am); Qur'an 6:77 (Al-An'am); Qur'an 12:33 (Yusuf); Qur'an 33:46 (Al-Ahzab).

وبعد: فإن الله عز وجل ركب في النفس الإنسانية قوة مختلفة، فمنها عدل يزين لها الإنصاف، ويحبب إليها موافقة الحق. قال تعالى: {إن الله يأمر بالعدل والإحسان وإيتآء ذي القربى وينهى عن الفحشاء والمنكر والبغي يعظكم لعلكم تذكرون} وقال تعالى: {يا أيها الذين آمنوا كونوا قوامين بالقسط شهدآء لله ولو على أنفسكم أو الوالدين والأقربين إن يكن غنيا أو فقيرا فالله أولى بهما فلا تتبعوا الهوى أن تعدلوا وإن تلووا أو تعرضوا فإن الله كان بما تعملون خبيرا} ومنها غضب وشهوة يزينان لها الجور ويعميانها عن طريق الرشد، قال تعالى: {وإذا قيل له اتق الله أخذته العزة بالإثم فحسبه جهنم ولبئس المهاد} وقال تعالى: {كل نفس ذآئقة الموت ونبلوكم بالشر والخير فتنة وإلينا ترجعون} فالفاضل يسر لمعرفته بمقدار ما منحه الله تعالى، والجاهل يسر لما لا يدري حقيقة وجهه ولما فيه وباله في أخراه وهلاكه في معاده. ومنها فهم يليح لها الحق من قريب، وينير لها في ظلمات المشكلات فترى به الصواب ظاهرا جليا, ومنها جهل يطمس عليها الطرق، ويساوي عندها بين السبل، فتبقى النفس في حيرة تتردد، وفي ريب تتلدد، ويهجم بها على أحد الطرق المجانبة للحق المنكبة عن الصواب تهورا وإقداما أو جبنا أو إحجاما أو إلفا وسوء اختيار قال تعالى {أمن هو قانت آنآء الليل ساجدا وقآئما يحذر الآخرة ويرجوا رحمة ربه قل هل يستوي الذين يعلمون والذين لا يعلمون إنما يتذكر أولو الألباب} وقال تعالى {وآية لهم الليل نسلخ منه النهار فإذا هم مظلمون} ومنها قوة التميز التي سماها الأوائل المنطق، فجعل لها خالقها بهذه القوة سبيلا إلى فهم خطابه عز وجل، وإلى معرفة الأشياء ما هي عليه، وإلى إمكان التفهم الذي به ترتقي درجة الفهم ويتخلص من ظلمة الجهل، فيها تكون معرفة الحق من الباطل

Among these powers is understanding, which readily reveals the truth to the soul and gives it light amid the darkness of difficult questions, so that through it the soul sees what is correct plainly and clearly. Among them is ignorance, which obscures the paths and makes the different ways seem alike, leaving the soul wavering in perplexity and turning about in doubt. It drives the soul headlong down one of the paths that depart from the truth and turn away from what is correct, through rashness and boldness, cowardice and hesitation, or habit and poor choice. He, exalted is He, said: "Is one who devoutly worships in the hours of the night, prostrating and standing, wary of the Hereafter and hoping for his Lord's mercy? Say: 'Are those who know equal to those who do not know?' Only people of understanding take heed." He, exalted is He, also said: "A sign for them is the night: We strip the day from it, and then they are in darkness."

Among them is the power of discrimination, which the ancients called logic. Through this power its Creator gave the soul a means of understanding His address, mighty and majestic; of knowing things as they are; and of being capable of learning, through which it ascends to the degree of understanding and escapes the darkness of ignorance. Through it the truth is distinguished from falsehood. He, exalted is He, said:

"Those who disbelieved will be driven to Hell in groups. When they reach it, its gates will be opened, and its keepers will say to them: 'Did messengers from among yourselves not come to you, reciting your Lord's signs to you and warning you of the meeting of this day of yours?' They will say: 'Yes, but the word of punishment has become due against the unbelievers.' It will be said: 'Enter the gates of Hell, remaining in it forever. How evil is the abode of the arrogant!' Those who feared their Lord will be led to the Garden in groups. When they reach it, with its gates opened, its keepers will say to them: 'Peace be upon you. You have been good, so enter it, remaining forever.' They will say: 'Praise belongs to God, who has fulfilled His promise to us and given us the land to inherit, so that we may dwell in the Garden wherever we wish. How excellent is the reward of those who act!' You will see the angels surrounding the Throne, glorifying their Lord with praise. Judgment will be passed between them in truth, and it will be

قال تعالى {وسيق الذين كفروا إلى جهنم زمرا حتى إذا جآءوها فتحت أبوابها وقال لهم خزنتهآ ألم يأتكم رسل منكم يتلون عليكم آيات ربكم وينذرونكم لقآء يومكم هذا قالوا بلى ولكن حقت كلمة العذاب على الكافرين * قيل ادخلوا أبواب جهنم خالدين فيها فبئس مثوى المتكبرين * وسيق الذين اتقوا ربهم إلى الجنة زمرا حتى إذا جآءوها وفتحت أبوابها وقال لهم خزنتها سلام عليكم طبتم فادخلوها خالدين * وقالوا الحمد لله الذي صدقنا وعده وأورثنا الأرض نتبوأ من الجنة حيث نشآء فنعم أجر العاملين * وترى الملائكة حآفين من حول العرش يسبحون بحمد ربهم وقضي بينهم بالحق وقيل الحمد لله رب العالمين * حم * تنزيل الكتاب من الله العزيز العليم * غافر الذنب وقابل التوب شديد العقاب ذي الطول لا إله إلا هو إليه المصير * ما يجادل في آيات الله إلا الذين كفروا فلا يغررك تقلبهم في البلاد * كذبت قبلهم قوم نوح والأحزاب من بعدهم وهمت كل أمة برسولهم ليأخذوه وجادلوا بالباطل ليدحضوا به الحق فأخذتهم فكيف كان عقاب * وكذلك حقت كلمة ربك على الذين كفروا أنهم أصحاب النار}

said: ‘Praise belongs to God, Lord of all worlds.’ Hā Mīm. The sending down of the Book is from God, the Mighty, the Knowing: forgiver of sin, acceptor of repentance, severe in punishment, possessed of bounty. There is no god but Him; to Him is the final return. None disputes God’s signs except those who disbelieve, so do not let their movement through the lands deceive you. Before them the people of Noah denied, as did the factions after them. Every community plotted to seize its messenger, and they disputed with falsehood to overthrow the truth through it. So I seized them; how was My punishment! Thus your Lord’s word has become due against those who disbelieved: they are the inhabitants of the Fire.”[3][4]

L4–7 Among them is the power of reason, which helps the discriminating soul to uphold justice, prefer what sound understanding has indicated, hold it as knowledge, and manifest it in speech and bodily action. Through this power, reason, the soul granted success in obeying Him is strengthened in disliking deviation from the truth and rejecting what ignorance, desire and anger lead towards—anger which gives rise to partisan zeal and the heated pride of ignorance. Whoever follows what sound reason has illuminated for him is saved and succeeds; whoever turns away from it perishes and may cause others to perish. He, exalted is He, said: “In that there is a reminder for one who has a heart, or who listens while attentively present.”

Abū Muḥammad ʿAlī said: He meant reason by this. As for the piece of flesh called the heart, everyone possesses it, whether he takes heed or not. But because the person without reason derives no benefit from his heart, he

[3]**Translator’s note (L2):** The supplied source gives a long uninterrupted Quran quotation extending across the end of Sūrat al-Zumar into the opening of Sūrat Ghāfir, including Hā Mīm. The whole supplied quotation is retained. The quotation “A sign for them is the night” occurs abruptly after the discussion of knowledge; its placement is retained. The unvowelled يسر in the contrast between the virtuous and ignorant is interpreted as rejoicing; this is a contextual reading, not a correction of the Arabic.

[4]**Qur’an references (L2):** Qur’an 16:90 (An-Nahl); Qur’an 4:135 (An-Nisa); Qur’an 2:206 (Al-Baqarah); Qur’an 21:35 (Al-Anbya); Qur’an 39:9 (Az-Zumar); Qur’an 36:37 (Ya-Sin); Qur’an 39:71 (Az-Zumar); Qur’an 39:72 (Az-Zumar); Qur’an 39:73 (Az-Zumar); Qur’an 39:74 (Az-Zumar); Qur’an 39:75 (Az-Zumar); Qur’an 40:3 (Ghafir); Qur’an 40:4 (Ghafir); Qur’an 40:5 (Ghafir).

ومنها قوة العقل التي تعين النفس المميزة على نصر العدل، وعلى إيثار ما دلت عليه صحة الفهم، وعلى اعتقاد ذلك علما، وعلى إظهار باللسان وحركات الجسم فعلا، وبهذه القوة التي هي العقل تتأيد النفس الموفقة لطاعته على كراهية الحود عن الحق، وعلى رفض ما قاد إليه الجهل والشهوة، والغضب المولد للعصبية، وحمية الجاهلية، فمن اتبع ما أناره له العقل الصحيح نجا وفاز، ومن عاج عنه هلك وربما أهلك قال تعالى: {إن في ذلك لذكرى لمن كان له قلب أو ألقى السمع وهو شهيد} قال أبو محمد علي: أراد بذلك العقل، وأما المضغة المسماة قلبا فهي لكل أحد متذكر، وغير متذكر، ولكن لما لم ينتفع غير العاقل بقلبه صار كمن لا قلب له، قال تعالى، شاهدا لما قلنا: {أفلم يسيروا في الأرض فتكون لهم قلوب يعقلون بها أو آذان يسمعون بها فإنها لا تعمى الأبصار ولكن تعمى القلوب التي في الصدور} وقال بعض السلف الصالح: ترى الرجل لبيبا داهيا فطنا ولا عقل له فالعاقل من أطاع الله عز وجل. قال أبو محمد علي: هذه كلمة جامعة كافية، لأن طاعة الله عز وجل، هي جماع الفضائل واجتناب الرذائل، وهي السيرة الفاضلة على الحقيقة التي تخيرها لنا واهب النعم، لا إله إلا هو، فلا فضيلة إلا اتباع ما أمر الله عز وجل به، أو حض عليه، ولا رذيلة إلا ارتكاب ما نهى الله تعالى عنه أو نزه منه، وأما الكيس في أمور الدنيا لا يبالي المرء ما وفق في استجلاب حظه فيها، من علو صوت، أو عرض جاه، أو نمو مال، أو نيل لذة من طاعة أو

becomes like one who has no heart. He, exalted is He, said, bearing witness to what we have said: "Have they not travelled through the land, so that they might have hearts with which to reason, or ears with which to hear? It is not the eyes that become blind, but the hearts within the breasts." One of the righteous predecessors said: "You see a man who is clever, resourceful and perceptive, yet he has no reason. The person of reason is the one who obeys God, mighty and majestic."

Abū Muḥammad ʿAlī said: This is a comprehensive and sufficient statement. Obedience to God, mighty and majestic, brings together the virtues and avoidance of the vices. It is, in truth, the virtuous way of life chosen for us by the giver of blessings—there is no god but Him. There is no virtue except following what God, mighty and majestic, has commanded or encouraged, and no vice except committing what God, exalted is He, has forbidden or urged us to avoid. As for worldly shrewdness, where a person does not care whether he succeeds in obtaining his share of renown, standing, increasing wealth or pleasure through obedience or disobedience, that is not reason. It is foolishness, stupidity, grave deficiency and poor choice, leading to destruction in the eternal abode. Our Lord, exalted is He, has testified that worldly enjoyment is deception. We know that one who abandons the truth and follows deception makes foolish choices, has weak reason and defective discrimination.

The demonstration of this is that every discriminating capacity by which a human being differs from the beasts testifies that choosing something small in amount, slight in benefit, mixed with pains and troubles, and soon to perish, over something abundant in amount, great in benefit, free of distress and harm, and everlasting, is extreme stupidity and a complete lack of reason. Suppose a man were given a choice in this world between living for a hundred years in an elegant, spacious palace, with gardens, rivers, meadows, trees, blossoms, flowers, servants, slaves, widespread security, evident dominion and ample wealth, with nothing on the way to it except a full day's walk along a road partly, but not wholly, rough; and spending that day walking along a road with lovely meadows interspersed with deadly dangers and terrors, and pleasant shade interspersed with horrors and places of destruction, which at

معصية، فليس ذلك عقلا، بل هو سخف وحمق ونقص شديد وسوء اختيار، وقائد إلى الهلاك في دار الخلود. وقد شهد ربنا تعالى أن متاع الدنيا غرور، وقد علمنا أن تارك الحق ومتبع الغرور سخيف الاختيار، ضعيف العقل، فاسد التمييز وبرهان ذلك أن كل تمييز في إنسان بان به عن البهائم، فهو يشهد أن اختيار الشيء القليل في عدده، الضعيف في منفعته، المشوب بالآلام والمكاره، الفاني بسرعة، على الكثير في عدده العظيم في منفعته، الخالص من الكدر والمضار، الخالد أبدا، حمق شديد وعدم للعقل البتة. ولو أن أمرأ خير في دنياه بين سكناه مائة عام في قصر أنيق، واسع ذي بساتين وأنهار ورياض وأشجار، ونواوير وأزهار، وخدم وعبيد وأمن فاش وملك ظاهر، ومال عريض، إلا أن في طريقه إلى ذلك مشي يوم كامل في طريق فيها بعض الحزونة لا كلها، وبين أن يمشي ذلك اليوم في طريق فيها مروج حسنة، وفي خلالها مهالك ومخاوف وظلال طيبة، وفي أثنائها أهوال ومتالف، ثم يفضي عند تمام ذلك اليوم إلى دار ضيقة، ومجلس ضنك ذي نكد وشقاء وخوف وفقر وإقلال، فيسكنها مائة عام، فاختار هذه الدار الحرجة لسرور يوم ممزوج بشوائب البلاء، يلقاه في طريقه نحوها لكان عند كل من سمع خبره ذا آفة شديدة في تمييزه، وفاسد العقل جدا، ظاهر الحمق رديء الاختيار، مذموما مدحورا ملوما. وهذه حال من آثر عاجل دنياه على آجل أخراه. فكيف بمن اختار فانيا عن قريب على ما لا يتناهى أبدا. اللهم إلا أن يكون شاكا في منقلبه، متحيرا في مصيره، فتلك أسوأ بل هي التي لا شوى لها، نعوذ بالله من الخذلان، ونسأله التوفيق والعصمة بمنه آمين. وكل ما قلنا فلم نقله جزافا، بل لم نقل كلمة في ذلك كله إلا مما قاله الله تعالى شاهدا بصحته، وميزه العقل، عالما بحقيقته، والحمد لله رب العالمين. وإن الله عز وجل ابتلى الأمم السالفة بأنبياء ابتعثهم إلى قومهم خاصة، فمؤمن وكافر، فريق في الجنة وفريق في السعير. ثم إنه تعالى بعث نبيه المختار وعبده المنتخب من جميع ولد آدم محمدا صلى الله عليه وسلم الهاشمي

the day's end leads to a cramped house and a narrow dwelling filled with misery, hardship, fear, poverty and want, where he would live for a hundred years. If he chose that constricted house for the sake of a day's pleasure mingled with the troubles encountered on the way to it, everyone who heard his story would regard his discrimination as gravely impaired, his reason as very defective, his stupidity as evident and his choice as poor: a man to be censured, repelled and blamed.

Such is the condition of someone who prefers his immediate worldly life to his future life in the Hereafter. What, then, of one who chooses something soon to perish over what never ends? Unless, of course, he doubts his final return and is perplexed about his destination. That is worse—indeed, it is no trifling calamity. We seek refuge in God from being forsaken, and ask Him, by His grace, for success and protection. Amen. Nothing we have said was said at random. We have not spoken a single word in all this without God's words bearing witness to its soundness and reason discerning its truth. Praise belongs to God, Lord of all worlds.

God, mighty and majestic, tested the former communities with prophets whom He sent specifically to their own peoples. Some believed and some disbelieved: one group in the Garden and another in the blazing Fire. Then He, exalted is He, sent His chosen prophet, His servant selected from all the descendants of Adam, Muḥammad—may God bless him and grant him peace—the Hāshimite of Mecca, to all His creatures among jinn and human beings. Through his religion He superseded all religions, and with him He brought the messengers to their conclusion. He distinguished him with this honour, made him foremost among all His prophets, and took him as a chosen one, an intimate confidant, a close friend and a messenger. There is

المكي إلى جميع خلقه من الجن والإنس، فنسخ بملته جميع الملل، وختم به الرسل، وخصه بهذه الكرامة وسوده على جميع أنبيائه، واتخذ صفيا ونجيا وخليلا ورسولا فلا نبي بعده، ولا شريعة بعد شريعته إلى انقضاء الدنيا.

no prophet after him, nor any revealed law after his law, until the world's end.[56]

L8–12 And since we have become certain that this world is no abode of permanence, but an abode of trial and testing and a passage to the abode of everlasting life; and it has thereby been established that there is no benefit in this world or in existing within it except knowing what He, mighty and majestic, has commanded, teaching it to the ignorant, and acting as it requires; and that everything beyond this for which people compete, such as widespread renown, is delusion; and that every base objective for which ignorant souls hunger is error, except what is intended to establish justice, suppress falsehood, judge according to the command of God Most High and the command of His Messenger, God bless him and grant him peace, revive the ways of truth, and extinguish the emerging manifestations of injustice; and that the pleasures toward which base souls incline—familiar sights that will soon change, pleasing sounds that pass away with the blowing winds, novel fragrances that dissipate after a few hours, tastes deemed sweet and delicious that undergo the most repulsive transformation within the briefest time, and admired garments that undergo a dismal change in the shortest time—are vain; and that all the occupation of those whose discernment is corrupt with acquiring wealth that will soon pass away is superfluous, except what provides sustenance, preserves the last breath of life, and is spent on acts of goodness that lead to triumph in the abode of permanence: then the best undertaking for a rational person is an exposition through which he hopes to guide his fellow human beings, rescue them from the bewilderment of doubt and the darkness of falsehood, and bring them forth into the clarity of truth and the light of certainty. For the Messenger of God, God bless him and grant him peace, declared that if God guides a single man through some-

وإذ قد تيقنا أن الدنيا ليست دار قرار، ولكنها دار ابتلاء واختبار ومجاز إلى دار الخلود، وصح بذلك أنه لا فائدة في الدنيا وفي الكون فيها إلا العلم بما امر به عز وجل وتعليمه أهل الجهل والعمل بموجب ذلك، وإن ما عدا هذا مما يتنافس فيه الناس من بعد الصوت، غرور، وأن كل ما تشره إليه النفوس الجاهلة من غرض خسيس، خطأ، إلا ما قصد به إظهار العدل وقمع الزور والحكم بأمر الله تعالى وبأمر رسوله صلى الله عليه وسلم وإحياء سنن الحق وإماتة طوالع الجور وإن ما تميل إليه النفوس الخسيسة من اللذات بمناظر مألوفة متغيرة عما قليل، وأصوات مستحسنة، متقضية بهبوب الرياح، ومشام مستطرفة، منحلة بعيد ساعات، ومذاوق مستعذبة، مستحلية في أقرب مدة أقبح استحالة، وملابس معجبة، متبدلة في أيسر زمان تبدلا موحشا، باطلا. وإن كل ما يشغل به أهل فساد التمييز من كسب المال المنتقل عما قريب فضول، إلا ما أقام القوت وأمسك الرمق، وأنفق في وجوه البر الموصلة إلى الفوز في دار البقاء، كان أفضل ما عاناه المرء العاقل بيان ما يرجو به هدى أهل نوعه، وإنقاذهم من حيرة الشك وظلمة الباطل، وإخراجهم إلى بيان الحق ونور اليقين فقد أخبر رسول الله صلى الله عليه وسلم أن من هدى الله به رجلا واحدا فهو خير له من حمر النعم وأخبر عليه السلام أن من سن سنة خير في الإسلام كان له مثل أجر كل من عمل بها لا ينتقص ذلك من أجورهم شيئا وغبط من تعلم الحكمة وعلمها فنظرنا بعون الله خالقنا تعالى لنا في هذه الطريق الفاضلة التي هي ثمرة بقائنا في هذه الدنيا فوجدناها على وجوه كثيرة: فمن أوكدها وأحسنها مغبة، بيان الدين واعتقاده والعمل به الذي ألزمنا إياه خالقنا عز وجل على لسان رسوله صلى الله عليه وسلم وشرح الجمل التي تجمع أصناف أحكامه والعبارات الواردة فيه، فإن بمعرفة العقدة من عقد تلك

[5]**Translator's note (L4):** The idiomatic phrase لا شوى لها is rendered "no trifling calamity"; its precise idiomatic force merits review. The Arabic is unchanged. The source has الحود in the phrase about deviation from truth; rendered by the apparent contextual sense "deviation," preserving the spelling in original. The author's comparisons, judgments concerning reason, slavery terminology, and claims about the finality and supersession of religions are retained as his authorial claims.

[6]**Qur'an references (L4):** Qur'an 50:37 (Qaf); Qur'an 22:46 (Al-Hajj).

one, that is better for him than red camels. He also declared, peace be upon him, that whoever institutes a good practice in Islam will have a reward equal to the reward of everyone who acts upon it, without that diminishing their rewards in the least; and he pronounced fortunate the person who learns wisdom and teaches it. So, with the help of God Most High, our Creator, we considered this excellent path, which is the fruit of our remaining in this world, and found that it takes many forms. Among the most imperative of them and the best in its outcome is explaining the religion, believing in it, and acting upon it—the religion that our Creator, mighty and majestic, has made binding upon us through the tongue of His Messenger, God bless him and grant him peace—and explaining the comprehensive principles that encompass the various kinds of its rulings and the expressions occurring in it. For knowing a single intricacy among the intricacies of those comprehensive principles brings the truth to light in thousands of questions in which thousands of people have erred. Those who followed them uncritically thus incurred two sins: the sin of uncritical adherence and the sin of error; and the rewards of those who followed them while exercising independent judgment were reduced from two portions to one portion. And anyone whom God Most High enables to explain that through which the reward of one who believes and acts upon what demonstration supports is multiplied He has thereby afforded abundant good and graciously granted an increasing reward even while that person lies crumbled in the dust. This is a share of good that only one deprived would disdain. We therefore wrote our book entitled The Book of Bringing Near, in which we discussed the manner of inference in general and the kinds of demonstration by which truth is distinguished from falsehood in every object of inquiry. We separated these from what is thought to be demonstration but is no demonstration, and explained all of this in a straightforward exposition containing no obscurity, hoping thereby for reward from God, mighty and majestic. That book thus became a foundation for knowing the signs that distinguish truth from falsehood. We also wrote our book entitled The Decisive Separation, in which we explained the correct position concerning the religions and sects over which people have differed, using the demonstrations whose general principles we established in The Book of Bringing Near. Through the success God, mighty

الجمل يلوح الحق في ألوف من المسائل غلط فيها ألوف من الناس. فإثم من قلدهم إثمين: إثم التقليد، وإثم الخطأ. ونقصت أجور من اتبعهم مجتهدا من كفلين إلى كفل واحد. ومن وفقه الله تعالى لبيان ما يتضاعف فيه أجر المعتقد والعامل بما عضده البرهان فقد عرضه لخير كثير، وامتن عليه بتزايد الأجر، وهو في التراب رميم. وذلك حظ لا يزهد فيه إلا محروم، فكتبنا كتابنا المرسوم بكتاب التقريب، وتكلمنا فيه على كيفية الاستدلال جملة، وأنواع البرهان الذي به يستبين الحق من الباطل في كل مطلوب، وخلصناها مما يظن أنه برهان وليس ببرهان، وبينا كل ذلك بيانا سهلا لا إشكال فيه، ورجونا بذلك الأجر من الله عز وجل، فكان ذلك الكتاب أصلا لمعرفة علامات الحق من الباطل، وكتبنا أيضا كتابنا المرسوم بالفصل، فبينا فيه صواب ما اختلف الناس فيه من الملل والنحل بالبراهين التي أثبتنا جملها في كتاب التقريب. ولم ندع بتوفيق الله عز وجل لنا للشك في شيء من ذلك مساغا، والحمد لله كثيرا. ثم جمعنا كتابنا هذا وقصدنا فيه بيان الجمل في مراد الله عز وجل منا فيما كلفناه من العبادات، والحكم بين الناس بالبراهين التي أحكمناها في الكتاب المذكور آنفا. وجعلنا هذا الكتاب بتأييد خالقنا عز وجل لنا، موعبا للحكم فيما اختلف فيه الناس من أصول الأحكام في الديانة مستوفى، مستقصى، محذوف الفضول، محكم الفصول، راجين أن ينفعنا الله عز وجل به يوم فقرنا إلى ما يثقل به ميزاننا من الحسنات، وأن ينفع به تعالى من يشاء من خلقه، فيضرب لنا في ذلك بقسط، ويتفضل علينا منه بحظ، فهو الذي لا يخيب رجاء من قصده بأمله وهو القادر على كل شيء: لا إله إلا هو.

and majestic, granted us, we left no room for doubt concerning any of that; abundant praise belongs to God. We then compiled this book, intending in it to explain the comprehensive principles concerning what God, mighty and majestic, intends of us in the acts of worship and adjudication between people with which we have been charged, using the demonstrations we firmly established in the book just mentioned. With the support of our Creator, mighty and majestic, we have made this book comprehensive in adjudicating the matters concerning the foundations of religious rulings over which people have differed: complete, exhaustive, stripped of superfluities, and firmly ordered in its chapters. We hope that God, mighty and majestic, will benefit us through it on the day when we stand in need of good deeds to make our balance heavy, and that He Most High will benefit through it whomever He wills among His creatures, allotting us a portion therein and graciously granting us a share of it. For He is the One who does not disappoint the hope of anyone who turns to Him in expectation, and He has power over all things; there is no god but He.[7]

L13–14 Now is the time for us to begin this, through God's might and power. We say, success coming from God Most High: since it has been established that the world is created and that it has a Creator who has always existed, mighty and majestic; and it has been established that He sent His Messenger Muḥammad, God bless him and grant him peace, to all people, so that whoever obeys him may escape from the layers of fire surrounding us into the Garden prepared for His friends, mighty and majestic, and so that whoever disobeys him may be cast headlong into the blazing Fire; and it has been established that, through the tongue of His Prophet, God bless him and grant him peace, He has made binding upon us revealed laws consisting of commands, prohibitions, and permissions, through the observance of those revealed laws one attains triumph and is delivered from destruction; and it has been established that He deposited those revealed laws in the speech that He commanded His Messenger, God bless him and grant him peace, to convey to us and called a

[7] **Translator's note (L9):** The supplied reading mustaḥliya, rendered here as "delicious," is awkward beside "the most repulsive transformation." The context suggests a possible corruption of mustaḥīla, "undergoing transformation"; the English supplies the transition required by the surrounding construction.

وهذا حين نبدأ في ذلك بحول الله وقوته فنقول وبالله تعالى التوفيق: إنه لما صح أن العالم مخلوق، وأن له خالقا لم يزل عز وجل وصح أنه ابتعث رسوله محمدا صلى الله عليه وسلم إلى جميع الناس ليتخلص من أطاعه من أطباق النيران المحيطة بنا إلى الجنة المعدة لأوليائه عز وجل، وليكب من عصاه في النار الحامية وصح أنه ألزمنا على لسان نبيه صلى الله عليه وسلم شرائع من أوامر ونواه وإباحات باستعمال تلك الشرائع، يوصل إلى الفوز، وينجي من الهلاك، وصح أنه أودع تلك الشرائع في الكلام الذي أمره به رسوله الله صلى الله عليه وسلم بتبليغه إلينا وسماه قرآنا وفي الكلام الذي أنطق به رسوله صلى الله عليه وسلم وسماه وحيا غير قرآن وألزمنا في كل ذلك طاعة نبيه عليه السلام لزمنا تتبع تلك الشرائع في هذين الكلامين لنتخلص بذلك من العذاب، ونحصل على السلامة والحظوة في دار الخلود،

Qurʾān, and in the speech that He caused His Messenger, God bless him and grant him peace, to utter and called revelation other than Qurʾān, and that in all of this He made obedience to His Prophet, peace be upon him, binding upon us: it follows that we must seek out those revealed laws in these two forms of speech, so that through this we may escape punishment and attain safety and favor in the abode of everlasting life.[8][9]

L15–18 We found that He Most High had made this binding upon us by His saying in His revealed Book: "The believers should not go forth all together. Why, then, should a party from every group of them not go forth, so that they may gain understanding in religion and warn their people when they return to them, that they may beware?" It therefore became obligatory for us to go forth for the purpose for which our Creator, mighty and majestic, summoned us forth. We found that He had said in the Qurʾān—which has been established to come from Him, mighty and majestic, and in which He deposited His injunctions addressed to us and binding upon us—"O you who believe, obey God and obey the Messenger and those vested with authority among you. If you dispute over anything, refer it to God and the Messenger, if you believe in God and the Last Day. That is better and fairer in outcome." Abū Muḥammad said: We examined this verse and found that it encompasses everything that people, from first to last, have discussed, whether they agreed upon it or differed over it, concerning the rulings and acts of worship that God, mighty and majestic, prescribed. Nothing of this falls outside it. Our entire book therefore concerns explaining the implementation of this verse and how it is to be carried out; explaining the two commanded obediences, to God Most High and to His Messenger, peace be upon him; obedience to those vested with authority; who those vested with authority are; explaining the disputes that arise among us; explaining the matters over which disputes

ووجدناه تعالى قد ألزمنا ذلك بقوله في كتابه المنزل: {وما كان المؤمنون لينفروا كآفة فلولا نفر من كل فرقة منهم طآئفة ليتفقهوا في الدين ولينذروا قومهم إذا رجعوا إليهم لعلهم يحذرون} فوجب علينا أن ننفر لما استنفرنا له خالقنا عز وجل، فوجدناه قد قال في القرآن الذي قد ثبت أنه من قبله عز وجل، والذي أودعه عهوده إلينا اللازمة لنا: {يا أيها الذين آمنوا أطيعوا الله وأطيعوا الرسول وأولي الأمر منكم فإن تنازعتم في شيء فردوه إلى الله والرسول إن كنتم تؤمنون بالله واليوم الآخر ذلك خير وأحسن تأويلا} قال أبو محمد: فنظرنا في هذه الآية فوجدناها جامعة لكل ما تكلم الناس فيه أولهم عن آخرهم، مما أجمعوا عليه واختلفوا فيه الأحكام والعبادات التي شرعها الله عز وجل، لا يشذ عنها شيء من ذلك، فكان كتابنا هذا كله في بيان العمل بهذه الآية وكيفيته وبيان الطاعتين المأمور بهما لله تعالى ولرسوله عليه السلام وطاعة أولي الأمر ومن هم أولو الأمر وبيان التنازع الواقع منا، وبيان ما يقع فيه التنازع بيننا، وبيان رد ما تنوزع فيه إلى الله تعالى ورسوله عليه السلام وهذا هو جماع الديانة كلها ووجدناه قد قال تعالى {حرمت عليكم الميتة والدم ولحم الخنزير وما أهل لغير الله به والمنخنقة والموقوذة والمتردية والنطيحة وما أكل السبع إلا ما ذكيتم وما ذبح على النصب وأن تستقسموا بالأزلام ذلكم فسق اليوم يئس الذين كفروا من دينكم فلا تخشوهم واخشون اليوم أكملت لكم دينكم وأتممت عليكم نعمتي ورضيت لكم الأسلام دينا فمن اضطر في مخمصة غير متجانف لإثم فإن الله غفور رحيم} فأيقنا أن الدين قد

[8] **Translator's note (L13):** The final construction is syntactically awkward in the supplied Arabic. Its sense continues in the next segment: observing those revealed laws leads to triumph and deliverance.

[9] **Translator's note (L14):** The wording corresponding to "He commanded His Messenger … to convey to us" is grammatically corrupt in the supplied text: the pronouns and the words "His Messenger" and "God" do not form a coherent construction. The translation gives the apparent intended sense.

arise among us; and explaining the referral of disputed matters to God Most High and His Messenger, peace be upon him. This comprises the entirety of religion. We found that He Most High had said: "Forbidden to you are carrion, blood, the flesh of swine, that over which a name other than God's has been invoked, the strangled animal, the animal beaten to death, the animal killed by a fall, the animal gored to death, and that which a beast of prey has eaten—except what you slaughter—and what has been slaughtered upon sacrificial stones; and that you seek apportionment by divining arrows. That is transgression. Today those who disbelieve have despaired of your religion, so do not fear them, but fear Me. Today I have perfected your religion for you, completed My favor upon you, and approved Islam as a religion for you. But whoever is compelled by severe hunger, without inclining toward sin—God is indeed forgiving, merciful." We therefore became certain that religion had been perfected and brought to completion. Whatever has been perfected, no one may add to it, subtract from it, or alter it. Thus, through this verse, it has been established with certainty that religion in its entirety is to be taken only from God, mighty and majestic, then through the tongue of the Messenger of God, God bless him and grant him peace. He is the one who conveys to us our Lord's commands, prohibitions, and permissions, mighty and majestic; no one other than he conveys anything to us from God Most High. And he —peace be upon him—says nothing on his own authority, but only from his Lord Most High; then through the tongues of those vested with authority among us, for they are the ones who convey to us, generation after generation, what the Messenger of God, God bless him and grant him peace, brought from God Most High. They have no right to say anything whatsoever on their own authority, but only to transmit from the Prophet, peace be upon him. This is the description of the true religion, everything beyond which is false and is no part of religion. For whatever does not come from God Most High is no part of God's religion at all; whatever the Messenger of God, may God bless him and grant him peace, has not explained is no part of religion at all; and whatever those vested with authority among us have not conveyed to us from the Messenger of God, may God bless him and grant him peace, is no part of religion at all. Thus, through the power and strength of God Most High, we have explained the error of whoever errs

كمل وتناهى، وكل ما كمل فليس لأحد أن يزيد فيه ولا أن ينقص منه ولا أن يبدله. فصح بهذه الآية يقينا أن الدين كله لا يؤخذ إلا عن الله عز وجل ثم على لسان رسول الله صلى الله عليه وسلم فهو الذي يبلغ إلينا أمر ربنا عز وجل ونهيه وإباحته، لا مبلغ إلينا شيئا عن الله تعالى أحد غيره وهو عليه السلام لا يقول شيئا من عند نفسه لكن عن ربه تعالى، ثم على ألسنة أولي الأمر منا، فهم الذين يبلغون إلينا جيلا بعد جيل ما أتى به رسول الله صلى الله عليه وسلم عن الله تعالى وليس لهم أن يقولوا من عند أنفسهم شيئا أصلا لكن عن النبي عليه السلام هذه صفة الدين الحق الذي كل ما عداه فباطل، وليس من الدين، إذ ما لم يكن من عند الله تعالى، فليس من دين الله أصلا وما لم يبينه رسول الله صلى الله عليه وسلم فليس من الدين أصلا وما لم يبلغه إلينا أولو الأمر منا عن رسول الله صلى الله عليه وسلم فليس من الدين أصلا فبينا بحول الله تعالى وقوته غلط من غلط في هذا الباب، بأن ترك ما هو من الدين مخطئا غير عامد للمعصية، أو عامدا لها، أو أدخل فيه ما ليس منه كذلك، فلا يخرج البتة الخطأ في أحكام الديانة عن هذين الوجهين: إما ترك، وإما زيادة، ولخصنا الحق تلخيصا لا يشكل على نصح نفسه. وقصد الله عز وجل بنيته وما توفيقنا إلا بالله عز وجل. وجعلنا كتابنا هذا أبوابا لنقرب على من أراد النظر فيه، ويسهل عليه البحث عما أراد الوقوف عليه منه، رغبة منا في إيصال العلم إلى من طلبه، ورجاء ثواب الله عز وجل في ذلك، وبالله تعالى نتأيد.

in this matter by abandoning something that belongs to religion, whether mistakenly, without intending disobedience, or deliberately intending it; or by introducing into religion something that does not belong to it, under the same alternatives. Error in religious rulings can never fall outside these two forms: either omission or addition. We have set out the truth distinctly, in a manner that will present no difficulty to anyone who deals honestly with himself and directs his intention toward God, mighty and majestic. Our success comes only through God, mighty and majestic. We have arranged this book of ours into chapters to make it accessible to anyone wishing to examine it and to make it easy for him to search for whatever he wishes to ascertain within it, out of our desire to convey knowledge to whoever seeks it and our hope for the reward of God, mighty and majestic, for doing so. From God Most High we draw support.[10]

[10]**Qur'an references (L15):** Qur'an 9:122 (At-Tawbah); Qur'an 4:59 (An-Nisa); Qur'an 5:3 (Al-Ma'idah).



PRECISION IN THE FOUNDATIONS OF LEGAL RULINGS

الباب 2: ترتيب الأبواب

Chapter 2: Arrangement of the Chapters

Ibn Ḥazm · Arabic–English parallel edition

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L19 Chapter on the Arrangement of the Chapters, Which Is the Second Chapter

For the first chapter is at the beginning of this book and states its purpose; it is the one completed before this beginning.

Chapter Two: The present chapter, on the arrangement of the chapters of this book.

Chapter Three: Establishing the proofs of reason, explaining what reason apprehends in reality, and explaining the error of those who attribute to reason what it does not possess.

Chapter Four: How the languages by which all things are expressed and through which people communicate arose.

Chapter Five: The expressions current among those engaged in inquiry.

Chapter Six: Whether things, according to reason, are prohibited or permitted, or fall under neither alternative, pending whatever pronouncement concerning them comes from their Creator, mighty and majestic.

Chapter Seven: The foundations of religious rulings, the divisions of knowledge, and whether one who makes a denial bears a burden of proof.

Chapter Eight: The meaning of clarification.

Chapter Nine: Delaying clarification.

Chapter Ten: Adhering to what the Quran entails.

L20 Chapter Eleven: The reports that constitute the transmitted practices; some sections of this chapter concern the cause of the disagreement that has arisen among the imams.

Chapter Twelve: The commands and prohibitions occurring in the Quran and the Sunnah, adhering to the apparent meaning of both, and construing all of these as requiring obligation and immediate compliance, or recommendation, or deferred compliance.

Chapter Thirteen: Construing them as general or specific.

Chapter Fourteen: The minimum number denoted by a plural occurring in them.

باب ترتيب الأبواب، وهو الباب الثاني إذ الباب الأول في صدر هذا الكتاب، وذكر الغرض فيه وهو الذي تم قبل هذا الابتداء. الباب الثاني: هذا الذي نحن فيه وهو ترتيب أبواب هذا الكتاب. الباب الثالث: في إثبات حجج العقل وبيان ما يدركه على الحقيقة، وبيان غلط من ظن في العقل ما ليس فيه. الباب الرابع: في كيفية ظهور اللغات التي يعبر بها عن جميع الأشياء ويتخاطب بها الناس. الباب الخامس: في الألفاظ الدائرة بين أهل النظر. الباب السادس: هل الأشياء في العقل على الحظر أو الإباحة. أو لا على واحد منها لكن على ترقب ما يرد فيها من خالقها عز وجل. الباب السابع: في أصول أحكام الديانة وأقسام المعارف وهل على النافي دليل أو لا الباب الثامن في معنى البيان الباب التاسع في تأخير البيان الباب العاشر في القول بموجب القرآن

الباب الحادي عشر في الأخبار التي هي السنن وفي بعض فصول هذا الباب سبب الاختلاف الواقع بين الأئمة. الباب الثاني عشر: في الأوامر والنواهي الواردة في القرآن والسنة والأخذ بالظاهر منهما وحمل كل ذلك على الوجوب والفور. أو الندب أو التراخي. الباب الثالث عشر في حملها على العموم أو الخصوص الباب الرابع عشر في أقل الجمع الوارد فيها الباب الخامس عشر في الاستثناء منها الباب السادس عشر في الكناية بالضمير

Chapter Fifteen: Exceptions from them.

Chapter Sixteen: Writing by means of a pronoun.[1]

L21 Chapter Seventeen: Writing by means of an indication.

Chapter Eighteen: Figurative usage and comparison.

Chapter Nineteen: The actions of the Messenger of God, may God bless him and grant him peace, and anything he sees or that is reported to him which he then tacitly approves, without commanding or prohibiting it.

Chapter Twenty: Abrogation.

Chapter Twenty-One: The ambiguous passages of the Quran and its unambiguous passages, and the distinction between this and the doubtful matters mentioned in the hadith concerning what lies between the lawful and the unlawful.

Chapter Twenty-Two: Consensus.

Chapter Twenty-Three: Presuming the continuation of an existing state, and the invalidity of contracts and conditions except those expressly stipulated in a text or whose validity is established by consensus; this is a category of proof based on consensus.

Chapter Twenty-Four: The least that has been asserted; this, too, is a type of proof based on consensus.

Chapter Twenty-Five: Condemning disagreement and prohibiting it.

Chapter Twenty-Six: The truth being in one position, while all the remaining positions are erroneous.

Chapter Twenty-Seven: Deviation, the meaning of this expression, and refuting the obfuscation effected by invoking it.

[1] **Translator's note (L20):** The supplied heading for Chapter Sixteen reads "writing by means of a pronoun." "Writing" may be a transcription error for "indirect reference," which would yield "indirect reference by means of a pronoun"; the supplied reading has been retained.

الباب السابع عشر في الكناية بالإشارة الباب الثامن عشر في المجاز والتشبيه الباب التاسع عشر في أفعال رسول الله صلى الله عليه وسلم وفي الشيء يراه أو يبلغه فيقره صامتا عن الأمر به أو النهي عنه الباب الموفي عشرين في النسخ الباب الحادي والعشرون في المتشابه من القرآن والمحكم، والفرق بينه وبين المتشابه المذكور في الحديث بين الحلال والحرام الباب الثاني والعشرون في الإجماع الباب الثالث والعشرون في استصحاب الحال وبطلان العقود والشروط إلا ما نص عليه منها أو أجمع على صحته، وهو باب من الدليل الإجماعي. الباب الرابع والعشرون: في أقل ما قيل وهو أيضا نوع من أنواع الدليل الإجماعي. الباب الخامس والعشرون: في ذم الاختلاف والنهي عنه. الباب السادس والعشرون: في أن الحق في واحد وسائر الأقوال كلها خطأ. الباب السابع والعشرون: في الشذوذ، ومعنى هذه اللفظة وإبطال التمويه بذكرها. الباب الثامن والعشرون: في تسمية الفقهاء المعتد بهم في الخلاف بعد الصحابة رضي الله عنهم. الباب التاسع والعشرون: في الدليل النظري والفرق بينه وبين القياس.

Chapter Twenty-Eight: Naming the jurists after the Companions, may God be pleased with them, whose views count in disagreement.

Chapter Twenty-Nine: Inferential proof and the distinction between it and analogy.[2]

L22 Chapter Thirty: The Islamic revealed law being binding upon every believer and unbeliever, and the time at which revealed laws become binding upon a human being.

Chapter Thirty-One: The manner of seeking knowledge of jurisprudence, the qualifications of the mufti, the nature of independent scholarly judgment, and what each person is obliged to seek to learn about his religion.

L23 Chapter Thirty-Two: The necessity of intentions in actions; the distinction between an intended error without intention, an unintended error, and deliberate conduct intended both in act and intention; and the circumstances in which a person's action affects another through sin or righteousness, and those in which it does not.

Chapter Thirty-Three: The revealed laws of the prophets before our Prophet, may God bless him and grant him peace: are they binding upon us or not?

Chapter Thirty-Four: Precaution and blocking the means.

Chapter Thirty-Five: Refuting juristic preference, deduction, and personal opinion.

Chapter Thirty-Six: Refuting uncritical adherence to authority.

Chapter Thirty-Seven: Implication drawn from the wording of an address.

Chapter Thirty-Eight: Refuting analogy.

Chapter Thirty-Nine: Refuting the effective causes claimed by the proponents of analogy; distinguishing them from natural causes, which are causes

[2]**Translator's note (L21):** The supplied heading for Chapter Seventeen reads "writing by means of an indication." As in Chapter Sixteen, "writing" may be a transcription error for "indirect reference"; the supplied reading has been retained. In Chapter Twenty-One, the antecedent of "this" is not explicit. The heading distinguishes Quranic ambiguity from the doubtful matters between the lawful and unlawful mentioned in the hadith.

الباب الموفي ثلاثين: في لزوم الشريعة الإسلامية لكل مؤمن وكافر ووقت لزوم الشرائع للإنسان. الباب الحادي والثلاثون: في صفة طلب الفقه، وصفة المفتي، وصفة الاجتهاد وما يلزم لكل واحد طلبه من دينه.

الباب الثاني والثلاثون: في وجوب النيات في الأعمال والفرق بين الخطأ المقصود بلا نية الخطأ غير المقصود، والعمد المقصود بالفعل والنية جميعا وحيث يلحق عمل المرء غيره من إثم وبر وحيث لا يلحق. الباب الثالث والثلاثون في شرائع الأنبياء قبل نبينا صلى الله عليه وسلم أتلزمنا أم لا الباب الرابع والثلاثون في الاحتياط وقطع الذرائع. الباب الخامس والثلاثون: في إبطال الاستحسان والاستنباط والرأي الباب السادس والثلاثون في إبطال التقليد الباب السابع والثلاثون في دليل الخطاب الباب الثامن والثلاثون في إبطال القياس الباب التاسع والثلاثون في إبطال العلل التي يدعيها أهل القياس والفرق بينها وبين العلل الطبيعية التي هي العلل على الحقيقة والكلام في الأسباب والأغراض والمعاني والعلامات والأمارات. الباب الموفي أربعين: في الاجتهاد ما هو وبيانه ومن هو معذور باجتهاده ومن ليس معذورا به، ومن يقطع عليه أنه أخطأ عند الله عز وجل فيما أداه إليه اجتهاده ومن لا يقطع عليه أنه مخطىء عند الله عز وجل وإن خالفناه في إثبات حجج العقول

in the true sense; and discussing causes, purposes, meanings, signs, and indications.

Chapter Forty: Independent scholarly judgment—what it is and its explanation; who is excused on account of his independent scholarly judgment and who is not; whose conclusion reached through independent scholarly judgment can be declared with certainty to be erroneous before God, mighty and majestic, and who cannot be declared with certainty to be mistaken before God, mighty and majestic, even though we disagree with him.

On Establishing the Proofs of Reason[3]

[3]**Translator's note (L23):** The wording of Chapter Thirty-Two is awkward and apparently defective: "the intended error without intention" is followed directly by "the unintended error," without a conjunction. The translation preserves the stated categories without supplying a missing distinction or silently repairing the wording. "On Establishing the Proofs of Reason" appears to begin the substantive chapter following the table of contents.

الباب 3: حجج العقل ومصادر المعرفة

Chapter 3: Rational Proof and the Sources of Knowledge

Ibn Ḥazm · Arabic–English parallel edition

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L24–30 Abu Muhammad said: Some people say that nothing is known except through inspiration. Others say that nothing is known except through the pronouncement of the imam, who, according to them, is a particular man—except that, for a hundred and seventy years now, he has had no whereabouts, has been lost in person, a stray among strays. Others say that nothing is known except through a report. Others say that nothing is known except through uncritical adherence to authority. They argued for invalidating the proof of reason by saying: A person may be seen believing something, arguing in its defense, and having no doubt that it is true; then something different becomes apparent to him. If the proofs of reason were truthful, their evidences would not change.

Abu Muhammad said: This is unsound obfuscation. In someone's abandoning a position that he used to believe and defend, they have no argument against those who affirm the proofs of reason. For we have not said that anyone who believes a particular position is correct in it, nor have we said that everything anyone adduces as evidence for his position is true. Had we said that, we would have departed from the judgment of reason. Rather, we have said that some inference leads to a correct position when the inference is sound and arranged in a proper order, as we have explained and established with the utmost rigor in the Book of Approximation. Inference, when unsound, may lead to an unsound position; that happens when it departs from the method of sound inference. We have drawn attention to the branching paths and obstacles that intervene along the course of inference, explained them, and warned against them in the aforementioned book. There we left no unresolved point in explaining everything we mentioned, and made it as clear as possible. Thus, when someone moves from one position to another, one of his two inferences must necessarily be unsound, either the first or the second. Both may be unsound, so that he moves from an unsound position to an unsound position of his; or he moves from a correct position to an unsound position, or from an unsound position to a correct position. One of these alternatives is unavoidable. They cannot possibly both be correct, because a thing cannot be true without qualification at one time and in one respect. There may be numerous alternatives many, all of them false except

قال أبو محمد قال قوم لا يعلم شيء إلا بالإلهام، وقال آخرون: لايعلم شيء إلا بقول الإمام، وهو عندهم رجل بعينه إلا أنه الآن منذ مائة عام وسبعين عاما معدوم المكان، متلف العين، ضالة من الضوال وقال آخرون لا يعلم شيء إلا بالخبر وقال آخرون لا يعلم شيء إلا بالتقليد واحتجوا في إبطال حجة العقل بأن قالوا: قد يرى الإنسان يعتقد بشيء ويجادل عنه، ولا يشك في أنه حق. ثم يلوح له غير ذلك، فلو كانت حجج العقول صادقة لما تغيرت أدلتها. قال أبو محمد: هذا تمويه فاسد، ولا حجة لهم على مثبتي حجج العقول في رجوع من رجع عن مذهب كان يعتقده، ويناضل عنه، لأننا لم نقل: إن كان معتقد لمذهب ما فهو محق فيه، ولا قلنا: إن كل ما استدل به مستدل ما على مذهبه فهو حق ولو قلنا ذلك لفارقنا حكم العقول لكن قلنا إن من الاستدلال ما يؤدي إلى مذهب صحيح إذا كان الاستدلال صحيحا مرتبا ترتيبا قويما على ما قد بيناه وأحكمناه غاية الإحكام في كتاب التقريب. وقد يوقع الاستدلال إذا كان فاسدا على مذهب فاسد، وذلك إذا خولف به طريق الاستدلال الصحيح، وقد نبهنا على الشعاب والعوارض المعترضة في طريق الاستدلال وبيناها وحذرنا منها في الكتاب المذكور، ولم ندع هنالك في تبيين كل ما ذكرناه علقة وأوضحناه غاية الإيضاح. فالراجع عن مذهب إلى مذهب لا بد له ضرورة من أن يكون أحد استدلاليه فاسدا، إما الأول، وإما الثاني، وقد يكونان معا فاسدين، فيتنقل من مذهب فاسد إلى مذهبه فاسد. أو من مذهب صحيح إلى مذهب فاسد، أو من مذهب فاسد إلى مذهب صحيح. لا بد من أحد هذه الوجوه، ولا يجوز أن يكونا صحيحين معا البتة. لأن الشيء لا يكون حقا بإطلاق في وقت واحد من وجه واحد. وقد يكون أقساما كثيرة كلها باطل إلا واحدا فينتقل المرء من قسم فاسد منها إلى آخر فاسد، وهذا إنما يعرض لمن غبن عقله ولم ينعم النظر، فمال بهوى أو تهور بشهوة، أو أحجم لفرط جبنه، أو لمن كان جاهلا بوجوه طرق الاستدلال الصحيحة لم يطالعها ولا تعلمها. وأكثر ما يقع ذلك

one, so that a person moves from one unsound alternative among them to another unsound one. This happens only to someone who has cheated his own reason and failed to examine matters carefully, and has thus inclined through caprice, rushed headlong through desire, or held back through excessive cowardice; or to someone ignorant of the forms of sound methods of inference, who has neither studied nor learned them. Most often this occurs in matters that he derives from remote premises. The path leading from the first principles of knowledge to the soundness of the position sought is then a long path with many branches, along which a dull mind becomes weary. With the length of the undertaking and the amount and intricacy of the work, tedium enters, giving rise to doubt, confusion, and inadvertence, just as these affect someone performing a calculation, even though calculation is a necessary science that admits no contradiction. He finds separate numbers on a sheet of paper, and when he wishes to add them together, if they are very numerous, he may become inattentive and make a mistake. Yet when he checks carefully, makes certain, and does not occupy his mind with anything else, he arrives at certainty without doubt. This is something encountered through sensory experience, as you see. It may also affect the senses: a man sees a person with his own eyes and may suppose him to be Zayd and stubbornly insist upon it, until, when he examines him carefully, he knows that he is ʿAmr. The same occurs with a sound that is heard, something smelled, something touched, and something tasted. This may also happen with something a man seeks while it lies before him among many things: his toil in seeking it is prolonged, and finding it proves difficult, but afterward he finds it. His failure to find it does not invalidate its actually being before him. The same occurs in inference. None of this entails the invalidity of sensory apprehension or of the apprehension of reason, through which the soundness of what the senses apprehend is known. Without it, we would know nothing at all, just as the senses of a person who is wholly insane or unconscious can scarcely be of benefit. This seldom occurs with a small number of figures or with what is derived through premises close to the first principles of knowledge. There is no possibility of its occurring with what the first principles of knowledge necessarily establish, except in the case of a shameless sophist who knows with certainty in his heart that

فيما يأخذ من مقدمات بعيدة، فكان الطريق المؤدي من أوائل المعارف إلى صحة المذهب المطلوب طريقا بعيدا كثير الشعب، فيكل فيها الذهن الكليل، ويدخل مع طول الأمر وكثرة العمل ودقته السآمة، فيتولد فيها الشك والخبال والسهو، كما يدخله ذلك على الحاسب في حسابه، على أن الحساب علم ضروري لا يتناقض فيجد أعدادا متفرقة في قرطاس، فإذا أراد الحاسب جمعها فإن كثرت جدا فربما غفل وغلط، حتى إذا حقق وتثبت ولم يشغل خاطره بشيء وقف على اليقين بلا شك. هذا شيء يوجد حسا كما ترى، وقد يدخل أيضا على الحواس، فيرى المرء بعينه شخصا، فربما ظنه زيدا وكابر عليه، حتى إذا تثبت فيه علم أنه عمرو، وهكذا يعرض في الصوت المسموع وفي المشموم وفي الملموس وفي المذوق، وقد يعرض ذلك الشيء، يطلبه المرء وهو بين يديه في جملة أشياء كثيرة فيطول عناؤه في طلبه ويتعذر عليه وجوده، ثم يجده بعد ذلك، فلا يكون عدم وجوده إياه مبطلا لكونه بين يديه حقيقة، فكذلك يعرض في الاستدلال، وليس شيء من ذلك بموجب بطلان صحة إدراك الحواس، ولا صحة إدراك العقل الذي به علمت صحة ما أدركته الحواس، ولولاه لم نعلم أصلا، كما أن حواس المجنون المطبق والمغشي عليه لا يكاد ينتفع بها، وقل ما يعرض هذا في أعداد يسيرة ولا فيما أخذ بمقدمات قريبة من أوائل المعارف، ولا سبيل إلى أن يعرض ذلك فيما أوجبته أوائل المعارف إلا لسوفسطائي رقيع، يعلم يقينا بقلبه أنه كاذب، وأنه مبطل وقاح، أو لمرور ممسوس ينبغي أن يعالج دماغه، فهذا معذور، وإنما نكلم الأنفس لسنا نقصد بكلامنا الألسنة. ولا علينا قصر الألسنة بالحجة إلى الإذعان بالحق، وإنما علينا قسر الأنفس إلى تيقن معرفته فقط. فهذا الذي ظنوه من رجوع من كان على مذهب ما إلى مذهب آخر أن ذلك كله حجج عقل تفاسدت، إنما هو خطأ صريح، فمن هنا دخلت عليهم الشبهة، وإنما بيان ذلك أن ما كان من الدلائل صحيحا مسبورا محققا، فهو حجة العقل، وما كان منها بخلاف ذلك فليست حجة عقل، بل العقل يبطلها، فسقط ما ظنوا والحمد لله رب العالمين. وقد أحكمنا هذا غاية الإحكام

he is lying and is an impudent purveyor of falsehood, or a deranged man afflicted with black bile whose brain ought to be treated; this latter person is excused. We address souls; our speech is not directed at tongues. Nor is it incumbent upon us to compel tongues, by argument, to acknowledge the truth. It is incumbent upon us only to compel souls to know it with certainty. Thus their supposition, on the basis of someone's turning from one position to another, that all of this consists of arguments of reason that have invalidated one another is simply an outright error. This is how the specious doubt entered their minds. And the explanation of this is simply that whatever proofs are sound, tested, and verified constitute the argument of reason, whereas whatever among them is otherwise does not constitute an argument of reason; rather, reason invalidates it. Thus their supposition falls away, and praise belongs to God, Lord of the worlds. We have treated this with the utmost precision—and praise belongs to God, Lord of the worlds—in a chapter devoted to this subject at the end of our book entitled al-Fiṣal, headed "Chapter Discussing Those Who Maintain the Equivalence of the Proofs." They have also asked, saying: "By what did you recognize the soundness of the argument of reason: by an argument of reason or by something else? If you say, 'We recognized it by the argument of reason,' that is precisely what we dispute with you. If you say, 'By something else,' then produce it." Abū Muḥammad said: This is a question that invalidates all realities. The answer to it—and success is through God Most High—is that we recognized the soundness of what reason necessarily establishes without an intermediary and without any lapse of time. There was absolutely no interval between the first moments of our understanding and our knowledge of this. At the first moments of our understanding, we knew that the whole is greater than the part, that every individual is other than another individual, that a thing cannot be standing and sitting in the same state, and that what is long extends farther than what is short. Through this faculty we recognized the soundness of what the senses necessarily establish. Whenever there is no interval or lapse of time between the first moments of a person's knowledge and his knowledge of something, there is no time in which to infer it. No one knows how this came about for him, except that it is solely the act of God, Mighty and Majestic, in souls. Then, from this knowledge, we derived

والحمد لله رب العالمين، في باب أفردناه لهذا المعنى في آخر كتابنا الموسوم بالفصل، ترجمته باب الكلام على من قال بتكافؤ الأدلة. وقد سألوا أيضا فقالوا: بأي شيء عرفتم صحة حجة العقل؟ أبحجة عقل أم بغير ذلك؟ فإن قلتم: عرفناها بحجة العقل ففي ذلك نازعناكم وإن قلتم بغير ذلك فهاتوه قال أبو محمد وهذا سؤال مبطل الحقائق كلها والجواب على ذلك وبالله تعالى التوفيق أن صحة ما أوجبه العقل عرفناه بلا واسطة وبلا زمان، ولم يكن بين أول أوقات فهمنا، وبين معرفتنا بذلك مهلة البتة، ففي أول أوقات فهمنا علمنا أن الكل أكثر من الجزء، وأن كل شخص فهو غير الشخص الآخر، وأن الشيء لا يكون قائما قاعدا في حال واحدة، وأن الطويل أمد من القصير وبهذه القوة عرفنا صحة ما توجبه الحواس، وكلما لم يكن بين أول أوقات معرفة المرء وبين معرفته به مهلة ولا زمان، فلا وقت للاستدلال فيه، ولا يدري أحد كيف وقع له ذلك، إلا أنه فعل الله عز وجل في النفوس فقط. ثم من هذه المعرفة أنتجنا جميع الدلائل. ثم نقول له إن كنت مسلما بالقرآن يوجب صحة حجج العقول على ما سنورده في آخر هذا الباب إن شاء الله تعالى، فإن كلامنا في هذا الديوان إنما هو مع أهل ملتنا. وأما إن كان المكلم به لنا غير مسلم فقد أجبناه عن هذا السؤال في كتابنا الموسوم بالفصل، وكتابنا الموسوم بالتقريب، وتقصينا هذا الشك وبينا خطأه بعون الله تعالى، وليس كتابنا هذا مكان الكلام مع هؤلاء.

all proofs. We then say to him: "If you are a Muslim, the Qurʾān establishes the soundness of the arguments of reason, as we shall set forth at the end of this chapter, God Most High willing." Our discussion in this volume is only with the people of our own religion. But if the person addressing this to us is not a Muslim, we have answered this question for him in our book entitled al-Fiṣal and our book entitled al-Taqrīb. We have examined this doubt exhaustively and explained its error with the help of God Most High. This book of ours is not the place for discussion with these people.[1][2][3]

L31–34 Abū Muḥammad said: One who maintains inspiration is to be asked: "What is the difference between you and someone who claims that he has been inspired to recognize the falsity of your statement?" He has no way of extricating himself from this objection. The distinction between this claim and the claim of someone who claims that he apprehends through his reason the contrary of what he apprehends through reason's immediate intuition, and between what he does not apprehend through the first principles of reason, is that everyone in the East and the West, when asked about the things we have mentioned that we know through the first principles of reason, reports exactly what we report; whereas, among those who claim inspiration and the apprehension of what others apprehend through the first principles of their reason, no two agree about what each of them claims as inspiration or appre-

قال أبو محمد: ويقال لمن قال بإلهام: ما الفرق بينك وبين من ادعى أنه ألهم بطلان قولك فلا سبيل له إلى الانفصال عنه. والفرق بين هذه الدعوى ودعوى من ادعى أنه يدرك بعقله خلاف ما يدركه ببديهة العقل، وبين ما لا يدركه بأوائل العقل أن كل من في المشرق والمغرب إذا سئل عما ذكرناه أننا عرفناه بأوائل العقل أخبر بمثل ما نخبر سواء، وأن المدعين للإلهام، ولإدراك ما يدركه غيرهم بأوله عقله، لا يتفق اثنان منهم على ما يدعيه كل واحد منهم، إلهاما أو إدراكا، فصح بلا شك أنهم كذبة. وأن الذي بهم وسواس. وأيضا فإن الإلهام دعوى مجردة من الدليل، ولو أعطي كل امرىء بدعواه المعراة لما ثبت حق، ولا بطل باطل، ولا استقر ملك أحد على مال ولا انتصف من ظالم، ولا صحت ديانة أحد أبدا، لأنه لا يعجز أحد عن أن يقول: ألهمت أن دم فلان حلال، وأن ماله مباح لي أخذه، وأن زوجه مباح لي وطؤها، وهذا لا ينفك منه، وقد يقع في النفس وساوس كثيرة لا يجوز أن تكون حقا، وأشياء متضادة يكذب بعضها بعضا، فلا بد من حاكم يميز الحق منها من الباطل، وليس ذلك إلا العقل الذي لا تتعارض دلائله وقد بينا ذلك في كتاب التقريب وقال أبو محمد ويقال لمن قال بالإمام بأي شيء عرفت صحة قول الإمام، أببرهان أم بمعجزة أم بإلهام؟ أم بقوله مجردا؟. فإن قال ببرهان كلف بأن يأتي به، ولا سبيل له إليه، وإن قال بمعجزة ادعى البهتان لاسيما الآن وهم يقرون أنه قد خفي عنهم موضعه منذ مائة وسبعين عاما، وإن قالوا بالإلهام سئلوا بما ذكرنا في إبطال

[1] **Translator's note (L24):** The phrase rendered "has been lost in person" is textually awkward: the supplied wording can suggest destruction or loss of the person himself. In context it forms part of the author's polemic about the imam's prolonged disappearance; its exact reading is uncertain.

[2] **Translator's note (L25):** The supplied wording says "to an unsound position of his," where the possessive is awkward and may be a transcription error; it has been retained. The sentence beginning "because a thing cannot be true" appears incomplete or corrupt: as supplied, it lacks the opposing predicate needed to express the apparent argument against contradictory positions both being true. The translation retains the supplied assertion without inserting that predicate. The final adjective "numerous" translates the beginning of the next segment's continuation idiomatically within "numerous alternatives"; segment 26:0 retains that adjective as well so that its own supplied wording is fully represented.

[3] **Translator's note (L30):** The wording at "If you are a Muslim, the Qurʾān establishes" is syntactically irregular: the supplied text has bi-l-Qurʾān ("by/in the Qurʾān"), where the sense appears to require fa-l-Qurʾān ("then the Qurʾān"). The translation follows that apparent intended connection; the supplied reading is recorded here.

hension. It is therefore established beyond doubt that they are liars and that what afflicts them is obsessive whispering. Moreover, inspiration is a claim devoid of proof. If every person were granted what he sought on the strength of his bare claim, no right would be established, no falsehood invalidated, no one's ownership of property secured, no redress obtained from a wrongdoer, and no one's religious profession ever established as sound. For no one is incapable of saying: "I have been inspired that so-and-so's blood may lawfully be shed, that his property is lawful for me to take, and that his wife is lawful for me to have intercourse with." He cannot escape this consequence. Many obsessive whisperings may arise in the soul that cannot possibly be true, as may mutually contradictory things that give the lie to one another. There must therefore be an arbiter to distinguish the true among them from the false. This can only be reason, whose proofs do not conflict. We have explained this in the book al-Taqrīb. Abū Muḥammad said: One who maintains the authority of the imam is to be asked: "By what did you recognize the soundness of the imam's statement: by demonstration, by a miracle, by inspiration, or by his bare statement?" If he says, "By demonstration," he is required to produce it, and he has no way of doing so. If he says, "By a miracle," he makes a false allegation, especially now, when they acknowledge that his whereabouts have been hidden from them for one hundred and seventy years. If they say, "By inspiration," they are questioned using what we have mentioned in refutation of inspiration. If they say, "By his bare statement," they are asked about the difference between his statement and their opponents' statement invalidating their positions without proof. There is absolutely no fifth possibility. Abū Muḥammad said: One who maintains uncritical adherence is to be asked: "What is the difference between you and someone who uncritically follows someone other than the person whom you uncritically follow, and who, indeed, declares the person you follow an unbeliever or pronounces him ignorant?" If he begins adducing evidence for the superiority of the person he follows, he has abandoned uncritical adherence and taken the path of inference, apart from uncritical adherence. We have devoted a substantial chapter near the end of this book of ours to refuting uncritical adherence, in which we have treated its refutation exhaustively. Success is through God. Abū Muḥammad ʿAlī said: One who says that noth-

الإلهام، وإن قالوا بقوله مجردا سئلوا عن الفرق بين قوله وقول خصومهم في إبطال مذاهبهم دون دليل، ولا سبيل إلى وجه خامس أصلا. قال أبو محمد: ويقال لمن قال بالتقليد: ما الفرق بينك وبين من قلد غير الذي قلدت أنت، بل كفر من قلدته أنت أو جهله. فإن أخذ يستدل في فضل من قلده كان قد ترك التقليد، وسلك في طريق الاستدلال من غير التقليد، وقد أفردنا في إبطال التقليد بابا ضخما قرب آخر كتابنا هذا استوعبنا فيه إبطاله وبالله التوفيق قال أبو محمد علي ويقال لمن قال لا يدرك شيء إلا من طريق الخبر، أخبرنا الخبر كله حق؟ أم كله باطل؟ أم منه حق وباطل؟

ing can be apprehended except through a report is to be asked: "Tell us: are reports all true, all false, or partly true and partly false?"[4]

L35–37 If he says, "They are all false," he has invalidated that through which he said alone anything can be known. This invalidates his statement and invalidates all knowledge. If he says, "They are all true," he is confronted with reports that invalidate his position. He is consequently obliged either to abandon his position on their account or to believe a thing and its opposite at the same time, which is impossible. Every position that leads to impossibility and falsehood is necessarily false. Thus the only remaining possibility is that reports include both true and false. Since this is so, it is untenable that the truth of a report should be known through the report itself, for there is no difference between the form of a true report and the form of a false one. There must therefore be evidence distinguishing between them, and this can only be the proof supplied by reason, which distinguishes truth from falsehood. Abū Muḥammad ʿAlī said: Then all of them are to be asked: By what did you recognize the truth of what you advocate, and the truth of divine unity, prophethood, and the religion you profess? Was it through reason that you recognized the truth of all this, or without reason? And by what did you recognize the excellence of the person you follow unquestioningly, or the truth of what you claim to have received through inspiration, after a period of your life during which you had neither been inspired with it nor followed that person unquestioningly? And by what did you recognize the truth of the reports that reached you, after they had previously not reached you? Do you possess reason, or do you possess no reason? If he says, 'I recognized all this without reason, and I possess no reason,' then he has spared us the trouble of dealing with him, and we have obtained from him a greater concession

[4]**Translator's note (L32):** The comparison continued from the preceding segment is syntactically disordered: "between this claim and the claim of someone … and between what …" does not yield a clear pairing. The wording has been retained without reconstructing an argument. The supplied wording says that these claimants apprehend "what others apprehend" through the first principles of reason, although the contrast appears to call for "what others do not apprehend." The apparent missing negation has not been supplied. The phrase bi-awwalihi ʿaqlihi is also grammatically irregular; it is rendered in light of the repeated references to the first principles of reason.

فإن قال هو باطل كله كان قد أبطل ما ذكر أنه لا يعلم شيء إلا به، وفي هذا إبطال قوله وإبطال جميع العلم، وإن قال حق كله، عورض بأخبار مبطلة لمذهبه، فلزمه ترك مذهبه لذلك أو اعتقاد الشيء وضده في وقت واحد، وذلك ما لا سبيل إليه، وكل مذهب أدى إلى المحال وإلى الباطل فهو باطل ضرورة، فلم يبق إلا أن من الخبر حقا وباطلا، فإذا كان كذلك بطل أن يعلم صحة الخبر بنفسه، إذ لا فرق بين صورة الحق منه وصورة الباطل فلا بد من دليل يفرق بينهما، وليس ذلك إلا لحجة العقل المفرقة بين الحق والباطل قال أبو محمد علي ثم يقال لجميعهم بأي شيء عرفتم صحة ما تدعون إليه، وصحة التوحيد والنبوة، ودينك الذي أنت عليه، أبعقل ذلك على صحة كل ذلك أم بغير عقل؟ وبأي شيء عرفت فضل من قلدت، أو صحة ما ادعيت أنك ألهمته بعد أن لم تكن ملهما إليه ولا مقلدا له برهة من دهرك؟ وبأي شيء عرفت صحة ما بلغك من الأخبار بعد أن لم تكن بلغتك؟ وهل لك من عقل أم لا عقل لك؟ فإن قال: عرفت كل ذلك بلا عقل ولا عقل لي فقد كفينا مؤنته، وبلغنا في نفسه أكثر مما رغبنا منه، فإننا إنما رغبنا منه الاعتراف بالخطأ، فقد زادنا في نفسه منزلة لم نرغبها منه، وسقط الكلام معه ولزمنا السكوت عنه، وإلا كنا في نصاب من يكلم السكارى الطافحين والمجانين المتعرين على الطرق. فإن قال: لي عقل وبعقلي عرفت ما عرفت فقد أثبت العقل وترك مذهبه الفاسد ضرورة. قال أبو محمد: واحتجوا في إبطال الجدال والمناظرة بآيات ذكروها وهي قوله تعالى {فلذلك فدع وستقم كما أمرت ولا تتبع أهوآءهم وقل آمنت بما أنزل الله من كتاب وأمرت لأعدل بينكم الله ربنا وربكم لنا أعمالنا ولكم أعمالكم لا حجة بيننا وبينكم الله يجمع بيننا وإليه لمصير * ولذين يحآجون في الله من بعد ما ستجيب له حجتهم داحضة عند ربهم وعليهم غضب ولهم عذاب شديد} قال أبو محمد: وهذه الآية مبينة وجه الجدال المذموم، وهو قوله

about himself than we desired. For we desired only that he acknowledge his error, but he has conceded a further condition concerning himself that we did not ask him to concede. Discussion with him falls away, and we must cease addressing him; otherwise, we would rank with those who converse with thoroughly intoxicated drunkards and madmen who strip themselves naked in the streets. But if he says, 'I possess reason, and through my reason I recognized what I recognized,' then he has affirmed reason and abandoned his unsound doctrine necessarily. Abū Muḥammad said: In arguing for the invalidation of disputation and debate, they adduced verses that they cited, namely His saying, exalted is He: 'So to that call, and remain upright as you have been commanded. Do not follow their desires, and say: I believe in whatever Scripture God has sent down, and I have been commanded to deal justly between you. God is our Lord and your Lord. To us belong our deeds, and to you belong your deeds. There is no argument between us and you. God will gather us together, and to Him is the destination. And those who argue concerning God after He has been answered—their argument is invalid before their Lord; upon them is wrath, and theirs is a severe punishment.' Abū Muḥammad said: This verse makes clear the kind of disputation that is blameworthy: His saying, exalted is He, concerning someone who argues after the truth has become manifest. This describes the person who obstinately resists the truth and refuses to accept the proof after it has become manifest. This is blameworthy in the judgment of everyone possessed of reason. Among these verses is also His saying, exalted is He: 'And they said: Are our gods better, or is he? They put it to you only for the sake of disputation. Rather, they are a contentious people.'[5][6]

تعالى: فيمن يحاج بعد ظهور الحق، وهذه صفة المعاند للحق، الآبي من قبول الحجة بعد ظهورها، وهذا مذموم عند كل ذي عقل. ومنها قوله تعالى: {وقالوا أآلهتنا خير أم هو ما ضربوه لك إلا جدلا بل هم قوم خصمون}

L38–44 Abū Muḥammad said: In this verse He, exalted is He, censured only those who contended and disputed in support of falsehood, and set the gods they worshipped—unreasoning stones—against Jesus, the prophet and servant supported by miracles, including bringing the dead to life and other

قال أبو محمد: وإنما ذم تعالى في هذه الآية من خاصم وجادل في الباطل، وعارض الآلهة التي كانوا يعبدون من حجارة لا تعقل بعيسى النبي العبد المؤيد بالمعجزات، من إحياء الموتى وغير ذلك ومنها قوله تعالى {ويعلم لذين يجادلون في آياتنا ما لهم من محيص} ومنها قوله تعالى {فإن حآجوك فقل أسلمت وجهي لله ومن تبعن وقل للذين أوتوا لكتاب ولأميين أأسلمتم فإن أسلموا فقد هتدوا وإن تولوا فإنما عليك لبلاغ ولله

[5] **Translator's note (L36):** The wording أبعقل ذلك على صحة كل ذلك is syntactically awkward and may be corrupt. It is rendered according to the apparent contrast between recognizing these things through reason and recognizing them without reason.

[6] **Qur'an references (L35):** Qur'an 42:15 (Ash-Shuraa); Qur'an 42:16 (Ash-Shuraa); Qur'an 43:58 (Az-Zukhruf).

things. Among these verses is also His saying, exalted is He: 'And those who dispute concerning Our signs will know that they have no place of escape.' And among them is His saying, exalted is He: 'Then if they argue with you, say: I have submitted my face to God, as have those who follow me. And say to those who were given the Scripture and to the unlettered: Have you submitted? If they submit, they have been guided; but if they turn away, your duty is only to convey the message. And God sees His servants.' Abū Muḥammad said: He, exalted is He, said: 'God wishes to lighten your burden, and the human being was created weak.' Thus it is established by this verse that the speech of God, exalted is He, neither contradicts itself nor differs within itself. We found that He, exalted is He, praised disputation in support of truth and commanded it. We therefore knew with certainty that what He, exalted is He, commanded is, without doubt, different from what He prohibited. We examined this to learn the nature of the prohibited, blameworthy disputation and the nature of the commanded, praiseworthy disputation. For we have found that He, exalted is He, said: 'And who is better in speech than one who calls to God, acts righteously, and says: I am indeed one of those who submit?' And we have found that He, exalted is He, said: 'Call to the way of your Lord with wisdom and good admonition, and dispute with them in the manner that is best. Your Lord knows best who has strayed from His way, and He knows best those who are guided.' Thus He, exalted is He, made disputation obligatory in this verse, and in it He, exalted is He, taught all the proprieties of disputation in their entirety: gentleness, clear exposition, adherence to truth, and returning to what conclusive proof requires. He, exalted is He, said: 'Say: Then bring a Scripture from God that gives better guidance than these two, and I shall follow it, if you are truthful. But if they do not answer you, know that they follow only their desires. And who is further astray than one who follows his desire without guidance from God? God does not guide the wrongdoing people.' God, mighty and majestic, did not command His Messenger, may God bless him and grant him peace, to say this out of doubt concerning the truth of what he advocated. Rather, it was to cut off their argument, put an end to their claim, and bind them to the same commitment that he made to them: to return to what provides better guidance and follow the more correct course. It was also to

بصير بلعباد} قال أبو محمد قال تعالى {يريد الله أن يخفف عنكم وخلق لإنسان ضعيفا} فصح بهذه الآية أن كلام الله تعالى لا يتعارض ولا يختلف، فوجدناه تعالى أثنى على الجدال بالحق وأمر به، فعلمنا يقينا أن الذي أمر به تعالى هو غير الذي نهى عنه بلا شك، فنظرنا في ذلك لنعلم وجه الجدال المنهي عنه المذموم، ووجه الجدال المأمور به المحمود، لأنا قد وجدناه تعالى قد قال {ومن أحسن قولا ممن دعآ إلى الله وعمل صالحا وقال إنني من لمسلمين} ووجدناه تعالى قد قال {دع إلى سبيل ربك بلحكمة ولموعظة لحسنة وجادلهم بلتي هي أحسن إن ربك هو أعلم بمن ضل عن سبيله وهو أعلم بلمهتدين} فكان تعالى قد أوجب الجدال في هذه الآية، وعلم فيها تعالى جميع آداب الجدال كلها من الرفق والبيان، والتزام الحق والرجوع إلى ما أوجبته الحجة القاطعة وقال تعالى {قل فأتوا بكتاب من عند لله هو أهدى منهمآ أتبعه إن كنتم صادقين * فإن لم يستجيبوا لك فعلم أنما يتبعون أهوآءهم ومن أضل ممن تبع هواه بغير هدى من لله إن لله لا يهدي لقوم لظالمين} ولم يأمر الله عز وجل رسوله صلى الله عليه وسلم أن يقول هذا شكا في صدق ما يدعو إليه ولكن قطعا لحجتهم وحسما لدعواهم وإلزاما لهم، مثل ما التزم لهم من رجوعه إلى الأهدى واتباعه الأمر الأصوب، وإعلاما لنا أن من لم يأت بحجة على قوله يصير بها أهدى من قول خصمه، ويبين أن الذي يأتي به هو من عند الله عز وجل، فليس صادقا وإنما هو متبع لهواه وقال تعالى {قالوا تخذ لله ولدا سبحانه هو لغني له ما في لسماوات وما في لأرض إن عندكم من سلطان بهذآ أتقولون على لله ما لا تعلمون * قل إن لذين يفترون على لله لكذب لا يفلحون} قال أبو محمد ففي هذه الآية بيان أنه لا يقبل قول أحد إلا بحجة، والسلطان ههنا بلا اختلاف من أهل العلم واللغة هو الحجة، وإن من لم يأت على قوله بحجة فهو مبطل بنص حكم الله عز وجل، وأنه مفتر على الله تعالى، وكاذب عليه عز وجل بنص الآية لا تأويل

inform us that whoever does not bring a proof for his position by which it becomes better guided than the position of his opponent, and demonstrate that what he brings is from God, mighty and majestic, is not truthful but merely follows his own desire. He, exalted is He, said: 'They said: God has taken a child. Glory be to Him! He is the Self-Sufficient. To Him belongs whatever is in the heavens and whatever is on earth. You have no authority for this. Do you say concerning God what you do not know? Say: Those who fabricate lies against God will not prosper.' Abū Muḥammad said: This verse makes clear that no one's statement is to be accepted without proof. 'Authority' here, without disagreement among scholars and those versed in the language, means proof. Whoever does not bring proof for his statement is an upholder of falsehood by the explicit wording of the judgment of God, mighty and majestic. He is a fabricator against God, exalted is He, and a liar against Him, mighty and majestic, by the explicit wording of the verse, without interpretation or alteration. He will not prosper if he makes a statement whose truth he does not establish by conclusive proof. We have found that He, exalted is He, has taught us in these verses the ways of equitable dealing, which is the utmost justice in debate: whoever brings a manifest demonstration, one must turn to his position. This is likewise what we say, in obedience to our Lord, mighty and majestic, after the soundness of our doctrines has been established. We say it neither out of doubt concerning them nor from fear that someone might bring us something that invalidates them, but from our confidence that no one will ever bring anything with which to oppose them. For we, praise be to God, are people devoted to sifting and investigation, spending our lives seeking to establish the soundness of proof and accepting the evidences before accepting what they indicate, until we were granted success—praise be to God, exalted is He—in attaining that in which certainty finds repose. We left the people of ignorance and unquestioning adherence wavering in their doubt. We say the same concerning matters that have not yet been established as sound for us and so we say, in earnest and acknowledging this commitment: If we find something that gives better guidance than it, we shall follow it and abandon the position we hold. This applies only to questions in which the hadiths and verses conflict in their apparent wording and it has not become clear to us which abro-

ولا تبديل، وأنه لا يفلح إذا قال قولة لا يقيم على صحتها حجة قاطعة، ووجدناه تعالى قد علمنا في هذه الآيات وجوه الإنصاف الذي هو غاية العدل في المناظرة، وهو أنه من أتى ببرهان ظاهر وجب الانصراف إلى قوله. وهكذا نقول نحن اتباعا لربنا عز وجل بعد صحة مذاهبنا لا شكا فيها ولا خوفا منه أن يأتينا أحد بما يفسدها، ولكن ثقة منا بأنه لا يأتي أحد بما يعارضها به أبدا، لأننا ولله الحمد أهل التخليص والبحث، وقطع العمر في طلب تصحيح الحجة واعتقاد الأدلة، قبل اعتقاد مدلولاتها، حتى وفقنا، ولله تعالى الحمد على ما ثلج اليقين، وتركنا أهل الجهل والتقليد في ريبهم يترددون. وكذلك نقول فيما لم يصح عندنا حتى الآن فنقول مجدين مقرين إن وجدنا ما هو أهدى منه اتبعناه وتركنا ما نحن عليه. وإنما هذا في مسائل تعارضت فيها الأحاديث والآي في ظاهر اللفظ، ولم يقم لنا بيان الناسخ من المنسوخ فيها فقط أو في مسائل وردت فيها أحاديث لم تثبت عندنا، ولعلها ثابتة في نقلها، فإن بلغنا ثباتها صرنا إلى القول بها، إلا أن هذا في أقوالنا قليل جدا والحمد لله رب العالمين. وأما سائر مذاهبنا فنحن منها على غاية اليقين وقال تعالى {ولا تجادلوا أهل لكتاب إلا بلتي هي أحسن إلا لذين ظلموا منهم وقولوا آمنا بلذي أنزل إلينا وأنزل إليكم وإلهنا وإلهكم واحد ونحن له مسلمون} فأمر عز وجل كما ترى بإيجاب المناظرة في رفق، وبالإنصاف في الجدال، وترك التعسف والبذاء والاستطالة إلا على من بدأ بشيء من ذلك، فيعارض حينئذ بما ينبغي وقال تعالى {يمعشر لجن ولإنس إن ستطعتم أن تنفذوا من أقطار لسماوات ولأرض فنفذوا لا تنفذون إلا بسلطان} والسلطان الحجة كما ذكرنا وقال تعالى {وذر الذين تخذوا دينهم لعبا ولهوا وغرتهم لحياة لدنيا وذكر به أن تبسل نفس بما كسبت ليس لها من دون لله ولي ولا شفيع وإن تعدل كل عدل لا يؤخذ منهآ أولئك لذين أبسلوا بما كسبوا لهم شراب من حميم وعذاب أليم بما كانوا يكفرون} فذكر عز وجل تقدير إبراهيم عليه السلام قومه على نقله الكواكب والشمس والقمر التي كانوا يعبدون من دون الله،

gates and which is abrogated; or to questions concerning which hadiths have been transmitted that have not been established as authentic for us, though their transmission may be authentic. If their authenticity reaches us, we shall adopt what they say. Such cases, however, are very few among our positions, and praise be to God, Lord of the worlds. As for the rest of our doctrines, we possess the utmost certainty concerning them. He, exalted is He, said: 'And do not dispute with the People of the Scripture except in the manner that is best, save those among them who do wrong. And say: We believe in what has been sent down to us and what has been sent down to you. Our God and your God is one, and to Him we submit.' Thus He, mighty and majestic, commanded as you see, by making disputation with gentleness obligatory, together with fairness in argument and the abandonment of arbitrariness, foul language, and overbearing conduct—except toward someone who initiates any of these, in which case he is to be answered as appropriate. The Most High said: {O company of jinn and humankind, if you can pass beyond the confines of the heavens and the earth, then pass beyond them. You will not pass beyond them except with authority.} Authority means an argument, as we have mentioned. The Most High said: {Leave those who have taken their religion as play and amusement and whom the life of this world has deceived. Remind through it, lest a soul be delivered up on account of what it has earned, having no protector or intercessor apart from God. Even if it offers every ransom, it will not be accepted from it. Those are the ones delivered up on account of what they have earned. They shall have a drink of scalding water and a painful punishment because they used to disbelieve.} Thus He, mighty and majestic, mentioned Abraham, peace be upon him, confronting his people with the movement of the stars, the sun, and the moon, which they used to worship apart from God, and that this is evidence that they were created and a demonstration that they came into existence. He, mighty and majestic, said: {That was Our argument, which We gave Abraham against his people. We raise in degrees whomever We will. Your Lord is indeed wise, knowing.} The Most High has commanded us, in the explicit text of the Quran, to follow the religious way of Abraham, peace be upon him. The Most High has informed us that Abraham's religious way included argumentation and disputation—on one occasion with the king, and on an-

وأن ذلك لدليل على خلقها، وبرهان على حدوثها فقال عز وجل: {وتلك حجتنآ آتيناهآ إبراهيم على قومه نرفع درجات من نشآء إن ربك حكيم عليم} وقد أمرنا تعالى في نص القرآن باتباع ملة إبراهيم عليه السلام، وخبرنا تعالى أن من ملة إبراهيم المحاجة والمناظرة، فمرة للملك ومرة لقومه، والاستدلال كما أخبرنا تعالى عنه، ففرض علينا اتباع المناظرة لنصرف أهل الباطل إلى الحق، وأن نطلب الصواب بالاستدلال فيما اختلف فيه المختلفون قال الله عز وجل {إن أولى لناس بإبراهيم للذين تبعوه وهذا لنبي ولذين آمنوا ولله ولي لمؤمنين} فنحن المتبعون لإبراهيم عليه السلام في المحاجة والمناظرة، فنحن أولى الناس به، وسائر الناس مأمورون بذلك قال الله تعالى {قل صدق لله فتبعوا ملة إبراهيم حنيفا وما كان من لمشركين} ومن ملته المناظرة كما ذكرنا فمن نهى عن المناظرة والحجة فليعلم أنه عاص لله عز وجل ومخالف لملة إبراهيم ومحمد صلى الله عليهما. قال الله عز وجل وقد أثنى على أصحاب الكهف {نحن نقص عليك نبأهم بلحق إنهم فتية آمنوا بربهم وزدناهم هدى} فأثنى الله عز وجل عليهم في إنكارهم قول قومهم إذ لم يقم قومهم على قولهم حجة بينة، وصدقهم تعالى في قولهم أن من ادعى قولا بلا دليل فهو مفتر على الله عز وجل الكذب.

other with his people—and the use of inference, as the Most High has told us concerning him. It is therefore obligatory for us to follow the practice of disputation, so that we may turn the adherents of falsehood toward the truth, and to seek what is correct through inference concerning matters over which disputants disagree. God, mighty and majestic, said: {The people with the greatest claim to Abraham are surely those who followed him, this Prophet, and those who believe. God is the protector of the believers.} We, then, are those who follow Abraham, peace be upon him, in argumentation and disputation, and we therefore have the greatest claim to him. All other people are commanded to do likewise. God Most High said: {Say: God has spoken the truth. So follow the religious way of Abraham, inclining to the true faith; he was not one of the polytheists.} Disputation belongs to his religious way, as we have mentioned. Whoever forbids disputation and argument should therefore know that he is disobedient to God, mighty and majestic, and contrary to the religious way of Abraham and Muhammad, God bless them both. God, mighty and majestic, said, having praised the Companions of the Cave: {We recount their story to you in truth. They were youths who believed in their Lord, and We increased them in guidance.} God, mighty and majestic, thus praised them for rejecting their people's assertion, since their people had established no clear argument for their assertion. The Most High affirmed

their truthfulness in saying that whoever asserts a claim without evidence is fabricating a lie against God, mighty and majestic.[7][8][9][10]

L45–47 The Most High said: {Who is more unjust than someone who is reminded of his Lord's signs and then turns away from them? We shall indeed exact vengeance upon the criminals.} Thus no one is more unjust than someone against whom the argument has been established from the Book of God Most High and the words of His Prophet, God bless him and grant him peace, but who turns away from it, although it is the decisive argument and the compelling demonstration. God Most High said: {Those who consume usury will rise only as one whom Satan confounds through his touch rises. That is because they say: Trade is only like usury. Yet God has permitted trade and forbidden usury. Whoever receives an admonition from his Lord and desists may retain what has already passed, and his affair rests with God. But whoever returns—those are the inhabitants of the Fire; they shall remain in it forever.} The Most High said: {Rather, those who do wrong have followed their desires without knowledge. Who, then, can guide someone whom God has led astray? They shall have no helpers.} The Most High has thus informed us, as you hear, that whoever follows an assertion that

وقال تعالى: {ومن أظلم ممن ذكر بآيات ربه ثم أعرض عنها إنا من المجرمين منتقمون} فلا أظلم ممن قامت عليه الحجة من كتاب الله تعالى ومن كلام نبيه صلى الله عليه وسلم فأعرض عنه وهو الحجة القاطعة والبرهان الصادع وقال الله تعالى {لذين يأكلون لربا لا يقومون إلا كما يقوم لذي يتخبطه لشيطان من لمس ذلك بأنهم قالوا إنما لبيع مثل لربا وأحل لله لبيع وحرم لربا فمن جاءه موعظة من ربه فنتهى فله ما سلف وأمره إلى لله ومن عاد فأولئك أصحاب لنار هم فيها خالدون} وقال تعالى {بل تبع لذين ظلموا أهوآءهم بغير علم فمن يهدي من أضل لله وما لهم من ناصرين} فأخبر تعالى كما تسمع أن ما اتبع قولا وافقه بلا علم بصحته فهو ظالم، وإن من لم يرجع إلى ما يسمع من الحق فهو من أهل النار وقال تعالى {فإن لم يستجيبوا لك فعلم أنما يتبعون أهوآءهم ومن أضل ممن تبع هواه بغير هدى من لله إن لله لا يهدي لقوم لظالمين} أنكر الله تعالى أن يكذب المرء بما لا يعلم. فقال تعالى: {بل كذبوا بما لم يحيطوا بعلمه ولما يأتهم تأويله كذلك كذب لذين من قبلهم فنظر كيف كان عاقبة لظالمين} فصح بكل ما ذكرنا الوقوف عما لا نعلم والرجوع إلى ما أوجبته الحجة بعد قيامها وقال تعالى {ومن أظلم ممن فترى على لله كذبا أو كذب بلحق لما جاءه أليس في جهنم مثوى للكافرين} قال أبو محمد: في هذه الآية كفاية في إيجاب ألا يصدق أحد بما لم تقم عليه حجة، وألا يأتي ما قامت عليه الحجة، فمن أظلم ممن عرف ما ذكرنا وأخذ بوسواس يقوم في نفسه، أو بخبر لم يقم على وجوب تصديقه برهان، أو قلد إنسانا مثله لعله عند الله تعالى على خلاف ما يظن، وعلى كل حال فهو معصوم لكن يخطىء ويصيب وقال تعالى {وقالوا لن يدخل لجنة إلا من كان هودا أو نصارى تلك أمانيهم قل

[7] **Translator's note (L38):** The quotation 'God wishes to lighten your burden, and the human being was created weak' is Qur'ān 4:28. The assertion immediately following it, that this verse establishes the absence of contradiction in God's speech, appears to involve a mismatched quotation or textual omission. The supplied quotation and argument have both been retained.

[8] **Translator's note (L40):** The expression حتى وفقنا ... على ما ثلج اليقين is awkward as supplied. The translation takes it to refer to being granted success in attaining settled certainty; the precise construction is uncertain.

[9] **Translator's note (L42):** The wording rendered as Abraham 'confronting his people with the movement' is textually awkward: the supplied text reads taqdīr ('assessment' or 'determination') and naqlahu/naqlat ('his moving' or 'movement'). The context suggests making his people acknowledge the celestial bodies' movement, but the precise reading is uncertain.

[10] **Qur'an references (L38):** Qur'an 42:35 (Ash-Shuraa); Qur'an 3:20 (Ali 'Imran); Qur'an 41:33 (Fussilat); Qur'an 16:125 (An-Nahl); Qur'an 28:49 (Al-Qasas); Qur'an 28:50 (Al-Qasas); Qur'an 10:68 (Yunus); Qur'an 29:46 (Al-'Ankabut); Qur'an 6:70 (Al-An'am); Qur'an 6:83 (Al-An'am); Qur'an 2:135 (Al-Baqarah); Qur'an 3:95 (Ali 'Imran); Qur'an 6:161 (Al-An'am); Qur'an 16:123 (An-Nahl); Qur'an 18:13 (Al-Kahf).

suits him, without knowledge of its correctness, is a wrongdoer, and that whoever does not turn back to the truth he hears is one of the people of the Fire. The Most High said: {If they do not respond to you, know that they are only following their desires. Who is further astray than someone who follows his desire without guidance from God? God does not guide wrongdoing people.} God Most High condemned a person's denying what he does not know. The Most High said: {Rather, they denied that which they had not encompassed in knowledge and whose interpretation had not yet come to them. Those before them likewise denied. So observe what the outcome of the wrongdoers was.} Everything we have mentioned thus establishes the correctness of withholding judgment concerning what we do not know and returning to what the argument requires once it has been established. The Most High said: {Who is more unjust than someone who fabricates a lie against God or denies the truth when it comes to him? Is there not in Hell an abode for the unbelievers?} Abū Muḥammad said: This verse suffices to establish the obligation that no one assent to anything for which no argument has been established, and that he not undertake that for which the argument has been established. Who, then, is more unjust than someone who knows what we have mentioned but adopts a whispering that arises within himself, or a report for which no demonstration has established the obligation to believe it, or blindly follows a human being like himself, who may, in God Most High's sight, be otherwise than he supposes? In any event, he is infallible, yet he errs and is correct. The Most High said: {They say: None shall enter the Garden unless they are Jews or Christians. Those are their wishes. Say: Bring your demonstration, if you are truthful.} The Most High thus made it obligatory that whoever is truthful in his claim must produce a demonstration; and if he does not produce a demonstration, he is a liar advocating falsehood, or ignorant. The Most High said: {Here you are: you have argued concerning that of which you have knowledge. Why, then, do you argue concerning that of which you have no knowledge? God knows,

هاتوا برهانكم إن كنتم صادقين} فأوجب تعالى أن من كان صادقا في دعواه فعليه أن يأتي بالبرهان وإن لم يأت بالبرهان فهو كاذب مبطل، أو جاهل. وقال تعالى: {هأنتم هؤلاء حاججتم فيما لكم به علم فلم تحآجون فيما ليس لكم به علم والله يعلم وأنتم لا تعلمون} فلم يوجب تعالى المحاجة إلا بعلم، ومنع منها بغير علم.

and you do not know.} The Most High thus made argumentation obligatory only with knowledge and prohibited it without knowledge.[11][12]

L48–53 The Most High said: {They will say: Three, their dog being the fourth of them. And they will say: Five, their dog being the sixth of them—guessing at the unseen. And they will say: Seven, their dog being the eighth of them. Say: My Lord knows their number best; none knows them except a few. So do not dispute concerning them except with an outwardly evident disputation, and do not ask any of them for a ruling concerning them.} Abū Muḥammad said: Since we found that God Most High had commanded argumentation and disputation in the verses we have mentioned, and had made the acceptance of anything obligatory only upon a demonstration, it became necessary for us to investigate blameworthy argumentation, in accordance with what we set out earlier. We found that He had said: {We send the messengers only as bearers of good tidings and warners. Those who disbelieve argue through falsehood in order to refute the truth thereby, and they take My signs and the warnings given them in mockery.} As you see, the Most High thus condemned argument without an argument to support it, and argument in the cause of falsehood. The Most High thereby invalidated the saying of the madmen: 'Everyone led astray is supplied with an argument.' The Most High made clear that the one led astray is precisely the one who is not supplied with an argument, and that the person in the right is the one truly supplied with an argument: these are the people of truth. The Most High said: {Those who argue concerning God's signs without any authority having come to them—it is greatly hateful in the sight of God and in the

وقال تعالى: {سيقولون ثلاثة رابعهم كلبهم ويقولون خمسة سادسهم كلبهم رجما بلغيب ويقولون سبعة وثامنهم كلبهم قل ربي أعلم بعدتهم ما يعلمهم إلا قليل فلا تمار فيهم إلا مرآء ظاهرا ولا تستفت فيهم منهم أحدا} قال أبو محمد: فلما وجدنا الله تعالى قد أمر في الآيات التي ذكرنا بالحجاج والمناظرة، ولم يوجب قبول شيء إلا ببرهان، وجب علينا تطلب الحجاج المذموم على ما قدمناه فوجدناه قد قال {وما نرسل لمرسلين إلا مبشرين ومنذرين ويجادل لذين كفروا بلباطل ليدحضوا به لحق وتخذوا آياتي وما أنذروا هزوا} فذم تعالى كما ترى الجدال بغير حجة والجدال في الباطل، وأبطل تعالى بذلك قول المجانين كل مفتون ملقن حجة، وبين تعالى أن المفتون هو الذي لا يلقن حجة، وأن المحق هو الملقن حجة على الحقيقة وهم أهل الحق وقال تعالى {لذين يجادلون في آيات لله بغير سلطان أتاهم كبر مقتا عند لله وعند لذين آمنوا كذلك يطبع لله على كل قلب متكبر جبار} فقد جمعت هذه الآيات بيان الجدال المذموم، والجدال المحمود الواجب، فالواجب هو الذي يجادل متوليه في إظهار الحق، والمذموم وجهان بنص الآيات التي ذكرنا: أحدهما من جادل بغير علم والثاني من جادل ناصرا للباطل بشغب وتمويه بعد ظهور الحق إليه، وفي هذا بيان أن الحق في واحد، وأنه لا شيء إلا ما قامت عليه حجة العقل، وهؤلاء المذمومون هم الذين قال الله تعالى فيهم {ألم تر إلى لذين يجادلون في آيات لله أنى يصرفون} وقوله تعالى {ومن لناس من يجادل في لله بغير علم ويتبع كل شيطان مريد} وقوله تعالى {ومن لناس من يجادل في لله بغير علم ولا هدى ولا كتاب منير * ثاني عطفه ليضل عن سبيل لله له في لدنيا خزي ونذيقه يوم لقيامة عذاب لحريق} وبقوله تعالى {ما يجادل في آيات لله إلا لذين كفروا فلا يغررك تقلبهم في لبلاد * كذبت قبلهم قوم نوح ولأحزاب من بعدهم وهمت كل أمة

[11] **Translator's note (L45):** The supplied text reads 'that he not undertake that for which the argument has been established.' This is awkward in context and may be corrupt; the translation preserves the wording rather than substituting an expected prohibition on rejecting established proof. The supplied text explicitly says 'he is infallible, yet he errs and is correct.' This is internally contradictory; a missing negation before 'infallible' is plausible but has not been supplied. The wording 'whoever follows an assertion' interprets the supplied mā ittabaʿa in light of the sentence's reference to a person; man ittabaʿa would be the expected reading.

[12] **Qur'an references (L45):** Qur'an 32:22 (As-Sajdah); Qur'an 2:275 (Al-Baqarah); Qur'an 30:29 (Ar-Rum); Qur'an 28:50 (Al-Qasas); Qur'an 10:39 (Yunus); Qur'an 29:68 (Al-'Ankabut); Qur'an 2:111 (Al-Baqarah); Qur'an 3:66 (Ali 'Imran).

sight of those who believe. Thus does God seal every heart that is arrogant and tyrannical.} These verses together explain blameworthy argument and praiseworthy, obligatory argument. Obligatory argument is that in which the person conducting it argues to make the truth manifest. Blameworthy argument has two forms, according to the explicit wording of the verses we have mentioned: first, someone's arguing without knowledge; and second, someone's arguing in support of falsehood through contentiousness and obfuscation after the truth has become apparent to him. This makes clear that the truth lies in one position, and that nothing is established except that for which the argument of reason has been established. These blameworthy people are those concerning whom God Most High said: {Have you not seen those who argue concerning God's signs? How are they turned away?} And His saying, exalted is He: {Among people is one who argues concerning God without knowledge and follows every rebellious devil.} And His saying, exalted is He: {Among people is one who argues concerning God without knowledge, guidance, or an illuminating book, * turning his side away to lead others astray from God's path. For him there is disgrace in this world, and on the Day of Resurrection We shall make him taste the punishment of burning.} And by His saying, exalted is He: {None argues concerning God's signs except those who disbelieve. So do not let their movement about the lands deceive you. * Before them, Noah's people denied, as did the factions after them And every community plotted against its messenger to seize him, and they disputed with falsehood in order to refute the truth with it. So I seized them—and how was My punishment!} Thus the Exalted has made clear, as you see, that the prohibited disputation is disputation undertaken to champion falsehood and invalidate the truth without knowledge. Abū Muḥammad said: To someone who refuses another's demand that he engage in disputation and undertake the effort of seeking demonstration, it should be said: Pharaoh said, {O my people, sovereignty is yours today, dominant in the land; but who will protect us against God's might if it comes upon us? Pharaoh said: I show you only what I see, and I guide you only to the path of right guidance.} {And the one who believed said: O my people, follow me; I shall guide you to the path of right guidance.} By what means, then, can one recognize which of the two is right and which advo-

برسولهم ليأخذوه وجادلوا بلباطل ليدحضوا به لحق فأخذتهم فكيف كان عقاب} فبين تعالى كما ترى أن الجدال المحرم هو الجدال الذي يجادل به لينصر الباطل ويبطل الحق بغير علم. قال أبو محمد: ويقال لمن أبى عن مطالبته الجدال ومعاناة طلب البرهان أن فرعون قال {يقوم لكم لملك ليوم ظاهرين في لأرض فمن ينصرنا من بأس لله إن جآءنا قال فرعون مآ أريكم إلا مآ أرى ومآ أهديكم إلا سبيل لرشاد} {وقال لذي آمن يقوم تبعون أهدكم سبيل لرشاد} فبأي شيء يعرف المحق منهما من المبطل: هل يجوز أن يعرف ذلك إلا بدلائل غير كلامها؟. فهذا كلام العزيز الجبار الخالق البارىء قد نصصناه في اتباع البرهان، وتكذيب قول من لا حجة في يديه، وهو الذي لا يسع مسلما خلافه. لا قول من قال اذهب إلى شاك مثلك فناظره فيقال له أترى رسول الله صلى الله عليه وسلم كان شاكا إذ علمه ربه تعالى مجادلة أهل الكتاب وأهل الكفر، وأمره بطلب البرهان، وإقامة الحجة على كل من خالفه، ولا قول من قال: أو كلما جاء رجل هو أجدل من رجل تركنا ما نحن عليه، أو كلاما هذا معناه. قال أبو محمد: وهذا كلام يستوي فيه مع قائله كل ملحد على ظهر الأرض، فلئن وسع هذا القائل ألا يدع ما وجد عليه سلفه بلا حجة لحجة ظاهرة واردة عليه، ليسعن اليهودي والنصراني ألا يدعا ما وجدا عليه سلفهما تقليدا بلا برهان، وألا يقبلا برهان الإسلام الواردة عليهما وحجته القاطعة. قال الله عز وجل: {قالوا يلوط إنا رسل ربك لن يصلوا إليك فأسر بأهلك بقطع من لليل ولا يلتفت منكم أحد إلا مرأتك إنه مصيبها مآ أصابهم إن موعدهم لصبح أليس لصبح بقريب * فلما جآء أمرنا جعلنا عاليها سافلها وأمطرنا عليها حجارة من سجيل منضود * مسومة عند ربك وما هي من لظالمين ببعيد * وإلى مدين أخاهم شعيبا قال يقوم عبدوا لله ما لكم من إله غيره ولا تنقصوا لمكيال ولميزان إني أراكم بخير وإني أخاف عليكم عذاب يوم محيط * ويقوم أوفوا لمكيال ولميزان بلقسط ولا تبخسوا لناس أشيآءهم ولا تعثوا في لأرض مفسدين * بقية لله خير لكم إن كنتم

cates falsehood? Can this possibly be known except through evidence other than their statements? This, then, is the speech of the Mighty, the Compeller, the Creator, the Maker, which we have expressly cited concerning following demonstration and declaring false the statement of someone who possesses no proof. This is what no Muslim may oppose—not the statement of someone who says, "Go to a doubter like yourself and debate him." Such a person should be asked: Do you think that the Messenger of God, God bless him and grant him peace, was a doubter when his Lord, the Exalted, taught him to dispute with the People of the Book and the people of unbelief, and commanded him to seek demonstration and establish proof against everyone who opposed him? Nor is it the statement of someone who says, "Are we to abandon what we follow whenever a man comes along who is more skilled in disputation than another?"—or words to that effect. Abū Muḥammad said: This is a statement in which every heretic on the face of the earth stands on equal footing with its speaker. For if this speaker may refuse, in the face of a manifest proof presented to him, to abandon what he found his predecessors following without proof, then the Jew and the Christian may likewise refuse to abandon what they found their predecessors following through imitation without demonstration, and may refuse to accept the demonstration of Islam presented to them and its decisive proof. God, Mighty and Majestic, said: {They said: O Lot, we are the messengers of your Lord. They will never reach you. So depart with your household during a portion of the night, and let none of you turn around, except your wife: what befalls them will befall her. Their appointed time is the morning. Is the morning not near? * Then, when Our command came, We turned its upper part into its lower part and rained upon it stones of baked clay, piled one upon another, * marked with your Lord; and it is not far from the wrongdoers. * And to Midian, their brother Shuʿayb. He said: O my people, worship God; you have no god other than Him And do not give short measure or weight. I see you enjoying prosperity, and I fear for you the punishment of an all-encompassing day. * O my people, give full measure and weight with justice, and do not deprive people of their things, and do not act wickedly in the land, spreading corruption. * What God leaves for you is better for you, if you are believers; and I am no guardian over you. * They said: O Shuʿayb, do your prayers command you

مؤمنين ومآ أنا عليكم بحفيظ * قالوا يشعيب أصلواتك تأمرك أن نترك ما يعبد ءاباؤنآ أو أن نفعل في أموالنا ما نشاء إنك لأنت لحليم لرشيد * قال يقوم أرأيتم إن كنت على بينة من ربي ورزقني منه رزقا حسنا ومآ أريد أن أخالفكم إلى مآ أنهاكم عنه إن أريد إلا لإصلاح ما ستطعت وما توفيقي إلا بلله عليه توكلت وإليه أنيب * ويقوم لا يجرمنكم شقاقي أن يصيبكم مثل مآ أصاب قوم نوح أو قوم هود أو قوم صالح وما قوم لوط منكم ببعيد * وستغفروا ربكم ثم توبوا إليه إن ربي رحيم ودود * قالوا يشعيب ما نفقه كثيرا مما تقول وإنا لنراك فينا ضعيفا ولولا رهطك لرجمناك ومآ أنت علينا بعزيز}

قال أبو محمد: فإذا قد حض الله تعالى على المجادلة بالحق وأمر بطلب البرهان فقد صح أن طلب الحجة هي سبيل الله عز وجل، بالنص الذي ذكرنا أن من نهى عن ذلك وصد عنه، فهو صاد عن سبيل الله تعالى، ظالم ملعون بلا تأويل إلا على عين النص الوارد من قبل الله تعالى وبالله نعتصم

that we abandon what our fathers worship, or that we do with our property whatever we wish? You are indeed the forbearing, the rightly guided! * He said: O my people, consider: if I stand upon clear evidence from my Lord, and He has provided me with a good provision from Himself? I do not wish to go against you by doing what I forbid you to do. I desire only reform, so far as I am able. My success comes only through God; upon Him I rely, and to Him I turn. * O my people, let not your opposition to me cause the like of what befell the people of Noah, or the people of Hūd, or the people of Ṣāliḥ to befall you; and the people of Lot are not far from you. * Seek your Lord's forgiveness, then repent to Him. My Lord is merciful, loving. * They said: O Shuʿayb, we do not understand much of what you say, and we certainly see you as weak among us. Were it not for your clan, we would stone you; you have no standing with us.} Abū Muḥammad said: Since God, the Exalted, has urged disputation with the truth and commanded the seeking of demonstration, it is established that seeking proof is the path of God, Mighty and Majestic, by the explicit text we have mentioned, and that anyone who prohibits this and turns people away from it is turning people away from the path of God, the Exalted—a wrongdoer, accursed without interpretive qualification, solely according to the very wording of the text received from God, the Exalted. And in God we seek protection.[13][14][15]

[13] **Translator's note (L48):** 'Everyone led astray is supplied with an argument' renders a compact saying whose word maftūn can mean someone subjected to temptation or trial, someone deluded, or someone led astray. The author's ensuing contrast favors 'led astray' here. 'Every heart that is arrogant and tyrannical' follows the supplied wording of the quotation, in which 'arrogant' and 'tyrannical' grammatically qualify 'heart.'

[14] **Translator's note (L51):** The clause introducing Pharaoh's speech is imprecise: the first sentence of the quoted passage, concerning sovereignty and protection against God's might, is spoken by the believing man in Qur'an 40:29; Pharaoh's speech begins at "Pharaoh said." The author's attribution has been preserved. The supplied text has "their statements" in a grammatically anomalous form apparently intended as the dual, referring to Pharaoh and the believer.

[15] **Qur'an references (L48):** Qur'an 18:22 (Al-Kahf); Qur'an 40:35 (Ghafir); Qur'an 22:3 (Al-Hajj); Qur'an 22:8 (Al-Hajj); Qur'an 31:20 (Luqman); Qur'an 22:9 (Al-Hajj); Qur'an 40:4 (Ghafir); Qur'an 40:5 (Ghafir); Qur'an 40:29 (Ghafir); Qur'an 11:81 (Hud); Qur'an 11:82 (Hud); Qur'an 11:84 (Hud); Qur'an 11:86 (Hud); Qur'an 11:87 (Hud); Qur'an 11:88 (Hud); Qur'an 11:89 (Hud); Qur'an 11:90 (Hud); Qur'an 11:91 (Hud).

L54–56 And the Exalted said: {It was not for the people of Medina and the Bedouins around them to remain behind the Messenger of God, nor to prefer their own lives to his. That is because no thirst, fatigue, or hunger afflicts them in the path of God, nor do they tread any ground that enrages the unbelievers, nor inflict any injury upon an enemy, without a righteous deed being recorded for them thereby. God does not allow the reward of those who do good to be lost.} Nothing enrages the unbelievers and the advocates of falsehood more than exposing their statements through a decisive proof. Great armies may be defeated, but sound proof is never overcome. It is therefore more effective in calling to the truth and more supportive of religion than sharp weapons and vast numbers. The most excellent of the Companions, who have no equals, embraced Islam only because demonstrations establishing the truth of Muḥammad's prophethood, God bless him and grant him peace, had been established for them. They were therefore superior to those who embraced Islam through being overpowered, without disagreement from any Muslim. The first thing God, Mighty and Majestic, commanded His prophet Muḥammad, God bless him and grant him peace, was to call people to Him through conclusive proof, without fighting. Then, when the proof had been established and they obstinately opposed the truth, God, the Exalted, permitted the sword at that point. And the Exalted said: {Say: To God belongs the conclusive proof. Had He willed, He would have guided you all.} And the Exalted said: {Rather, We hurl the truth against falsehood, and it crushes its head, and behold, it vanishes. And woe to you for what you describe!} There is no doubt that this is accomplished only through proof, for the sword is sometimes for us and sometimes against us. Demonstration is otherwise: it is always for us, always crushing the statement of our opponents and making it vanish. Many an exercise of physical force has used falsehood to crush much truth and make it vanish. Instances include the day of al-Ḥarrah, the day ʿUthmān was killed—may God be pleased with him—and the day al-Ḥusayn and Ibn al-Zubayr were killed—may God be pleased with them and curse their killers. Many prophets have been killed, yet their proof has never been overcome. Abū Muḥammad said: He, Mighty and Majestic, has taught us the proof against the eternalists in His exalted saying, {God knows what every female bears, what the wombs diminish and what they increase; and

وقال تعالى {ما كان لأهل لمدينة ومن حولهم من لأعراب أن يتخلفوا عن رسول لله ولا يرغبوا بأنفسهم عن نفسه ذلك بأنهم لا يصيبهم ظمأ ولا نصب ولا مخمصة في سبيل لله ولا يطأون موطئا يغيظ لكفار ولا ينالون من عدو نيلا إلا كتب لهم به عمل صالح إن لله لا يضيع أجر لمحسنين} ولا غيظ أغيظ على الكفار والمبطلين من هتك أقوالهم بالحجة الصادعة، وقد تهزم العساكر الكبار، والحجة الصحيحة لا تغلب أبدا، فهي أدعى إلى الحق، وأنصر للدين من السلاح الشاكي، والأعداد الجمة، وأفاضل الصحابة الذين لا نظير لهم، إنما أسلموا بقيام البراهين على صحة نبوة محمد صلى الله عليه وسلم عندهم فكانوا أفضل ممن أسلم بالغلبة بلا خلاف من أحد من المسلمين وأول ما أمر الله عز وجل نبيه محمدا صلى الله عليه وسلم أن يدعو له الناس بالحجة البالغة بلا قتال، فلما قامت الحجة وعاندوا الحق، أطلق الله تعالى السيف حينئذ وقال تعالى {قل فلله لحجة لبالغة فلو شآء لهداكم أجمعين} وقال تعالى {بل نقذف بلحق على لباطل فيدمغه فإذا هو زاهق ولكم لويل مما تصفون} ولا شك في أن هذا إنما هو بالحجة لأن السيف مرة لنا ومرة علينا، وليس كذلك البرهان، بل هو لنا أبدا، ودامغ لقول مخالفينا، ومزهق له أبدا. ورب قوة باليد قد دمغت بالباطل حقا كثيرا فأزهقته، منها يوم الحرة ويوم قتل عثمان رضي الله عنه، ويوم قتل الحسين وابن الزبير رضي الله عنهم، ولعن قتلتهم، وقد قتل أنبياء كثير وما غلبت حجتهم قط. قال أبو محمد: وقد علمنا عز وجل الحجة على الدهرية في قوله تعالى {لله يعلم ما تحمل كل أنثى وما تغيض لأرحام وما تزداد وكل شيء عنده بمقدار} وقوله تعالى: {ليعلم أن قد أبلغوا رسالات ربهم وأحاط بما لديهم وأحصى كل شيء عددا} وعلمنا الحجة على الثنوية بقوله تعالى {لو كان فيهمآ آلهة إلا لله لفسدتا فسبحان لله رب لعرش عما يصفون} وعلى النصارى وعلى جميع الملل، وقد بينا ذلك في كتابنا المرسوم بكتاب الفصل ورأينا

everything with Him is according to a measure,} and His exalted saying, {So that He may know that they have conveyed the messages of their Lord; and He encompasses what is with them and has counted everything in number.} He taught us the proof against the dualists through His exalted saying, {Had there been in the two of them gods other than God, both would have fallen into ruin. So glory be to God, Lord of the Throne, above what they describe,} and against the Christians and all religious communities. We have explained this in our work entitled The Book of Distinction, and in it we have seen the greatness of what God, the Exalted, has bestowed upon us in this matter of wisdom and knowledge concerning argumentation and the presentation of demonstration with the utmost brevity and concision.[16][17]

فيه عظيم ما أفادنا الله تعالى في ذلك من الحكمة والعلم بالمحاجة وإظهار البرهان بغاية الإيجاز والاختصار

L57 God has commanded disputation through the words of His Messenger, may God bless him and grant him peace, as ʿAbd Allāh ibn al-Rabīʿ informed us, saying: Muḥammad ibn Isḥāq ibn al-Salīm reported to us: Ibn al-Aʿrābī related to us: Abū Dāwūd reported to us: Abū Mūsā ibn Ismāʿīl related to us: Ḥammād—that is, Ibn Salama—related to us, from Ḥumayd, from Anas ibn Mālik, who said: The Messenger of God, may God bless him and grant him peace, said: "Strive against the polytheists with your wealth, your persons, and your tongues."

وقد أمر الله بالجدال على لسان رسوله صلى الله عليه وسلم كما اخبرنا عبد الله بن الربيع قال أنبأنا محمد بن إسحاق بن السليم، حدثنا ابن الأعرابي، أنبأنا أبو داود، حدثنا أبو موسى بن إسماعيل، ثنا حماد هو ابن سلمة عن حميد عن أنس بن مالك قال قال رسول الله صلى الله عليه وسلم جاهدوا المشركين بأموالكم وأنفسكم وألسنتكم. قال أبو محمد: وهذا حديث في غاية الصحة، وفيه الأمر بالمناظرة وإيجابها كإيجاب الجهاد والنفقة في سبيل الله قال أبو محمد وقد علمنا رسول الله صلى الله عليه وسلم وضع السؤال موضعه وكيفية المحاجة في الحديث الذي ذكر محاجة آدم موسى صلى الله عليهما وسلم. حدثنا عبد الله بن يوسف بن نامي، عن أحمد بن فتح، عن عبد الوهاب بن عيسى، عن أحمد بن محمد، عن أحمد بن علي، عن مسلم بن الحجاج، عن ابن أبي عمر المكي ومحمد بن حاتم وغيرهما، واللفظ لابن حاتم كلاهما عن سفيان بن عيينة، عن عمرو، هو ابن دينار، عن طاوس قال سمعت أبا هريرة يقول قال رسول الله صلى الله عليه وسلم احتج آدم وموسى فقال موسى يا آدم أنت أبونا خيبتنا وأخرجتنا من الجنة، فقال له آدم: أنت موسى الذي اصطفاك الله بكلامه، وخط لك بيده، أتلومني على أمر قدره الله علي قبل أن أخلق بأربعين سنة فحج آدم موسى قال أبو محمد فموسى صلى الله عليه

Abū Muḥammad said: This is a report of the utmost soundness. It contains a command to engage in debate and makes it obligatory, just as striving and spending in the path of God are obligatory.

Abū Muḥammad said: The Messenger of God, may God bless him and grant him peace, has taught us how to put a question in its proper place and how to conduct an argument, in the report mentioning Adam's argument with Moses, may God bless them both and grant them peace. ʿAbd Allāh ibn Yūsuf ibn Nāmī related to us, from Aḥmad ibn Fatḥ, from ʿAbd al-Wahhāb ibn

[16] **Translator's note (L54):** "Eternalists" renders al-dahriyyah, those who maintain the eternity of the world or attribute events to time. The references to the deaths of al-Ḥusayn and Ibn al-Zubayr use a single "day" in the supplied text, although these were separate events; that wording has been retained.

[17] **Qur'an references (L54):** Qur'an 9:120 (At-Tawbah); Qur'an 21:18 (Al-Anbya); Qur'an 13:8 (Ar-Ra'd); Qur'an 72:28 (Al-Jinn); Qur'an 21:22 (Al-Anbya).

ʿĪsā, from Aḥmad ibn Muḥammad, from Aḥmad ibn ʿAlī, from Muslim ibn al-Ḥajjāj, from Ibn Abī ʿUmar al-Makkī and Muḥammad ibn Ḥātim and others—the wording is Ibn Ḥātim's—both of them from Sufyān ibn ʿUyayna, from ʿAmr—that is, Ibn Dīnār—from Ṭāwūs, who said: I heard Abū Hurayra say: The Messenger of God, may God bless him and grant him peace, said: "Adam and Moses argued. Moses said: 'Adam, you are our father; you disappointed us and expelled us from the Garden.' Adam said to him: 'You are Moses, whom God singled out by speaking to you and for whom He wrote with His own hand. Do you blame me for something God decreed for me forty years before I was created?' Thus Adam defeated Moses in argument."

وسلم وضع الملامة في غير موضعها فصار محجوجا وذلك لأنه لام آدم صلى الله عليه وسلم على أمر لم يفعله وهو خروج الناس من الجنة، وإنما هو فعل الله عز وجل، ولو أن موسى لام آدم على خطيئته الموجبة لذلك لكان واضعا للملامة موضعها، ولكان آدم محجوجا وليس أحد ملوما إلا على ما يفعله لا على ما تولد من فعله، ولا مما فعله غيره.

Abū Muḥammad said: Moses, may God bless him and grant him peace, thus placed the blame where it did not belong and was consequently defeated in argument. This was because he blamed Adam, may God bless him and grant him peace, for something he had not done, namely, people's departure from the Garden. That was solely the act of God, mighty and majestic. Had Moses blamed Adam for his sin, which occasioned that departure, he would have placed the blame where it belonged, and Adam would have been defeated in argument. No one is blameworthy except for what he does, neither for what results from his act nor for what someone else has done.

L58–59 The unbeliever is blamed only for the act, not for entering the Fire; and the killer is blamed only for his act, not for the death of the person he killed, nor for the exacting of retribution from him. Thus the Messenger of God—may God bless him and grant him peace—taught us in this report, as you see, how to ask questions when arguing. He, may God bless him and grant him peace, made clear to us that argument is permissible and that anyone who misplaces his question is defeated in argument. Thereby the saying of God, mighty and majestic, became manifest: {Just as We have sent among you a messenger from among yourselves, reciting Our signs to you, purifying you, teaching you the Book and wisdom, and teaching you what you did not know.}[18]

والكافر إنما يلام على الفعل، لا على دخول النار، والقاتل إنما يلام على فعله، لا على موت مقتوله ولا على أخذ القصاص منه فعلمنا رسول الله صلى الله عليه وسلم في هذا الحديث كما ترى كيف نسأل عند المحاجة وبين لنا صلى الله عليه وسلم أن المحاجة جائزة وأن من أخطأ موضع السؤال كان محجوجا، وظهر بذلك قول الله عز وجل: {كما أرسلنا فيكم رسولا منكم يتلوا عليكم آياتنا ويزكيكم ويعلمكم لكتاب ولحكمة ويعلمكم ما لم تكونوا تعلمون}

L60–64 What we have mentioned is the express wording of the report, not what is

والذي ذكرنا هو نص الحديث لا ما ظنه من يتعسف الكلام ويحرفه عن مواضعه، ويطلب فيه ما ليس فيه، وليس هذا الحديث من باب إثبات القدر في شيء، وإثبات

[18] **Qur'an references (L58):** Qur'an 2:151 (Al-Baqarah).

imagined by someone who forces the language, distorts it from its proper meanings, and seeks in it what it does not contain. This report has nothing whatsoever to do with establishing predestination. Predestination is established only through other reports and other verses.

Abū Muḥammad said: The Emigrants, the Helpers, and the rest of the Companions, may God be pleased with them, argued with one another; and Ibn ʿAbbās argued with the Khārijites at the command of ʿAlī, may God be pleased with him. No Companion ever condemned disputation in pursuit of the truth. Thus no weight attaches to a statement by anyone who came after them. In general, no one is weaker than someone who attempts to invalidate disputation through disputation, wishes to demolish all argumentation through argumentation, and labors to establish the invalidity of debate through debate. For he acknowledges against himself that he is putting forward falsehood, since his argument is one of the arguments whose entirety he wishes to invalidate. This is a course pursued only by a weak ignoramus or a foolish, obstinate opponent. The disputation to which we call is the pursuit and support of truth, and the destruction and exposure of falsehood. Whoever disparages the pursuit of truth and objects to the demolition of falsehood has deviated from religion and is truly one of the adherents of falsehood. Contending through falsehood is the obstinate contentiousness concerning which he, peace be upon him, said: "The man most hateful to God is the obstinately contentious adversary"—or words to that effect, as he, may God bless him and grant him peace, said.

Since every route that our opponents have claimed leads to truths—namely, inspiration and uncritical adherence—has thus been invalidated, and since it has been established that a report's soundness cannot be known from the report itself, nor its truth distinguished from its falsehood, nor what in it is binding from what is not binding, except by evidence external to it, it has therefore been established that recourse must be to the arguments of reason and what they necessarily entail. It has also been established that reason merely distinguishes between the attributes of existing things and acquaints the person who draws inferences through it with the true characteristics of things that exist and with distinguishing what among them is impossible. As

القدر إنما يصح من أحاديث أخر وآيات أخر. قال أبو محمد: وقد تحاج المهاجرون والأنصار وسائر الصحابة رضوان الله عليهم، وحاج ابن عباس الخوارج بأمر علي رضى الله عنه، وما أنكر قط أحد من الصحابة الجدال في طلب الحق فلا معنى لقول لمن جاء بعدهم وبالجملة فلا أضعف ممن يروم إبطال الجدال بالجدال. ويريد هدم جميع الاحتجاج بالاحتجاج، ويتكلف فساد المناظرة بالمناظرة، لأنه مقر على نفسه أنه يأتي بالباطل، لأن حجته هي بعض الحجج التي يريد إبطال جملتها. وهذه طريق لا يركبها إلا جاهل ضعيف، أو معاند سخيف. والجدال الذي ندعو إليه هو طلب الحق ونصره. وإزهاق الباطل وتبينه. فمن ذم طلب الحق وأنكر هدم الباطل فقد ألحد. وهو من أهل الباطل حقا والخصام بالباطل هو اللدد الذي قال فيه عليه السلام أبغض الرجال إلى الله الألد الخصم أو كما قال صلى الله عليه وسلم فإذا قد بطلت كل طريق ادعاها خصومنا في الوصول إلى الحقائق من الإلهام والتقليد، وثبت أن الخبر لا يعلم صحته بنفسه، ولا يتميز حقه من كذبه، وواجبه من غير واجبه، إلا بدليل من غيره، فقد صح أن المرجوع إليه حجج العقول وموجباتها، وصح أن العقل إنما هو مميز بين صفات الأشياء الموجودات، وموقف للمستدل به على حقائق كيفيات الأمور الكائنات، وتمييز المحال منها. وأما من ادعى أن العقل يحلل أو يحرم، أو أن العقل يوجد عللا موجبة لكون ما أظهر الله الخالق تعالى في هذا العالم من جميع أفاعيله الموجود فيه من الشرائع وغير الشرائع، فهو بمنزلة من أبطل موجب العقل جملة. وهما طرفان أحدهما أفرط نخرج عن حكم العقل، والثاني قصر نخرج عن حكم العقل، ومن ادعى في العقل ما ليس فيه كمن أخرج منه ما فيه، ولا فرق. ولا نعلم فرقة أبعد من طريق العقل من هاتين الفرقتين معا، إحداهما: التي تبطل حجج العقل جملة. والثانية: التي تستدرك بعقولها على خالقها عز وجل أشياء لم يحكم فيها ربهم بزعمهم، فثقفوها هم ورتبوها رتبا أوجبوا أن لا محيد لربهم تعالى عنها، وأنه لا تجري أفعاله

for anyone who claims that reason makes things lawful or unlawful, or that reason discovers causes necessitating the existence of what God the Creator, exalted is He, has brought forth in this world, comprising all His acts found therein, whether religious laws or things other than religious laws, he is like someone who wholly invalidates what reason necessarily entails. These are two extremes: one goes too far and thus departs from the judgment of reason, while the other falls short and thus departs from the judgment of reason. Someone who attributes to reason what it does not contain is like someone who removes from it what it does contain; there is no difference. We know of no group further from the path of reason than these two groups alike: the first wholly invalidates the arguments of reason, while the second uses its reason to supply, as corrections to its Creator, mighty and majestic, things concerning which, so they claim, their Lord has made no determination. They themselves put these things right and arranged them in orders from which they declared that their Lord, exalted is He, could not depart, and under whose laws alone His acts, mighty and majestic is He, could proceed. Both groups have indeed fabricated a tremendous falsehood against God, mighty and majestic, and have put forward things that make the skins of rational people shudder.

We have explained that the true nature of reason consists solely in distinguishing things apprehended through the senses and understanding, and in knowing their attributes as they actually are, proceeding only in accordance with what they are: establishing that the world came into being, that the Creator is one and has always existed, the authenticity of the prophethood of anyone whose prophethood is supported by proofs, the obligation to obey Him who has threatened us with the Fire for disobeying Him, and acting upon all of this that reason has established as sound, together with everything else that exists in the world apart from religious laws, and solely in becoming acquainted with the characteristics of all of this. As for reason necessitating that swine be unlawful or lawful, or that a male goat be unlawful or lawful; that the noon prayer consist of four units and the sunset prayer of three; that the head be wiped during ablution but not the neck; that a person discharge something from his lower parts and then wash his upper parts;

عز وجل إلا تحت قوانينها. لقد افترى كلا الفريقين على الله عز وجل إفكا عظيما، وأتوا بما تقشعر منه جلود أهل العقول. وقد بينا أن حقيقة العقل إنما هي تمييز الأشياء المدركة بالحواس وبالفهم ومعرفة صفاتها التي هي عليها جارية على ما هي عليه فقط من إيجاب حدوث العالم، وأن الخالق واحد لم يزل، وصحة نبوة من قامت الدلائل على نبوته، ووجوب طاعة من توعدنا بالنار على معصيته، والعمل بما صححه العقل من ذلك كله، وسائر ما هو في العالم موجود، مما عدا الشرائع، وأن يوقف على كيفيات كل ذلك فقط. فأما أن يكون العقل يوجب أن يكون الخنزير حراما أو حلالا، أو يكون التيس حراما أو حلالا، أو أن تكون صلاة الظهر أربعا وصلاة المغرب ثلاثا أو أن يمسح على الرأس في الوضوء دون العنق، أو أن يحدث المرء من أسفله فيغسل أعلاه، أو أن يتزوج أربعا ولا يتزوج خمسا، أو أن يقتل من زنى وهو محصن وإن عفي عنه زوج المرأة وأبوها ولا يقتل قاتل النفس المحرمة عمدا إذا عفا عنه أولياء المقتول. أو أن يكون الإنسان ذا عينين دون أن يكون ذا ثلاثة أعين أو أربع، أو أن تخص صورة الإنسان بالتمييز دون صورة الفرس، أو أن تكون الكواكب المتحيرة سبعا دون أن تكون تسعا، وكذلك سائر رتب العالم كلها. فهذا ما لا مجال للعقل فيه لا في إيجابه ولا في المنع منه، وإنما في العقل الفهم عن الله تعالى لأوامره، ووجوب ترك التعدي إلى ما يخاف العذاب على تعديه، والإقرار بأن الله تعالى يفعل ما يشاء، ولو شاء أن يحرم ما أحل أو يحل ما حرم لكان ذلك له تعالى، ولو فعله لكان فرضا علينا الانقياد لكل ذلك ولا مزيد. ومعرفة صفات كل ما أدركنا معرفته مما في العالم وأنه على صفة كذا وهيئة كذا كما أحكمه ربه تعالى ولا زيادة فيه وبالله تعالى التوفيق وإليه الرغبة في دفع ما لا نطيق

that he marry four women but not five; that someone who commits illicit intercourse while possessing the legal status of a married person be killed even if the woman's husband and father pardon him, whereas someone who deliberately kills a person whose life is inviolable is not killed if the slain person's next of kin pardon him; that a human being have two eyes rather than three or four; that the human form be endowed with discernment to the exclusion of the horse's form; or that the wandering planets be seven rather than nine—and likewise all the other arrangements of the world in their entirety—these are matters in which reason has no scope, whether to necessitate them or to preclude them. Reason's province is only to understand God's commands from Him, exalted is He; to recognize the obligation to refrain from transgressing bounds whose transgression gives cause to fear punishment; and to acknowledge that God, exalted is He, does whatever He wills. Had He wished to prohibit what He has permitted, or to permit what He has prohibited, that would have been His prerogative, exalted is He. Had He done so, it would have been obligatory for us to submit to all of that, and nothing more. Its province also includes knowing the attributes of everything in the world that we have come to know, and knowing that it has such-and-such an attribute and such-and-such a configuration, just as its Lord, exalted is He, has fashioned it, with nothing added to that. Success comes through God, exalted is He, and to Him we turn in entreaty to avert what we cannot bear.[19][20]

[19]**Translator's note (L60):** The phrase rendered "what in it is binding from what is not binding" can also mean "what in it is necessary from what is not necessary"; the unqualified Arabic leaves the sense of necessity or obligation open.

[20]**Translator's note (L63):** "Possessing the legal status of a married person" renders muḥṣan, a technical legal status that can continue after the qualifying marriage has ended. "The wandering planets" renders the historical astronomical term al-kawākib al-mutaḥayyira; the source's count of seven is retained.



PRECISION IN THE FOUNDATIONS OF LEGAL RULINGS

الباب 4: كيفية ظهور اللغات

Chapter 4: The Origin of Languages

Ibn Ḥazm · Arabic–English parallel edition

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[Chapter Four: How Languages Came to Appear]

L65

L66–68 Was it through divine instruction or through convention? Abū Muḥammad said: People have said much about this. The correct view is that the origin of speech is instruction from God, mighty and majestic, as shown by transmitted evidence and a necessary demonstration. The transmitted evidence is God's saying: "He taught Adam all the names, then presented them to the angels and said, 'Tell Me the names of these, if you are truthful.'" As for the necessary demonstration, if speech were a convention, only people whose minds had matured, whose reasoning had been trained, whose knowledge was complete, and who had become acquainted with all things in the world and knew their definitions, similarities, differences and natures could have agreed upon it. Yet we necessarily know that many years pass between a person's first existence and reaching this condition, during which that person needs upbringing, protection and support from another, for a person cannot look after himself until years after birth. Parents, carers and guardians cannot live together without speech by which to communicate their wishes concerning their necessities: what sustains their livelihood, such as cultivation, livestock or planting; what repels heat, cold and wild beasts; and the treatment of illness. All these things require names by which they recognize what they deal with. Every person has passed through the childhood condition we mentioned, when understanding was not yet possible and a guardian was needed. Convention entails a time before which it did not exist, because it is an act of those who agree, and every act must have a [beginning]. What, then, was the condition of those who agreed to establish language before they agreed upon it? This is necessarily impossible. ʿAlī said: This is a necessary demonstration that the human species originated, that the one first Creator—blessed and exalted is He—exists, and that prophethood and a mission exist. No human being can survive or exist without speech. Speech consists of letters arranged together, and arrangement is necessarily the act of an agent. Every act has a time at which it began, because an act is a motion measured by durations. Thus this arrangement has a beginning; a human being cannot exist without it; and whatever did not exist before something that has a beginning necessarily has a beginning itself. It follows that what

[الباب الرابع في كيفية ظهور اللغات]

أعن توقيف أم عن اصطلاح قال أبو محمد أكثر الناس في هذا، والصحيح من ذلك أصل الكلام توقيف من الله عز وجل بحجة سمع وبرهان ضروري. فأما السمع فقول الله عز وجل: {وعلم آدم الأسمآء كلها ثم عرضهم على الملائكة فقال أنبئوني بأسمآء هؤلاء إن كنتم صادقين} وأما الضروري بالبرهان: فهو أن الكلام لو كان اصطلاحا لما جاز أن يصطلح عليه إلا قوم قد كملت أذهانهم، وتدربت عقولهم، وتمت علومهم، ووقفوا على الأشياء كلها الموجودة في العالم وعرفوا حدودها واتفاقها، واختلافها وطبائعها وبالضرورة نعلم أن بين أول وجود الإنسان وبين بلوغه هذه الصفة سنين كثيرة جدا يقتضي في ذلك تربية وحياطة وكفالة من غيره. إذ المرء لا يقوم بنفسه إلا بعد سنين من ولادته. ولا سبيل إلى تعايش الوالدين والمتكفلين والحضان إلا بكلام يتفاهمون به مراداتهم فيما لا بد لهم منه، فيما يقوم معايشهم من حرث أو ماشية أو غراس، ومن معاناة ما يطرد به الحر والبرد والسباع، ويعاني به الأمراض، ولا بد لكل هذا من أسماء يتعارفون بها ما يعانونه من ذلك. وكل إنسان فقد كان في حالة الصغر التي ذكرنا من امتناع الفهم والاحتياج إلى كافل، والاصطلاح يقتضي وقتا لم يكن موجودا قبله، لأنه عمل المصطلحين، وكل عمل لا بد من أن يكون له أو فكيف كانت حال المصطلحين على وضع اللغة قبل اصطلاحهم عليه فهذا من الممتنع المحال ضرورة قال علي وهذا دليل برهاني ضروري من أدلة حدوث النوع الإنساني، ومن أدلة وجود الواحد الخالق الأول تبارك وتعالى، ومن أدلة وجود النبوة والرسالة لأنه لا سبيل إلى بقاء أحد من الناس ووجوده دون كلام، والكلام حروف مؤلفة، والتأليف فعل فاعل ضرورة لا بد له من ذلك، وكل فعل فعله فله زمان ابتدىء فيه، لأن الفعل حركة تعدها المدد، فصح أن لهذا التأليف أولا، والإنسان لا يوجد دونه. وما لم يوجد قبل ما له أول فله أول ضرورة، فصح أن للمحدث محدثا بخلافة،

is originated has an originator distinct from it. What begins with the Creator and cannot by nature be known without instruction cannot be known except through a teacher whom the Creator taught, who then taught others of his kind what his Lord had taught him. ʿAlī said: Furthermore, agreement to establish a language necessarily requires either prior speech among those making the agreement or signs whose meaning they have agreed to understand. But agreement on the meaning of those signs itself necessarily requires speech; and knowledge of the definitions and natures of the things expressed by the words of languages requires speech and instruction. The view that speech began by convention is therefore invalidated. It remains for someone to say that speech is an act of nature. ʿAlī said: A necessary demonstration invalidates this: nature performs one action, not different actions, whereas arranging speech is a voluntary act that takes many forms. Some have resorted to a confused claim that places naturally compelled their inhabitants to speak whichever language they spoke.[1]

وصح أن ما علم من ذلك مما هو مبتدأ من عند الخالق تعالى مما ليس في الطبيعة معرفته دون تعليم فلا يمكن البتة معرفته إلا بمعلم علمه الباري إياه ثم علم هو أهل نوعه ما علمه ربه تعالى قال علي وأيضا فإن الاصطلاح على وضع لغة لا يكون ضرورة إلا بكلام متقدم بين المصطلحين على وضعها. أو بإشارات قد اتفقوا على فهمها. وذلك الاتفاق على فهم تلك الإشارات لا يكون إلا بكلام ضرورة ومعرفة حدود الأشياء وطبائعها التي عبر عنها بألفاظ اللغات لا يكون إلا بكلام وتفهيم. لا بد من ذلك. فقد بطل الاصطلاح على ابتداء الكلام. ولم يبق إلا أن يقول قائل إن الكلام فعل الطبيعة قال علي وهذا يبطل ببرهان ضروري وهو أن الطبيعة لا تفعل إلا فعلا واحدا لا أفعالا مختلفة، وتأليف الكلام فعل اختياري متصرف في وجوه شتى. وقد لجأ بعضهم إلى نوع من الاختلاط، وهو أن قال: إن الأماكن أوجبت بالطبع على ساكنيها النطق بكل لغة نطقوا بها

L69–70 ʿAlī said: This is impossible and cannot occur, because, if languages were determined by what the natures of places require, no place could exist except with the language required by its nature. The falsity of this can be seen with one's own eyes, since, in most cases, various languages have entered every place in proportion to the intermingling and proximity of the speakers of those languages. What they said is therefore invalid. Furthermore, there is nothing in the nature of a place that requires water to be called māʾ rather than some other name composed of letters of the alphabet. Whoever obstinately disputes this either openly champions falsehood or lacks reason: he must be one of these two. It is therefore established that language originated through instruction commanded by God, mighty and majestic, and through teaching from Him, exalted is He. We do not, however, deny that people may have agreed to introduce various languages after there had been a single language in which they had been instructed, through which they learned the essences of things, their qualities, and their definitions. We do

قال علي وهذا محال ممتنع لأنه لو كانت اللغات على ما توجبه طبائع الأمكنة لما أمكن وجود كل مكان إلا بلغته التي يوجبها طبعه. وهذا يرى بالعيان بطلانه لأن كل مكان في الأغلب قد دخلت فيه لغات شتى على قدر تداخل أهل اللغات ومجاورتهم. فبطل ما قالوا: وأيضا فليس في طبع المكان أن يوجب تسمية الماء ماء دون أن يسمى باسم آخر مركب من حروف الهجاء. ومن كابر في هذا، فإما مجاهر بالباطل وإما عديم عقل، لا بد له من أحد هذين الوجهين. فصح أنه توقيف من أمر الله عز وجل وتعليم منه تعالى. إلا أننا لا ننكر اصطلاح الناس على إحداث لغات شتى بعد أن كانت لغة واحدة وقفوا عليها، بها علموا ماهية الأشياء وكيفياتها وحدودها، ولا ندري أي لغة هي التي وقف آدم عليه السلام عليها أولا، إلا أننا نقطع على أنها أتم اللغات كلها، وأبينها عبارة، وأقلها إشكالا، وأشدها اختصارا وأكثرها وقوع أسماء مختلفة

[1] **Qur'an references (L66):** Qur'an 2:31 (Al-Baqarah).

not know which language Adam, peace be upon him, was first instructed in. Nevertheless, we affirm with certainty that it was the most complete of all languages, the clearest in expression, the least ambiguous, the most concise, and the richest in distinct names applying to all the distinct things named, among everything in the world, whether substance or accident, because God, mighty and majestic, says: "And He taught Adam the names, all of them; then He presented them to the angels and said: Tell Me the names of these, if you are truthful." This emphasis removes ambiguity and puts an end to contentious objections concerning what we have said.[2]

على المسميات كلها المختلفة من كل ما في العالم من جوهر أو عرض لقول الله عز وجل: {وعلم آدم الأسمآء كلها ثم عرضهم على الملائكة فقال أنبئوني بأسمآء هؤلاء إن كنتم صادقين} فهذا التأكيد يرفع الإشكال ويقطع الشغب فيما قلنا.

L71 Some have said that it was Syriac; some have said that it was Greek; some have said that it was Hebrew; and some have said that it was Arabic. God knows best. What we have ascertained and know with certainty, however, is that Syriac, Hebrew, and Arabic—meaning the language of Muḍar and Rabīʿa, rather than the language of Ḥimyar—are a single language that changed as the dwelling places of its speakers changed. A roughness of pronunciation consequently arose in it, like that which occurs in an Andalusian when he attempts the intonation of the people of Qayrawān, in someone from Qayrawān when he attempts the intonation of an Andalusian, and in someone from Khurasan when he attempts its intonation. We find that someone who hears the language of the people of Faḥṣ al-Ballūṭ, which is only a single night's journey from Cordoba, almost says that it is a language other than that of the people of Cordoba. This is also the case in many lands: when the people of a town live alongside another nation, their language changes in a way that is unmistakable to anyone who considers it.[3]

وقد قال قوم: هي السريانية وقال قوم: هي اليونانية: وقال قوم: هي العبرانية. وقال قوم: هي العربية. والله أعلم. إلا أن الذي وقفنا عليه وعلمناه يقينا أن السريانية والعبرانية والعربية هي لغة مضر وربيعة لا لغة حمير، لغة واحدة تبدلت بتبدل مساكن أهلها فحدث فيها جرش كالذي يحدث من الأندلسي، وإذا رام نغمة أهل القيروان، ومن القيرواني إذا رام نغمة الأندلسي، ومن الخراساني إذا رام نغمتها. ونحن نجد من سمع لغة أهل فحص البلوط وهي على ليلة واحدة من قرطبة كاد أن يقول إنها لغة أخرى غير لغة أهل قرطبة. وهكذا في كثير من البلاد فإنه بمجاورة أهل البلدة بأمة أخرى تتبدل لغتها تبديلا لا يخفى على من تأمله.

L72–75 We find that ordinary people have altered the expressions of the Arabic language so greatly that, in their distance from the original word, they are like another language, with no difference. Thus we find them saying al-ʿaynab for al-ʿinab, "grapes"; asṭūṭ for al-sawṭ, "the whip"; and thlthdā for thalāthat

ونحن نجد العامة قد بدلت الألفاظ في اللغة العربية تبديلا وهو في البعد عن أصل تلك الكلمة كلغة أخرى ولا فرق. فنجدهم يقولون في العنب: العينب وفي السوط أسطوط. وفي ثلاثة دنانير ثلثدا. وإذا تعرب البربري فأراد أن يقول الشجرة قال السجرة. وإذا تعرب الجليقي أبدل من العين والحاء هاء فيقول مهمدا إذا أراد أن يقول محمدا ومثل هذا كثير فمن تدبر العربية والعبرانية السريانية أيقن أن اختلافهما إنما هو من نحو ما ذكرنا من تبديل ألفاظ الناس على طول الأزمان واختلاف البلدان

[2] **Qur'an references (L69):** Qur'an 2:31 (Al-Baqarah).

[3] **Translator's note (L71):** The source has an awkward additional conjunction before "when he attempts" in the Andalusian example. The translation follows the apparent parallel construction. The possessive in "its intonation" in the Khurasan example has no unambiguous antecedent; that ambiguity is retained.

danānīr, “three dinars.” When a Berber adopts Arabic and wishes to say al-shajara, “the tree,” he says al-sajara. When a Galician adopts Arabic, he substitutes hāʾ for ʿayn and ḥāʾ, saying Muḥammad with an h sound in place of ḥ when he wishes to say Muḥammad. There are many such examples. Thus whoever examines Arabic, Hebrew, and Syriac becomes certain that their differences are only of the kind we have mentioned: people’s alteration of expressions over long periods of time, differences between lands, and the proximity of nations; and that they were originally a single language. Since we are certain of this, Syriac is the source of both Arabic and Hebrew. The widely transmitted account is that the first person to speak this Arabic was Ishmael, peace be upon him, so it is the language of his descendants. Hebrew is the language of Isaac and the language of his descendants. Syriac is undoubtedly the language of Abraham—may God bless him and our Prophet and grant them peace—according to widespread transmission that establishes sound knowledge. Syriac is therefore the source of both. Some have said that Greek is the most extensive of languages. Perhaps this is only so at present, for most of a language falls out of use and disappears when the political power of its speakers collapses and others enter their dwelling places, or when they are removed from their homelands and intermingle with others. What preserves a nation’s language, its sciences, and its historical accounts is the strength of its political power, the energy of its people, and their leisure. As for those whose political power has perished, whose enemy has overcome them, and who are preoccupied with fear, need, humiliation, and serving their enemies, the death of intellectual activity among them is assured. This may cause their language to disappear, their genealogies and historical accounts to be forgotten, and their sciences to perish. This is found through observation and known through reason necessarily. Thousands of years have passed since the political power of the Syriac-speaking people disappeared and perished; an entire language can be forgotten in less time than that, so how has most of it escaped? God, exalted is He, knows best. We do not affirm with certainty that it was the language in which God, exalted is He, first gave instruction. We do not know: someone might perhaps say, “Perhaps that language has been completely effaced and has disappeared altogether, or perhaps it is one of the surviving languages, which we cannot identify individually.” This is what

ومجاورة الأمم. وأنها لغة واحدة في الأصل. وإذ تيقنا ذلك فالسريانية أصل للعربية وللعبرانية معا، والمستفيض أن أول من تكلم بهذه العربية إسماعيل عليه السلام فهي لغة ولده، والعبرانية لغة إسحاق ولغة ولده. والسريانية بلا شك هي لغة إبراهيم صلى الله عليه وعلى نبينا وسلم بنقل الاستفاضة الموجبة لصحة العلم فالسريانية أصل لهما وقد قال قوم: إن اليونانية أبسط اللغات. ولعل هذا إنما هو الآن فإن اللغة يسقط أكثرها. ويبطل بسقوط دولة أهلها ودخول غيرهم عليهم في مساكنهم أو بنقلهم عن ديارهم واختلاطهم بغيرهم، فإنما يقيد لغة الأمة وعلومها وأخبارها قوة دولتها، ونشاط أهلها وفراغهم. وأما من تلفت دولتهم، وغلب عليهم عدوهم، واشتغلوا بالخوف والحاجة والذل وخدمة أعدائهم، فمضمون منهم موت الخواطر، وربما كان ذلك سببا لذهاب لغتهم، ونسيان أنسابهم وأخبارهم وبيود علومهم، هذا موجود بالمشاهدة، ومعلوم بالعقل ضرورة. ولدولة السريانيين مذ ذهبت وبادت آلاف من الأعوام في أقل منها ينسى جميع اللغة فكيف تفلت أكثرها والله تعالى اعلم ولسنا نقطع على أنها اللغة التي وقف الله تعالى عليها أولا، ولا ندري لعل قائلا يقول: لعل تلك اللغة قد درست البتة وذهبت بالجملة أو لعلها إحدى اللغات الباقية لا نعلمها بعينها، وهذا هو الذي توجبه الضرورة ولا بد مما لا يمكن سواه أصلا، وقد يمكن أن يكون الله تعالى وقف آدم عليه السلام على جميع اللغات التي ينطق بها الناس كلهم الآن. ولعلها كانت حينئذ لغة واحدة مترادفة الأسماء على المسميات ثم صارت لغات كثيرة، إذ توزعها بنوه بعد ذلك، وهذا هو الأظهر عندنا والأقرب، إلا أننا لا نقطع على هذا كما نقطع على أنه لا بد من لغة واحدة وقف الله تعالى عليها، ولكن هذا هو الأغلب عندنا، نعني أن الله تعالى وقف على جميع هذه اللغات المنطوق بها، وإنما ظننا هذا لأننا لا ندري أي سبب دعا الناس ولهم لغة يتكلمون بها ويتفاهمون بها إلى إحداث لغة أخرى،

necessity requires, and there must be that for which no alternative is possible at all. It is also possible that God, exalted is He, instructed Adam, peace be upon him, in all the languages that all people speak today. Perhaps they were then a single language, with synonymous names for the things named, and subsequently became many languages when his descendants divided them among themselves. This is what seems more evident and more likely to us. Nevertheless, we do not affirm this with the certainty with which we affirm that there must have been a single language in which God, exalted is He, gave instruction. Rather, this is what we consider most likely: we mean that God, exalted is He, gave instruction in all these spoken languages. We have supposed this only because we do not know what reason could have induced people, when they already had a language in which they spoke and understood one another, to introduce another language and undertake the immense toil involved for no purpose. No rational person would in any way devote himself to such superfluous activity. If such a thing occurred, it would be the work of an idle meddler with poor judgment, preoccupied with what is of no benefit to the exclusion of what concerns him and what has a stronger claim upon him: the affairs of his life to come, his worldly interests, his pleasures, and all the beneficial sciences. Moreover, who could guarantee that the people of his town would obey him by abandoning their language and speaking the language he had devised for them? We do not, however, regard this as impossible or incapable of occurring. Rather, we say that it is possible but exceedingly unlikely. If they say, "Perhaps a king had various languages within his kingdom and brought together for his subjects a language through which they could all understand one another," we say to them: This is the opposite of establishing many languages; it is, rather, bringing languages together into a single language. Then we say: What would have induced this king to undertake this pointless, difficult, burdensome labor that yields no benefit? It would have been easier for him to unite them upon one of those languages they already spoke, or upon his own language. That would have been less burdensome and more practicable than introducing an entirely new language. Knowledge of that rests with God, mighty and

وعظيم التعب في ذلك لغير معنى، ومثل هذا من الفضول لا يتفرع له عاقل بوجه من الوجوه، فإن وجد ذلك فمن فارغ فضولي سيىء الاختيار، مشتغل بما لا فائدة فيه عما يعينه، وعما هو آكد عليه من أمور معاده، ومصالح دنياه ولذاته وسائر العلوم النافعة. ثم من له بطاعة أهل بلده له في ترك لغتهم والكلام باللغة التي عمل لهم، ولكنا لسنا نجعل ذلك محالا ممتنعا بل نقول: إنه ممكن بعيد جدا، فإن قالوا: لعل ملكا كانت في مملكته لغات شتى فجمع لهم لغة يتفاهمون بها كلهم، قلنا لهم: هذا ضد وضع اللغات الكثيرة، بل هو جمع اللغات على لغة واحدة، ثم نقول: وما الذي كان يدعو هذا الملك إلى هذه الكلفة الباردة الصعبة الثقيلة التي لا تفيد شيئا؟ وكان أسهل له أن يجمعهم على لغة ما من تلك اللغات التي كانوا يتكلمون بها أو على لغته نفسه فكان أخف وأمكن من إحداث لغة مستأنفة، وعلم ذلك عند الله عز وجل. وقد توهم قوم في لغتهم أنها أفضل اللغات.

majestic. Some people have imagined that their own language is the best of languages[4][5][6]

L76–77 This is meaningless, because the grounds of excellence are known: they consist only in deeds or in being specially distinguished. A language performs no deeds, and no revealed text has come declaring one language superior to another. He, exalted is He, has said: "And We have sent no messenger except in the language of his people, so that he might make things clear to them; then God leads astray whom He wills and guides whom He wills, and He is the Mighty, the Wise."[7]

L78–79 And He, exalted, said: {We have only made it easy in your tongue so that they may take heed.} Thus He, exalted, informed us that He revealed the Qur'an in the language of the Arabs only so that his people—peace be upon him—might understand it, and for no other reason. Galen erred in this matter, saying: "The language of the Greeks is the best of languages, because all other languages resemble either the barking of dogs or the croaking of frogs." ʿAlī said: This is profound ignorance, because anyone who hears a language other than his own and does not understand it places it in the category Galen mentioned; there is no difference. Some people have said: "Arabic is the best of languages because God's speech, exalted is He, is in it." ʿAlī said: This is meaningless, because God, mighty and majestic, has informed us that He sent no messenger except in the tongue of his people.

وهذا لا معنى له لأن وجوه الفضل معروفة، وإنما هي بعمل أو اختصاص ولا عمل للغة، ولا جاء نص في تفضيل لغة على لغة، وقد قال تعالى: {ومآ أرسلنا من رسول إلا بلسان قومه ليبين لهم فيضل الله من يشآء ويهدي من يشآء وهو العزيز الحكيم}

وقال تعالى: {فإنما يسرناه بلسانك لعلهم يتذكرون} فأخبر تعالى أنه لم ينزل القرآن بلغة العرب إلا ليفهم ذلك قومه عليه السلام لا لغير ذلك وقد غلط في ذلك جالينوس فقال إن لغة اليونانيين أفضل اللغات لأن سائر اللغات إنما هي تشبه إما نباح الكلاب أو نقيق الضفادع قال علي وهذا جهل شديد لأن كل سامع لغة ليست لغته ولا يفهمها، فهي عنده في النصاب الذي ذكره جالينوس ولا فرق. وقد قال قوم: العربية أفضل اللغات لأنه بها كلام الله تعالى قال علي وهذا لا معنى له لأن الله عز وجل قد أخبرنا أنه لم يرسل رسولا إلا بلسان قومه. وقال تعالى: {إني إذا لفي ضلال مبين} وقال تعالى: {وإنه لفي زبر الأولين} فبكل لغة قد نزل كلام الله تعالى ووحيه. وقد أنزل التوراة والإنجيل والزبور، وكلم موسى عليه السلام بالعبرانية، وأنزل الصحف على إبراهيم عليه السلام بالسريانية، فتساوت اللغات في هذا تساويا واحدا. وأما لغة أهل الجنة وأهل النار فلا علم عندنا إلا ما جاء في النص والاجماع، ولا نص ولا إجماع في ذلك، إلا أنه لا بد لهم من لغة يتكلمون بها ولا يخلو ذلك من أحد ثلاثة أوجه ولا رابع لها: إما أن تكون لهم لغة واحدة من اللغات، القائمة بيننا الآن، وإما أن تكون لهم لغة غير جميع هذا اللغات، وإما أن تكون لهم لغات شتى: لكن هذه المحاورة التي وصفها الله تعالى توجب القطع بأنهم يتفاهمون بلغة إما بالعربية المختلفة

[4] **Translator's note (L72):** The dialect forms are unvocalized, so their precise pronunciation is uncertain. In particular, "thlthdā" transliterates the supplied consonantal spelling of the contracted expression for "three dinars." The source writes the altered form of Muḥammad with hāʾ rather than ḥāʾ; the translation describes this distinction explicitly. The wording introducing the comparison of Arabic, Hebrew, and Syriac is grammatically irregular and lacks a conjunction before Syriac. The translation gives its apparent sense.

[5] **Translator's note (L74):** The phrase "so how has most of it escaped?" is awkward in this context. The verb supplied means "escaped" or "slipped away"; whether the author means escape from oblivion or loss through slipping away is uncertain.

[6] **Translator's note (L75):** The source has "yatafarraʿ" where the context appears to require "yatafarragh," meaning to devote oneself or find leisure for something. The supplied "fāriʿ" in the description of the meddler appears to be a corruption of "fārigh," meaning idle or unoccupied; the translation follows that apparent sense.

[7] **Qur'an references (L76):** Qur'an 14:4 (Ibrahim).

في القرآن عنهم، أو بغيرها مما الله تعالى أعلم به. وقد ادعى بعضهم أن اللغة العربية هي لغتهم، واحتج بقول الله عز وجل: {دعواهم فيها سبحانك اللهم وتحيتهم فيها سلام وآخر دعواهم أن الحمد لله رب العالمين} فقلت له: فقل إنها لغة أهل النار لقوله تعالى عنهم أنهم قالوا: {وما لنآ ألا نتوكل على الله وقد هدانا سبلنا ولنصبرن على مآ آذيتمونا وعلى الله فليتوكل المتوكلون} ولأنهم قالوا: {ونادى أصحاب النار أصحاب الجنة أن أفيضوا علينا من المآء أو مما رزقكم الله قالوا إن الله حرمهما على الكافرين}

And He, exalted, said: {Then I would indeed be in manifest error.} And He, exalted, said: {And indeed it is in the scriptures of the ancients.} Thus God's speech and revelation have come down in every language. He revealed the Torah, the Gospel, and the Psalms, spoke to Moses—peace be upon him—in Hebrew, and revealed the scrolls to Abraham—peace be upon him—in Syriac. Languages are therefore entirely equal in this respect. As for the language of the inhabitants of Paradise and the inhabitants of the Fire, we have no knowledge except what has come through explicit text and consensus, and there is neither an explicit text nor a consensus on this matter, except that they must have a language in which they speak. This must take one of three forms, with no fourth possibility: either they have a single language from among the languages existing among us now; or they have a language other than all these languages; or they have various languages. But this conversation which God, exalted, has described requires certainty that they understand one another in a language, whether in the Arabic differing in the Qur'an on their behalf, or in some other language of which God, exalted, knows best. One of them claimed that Arabic is their language, adducing the saying of God, mighty and majestic: {Their invocation therein is, "Glory be to You, O God"; their greeting therein is, "Peace"; and the conclusion of their invocation is, "Praise belongs to God, Lord of the worlds."} I said to him: Then say that it is the language of the inhabitants of the Fire, because of His saying, exalted, concerning them, that they said: {And why should we not put our trust in God, when He has guided us in our ways? We shall surely endure patiently whatever harm you inflict upon us; and in God let those who trust put their trust.} And because they said: {And the inhabitants of the Fire called to the inhabitants of Paradise: "Pour some water upon us, or

some of what God has provided you." They said: "God has forbidden both to the unbelievers."}[8][9][10]

L80–81 And because they said: {And they said: "Had we listened or reasoned, we would not have been among the inhabitants of the Blaze."} He said to me: "Yes." I said to him: Then judge that Moses and all the prophets—peace be upon them—had Arabic as their language, because their speech is reported from them in Arabic in the Qur'an. If you say this, you have declared your Lord false, and your Lord has declared you false in His saying: {And We sent no messenger except in the tongue of his people, so that he might make things clear to them. Then God leads astray whom He wills and guides whom He wills; and He is the Mighty, the Wise.} It is thus established that God, exalted, merely reports to us the meanings of each speaker's speech in his own language, using the language in which we understand one another, solely so that He, mighty and majestic, may make things clear to us. The letters of the alphabet are the same: none is superior to another, nor is there ugliness or beauty in some to the exclusion of others. They are those very same letters in every language. These deviant, base claims are therefore invalidated. Success is through God, exalted. This vulgar obsession has led the Jews to deem lying and swearing falsely permissible in languages other than Hebrew. They have claimed that the angels who carry up deeds understand only Hebrew, and therefore do not record against them anything in another language. You can see the absurdity in this. The Knower of hidden things and of what

ولأنهم قالوا: {وقالوا لو كنا نسمع أو نعقل ما كنا في أصحاب السعير} فقال لي: نعم، فقلت له: فاقض أن موسى وجميع الأنبياء عليهم السلام كانت لغتهم العربية، لأن كلامهم محكي في القرآن عنهم بالعربية، فإن قلت هذا كذبت ربك، وكذبك ربك في قوله: {وما أرسلنا من رسول إلا بلسان قومه ليبين لهم فيضل الله من يشاء ويهدي من يشاء وهو العزيز الحكيم} فصح أن الله تعالى إنما يحكي لنا معاني كلام كل قائل في لغته باللغة التي بها نتفاهم، ليبين لنا عز وجل فقط، وحروف الهجاء واحدة لا تفاضل بينها ولا قبح، ولا حسن في بعضها دون بعض، وهي تلك بأعيانها في كل لغة، فبطلت هذه الدعاوى الزائغة الهجينة، وبالله تعالى التوفيق. وقد أدى هذا الوسواس العامي، اليهود إلى أن استجازوا الكذب والحلف على الباطل بغير العبرانية، وادعوا أن الملائكة الذين يرفعون الأعمال لا يفهمون إلا العبرانية فلا يكتبون عليهم غيرها، وفي هذا من السخف ما ترى وعالم الخفيات وما في الضمائر عالم بكل لسان ومعانيه عز وجل لا إله إلا هو وهو حسبنا ونعم الوكيل

[8] **Translator's note (L78):** The quotation "Then I would indeed be in manifest error" is Qur'an 36:24. Although valid Qur'anic wording, its relevance to the argument about the languages of revelation is unclear; it has been retained as supplied. The supplied المختلفة means "differing" or "varied," making "the Arabic differing in the Qur'an on their behalf" awkward. The context suggests a possible corruption of المحكية, "reported," but the supplied reading has not been silently corrected.

[9] **Translator's note (L79):** The first quotation is Qur'an 14:12, where the speakers are messengers, not inhabitants of the Fire. The attribution in the surrounding argument is therefore an apparent quotation error, retained as supplied. The introduction "because they said" precedes a quotation describing an exchange between the inhabitants of the Fire and Paradise, rather than a statement spoken in its entirety by the inhabitants of the Fire.

[10] **Qur'an references (L78):** Qur'an 44:58 (Ad-Dukhan); Qur'an 36:24 (Ya-Sin); Qur'an 26:196 (Ash-Shu'ara); Qur'an 10:10 (Yunus); Qur'an 14:12 (Ibrahim); Qur'an 7:50 (Al-A'raf).

lies within consciences knows every tongue and its meanings—mighty and majestic is He. There is no god but Him, and He is sufficient for us: an excellent trustee.[11]

[11] **Qur'an references (L80):** Qur'an 67:10 (Al-Mulk); Qur'an 14:4 (Ibrahim).



PRECISION IN THE FOUNDATIONS OF LEGAL RULINGS

الباب 5: الألفاظ الدائرة بين أهل النظر

Chapter 5: Terms Used in Rational Inquiry

Ibn Ḥazm · Arabic–English parallel edition

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Chapter Five: Terms in Circulation among Practitioners of Rational Inquiry

Abū Muḥammad said: This is a subject in which many who have discussed its meanings have introduced confusion, entangled meanings with one another, applied names to things other than those they designate, and mixed truth with falsehood. As a result, contentious disputation and ambiguity have multiplied, the harm has grown great, and the realities have become obscured. We shall, if God, exalted, wills, distinguish the meaning of each term according to its true nature, through His power and strength. We say, seeking support from God, exalted: An essential definition is a concise expression indicating the nature of the thing being described, as when you say: "A body is anything possessing length, breadth, and depth." For length, breadth, and depth are the natural characteristics of a body; if they were removed from it, it would necessarily cease to possess corporeality and would no longer be a body. This expression therefore states the nature of a body and distinguishes it from what is not a body. A descriptive definition is a concise expression that merely distinguishes the thing being described from everything else, without indicating its nature, as when you say: "A human being is that which laughs." By this expression you have correctly distinguished the human being from everything else, but you have not stated his nature. For if you imagined laughter removed from the human being, his humanity would not thereby be invalidated, and he would thereby be prevented from speaking about what is known and engaging in the crafts, while all his other natural characteristics would remain as they are. Abū Muḥammad ʿAlī said: Since these two meanings are different, each distinct from the other, it is necessarily obligatory to express each of them by an expression different from the one we use for the other. If we expressed both by a single expression, we would have cast those who accept what we say into confusion, and we would be treating them most unjustly and failing to give them sincere counsel. This is contrary to the undertaking God, exalted, exacted from the learned, when God, exalted, says through the tongue of His Prophet—may God bless him and grant him peace—"that they should make it clear to the people and not conceal it." Whoever obscures realities has concealed them. Knowledge is being certain of a thing as it actually is: either through a necessary demon-

الباب الخامس في الألفاظ الدائرة بين أهل النظر قال أبو محمد: هذا باب خلط فيه كثير ممن تكلم في معانيه، وشبك بين المعاني وأوقع الأسماء على غير مسمياتها، ومزج بين الحق والباطل، فكثر لذلك الشغب والالتباس، وعظمت المضرة وخفيت الحقائق، ونحن إن شاء الله تعالى بحوله وقوته مميزون معنى كل لفظة على حقيقتها، فنقول وبالله تعالى نتأيد: الحد: هو لفظ وجيز يدل على طبيعة الشيء المخبر عنه كقولك: الجسم هو كل طويل عريض عميق، فإن الطول والعرض والعمق هي طبائع الجسم لو ارتفعت عنه ارتفعت عن الجسمية ضرورة ولم يكن جسما، فكانت هذه العبارة مخبرة عن طبيعة الجسم ومميزة له مما ليس بجسم. والرسم: هو لفظ وجيز يميز المخبر عنه مما سواه فقط دون أن ينبيء عن طبيعته كقولك: الإنسان هو الضحاك، فإنك ميزت الإنسان بهذا اللفظ تمييزا صحيحا مما سواه، إلا أنك لم تخبر بطبيعته لأنك لو توهمت الضحك مرتفعا عن الإنسان لم تبطل بذلك عنه الإنسانية ولامتنع بذلك من الكلام في المعلوم والتصرف في الصناعات ولبقيت سائر طبائعه بحسبها قال أبو محمد علي ولما كان هذان المعنيان متغايرين كل واحد منهما غير صاحبه، وجب ضرورة أن يعبر عن كل واحد منهما بعبارة غير عبارتنا عن الآخر، ولو عبرنا عنهما عبارة واحدة لكنا قد أوقعنا من يقبل منا في الإشكال ولكنا ظالمين لهم جدا وغير ناصحين لهم، وهذا خلاف ما أخذه الله تعالى على العلماء إذ يقول الله تعالى على لسان نبيه صلى الله عليه وسلم ليبينه للناس ولا يكتمونه ومن لبس الحقائق فقد كتمها. والعلم: هو تيقن الشيء على ما هو عليه، إما عن برهان ضروري موصل إلى تيقنه كذلك، وإما أول بالحس أو ببديهة العقل، وإما حادث عن أول على ما بينا في كتاب التقريب من أخذ المقدمات الراجعة إلى أول العمل أو الحس، إما من قرب وإما من بعد، وإما عن اتباع لمن أمر الله تعالى باتباعه، فوافق فيه الحق، وإن لم يكن عن ضرورة ولا عن استدلال، برهان ذلك أن جميع الناس مأمورون بقول الحق واعتقاده وأن رسول الله صلى الله عليه وسلم دعا الناس كلهم إلى الإيمان بالله تعالى وبما جاء به والنطق بذلك ولم يشترط عليه

stration leading to certainty of it as such; or it is primary, through sense perception or the immediate intuition of reason; or it arises from something primary, as we explained in the Book of Approximation, by taking premises that lead back to the primary basis of action or to sense perception, whether closely or remotely; or through following someone whom God, exalted, has commanded one to follow, thereby conforming to the truth, even though this is neither through necessity nor through inference. The demonstration of this is that all people are commanded to speak the truth and believe it, and that the Messenger of God—may God bless him and grant him peace—called all people to faith in God, exalted, and in what he brought, and to professing this. He—peace be upon him—did not stipulate that this should proceed from them only through inference; rather, he was satisfied with this from the learned and the ignorant, the free person and the slave, the captive and the person who has adopted Arabic. The community unanimously agreed upon this after him, maintaining it down to the present day. They were satisfied with this from those who responded to their call, and did not stipulate that they engage in inference concerning it. Since this is so, it is established that whoever believes what we have mentioned and professes it knows it with certainty and has cognizance of it. For if he did not know it, it would be forbidden for him to profess it and forbidden for him to believe it, because God, exalted, says: {And do not pursue that of which you have no knowledge. Indeed, hearing, sight, and the heart: each of these will be questioned about.} And He, exalted, said: {He commands you only to evil and indecency, and to say concerning God what you do not know.} Thus, since he is commanded to believe the truth and profess it, and forbidden to say what he does not know and to pursue what he does not know, it is established that his conviction concerning the truth and his profession of it constitute sound knowledge and true cognizance, even if this does not arise through inference. Whoever claims a restriction upon the scope of God's prohibition, exalted is He, against saying that of which we have no knowledge and pursuing what we do not know, makes a claim without evidence and speaks falsely. For he is saying: {And do not pursue that of which you have no knowledge. Indeed, hearing, sight, and the heart: each of these will be questioned about}—except in matters of faith, where you should pursue

السلام عليهم ألا يكون ذلك منهم إلا عن استدلال بل قنع بهذا من العالم والجاهل، والحر والعبد، والمسبي والمستعرب، واجتمعت الأمة على ذلك بعده عليه إلى اليوم. وقنعوا بذلك ممن أجابهم إليه، ولم يشترط عليهم استدلالا في ذلك؛ فإذا ذاك كذلك فقد صح أن من اعتقد ما ذكرنا وقال به فهو عالم بذلك بيقين عارف به، إذ لو كان غير عالم بذلك لحرم القول عليه بذلك، ولحرم عليه اعتقاده لأن الله تعالى يقول {ولا تقف ما ليس لك به علم إن لسمع ولبصر ولفؤاد كل أولئك كان عنه مسؤولا} وقال تعالى {إنما يأمركم بلسوء ولفحشآء وأن تقولوا على لله ما لا تعلمون} فصح إذ هو مأمور باعتقاده الحق والقول به، ومنهي عن القول بما لا يعلم، وعن أن يقفوا ما لا يعلم أن عقده في الحق وقوله به علم صحيح ومعرفة حقيقية وإن لم يكن ذلك عن استدلال، ومن ادعى تخصيص نهي الله تعالى عن القول بما لا علم لنا به، وعن قفو ما لا نعلم، كان مدعيا بلا دليل، ومبطلا في قوله لأنه يقول {ولا تقف ما ليس لك به علم إن لسمع ولبصر ولفؤاد كل أولئك كان عنه مسؤولا} إلا في الإيمان، فاقف فيه ما لا علم لك به، وهذا كذب على الله تعالى مجرد. فإن قال قائل فإن الله يقول {وقالوا لن يدخل لجنة إلا من كان هودا أو نصارى تلك أمانيهم قل هاتوا برهانكم إن كنتم صادقين} قلنا: نعم إنما خاطب الله بهذا من قال بالباطل، ولا برهان لصاحب الباطل، وأما المعتقد للحق فبرهان الحق قائم، سواء علمه المعتقد له أو جهله، وانما يكف البرهان أهل الباطل لإدحاض باطلهم؛ ولا يجوز أن يكلف المحق برهانا، لأنه لا يخلو مكلفه البرهان من أن يكون محقا مثله أو مبطلا، فإن كان محقا مثله فهو معنت له، والتعنيت لا يجوز وإن كان مبطلا فحرام عليه الجدال في الحق قال تعالى {يجادلونك في لحق بعدما تبين كأنما يساقون إلى لموت وهم ينظرون} وقال تعالى {كذبت قبلهم قوم نوح ولأحزاب من بعدهم وهمت كل أمة برسولهم ليأخذوه وجادلوا بلباطل ليدحضوا به

what you have no knowledge of. This is an outright lie against God, exalted. If someone says: "But God says: {And they said: 'None shall enter Paradise unless he is a Jew or a Christian.' Those are their wishful fancies. Say: 'Bring your demonstration, if you are truthful.'}" We say: Yes. God addressed these words only to those who asserted falsehood, and the adherent of falsehood has no demonstration. As for the person who believes the truth, the demonstration of the truth stands, whether the person believing it knows that demonstration or is ignorant of it. Demonstration is demanded only of the adherents of falsehood, to refute their falsehood. It is not permissible to require a demonstration of someone who holds the truth, because the person requiring the demonstration from him must either hold the truth as he does, or hold falsehood. If he holds the truth like himself, he is subjecting him to vexation, and subjecting someone to vexation is impermissible. If he upholds falsehood, it is forbidden for him to dispute concerning the truth. God Most High said: "They dispute with you concerning the truth after it has become clear, as though they were being driven toward death while looking on." And God Most High said: "Before them, the people of Noah denied, as did the confederates after them. Every community sought to seize its messenger, and they disputed with falsehood to refute the truth thereby. So I seized them; how, then, was My punishment!" Thus it is impermissible to require someone who upholds the truth to furnish a demonstration except solely so that he may teach it to him, not by way of opposition. For whoever does that is opposing the truth, and his opposing the truth with falsehood is impermissible. God Most High said, censuring certain people: "Before them, the people of Noah denied, as did the confederates after them. Every community sought to seize its messenger, and they disputed with falsehood to refute the truth thereby. So I seized them; how, then, was My punishment!" Some people have affected cleverness, and this has brought them to ruin. They said: "Definitions do not differ between what is eternal and what is originated." This is a statement that entails unbelief, because they thereby subject the Creator, exalted is He, to origination. For everything defined is finite and composite, and everything composite is created, since it is composed of its genus and its differentia, which distinguishes it from whatever shares its genus. They have thus made their Lord originated. Exalted is God

لحق فأخذتهم فكيف كان عقاب} فلا يجوز تكليف المحق برهانا إلا على أن يعلمه فقط لا على سبيل معارضة، لأن من فعل ذلك يكون معارضا للحق، ومعارضته الحق بالباطل لا تجوز، قال تعالى ذاما لقوم {كذبت قبلهم قوم نوح ولأحزاب من بعدهم وهمت كل أمة برسولهم ليأخذوه وجادلوا بلباطل ليدحضوا به لحق فأخذتهم فكيف كان عقاب} وقد تحذلق قوم فأداهم ذلك إلى الهلكة، فقالوا: الحدود لا تختلف في قديم ولا محدث، وهذا كلام موجب الكفر، لأنهم يوقعون بذلك الباري تعالى تحت الحدوث، لأن كل محدود متناه ومركب، وكل مركب فمخلوق، لأنه مركب من جنسه وفصله المميز له مما جامعه تحت جنسه، فقد جعلوا ربهم محدثا تعالى الله عن ذلك. وقالوا: حد العلم أنه صفة لا يتعذر بوجودها على الحي القادر إحكام الفعل قال علي وهذا حد فاسد لأن النحل لا يتعذر عليها أحكام بناء الشمع ووضع العسل، ولا تسمى عالمة، وقد يعرض للعالم الناقد خدر يبطل يديه ورجليه فيعتذر عليه كل فعل حكمة أو غير حكمة وعلمه وعقله باقيان. وقالت طائفة منهم: حد العلم منا ومن الله تعالى أنه صفة يتبين بها المعلوم على ما هو عليه من أحواله قال علي وكلا الحدين فاسد ونحن نسألهم أهذه الصفة التي ذكرتم؟ أهي والموصوف بها شيء واحد؟ أم هي والموصوف بها شيئان متغايران؟ فإن قالوا شيء واحد أبطلوا قولهم في الباري تعالى، ووافقوا خصومهم إلا في العبارة فقط، وأيضا فإن كون الصفة والموصوف شيئا واحدا غير موجود في العالم لأن الصفات تتعاقب على الموصوفات فتفنى، والموصوف باق بحسبه، ولا شك في أن الفاني غير الباقي، والصفة عرض ونحن لم نقر بعلم الباري تعالى على معنى أنه صفة كصفاتنا، ولكن اتباعا منا للنص الوارد في أن له علما فقط، إلا أننا نقطع على أنه ليس غيره تعالى وأنه ليس عرضا، ونحن لم نسم الباري تعالى عالما، وإنما قلنا: إنه عليم كما قال تعالى. فإن قالوا: فأي فرق بين عالم وعليم. قيل لهم:

above that! They said: "The definition of knowledge is that it is an attribute whose presence makes the precise execution of an act possible for a living, capable being." ʿAlī said: This is a defective definition, for bees are capable of precisely constructing wax and depositing honey, yet they are not called knowledgeable. A discerning scholar may suffer a numbness that disables his hands and feet, so that every act, whether wise or otherwise, becomes impossible for him, while his knowledge and intellect remain. A group of them said: "The definition of knowledge, both ours and God Most High's, is that it is an attribute through which the object of knowledge becomes clear as it actually is in its various states." ʿAlī said: Both definitions are defective. We ask them: Is this attribute you have mentioned one and the same thing as that which possesses it, or are it and that which possesses it two distinct things? If they say, "One thing," they invalidate their own position concerning the Creator, exalted is He, and agree with their opponents in everything except expression alone. Moreover, the attribute and that which possesses it being one thing is something that does not exist in the world. Attributes succeed one another in the things that possess them: they perish, while the thing possessing them remains as it is. There is no doubt that what perishes is other than what remains. An attribute is an accident. We have acknowledged the Creator's knowledge, exalted is He, not in the sense that it is an attribute like our attributes, but solely in adherence to the revealed text stating that He has knowledge. Nevertheless, we affirm with certainty that it is not other than Him, exalted is He, and that it is not an accident. We have not called the Creator, exalted is He, "knowing" (ʿālim); we have only said that He is "All-Knowing" (ʿalīm), as He Most High said. If they say, "What difference is there between ʿālim and ʿalīm?" they should be told: "What difference is there between 'the Compeller' (al-jabbār) and 'one who behaves imperiously' (al-mutakabbir)? Then call your Lord 'one who behaves imperiously'! And what difference is there between our calling Him, exalted

وأي فرق بين الجبار والمتجبر، فسموا ربكم متجبرا، وأي فرق بين أن نسميه تعالى خير الماكرين، وأن له مكرا، ولا نسميه ماكرا،

is He, ‘the best of those who scheme’ and saying that He has a scheme, while we do not call Him ‘a schemer’?”[1][2][3][4]

L89–91 Likewise, we call Him “Wise,” but do not call Him “rational”; we call Him “the One,” but do not call Him “the Solitary” or “the Unique.” We have explained in the Book of al-Faṣl that His names, exalted is He, are proper names and are not derived at all. And through God comes success. If they say that the attribute and that which possesses it are two distinct things, they speak truly, and thereby exclude the attributes of the Creator, exalted is He, from this judgment. Belief is the settling in the soul of a judgment concerning something: either on the basis of a demonstration, or through following someone whose statement has been established by demonstration, in which case it necessarily constitutes certain knowledge; or on the basis

وكذلك نسميه حكيما ولا نسميه عاقلا ونسميه الواحد ولا نسميه الفرد ولا الفذ. وقد بينا في كتاب الفصل أن أسماءه تعالى أعلام وليست مشتقة أصلا وبالله التوفيق. فإن قالوا: إن الصفة والموصوف شيئان متغايران صدقوا وأخرجوا بذلك صفات الباري تعالى عن هذا الحكم. والاعتقاد: هو استقرار حكم بشيء ما في النفس. إما عن برهان، أو اتباع من صح برهان قوله فيكون علما يقينا ولا بد، وإما عن إقناع فلا يكن علما متيقنا ويكون إما حقا أو باطلا، وإما لا عن إقناع لا عن برهان فيكون إما حقا بالبخت وإما باطلا بسوء الجد. والبرهان: كل قضية أو قضايا دلت على حقيقة حكم الشيء. والدليل: قد يكون برهانا وقد يكون اسما يعرف به المسمى، وعبارة يتبين بها المراد كرجل ذلك على طريق تريد قصده، فذلك اللفظ الذي خاطبك به هو دليل على ما طلبت، وقد يسمى المرء الدال دليلا أيضا. والحجة: هي الدليل نفسه إذا كان برهانا أو إقناعا أو شغبا. والدال: هو المعرف بحقيقة الشيء وقد يكون إنسانا معلما، وقد يعبر به عن الباري تعالى الذي علمنا كل ما نعلم، وقد يسمى الدليل دالا على المجاز، ويسمى الدال دليلا أيضا كذلك في اللغة العربية. والاستدلال: طلب الدليل من قبل معارف العقل ونتائجه أو من قبل إنسان يعلم. والدلالة: فعل الدال، وقد تضاف إلى الدليل على المجاز. والإقناع: قضية أو قضايا أنست النفس بحكم شيء ما دون أن توقفها على تحقيق حجة ولم يقم عندها برهان بإبطاله.

[1] **Translator’s note (L83):** The supplied ولامتنع reads naturally as “and he would be prevented,” which conflicts with the argument that removing laughter leaves the other human capacities intact. A negative reading, “nor would he be prevented,” may have been intended, but the apparent defect has been retained. The wording “that they should make it clear to the people and not conceal it” resembles Qur’an 3:187, but the supplied ليبينه has a singular object and lacks the emphatic form of the standard Qur’anic wording. The text also explicitly introduces it as God speaking through His Prophet; that attribution has been preserved. The supplied أول العمل means approximately “the primary basis of action.” In this logical context, أول العقل, “the primary basis of reason,” is a plausible intended reading, but has not been substituted.

[2] **Translator’s note (L85):** المستعرب can mean someone who has adopted Arabic language or Arab ways; “the person who has adopted Arabic” preserves its distinction from a native Arab without specifying more than the context supports. The phrase وإنما يكف البرهان أهل الباطل appears corrupt. In context it has been rendered as “Demonstration is demanded only of the adherents of falsehood,” taking يكف as an apparent defective reading of يكلف, “is required of.”

[3] **Translator’s note (L88):** The supplied فيعتذر appears corrupt for فيتعذر, ‘becomes impossible’; the translation follows the evident argument and records the emendation here. The supplied فتفتى appears corrupt for فتفنى, ‘they perish.’ The passage exploits the senses of ḥadd as both ‘definition’ and ‘limit’: ‘everything defined is finite’ preserves the author’s argument. The Arabic contrasts al-jabbār with al-mutajabbir, not al-mutakabbir. The transliteration accompanying ‘one who behaves imperiously’ should therefore be read as al-mutajabbir.

[4] **Qur’an references (L82):** Qur’an 17:36 (Al-Isra); Qur’an 2:111 (Al-Baqarah); Qur’an 8:6 (Al-Anfal); Qur’an 40:5 (Ghafir).

of persuasion, in which case it does not constitute certain knowledge and is either true or false; or on the basis of neither persuasion nor demonstration, in which case it is either true by good fortune or false by bad luck. A demonstration is any proposition or propositions that establish the truth of a judgment concerning a thing. An indicator may be a demonstration, or it may be a name by which the named thing is recognized, or an expression through which the intended meaning becomes clear, as when a man directs you to a road you wish to take: the utterance with which he addresses you is an indicator of what you sought. The person who indicates may also be called an 'indicator.' An argument is the indicator itself, whether it constitutes demonstration, persuasion, or sophistical disputation. The one who indicates is the one who makes the truth of a thing known. He may be a human teacher, and the expression may also be used of the Creator, exalted is He, who has taught us everything we know. An indicator may figuratively be called 'one who indicates,' and the one who indicates is likewise called an 'indicator' in the Arabic language. Inference is seeking an indicator from the cognitions of reason and their conclusions, or from a knowledgeable person. Indication is the act of the one who indicates, and it may figuratively be attributed to the indicator. Persuasion is a proposition or propositions that render the soul comfortable with a judgment concerning something without acquainting it with the verification of an argument, while no demonstration invalidating it has been established for the soul.[5]

L92–94 Sophistical disputation is deception by means of a false argument, through a defective proposition or propositions leading to falsehood; this is sophistry. Uncritical imitation is believing something because so-and-so said it, when no demonstration has established the correctness of his statement. As for following someone whom God has commanded us to follow, that is not uncritical imitation; rather, it is rightful obedience to God Most High. Inspiration is knowledge that occurs in souls without an indicator, inference, persuasion, or uncritical imitation, and it can only be either the action of na-

والشغب: تمويه بحجة باطلة بقضية أو قضايا فاسدة تقود إلى الباطل وهي السفسطة. والتقليد: هو اعتقاد الشيء لأن فلانا قاله ممن لم يقم على صحة قوله برهان، وأما اتباع من أمر الله باتباعه فليس تقليدا، بل هو طاعة حق لله تعالى. والإلهام: علم يقع في النفوس بلا دليل ولا استدلال ولا إقناع ولا تقليد، وهو لا يكون إلا: إما فعل الطبيعة من الحي غير الناطق ومن بعض الناطقين أيضا كنسج العنكبوت وبناء النحل وما أشبه ذلك، وأخذ الصبي الثدي وما أشبه ذلك: أو أول معرفة النفس قبل أوان استدلالها لنا كعلمنا أن الكل أكثر من الجزء، وهو فيما عدا هذين الوجهين باطل. والنبوة: اختصاص الله عز وجل رجلا أو امرأة من الناس بإعلامه بأشياء لم

[5] **Translator's note (L91):** The phrase كرجل ذلك على طريق is apparently corrupt. The translation takes it as 'as when a man directs you to a road,' apparently requiring دلّك in place of ذلك.

ture in non-rational living beings, and in some rational beings as well, such as a spider's weaving, bees' building, and similar things, or an infant's taking the breast and similar things; or the soul's initial cognition before the time for its exercise of inference in us, such as our knowledge that the whole is greater than the part. Outside these two forms it is invalid. Prophethood is God's singling out, mighty and majestic is He, a man or a woman from among humankind by imparting knowledge of things that person has not learned, either through the mediation of an angel or through a power He places in that person's soul, beyond the powers of created beings, supported by breaches of customary occurrences, which are miracles. It has ceased after Muḥammad, God bless him and grant him peace. Messengership is God Most High's commanding a prophet to warn a people and to accept His covenant. Every messenger is a prophet, but not every prophet is a messenger. Clarity is a thing's being such, in itself, that its true nature can be known by someone who wishes to know it. Making clear and clarification are the act of the one who clarifies: his bringing a meaning out of obscurity into the possibility of its being truly understood. Something from which the truth is understood may also figuratively be called 'that which clarifies,' even if that from which it is understood performs no action and has no intention of imparting understanding, as when you say: 'Death has made clear to me that people do not live forever.' Clarification is also the act of the soul of the person apprehending a thing in understanding it; this is also called discernment. The one who clarifies is the very same as the one who indicates. Truthfulness is reporting a thing as it is. Truth is a thing's having actual existence. Let no one whose understanding is limited fall into error and suppose that this definition is defective by saying: 'Unbelief and injustice actually exist, so they ought to be true.' Let him know that this is defective sophistical disputation. For the existence of unbelief and injustice as things valid within God Most High's approval is not actual; rather, it is nonexistent. God Most High's approval of them is false. As for their existing on the part of the unbeliever and the perpetrator of injustice, that is a true, actual, established fact about which there is no doubt. Distinctions such as these must be observed, and discussion of them must be precise; otherwise, obscurity arises and the investigator becomes bewildered. We have seen people dis-

يتعلمها؛ إما بواسطة ملك؛ أو بقوة يضعها في نفسه خارجة عن قوى المخلوقين تعضدها خرق العادات وهو المعجزات وقد انقطعت بعد محمد صلى الله عليه وسلم والرسالة أن يأمر الله تعالى نبيا بإنذار قوم وقبول عهده، وكل رسول نبي وليس كل نبي رسولا. والبيان: كون الشيء في ذاته ممكنا أن تعرف حقيقته لمن أراد علمه. والإبانة والتبيين: فعل المبين وهو إخراجه للمعنى من الإشكال إلى إمكان الفهم له بحقيقة، وقد يسمى أيضا على المجاز ما فهم منه الحق وإن لم يكن للمفهوم منه فعل ولا قصد إلى الأفهام مبينا كما تقول بين لي الموت أن الناس لا يخلدون، والتبيين فعل نفس المبين للشيء في فهمه إياه وهو الاستبانة أيضا والمبين هو الدال نفسه والصدق هو الإخبار عن الشيء بما هو عليه والحق هو كون الشيء صحيح الوجود ولا يغلط من لا سعة لفهمه فيظن أن هذا الحد فاسد بأن يقول الكفر والجور صحيح وجودهما فينبغي أن يكون حقا. فليعلم أن هذا شغب فاسد، لأن وجود الكفر والجور صحيحين في رضاء الله تعالى ليس هو صحيحا، بل هو معدوم، فرضا الله تعالى بهما باطل، وأما كونهما موجودين من الكافر والجائز فحق صحيح ثابت لا شك فيه، فمثل هذا من الفروق ينبغي مراعاته وتحقيق الكلام فيه، وإلا وقع الإشكال وتحير الناظر. وقد رأينا من يفرق بين الحق والحقيقة وهذا خطأ لا يخفى على ذي فهم ينصف نفسه، لأن الفرق بين هاتين اللفظتين لم تأت به لغة ولا أوجبته شريعة أصلا إلا في تسمية الباري تعالى التي لا تؤخذ إلا بالنص، ولا يحل فيها التصريف، فظهر فساد هذا الفرق بيقين، وبالله تعالى التوفيق.

tinguish between ‘truth’ (al-ḥaqq) and ‘reality’ (al-ḥaqīqah). This is an error that cannot escape anyone of understanding who is fair with himself, for no distinction between these two expressions has been supplied by language or required by revealed law at all, except in naming the Creator, exalted is He: His names are taken only from the revealed text, and modifying their forms is impermissible. The invalidity of this distinction has thus become evident with certainty. And through God Most High comes success.[67]

L95–96 Moreover, God Most High said: “Bound to say nothing about God except the truth, I have come to you with a clear proof from your Lord, so send the Children of Israel with me.” No one distinguishes between someone’s saying, ‘Such-and-such is incumbent upon me’ using ḥaqīq, and his saying, ‘Such-and-such is incumbent upon me’ using ḥaqq. The invalidity of this distinction has thus become evident. Falsehood is that which is not true. Lying is reporting a thing contrary to how it is. A foundation is what is apprehended through the primary apprehension of reason and through sense perception; we have mentioned it before. A derivative is everything known through a premise that refers back, directly or remotely, to what we have mentioned. That derivative may also be a foundation for what is deduced from it. What is known is of two kinds: what is known through the aforementioned foundation, and what is known through premises referring back to the foundation, as we have explained. Everything transmitted from the Prophet, may God bless him and grant him peace, through recurrent transmission, or unanimously transmitted from him, peace be upon him, by all the scholars of the community, or transmitted by a trustworthy transmitter from another trustworthy transmitter until the chain reaches him, peace be upon

وأيضا فإن الله تعالى قال {حقيق على أن لا أقول على لله إلا لحق قد جئتكم ببينة من ربكم فأرسل معي بني إسرائيل} ولا فرق عند أحد بين قول القائل حقيق على كذا وبين قوله حق على كذا فظهر فساد هذا الفرق والباطل ما ليس حقا والكذب هو الإخبار عن الشيء بخلاف ما هو عليه. والأصل: هو ما أدرك بأول العقل وبالحس وقد ذكرناه قبل. والفرع: كل ما عرف بمقدمة راجعة إلى ما ذكرنا من قرب أو من بعد وقد يكون ذلك الفرع أصلا لما أنتج منه أيضا. والمعلوم: قسمان: معلوم بالأصل المذكور، ومعلوم بالمقدمات الراجعة إلى الأصل كما بينا وكل ما نقل بتواتر على النبي صلى الله عليه وسلم أو أجمع عليه نقل جميع علماء الأمة عنه عليه السلام أو نقله الثقة عن الثقة حتى يبلغ إليه عليه السلام فداخل في باب ما تيقن ضرورة بالمقدمات المذكورة. والنص: هو اللفظ الوارد في القرآن أو السنة المستدل به على حكم الأشياء وهو الظاهر نفسه. وقد يسمى كل كلام يورد كما قاله المتكلم به نصا. والتأويل: نقل اللفظ عما اقتضاه ظاهره وعما وضع له في اللغة إلى معنى آخر، فإن كان نقله قد صح ببرهان وكان ناقله واجب الطاعة فهو حق، وإن كان نقله بخلاف ذلك اطرح ولم يلتفت إليه وحكم لذلك النقل بأنه باطل. والعموم: حمل اللفظ على كل ما اقتضاه في اللغة، وكل عموم ظاهر، وليس كل ظاهر عموما، إذ قد يكون الظاهر خبرا عن شخص واحد ولا يكون العموم إلا على أكثر من واحد. والخصوص: محل اللفظ على بعض ما يقتضيه في اللغة دون بعض والقول فيه كما قلنا في التأويل آنفا ولا فرق.

[6] **Translator’s note (L93):** The wording قبل أوان استدلالها لنا, rendered ‘before the time for its exercise of inference in us,’ is awkward; the precise function of لنا is uncertain. In وقبول عهده, ‘and to accept His covenant,’ the implied subject of ‘accept’ is not explicit; it may refer to the prophet or to the people being warned.

[7] **Translator’s note (L94):** The supplied الجائز ordinarily means ‘the permissible’ or ‘the one passing’; the context apparently requires الجائر, ‘the perpetrator of injustice,’ which is followed in the translation. The unvocalized المبين in the definition of clarification allows different readings. The translation takes this occurrence in the sense of someone apprehending or discerning the thing, in light of the explicit reference to understanding and discernment.

him, falls within the category of what is necessarily known with certainty through the aforementioned premises. A text is the wording occurring in the Qur'an or the Sunna that is adduced as evidence for the ruling on things; it is the apparent wording itself. Any discourse reproduced just as its speaker uttered it may also be called a text. Interpretation is transferring an expression from what its apparent wording entails and from the meaning for which it was established in the language to another meaning. If that transfer has been established as sound by demonstration, and the one making it must be obeyed, it is true. If the transfer is otherwise, it is discarded and receives no consideration, and that transfer is judged invalid. Generality is applying an expression to everything it entails in the language. Every general expression has an apparent meaning, but not every expression with an apparent meaning is general, since the apparent wording may be a statement about a single individual, whereas generality applies only to more than one. Specificity is applying an expression to some, but not all, of what it entails in the language. What we say concerning it is what we said just now concerning interpretation, without any difference. Expressions signify either one thing or more than one thing. If they are incomplete and signify nothing, they are of no account. An unelucidated expression is wording that requires an explanation, which is then obtained from another expression.[8][9][10]

والألفاظ إما دالة على واحد، وإما على أكثر من واحد فإن كانت ناقصة غير دالة كانت هدرا والمجمل لفظ يقتضي تفسيرا فيؤخذ من لفظ آخر

L97–98 An elucidating expression is wording from which the meaning of the aforementioned unelucidated expression is understood. A command is the commanding party's obligating the commanded party to perform some action. If the commanding party is the Creator, exalted is He, or His Messenger, may God bless him and grant him peace, obedience to them is obligatory. If it is someone below them, no obedience is due to him. A prohibition is the prohibiting party's obligating the prohibited party to refrain from some

والمفسر لفظ يفهم منه معنى المجمل المذكور والأمر إلزام الآمر المأمور عملا ما فإن كان الخالق تعالى أو رسوله صلى الله عليه وسلم فالطاعة لهما فرض وإن كان ممن دونهما فلا طاعة له. والنهي: إلزام الناهي المنهي ترك عمل ما، والقول فيه كالقول في الأمر فلا فرق وطاعة الأئمة فيما ليس معصية طاعة لله تعالى لتقدم أمر الله عز وجل بذلك. والفرض: ما استحق تاركه اللوم واسم المعصية لله تعالى وهو: الواحب، واللازم، والحتم. والحرام: وهو ما استحق فاعله اللوم واسم المعصية لله تعالى إلا أن يسقط ذلك عنه من الله تعالى عفو أو توبة وهو المحظور، والذي لا يجوز، والممنوع. والطاعة: تنفيذ الأمر من المأمور فيما أمر به والتوقف عن إتيان المنهي عنه وقد يسمى

[8] **Translator's note (L95):** The comparison حق على كذا / حقيق على كذا leaves the person upon whom the obligation falls implicit; 'upon me' makes that implicit relation explicit in English.

[9] **Translator's note (L96):** The supplied محل in the definition of specificity appears to be a transcription error for حمل, 'applying,' parallel to the preceding definition of generality; the translation follows that apparent sense.

[10] **Qur'an references (L95):** Qur'an 7:105 (Al-A'raf).

action. What we say concerning it is what we say concerning a command, without any difference. Obeying the leaders in what is not disobedience is obedience to God, exalted is He, because God, mighty and majestic, has already commanded this. An obligation is that whose omission makes a person deserve blame and the designation of disobedience to God, exalted is He. It is also the obligatory, the binding, and the imperative. The forbidden is that whose performance makes a person deserve blame and the designation of disobedience to God, exalted is He, unless pardon from God, exalted is He, or repentance removes that from him. It is also the prohibited, that which is impermissible, and the disallowed. Obedience is the commanded party's carrying out the command concerning what he has been commanded to do, and refraining from committing what is prohibited. Every righteous deed may also be called obedience. Disobedience is its opposite. Recommendation is a command that allows the choice of omission, except that the person who performs the act is rewarded, while the person who omits it is neither sinful nor rewarded. It is also following an example, the approved, the desirable, and the preferable. It comprises every voluntary and supererogatory act, such as bowing in prayer beyond what is obligatory, charity of the same kind, fasting of the same kind, and all other righteous deeds. Disapproval is a prohibition that allows the choice of performing the act, except that refraining from it carries a reward, while performing it carries neither reward nor sin. Examples include omitting any voluntary act; installing prayer niches in mosques; drying oneself after washing from major ritual impurity with a cloth set aside for that purpose, other than the clothing one wears; selling weapons to someone who cannot be trusted not to use them for something unlawful; purchasing eunuchs when this leads to their castration in pursuit of higher prices for them; shaving without an ailment, or outside the greater or lesser pilgrimage; and eating while reclining.[11]

L99–101 Permission is placing performance and omission on an equal footing, with neither reward nor punishment for either, as when someone sits cross-legged

[11] **Translator's note (L98):** The supplied الواحب appears to be a transcription error for الواجب, 'the obligatory.' The Arabic says simply 'shaving,' without specifying the head or another part of the body.

كل بر طاعة والمعصية ضد ذلك والندب أمر بتخيير في الترك إلا أن فاعله مأجور، وتاركه لا آثم ولا مأجور وهو: الائتساء، والمستحسن، والمستحب، وهو الاختيار وهو كل تطوع ونافلة كالركوع غير الفرض والصدقة كذلك والصوم كذلك وسائر أعمال البر. والكراهة: نهي بتخيير في الفعل إلا أن على تركه ثوابا وليس في فعله أجر ولا إثم، وذلك نحو ترك كل تطوع، ونحو اتخاذ المحاريب في المساجد، والتنشف بعد الغسل من الجنابة بثوب معد لذلك غير الذي يلبسه المرء، وبيع السلاح ممن لا يؤمن منه أن يستعمله فيما لا يحل، وابتياع الخصيان إذا أدى ذلك إلى خصائهم بطلب الغلاء في أثمانهم، والحلق في غير علة أو حج أو عمرة، والأكل متكئا.

والإباحة: تسوية بين الفعل والترك لا ثواب على شيء منهما ولا عقاب، كمن جلس متربعا أو رافعا إحدى ركبتيه، أو كمن صبغ ثوبه أخضر، أو لازورديا، وسائر الأمور كذلك وهو الحلال. والقياس: عند القائلين به والمبطلين له أن يحكم بشيء ما بحكم لم يأت به نص لشبهه شيء آخر ورد فيه ذلك الحكم، وهو باطل كله. والعلة: طبيعة

or with one knee raised, or dyes his garment green or lapis-blue; all other such matters are likewise. It is also the lawful. Analogy, according both to those who uphold it and to those who invalidate it, is assigning something a ruling for which no text has come, because of its resemblance to something else concerning which that ruling has been transmitted. It is invalid in its entirety. A necessitating cause is a nature within a thing that entails the realization of an attribute, and the attribute does not exist without it, as fire is a necessitating cause of burning, and burning is its effect. The word for a necessitating cause also means illness. There is absolutely no necessitating cause in any matter of religion, and asserting such a cause in religion is an innovation and falsehood. An occasioning cause is an event that has occurred, on account of which an agent chooses to bring about another action; had he wished not to bring it about, he would not have done so. An example is a sin's being an occasioning cause of the sinner's punishment. A purpose is an outcome that an agent intends through his action, such as satiety, which is the eater's purpose in eating. A purpose may be a matter of choice, such as God's intention, exalted is He, in instituting religious laws: to punish those who disobey Him and grant bliss to those who obey Him. An indicator is a sign between two parties who have agreed upon something: when it is found, the person finding it knows what the other party has agreed upon with him. A person may also establish one for himself, to remind himself of something he fears forgetting. Intention is directing oneself toward an action through the soul's willing that action rather than another. The soul's belief is what has become settled within it. A condition is making a ruling depend upon the obtaining of another, and removing it upon the removal of the other. This is invalid unless a text has come establishing it. An example is someone's saying, 'If you serve me for a month, I shall give you a dirham.' Interpretation and exposition both mean clarification. Abrogation is the arrival of a command contrary to an earlier command, whereby the earlier command is annulled. Exception is the arrival of wording, or clarification through an action, excluding some of what another expression entails; what was intended by the first expression was what remained after that from which the exception was made. This is the difference between abrogation and exception: in abrogation, the first expression was intended in

في الشيء يقتضي صفة تصحيحها، ولا توجد الصفة دونها ككون النار علة للإحراق والإحراق هو معلولها، والعلة أيضا المرض ولا علة في شيء من الدين أصلا، والقول بها في الدين بدعة وباطل. والسبب: أمر وقع فاختار الفاعل أن يوقع فعلا آخر من أجله، ولو شاء ألا يوقعه لم يوقعه ككون الذنب سببا لعقوبة المذنب. والغرض: نتيجة يقصدها الفاعل بفعله، كالشبع الذي هو غرض الآكل في أكله. وقد يكون الغرض اختيارا، كمراد الله تعالى بشرع الشرائع تعذيب من عصاه وتنعيم من أطاعه. والأمارة: علامة بين المصطلحين على شيء ما إذا وجدت علم الواجد لها ما وافقه عليه الآخر، وقد يجعلها المرء لنفسه ليستذكر بها ما يخاف نسيانه. والنية: قصد العمل بإرادة النفس له دون غيره واعتقاد النفس ما استقر فيها. والشرط: تعليق حكم ما بوجوب آخر، ورفعه برفعه وهو باطل ما لم يأت به نص؛ وذلك نحو قول القائل: إن خدمتني شهرا أعطيتك درهما. والتفسير والشرح: هما التبيين. والنسخ: ورود أمر بخلاف أمر كان قبله ينقض به أمر الأول. والاستثناء: ورود لفظ أو بيان بفعل بإخراج بعض ما اقتضاه لفظ آخر وكان المراد في اللفظ الأول ما بقي بعد المستثنى منه، وهذا هو الفرق بين النسخ والاستثناء، لأن النسخ كان فيه اللفظ الأول مرادا كله طول مدته، وأما المستثنى منه فلم يكن اللفظ الأول مرادا كله قط. والجدل والجدال: إخبار كل واحد من المختلفين بحجته، أو بما يقدر أنه حجته وقد يكون كلاهما مبطلا، وقد يكون أحدهما محقا والآخر مبطلا، إما في لفظه وإما في مراده أو في كليهما، ولا سبيل أن يكونا معا محقين في ألفاظهما ومعانيهما. والاجتهاد: بلوغ الغاية واستنفاذ الجهد في المواضع التي يرجى وجوده فيها في طلب الحق، فمصيب موقف أو محروم. والرأي: ما تخيلته النفس صوابا دون برهان، ولا يجوز الحكم به أصلا. والاستحسان: هو ما اشتهته النفس ووافقها كان خطأ أو صوابا

its entirety throughout its period of applicability; in the case of an expression from which an exception is made, however, the first expression was never intended in its entirety. Disputation and debate are each disputant's stating his proof, or what he supposes to be his proof. Both may be in the wrong, or one may be in the right and the other in the wrong, whether in his wording, in his intended meaning, or in both. There is no possibility that both are right together in their wordings and meanings. Independent exertion is reaching the utmost limit and exhausting one's effort in seeking the truth in the places where it may be hoped to be found: one either attains it, being granted success, or is deprived of it. Opinion is what the soul imagines to be correct without demonstration, and it is absolutely impermissible to judge by it. Juristic preference is whatever the soul desires and finds agreeable, whether it is mistaken or correct.[12][13][14]

والصواب إصابة الحق والخطأ العدول عنه بغير قصد إلى ذلك والعناد العدول عنه بالقصد إلى ذلك والاحتياط طلب السلامة والورع تجنب ما لا يظهر فيه ما يوجب اجتنابه خوفا أن يكون ذلك فيه

L102 Correctness is attaining the truth. Error is departing from it without intending to do so. Obduracy is departing from it with the intention of doing so. Precaution is seeking safety. Scrupulousness is avoiding something in which no ground requiring its avoidance is apparent, out of fear that such a ground may be present in it.

L103 Ignorance is the absence from the soul of the reality of knowledge. A nature consists of attributes present in a thing by which it exists as it is; they are

والجهل مغيب حقيقة العلم عن النفس والطبيعة صفات موجودة في الشيء يوجد بها على ما هو عليه، ولا يعدم منه إلا بفساده وسقوط ذلك الاسم عنه. ودليل الخطاب: هو ضد القياس، وهو أن يحكم للمسكوت عنه بخلاف حكم المنصوص عليه والشريعة هي ما شرعه الله تعالى على لسان نبيه صلى الله عليه وسلم في الديانة وعلى ألسنة الأنبياء عليهم السلام قبله، والحكم منها للناسخ، وأصلها في اللغة الموضع الذي يتمكن فيه ورود الماء للراكب والشارب من النهر قال تعالى {شرع لكم من لدين ما وصى به نوحا ولذي أوحيناآ إليك وما وصينا به إبراهيم وموسى وعيسى أن أقيموا لدين ولا تتفرقوا فيه كبر على لمشركين ما تدعوهم إليه لله يجتبي إليه من يشآء ويهدي إليه من ينيب} وقال امرؤ القيس ولما رأت أن الشريعة همها وأن البياض من فرائصها دامي تيممت العين التي عند ضارج يفيء عليها الظل عرمضها طامي واللغة ألفاظ يعبر بها

[12] **Translator's note (L99):** The supplied لازوديا is an unusual or corrupt form, apparently intended to designate a lapis-blue or azure color. The syntax of يقتضي صفة تصحيحها in the definition of a necessitating cause is awkward. The translation gives its apparent sense: a nature that entails an attribute's realization.

[13] **Translator's note (L100):** 'Necessitating cause' renders 'illa, while 'occasioning cause' renders sabab, preserving the author's distinction between a nature that necessarily entails an effect and an occasion on which an agent freely acts. In the definition of a condition, وجوب can mean either obligatory status or obtaining/existence. The translation uses 'obtaining,' consistent with the conditional example in the following segment.

[14] **Translator's note (L101):** The exception definition reads 'what remained after that from which the exception was made' (ما بقي بعد المستثنى منه), an awkward formulation preserved in translation. The expected sense would be 'what remained after the excepted portion was removed.' The supplied فمصيب موقف أو محروم in موقف is uncertain; 'being granted success' follows the likely intended reading موفق.

absent from it only through its corruption and the loss of that designation. The implication of discourse is the opposite of analogy: it is assigning to what is left unmentioned a ruling contrary to the ruling on what is expressly mentioned. The revealed law is what God, exalted is He, has instituted in religion through the tongue of His Prophet, may God bless him and grant him peace, and through the tongues of the prophets before him, peace be upon them. Among its provisions, the ruling belongs to the abrogating provision. Its original linguistic meaning is the place at a river where a rider and a drinker can approach the water. He, exalted is He, said: 'He has instituted for you of religion what He enjoined upon Noah, and that which We have revealed to you, and what We enjoined upon Abraham, Moses, and Jesus: establish religion and do not become divided in it. What you call them to is grievous to the polytheists. God chooses for Himself whom He wills and guides to Himself whoever turns in repentance.' Imru' al-Qays said: 'When she saw that the watering place was her concern, and that the whiteness of her flanks was bloodied, she headed toward the spring beside Darij, over which the shade returns, its waterweed rising thickly.' Language consists of expressions by which named things and the meanings one wishes to convey are expressed. Every community has its language. God, mighty and majestic, said: 'We have sent no messenger except in the tongue of his people, so that he might make things clear to them. Then God leads astray whom He wills and guides whom He wills, and He is the Mighty, the Wise.' There is no disagreement that He, exalted is He, meant languages. An utterance is everything with which the tongue is moved. He, exalted is He, said: 'When the two receivers receive, seated on the right and on the left.' Its exact definition is air expelled from the lips, molars, palate, throat, and lung in a determinate arrangement. This is also speech itself.[15][16]

عن المسميات وعن المعاني المراد إفهامها، ولكل أمة لغتهم. قال الله عز وجل: {وما أرسلنا من رسول إلا بلسان قومه ليبين لهم فيضل لله من يشآء ويهدي من يشآء وهو لعزيز لحكيم} } ولا خلاف في أنه تعالى أراد اللغات واللفظ هو كل ما حرك به اللسان قال تعالى {إذ يتلقى لمتلقيان عن ليمين وعن لشمال قعيد} وحده على الحقيقة أنه هواء مندفع من الشفتين والأضراس والحنك والحلق والرئة على تأليف محدود، وهذا أيضا هو الكلام نفسه.

[15] **Translator's note (L103):** The poem's wording is difficult, particularly 'the watering place was her concern' and 'the whiteness of her flanks was bloodied.' These follow the supplied reading without substituting another version of the verse. The final Qur'anic quotation corresponds to 50:17. Although it follows a definition of utterance, it does not contain the word 'utter'; that occurs in the following verse, which is not supplied here. The Qur'anic quotations contain numerous missing initial alifs in the transcription, and an extra closing brace follows the second quotation. Their recognizable wording has been translated; the brace has no verbal content.

L104–106 Disagreement is disputing over anything whatsoever: a person takes certain paths in speech or reasoning, while someone else takes another path. It is forbidden in religion, since it is not lawful to oppose what God, exalted is He, has established therein. He, exalted is He, said: ‘Obey God and His Messenger, and do not dispute, lest you lose heart and your strength depart; and be patient, for God is with the patient.’ And He, exalted is He, said: ‘Do they not reflect upon the Qur’an? Had it been from with someone other than God, they would have found much disagreement in it.} It is also division. God Most High said: {Do not be like those who became divided and disagreed after the clear proofs had come to them; those shall have a tremendous punishment.} Consensus, in linguistic usage, is whatever two or more people agree upon. It is agreement, and in that case it is qualified by reference to that upon which consensus has been reached. As for the consensus that constitutes authoritative proof in the revealed law, it is whatever all the Companions—may God be pleased with them—agreed in saying and professing on the authority of their Prophet, God bless him and grant him peace. Consensus in religion is nothing other than this. What does not constitute consensus in the revealed law is whatever they differed over through their independent reasoning, or whatever some of them—even a single one of them—refrained from addressing. The Sunnah is the revealed law itself. In the original linguistic usage, it is a thing’s face and outward appearance. The poet said: “She shows you the face of one whose lineage is unsullied, whose beauty is unmarred: upon it is neither mole nor scar.” The divisions of the Sunnah in the revealed law are obligation, recommendation, permission, disapproval, and prohibition. All of these were instituted by the Messenger of God, God bless him and grant him peace, on the authority of God, Mighty and Majestic. Innovation is everything said or done that has no foundation in what is attributed to him, God bless him and grant him peace. In religion, it is everything that has come neither in the Qur’an nor from the Messenger of God, God bless him and grant him peace. Yet some innovations are such that their practitioner is rewarded and is betrayed by the good he intended; some are such that their practitioner is rewarded and they are good, namely,

والخلاف: هو التنازع في أي شيء كان، وهو أن يأخذ الإنسان في مسالك من القول أو العقل، ويأخذ غيره في مسلك آخر وهو حرام في الديانة، إذ لا يحل خلاف ما أثبته الله تعالى فيها وقال تعالى {وأطيعوا الله ورسوله ولا تنازعوا فتفشلوا وتذهب ريحكم وصبروا إن الله مع لصابرين} وقال تعالى {أفلا يتدبرون القرآن ولو كان من عند غير الله لوجدوا فيه اختلافا كثيرا} وهو التفريق أيضا قال تعالى {ولا تكونوا كلذين تفرقوا وختلفوا من بعد ما جآءهم لبينات وأولئك لهم عذاب عظيم} والإجماع هو في اللغة ما اتفق عليه اثنان فصاعدا وهو الاتفاق، وهو حينئذ مضاف إلى ما أجمع عليه، وأما الإجماع الذي تقوم به الحجة في الشريعة فهو ما اتفق أن جميع الصحابة رضي الله عنهم قالوه ودانوا به عن نبيهم صلى الله عليه وسلم وليس الاجماع في الدين شيئا غير هذا وأما ما لم يكن إجماعا في الشريعة فهو ما اختلفوا فيه باجتهادهم أو سكت بعضهم، ولو واحد منهم في الكلام فيه. والسنة: هي الشريعة نفسها وهي في أصل اللغة وجه الشيء وظاهره قال الشاعر تريك سنة وجه غير مقرفة ما ساء ليس بها خال ولا ندب وأقسام السنة في الشريعة فرض أو ندب أو إباحة، أو كراهة أو تحريم كل ذلك قد سنه رسول الله صلى الله عليه وسلم عن الله عز وجل والبدعة كل ما قيل أو فعل مما ليس له أصل فيما نسب إليه صلى الله عليه وسلم وهو في الدين كل ما لم يأت في القرآن ولا عن رسول الله صلى الله عليه وسلم إلا أن منها ما يؤجر عليه صاحبه ويغذر بما قصد إليه من الخير، ومنها ما يؤجر عليه صاحبه ويكون حسنا، وهو ما كان أصله الإباحة كما روي عن عمر رضي الله عنه، نعمت البدعة هذه وهو ما كان فعل خير جاء النص بعموم استحبابه وإن لم يقرر عمله في النص. ومنها ما يكون مذموما ولا يعذر صاحبه وهو ما قامت به الحجة على فساده فتمادى عليه القائل به.

[16] **Qur’an references (L103):** Qur’an 42:13 (Ash-Shuraa); Qur’an 14:4 (Ibrahim).

those whose original status is permissibility, as is related from ʿUmar—may God be pleased with him—"What an excellent innovation this is!" This is the performance of a good deed whose recommendation is expressed generally in the text, even though its particular performance is not established in the text. Some innovations are blameworthy, and their practitioner is not excused: these are those whose invalidity has been established by authoritative proof, yet the person advocating them persists in them.[17][18]

والكناية: لفظ يقام مقام الاسم كالضمائر المعهودة في اللغات، وكالتعريض بما يفهم منه المراد وإن لم يصرح بالاسم ومنه قيل للكنية كنية. والإشارة: تكون باللفظ وتكون ببعض الجوارح وهي تنبيه المشار إليه أو تنبيه عليه. والمجاز: هو في اللغة ما سلك عليه من مكان إلى مكان وهو الطريق الموصل بين الأماكن، ثم استعمل فيما نقل عن موضعه في اللغة إلى معنى آخر، ولا يعلم ذلك إلا من دليل من اتفاق أو مشاهدة. وهو في الدين كل ما نقله الله تعالى أو رسوله صلى الله عليه وسلم عن موضعه في اللغة إلى مسمى آخر ومعنى ثان، ولا يقبل من أحد في شيء من النصوص أنه مجاز إلا ببرهان يأتي به من نص آخر، أو جماع متيقن، أو ضرورة حس وهو حينئذ حقيقيا، لأن التسمية لله عز وجل فإذا سمى تعالى شيئا ما باسم ما فهو اسم ذلك الشيء على الحقيقة في ذلك المكان، وليس ذلك في الدين لغير الله تعالى، قال عز وجل: {إن هي إلا أسمآء سميتموهآ أنتم وآبآؤكم مآ أنزل الله بها من سلطان إن يتبعون إلا لظن وما تهوى لأنفس ولقد جآءهم من ربهم لهدى} والتشبيه هو أن يشبه شيء بشيء في بعض صفاته، وهذا لا يوجب في الدين حكما أصلا وهو أصل القياس، وهو باطل لأن كل ما في العالم فمشبه بعضه لبعض ولا بد من وجه أو من وجوه، ومخالف أيضا بعضه لبعض ولا بد من وجه أو من وجوه، وهو أيضا التمثيل. والمتشابه: لا يوجد في شيء من الشرائع إلا بالإضافة إلى من جهل دون من علم، وهو في القرآن، وهو الذي نهينا عن اتباع تأويله وعن طلبه، وأمرنا بالإيمان به جملة، وليس هو في القرآن إلا

L107–108 Writing is an expression put in place of a name, like the pronouns familiar in languages, and like allusion through something from which the intended meaning is understood even though the name is not explicitly stated. From this, a kunya is called a kunya. Indication may be made verbally or with one of the bodily members, and it is alerting the person indicated, or drawing attention to him. Figurative usage, in linguistic usage, is that over which one travels from one place to another: it is the road connecting places. The term was then applied to what is transferred from its established linguistic usage to another meaning. Such a transfer can be known only through evidence consisting of agreement or observation. In religion, it is everything that God Most High or His Messenger, God bless him and grant him peace, has transferred from its established linguistic usage to another referent and a second meaning. No one's assertion that anything in the texts is figurative is accepted unless he brings a demonstration from another text, a consensus known with certainty, or a necessary deliverance of sense perception. In that case it is literal, because naming belongs to God, Mighty and Majestic. When He Most High names something with a particular name, that is the thing's literal name in that setting. In religion, this belongs to no one other than

[17] **Translator's note (L106):** The opening continues a Qur'anic quotation from the preceding segment, Qur'an 4:82. The supplied عند غير لله reads literally "with someone other than God"; the canonical wording is من عند غير الله, "from someone other than God." The supplied wording is retained. The poetic quotation appears corrupt or awkward, particularly ما ساء. The translation gives its apparent sense in context; the wording does not securely support an exact rendering of that phrase. The supplied ويغدر means "and is betrayed" or, without passive vocalization, "and betrays." In context it appears to be a transcription error for ويعذر, "and is excused," but that correction has not been silently adopted.

[18] **Qur'an references (L104):** Qur'an 8:46 (Al-Anfal); Qur'an 4:82 (An-Nisa).

God Most High. He, Mighty and Majestic, said: {They are only names that you and your fathers have named, for which God has sent down no authority. They follow only conjecture and what their souls desire, although guidance has indeed come to them from their Lord.} Assimilation is likening one thing to another in some of its attributes. This establishes no ruling whatsoever in religion. It is the basis of analogy, and it is invalid, because everything in the world necessarily resembles other things in one respect or several respects, and also necessarily differs from other things in one respect or several respects. It is also called comparison. The ambiguous does not exist in any of the revealed laws except relative to someone who does not know, as opposed to someone who knows. It does occur in the Qur'an: it is that whose interpretation we have been forbidden to pursue or seek, and which we have been commanded to believe in as a whole. In the Qur'an, it consists only of the oaths in the surah, as in His saying, Most High, {By the morning brightness; * and by the night when it grows still}, and the disconnected letters at the beginnings of the surahs. Everything in the Qur'an other than this is determinate.[19][20][21]

L109–113 The detailed is that whose divisions have been explained. In the original linguistic usage, it is that whose parts have been separated from one another. You say, "I separated the cloth," "the meat," and other such things. Derivation is bringing a defective thing out of another thing in which it was

للأقسام التي في السورة كقوله تعالى {ولضحى * والليل إذا سجى} والحروف المقطعة التي في أوائل السور وكل ما عدا هذا من القرآن فهو محكم.

والمفصل: هو ما بينت أقسامه وهو في أصل اللغة ما فرق بعضه عن بعض، تقول فصلت الثوب واللحم وغير ذلك. والاستنباط: إخراج الشيء المعيب من شيء آخر كان فيه، وهو في الدين إن كان منصوصا على جملة معناه فهو حق، وإن كان غير منصوص على جملة معناه فهو باطل لا يحل القول به. والحكم: هو إمضاء قضية في شيء ما، وهو في الدين تحريم أو إيجاب أو إباحة مطلقة، أو بكراهة، أو باختيار. والإيمان: أصله في اللغة التصديق باللسان والقلب معا، لا بأحدهما دون الثاني، وهو في الدين التصديق بالقلب بكل ما أمر الله تعالى به على لسان رسوله صلى الله عليه وسلم والنطق بذلك باللسان ولا بد من استعمال الجوارح في جميع الطاعات: واجبها، وندبها، واجتناب محرمها ومكروهها، برهان ذلك أن جميع أهل الإيمان مكذوب بأشياء منها أن يكون لله تعالى ولد، وأن يكون مسيلمة نبيا، وغير ذلك كثير ومصدقون بأشياء كثيرة، وقد أطلق الله تعالى وأطلق جميعهم بعضهم على بعض اسم الإيمان مطلقا دون

[19] **Translator's note (L107):** The supplied الكتابة means "writing," but the definition and the derivation involving kunya strongly suggest الكناية, "indirect designation" or "allusive expression." The supplied reading is retained. A kunya is a designation commonly formed with "father of" or "mother of." The Arabic connects its name with the term being defined. The sentence continues in the next segment; its object is not supplied here.

[20] **Translator's note (L108):** The supplied جماع in "a consensus known with certainty" appears to lack the initial alif of إجماع, "consensus"; the contextual sense is clear. The supplied للأقسام is grammatically awkward in the restrictive construction "it consists only of." أقسام is understood here as "oaths," as indicated by the ensuing Qur'anic example. "Assimilation," "comparison," "ambiguous," and "determinate" render tashbīh, tamthīl, mutashābih, and muḥkam respectively. The author's claims about the scope of the ambiguous in the Qur'an are retained as his own.

[21] **Qur'an references (L107):** Qur'an 53:23 (An-Najm).

contained. In religion, it is true if its overall meaning is stated in a text; if its overall meaning is not stated in a text, it is false, and it is unlawful to assert it. A ruling is the determination of a judgment concerning something. In religion, it is prohibition, imposition of obligation, or permission that is unqualified, accompanied by disapproval, or accompanied by preference. Faith, in its original linguistic usage, is affirmation with the tongue and the heart together, not with either one to the exclusion of the other. In religion, it is affirming with the heart everything that God Most High has commanded through the tongue of His Messenger, God bless him and grant him peace, and declaring this with the tongue. It necessarily includes employing the bodily members in all acts of obedience, both obligatory and recommended, and avoiding what is prohibited and disapproved. The demonstration of this is that all people of faith are belied concerning certain things, including that God Most High has a child, that Musaylima is a prophet, and many other things, while they affirm many things. God Most High has applied the designation of faith to them without qualification, and all of them have applied it to one another without qualification. No one in the community disputes that the designation of denial may be applied to them only with qualification. The unbelievers believe in many things, and no one in the community disputes that the designation of faith may not be applied to them unqualifiedly, but only with qualification. It is thus established that the designation of faith has been transferred from its established linguistic usage to what we have mentioned. Unbelief, in its original linguistic usage, is covering. He, Mighty and Majestic, said: {Know that the life of this world is only play, diversion, adornment, mutual boasting among you, and rivalry in increasing wealth and children. It is like rain whose vegetation pleases the cultivators; then it withers, and you see it turning yellow; then it becomes broken debris. In the Hereafter there is severe punishment, and forgiveness from God and approval. The life of this world is only the enjoyment of delusion.} Labīd ibn Abī Rabīʿa said: "Dhukāʾ cast her right hand into a covering one." He means the night, because it covers everything. In religion, it is the attribute of someone who denies anything that God Most High has made it obligatory to believe in, after authoritative proof has been established against him through the truth reaching him, with his heart to the exclusion of his tongue, or with

إضافة، ولا خلاف بين أحد من الأمة في أنه لا يجوز أن يطلق اسم التكذيب عليهم إلا بإضافة، والكفار مؤمنون بأشياء كثيرة، ولا خلاف بين أحد من الأمة في أنه لا يجوز أن يطلق عليهم اسم الإيمان مطلقا إلا بالإضافة، فصح أن اسم الإيمان منقول عن موضوعه في اللغة إلى ما ذكرناه. والكفر أصله في اللغة التغطية قال عز وجل {علموا أنما لحياة لدنيا لعب ولهو وزينة وتفاخر بينكم وتكاثر في لأموال ولأولاد كمثل غيث أعجب لكفار نباته ثم يهيج فتراه مصفرا ثم يكون حطاما وفي لآخرة عذاب شديد ومغفرة من لله ورضوان وما لحياة لدنيآ إلا متاع لغرور} قال لبيد بن أبي ربيعة ألقت ذكاء يمينها في كافر يريد الليل لأنه يغطي على كل شيء. وهو في الدين: صفة من جحد شيئا مما افترض الله تعالى الإيمان به بعد قيام الحجة عليه ببلوغ الحق إليه بقلبه دون لسانه أو بلسانه دون قلبه، أو بهما معا، أو عمل جاء النص بأنه مخرج له بذلك عن اسم الإيمان على ما بينا في غير هذا الكتاب برهان ذلك، أن جميع من يطلق عليه اسم الكفر فإنه مصدق بأشياء، مكذب بأشياء ولا خلاف في أنه لا يجوز أن يطلق عليهم اسم الإيمان بلا إضافة وأهل الإيمان كفار بأشياء كثيرة منها التثليث وغير ذلك ولا خلاف في أنه لا يجوز أن يطلق عليهم اسم الكفر بلا إضافة. والشرك: هو في اللغة أن يجمع شيئا إلى شيء فيشرك بينهما فيما جمعا فيه وهو في الدين معنى الكفر سواء لما قد بيناه في غير هذا المكان والتسمية لله تعالى لا لغيره. والإلزام: هو أن نحكم على الإنسان بحكم ما فإما واجب أو غير واجب. والعقل: هو استعمال الطاعات والفضائل، وهو غير التمييز لأنه استعمال ما ميز الإنسان فضله، فكل عاقل مميز وليس كل مميز عاقلا، وهو في اللغة: المنع، تقول: عقلت البعير أعقله عقلا. وأهل الزمان يستعملونه فيما وافق أهواءهم في سيرهم وزيهم، والحق هو في قول الله تعالى {وما كان لنفس أن تؤمن إلا بإذن لله ويجعل لرجس على لذين لا يعقلون} يريد الذين يعصونه وأما فقد التمييز فهو الجهل أو الجنون على حسب ما قابل اللفظ من ذلك.

his tongue to the exclusion of his heart, or with both together; or an act concerning which the text states that, by committing it, he is removed from the designation of faith, in accordance with what we have explained elsewhere than in this book. The demonstration of this is that everyone to whom the designation of unbelief is applied affirms certain things and denies certain things. There is no disagreement that the designation of faith may not be applied to them without qualification. People of faith disbelieve in many things, including the Trinity and other things, and there is no disagreement that the designation of unbelief may not be applied to them without qualification. Association, in linguistic usage, is joining one thing to another and thereby making them share in that in which they have been joined. In religion, it has exactly the same meaning as unbelief, for reasons we have explained elsewhere. Naming belongs to God Most High, and to no one else. Imposition is our passing a ruling upon a person, whether obligatory or nonobligatory. Reason is the practice of acts of obedience and virtues. It is distinct from discernment, because it is the practice of that whose excellence a person has discerned. Thus everyone who exercises reason possesses discernment, but not everyone who possesses discernment exercises reason. In linguistic usage, it means restraint. You say, "I tethered the camel; I tether it; tethering." The people of the age use it for whatever accords with their desires in their conduct and dress. The truth is in the saying of God Most High: {No soul can believe except by God's permission, and He places defilement upon those who do not exercise reason.} He means those who disobey Him. As for the absence of discernment, it is ignorance or madness, according to which of these the expression corresponds to. Immediacy is putting something into practice without delay, directly upon the arrival of the command to do it. Deferral is delaying the execution of an obligation. The ruling governing all the commands of God, Mighty and Majestic, and His Messenger, God bless him and grant him peace, is that they require immediate execution, unless a text permits deferral in a particular matter; in that case one stops at what it specifies. Precaution is scrupulousness itself: it is avoiding what a person fears may be impermissible, even though its prohibition has not been established for him, or avoiding that from which someone else has suffered loss, in the judgment of that person exercising precaution. Precaution is

والفور: هو استعمال الشيء بلا مهلة ولكن على أثر ورود الأمر به. والتراخي: تأخير إنفاذ الواجب وحكم أوامر الله عز وجل ورسوله صلى الله عليه وسلم كلها على الفور إلا أن يأتي نص بإباحة التراخي في شيء ما فيوقف عنده. والاحتياط: هو التورع نفسه وهو اجتناب ما يتقي المرء أن يكون غير جائز، وإن لم يصح تحريمه عنده، أو اتقاء ما غيره خسر منه عند ذلك المحتاط، وليس الاحتياط واجبا في الدين ولكنه حسن، ولا يحل أن يقضى به على أحد ولا أن يلزم أحدا لكن يندب إليه لأن الله تعالى لم يوجب الحكم به والورع هو الاحتياط نفسه

not obligatory in religion, but it is good. It is not lawful to pass judgment against anyone on its basis or to impose it upon anyone; rather, people are encouraged to adopt it, because God Most High has not made judging by it obligatory. Scrupulousness is precaution itself.[22][23][24][25][26]

L114 Section on the Meanings of Particles That Recur in the Texts

The coordinating wāw indicates that the second shares with the first either its ruling or the statement made about it, according to the arrangement of the discourse. If the second is a clause, the sharing concerns only the statement; if it is a single noun, it shares in the ruling applicable to the first. It does not indicate sequence: that is, it does not require that the first precede the second or follow it. Rather, the two may occur together, or one may precede the other, with an interval or without an interval. For example, when you say, “Zayd and ʿAmr came to me,” they may have come together, or Zayd may have come before ʿAmr, or ʿAmr before Zayd, by an hour, a year, or less or more.

فصل في معاني حروف تتكرر في النصوص واو العطف: لاشتراك الثاني مع الأول: إما في حكمه، وإما في الخبر عنه على حسب رتبة الكلام، فإن كان الثاني جملة فهو اشتراك في الخبر فقط، وإن كان اسما مفردا فهو مشترك في حكم الأول، وهي لا تعطي رتبة أي أنها لا توجب أن الأول قبل الثاني، ولا أنه بعده بل ممكن فيهما أن يكونا معا، أو أن يكون أحدهما قبل الآخر بمهلة بلا مهلة كقولك: جاءني زيد وعمرو، فجائز أن يأتيا معا، وجائز أن يأتي زيد قبل عمرو، وعمرو قبل زيد بساعة وبعام وبأقل وبأكثر. والفاء: تعطي رتبة الثاني بعد الأول بلا مهلة كقولك: جاءني زيد فعمرو، فزيد جاء قبل عمرو ولا بد وأتى عمرو أثره بلا مهلة وثم توجب أن الثاني بعد الأول بمهلة وواو القسم ليست واو عطف لأنها قد يبدأ بها أول الكلام ولا يبتدأ بواو العطف. وأو للشك وللتخيير: مثل قولك خذ هذا أو هذا، فإنما ملكت أخذ أحدهما، وفي الشك قولك: جاءني زيد أو عمرو فلم تقطع بمجيء أحدهما بعينه لكن حققت أن أحدهما أتاك ولم تعينه.

[22] **Translator’s note (L109):** The supplied المعيب means “defective.” The context strongly suggests المغيب, “hidden” or “concealed,” but the supplied reading is retained. “Derivation” renders istinbāṭ, the extraction or elicitation of a meaning or ruling. Its definition continues in the next segment.

[23] **Translator’s note (L110):** The supplied مكذوب means “belied” or “lied to,” and is grammatically awkward here. The argument plainly calls for “deny” or “are deniers,” probably مكذبون; the supplied reading is retained in the translation. The Qur’anic quotation is Qur’an 57:20. Its unvocalized الكفار is rendered “cultivators” in this agricultural context; the author’s lexical argument concerns its relation to covering. Dhukāʾ is a name for the sun. The poetic fragment uses kāfir, literally “one that covers,” for the night; its image of the sun casting her “right hand” is retained. The final phrase continues in the next segment.

[24] **Translator’s note (L112):** “Association” renders shirk, the joining of partners, particularly association of partners with God in religious usage. The tethering example gives the Arabic verb and its verbal noun to illustrate the lexical connection between ʿaql, “reason,” and restraint. The final definition continues in the following segment.

[25] **Translator’s note (L113):** The wording «اتقاء ما غيره خسر منه» is awkward and possibly corrupt. It has been rendered according to the supplied reading: avoiding something from which another person has suffered loss.

[26] **Qur’an references (L109):** Qur’an 57:20 (Al-Hadid); Qur’an 10:100 (Yunus).

Fāʾ indicates that the second follows the first without an interval, as when you say, "Zayd came to me, then ʿAmr." Zayd necessarily came before ʿAmr, and ʿAmr came immediately after him, without an interval. Thumma requires that the second follow the first with an interval. The wāw of an oath is not a coordinating wāw, because an utterance may begin with it, whereas an utterance is not begun with a coordinating wāw.

Aw indicates uncertainty or a choice. An example of choice is your saying, "Take this or this": you have thereby authorized taking one of the two. An example of uncertainty is your saying, "Zayd or ʿAmr came to me." You have not asserted definitely that either particular one came; rather, you have affirmed that one of them came to you without identifying him.

L115 The meaning of bāʾ is connection, as when you say, "I passed by Zayd," intending the connection of your passing with him. It implies neither taking a part nor encompassing the whole. Min means a starting point or taking a part, and ilā means an endpoint or "with." Such instances are exceedingly numerous. For this reason we have said that a jurist must be versed in grammar and language; otherwise, he is deficient, and it is not lawful for him to issue legal opinions, because he is ignorant of the meanings of expressions and far from understanding the transmitted reports.

ومعنى الباء: الاتصال مثل قولك: مررت بزيد، تريد اتصال مرورك به ولا توجب تبعيضا ولا استيفاء ومن معناها ابتداء أو تبعيض وإلى معناها الانتهاء أو مع وهذا يكثر جدا ولهذا قلنا: إنه لا بد للفقيه أن يكون نحويا لغويا وإلا فهو ناقص، ولا يحل له أن يفتي لجهله بمعاني الأسماء وبعده عن فهم الأخبار



الباب 6: الأشياء قبل ورود الشرع

Chapter 6: Things before Revealed Law: Prohibition or Permission?

Ibn Ḥazm · Arabic–English parallel edition

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L116–117 Chapter Six: Whether Things, According to Reason Before the Advent of Revealed Law, Are Prohibited or Permitted

Abū Muḥammad said: Some people have said that all things, according to reason before the advent of revealed law, are prohibited. Others have said that, on the contrary, they are permitted. Others have said that they are prohibited, with the sole exceptions of movement from one place to another and gratitude to the benefactor. Others have said that they are permitted, with the exceptions of unbelief, injustice, and disavowal of the benefactor. Others—all the adherents of the literal meaning and groups among the proponents of analogy—have said that reason assigns them no ruling whatsoever, whether prohibition or permission, and that all of this awaits what revealed law brings.

Abū Muḥammad said: This is the truth, and no other position is admissible. Those who maintain that things are prohibited argued as follows: "All things belong to God, Mighty and Majestic, and it is not permissible to make use of an owner's property without his permission."

Abū Muḥammad said: This is worthless obfuscation. Making use of property belonging to someone other than ourselves was not prohibited by reason itself. Rather, whatever of that was prohibited became prohibited through the advent of revealed law prohibiting it. If the prohibition of making use of an owner's property were embedded in the necessary dictates of reason, no revealed law could come with anything contrary to it, just as no revealed law could come stating that the whole is less than the part, or that a short thing is longer than something longer than itself. For anything that God Most High has established for reason to apprehend as possessing a particular attribute, [apprehending it] contrary to what He Most High has established is impossible and absurd, and He has established that reporting it is falsehood and fabrication. He Most High has informed us that His speech is the truth. There is no possibility that revealed law should bring an absurdity or a falsehood. Whoever allows that has departed from Islam.

We have found that, in the case of an owner among ourselves and his property, He Most High has commanded us to take it from him against his will to

الباب السادس هل الأشياء في العقل قبل ورود الشرع على الحظر أو على الإباحة

قال أبو محمد: قال قوم: الأشياء كلها في العقل قبل ورود الشرع على الحظر. وقال آخرون: بل هي على الإباحة، وقال آخرون: بل هي على الحظر حاشا الحركة النقلية من مكان إلى مكان وشكر المنعم فقط. وقال آخرون: بل هي على الإباحة حاشا الكفر والظلم وجحد المنعم، وقال آخرون وهم جميع أهل الظاهر وطوائف من أهل أصحاب القياس: ليس لها حكم في العقل أصلا لا بحظر ولا بإباحة، وإن كل ذلك موقوف على ما ترد به الشريعة. قال أبو محمد: وهذا هو الحق الذي لا يجوز غيره واحتج من قال بحظرها بأن قال: الأشياء كلها ملك لله عز وجل، ولا يجوز أن يقدم على ملك مالك إلا بإذنه. قال أبو محمد: وهذا تمويه ساقط، لأنه لم يحرم الإقدام على مالك غيرنا بنفس العقل، وإنما حرم ما حرم من ذلك ورود الشرع بتحريمه، ولو كان تحريم الإقدام على ملك المالك مركبا في ضرورة العقل، لما جاز أن يأتي شرع بخلافه كما لا يجوز أن يأتي بشرع، فإن الكل أقل من الجزء، وأن القصير أطول مما هو أطول منه، لأن كل شيء رتب الله تعالى في العقل إدراكه على صفة ما بخلاف ما قد رتبه تعالى ممتنعا ومحالا، ورتب الاخبار به كذبا وإفكا، وأخبرنا تعالى أن قوله الحق، ولا سبيل أن يرد الشرع بمحال ولا بكذب. ومن أجاز ذلك خرج عن الإسلام. وقد وجدنا المالك فيما بيننا لملكه قد أمرنا تعالى بأخذه منه كرها فيما لزمه من نفقة زوجه التي هي لعلها أغنى منه وأقدر على المال، وفي أشياء كثيرة من أروش ما أتلف بخطأ أو بغير قصد وبقصد. ووجدناه تعالى قد أجاز ما أنفذه أهل دار الحرب في أموالهم وملكهم إياها بقوله تعالى: {وأورثكم أرضهم وديارهم وأموالهم وأرضا لم تطئوها وكان الله على كل شيء قديرا} وأجاز كل ما أنفذوه فيها من هبة وبيع، ثم أطلقنا على أخذها منهم اختلاسا وغلبة وعلى كل وجه.

meet his obligation to maintain his wife, who may perhaps be wealthier than he is and have greater access to money, and in many cases involving compensation for what he has damaged by mistake, unintentionally, or intentionally. We have also found that He Most High has recognized the dispositions made by the inhabitants of the territory of war concerning their property, and has recognized their ownership of it, through His saying, "And He caused you to inherit their land, their dwellings, their possessions, and land you had not trodden; and God was powerful over all things." He recognized every disposition they made of it by gift or sale; then He gave us free rein to take it from them by stealth, by force, and in every manner.[1][2][3]

L118–120 If they say, "Their unbelief made their property lawful to take," they are told: "We can show you a protected non-Muslim who is an unbeliever, yet nothing may lawfully be taken from his property except the jizya, which scarcely amounts to a fraction of his wealth. The unbelief of each is the same. Where, then, is the claim of this heedless group that making use of an owner's property without his permission is forbidden, prohibited by reason?"

If one of them says, "That property belongs to God, Mighty and Majestic," he is told: "You declared God's property forbidden only by analogy with what is observable among ourselves—the wrongfulness, as you claim, of encroaching upon an owner's property. Do not return to what you made your foundation and invalidate it." He is also told: "Our persons, too, belong to God, Mighty and Majestic. Depriving them of nourishment and reproduction entails the extinction of the human species, and that entails destroying much property belonging to God, Mighty and Majestic, and ruining many things owned by Him. This overturns your foundation. On your account,

فإن قالوا: كفرهم أباح أموالهم، قيل لهم: نحن نوجدكم الذمي كافرا لا يحل أخذ شيء من ماله حاشا الجزية التي لا تكاد تتجزأ من ماله، وكلاهما كفره واحد، فأين ما ادعته هذه الطائفة المغفلة من أن الإقدام على ملك مالك بغير إذنه حرام محرم في العقل. فإن قال قائل منهم: تلك الأموال هي ملك الله عز وجل، قيل له: إنما حرمت أنت ملك الله تعالى قياسا على الشاهد بيننا من قبح التعدي على ملك مالك بزعمك فلا تعد إلى ما جعلته أصلا فتبطله. ويقال له أيضا: وأنفسنا ملك لله عز وجل، وفي منعها الأقوات والتناسل إبطال للنوع الإنساني، وفي ذلك إبطال ملك لله عز وجل كثير، وإتلاف مملوكات له كثيرة، وهذا فسخ لأصلك، فيكون الإتلاف على قولك حاظرا مبيحا في حالة واحدة، وهذا لا يعقل. ويقال لمن قال بإباحتها واحتج بأن في مدخل الطعام ومخرجه عبرة ودليلا على قدرة الله عز وجل، اطرد علتك وقل: وفي فسقك بالذكور وبالنساء عبرة ودليل على قدرة الله عز وجل في مداخلة الأعضاء بعضها في بعض، وفي تخلق الولد وولادته أعظم عبرة، وأدل دليلا على قدرة الله عز وجل، وكذلك في قتل النفس وسيلان الدم بعد منع الجلد له من السيلان، وفي خروج النفس وانقطاع الحركة والحس أعظم عبرة وأدل دليلا على القدرة، فأبح قتل النفس على هذا وقل: إنه حسن في العقول بل واجب، ومن قرأ كتب التشريح للأطباء علم

[1] **Translator's note (L116):** The supplied «على مالك غيرنا» literally refers to an 'owner other than ourselves,' where the argument appears to require property belonging to someone other than ourselves; the translation follows that contextual sense. The final sentence is syntactically elliptical in the supplied text. '[Apprehending it]' makes the apparent argument intelligible while preserving its continuation into the next segment.

[2] **Translator's note (L117):** The Quranic quotation corresponds to 33:27, but the supplied text reads «وكان لله» rather than «وكان الله». The former disrupts the syntax; the translation renders the apparent intended sense and flags the supplied wording here.

[3] **Qur'an references (L116):** Qur'an 33:27 (Al-Ahzab).

destruction would thus entail both prohibition and permission in one and the same circumstance, and this is unintelligible."

To someone who maintains that things are permitted and argues that the entry and exit of food contain a lesson and evidence of the power of God, Mighty and Majestic, it is said: "Apply your stated rationale consistently, and say: 'In your sexual misconduct with males and females, too, there is a lesson and evidence of the power of God, Mighty and Majestic, in the penetration of bodily members into one another; and in the formation and birth of a child there is a still greater lesson and more telling evidence of the power of God, Mighty and Majestic.' Likewise, in killing a person, in the flowing of blood after the skin had prevented it from flowing, and in the departure of the soul and the cessation of movement and sensation, there is a still greater lesson and more telling evidence of power. On this basis, then, declare killing a person permissible, and say that it is good according to reason— indeed, obligatory. Anyone who reads physicians' books on anatomy knows that this contains a very great lesson. Let him therefore say that killing people is permissible according to reason.

The proponents of permission also argued: "There must be either action or abstention, movement or rest. If you forbid him all of these, you require what is absurd and impossible."

Abū Muḥammad said: This argument is addressed only to someone who maintains prohibition. As for us, we do not say that reason contains permission for anything or prohibition of it. It contains only the discernment of existing things as they are and the understanding of discourse. In general, everything advanced in argument by the proponents of permission or prohibition consists of bare assertions.

Some proponents of permission argued from His saying, Most High: "Whoever follows guidance follows guidance only for himself, and whoever goes astray goes astray only to his own detriment. No bearer of a burden bears

أن في ذلك أعظم عبرة، فليقل إن قتل الأنفس مباح في العقل. واحتج المبيحون أيضا بأن قالوا: لا بد من فعل، أو ترك، أو حركة أو سكون فإن منعتموه الكل أوجبتم المحال والممتنع. قال أبو محمد: وهذا إنما يخاطب به من قال بالحظر، وأما نحن فلسنا نقول: إن في العقل إباحة شيء ولا حظره، وإنما فيه تمييز الموجودات على ما هي عليه وفهم الخطاب فقط. وبالجملة فكل شيء يعارض به القائلون بالإباحة أو الحظر فهي دعاوى مجردة، واحتج بعض القائلين بالإباحة بقوله تعالى {من هتدى فإنما يهتدي لنفسه ومن ضل فإنما يضل عليها ولا تزر وازرة وزر أخرى وما كنا معذبين حتى نبعث رسولا}

another's burden. And We were not to inflict punishment until We sent a messenger."[456]

L121 Abū Muḥammad said: They have no argument in this, because we did not say that He Most High punishes someone to whom He has not sent a messenger, such that they could counter us with this. This verse has nothing whatsoever to do with our question of permission and prohibition. For even if things were prohibited by an explicit text, but no threat of punishment had been issued against the person who did them, no one would be entitled to say that God Most High punishes whoever disobeys His command. There is nothing in a person's being disobedient or an unbeliever that makes it necessary that he be punished. We have learned that punishment must occur only through the Quran and the report from the Prophet, God's blessings and peace be upon him. Were it not for that, we would not have known it.

The demonstration of this is that we have found tyrannical unbelievers in this world living out their lifetimes without being punished—indeed, enjoying ease, dominion, ascendancy, and honor. There is no difference between the possibility of this for fifty years, sixty, seventy, or eighty, and its continuing in this way forever, period after period. Nor is there any difference between its being possible in the first period and its being possible in the second. No new condition has arisen for them here, except that God Most High has willed to punish them in the hereafter. Had He willed that their bliss should continue, He would have done so. But the text has declared punishment, and we have affirmed it.

Some proponents of permission said: "It is impossible that God Most High should create in us desires that call for what they call for, and then prohibit us from what He created for us."

L122–127 ʿAlī said: This is a denial of what is plainly witnessed, and this is no argu-

قال أبو محمد: ولا حجة لهم في هذا، لأننا لم نقل إنه تعالى يعذب من لم يبعث إليه رسولا فيعارضون بهذا، وليست هذه الآية من مسألتنا في الإباحة والحظر في ورد ولا صدر، لأن الأشياء لو ورد الحظر فيها بنص جلي إلا أنه لم يأت وعيد على مرتكبها لم يجز لأحد أن يقول: إن الله تعالى يعذب من خالف أمره، وليس في كون المرء عاصيا أو كافرا ما يوجب أنه يعذب ولا بد، وإنما علمنا وجوب العذاب من طريق القرآن والخبر عن النبي صلى الله عليه وسلم فقط ولولا ذلك ما علمناه برهان ذلك أن الكفار الطغاة قد وجدناهم في هذا العالم يعمرون مدة أعمارهم غير معذبين، لا بل في نعمة وملك وغلبة وكرامة، ولا فرق بين جواز ذلك خمسين عاما وستين وسبعين وثمانين، وبين تماديه هكذا أبدا وقتا بعد وقت، ولا فرق بين جواز ذلك في الوقت الأول، وبين جوازه في الوقت الثاني، وليست هنا حال حدثت لهم، إلا أن الله تعالى أراد أن يعذبهم في الآخرة، ولو شاء أن يستمر نعيمهم لفعل، ولكن ورد النص بالتعذيب قلنا به، وقال بعض القائلين بالإباحة: محال أن يخلق الله تعالى فينا الشهوات المقتضية لما تقتضيه ثم يحظر علينا ما خلق لنا

قال علي هذه مكابرة العيان وليست هذه هي حجة مسلم، لأن الله عز وجل وقد فعل ما أنكروا، وخلق فينا شهوات تقتضي إتيان الفواحش في كل امرأة جميلة نراها أو في حسان الغلمان، وشرب الخمور في البساتين، وأخذ كل شيء استحسنته النفوس والراحة، وترك التعرض لسيوف أهل الشرك، والنوم عن الصلوات في الهواجر الحارة

[4] **Translator's note (L118):** The description of the jizya, «لا تكاد تتجزأ من ماله», is unusual. It is rendered as indicating an exceedingly small fraction of the person's wealth.

[5] **Translator's note (L119):** The Quranic quotation begins with «من هتدى», apparently an orthographic omission for «من اهتدى» in 17:15. It is translated as 'Whoever follows guidance.'

ment for a Muslim, for God, mighty and majestic, has indeed done what they deny: He has created in us desires that impel us to commit indecencies with every beautiful woman we see, or with handsome boys; to drink wine in gardens; to take everything our souls find pleasing; to rest and avoid exposing ourselves to the swords of the polytheists; and to sleep through the prayers in the heat of midday and the cold of early morning. Then He has forbidden us all of that. If someone says, "But God Most High has provided compensation for these things in other things He has permitted, and has compensated the abandonment of what He has forbidden with something better, namely Paradise," we say to him—and through God Most High comes success: He Most High was certainly capable of combining both things for us together. That would certainly have meant less fatigue for us, greater pleasure for our souls, greater ease for our bodies, and more complete joy for us. But He Most High has willed only what you see; none can overturn His judgment. The explanation of this is that He has bestowed bliss upon some people in this world and the Hereafter, such as David and Solomon, peace be upon them both. He gave them great pleasures, lofty kingship, and prophethood besides, while He visited upon Job, who was a prophet like them, afflictions that no one could withstand, without any sin having previously proceeded from him or any good deed having previously proceeded from Solomon and David—blessings and peace be upon them all. He gave Muḥammad, God bless him and grant him peace, power over all his enemies, protected him from them, and granted him victory over them; yet He gave the enemies of other prophets power over them, and they killed them with various forms of mutilation. All of them, nevertheless—both the fortunate man given power over his enemy in this world and the deprived man whose enemy was given power over him in it—are all gathered together in Paradise, enjoying its bliss. He has done this with us too: there is a doer of good who enjoys bliss, and a doer of good who is made miserable. He, mighty and majestic, has also bestowed worldly bliss upon kings among the unbelievers and kept victory and support with them until He took their souls to the Fire, although they were the most tyrannical of God's creatures, the most unbelieving, and the

والغدوات القارة، ثم حرم علينا ذلك كله. فإن قال قائل: فإن الله تعالى قد عوض من ذلك أشياء أباحها، وعوض على ترك ما حرم ما هو خير وهو الجنة. قلنا له وبالله تعالى التوفيق: لقد كان تعالى قادرا أن يجمع الأمرين لنا معا، ولقد كان يكون ذلك أقل لتعبنا وألذ لنفوسنا وأروح لأجسامنا وأتم لسرورنا، ولكنه تعالى لم يرد إلا ما ترى لا معقب لحكمه. وبيان ذلك: أنه قد نعم قوما في الدنيا والآخرة، كداود وسليمان عليهما السلام وأعطاهما اللذات العظيمة والملك السنيع والنبوة مع ذلك. وسلط على أيوب وهو نبي مثلهما من البلايا ما لا قبل لأحد به دون ذنب سلف منه، ولا إحسان سلف من سليمان وداود على جميعهم الصلاة والسلام وسلط محمدا صلى الله عليه وسلم على جميع أعدائه وعصمه منهم ومنحه النصر عليهم، وسلط على أنبياء أخر أعداءهم فقتلوهم بأنواع المثل، وكلهم مع ذلك من مسعود مسلط على عدوه في الدنيا ومحروم مسلط عليه عدوه فيها، وكلهم مجتمعون في الجنة متنعمون فيها وفعل بنا ذلك أيضا، فمن محسن منعم، ومن محسن مشقي، وقد نعم أيضا عز وجل ملوكا من الكفار في الدنيا، وأصحبهم النصر والتأييد إلى أن قبض أرواحهم إلى النار، وهم أطغى خلق الله وأكفره، وأشد تسلطا على الفواحش. وحرم آخرين من الكفار، فقتلهم بالفاقة والجوع والعري والقمل والمساءلة من باب إلى باب مع العاهات العظيمة والبلايا الشنيعة والأمراض المؤلمة، ثم جعل مجتمعهم في جهنم مع منعهم في الدنيا، ومنحوس فيها، فأي عقل ترتبت فيه هذه الرتبة أو المنع منها ما يحس شيئا من ذلك في عقله إلا ناقص العقل، ينبغي له أن يتهم حسه في ذلك. ونسأل من جعل العقل مرتبا في حظر أو إباحة قبل ورود الشرع فنقول له: ما تقول في راهب في صومعة، مريد لله عز وجل بقلبه كله، موحد لله تعالى لا يدع خيرا إلا فعله ولا شرا إلا اجتنبه، إلا أنه كان في جزائر الشاشيين في أقصى الدنيا يسمع قط ذكر محمد صلى الله عليه وسلم من جميع أهل ناحيته إلا متبعا بالكذب وبأقبح الصفات

[6] **Qur'an references (L118):** Qur'an 17:15 (Al-Isra).

most unrestrained in committing indecencies. He deprived other unbelievers, killing them through destitution, hunger, nakedness, lice, and begging from door to door, along with grievous disabilities, hideous afflictions, and painful diseases. Then He made their gathering place in Hell, together with those who enjoyed bliss in this world and those who were ill-fated in it. In what intellect, then, was this arrangement established, or its prohibition? No one senses anything of this in his intellect except someone deficient in intellect, who ought to distrust his perception in this matter. We ask whoever assigns the intellect a determining role in prohibition or permission before the coming of the revealed law, saying to him: What do you say of a monk in a hermitage, seeking God, mighty and majestic, with his whole heart, affirming the oneness of God Most High, leaving no good deed undone and no evil unavoided, except that he lived in the islands of the Shāshiyyīn at the farthest end of the world, where any mention of Muḥammad, God bless him and grant him peace, that he ever heard from all the people of his region was accompanied only by accusations of lying and the ugliest descriptions? He died in that condition, doubting his prophethood, God bless him and grant him peace, or denying it. Is his destination not the Fire, abiding there, remaining there forever, without end? If anyone doubts this, he is an unbeliever by the consensus of the community. Then we say: What do you say of a Jew or a Christian who never left any Muslim he was able to kill without killing him or dispatching him, and left no indecency uncommitted, including fornication, the deed of the people of Lot, peace be upon him, and the perpetration of every abomination? Then he became certain of the prophethood of Muḥammad, God bless him and grant him peace, and believed, disavowed every religion except the religion of Islam, acknowledged that with his tongue, and died immediately afterward. Is he not among the people of Paradise, without disagreement from anyone in the community? If anyone doubts that, he has disbelieved. In what rational necessity, then, is either the affirmation or the invalidation of this to be found? And what was it in reason that necessitated singling out Muḥammad, God bless him and grant him peace, and the other prophets for these excellences? He, peace be upon him, had lived among people for forty years without His Most High having endowed him with this excellence. What intellect necessitated withholding

ومات على ذلك وهو شاك في نبوته صلى الله عليه وسلم أو مكذب لها أليس مصيره إلى النار خالدا مخلدا أبدا بلا نهاية؟ فإن شك أحد في ذلك فهو كافر بإجماع الأمة. ثم نقول: ما تقول في يهودي أو نصراني لم يدع قتل مسلم قدر عليه إلا قتله أو أنفذه ولم يبق شيئا من الفواحش إلا ارتكبه، من الزنى وفعل قوم لوط عليه السلام وفعل كل بلية ثم إنه أيقن بنبوة محمد صلى الله عليه وسلم وآمن وبرىء من كل دين إلا دين الإسلام وأقر بذلك بلسانه ومات أثر ذلك، أليس من أهل الجنة؟ بلا خلاف من أحد من الأمة، فإن شك في ذلك فقد كفر. ففي أي موجب للعقل وجد إثبات هذا أو وجد إبطاله وما الذي أوجب في العقل أن يخص محمدا صلى الله عليه وسلم وسائر الأنبياء بهذه الفضائل وقد كان عليه السلام بين أظهر الناس أربعين سنة لم يحبه تعالى بهذه الفضيلة، فأي عقل أوجب منعه من ذلك قبل أن يؤتاها أو أوجب أن يحبى بها إذ حبي بها، هل هي إلا أفعال الله تعالى واختياره، وكل هذا يبطل أن يكون للعقل محال في حظر أو إباحة، أو تحسين أو تقبيح، وأن كل ذلك منتظر فيه ما ورد من الله تعالى في وحيه فقط، نسأل الله الهدى والعافية في الدنيا والآخرة بمنه آمين.

it from him before he was given it, or necessitated his being endowed with it when he was endowed with it? Are these anything but the acts of God Most High and His choice? All of this invalidates the contention that the intellect has any scope in prohibition, permission, judging good, or judging evil, and establishes that in all of this one must await only what has come from God Most High in His revelation. We ask God, through His gracious bounty, for guidance and well-being in this world and the Hereafter. Amen.[7][8][9]

L128–135 Some of those who argue for permission, straining their arguments, have said: "Whenever God compels someone to something, He has thereby permitted it to him." Abū Muḥammad ʿAlī said: This is the statement of a man untrained in learning, and he has erred in this proposition, because compulsion is an act of God Most High: the hungry man is compelled to hunger, and the sick man is compelled to sickness. He Most High has said concerning the people of the Fire: {And when Abraham said, "My Lord, make this a secure land, and provide its people with fruits—those of them who believe in God and the Last Day," He said, "And whoever disbelieves, I shall grant him enjoyment for a little while, then compel him to the punishment of the Fire. What an evil destination!"} Is it conceivable for anyone possessed of intellect to say that God Most High has permitted hunger to the hungry, sickness to the sick, and being in Hell to the people of Hell? Only someone who does not know names, the things named, or the true way in which words express

وقال بعض المتكلفين من القائلين بالإباحة: كل من اضطره الله إلى شيء فقد أباحه له قال أبو محمد علي وهذا قول امرىء لم يتدرب في العلم وقد أخطأ في هذه القضية لأن الضرورة فعل الله تعالى، والجائع مضطر إلى الجوع، والمريض مضطر إلى المرض، وقد قال تعالى في أهل النار {وإذ قال إبراهيم رب جعل هذا بلدا آمنا ورزق أهله من لثمرات من آمن منهم بلله وليوم لآخر قال ومن كفر فأمتعه قليلا ثم أضطره إلى عذاب لنار وبئس لمصير} أفيسوغ لذي عقل أن يقول إن الله تعالى أباح للجائع الجوع، وللمريض المرض، ولأهل جهنم الكون في جهنم، وإنما يقول هذا من لا يعرف الأسماء ولا المسميات ولا حقيقة عبارة الألفاظ عن المعاني. فإن قال قائل: فإن الشريعة تبطل حكم ما في العقول، واحتج بأنه قد حسن في العقول الانقياد للأمر المنسوخ قبل أن ينسخ، ثم أتى النسخ فقبح في العقل ما كان فيه حسنا. قيل له: هذا شغب فاسد، ولم نكر أن الشريعة لا تحسن إلا ما حسنت العقول ولا تقبح ما قبحت، بل هو قولنا نفسه، وإنما أنكرنا أن يكون العقل رتبة في تحريم شيء أو تحليله أو تحسينه أو تقبيحه، وأما إذا وردت الشريعة بالنهي عن شيء أو إباحته، فواجب في العقول الانقياد لذلك، والانقياد لمنع ما أبيح، أو إباحة ما منع إن جاء أمر بخلاف الأمر المتقدم، فلم يحدث في العقول شيء لم يكن ولا غير النسخ شيئا مما كان فيها من وجوب الانقياد لما وردت به الشريعة. وقد قال بعض القائلين بالحظر إن معنى قوله عز وجل {هو لذي خلق لكم ما في لأرض جميعا ثم ستوى إلى لسمآء

[7] **Translator's note (L123):** The uncommon adjective السنيع is rendered "lofty"; it may be a corrupt reading of the more usual السني.

[8] **Translator's note (L125):** The opening phrase مع منعهم في الدنيا ومنحوس فيها is corrupt or grammatically defective. The translation adopts the contextually likely sense "together with those who enjoyed bliss in this world and those who were ill-fated in it"; منعهم as supplied literally suggests "their deprivation" or "their withholding." The construction يسمع قط ... إلا appears to lack a negative. The translation conveys the apparent intended restriction: he heard mention of Muḥammad only in hostile terms. جزائر الشاشيين is retained as "the islands of the Shāshiyyīn"; the geographical identification is uncertain. أو أنفذه, rendered "or dispatching him," is unusual in this context; its precise intended distinction from killing is unclear.

[9] **Translator's note (L127):** محال, rendered "scope," appears to be a corrupt reading of مجال. Its ordinary senses as supplied do not fit the sentence.

meanings would say this. If someone says, "The revealed law invalidates the judgment of what is in the intellect," and argues that compliance with an abrogated command was judged good by intellects before it was abrogated, then abrogation came and what had been good in the intellect became evil in it, he is told: This is unsound disputation. We have not repeated that the revealed law judges good only what intellects have judged good, and does not judge evil what they have judged evil; rather, that is our very position. What we have denied is that the intellect has a determining role in forbidding a thing, permitting it, judging it good, or judging it evil. But when the revealed law comes prohibiting or permitting something, compliance with that is obligatory in the judgment of intellects, as is compliance with the prohibition of what was permitted or the permission of what was prohibited, if a command comes contrary to the preceding command. Nothing has therefore arisen in intellects that was not there before, nor has abrogation changed anything that was in them concerning the obligation to comply with what the revealed law has brought. Some of those who argue for prohibition have said that the meaning of His saying, mighty and majestic, {He is the One who created for you everything that is on the earth, then turned to heaven and fashioned them into seven heavens; and He knows all things}, is simply that this is for people to draw lessons from. Abū Muḥammad said: This is an arbitrary assertion resembling nothing but the arbitrary assertions of children. Whoever allows such displacement of words from their established positions in the language cannot object to the extremist Rāfiḍīs when they say that the meaning of prayer is supplication, rather than bowing and prostration; that the meaning of almsgiving is the purification of souls; and that the meaning of pilgrimage is making one's way to the imam. Whoever follows this method nullifies religion and leads to the nullification of all mutual understanding. There would be no utterance in the world of which someone could not conceivably say that what is intended by it something other than what its wording entails. This is the nullification of realities. It would then be permissible for the ʿĪsāwiyya among the Jews to say that the meaning of the Messenger of God's saying—may God bless him and grant him peace—"There is no prophet after me" is "among the Arabs only." It would be permissible for the Muʿtazila to say that "He created everything" means bodies

فسواهن سبع سماوات وهو بكل شيء عليم} إنما معنى هذا ليعتبر به. قال أبو محمد: وهذا تحكم لا يشبه إلا تحكم الصبيان. ومن استجاز مثل هذا من نقل الألفاظ عن مراتبها في اللغة. فلا ينكر على غلاة الروافض قولهم: إن معنى الصلاة الدعاء لا الركوع والسجود، معنى الزكاة طهارة الأنفس، ومعنى الحج القصد إلى الإمام، ومن سلك هذه الطريقة أبطل الديانة، وأدى إلى إبطال جميع التفاهم، ولم يكن في الدنيا كلام إلا واحتمل أن يقول فيه قائل إنه مقصود به غير ما يقتضيه لفظه، وهذا هو إبطال الحقائق. وساغ للعيسوية من اليهود أن يقولوا إن معنى قول رسول الله صلى الله عليه وسلم لا نبي بعدي أي من العرب فقط وساغ للمعتزلة أن تقول: وخلق كل شيء، أي الأجسام وأعراضها حاشا الحركات. وساغ للحشوية أي تقول: بل خلق كل شيء حاشا الروح والإيمان والكلام المسموع من القراء. وساغ للمنانية أن يقولوا خلق كل شيء من الخير فقط، وهذا كلام ومذهب يفسد الدين، ويبطل حقيقة العقل. وقد علمنا ضرورة أن الألفاظ إنما وضعت ليعبر بها عما تقتضيه في اللغة، وليعبر بكل لفظة عن المعنى الذي علقت عليه، فمن أحالها فقد قصد إبطال الحقائق جملة، وهذا غاية الإفساد وبالله تعالى التوفيق قال علي ثم نبطل كلا المذهبين معا بحول الله وقوته. قال الله تعالى {ولا تقولوا لما تصف ألسنتكم لكذب هذا حلال وهذا حرام لتفتروا على الله لكذب إن لذين يفترون على الله لكذب لا يفلحون} وقال تعالى {قل أرأيتم مآ أنزل الله لكم من رزق فجعلتم منه حراما وحلالا قل ءآلله أذن لكم أم على الله تفترون} قال علي ففي هاتين الآيتين نص واضح على تحريم القول في شيء من كل ما في العالم أنه حرام أو أنه حلال. فبطل بذلك قول من قال: إن الأشياء قبل ورود الشرع على الحظر أو على الإباحة. وصح أن من قال شيئا من من ذلك بغير إذن من الله تعالى فهو مفتر على الله عز وجل، وأما إذا ورد الشرع بأي شيء ورد من إباحة الكل، أو حظر الكل، أو حظر البعض، أو إباحة البعض فواجب القوم بكل ما ورد من

and their accidents, except for motions. It would be permissible for the Ḥashwiyya to say, rather, "He created everything except the spirit, faith, and the speech heard from reciters." It would be permissible for the Manichaeans to say, "He created everything that is good only." Such speech and such a doctrine corrupt religion and invalidate the reality of reason. We know necessarily that expressions were established only to convey what they entail in the language, and that each expression conveys the meaning to which it was assigned. Whoever diverts them from this has intended to nullify realities altogether. This is the utmost corruption. Success comes through God Most High.

ʿAlī said: Next, with God's power and strength, we invalidate both doctrines together. God Most High said: "And do not say, concerning the falsehood your tongues describe, 'This is lawful, and this is forbidden,' thereby fabricating falsehood against God. Indeed, those who fabricate falsehood against God will not prosper." And He Most High said: "Say: Have you considered the provision God has sent down for you, of which you have made some forbidden and some lawful? Say: Has God given you permission, or are you fabricating against God?"

ʿAlī said: In these two verses there is an explicit, clear text prohibiting anyone from saying of anything whatsoever in the world that it is forbidden or that it is lawful. Thus the position of those who say that things, before the arrival of revealed law, are subject to prohibition or to permissibility is invalidated. It is established that whoever says anything of that sort without permission from God Most High is fabricating against God, Mighty and Majestic. But when revealed law arrives, whatever it brings—permission for everything, prohibition of everything, prohibition of some things, or permission for some things—it is obligatory to affirm everything that has thus arrived. And He Most High said: "Have you not seen that God knows what is in the heavens and what is on the earth? There is no private conversation among three but He is their fourth, nor among five but He is their sixth, nor fewer than that nor more, but He is with them wherever they may be. Then He will inform them of what they did on the Day of Resurrection. Indeed, God knows everything." And one left without direction is one who is neither commanded

ذلك وقال تعالى {ألم تر أن الله يعلم ما في لسماوات وما في لأرض ما يكون من نجوى ثلاثة إلا هو رابعهم ولا خمسة إلا هو سادسهم ولا أدنى من ذلك ولا أكثر إلا هو معهم أين ما كانوا ثم ينبئهم بما عملوا يوم لقيامة إن الله بكل شيء عليم} والسدي المهمل الذي لا يؤمر ولا ينهى فصح بهذه الآية أن الناس لم يبقوا قط هملا دون ورود شرع، فبطل قول من قال: إن العقول تعرف وقتا من الدهر من شرع، وإذ قد بطل هذا القول، فقد بطل أن يكون الشيء في العقل قبل وورد الشرع له حكم في العقل بحظر أو إباحة، فصار قولهم محالا ممتنعا، مع كونه حراما أيضا لو كان ممكنا وقال تعالى {إنآ أرسلناك بلحق بشيرا ونذيرا وإن من أمة إلا خلا فيها نذير} فبطل هذا أن تكون أمة وقتا من الدهر لم يتقدم فيهم نذير، وقد كان آدم عليه السلام رسولا في الأرض وقال تعالى له إذ أنزله إلى الأرض {فأزلهما لشيطان عنها فأخرجهما مما كانا فيه وقلنا هبطوا بعضكم لبعض عدو ولكم في لأرض مستقر ومتاع إلى حين} فأباح تعالى الأشياء بقوله إنها متاع لنا، ثم حظر ما شاء، وكل ذلك بشرع، وكذلك إذ خلقه في الجنة لم يتركه وقتا من الدهر دون شرع بل قد قال تعالى {وقلنا ياآدم سكن أنت وزوجك لجنة وكلا منها رغدا حيث شئتما ولا تقربا هذه لشجرة فتكونا من لظالمين} فلم يخل قط وقت من الزمان عن أمر أو نهي قال علي ويقال لهم أيضا لو جاز أن نبقى دون شرع لكان حكمنا كحكمنا قبل أن نحتلم، فإن الأمور حينئذ لا حكم لها علينا لا بحظر ولا إباحة، ولا فرق بين كونهما كذلك قبل البلوغ بنصف ساعة وبين كونهما كذلك بعد البلوغ وكلا الأمرين في العقول سواء. وما في العقل إيجاب الشرع على من احتلم وسقوطه عمن لم يحتلم. وليس بين الأمرين إلا نومة لطيفة، فبطل بهذا ما ادعوه من أن العقول فيها حظر شيء أو إباحته قبل ورود الشرع وموافاة الخطاب من الله عز وجل، ولو كان كذلك للزم غير المحتلم كلزومه المحتلم إذ موجب العقل لا يختلف قال علي ويقال لمن قال لكل شيء مباح في العقل إلا الفكر، أليس إقرار

المرء بلسانه بالتثليث غير متبع له إنكارا. كفرا من قائله؛ فإن قال: لا؛ كفر، وإن قال: نعم؛ قيل له صدقت، وقد أباح الله تعالى الإعلان به دون اتباع أفكار لمن اضطر وخاف الأذى. وقد أباح الله تعالى عند خوف القتل الكفر الصحيح الذي هو كفر في غير تلك الحال، ولسنا نسألهم عن الكفر الذي هو العقد، إنما نسألهم عن الكفر الذي هو النطق به فقط؛ لأن بعضهم قال: لم يبح الله تعالى قط الكفر، لأن الكفر الذي هو العقد، ولا خلاف بين من يعتد به في النطق بالكفر دون اتباع بإنكار ولا حكاية، كفر صحيح، فعن هذا الكفر سألناهم وهم يقرون بأن امرأ لو قال بلسانه: أنا كافر بالإسلام، مقر بالتثليث، إن هذا كفر، وإنه مرتد، وهذا بعينه الذي أبيح عند الإكراه، فقد جاءت إباحة الكفر نصا، وحسن ذلك في عقولهم، وبطل قولهم، والذي نقول به إن الله تعالى لو أباح الكفر الذي هو العقد لكان حسنا مباحا، وأنه إنما حظر بالشرع فقط وبالله تعالى التوفيق. ويقال لمن قال: إن كفر المنعم محظور بالعقل. ما تقول في كافر ربى إنسانا وأحسن إليه، ثم لقيه في حرب أيقتله أم لا؟ فإن قالوا: لا. خالفوا الإجماع، وإن قالوا: نعم. نقضوا قولهم في أن كفر المنعم محظور بالعقل، فإن قالوا: إن قتله شكر له، كابر، وإن أقروا بأن قتله الذي هو سبب مصيره إلى الخلود في النار شكر له وإحسان إليه، وهذا ضد ما ميزه العقل وبالله تعالى التوفيق

nor forbidden. Thus this verse establishes that people have never been left without direction, without revealed law reaching them. The claim of anyone who says that intellects know a period of time of revealed law is therefore invalidated. Since this claim has been invalidated, it is likewise invalidated that a thing, in reason, before the arrival of revealed law, should have a ruling in reason of prohibition or permissibility Their claim has therefore become an impossible absurdity, besides also being forbidden even if it were possible. And He Most High said: "Indeed, We have sent you with the truth as a bearer of good tidings and a warner; and there is no community but a warner has passed among it." This invalidates the possibility that there should be a community at any time to which no warner had previously come. Adam—peace be upon him—was a messenger on earth. And He Most High said to him when He sent him down to the earth: "Then Satan caused them both to slip from it and brought them out of what they had been in. And We said: Go down, some of you enemies to others; and on earth you shall have a place of settlement and enjoyment for a time." Thus He Most High permitted things by saying that they are an enjoyment for us, and then prohibited whatever He willed. All of that was through revealed law. Likewise, when He created him in the Garden, He did not leave him for any period of time without revealed law. Rather, He Most High had said: "And We said: Adam, dwell, you and your wife, in the Garden, and eat freely from it wherever you both wish, but do not approach this tree, lest you both become wrongdoers." Thus no period of time was ever devoid of a command or a prohibition.

ʿAlī said: It is also said to them: If it were possible for us to remain without revealed law, our status would be like our status before experiencing a nocturnal emission: matters at that point have no ruling applicable to us, whether of prohibition or permissibility. There is no difference between the two being so half an hour before puberty and their being so after puberty. Both cases are equal in the judgment of intellects. There is nothing in reason that imposes revealed law upon someone who has experienced a nocturnal emission while exempting someone who has not, when there is nothing between the two conditions but a brief sleep. This invalidates their claim that intellects contain the prohibition or permission of anything before the ar-

rival of revealed law and the coming of the address from God, Mighty and Majestic. Were that so, it would bind someone who had not experienced a nocturnal emission just as it binds someone who had, since what reason requires does not vary.

ʿAlī said: It is said to someone who says, 'Everything is permissible in reason except reflection': Is a person's verbal profession of the Trinity, without following it with a repudiation, not unbelief on the part of its speaker? If he says no, he has committed unbelief. If he says yes, he is told: You have spoken truly. Yet God Most High has permitted its public declaration, without following it with thoughts, for someone under compulsion who fears harm. God Most High has permitted, when one fears being killed, actual unbelief that constitutes unbelief in other circumstances. We are not asking them about unbelief consisting in inward conviction; we are asking them only about unbelief consisting in its verbal utterance. For some of them have said, 'God Most High has never permitted unbelief, because unbelief is that which consists in inward conviction.' And there is no disagreement among those whose views are taken into account that uttering unbelief without following it with a repudiation, and without merely reporting it, is actual unbelief. It is about this unbelief that we have asked them. They acknowledge that if a person were to say with his tongue, 'I disbelieve in Islam and profess the Trinity,' this would be unbelief and he would be an apostate. This very thing is what was permitted under compulsion. Thus permission for unbelief has come through an explicit text; this is good in the judgment of their intellects, and their position is invalidated. What we maintain is that if God Most High had permitted unbelief consisting in inward conviction, it would have been good and permissible, and that it was prohibited only through revealed law. Success comes through God Most High.

It is said to someone who says that ingratitude toward a benefactor is prohibited by reason: What do you say concerning an unbeliever who raised a person and treated him well, and whom that person then encounters in war: does he kill him or not? If they say no, they have contravened consensus. If they say yes, they have contradicted their claim that ingratitude toward a benefactor is prohibited by reason. If they say that killing him is gratitude

toward him, he is obstinately disputing the obvious. And if they acknowledge that killing him, which is the cause of his coming to dwell eternally in the

Fire, is gratitude toward him and kindness to him—this is contrary to what reason has discerned. Success comes through God Most High.[10][11][12][13][14][15][16]

[10]**Translator's note (L128):** The sentence beginning ولم نكرر is apparently corrupt. As supplied, it says "we have not repeated," and the following claim about the revealed law not judging evil what intellects judge evil is also awkward in relation to "that is our very position." Both have been translated as supplied, without substituting a conjectural correction. The Qur'anic quotations contain numerous missing initial alifs in the supplied transcription. These orthographic defects do not materially change the translated wording. In the second quotation, the shift from singular "heaven" to plural "them" is preserved.

[11]**Translator's note (L131):** The opening continues a sentence from the preceding segment. The supplied wording introducing the Ḥashwiyya contains an apparent transcription error, 'ay taqūla,' rendered according to the surrounding parallel constructions as 'to say.' The supplied 'fa-wājib al-qawm' is syntactically defective. 'It is obligatory to affirm' follows the likely intended reading 'fa-wājib al-qawl'; the supplied text literally has 'the people' in place of 'affirming/saying.'

[12]**Translator's note (L132):** The Qur'anic quotation continues from the preceding segment. The author's ensuing explanation of being 'left without direction' has no corresponding expression in the quotation as supplied; the apparent missing textual connection has not been supplied. The supplied 'al-sudī' appears to represent 'al-sudā,' meaning someone left without direction or obligation. The phrase rendered 'intellects know a period of time of revealed law' is corrupt or incomplete. The argument suggests an intended reference to a period without revealed law, but the supplied text says 'of revealed law,' not 'without revealed law.'

[13]**Translator's note (L133):** The pronoun 'the two' in the comparison before and after puberty has an unclear antecedent in the supplied Arabic; it has been preserved. 'Everything is permissible in reason except reflection' follows the supplied 'al-fikr.' The exceptional status of 'reflection' is unexplained here and may indicate textual corruption. The first reference to following a declaration with 'a repudiation' reads 'inkāran.' The later phrase instead reads 'afkār,' meaning 'thoughts,' and has been translated accordingly; it appears likely to be a corruption of another reference to repudiation. The Arabic clause beginning 'because unbelief' lacks an unambiguous predicate as supplied. The translation gives its apparent sense, that unbelief consists in inward conviction. The final sentence continues into the following segment.

[14]**Translator's note (L134):** The opening completes the preceding segment's phrase 'those whose views are taken into account.' The supplied construction introducing 'uttering unbelief' is grammatically awkward; the translation follows the evident assertion that such an utterance constitutes actual unbelief. The final phrase continues with 'compulsion' in the following segment.

[فصل فيمن لم يبلغه الأمر من الشريعة]

قال علي بن أحمد اختلف الناس فيمن لم يبلغه الحكم الوارد من الله تعالى في الشريعة في خاص منها أو في جميعها. فقالت طائفة: كل أحد مأمور منهي ساعة ورود الأمر والنهي، إلا أنه معفو عنه غير مؤاخذ بما لم يبلغه من الأمر والنهي. وقالت طائفة: إن الله تعالى لم يأمر قط بشيء من الدين إلا بعد بلوغ الأمر إلى المأمور، وكذلك النهي ولا فرق، وأما قبل انتهاء الأمر أو النهي إليه فإنه غير مأمور ولا منهي قال علي وبهذا نقول لقول الله عز وجل {قل أي شيء أكبر شهادة قل لله شهيد بيني وبينكم وأوحي إلي هذا لقرآن لأنذركم به ومن بلغ أئنكم لتشهدون أن مع لله آلهة أخرى قل لا أشهد قل إنما هو إله واحد وإنني بريء مما تشركون} صلى الله عليه وسلم {لا يكلف لله نفسا إلا وسعها لها ما كسبت وعليها ما كتسبت ربنا لا تؤاخذنا إن نسينآ أو أخطأنا ربنا ولا تحمل علينآ إصرا كما حملته على لذين من قبلنا ربنا ولا تحملنا ما لا طاقة لنا به وعف عنا وغفر لنا ورحمنآ أنت مولانا فنصرنا على لقوم لكافرين} ولإخبار رسول الله صلى الله عليه وسلم أنه لا يسمع به يهودي أو نصراني فلم يؤمن به إلا وجبت له النار. حدثنا أحمد بن محمد بن عبد الله الطلمنكي، ثنا ابن مفرج، ثنا محمد بن أيوب الرقي، أنبا أحمد بن عمرو بن عبد الخالق البزار، ثنا محمد بن المثنى، ثنا معاذ بن هشام الدستوائي، ثنا أبو علي قتادة عن الأسود بن سريع عن النبي صلى الله عليه وسلم قال يعرض على الله تبارك وتعالى الأصم الذي لا يسمع شيئا، والأحمق والهرم، ورجل مات في الفترة، فيقول الأصم: رب جاء الإسلام وما أسمع شيئا، ويقول الأحمق: رب جاء الإسلام وما أعقل شيئا،

[Section on Someone Whom a Command of Revealed Law Has Not Reached]

L136

L137–139 ʿAlī ibn Aḥmad said: People have disagreed concerning someone whom a ruling coming from God Most High in revealed law has not reached, whether concerning a particular part of it or all of it. One group said: Everyone is commanded and forbidden from the moment the command and prohibition arrive, except that he is pardoned and is not held accountable for commands and prohibitions that have not reached him. Another group said: God Most High has never commanded anything pertaining to religion until the command has reached the person commanded; the same applies to prohibition, without any difference. Before the command or prohibition reaches him, however, he is neither commanded nor forbidden.

ʿAlī said: This is the position we maintain, because God, Mighty and Majestic, says: "Say: What thing is greatest in testimony? Say: God is witness between me and you. This Qurʾān has been revealed to me so that through it I may warn you and whomever it reaches. Do you indeed testify that there are other gods alongside God? Say: I do not testify. Say: He is only one God, and I am free of what you associate with Him." May God bless him and grant him peace. "God does not charge a soul beyond its capacity. It shall have what it has earned, and against it shall be what it has acquired. Our Lord, do not hold us accountable if we forget or make a mistake. Our Lord, do not lay upon us a burden as You laid upon those before us. Our Lord, do not burden us with what we have no strength to bear. Pardon us, forgive us, and have mercy on us. You are our Protector, so grant us victory over the unbelieving people." And because of the report of the Messenger of God—may God bless him and grant him peace—that no Jew or Christian hears of him and then fails to

[15] **Translator's note (L135):** The Arabic uses 'kufr' both for religious unbelief and for ingratitude toward a benefactor; the English distinguishes these senses. The final conditional construction is syntactically disjointed in the supplied text. Its abrupt transition to 'this is contrary' has been retained.

[16] **Qur'an references (L128):** Qur'an 2:126 (Al-Baqarah); Qur'an 2:29 (Al-Baqarah); Qur'an 16:116 (An-Nahl); Qur'an 10:59 (Yunus); Qur'an 58:7 (Al-Mujadila); Qur'an 35:24 (Fatir); Qur'an 2:36 (Al-Baqarah); Qur'an 7:24 (Al-A'raf); Qur'an 2:35 (Al-Baqarah).

believe in him without the Fire becoming incumbent upon him. Aḥmad ibn Muḥammad ibn ʿAbd Allāh al-Ṭalamankī related to us; Ibn Mufarrij related to us; Muḥammad ibn Ayyūb al-Raqqī: Aḥmad ibn ʿAmr ibn ʿAbd al-Khāliq al-Bazzār informed us; Muḥammad ibn al-Muthannā related to us; Muʿādh ibn Hishām al-Dastawāʾī related to us; Abū ʿAlī Qatāda related to us, from al-Aswad ibn Sarīʿ, from the Prophet, God bless him and grant him peace, who said: "There will be presented before God, blessed and exalted, a deaf man who hears nothing, a mentally deficient man, a senile man, and a man who died during the interval between messengers. The deaf man will say, 'Lord, Islam came, but I could hear nothing.' The mentally deficient man will say, 'Lord, Islam came, but I could understand nothing.'[17][18][19][20]

L140–144 And the one who died during the interval between messengers will say, 'Lord, no messenger from You came to me.' He will then take their solemn pledges that they will obey Him, and God Most High will send them the command, 'Enter the Fire.' By Him in whose hand is my soul, had they entered it, it would have been coolness and peace for them." Through the same chain to Qatāda, from al-Ḥasan al-Baṣrī, from Abū Rāfiʿ, from Abū Hurayra, a similar report is transmitted, with this addition at its end: "And whoever did not enter it entered the Fire." Thus, as we have presented, it is established that there is no warning until the revealed law reaches the person being warned, and that no one is charged with what lies beyond his capacity. It is beyond anyone's capacity to know the unseen so as to know a revealed law before it reaches him. It is therefore established with certainty that anyone whom the revealed law has not reached is not charged with it.

ويقول الذي مات في الفترة: رب ما أتاني لك من رسول، فيأخذ مواثيقهم ليطيعنه، فيرسل الله تعالى إليهم: ادخلوا النار، فوالذي نفسي بيده لو دخلوها لكانت عليهم بردا وسلاما. وبه إلى قتادة عن الحسن البصري، عن أبي رافع عن أبي هريرة بمثله وزاد في آخره: ومن لم يدخلها دخل النار. فصح كما أوردنا أنه لا نذارة إلا بعد بلوغ الشريعة إلى المنذر، وأنه لا يكلف أحد ما ليس في وسعه، وليس في وسع أحد علم الغيب في أن يعرف شريعة قبل أن تبلغ إليه، فصح يقينا أن من لم تبلغه الشريعة لم يكلفها واحتجت الطائفة الأخرى بقول رسول الله صلى الله عليه وسلم إذا اجتهد الحاكم فأخطأ فله أجر فسماه عليه السلام مخطئا ولا يكون المخطىء إلا من خالف ما أمر به. قال أبو محمد: وهذا الخبر لا حجة لهم فيه، بل هو حجة لنا وبه نقول، لأنه قد يكون مخطئا من لا يوافق الحق، وإن لم يكن مأمورا بالعمل به كإنسان سمى آخر بغير اسمه غير عامد، فهذا مخطىء ولا أمر يلزمه ها هنا، وكمن أنشد بيت شعر فوهم فيه، فهو مخطىء بلا شك، وهذا المجتهد مخطىء بلا شك إذا حكم بخلاف ما ورد به الحكم من عند الله عز وجل، وأدخل في الدين ما ليس منه، وإن كان غير مأمور بالحكم بما لم يبلغه فإنه منهي عن الحكم بما ظن أنه حق، وهو غير حق، وأما إذا بلغه

[17] **Translator's note (L137):** The blessing 'may God bless him and grant him peace' appears anomalously between the two Qurʾanic quotations, without an expressed antecedent. It has been retained in its supplied position. The final phrase continues into the following segment.

[18] **Translator's note (L138):** The opening completes 'the Messenger of God' from the preceding segment. The transmission chain continues in the following segment, beginning with Muḥammad ibn Ayyūb's nisba.

[19] **Translator's note (L139):** "al-Raqqī" completes the name Muḥammad ibn Ayyūb al-Raqqī in the preceding segment. The supplied transmission chain reads "Abū ʿAlī Qatāda"; this potentially defective name or linkage has been retained without correction.

[20] **Qur'an references (L137):** Qur'an 6:19 (Al-An'am); Qur'an 2:286 (Al-Baqarah).

The other group argued from the saying of the Messenger of God, God bless him and grant him peace: "When a judge exercises independent judgment and errs, he has one reward." He, peace be upon him, thus called him one who errs, and one who errs can only be someone who contravenes what he was commanded to do.

Abū Muḥammad said: This report contains no proof for them; rather, it is proof for us, and we affirm what it says. Someone who fails to accord with the truth may be in error even though he has not been commanded to act upon it. An example is someone who unintentionally calls another person by a name other than his own: he is in error, yet there is no command binding upon him here. Likewise, someone who recites a line of poetry and makes a mistake in it is undoubtedly in error. This person exercising independent judgment is undoubtedly in error when he rules contrary to the ruling that has come from God, mighty and majestic, and introduces into the religion something that does not belong to it. Although he is not commanded to rule according to what has not reached him, he is forbidden to rule according to what he supposes to be true when it is not true. But once it reaches him, he is commanded to follow it even if he forgets it, because it has reached him and become binding upon him.

If someone says, "If what you say were so, religion would be binding upon some people and not upon them all," we reply—and through God comes success: That is not so. Rather, religion is binding upon jinn and human beings when it reaches them; indeed, and upon everyone who has not yet been created, once he is created, it reaches him, and he attains the threshold of legal responsibility—not before that. You do not disagree with us concerning the revealed law: it is not binding upon someone who has not been created before he is created, nor upon someone who has not attained maturity before he attains it.

If they say, "What, then, is the condition of someone whom the command has not reached? Is he commanded to maintain his existing practice, which contravenes what God Most High has commanded him to do in a command that has not reached him? There is no possibility of a third alternative. If you say that he is commanded to do what God Most High has commanded him

فإنه مأمور به وإن نسيه لأنه قد بلغه ولزمه. فإن قال قائل: لو كان ما قلتم لكان الدين لازما لبعض الناس لا لكلهم. قلنا وبالله التوفيق: ليس كذلك بل الدين لازم للجن والإنس إذا بلغهم، نعم ولكل من لم يخلق بعد إذا خلق وبلغه وبلغ حد التكليف لا قبل ذلك، وأنتم لا تخالفوننا في الشريعة أنها لا تلزم من لم يخلق قبل أن يخلق، ولا من لم يبلغ قبل أن يبلغ. فإن قالوا: فكيف حال من لم يبلغه الأمر، أهو مأمور بما هو عليه من خلاف ما أمره الله تعالى به مما لم يبلغه، ولا سبيل إلى قسم ثالث؟ فإن قلتم: هو مأمور بما أمره الله تعالى به، وإن لم يبلغه فهو قولنا، وإن قلتم: هو غير مأمور بما أمره الله تعالى به، أو أنه مأمور بما هو عليه من خلاف ما أمر الله تعالى به كان ذلك شغبا بشيعا. قلنا وبالله التوفيق: لسنا نقول بواحد من هذين الجوابين لكنا نقول: هو غير مأمور في ذلك بشيء أصلا حتى يبلغه، وحاله في ذلك كحال من لم يبلغ حد التكليف حتى يبلغ. فإن قالوا: فكيف حكمه إن خالف ما يرى أنه الحق عامدا فوافق بذلك ما أمر الله تعالى به قلنا لهم هذا السؤال لازم لكم ولنا فأما نحن فنقول وبالله التوفيق إنه ليس في ذلك مطيعا ولا عاصيا، لكنه مستسهل لمخافة الحق، هام بترك الحق، إلا أنه لم يفعل ذلك بعد. هذه صفته على الحقيقة إلا أنه لم يخالف بفعله ذلك حقا ولا واقع باطلا قال علي أهل هذه الصفة ينقسمون ثلاثة أقسام فقسم شهدوا ورود الأمر من الله تعالى ثم نسخ ولم يشهدوا الناسخ، وليس أحد من هؤلاء موجودا بعد موت رسول الله صلى الله عليه وسلم لأن النسخ بطل بعد موته عليه السلام واستقرت الشرائع وقسم ثان علموا المنسوخ ولم يبلغهم الناسخ، أو بلغهم المجمل ولم يبلغهم المخصص. وقسم ثالث: بلغهم الناسخ والمنسوخ والمجمل والخاص ثم نسوا الخاص والناسخ، أو تأولوا فيهما تأويلا قاصدين إلى الحق فإما من كان في عصر رسول الله صلى الله عليه وسلم فبلغه المنسوخ ولم يبلغه الناسخ فهؤلاء خاصة لا يسقط

to do even though it has not reached him, that is our position. If you say that he is not commanded to do what God Most High has commanded him to do, or that he is commanded to maintain his existing practice, which contravenes what God Most High has commanded, that would be an outrageous piece of contentious sophistry." We reply—and through God comes success: We give neither of these two answers. Rather, we say that he is not commanded to do anything at all in that matter until it reaches him. His condition in this respect is like that of someone who has not attained the threshold of legal responsibility, until he attains it.

If they say, "What, then, is the ruling concerning him if he deliberately contravenes what he considers to be the truth, and thereby happens to accord with what God Most High has commanded?" we tell them: This question confronts you as well as us. For our part, we say—and through God comes success—that in this he is neither obedient nor disobedient. He does, however, treat fear of the truth lightly and intends to abandon the truth, although he has not yet done so. This is his actual description, except that through this act he has neither contravened any truth nor committed any falsehood.

ʿAlī said: People of this description fall into three categories. One category witnessed the arrival of a command from God Most High, which was subsequently abrogated, but they did not witness the abrogating command. None of these exists after the death of the Messenger of God, God bless him and grant him peace, because abrogation ceased after his death, peace be upon him, and the revealed laws became settled. A second category knew the abrogated text, but the abrogating text did not reach them; or the unelaborated text reached them, but the specifying text did not reach them. A third category received the abrogating and abrogated texts, and the unelaborated and specific texts, but then forgot the specific and abrogating texts, or interpreted those two with the intention of attaining the truth. As for someone who lived in the time of the Messenger of God, God bless him and grant him peace, whom the abrogated text reached but whom the abrogating text did not reach, these people in particular remain bound by the command contained in the abrogated text until the abrogating text reaches them. For what reached them became binding upon them with a certainty admitting

عنهم الأمر بالمنسوخ حتى يبلغ إليهم الناسخ، لأنه قد لزمهم الذي بلغهم بيقين لا شك فيه، ولا يسقط اليقين إلا بيقين. برهان هذا: أنه قد صح وثبت عند جميع أهل العلم أن المسلمين كانوا بأرض الحبشة، وبأقصى جزيرة العرب فنزل الأمر من الله تعالى على رسوله صلى الله عليه وسلم ما لم يكن فيه قبل ذلك أمر كالصوم والزكاة، وتحريم بعض ما لم يكن حراما كالحق، وإمساك المشركات وغير ذلك. فلا شك في أنه لم يأثم أحد منهم بتماديه على ما لم يعلم نزول الحكم فيه. وكذلك كان ينزل الأمر مما تقدم فيه حكم بخلاف هذا النازل كتحويل القبلة عن بيت المقدس وغير ذلك، فلا شك أيضا في أنهم لم يأثموا ببقائهم على العمل بالمنسوخ،

of no doubt, and certainty is displaced only by certainty. The demonstration of this is that it is soundly established among all people of knowledge that Muslims were in the land of Abyssinia and in the farthest reaches of the Arabian Peninsula when commands came down from God Most High to His Messenger, God bless him and grant him peace, concerning matters for which there had previously been no command: fasting, almsgiving, and the prohibition of certain things that had not been forbidden, such as truth and retaining polytheist women as wives, and other things. There is no doubt that none of them sinned by continuing in a practice concerning which he did not know that a ruling had been revealed. Likewise, a command would come down concerning a matter for which a previous ruling had been contrary to the newly revealed one, such as changing the direction of prayer away from Jerusalem, and other matters. Here too there is no doubt that they did not sin by continuing to act upon the abrogated ruling.[21][22][23]

L145–148 Rather, they were obliged to pray as they had been commanded and had learned, until its abrogation reached them. No two people disagree about this. Thus our position is established—and praise be to God—with a certainty leaving no room for doubt. Likewise, Abū Bakr and ʿUmar, may God be pleased with them both, continued for more than ten years to permit Jews, Christians, and Magians to remain in the Arabian Peninsula, since the Prophet's prohibition, peace be upon him, against allowing them to remain there had not reached them. No one disputed that they did not disobey through this; rather, they did what they had been commanded to do. If someone were to say that this was a sound and certain consensus, he would

بل كان فرضا عليهم الصلاة كما أمروا وعرفوا حتى يبلغهم نسخه هذا ما لا يختلف فيه اثنان فصح قولنا، والحمد لله يقينا لا مجال للشك فيه. وهكذا بقي أبو بكر وعمر رضي الله عنهما أزيد من عشرة أعوام مقرين لليهود والنصارى والمجوس بجزيرة العرب إذ لم يبلغهما نهي النبي عليه السلام عن إقرارهم فيها فلم يختلف أحد في أنهما لم يعصيا بذلك، بل فعلا ما أمرا به. ولو قال قائل: إن هذا إجماع صحيح متيقن لما بعد عن الصدق، لأنه لم ينكر ذلك عليهما أحد من الصحابة، وليس منهم أحد خفي عليه إقرارهما لهم قبل بلوغ النهي إليهما، وبالله تعالى التوفيق. فإن قيل: فهلا قلتم إنه سقط عنهم استقبال بيت المقدس، ولم يؤمروا باستقبال الكعبة بقول الله تعالى {ومن حيث خرجت فول وجهك شطر لمسجد لحرام وحيث ما كنتم فولوا وجوهكم شطره لئلا يكون للناس عليكم حجة إلا لذين ظلموا منهم فلا تخشوهم وخشوني ولأتم نعمتي عليكم ولعلكم تهتدون} قلنا: لا لما قد ذكرنا من أن الحكم لا يلزم حتى يبلغ، وإنما خاطب الله بهذا الأمر من بلغه ومن لم يخلق إذا خلق وبلغه، ولا دليل على سقوط ما قد

[21] **Translator's note (L141):** The objection appears textually compressed or defective: it excludes a third alternative without first explicitly setting out two alternatives. The supplied wording has been retained.

[22] **Translator's note (L143):** The supplied phrase مستسهل لمخافة الحق literally concerns treating "fear of the truth" lightly. The context suggests a possible corruption of لمخالفة الحق, "contravening the truth," but the supplied reading has not been silently corrected. المجمل is rendered "the unelaborated text." Its pairing here with specifying and specific texts suggests that it concerns wording whose scope has not yet been delimited.

[23] **Translator's note (L144):** The supplied كالحق means "such as truth" or "such as a right," which is anomalous in a list of newly prohibited things. It appears corrupt; "truth" has been retained rather than replaced with a conjectured example.

not be far from the truth, because none of the Companions objected to the two of them over this, and none of them was unaware that the two permitted those people to remain before the prohibition reached them. Through God Most High comes success.

If it is said, "Why, then, did you not say that the obligation to face Jerusalem had ceased to bind them, while they had not been commanded to face the Kaʿba, by virtue of God Most High's saying, 'And from wherever you set out, turn your face toward the Sacred Mosque; and wherever you may be, turn your faces toward it, so that people may have no argument against you, except those among them who have done wrong. So do not fear them, but fear Me, and that I may complete My favor upon you, and that you may be guided'?" we reply: No, because of what we have already stated: a ruling does not become binding until it reaches a person. Through this command God addressed only those whom it reached, and those not yet created once they are created and it reaches them. There is no evidence that their established obligation to face Jerusalem ceased to bind them except through the command to abandon it reaching them.

ʿAlī said: If they had been commanded to face the Kaʿba at the moment the command was revealed, before it reached them, then anyone among them who stepped forward and deliberately prayed toward the Kaaba before the command reached them would have performed a valid prayer. This is false. But if someone today were unaware of the indications of the prayer direction, and reasoned from the evidence, and his reasoning led him to a particular direction of which he became certain, but he then deliberately prayed facing a direction other than that one, only to discover upon pronouncing the concluding salutation that he was facing the prayer direction, his prayer would be invalid, and he would thereby be a transgressor. For he deliberately acted in his prayer in a way that he did not know he had been commanded to act in it. Thus, he intended to do something that he considered no part of his prayer, and therefore intended to invalidate his prayer; it consequently became invalid. Abū Muḥammad said: As for someone living after the Messenger of God, God bless him and grant him peace, whom neither the abrogating text nor the specific text has reached, he too is commanded to follow

ثبت عليهم من استقبال بيت المقدس إلا ببلوغ الأمر إليهم بتركه قال علي ولو كانوا مأمورين باستقبال الكعبة حين نزول الأمر من قبل أن يبلغهم لكان من أقدم منهم فصلى إلى الكعبة عامدا قبل أن يبلغهم الأمر جائز الصلاة، وهذا باطل، وأما لو أن إنسانا اليوم خفيت عليه دلائل القبلة، فاستدل فأداه استدلاله إلى جهة ما، وقطع بذلك ثم تعمد الصلاة إلى خلاف تلك الجهة، فلما سلم إذا به الى القبلة فإن صلاته باطلة، وهو بذلك فاسق، لأنه تعمد العمل في صلاته بما ليس عالما أنه أمر به فيها، فقصد العمل بما يرى أنه ليس من صلاته، فقد قصد إفساد صلاته فبطلت بذلك قال أبو محمد وأما من كان بعد رسول الله صلى الله عليه وسلم فلم يبلغه الناسخ ولا الخالص فإنه أيضا مأمور بما يعتقد من المنسوخ ومن عموم المخصوص، لأن الله تعالى لم يكلفه قط خلاف ذلك، بل افترض عليه خلافا لذلك طاعة أمره تعالى جملة، والمنسوخ من أمره فلا شك، فهو لازم لكل من بلغه بعموم الأمر المذكور حتى يبلغه نسخه وبالله تعالى التوفيق. ومن المحال الممتنع أن يكون الله تعالى يورد على عبده أمرا يأمره به ثم ينهاه عنه ولا يعلمه بنهيه عنه، وهو تعالى قد تكفل لنا بالبيان قال عز وجل {لا إكراه في لدين قد تبين لرشد من لغي فمن يكفر بلطاغوت ويؤمن بلله فقد ستمسك بلعروة لوثقى لا نفصام لها ولله سميع عليم} فلو ورد أمر الله تعالى ثم نهاه عنه، ولم يبلغه نهيه لكان ذلك إضلالا والتباسا، ولكان الرشد غير مبين من الغي وحاشا لله من هنا يقينا.

what he believes on the basis of the abrogated text and the general applicability of the text whose scope has been restricted. For God Most High has never charged him with anything contrary to that. Rather, in contrast to that, He has imposed upon him obedience to His command, Most High, in its entirety. The abrogated command is unquestionably among His commands, and therefore remains binding upon everyone whom it has reached, by virtue of the general applicability of the aforementioned command, until its abrogation reaches him. Through God Most High comes success. It is utterly impossible that God Most High should convey to His servant a command, ordering him to do something, then forbid him to do it without informing him of His prohibition, when He, Most High, has guaranteed us clarification. He, Almighty and Majestic, said: "There is no compulsion in religion. Right guidance has become distinct from error. Whoever disbelieves in false objects of worship and believes in God has indeed grasped the firmest handhold, which cannot break. God is All-Hearing, All-Knowing." If God Most High's command were conveyed and He then forbade it, but His prohibition did not reach the person, that would constitute leading astray and creating confusion, and right guidance would not be distinct from error. God is assuredly far above this.[24][25][26][27]

L149–150 As for someone whom the abrogating text and the specific text have reached, but who then forgets them or interprets them to the utmost of his ability, he is commanded to follow what has reached him of them. For, from the moment it reached him, he has been forbidden to continue in his present

وأما من بلغه الناسخ والخاص، ثم نسيهما أو تأول فيهما بمبلغ طاقته فهو مأمور بما بلغه من ذلك، لأنه منذ بلغه منهي عما هو عليه، لأنه قد بلغه النهي إلا أنه معذور مأجور مرة، مأجور بقصده الخير، ومعذور بجهله ونسيانه، فهذا حكم هذا الباب بالبرهان الصحيح، وبالله تعالى التوفيق فإن احتج محتج بحديث رسول الله صلى الله عليه وسلم إذ فرضت الصلاة ليلة الإسراء وفيه قول موسى عليه السلام: كم فرض الله على أمتك؟ قال خمسين صلاة أو نحوها فأخبر النبيان عليهما السلام أن الله تعالى فرض علينا قبل أن يبلغنا خمسين صلاة. قلنا: إنما معنى هذا أنه متى بلغنا الأمر لزمنا. وبرهان ذلك: أن ذلك لا يلزم من لم يخلق حتى يخلق، ولا من لم يبلغ حتى يبلغ، ولا من لم يأت عليه وقت الصلاة حتى يأتي وقتها. هذا ما لا خلاف فيه. فصح أن

[24] **Translator's note (L146):** The Qur'anic quotation corresponds to 2:150. The supplied forms لمسجد لحرام and لذين omit initial alifs from the usual spellings المسجد الحرام and الذين; they have been understood accordingly.

[25] **Translator's note (L147):** The supplied الخالص literally means "the unmixed" or "the pure." The context strongly suggests a corruption of الخاص, "the specific [text]," which is the sense used in the translation. The phrase بل افترض عليه خلافا لذلك is awkward as supplied; "Rather, in contrast to that, He has imposed upon him" preserves its wording without resolving the awkwardness.

[26] **Translator's note (L148):** The final هنا, literally "here," appears corrupt in the expression وحاشا لله من هنا يقينا. The translation takes the expression as referring to the situation just described.

[27] **Qur'an references (L145):** Qur'an 2:149 (Al-Baqarah); Qur'an 2:150 (Al-Baqarah).

practice, since the prohibition has reached him. Nevertheless, he is excused and rewarded once: rewarded for intending good, and excused for his ignorance and forgetfulness. This, then, is the ruling on this subject, established by sound demonstration. Through God Most High comes success. If someone adduces as an objection the report concerning the Messenger of God, God bless him and grant him peace, when prayer was made obligatory on the night of the Night Journey, which includes Moses' words, peace be upon him, "How many has God made obligatory upon your community?" and his reply, "Fifty prayers," or words to that effect—thus the two prophets, peace be upon them both, stated that God Most High had made obligatory upon us, before it reached us, fifty prayers—we reply: This means only that whenever the command reaches us, it becomes binding upon us. The demonstration of this is that it does not bind someone who has not been created until he is created, nor someone who has not reached maturity until he reaches maturity, nor someone for whom the time of prayer has not arrived until its time arrives. There is no disagreement about this. It is therefore established that the obligation mentioned applies only after creation, after maturity, after the religious law has reached the person, and after the time has begun. In this way all the reports are reconciled. Through God Most High comes success. The demonstration of this is that no Muslim ever sinned by omitting the fifty prayers. Had they been obligatory and someone omitted them, he would have been disobedient to God Most High. It is therefore established that we are bound except by what has reached us of the religion. As for someone whom an unsound report from the Prophet, God bless him and grant him peace, has reached, and for whom its soundness has been affirmed by someone exercising interpretation, an ignorant person, or a transgressor whose transgression he did not know about: this person has been the recipient of a communication. If he acts upon the falsehood that has reached him, he is excused because of his ignorance and incurs no sin, since he did not deliberately incline toward sin, and actions are judged by intentions. He is therefore one who has exercised his utmost effort, rewarded once for directing his intention toward good and toward obedience to God and His Messenger, God bless him and grant him peace. If, however, he contravenes what has reached him of that, he incurs the sin of someone who treats con-

الفرض المذكور إنما هو بعد الخلق وبعد البلوغ، وبعد انتهاء الشرع إليه، وبعد دخول الوقت: وبهذا تتألف الأخبار كلها، وبالله تعالى التوفيق. برهان ذلك: أنه لم يعص قط أحد من المسلمين بتركه الخمسين صلاة، ولو وجبت وتركها تارك لكان عاصيا لله تعالى، فصح أنه يلزمنا إلا ما بلغنا من الدين وأما من بلغ إليه خبر غير صحيح عن النبي صلى الله عليه وسلم وصححه له متأول أو جاهل أو فاسق لم يعلم هو بفسقه؛ فهذا هو مبلغ، فهو إن عمل بما بلغه من ذلك الباطل فمعذور بجهله لا إثم عليه، لأنه لم يتجانف لإثم، والأعمال بالنيات، فهو مجتهد مأجور مرة في قصده بنيته إلى الخير وإلى طاعة الله ورسوله صلى الله عليه وسلم فلو خالف ما بلغه من ذلك فإنما عليه إثم المستسهل بخلاف الرسول صلى الله عليه وسلم إما بعلمه فقط فهو فاسق وإما بنيته فهو كافر وبالله تعالى التوفيق

travening the Messenger, God bless him and grant him peace, lightly: either through his knowledge alone, in which case he is a transgressor, or through his intention, in which case he is an unbeliever. Through God Most High comes success.[28]

[28]**Translator's note (L150):** The sentence فصح أنه يلزمنا إلا ما بلغنا من الدين appears to lack a negative before يلزمنا. Its supplied wording is rendered without silently adding one. The surrounding argument evidently requires "only what has reached us of the religion binds us." The supplied بعلمه means "through his knowledge." The contrast with "through his intention" suggests that بعمله, "through his action," may have been intended; the translation retains the supplied reading.

الباب 7: أصول الأحكام وأقسام المعارف

Chapter 7: Foundations of Religious Rulings and Divisions of Knowledge

Ibn Ḥazm · Arabic–English parallel edition

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[الباب السابع في أصول الأحكام في الديانة وأقسام المعارف]

وهل على النافي دليل أو لا؟ قال علي: قد ذكرنا فيما خلا من هذا الكتاب وفي غيره من كتبنا أنه لا طريق إلى العلم أصلا إلا من وجهين أحدهما ما أوجبته بديهة العقل وأوائل الحس والثاني مقدمات راجعة إلى بديهة العقل وأوائل الحس. وقد بينا كل ذلك في غير هذا المكان، فأغنى عن ترداده؛ وقد بينا أيضا أن بالمقدمات الصحاح الضرورية المذكورة علمنا صحة التوحيد وصحة نبوة محمد صلى الله عليه وسلم وصدقه في كل ما قال وأن القرآن الذي أتى به هو عهد الله تعالى إلينا، فلما كان فيما ذكر لنا عن ربه تعالى، وجوب أشياء ألزمناها اجتهاد هذا الإنسان لم يكلفه الله تعالى أكثر ما في وسعه؛ والانتهاء عن أشياء منعنا منها ووعد بالنعيم الأبدي من أطاعه، وبالعذاب الشديد من عصاه، وتيقنا وجوب صدقه في ذلك لزمنا الانقياد لما أمرنا له بالانقياد له، وتيقنا صحة كل ما ذكر لنا ضرورة ولا محيد للنفس عنها بما نقلته الكواف مما أظهر من المعجزات التي لا يقدر عليها إلا الخالق الأول تعالى والشاهد لنبيه صلى الله عليه وسلم بها على صحة ما أتى به عنه تعالى فوجب علينا تفهم القرآن والأخذ بما فيه، فوجدنا فيه التنبيه على صحة ما كنا متوصلين به إلى معرفة الأشياء على ما هي عليه من مدارك العقل والحواس، ولسنا نعني بذلك أننا نصحح بالقرآن شيئا كنا نشك فيه من صحة ما أدركه العقل والحواس، ولو فعلنا ذلك لكنا مبطلين للحقائق، ولسلكنا برهان الدور الذي لا يثبت به شيء أصلا. وذلك أننا كنا نسأل فيقال لنا: بم عرفتم أن القرآن حق؟ فلا بد أن نقول بمقدمات صحاح يشهد لها العقل والحس. ثم يقال لنا: بماذا عرفتم صحة العقل والحس المصححين لتلك المقدمات؟ فكنا نقول بالقرآن، فهذا استدلال فاسد مبطل للحقائق. ولكنا قلنا: إن في القرآن التنبيه لأهل الجهل والغفلة وحسم شغب أهل العناد، وذلك أن قوما من أهل ملتنا يبطلون حجج العقول ويصححون حجج القرآن

[Chapter Seven: On the Foundations of Rulings in Religion and the Divisions of Knowledge]

And whether one who denies a claim must supply evidence or not. ʿAlī said: We have stated earlier in this book, and in other books of ours, that there is absolutely no path to knowledge except by two means. The first is what is necessarily established by the immediate self-evidence of reason and the primary data of sense perception. The second consists of premises that lead back to the immediate self-evidence of reason and the primary data of sense perception. We have explained all this elsewhere, making its repetition unnecessary. We have also explained that through the aforementioned sound, necessary premises we came to know the truth of divine unity and the truth of the prophethood of Muḥammad, God bless him and grant him peace, his truthfulness in everything he said, and that the Quran he brought is God Most High's covenant with us. Now, since what he related to us from his Lord, Most High, included the obligatory character of things that he bound us to perform—the utmost effort of this human being; God Most High has not charged him with more than lies within his capacity—and refraining from things from which he prohibited us, and since he promised everlasting bliss to whoever obeyed him and severe punishment to whoever disobeyed him, and we became certain that he must be truthful in this, we were bound to submit to that to which he commanded us to submit. We became certain of the truth of everything he related to us, necessarily and with no possibility for the soul to evade it, through what the multitudes transmitted concerning the miracles he manifested, which none but the First Creator, Most High, can perform, and through which He bears witness for His Prophet, God bless him and grant him peace, to the truth of what he brought from Him, Most High. It therefore became obligatory for us to understand the Quran and adhere to what it contains. In it we found attention drawn to the soundness of the means by which we had arrived at knowledge of things as they are: the apprehensions of reason and the senses. By this we do not mean that we establish through the Quran the soundness of anything apprehended by reason and the senses whose soundness we had doubted. Had we done that, we would have nullified realities and followed a circular demonstration, by

فأريناهم أن في القرآن إبطال قولهم، وإفساد مذاهبهم، وأن الله تعالى قد علم أن سيكون في العالم أمثالهم، فأخبرنا بما يبطل به شغبهم، ويزيل شكوكهم كما قال تعالى {وما من دآبة في لأرض ولا طائر يطير بجناحيه إلا أمم أمثالكم ما فرطنا في لكتاب من شيء ثم إلى ربهم يحشرون} فمما أمرنا فيه تعالى باستعمال دلائل العقل والحواس قوله تعالى {ثم سواه ونفخ فيه من روحه وجعل لكم لسمع ولأبصار ولأفئدة قليلا ما تشكرون} وصدق الله تعالى ما شكره من إبطال دلائل سمعه وبصره وعقله. وقال تعالى: {ألم نجعل له عينين * ولسانا وشفتين * وهديناه النجدين}

which nothing at all is established. For we would be asked, "By what did you know that the Quran is true?" We would necessarily have to say, "Through sound premises to which reason and sense perception bear witness." Then we would be asked, "By what did you know the soundness of reason and sense perception, which establish the soundness of those premises?" We would then say, "Through the Quran." This is unsound reasoning that nullifies realities. Rather, we have said that the Quran contains a reminder for the ignorant and heedless, and a means of putting an end to the contentious objections of the obstinate. For some members of our religious community invalidate the proofs of reason while affirming the validity of the proofs of the Quran. We therefore showed them that the Quran contains the refutation of their assertion and the invalidation of their doctrines, and that God Most High knew that people like them would exist in the world, and therefore informed us of that by which their contentious objections are refuted and their doubts removed, as He said, Most High: "There is no creature on the earth, nor any bird flying with its two wings, but they are communities like you. We have neglected nothing in the Book. Then to their Lord they will be gathered." Among the passages in which He, Most High, commanded us to employ the indications of reason and the senses is His saying, Most High: "Then He fashioned him and breathed into him of His spirit, and made for you hearing, sight, and hearts. Little do you give thanks." God Most High has spoken the truth: invalidating the indications of one's hearing, sight, and reason is no act of thanking Him. He, Most High, also said: "Have We not made for him two eyes, and a tongue and two lips, and guided him to the two elevated paths?"[1][2][3]

[1]**Translator's note (L153):** The words اجتهاد هذا الإنسان لم يكلفه الله تعالى أكثر ما في وسعه, rendered between dashes, form a syntactically disconnected passage in the supplied text. They may represent an interpolation or textual corruption; no secure correction is evident. The supplied لما أمرنا له بالانقياد له contains an awkward additional له. The translation follows its apparent sense, "that to which he commanded us to submit."

[2]**Translator's note (L155):** The supplied ما شكره من إبطال دلائل سمعه وبصره وعقله is grammatically awkward. The translation renders its apparent sense. Reading أبطل, "invalidated," in place of إبطال, "invalidating," would yield the more straightforward "Whoever invalidates the indications of his hearing, sight, and reason has not thanked Him."

L156–167 And He, exalted is He, condemned those who did not employ their indications. He said, reporting the words of a people being punished—and because of their turning away from the inference that leads to knowledge of realities, God, exalted is He, said: {We have indeed created for Hell many of the jinn and humankind. They have hearts with which they do not understand, eyes with which they do not see, and ears with which they do not hear. Those are like livestock; indeed, they are further astray. Those are the heedless. * To God belong the most beautiful names, so call upon Him by them, and leave those who deviate concerning His names. They will be recompensed for what they used to do}, down to His words: {We have indeed created for Hell many of the jinn and humankind. They have hearts with which they do not understand, eyes with which they do not see, and ears with which they do not hear. Those are like livestock; indeed, they are further astray. Those are the heedless. * To God belong the most beautiful names, so call upon Him by them, and leave those who deviate concerning His names. They will be recompensed for what they used to do}. And He, exalted is He, said, reporting the words of others like them: {And they said: Had we listened or reasoned, we would not have been among the companions of the Blaze}. God, mighty and majestic, confirmed the truth of what they said, saying, exalted is He: {So they acknowledged their sin. Away, then, with the companions of the Blaze!} And He, exalted is He, said: {We had indeed established them in that in which We have not established you, and We gave them hearing, eyes, and hearts. Yet their hearing, their eyes, and their hearts availed them nothing, since they denied God's signs, and that which they used to mock encompassed him}. Thus He, exalted is He, condemned those who did not benefit from the senses and reason He had given them. Abu Muhammad said: Consider these people who acknowledge against themselves that they neither listened nor reasoned, and that, had they listened or reasoned, they would not have entered the Fire: were their ear canals afflicted with defects that prevented sounds from being conveyed, or were they ignorant of their worldly affairs, the proper management of their tillage and planting, tending their livestock, spending and increasing their wealth, building their homes,

وذم تعالى من لم يستعمل دلائلها، فقال حاكيا عن قوم معذبين، ولإعراضهم عن الاستدلال المؤدي الى معرفة الحقائق، قال الله تعالى {ولقد ذرأنا لجهنم كثيرا من لجن ولإنس لهم قلوب لا يفقهون بها ولهم أعين لا يبصرون بها ولهم آذان لا يسمعون بهآ أولئك كالأنعام بل هم أضل أولئك هم لغافلون * ولله لأسمآء لحسنى فدعوه بها وذروا لذين يلحدون في أسمآئه سيجزون ما كانوا يعملون} إلى قوله {ولقد ذرأنا لجهنم كثيرا من لجن ولإنس لهم قلوب لا يفقهون بها ولهم أعين لا يبصرون بها ولهم آذان لا يسمعون بهآ أولئك كالأنعام بل هم أضل أولئك هم لغافلون * ولله لأسمآء لحسنى فدعوه بها وذروا لذين يلحدون في أسمآئه سيجزون ما كانوا يعملون} وقال تعالى حاكيا عن مثلهم: {وقالوا لو كنا نسمع أو نعقل ما كنا في أصحاب لسعير} فصدقهم الله عز وجل في قولهم ذلك فقال تعالى {فعترفوا بذنبهم فسحقا لأصحاب لسعير} وقال تعالى {ولقد مكناهم فيمآ إن مكناكم فيه وجعلنا لهم سمعا وأبصارا وأفئدة فمآ أغنى عنهم سمعهم ولا أبصارهم ولا أفئدتهم من شيء إذ كانوا يجحدون بآيات لله وحاق به ما كانوا به يستهزئون} فذم تعالى من لم ينتفع بما أعطاه من الحواس والعقل. قال أبو محمد: أترى هؤلاء المقرين على أنفسهم أنهم كانوا لا يسمعون ولا يعقلون، ولو سمعوا أو عقلوا ما دخلوا النار، أكانت صمخ آذانهم ذات آفات مانعة من تأدية الأصوات؟ أو كانوا جاهلين بأمور دنياهم وأحكام حرثهم وغراستهم؟ والقيام على مواشيهم ونفقات أموالهم وإنمائها، وبنيان منازلهم وعمارة بساتينهم، وتدبير متاجرهم وصناعاتهم، وحفظ أموالهم، وطلب الجاه والرياسة؟ كلا والذي عذبهم وأخزاهم وذمهم؟ بل كانوا أعلم بذلك كله، وأشد اهتبالا به، وأشغل نفوسا فيه، وأبصر لنموه وتكثيره وحياطته من أهل الفضل، المقتصرين من ذلك مما يضيع العيال والجسم بتركه أو ما جاءهم من ذلك على ما لا بد منه عفوا، وكان غير شاغل لهم عما هو آكد عليهم، المقبلين على طلب

[3] **Qur'an references (L152):** Qur'an 6:38 (Al-An'am); Qur'an 32:9 (As-Sajdah); Qur'an 90:8 (Al-Balad); Qur'an 90:9 (Al-Balad); Qur'an 90:10 (Al-Balad).

cultivating their gardens, managing their commerce and crafts, safeguarding their wealth, and seeking prestige and leadership? Certainly not, by Him who punished them and disgraced and condemned them! Rather, they knew all of that better, paid it greater attention, were more preoccupied with it, and were more discerning about its growth, increase, and protection than the people of virtue, who confined themselves in these matters to that whose neglect would bring their dependants and their bodies to ruin, or to whatever came to them of these things without effort beyond what was indispensable, and which did not distract them from what was more incumbent upon them. These people devoted themselves to seeking knowledge of realities and ascertaining the knowledge and action that lead to knowledge of the Hereafter and happiness in the abode of everlasting life, in the Garden that God, exalted is He, has promised His friends, and that keep one far from destruction and permanent residence in the abode of punishment, in the Fire that God, mighty and majestic, has promised His enemies. They occupied themselves with this instead of that upon which the people of ignorance and deficiency threw themselves, as ʻAbd Allah ibn Yusuf ibn Nami related to us, from Ahmad ibn Fath, from ʻAbd al-Wahhab ibn ʻIsa, from Ahmad ibn Muhammad, from Ahmad ibn ʻAli, from Muslim ibn al-Hajjaj: Abu Bakr ibn Abi Shaybah and ʻAmr al-Naqid related to us, both of them from Aswad ibn ʻAmir, who said: Hammad ibn Salamah related to us, from Hisham ibn ʻUrwah and Thabit al-Bunani—Hisham from his father, from ʻA'ishah, and Thabit from Anas ibn Malik—that the Messenger of God, may God bless him and grant him peace, said: "You know better about the affairs of your worldly life," in the account of his statement, peace be upon him, concerning the pollination of date palms: they abandoned it, and the dates came out poorly developed. But these people being punished refrained from employing hearing, sight, touch, taste, smell, and reason to infer the existence of the Creator, exalted is He, and to ascertain what brings one near to Him in belief, speech, and action. They directed all of these instead toward perishing debris that neither benefits nor avails, but rather burdens one and brings regret. Success comes through God, exalted is He. ʻAli said: We found in the Qur'an that we are bound to obey what our Lord, exalted is He, has commanded us in it, and what our Prophet, may God bless him and grant him peace, has com-

معرفة الحقائق، والوقوف على العلم والعمل، الموصلين إلى معرفة الآخرة والسعادة في دار البقاء في الجنة التي وعدها الله تعالى أولياءه والمبعدين من الهلاك والقرار في دار العذاب في النار التي وعدها الله عز وجل لأعدائه المشتغلين بذلك عما تهافت عليه أهل الجهل والنقصان. كما ثنا عبد الله بن يوسف بن نامي، عن أحمد بن فتح، عن عبد الوهاب بن عيسى عن أحمد بن محمد، عن أحمد بن علي، عن مسلم بن الحجاج، حدثنا أبو بكر بن أبي شيبة وعمرو الناقد، وكلاهما عن أسود بن عامر قال: ثنا حماد بن سلمة عن هشام بن عروة وثابت البناني: هشام عن أبيه عن عائشة وثابت عن أنس بن مالك أن رسول الله صلى الله عليه وسلم قال أنتم أعلم بأمر دنياكم في حديث قوله عليه السلام في تلقيح النخل فتركوه فخرج شيصا ولكن هؤلاء المعذبون أضربوا عن استعمال السمع والبصر، واللمس والذوق الشم، والعقل في الاستدلال على الخالق تعالى، ولم يقرب منه من عقد وقول وعمل وصرفوا كل ذلك في حطام فان، لا يجدي ولا يغني، بل يثقل ويندم وبالله تعالى التوفيق قال علي ووجدنا في القرآن إلزامنا الطاعة لما أمرنا به ربنا تعالى فيه ولما أمرنا نبيه صلى الله عليه وسلم مما نقله عنه الثقات أو جاء عنه بتواتر أجمع عليه جميع علماء المسلمين على نقله عنه عليه السلام فوجدناه تعالى قد ساوى بين هذه الجمل الثلاث في وجوب طاعتها علينا، فنظرنا فيها فوجدنا منها جملا إذا اجتمعت قام منها حكم منصوص على معناه، فكان ذلك كأنه وجه رابع، إلا أنه غير خارج عن الأصول الثلاثة التي ذكرنا وذلك نحو قوله عليه السلام كل مسكر خمر وكل خمر حرام فأنتج ذلك كل مسكر حرام فهذا منصوص على معناه نصا جليا ضروريا. لأن المسكر هو الخمر، والخمر هي المسكر، والخمر حرام، فالمسكر الذي هو هي حرام ومثل قوله تعالى {يوصيكم لله في أولادكم للذكر مثل حظ لأنثيين فإن كن نسآء فوق ثنتين فلهن ثلثا ما ترك وإن كانت واحدة فلها لنصف ولأبويه لكل واحد منهما لسدس مما ترك إن كان له ولد فإن لم يكن له ولد وورثه أبواه فلأمه

manded us, as transmitted from him by trustworthy transmitters or conveyed from him through transmission by numerous independent channels, whose transmission from him, peace be upon him, all the scholars of the Muslims unanimously acknowledge. We found that He, exalted is He, had placed these three bodies of material on an equal footing with respect to our obligation to obey them. We examined them and found among them statements which, when combined, establish a ruling whose meaning is explicitly stated in the text. This was, as it were, a fourth avenue, although it does not fall outside the three foundations we have mentioned. An example is his saying, peace be upon him: "Every intoxicant is wine, and every wine is forbidden." This yields: "Every intoxicant is forbidden." Its meaning is thus explicitly stated by a clear, necessary textual statement, because an intoxicant is wine, and wine is an intoxicant, and wine is forbidden; therefore, the intoxicant, which is that very wine, is forbidden. Another example is His saying, exalted is He: {God instructs you concerning your children: the male shall have the share of two females. If they are women numbering more than two, they shall have two-thirds of what he leaves; and if there is one, she shall have half. For his parents, each of the two shall have a sixth of what he leaves, if he has a child. If he has no child and his parents inherit from him, his mother shall have a third. If he has siblings, his mother shall have a sixth, after any bequest he makes or debt. Your fathers and your sons—you do not know which of them is nearer to you in benefit. An obligation from God; indeed, God is all-knowing, wise}. And we have attained certainty, through the act by which we know things as they are, that every countable whole consists of one-third and two-thirds. Thus, if the mother has only one-third, and she and the father are the only heirs, the two-thirds belong to the father. This is necessary knowledge from which reason cannot depart. We found this explicitly stated as to its meaning, even though it was not explicitly stated in its wording. Another example is the consensus of the Muslims that God, exalted is He, has ruled that Zayd's blood is inviolable because he is a Muslim. Then someone says: "His blood has become lawful to shed." We reply: "We have attained certainty through the text that obedience to consensus is obligatory, and the transmission of the consensus that his blood is inviolable has been established as sound. We may therefore not depart from

لثلث فإن كان له إخوة فلأمه لسدس من بعد وصية يوصي بها أو دين آباؤكم وأبناؤكم لا تدرون أيهم أقرب لكم نفعا فريضة من الله إن الله كان عليما حكيما} وقد تيقنا بالفعل الذي به علمنا الأشياء على ما هي عليه أن كل معدود فهو ثلث وثلثان، فإذا كان للأم الثلث فقط وهي والأب وارثان فقط فالثلثان للأب، وهذا علم ضروري لا محيد عنه للعقل، ووجدنا ذلك منصوصا على المعنى وإن لم ينص على اللفظ. ومثل إجماع المسلمين على أن الله تعالى حكم بأن دم زيد حرام لإسلامه ثم قال قائل: قد حل دمه فقلنا: قد تيقنا بالنص وجوب الطاعة للإجماع، وقد صح نقل الإجماع على أن دمه حرام، فلا يجوز لنا خلاف ذلك إلا بنص منقول بالثقات أو بتواتر أو بإجماع ناقل لنا فهذا منصوص على معناه ومثل أن يدعي زيد على عمرو بمال فنقول إن الله تعالى نص على إيجاب اليمين على عمرو، لأن النص قد جاء بإيجاب اليمين على من ادعي عليه، وعمرو مدعى عليه فقد أوجب النص اليمين على عمرو، فلا سبيل إلى معرفة شيء من أحكام الديانة أصلا إلا من أحد هذه الوجوه الأربعة، وهي كلها راجعة إلى النص، والنص معلوم وجوبه، ومفهوم معناه بالعقل على التدريج الذي ذكرناه. وقد ادعى قوم: أن من الشرائع ما لا سبيل في القدرة إلى تغييره، فأتوا بأمر عظيم، وأدى قولهم هذا الفاسد إلى أن ربهم تعالى مضطر إلى الأمر بما أمر من ذلك: فمن التزم منهم ما توجبه مقدمته الفاسدة كفر، ومن جبن عن التزامه تناقض وقضى بفساد معتقده الذي هو ثابت عليه، إلا أنهم استعظموا أن يطلقوا ما يوجبه مذهبهم فحسنوه بعبارة كنوا بها عنه فقالوا لا سبيل في العقل إلى تغييره قال علي والعقل لا يوجب على الباري تعالى حكما بل الباري تعالى خالق العقل بعد أن لم يكن، ومرتب له وفيه ما قد رتب مما لو شاء أن يخترعه ويرتبه على خلاف ذلك لفعل. وإنما العقل مفهم عن الله تعالى مراده، ومميز للأشياء التي قد رتبها الباري تعالى على ما هي عليه فقط. فقال هؤلاء: إن الكفر والظلم لا يتوهم جواز استباحته قال علي ولا دليل على ما ذكروا بل قد كان ممكنا أن يأمرنا تعالى بالكفر به وبجحده وبعبادة الأوثان

that except on the basis of a text transmitted by trustworthy transmitters, or through transmission by numerous independent channels, or through a consensus that transfers us from that ruling." This, then, is explicitly stated as to its meaning. Another example is that Zayd brings a monetary claim against 'Amr. We say that God, exalted is He, has explicitly imposed an oath upon 'Amr, because the text imposes an oath upon the person against whom a claim is brought, and 'Amr is a person against whom a claim is brought; thus the text has imposed an oath upon 'Amr. There is absolutely no way to know any of the rulings of religion except through one of these four avenues. They all ultimately refer back to the text, and the obligatory authority of the text is known, and its meaning understood, through reason, according to the sequence we have mentioned. Some people have claimed that certain religious laws cannot possibly be changed by any power. They have thereby advanced an enormity, and this corrupt assertion of theirs entails that their Lord, exalted is He, is compelled to command whatever He has commanded in such matters. Whoever among them accepts what his corrupt premise entails has disbelieved; whoever shrinks from accepting it contradicts himself and thereby establishes the invalidity of the belief to which he continues to adhere. Yet they considered it too grave to state outright what their doctrine entails, so they dressed it up in an expression by which they referred to it indirectly, saying: "There is no possibility in reason of changing it." 'Ali said: Reason imposes no ruling upon the Creator, exalted is He. Rather, the Creator, exalted is He, created reason after it had not existed, and ordered it and what He has ordered within it; had He wished to originate and order it otherwise, He would have done so. Reason merely makes understood God's intention, exalted is He, and distinguishes things as the Creator, exalted is He, has ordered them to be. These people said: "The permissibility of treating disbelief and injustice as lawful cannot be conceived." 'Ali said: There is no proof for what they have stated. Rather, it was possible for Him, exalted is He, to command us to disbelieve in Him, deny Him, worship idols, and commit injustice. But He, exalted is He, has informed us that He does not do that, so we know that that will never occur, not because it would be impossible for Him, mighty and majestic, if He willed it, nor because He, exalted is He, would be incapable of it if He intended it, but because He

وبالظلم، ولكنه تعالى قد أخبرنا أنه لا يفعل ذلك فعلمنا أن ذلك لا يكون أبدا، ليس لأنه ممتنع منه عز وجل لو شاءه، ولا أنه تعالى عاجز عن ذلك لو أراده، ولكن لأنه لا يقول إلا الصدق، وقد أخبرنا أن ذلك لا يكون، وأنه لا يرضى لنا الكفر، ولا يأمر أن نتخذ إلهين اثنين، فلما أخبرنا بذلك منعنا من كونه كما منعنا أن يأتي رسول بعد محمد صلى الله عليه وسلم وكما منعنا من عمارة مكان قفر قد رأيناه غير معمور إلى وقتنا هذا، ومن خلاء مدينة قد عهدناها معمورة إلى وقتنا هذا، وقد كان في الممكن خلاء تلك المدائن، وعمران هذا القفر: ولكن الله تعالى لم يرد ذلك إلى الآن. فعلى هذا الوجه منعنا أن يأمر بالكفر به لا على أن العقل مانع من جواز ذلك لو شاءه عز وجل قال علي وبرهان ذلك أننا واجدون بالمشاهدة أكثر أنواع الحيوان لم تتعبد بالإيمان بالله عز وجل، ولا ركب فيها التمييز الذي لا يعرف الله عز وجل إلا به فلو شاء تعالى أن يجعل الإنسان غير مأمور لفعل. ولما كان هنالك شيء يمنعه من ذلك تعالى وجهه، ولا يوجب عليه فعل ما فعل ولا بد، وهؤلاء الصبيان الذين بلغوا الأربعة عشر عاما ولم يشعروا ولم يحتلموا بإجماع أكثر الأمة بالإيمان أمر إلزام، ولا منهيين عن الكفر نهي تحريم، فإذا احتلموا لزمهم الإيمان فرضا، وحرم عليهم الكفر حتما، ولم يكن بين تعريهم من الأوامر والنواهي، وبين حلولها عليهم إلا نومة لعلها أقل من مقدار شي بيضة، ولم يزد التمييز الذي كان فيهم في تلك النومة شيئا. بل هو على حسبه الذي كان عليه قبل أن ينامها، ولا فرق. هذا شيء يعلم بالحس والمشاهدة، يعني تساوي التمييز فيهم في ذينك الوقتين. وهذا شيء قد يشهد النص به ولا خلاف فيه بين جمهور أهل الملة التي وضعنا كتابنا هذا في أحكامهم وعبادتهم، اختلافهم في معنى براءة من لم يشعر ولم يحتلم، ولا حاض إن كان امرأة، ولا بلغ خمسة عشر عاما من جميع الأوامر الواردة من الله تعالى ولزومها لمن احتلم وبلغ خمسة عشر عاما مع الاحتلام، أو حاض إن كان امرأة في هذه السن، ولا فرق في العقل بين جواز عدم

speaks only the truth and has informed us that this will not occur, and that He He does not approve unbelief for us, nor does He command us to take two gods. When He informed us of this, we ruled out its occurrence, just as we ruled out the coming of a messenger after Muḥammad, God bless him and grant him peace, and just as we ruled out the settlement of a desolate place that we have seen remaining uninhabited down to our own time, or the abandonment of a city that we have known to remain inhabited down to our own time. The abandonment of those cities and the settlement of this desolate place were possible, but God Most High has not willed that thus far. It is in this sense that we rule out His commanding unbelief in Him, not because reason precludes its being possible if He, mighty and majestic, were to will it.

ʿAlī said: The demonstration of this is that we find through observation that most kinds of animals have not been charged with worship through faith in God, mighty and majestic, nor has He implanted in them the discernment without which God, mighty and majestic, cannot be known. Had the Most High willed to make human beings subject to no command, He would have done so. There would have been nothing there to prevent Him from doing so—exalted be His countenance—or to make it absolutely incumbent upon Him to do what He has done. These boys who have reached fourteen years of age but have neither grown pubic hair nor experienced a seminal emission are, by the consensus of most of the community, [not commanded] to have faith by a binding command, nor forbidden unbelief by a prohibitory ban. Once they experience a seminal emission, faith becomes an obligatory duty for them, and unbelief becomes categorically forbidden to them. Between their being free of commands and prohibitions and their becoming subject to them there has been only a sleep, perhaps shorter than the time it takes to roast an egg. The discernment they possessed has increased in no respect during that sleep; it remains just as it was before they slept, without any difference. This is something known through sense perception and observation: namely, the equality of their discernment at those two times. This is something to which the revealed text also bears witness. There is no disagreement about it among the general body of the adherents of the reli-

الأمر بالإيمان في كلتا الحالتين المذكورتين، وبين جواز وجود الأمر به في كلتيهما. فإن شغب مشغب بتعلم الصبيان الصلاة وضربهم عليها؛ وأراد بذلك غرور الضعفاء المقلدين، فليعلم أنه لا خلاف عند الحاضرين من خصومنا في أن ذلك على سبيل التدريب وتعليم الخير، لا على سبيل الإيجاب لذلك عليهم، وكذلك دعاؤنا إياهم إلى الإسلام. وبرهان ذلك: أننا لا نقتلهم إن ارتدوا حتى يحتلموا، ولا نقتلهم إن قتلوا، ولا نحدهم إن زنوا، ولا يحرم الميراث وإن ارتد قبل بلوغه من موروثه المسلم.

gion whose rulings, worship, and disagreements we have made the subject of this book: namely, that anyone who has not grown pubic hair, experienced a seminal emission, menstruated if female, or reached fifteen years of age is exempt from all the commands proceeding from God Most High, and that they become binding upon someone who has experienced a seminal emission and reached fifteen years of age along with that emission, or menstruated if female at this age. And in reason there is no difference between the possibility of there being no command to have faith in either of the two aforementioned states and the possibility of there being a command to have faith in both. If a contentious disputant raises an objection about children learning prayer and being beaten for it, intending thereby to deceive the weak who follow authority unquestioningly, let him know that there is no disagreement among our present opponents that this is a matter of training and teaching goodness, rather than making it obligatory upon them. The same applies to our calling them to Islam. The demonstration of this is that, if they apostatize, we do not execute them before they experience a seminal emission; we do not execute them if they kill; we do not inflict the prescribed punishment upon them if they commit illicit intercourse; and a child is not deprived of

inheritance from the Muslim whose heir he is, even if he apostatizes before reaching puberty.[4][5][6][7][8][9][10]

L168–172 If anyone claims that beasts are charged with worship, choosing to join Aḥmad ibn Ḥābiṭ and depart from the consensus of the Muslims, it is enough for him that he has left Islam and joined unbelief. This is not the place to argue with the adherents of this doctrine. We have explained that in the Book of al-Faṣl. Our intention in this book is only to explain the general principles of the rulings. Whoever wishes to acquaint himself with the demolition of

فإن ادعى مدع: أن البهائم متعبدة، واختار اللحاق بأحمد بن حابط والخروج عن إجماع المسلمين، فحسبه مفارقة الإسلام واللحاق بالكفر، وليس هذا مكان محاجة أهل هذا المذهب، وقد بينا ذلك في كتاب الفصل. وإنما قصدنا في كتابنا هذا بيان جمل الأحكام فقط فمن أراد أن يقف على هدم ما ذكرنا من الشغب فليقرأ كتابنا المرسوم بكتاب الفصل إن شاء الله تعالى. قال أبو محمد: فإذ قد بينا أقسام المعارف جملة، ثم بينا أقسام الأصول التي لا يعرف شيء من الشرائع إلا منها، وأنها أربعة وهي نص القرآن ونص كلام رسول الله صلى الله عليه وسلم الذي إنما هو عن الله تعالى مما صح عنه عليه السلام نقل الثقات أو التواتر وإجماع جميع علماء الأمة، أو دليل منها لا يحتمل إلا وجها واحدا، فلنصف بحول الله وقوته كيف يستعمل المناظران أو المتعلم أو العالم السبيل إلى معرفة الحقائق مما ذكره. فنقول وبالله تعالى التوفيق: أول ذلك سؤال السائل مسؤوله عن مذهبه في مسألة كذا، إما مستفهما أو مناظرا، فإذا أجابه سأله: ما دليلك على كذا؟ فإذا أجابه فقد وصلا إلى ميدان المعارضة، فإن لم يكن هنالك إلا أن يصف كل واحد منهما مذهبه، ولم يزد المسؤول على ذكر مذهبه فقط، ولم يأت بدليل فقد سقط وبطل واكتفى بذلك عن تكلف إبطاله، إذ قد بينا فيما تقدم من كتابنا هذا إبطال كل قول لم يقم عليه دليل، فإن عارض المسؤول السائل بدليل، مثل أن يستدل أحدهما على صحة مذهبه بآية، فيحتج عليه الآخر بآية أخرى، هي في ظاهرها مخالفة الحكم للتي احتج بها خصمه أو بحديث كذلك. أو احتج أحدهما بحديث فعارضه الآخر بآية هي ظاهرها مخالفة الحكم لذلك الحديث أو بحديث كذلك. فسنفرد لذلك بابا موعبا في كتابنا هذا إن شاء الله عز جل عند كلامنا في الأخبار، وإن أمدنا الله بمده وقوته فسنفرد لكل هذه الوجوه كتبا مفردة

[4] **Translator's note (L156):** The passage introduced by 'down to His words' repeats the entire preceding quotation from Qur'an 7:179–180. The repetition is retained. In the quotation from Qur'an 46:26, the supplied text has the singular 'encompassed him' where the familiar wording has 'encompassed them'; the supplied wording is retained.

[5] **Translator's note (L158):** The construction describing the virtuous people's limited involvement in worldly affairs is awkward in the supplied text, particularly the transition from necessities to what comes without effort. The translation preserves both alternatives without supplying a missing clause.

[6] **Translator's note (L159):** The supplied phrase rendered 'and to ascertain what brings one near to Him' reads literally 'and did not bring near to Him, of belief, speech, and action.' It appears corrupt; the contextual sense has been supplied here and is explicitly noted. The list of senses lacks a conjunction between 'taste' and 'smell' in the supplied text. The Arabic term for the resulting dates denotes poorly developed dates associated with failed pollination.

[7] **Translator's note (L160):** The supplied text ends with 'through the act by which' rather than the contextually expected 'through the reason by which.' The apparent textual error is retained; the sentence continues in the next unit.

[8] **Translator's note (L165):** The clause about fourteen-year-old boys lacks a predicate before "to have faith by a binding command." "[Not commanded]" supplies the sense required by the argument and the parallel "nor forbidden." The wording around "whose rulings, worship, and disagreements" is syntactically disturbed: اختلافهم ("their disagreements") appears without a clear connection. The translation preserves it as a further subject of the book, but the reading is uncertain. The supplied wording explicitly combines reaching fifteen with experiencing a seminal emission in the final clause. This potentially problematic conjunction has been retained.

[9] **Translator's note (L167):** The final clause shifts from plural children to a singular heir; the translation follows that shift.

[10] **Qur'an references (L156):** Qur'an 7:179 (Al-A'raf); Qur'an 67:10 (Al-Mulk); Qur'an 46:26 (Al-Ahqaf); Qur'an 4:11 (An-Nisa).

the contentious objections we have mentioned should read our book entitled the Book of al-Faṣl, if God Most High wills.

Abū Muḥammad said: Now that we have explained the divisions of knowledge in general, and then explained the divisions of the foundations through which alone anything of the revealed laws can be known, and that they are four—the explicit text of the Qur'ān; the explicit wording of the Messenger of God, God bless him and grant him peace, which comes only from God Most High, insofar as it is authentically established from him, peace be upon him, through transmission by trustworthy transmitters or through recurrent mass transmission; the consensus of all the scholars of the community; or an indication derived from these that admits only one interpretation—let us describe, through God's power and strength, how two disputants, a learner, or a scholar should follow the path to knowing the truths of what has been mentioned. We say, then, with God Most High granting success: The first step is for the questioner to ask the person being questioned about his position on such-and-such a question, either to seek understanding or to debate. When he answers, he asks him, "What is your evidence for such-and-such?" Once he answers, they have reached the arena of counterargument. If all that occurs is that each of them describes his position, and the person questioned does no more than merely state his position and supplies no evidence, then it falls and is invalidated, and that suffices without taking the trouble to refute it, since we have already explained earlier in this book the invalidity of every assertion for which no evidence has been established. If the person questioned counters the questioner with evidence—for example, one of them adduces a verse as evidence for the soundness of his position, and the other argues against him with another verse whose apparent ruling differs from that of the verse his opponent adduced, or with a hadith of that kind; or one of them adduces a hadith, and the other counters it with a verse whose apparent ruling differs from that of the hadith, or with a hadith of that kind—we shall devote an exhaustive chapter to this in our book, if God, mighty and majestic, wills, when we discuss transmitted reports. If God supplies us with His support and strength, we shall devote separate books to all these forms, dealing with the individual hadiths and verses that ap-

في أشخاص الأحاديث والآي التي ظاهرها التعارض، ونحن نبين بحول الله وقوته نفي الاختلاف عن كل ذلك وبالله تعالى نعتصم ونتأيد وقد ذكر مخالفونا تعارض العلل قال علي وسنبين في آخر كتابنا هذا إن شاء الله تعالى بطلان العلل في الشرائع بالجملة، وإن أمدنا الله تعالى بمده وعون من قبله عز وجل فسنفرد في المسائل النظرية، وهي التي دلائلها نتائج مأخوذة من مقدمات نصية أو إجماعية ديوانا موعبا نتقصى فيه إن شاء الله تعالى الأدلة الصحيحة، وبطلان علل أصحاب القياس ومفاسدها بالجملة، وبالله تعالى التوفيق. ثم رأينا كتابنا المعروف بالإيصال جامع لكل ذلك مغن عن إفراد كتب لكل صنف منها قال علي وكل من قال بقبول خبر الواحد ثم صح عنده خبر عن النبي صلى الله عليه وسلم متكامل الشروط التي بوجودها يصح عنده الخبر جملة. فإن تركه لحديث آخر فهو مجتهد، إما مخطىء، وإما مصيب، وكذلك إن تركه لنص قرآن، وكذلك إن ترك نص قرآن لحديث آخر، أو نص قرآن، إلا أنه إن كان قد ترك في مكان آخر مثل تلك الآية التي أخذ بها الآن أو الحديث الذي أخذ به أو أخذ بمثل الحديث أو الآية اللذين ترك ههنا، وخالف ترتيب أخذه في المسائل، فإن كان لم يتنبه لذلك فهو غافل معذور بالجهل، فإن نبه على ذلك فتمادى على خطأه فهو فاسق لإقراره في مكان ما بأن مثل ذلك العمل الذي استعمل ههنا باطل، فهو مقدم على الأخذ بما يدري أنه باطل وذلك مثل من أخذ بقول رسول الله صلى الله عليه وسلم لا قطع إلا في ربع دينار فصاعدا وترك ظاهر قول الله تعالى {ولسارق ولسارقة فقطعوا أيديهما جزآء بما كسبا نكالا من لله ولله عزيز حكيم} ثم إنه ترك قول رسول الله صلى الله عليه وسلم لا تحرم الرضعة والرضعتان وأخذ بظاهر قوله عز وجل: {حرمت عليكم أمهاتكم وبناتكم وأخواتكم وعماتكم وخالاتكم وبنات لأخ وبنات لأخت وأمهاتكم اللاتي أرضعنكم وأخواتكم من لرضاعة وأمهات نسآئكم وربائبكم للاتي

في حجوركم من نسآئكم للاتي دخلتم بهن فإن لم تكونوا دخلتم بهن فلا جناح عليكم وحلائل أبنائكم لذين من أصلابكم وأن تجمعوا بين لاختين إلا ما قد سلف إن لله كان غفورا رحيما}

pear to conflict. Through God's power and strength, we shall explain the absence of disagreement throughout all of this. In God Most High we seek protection and support. And mention has been made by our opponents of conflicts between legal causes. ʿAlī said: At the end of this book, if God Most High wills, we shall explain the invalidity of legal causes in the revealed laws as a whole. If God Most High supplies us with His support and assistance from Himself, mighty and majestic, we shall devote to theoretical questions —those whose evidences are conclusions drawn from premises based on explicit texts or consensus—a comprehensive volume in which, if God Most High wills, we shall exhaustively examine the sound evidences, the invalidity of the legal causes advanced by the proponents of analogy, and their defects as a whole. With God Most High rests success. We subsequently found that our book known as al-Īṣāl encompasses all of this and dispenses with the need to devote separate books to each category.

ʿAlī said: Anyone who accepts a solitary report, and for whom a report from the Prophet, God bless him and grant him peace, is then established as authentic, fulfilling all the conditions whose presence makes a report authentic in his judgment, is exercising independent judgment if he sets it aside for another hadith, and is either mistaken or correct. The same applies if he sets it aside for an explicit Qurʾānic text, and likewise if he sets aside an explicit Qurʾānic text for another hadith or an explicit Qurʾānic text. However, if elsewhere he has set aside something like the verse he now follows, or the hadith he follows, or has followed something like the hadith or verse he has set aside here, and has varied the order in which he gives them precedence across the questions, then, if he has not noticed this, he is heedless and excused by ignorance. But if it is brought to his attention and he persists in his error, he is a transgressor, because he acknowledges in one place that a procedure like the one he has employed here is invalid. He thus proceeds to follow what he knows to be invalid. An example is someone who follows the saying of the Messenger of God, God bless him and grant him peace, "There is no amputation except for a quarter of a dinar or more," and sets aside the apparent meaning of the saying of God Most High, {As for the male thief and the female thief, cut off their hands as recompense for what they have earned,

an exemplary punishment from God; and God is mighty, wise.} Then he sets aside the saying of the Messenger of God, God bless him and grant him peace, "One suckling and two sucklings do not establish prohibition," and follows the apparent meaning of His saying, mighty and majestic, {Forbidden to you are your mothers, your daughters, your sisters, your paternal aunts, your maternal aunts, your brothers' daughters, your sisters' daughters, your mothers who suckled you, your sisters through suckling, your wives' mothers, and your stepdaughters who are in your care, born of your wives with whom you have consummated marriage—but if you have not consummated marriage with them, there is no blame upon you—and the wives of your sons who are from your own loins, and that you join two sisters together, except what has already passed. Indeed, God is forgiving, merciful.}[11][12][13]

L173–176 If this person is made aware of the inconsistency of his conduct and persists in it, he is a transgressor, because in one of the two instances he acknowledges that setting aside the apparent meaning of the Qurʾān for a hadith is an error that is not permissible, while in the second instance he employs what he has acknowledged to be impermissible. He thus proceeds to do what, by his own admission, he may not do. If he alleges defects in the hadith concerning two sucklings, we shall show him precisely the same defects in the hadith concerning the thief. If he persists in following one and setting aside the other, he is a transgressor who plays with his religion. If he sets aside an explicit text for an analogy after the proof invalidating analogy has been established against him, he is likewise a transgressor. If he sets aside an explicit text for the statement of a Companion or anyone of lesser standing, then, if he believes that this Companion possesses knowledge from the Prophet may

فهذا إذا وقف على تناقض فعله وتمادى عليه فهو فاسق. لأنه في أحد الموضعين مقر بأن ترك ظاهر القرآن للحديث خطأ لا يحل، وفي الموضع الثاني استعمل ما أقر أنه لا يحل، فهو مقدم على ما لا يجوز له بإقراره، فإن علل حديث الرضعتين أريناه في حديث السارق مثل تلك العلل بعينها، فإن تمادى على الأخذ بأحدهما وترك الآخر، فهو فاسق متلاعب بدينه. وإن ترك نصا لقياس بعد قيام الحجة عليه بإبطال القياس فهو فاسق أيضا وإن ترك نصا لقول صاحب فمن دونه، فإن كان يعتقد أن عند ذلك الصاحب علما عن النبي صلى الله عليه وسلم وقامت عليه الحجة ببطلان ذلك فتمادى ولم يتب فهو فاسق فإن كان يعتقد أن لأحد بعد موت النبي صلى الله عليه وسلم أن يحرم شيئا كان حلالا إلى حين موته عليه السلام أو يحل شيئا كان حراما إلى حين موته عليه السلام أو يوجب حدا لم يكن واجبا إلى حين موته عليه السلام أو يشرع شريعة لم تكن في حياته عليه السلام فهو كافر مشرك حلال الدم والمال حكمه حكم المرتد ولا فرق. وقد ظن قوم مثل هذا في المنع من بيع أمهات الأولاد، وفي حل الخمر وفي إسقاط ست قراءات كانت على عهد النبي صلى الله عليه وسلم مباحة فمن لم تقم عليه الحجة في بطلان هذا المعتقد فهو معذور بالجهل. وأما من قامت عليه وتمادى على

[11] **Translator's note (L171):** The retrospective sentence beginning "We subsequently found" is presented in the author's own voice; the supplied text does not identify it as an editor's addition.

[12] **Translator's note (L172):** The two Qurʾānic quotations contain repeated defective spellings, including missing initial alifs in articles and imperative forms. The translation renders the identifiable words; no substantive change to the quoted wording is apparent. "Establish prohibition" in the suckling hadith means establishing a prohibition of marriage through milk kinship.

[13] **Qur'an references (L168):** Qur'an 5:38 (Al-Ma'idah); Qur'an 4:23 (An-Nisa).

God bless him and grant him peace, and the proof establishing the falsity of that has been made binding upon him, yet he persists and does not repent, then he is a flagrant sinner. If he believes that anyone, after the death of the Prophet, may God bless him and grant him peace, may prohibit something that was lawful until the time of his death, peace be upon him, or make lawful something that was prohibited until the time of his death, peace be upon him, or impose a prescribed punishment that was not obligatory until the time of his death, peace be upon him, or institute a religious law that did not exist during his lifetime, peace be upon him, then he is an unbeliever and a polytheist whose blood may lawfully be shed and whose property may lawfully be taken. His ruling is the ruling applicable to an apostate, without any difference. Some people have supposed something of this kind concerning the prohibition on selling slave women who have borne their masters children, the lawfulness of wine, and the suppression of six readings that were permitted during the time of the Prophet, may God bless him and grant him peace, Anyone upon whom the proof establishing the falsity of this belief has not been made binding is excused on account of ignorance. But anyone upon whom it has been made binding, and who persists in his position concerning it, is an unbeliever, a polytheist, and an apostate whose blood may lawfully be shed and whose property may lawfully be taken, as we have mentioned. Through God's power and strength, we shall explain the aspects of these three questions in our discussion of non-specific expression in this book of ours. There is no power and no strength except through God, the Most High, the Magnificent.

ʿAlī said: In every case in which we have said that its perpetrator becomes a flagrant sinner or an unbeliever after the proof has been made binding upon him, he is, so long as the proof has not been made binding upon him, excused and rewarded, even though he is mistaken. The manner in which the proof becomes binding upon him is that it reaches him and he has nothing that can counter it. Success comes through God Most High.

ʿAlī said: As for the category we mentioned just now, in which there is an apparent conflict between verses and verses, between a hadith and a hadith, or between a hadith and verses, we do not assert categorically that we have

مذهبه في ذلك فهو كافر مشرك مرتد حلال الدم والمال كما ذكرنا. وسنبين بحول الله وقوته وجوه هذه المسائل الثلاث في كلامنا في الإجمال من كتابنا هذا، ولا حول ولا قوة إلا بالله العلي العظيم قال علي وكل ما قلنا فيه إنه يفسق فاعله أو يكفر بعد قيام الحجة عليه، فهو ما لم تقم عليه الحجة معذور مأجور وإن كان مخطئا، وصفة قيام الحجة عليه هو أن تبلغه فلا يكون عنده شيء يقاومها وبالله تعالى التوفيق قال علي والوجه الذي ذكرنا آنفا وهو الذي فيه ظاهر تعارض بين آي وآي، وبين حديث وحديث، وبين حديث وآي، فلسنا نقطع فيه على أننا مصيبون للحق، ولا أننا علمناه يقينا، ولا كنا نقول فيه هذا هو الحق عندنا. ونبين كل مسألة من ذلك في موضعها إن شاء الله تعالى، وهذه هي المتشابهات التي أخبر بها النبي صلى الله عليه وسلم في قوله الحلال بين والحرام بين وبينهما متشابهات لا يعلمها كثير من الناس وليس هذا من المتشابه الذي ذكر الله عز وجل في قوله {هو لذي أنزل عليك لكتاب منه آيات محكمات هن أم لكتاب وأخر متشابهات فأما الذين في قلوبهم زيغ فيتبعون ما تشابه منه بتغاء لفتنة وبتغاء تأويله وما يعلم تأويله إلا لله ولراسخون في لعلم يقولون آمنا به كل من عند ربنا وما يذكر إلا أولوا لألباب} وسنبين ذلك كله في باب مفرد في آخر كتابنا هذا إن شاء الله تعالى عز وجل. إلا أننا قاطعون باتون على أن علم الحقيقة فيما أشكل علينا موجود عند غيرنا ولا بد لقول الله تعالى {لا إكراه في لدين قد تبين لرشد من لغي فمن يكفر بلطاغوت ويؤمن بلله فقد ستمسك بلعروة لوثقى لا نفصام لها ولله سميع عليم} ولقول رسول الله صلى الله عليه وسلم اللهم هل بلغت قالوا اللهم نعم قال اللهم اشهد

attained the truth concerning it, or that we have known it with certainty; nor did we say concerning it, "This is the truth in our judgment." We shall explain each such question in its proper place, if God Most High wills. These are the doubtful matters of which the Prophet, may God bless him and grant him peace, spoke when he said, "The lawful is clear, and the prohibited is clear, and between them are doubtful matters that many people do not know." This is not the ambiguous material that God, Mighty and Majestic, mentioned in His saying: {He is the One who sent down upon you the Book. In it are verses that are definitive—they are the foundation of the Book—and others that are ambiguous. As for those in whose hearts is deviation, they follow what is ambiguous in it, seeking discord and seeking its interpretation. None knows its interpretation except God. Those firmly rooted in knowledge say, "We believe in it; all is from our Lord." And none takes heed except those possessed of understanding.} We shall explain all of that in a separate chapter at the end of this book of ours, if God Most High, Mighty and Majestic, wills. Nevertheless, we assert categorically and decisively that knowledge of the truth concerning what is obscure to us necessarily exists with others, because of the saying of God Most High: {There is no compulsion in religion. Right guidance has become distinct from error. Whoever disbelieves in false objects of worship and believes in God has grasped the firmest handhold, which cannot break. God is All-Hearing, All-Knowing.} And because of the saying of the Messenger of God, may God bless him and grant him peace: "O God, have I conveyed the message?" They said, "O God, yes." He said, "O God, bear witness."[14][15][16]

[14]**Translator's note (L175):** The wording ولا كنّا نقول literally means "nor did we say," as translated. In context, a reading such as ولكنّا نقول, "but we say," would fit the author's subsequent distinction, but it is not the supplied wording. The Qur'anic quotation, corresponding to 3:7, repeatedly omits written alifs in recognizable words. These orthographic defects do not alter the translated wording. The unpunctuated Arabic permits different syntactic attachments at "except God"; the translation takes "Those firmly rooted in knowledge say" as a new sentence.

[15]**Translator's note (L176):** The Qur'anic quotation corresponding to 2:256 contains repeated omissions of written alifs; the recognizable wording is translated without a change of sense.

[16]**Qur'an references (L173):** Qur'an 3:7 (Ali 'Imran).

L177–181 As for every hadith that we have established as authentic and abrogating, against which no conflicting text has come, and every verse that has likewise come with no conflicting text; or every text, whether an authentic hadith or a verse, opposed by another text of either kind: the one whose ruling adds to that of the other is the certain truth, because it is a religious law coming from God Most High. It is not lawful to abandon it except on the basis of a text showing that it has been abrogated or rendered specific in scope. Regarding all texts of this kind, we are certain that we are right before God, Mighty and Majestic, in believing what they entail, and that whoever disagrees with us concerning them is mistaken before God, Mighty and Majestic. Likewise, concerning every consensus whose transmission from the Prophet, may God bless him and grant him peace, is established as authentic and certain, we assert categorically that we are right before God, Mighty and Majestic, even if, after the consensus, disagreement arises concerning a subsidiary branch of the question. If the opponent adduces a hadith with an omitted link in its transmission or a weak transmission, we do not follow him, nor do we assert categorically that he maintains a false position before God, Mighty and Majestic. Rather, we say, "This is the truth in our judgment," unless we become certain that that report has never been transmitted with a connected chain through an authentic route. We then assert categorically that it is false before God Most High, as we shall explain later in the chapter discussing reports, if God Most High wills. If, however, he adduces no text as evidence for it, but instead relies on unquestioning adherence to authority or analogy, then we assert categorically that he is mistaken before God Most High and that we are right before Him, Most High. Every inference other than what we have mentioned—whether unquestioning adherence to a Companion or anyone below him, analogy, or juristic preference—is certainly false before God, Mighty and Majestic. Success comes through God Most High.

Section: Whether One Who Denies a Claim Must Supply Evidence

ʿAlī ibn Aḥmad said: People have divided into two groups on this matter. One group says, "Evidence is required of anyone who declares something obligatory or establishes a ruling or a proposition; no evidence is required

وأما كل حديث صح عندنا أنه ناسخ ولم يأت له معارض، وكل آية وردت كذلك لا معارض لها. أو كل نص من حديث صحيح أو آية عارضهما نص آخر منهما. فإن الزائد في حكمه على الآخر هو الحق المتيقن. لأنه شرع وارد من عند الله تعالى لا يحل تركه إلا بنص يبين أنه منسوخ أو مخصوص، فما كان هكذا من النصوص كلها فنحن موقنون بأننا فى اعتقاد موجبها محقون عند الله عز وجل وأن مخالفنا فيها مخطىء عند الله عز وجل وكل إجماع صح وتيقن على نقله عن النبي صلى الله عليه وسلم فنحن قاطعون أيضا على أننا فيه محقون عند الله عز وجل. وإن حدث بعد الإجماع اختلاف في فرع من فروع المسألة. وإن استدل المخالف بحديث مرسل أو نقل ضعيف، لم نتبعه ولم نقطع على أنه مبطل عند الله عز وجل. بل نقول: هذا الحق عندنا إلا أن نتيقن أن ذلك الخبر لم يأت قط مسندا من طريق يصح، فنقطع حينئذ على أنه باطل عند الله تعالى على ما نبين بعد هذا في باب الكلام في الأخبار إن شاء الله تعالى. فإن لم يحتج في ذلك بشيء من نص، لكن بتقليد أو قياس، فنحن قاطعون بأنه مخطىء عند الله تعالى، وأننا محقون عنده تعالى، ولكل استدلال ما عدا ما ذكرناه من تقليد صاحب فمن دونه، أو قياس أو استحسان، فهو باطل بيقين عند الله عز وجل وبالله تعالى التوفيق فصل في هل على النافي دليل أو لا قال علي بن أحمد اختلف الناس في هذا على قسمين: فطائفة قالت: الدليل على من أوجب شيئا، أو ثبت حكما أو قضية. وليس على النافي دليل. وقالت طائفة: الدليل يلزم إقامته النافي والموجب معا. قال علي: والصحيح من ذلك أنا وجدنا الله تعالى أنكر على من حقق شيئا بغير علم وأنكر على من كذب بغير علم فقال تعالى {قل إنما حرم ربي لفواحش ما ظهر منها وما بطن ولإثم ولبغي بغير لحق وأن تشركوا بالله ما لم ينزل به سلطانا وأن تقولوا على الله ما لا تعلمون} فقد حرم الله تعالى بنص هذه الآية أن يقول أحد على

of one who denies." Another group says, "Both the one who denies and the one who affirms are required to produce evidence."

ʿAlī said: The correct position on this is that we find that God Most High has reproved anyone who asserts something without knowledge, and has reproved anyone who declares something false without knowledge. He, Most High, said: {Say: My Lord has prohibited only indecencies, those that are apparent and those that are hidden, sin, wrongful aggression, your associating with God that for which He has sent down no authority, and your saying about God what you do not know.} Thus God Most High has prohibited by the explicit wording of this verse, anyone's saying anything about God, Mighty and Majestic, whose correctness he does not know. The correctness of anything beyond the first principles of reason and immediate sense perception can be known only through evidence. This verse therefore obliges anyone who claims to establish something to produce evidence for it; otherwise, he has done something prohibited to him. He, Most High, said: {Rather, they declared false that which they had not encompassed in knowledge and whose interpretation had not yet come to them. Likewise did those before them declare false; so behold how the wrongdoers ended.} Thus He, Most High, reproved a person's declaring something false when he does not know that it is false. He, Most High, said: {They said, "None shall enter the Garden unless he is a Jew or a Christian." Those are their wishes. Say: "Bring your demonstration, if you are truthful."} Thus He, Most High, has obliged everyone who claims to be speaking the truth to produce a demonstration; otherwise, his statement has no standing. We find that everyone who denies claims to speak the truth in denying what he denies, and we find that everyone who affirms claims to speak the truth in affirming what he affirms. Both groups are therefore obliged to produce a demonstration for their claim, if they are truthful.

ʿAlī said: As for those of our companions who argue that the one who denies is exempt from supplying evidence because the Messenger of God, may God bless him and grant him peace, required the claimant to supply proof and the one who denies to swear an oath, this applies only to judicial proceedings. For there is no disagreement among the people of the faith that no oath is

الله عز وجل شيئا لا يعلم صحته، وعلم صحة كل شيء مما دون أوائل العقل وبداءة الحس لا يعلم إلا بدليل. فلزم بهذه الآية من ادعى إثبات شيء أن يأتي عليه بدليل وإلا فقد أتى محرما عليه. وقال تعالى: {بل كذبوا بما لم يحيطوا بعلمه ولما يأتهم تأويله كذلك كذب لذين من قبلهم فنظر كيف كان عاقبة لظالمين} فأنكر تعالى تكذيب المرء ما لا يعلم أنه كذب وقال تعالى {وقالوا لن يدخل لجنة إلا من كان هودا أو نصارى تلك أمانيهم قل هاتوا برهانكم إن كنتم صادقين} فأوجب تعالى على كل مدع المصدق أن يأتي ببرهان، وإلا فقوله ساقط، ووجدنا كل ناف مدعيا للصدق في نفيه ما نفى، ووجدنا كل مثبت مدعيا للصدق في إثباته ما أثبت، فلزم كلتا الطائفتين أن تأتي بالبرهان على دعواها إن كانت صادقة. قال علي: وأما من احتج من أصحابنا في إسقاط الدليل عن النافي بإيجاب رسول الله صلى الله عليه وسلم البينة على المدعي واليمين على من أنكر فإنما في الأحكام فإنه لا خلاف بين أهل الملة في أنه لا يمين على من أنكر شيئا في المناظرة في غير الأحكام. قال علي: فإذا اختلف المختلفان، فأثبت أحدهما شيئا ونفاه الآخر، فعلى كل واحد منهما أن يأتي بالدليل على صحة دعواه كما بيناه آنفا بحكم كلام الله عز وجل، فأيهما أقام البرهان صح قوله، ولا يجوز أن يقيماه معا لأن الحق لا يكون في ضدين، ومن الممتنع أن يكون الشيء باطلا صحيحا في حال واحدة من وجه واحد، فإن عجز كلاهما عن إقامة الدليل، وهذا ممكن، فحكم ذلك الشيء أن يتوقف فيه فلا يوجب ولا ينفي، لكن يترك في حد الإمكان لأنه لو أقام الدليل موجبه، لكان الشيء موجبا حقا، ولو أقام الدليل نافيه لكان الشيء باطلا منفيا. فإن لم يقمه واحد منهما قيل في ذلك الشيء هذا ممكن أن يكون حقا، وممكن أن يكون باطلا إلا أننا لا نقول به ولا نحكم به ولا نقطع على أنه باطل، وهكذا نص قوله تعالى {ولا تقف ما ليس لك به علم إن لسمع ولبصر ولفؤاد كل أولئك كان عنه

required of someone who denies something in a disputation outside judicial proceedings.

ʿAlī said: When two disputants disagree, one affirming something and the other denying it, each must produce evidence for the correctness of his claim, as we have just explained, in accordance with the judgment of the words of God, Mighty and Majestic. Whichever of them establishes the demonstration has established the correctness of his statement. They cannot both establish it, because truth cannot reside in two opposites, and it is impossible for something to be false and correct in the same state and in the same respect. If both fail to establish evidence—and this is possible—the ruling concerning that thing is that judgment must be suspended: it is neither affirmed nor denied, but left within the bounds of possibility. For if the one affirming it established the evidence, the thing would be established as affirmative and true; and if the one denying it established the evidence, the thing would be established as false and negated. If neither establishes it, one says concerning that thing, "This may be true, and it may be false; nevertheless, we do not profess it, nor rule on its basis, nor assert categorically that it is false." Such is the explicit wording of His saying, Most High: {Do not pursue that of which you have no knowledge. Indeed, hearing, sight, and the heart—each of these shall be questioned about.} It has also been related from the Prophet, may

مسؤولا} وقد روي عن النبي صلى الله عليه وسلم في حديث أهل الكتاب لا نصدق ولا نكذب ولكن نقول الله أعلم.

God bless him and grant him peace, concerning the account of the People of the Book: "We neither affirm nor deny, but say, 'God knows best.'"[17][18][19][20]

L182 ʿAlī said: What led our companions to discuss this question was simply their disagreement concerning analogy.

L183–189 There is no point in dwelling at length on this or engaging in contentious argument, for the demonstrations establishing the soundness of our position that analogy is invalid are exceedingly numerous and clear. There is therefore no point in resisting its proponents with arguments of this kind. Rather, we say to them: It falls to us to provide the demonstration establishing the soundness of our position that it is invalid. Once we have established that, we shall ask you for your evidence establishing its validity. We do not content ourselves with saying that the thing is invalid and that there is therefore no point in undertaking to establish an argument against what one knows with certainty to be correct—even though this is a correct statement. Instead, we say to them: Bring forward everything you adduce to establish its validity; then it falls to us to refute it all, through God Most High's power and strength. We are confident of the clarity of the case for its invalidity and the ease with which it can be apprehended: it is not obscure and hidden, but clear and manifest. We have treated this exhaustively—praise be to God—in 3 the

قال علي: وإنما أوقع أصحابنا في الكلام في هذه المسألة اختلافهم في القياس،

ولا معنى للتطول فيها والشغب، لأن البراهين على صحة قولنا في إبطال القياس كثيرة جدا واضحة، فلا معنى لمدافعة القائلين به بمثل هذا، بل نقول لهم علينا البرهان في صحة قولنا بإبطاله، فإذا أثبتناه سألناكم عن أدلتكم على إثباته، ولا نقنع بأن نقول إن الشيء أنه باطل فلا معنى لتكلف إقامة الحجة على ضد ما تيقنت صحته، وإن كان هذا قولا صحيحا. ولكنا نقول لهم: هاتوا كل ما تحتجون به في إثباته، ثم علينا نقضه كله بحول الله تعالى وقوته، ثقة منا بوضوح الأمر في إبطاله، وسهولة المأخذ في ذلك، وأنه ليس من الغامض الخفي لكن من الواضح الجلي وقد استوعبنا ذلك ولله الحمد في 3 باب الكلام في القياس والعلل من كتابنا هذا، وفي كتابنا المرسوم بكتاب التقريب أيضا، ولا حول ولا قوة إلا بالله العلي العظيم، وإحجاجنا لهم بكل ما شغبوا به وزدناهم احتجاجا بما لم يحتجوا به لأنفسهم، وبينا بطلان كل ما يمكن أن يموه به ذلك مموه، وبالله تعالى التوفيق. قال علي: كل أمر ثبت بيقين إما بحس، وإما ببديهة عقل، وإما بمقدمات راجعة إليهما مما وجد في نص قرآن أو نص سنة أو إجماع، ثم ادعى مدع أن ذلك الحكم قد بطل وانتقل، فعليه الدليل ههنا وليس هذا على الثابت على ما قد صح، لأن الدليل قد ثبت بصحة قوله، وما ثبت دليله فالقائل به غير مكلف تحديده في كل وقت، وهذا شيء يقضي العقل بفساده كمن ادعى أن في الدنيا بلادا فيها ناس يمشون على أربع لا على رجلين، ورؤوسهم على أسافلهم. أو ادعى أن في الناس قوما لهم حاسة سادسة غير حواسنا، أو ادعى أن فلانا الذي عهدناه حيا مات، فأراد قسم ميراثه ونكاح نسائه، أو أن فلانا طلق امرأته التي عهدنا صحة زوجيته معها، أو أن هذا الرجل الذي عهدنا عدالته قد فسق، أو أن فلانا الذي عهدنا فسقه قد

[17] **Translator's note (L178):** A mursal hadith is rendered here as "a hadith with an omitted link in its transmission"; the later musnad is rendered as a report transmitted "with a connected chain." The supplied ولكل استدلال contains an apparently intrusive lām, making the sentence grammatically irregular. The translation follows its evident construction as a general statement about every such inference. The Qur'anic quotation corresponding to 7:33 contains repeated omissions of written alifs; its recognizable wording is translated.

[18] **Translator's note (L180):** In مدع المصدق, the supplied المصدق is awkward in context. The translation follows the surrounding argument about claiming truthfulness; the transmitted wording may be corrupt. The Qur'anic quotations corresponding to 10:39, 2:111, and 17:36 contain repeated omissions of written alifs. Their recognizable wording is translated, retaining the incomplete final quotation.

[19] **Translator's note (L181):** The report is supplied in the first-person plural, "We neither affirm nor deny," and is translated accordingly; it should not silently be replaced with the more familiar imperative wording, "Do not affirm ... or deny."

[20] **Qur'an references (L177):** Qur'an 6:151 (Al-An'am); Qur'an 7:33 (Al-A'raf); Qur'an 10:39 (Yunus); Qur'an 2:111 (Al-Baqarah); Qur'an 17:36 (Al-Isra).

chapter discussing analogy and underlying causes in this book of ours, and also in our book entitled The Book of Approximation. There is no power and no strength except through God, the Most High, the Magnificent. We have confronted them with arguments concerning everything with which they have raised contentious objections, and have furnished them with additional arguments that they themselves did not adduce on their own behalf. We have explained the invalidity of everything by which anyone might seek to lend this a deceptive appearance of plausibility. Success comes through God Most High.

ʿAlī said: Whenever any matter has been established with certainty, whether through sense perception, an immediate intuition of reason, or premises traceable to these two, among what is found in an explicit text of the Qurʾān, an explicit text of the Sunna, or consensus, and someone then claims that this ruling has ceased to apply and has changed, the evidence here is incumbent upon him. It is not incumbent upon the person who remains steadfast in what has already been established as correct, because the evidence establishing the correctness of his position has already been established. Where the evidence for a position has been established, its proponent is not obliged to define it at every moment. This is something whose unsoundness reason judges: as when someone claims that there are lands in the world where people walk on four limbs rather than two legs, with their heads on their lower parts; or claims that among humankind there are people with a sixth sense other than our senses; or claims that so-and-so, whom we knew to be alive, has died, and consequently seeks the division of his estate and marriage to his wives; or that so-and-so has divorced his wife, whose marriage to him we knew to be valid; or that this man, whom we knew to be upright, has become morally dissolute; or that so-and-so, whose moral dissoluteness we knew, has become upright; or that so-and-so, whom we knew not to be a governor, has been appointed to govern such-and-such a town; or that so-and-so, whom we knew to be a governor, has been removed from office; or that God Most High has made such-and-such a matter obligatory upon you, or forbidden such-and-such a matter to you, or permitted you something we knew to be forbidden, or released you from something we knew to be

تعدل، أو أن فلانا الذي عهدناه غير وال قد ولي الحكم في بلد كذا، أو أن فلانا الذي عهدناه واليا قد عزل، وأن الله تعالى قد ألزمكم أمر كذا، أو حرم عليكم أمر كذا، أو أحل لكم أمرا عهدناه حراما، أو أسقط عنكم أمرا عهدناه لازما، فكما ذكرنا من دعوى انتقال حال معلومة فعلى مدعي انتقالها الدليل، ولا تكلف مبطل هذا القول دليلا على بطلان قول خصمه، إذا قام الدليل على صحة قوله، ولا يلزم التكرار للدليل بلا خلاف ما كل ما ذكرنا حاشا مسائل الإلزام والتحريم والإحلال والإسقاط، فخصومنا موافقون لنا على القول بقولنا فيها بلا خلاف، ومستخفون بمن خالفنا. وأما هذه المسائل الأربعة المذكورة، فدليلنا على صحة قولنا هو قوله تعالى {يأيها لذين آمنوا لا تسألوا عن أشيآء إن تبد لكم تسؤكم وإن تسألوا عنها حين ينزل لقرآن تبد لكم عفا لله عنها ولله غفور حليم * قد سألها قوم من قبلكم ثم أصبحوا بها كافرين} فصح بنص الآية أن ما لم ينزل بنص القرآن وجوبه أو تحريمه فهو ساقط معفو عنه. وأما بطلان قول من ادعى سقوط شيء قد ثبت بنص أو إجماع أو إحلال ما قد حرم بنص أو إجماع، فقد أبطل ذلك ربنا تعالى بقوله: {أفتطمعون أن يؤمنوا لكم وقد كان فريق منهم يسمعون كلام لله ثم يحرفونه من بعد ما عقلوه وهم يعلمون} وقال تعالى {لطلاق مرتان فإمساك بمعروف أو تسريح بإحسان ولا يحل لكم أن تأخذوا مما آتيتموهن شيئا إلا أن يخافآ ألا يقيما حدود لله فإن خفتم ألا يقيما حدود لله فلا جناح عليهما فيما فتدت به تلك حدود لله فلا تعتدوها ومن يتعد حدود لله فأولئك هم لظالمون} وقال تعالى {وإن كادوا ليفتنونك عن لذي أوحيناآ إليك لتفتري علينا غيره وإذا لاتخذوك خليلا} قال علي: فبين الله تعالى بيانا جليا لا إشكال فيه، أنه لا يحل تحريف كلام الله تعالى ولا تعدي حدوده، ولا أن نترك ما أوحي إلينا، وأن من خرج عن شيء من ذلك فهو ظالم مفتر على الله تعالى، فوجدنا الله عز وجل قد ألزمنا طاعة ما جاء في القرآن وطاعة ما جاء عن نبيه صلى الله عليه وسلم لأنه إنما ينطق عنه عز وجل

obligatory. In every case we have mentioned involving a claim that a known state has changed, the evidence is incumbent upon the person claiming that it has changed. You must not require the person who rejects this assertion to furnish evidence that his opponent's assertion is invalid when the evidence establishing the correctness of his own position has already been established. Repetition of the evidence is not required, without disagreement. In all that we have mentioned, apart from the questions of imposing obligations and prohibiting, permitting and releasing from obligations, our opponents agree with us in maintaining our position, without disagreement, and hold those who disagree with us in contempt. As for these four questions mentioned, our evidence establishing the correctness of our position is His saying, Most High: {O you who believe, do not ask about things which, if disclosed to you, would distress you. But if you ask about them while the Qur'ān is being sent down, they will be disclosed to you. God has pardoned them, and God is forgiving, forbearing. A people before you asked about them, then became disbelievers on their account.} Thus the explicit wording of the verse establishes that whatever has not been revealed as obligatory or forbidden in an explicit text of the Qur'ān is waived and pardoned. As for the invalidity of the assertion of anyone who claims that something established by an explicit text or consensus has ceased to apply, or that something forbidden by an explicit text or consensus has become permissible, our Lord Most High has invalidated that through His saying: {Do you then hope that they will believe you, when a group of them used to hear the speech of God and then distort it after they had understood it, knowingly?} And He said, Most High: {Divorce is twice; then retention on fair terms or release with kindness. It is not lawful for you to take anything of what you have given them, unless the two fear that they will not maintain God's limits. If you fear that the two will not maintain God's limits, there is no blame upon either of them concerning that with which she ransoms herself. Those are God's limits, so do not transgress them. Whoever transgresses God's limits—those are the wrongdoers.} And He said, Most High: {Indeed, they almost tempted you away from what We revealed to you, so that you might fabricate against Us something other than it; then they would have taken you as a close friend.}

وطاعة ما أجمع عليه جميع المسلمين عن نبيهم عليه السلام وأن هذه حدود الله تعالى فمن أراد إخراجنا عما ثبت بشيء منها، وأن يعدى بنا عنها فقد حرف كلام الله تعالى وظلم، وأراد الفتنة عن الوحي وتكلف القربة إلا أن يأتي بنص أو إجماع على دعواه، وإلا فنحن باقون على تلك الحدود، غير متعدين لها ولا مفترين غيرها ولا محرفين لما قد ثبت بها، وبالله تعالى التوفيق. وأيضا فإن من طرد هذا الأصل لزمه أن: إن ادعى مدع على آخر أنه قتل وأنكر ذلك المدعى عليه أن يكلف المدعي عليه الدليل على براءته وإلا قتله، ومن ادعى وجوب صيام مفترض غير رمضان وغير ما جاء في النص من الكفارات والنسك والنذر والقضاء، أن يكلف المانع من ذلك الدليل، وهذا خروج عن الإسلام مع ما فيه من مخالفة العقول. وكذلك القول فيمن قال بصحة الإلهام قول الرافضة في الإمام، ومن ادعى الغول والعنقاء والنسناس وجميع الخرافات، فإن كل ذلك لا يحل القول بشيء منه، ولا الإقرار به، وهو كله على الدفع والرد والإبطال بلا دليل يكلفه مبطله، وإنما البرهان على من حقق شيئا من ذلك أو أوجبه. وهكذا كل دعوى أراد مدعيها إثبات شيء لم يثبت، أو إبطال شيء قد ثبت لا تحاشي شيئا فإنه لا برهان على من امتنع من القول بشيء من ذلك، لأنه فعل ما يلزمه من ذلك، وإنما البرهان على من أراد إلزام شيء من ذلك فقط، فإن أتى به صحت دعواه، وإلا فواجب تركها وردها، وإن كانت ممكنة غير ممتنعة، وفيما ذكرنا من نص كلام الله تعالى كفاية توجب ضرورة العلم بما ذكرنا وبالله تعالى التوفيق

ʿAlī said: God Most High has thus explained, with a manifest explanation admitting of no uncertainty, that it is not lawful to distort the speech of God Most High, to transgress His limits, or to abandon what has been revealed to us, and that anyone who departs from any of this is a wrongdoer who fabricates against God Most High. We have found that God, Mighty and Majestic, has obliged us to obey what has come in the Qurʾān, to obey what has come from His Prophet, God bless him and grant him peace—because he speaks only on His behalf, Mighty and Majestic—and to obey that upon which all Muslims have reached consensus from their Prophet, peace be upon him, and that these are the limits of God Most High. Whoever wishes to remove us from what has been established by any of these, and to lead us beyond them, has distorted the speech of God Most High, acted wrongfully, sought to tempt us away from revelation, and undertaken to seek nearness to God—unless he brings an explicit text or consensus supporting his claim. Otherwise, we remain within those limits, neither transgressing them, nor fabricating others, nor distorting what has been established through them. Success comes through God Most High. Furthermore, whoever consistently applies this principle is bound, if someone alleges against another that he has killed someone and this is denied by the defendant, to require the defendant to furnish evidence of his innocence, failing which he would kill him. And if someone claims that an obligatory fast is incumbent apart from Ramadan and apart from the expiations, sacrificial rites, vows, and making up of missed fasts specified in the explicit text, he is bound to require evidence from the person who rejects this. This constitutes departure from Islam, in addition to its opposition to reason. The same applies to anyone who asserts the validity of inspiration, to the Rāfiḍa's assertion concerning the imam, and to anyone who asserts the existence of the ghoul, the ʿanqāʾ, the nasnās, and all such fables. It is not lawful to assert or acknowledge any of this. All of it is to be rejected, repudiated, and declared invalid, without requiring evidence from the person declaring it invalid. The demonstration is incumbent only upon whoever affirms any of it as real or declares it obligatory. The same applies to every claim by which its claimant seeks to establish something that has not been established, or to invalidate something that has been established, without excepting anything. No demonstration is incumbent upon someone

who declines to affirm any of this, because in doing so he has done what is incumbent upon him. The demonstration is incumbent only upon whoever wishes to impose any of this. If he produces it, his claim is sound; otherwise, it must be abandoned and rejected, even if it is possible and not impossible. The explicit wording of God Most High's speech that we have cited is sufficient to necessitate certain knowledge of what we have stated. Success comes through God Most High.[21][22][23][24][25]

[21] **Translator's note (L183):** The wording of the sentence beginning "We do not content ourselves" is syntactically awkward, particularly "that the thing is invalid"; the translation preserves its apparent argument without silently rewriting the Arabic. The isolated numeral "3" before "the chapter" appears to be an intrusive transcription or reference marker and is retained. The supplied word translated "define it" is taḥdīdahu. The context would more naturally suggest tajdīdahu, "renew it," but the supplied reading has not been silently corrected.

[22] **Translator's note (L185):** The wording around "without disagreement" and "in all that we have mentioned" is textually awkward: the supplied mā does not yield a clear construction. The translation follows the apparent continuity with the next segment, which states that the opponents agree in all the cases except the four specified questions.

[23] **Translator's note (L187):** The phrase translated "undertaken to seek nearness to God" reads takallafa al-qurba. Its connection with the surrounding accusations is unclear; the supplied wording has been retained rather than replaced by a conjectural reading.

[24] **Translator's note (L189):** The Arabic places "the Rāfiḍa's assertion concerning the imam" directly after the reference to inspiration without an explicit conjunction or other clear syntactic link. The translation treats it as a further parallel case; it may instead explain the kind of inspiration intended. The 'anqā' is a fabulous bird; the nasnās is a fabulous humanoid creature. Their names are retained because precise English identifications would imply more specificity than the text supplies.

[25] **Qur'an references (L183):** Qur'an 5:101 (Al-Ma'idah); Qur'an 5:102 (Al-Ma'idah); Qur'an 2:75 (Al-Baqarah); Qur'an 2:229 (Al-Baqarah); Qur'an 17:73 (Al-Isra).



الباب 8: البيان ومعناه

Chapter 8: Clarification and Its Meaning

Ibn Ḥazm · Arabic–English parallel edition

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[الباب الثامن في البيان ومعناه]

قال علي قد بينا في باب تفسير الألفاظ الدائرة بين أهل النظر حد البيان وتفسيره. ونحن نقول: إن التخصيص أو الاستثناء نوعان من أنواع البيان لأن بيان الجملة قد يكون بتفسير كيفيتها وكميتها دون أن يخرج من لفظها شيء يقتضيه في اللغة كقوله تعالى وآتوا الزكاة فبين رسول الله صلى الله عليه وسلم ما هية هذه الزكاة المأمور بإيتائها دون أن يخرج من لفظ الزكاة شيئا وكذلك فسر عليه السلام من صفات النكاح والحج وغير ذلك وقد يكون باستثناء مثل ما روى عن نهيه عليه السلام عن بيع الرطب بالتمر ثم استثنى العرايا فيما دون خمسة أوسق فكان هذا مخرجا بحكم العاريا من جملة النهى المتقدم وقد يكون الاستثناء بألفاظ الاستثناء مثل: إلا وخلا وحاشا وما لم، وما أشبه ذلك. وقد يكون حكما وأردا بلفظ الأمر، أو بلفظ الخبر، مستثنى من جملة أخرى، وهذا يسمى التخصيص، كتحريمه تعالى نكاح المشركات جملة ثم جاءت إباحة نكاح نساء أهل الكتاب بالزواج فكان هذا تخصيصا من الجملة المذكورة. وأما النسخ، فهو رفع الحكم أو بعضه جملة، والفرق بينه وبين الاستثناء والتخصيص أن الجملة الواردة التي جاء التخصيص أو الاستثناء منها لم يرد الله تعالى قط إلزامها لها على عمومها وقتا من الدهر كالذي ذكرنا من تحريم المشركات، فإنه لم يرد قط بذلك نكاح نساء الكتابيين بالزواج، وكذلك القول في العرايا وأما النسخ فإننا مكلفون بالجملة الأولى على عمومها مدة ما لم يأت أمر بإبطالها عنا، أو إبطال بعضها على ما تبين في باب النسخ إذا بلغنا إليه إن شاء الله تعالى.

[Chapter Eight: Clarification and Its Meaning]

ʿAlī said: We have already set out the definition and explanation of clarification in the chapter explaining the expressions current among those engaged in theoretical inquiry. We say that specification and exception are two kinds of clarification. For a comprehensive statement may be clarified by explaining its manner and quantity without excluding anything that its wording encompasses in the language. An example is His saying, exalted is He, "And give the zakāt." The Messenger of God, God bless him and grant him peace, explained what this zakāt that people were commanded to give consisted of, without excluding anything from the expression "zakāt." Likewise, he, peace be upon him, explained characteristics of marriage, pilgrimage, and other matters. Clarification may also occur through an exception, as in the report that he, peace be upon him, prohibited selling fresh dates for dried dates, then excepted ʿarāyā transactions involving less than five wasqs. This excluded the ruling concerning ʿarāyā from the comprehensive prohibition previously stated. An exception may be expressed through the expressions of exception, such as "except," "excluding," "apart from," "unless," and similar expressions. It may also take the form of a ruling conveyed in the wording of a command or a declarative statement, excepted from another comprehensive statement. This is called specification. An example is His comprehensive prohibition, exalted is He, of marrying polytheistic women, followed by permission to marry women of the People of the Book through marriage. This specified an exception to the comprehensive statement mentioned. Abrogation, however, is the outright removal of a ruling or part of it. The difference between it and exception or specification is that, in the case of a comprehensive statement from which a specification or exception is made, God, exalted is He, never intended its application in its full generality to be binding at any time whatsoever. Such is the prohibition of polytheistic women that we mentioned: He never intended thereby to prohibit marrying women of the scriptural communities through marriage. The same applies to ʿarāyā. In abrogation, however, we are obligated to observe the first comprehensive statement in its full generality for a period, until a command comes releasing

us from it or invalidating part of it, as will be explained in the chapter on abrogation when we reach it, if God, exalted is He, wills.[1]

L192 As for the forms of clarification we have mentioned—explanation, exception, and specification—the Qur'an may clarify the Qur'an, a hadith may clarify the Qur'an, and consensus may clarify the Qur'an. Likewise, the Qur'an may clarify a hadith, a hadith may clarify a hadith, and transmitted consensus may clarify a hadith.

L193–198 By our expression "hadith," we mean only a command, an action, a tacit approval, or a gesture. All of these may clarify the Qur'an, and the Qur'an may clarify them. We distinguished above between specification and exception, on the one hand, and abrogation, on the other, because we know with certainty that obedience to God, mighty and majestic, and His Messenger, peace be upon him, is obligatory upon us. It is therefore forbidden for us to depart from obedience to them in anything commanded, or to say of anything imposed upon us that it has been abrogated and has ceased to bind after having been obligatory, except through clear clarification admitting no doubt. When we find a ruling part of which has been removed through exception or specification, we are certain that that part is not binding upon us. No one may therefore say that it was binding and then ceased to bind, for he would thereby have pursued something of which he had no knowledge and spoken on the basis of doubt rather than certainty. That is forbidden. We may not say that such-and-such a ruling became binding upon us except with certainty, and after becoming binding it does not cease to bind except with certainty. For this reason we maintain the distinction mentioned between abrogation and exception or specification: if we say that something is abrogation, we have acknowledged that it became binding and then ceased to bind. This may not be said except with certainty. Success comes through God, exalted is He. Among the instances in which the Qur'an is specified by the Qur'an is His saying, exalted is He, "Except with their spouses or those whom their right hands possess." He, exalted is He, thus excepted spouses and

[1] **Translator's note (L191):** ʿArāyā denotes the exceptional date transaction discussed here; wasq is a measure of capacity. Both terms are retained to preserve the technical wording.

فأما وجوه البيان التي ذكرنا من التفسير والاستثناء والتخصيص، فقد يكون بالقرآن للقرآن، وبالحديث للقرآن، وبالإجماع للقرآن، وقد يكون بالقرآن للحديث، وبالحديث للحديث، وبالإجماع المنقول للحديث

وقولنا الحديث إنه انما نعني به الأمر والفعل والإقرار والإشارة فكل ذلك يكون بيانا للقرآن ويكون القرآن بيانا له وإنما فرقنا آنفا بين التخصيص والاستثناء وبين النسخ لأنه قد تيقنا وجوب طاعة الله عز وجل ورسوله عليه السلام علينا فحرام علينا الخروج عن طاعتهما في شيء مما امر به أو أن نقول في شيء مما ألزمنا إنه منسوخ ساقط بعد وجوبه إلا ببيان جلي لا شك فيه وإذا وجدنا لحكم سقط بعضه بالاستثناء أو التخصيص فنحن على يقين من أنه لا يلزمنا فلا يحل لأحد أن يقول إنه لزم ثم سقط، فيكون قد قفا ما ليس له به علم، وقال بشك لا بيقين وذلك حرام ولا يجوز بأن نقول بأن الحكم كذا لزمنا إلا بيقين ولا يسقط بعد لزومه إلا بيقين، فلهذا قلنا بالفرق المذكور بين النسخ وبين الاستثناء والتخصيص، لأننا إذا قلنا في ذلك إنه نسخ فقد اقررنا أنه لزم ثم سقط، وهذا لا يحل قوله إلا بيقين, وبالله تعالى التوفيق ومما خص من القرآن بالقرآن قوله تعالى إلا على أزواجهم أو ما ملكت أيمانهم فاستثنى تعالى الأزواج وملك اليمين من جملة ما حظر من إطلاق الفروج، ثم خص تعالى الجمع بين الأختين وبين الأم والابنة والربيبة الزانية والحريمة بالقرابة والشركة بالقرآن، وخص الحريمة بالرضاع بالسنة، والذكور والبهائم، والأمة المشركة بالإجماع المأخوذ من معنى دليل النص الثابت لا يحتمل إلا وجها واحد بالحظر من جملة المباح بملك اليمين فإن قال قائل: لا يجوز أن يبين القرآن إلا بالسنة لأن الله تعالى يقول وأنزلنا إليك الذكر لتبين للناس ما نزل إليهم قيل له وبالله تعالى التوفيق ليس في الآية التي

those possessed by the right hand from the comprehensive prohibition on unrestricted use of the sexual organs. Then, through the Qur'an, He, exalted is He, specifically excluded combining two sisters, or a mother and daughter, the adulterous stepdaughter, the woman forbidden by kinship, and "partnership." Through the Sunnah He specifically excluded the woman forbidden by suckling; and through consensus derived from the meaning indicated by the established text, which admits only one interpretation, He excluded males, beasts, and the polytheistic slave woman, prohibiting these from among what possession by the right hand permitted. If someone says, "The Qur'an may be clarified only by the Sunnah, because God, exalted is He, says, 'And We sent down to you the Reminder so that you may clarify for people what has been sent down to them,'" he is told—and success comes through God, exalted is He— The verse you mentioned does not say that he, blessings and peace be upon him, clarifies only through revelation that is not recited. Rather, it contains a clear explanation and an explicit statement that He, exalted is He, sent down the Reminder to him so that he might clarify it for people. Clarification is accomplished through speech. Thus, when the Prophet, God bless him and grant him peace, recites it, he has clarified it. If it is then indeterminate, its meaning not being understood from its wording, he clarifies it through revelation revealed to him, whether recited or unrecited, as He, exalted is He, said: "So when We have recited it, follow its recitation. Then its clarification rests upon Us." He, exalted is He, thus stated that clarification of the Qur'an rests upon Him, mighty and majestic. Since it rests upon Him, its clarification comes from Him, exalted is He. And all revelation, both recited and unrecited, is from God, mighty and majestic. He, mighty and majestic, has said, "God clarifies for you lest you go astray." And He, exalted is He, said, describing the Qur'an, "A clarification of everything." This verse therefore establishes that a recited verse may clarify another. There is no point in denying this when it has actually occurred: He, exalted is He, mentioned divorce in an indeterminate form, then explained and clarified it in the Sūrah of Divorce. Among the things stated indeterminately in the Sunnah and clarified by the Qur'an is what ʿAbd Allāh ibn Yūsuf related to us, from Aḥmad ibn Fatḥ, from ʿAbd al-Wahhāb ibn ʿĪsā, from Aḥmad ibn Muḥammad, from Aḥmad ibn ʿAlī, from Muslim: Zuhayr ibn Ḥarb related

ذكرت أنه عليه الصلاة والسلام لا يبين إلا بوحي لا يتلى بل فيها بيان جلي ونص ظاهر أنه أنزل تعالى عليه الذكر ليبينه للناس والبيان هو بالكلام فإذا تلاه النبي صلى الله عليه وسلم فقد بينه ثم إن كان مجملا لا يفهم معناه من لفظه بينه حينئذ بوحي يوحى إليه إما متلوا أو غير متلو كما قال تعالى فإذا قرأناه فاتبع قرآنه ثم إن علينا بيانه فأخبر تعالى أن بيان القرآن عليه عز وجل، وإذا كان عليه فبيانه من عنده تعالى، والوحي كله متلوه وغير متلوه فهو من عند الله عز وجل وقد قال عز وجل يبين الله لكم ان تضلوا وقال تعالى مخبرا عن القرآن تبيانا لكل شيء فصح بهذه الآية أنه تكون آية متلوة بيانا لأخرى ولا معنى لأنكار هذا وقد وجد، فقد ذكر تعالى الطلاق مجملا، ثم فسره في سورة الطلاق وبينه. ومما اجمل في السنة وبينه القرآن ما حدثناه عبد الله بن يوسف عن أحمد بن فتح، عن عبد الوهاب بن عيسى، عن أحمد بن محمد، عن أحمد بن علي عن مسلم، ثنا زهير بن حرب حدثنا إسماعيل بن علية ثنى أبو حيان ثنى يزيد بن حيان أنه سمع زيد بن أرقم يقول خطبنا رسول الله صلى الله عيله وسلم بماء يدعى خما بين مكة والمدينة فحمد الله وأثنى عليه ووعظ وذكر ثم قال: أما بعد ألا يا أيها الناس فأنما أنا بشر يوشك أن يأتيني رسول ربي فأجيب وأنا تارك فيكم ثقلين أولهما كتاب الله فيه الهدى والنور فخذوا بكتاب الله عز وجل واستمسكوا به ثم قال وأهل بيتي أذكركم الله في أهل بيتي أذكركم الله في أهل بيتي قال علي وفسر زيد بن أرقم أنهم بنو هاشم قال علي والتقليد باطل فوجب طلب من هم أهل بيته عليه السلام في الكتاب والسنة فوجدنا الله تعالى قال يا نساء النبي لستن كأحد من النساء إن اتقيتن فلا تخضعن بالقول فيطمع الذي في قلبه مرض وقلن قولا معروفا وقرن في بيوتكن ولا تبرجن تبرج الجاهلية الأولى وأقمن الصلاة وآتين الزكاة وأطعن الله ورسوله إنما يريد الله ليذهب عنكم الرجس أهل البيت ويطهركم تظهيرا واذكرن

to us: Ismāʿīl ibn ʿUlayyah related to us: Abū Ḥayyān related to me: Yazīd ibn Ḥayyān related to me that he heard Zayd ibn Arqam say: The Messenger of God, God bless him and grant him peace, addressed us at a watering place called Khumm, between Mecca and Medina. He praised God and extolled Him, admonished us and reminded us, then said: "To proceed: Take heed, people! I am only a human being. The messenger of my Lord may soon come to me, and I shall answer. I am leaving among you two weighty things. The first of them is the Book of God, in which are guidance and light. So take hold of the Book of God, mighty and majestic, and cling firmly to it." Then he said: "And the people of my household: I remind you of God concerning the people of my household. I remind you of God concerning the people of my household." ʿAlī said: Zayd ibn Arqam explained that they were the Banū Hāshim. ʿAlī said: Following authority without proof is invalid. It was therefore necessary to seek in the Book and the Sunnah who the people of his household, peace be upon him, are. We found that God, exalted is He, said: "Wives of the Prophet, you are not like any other women, if you are mindful of God. So do not be yielding in speech, lest one in whose heart is sickness should desire you; and speak fitting words. Remain in your houses, and do not display yourselves as in the display of the former age of ignorance. Establish prayer and give the zakāt and obey God and His Messenger. God desires only to remove defilement from you, people of the household, and to purify you thoroughly. And remember what is recited in your houses of the signs of God and wisdom. God is indeed Subtle, All-Aware." ʿAlī said: This verse removed doubt and made clear that the people of his household, peace be upon him, are his wives alone. As for the Banū Hāshim, they are the family of Muḥammad and the near kindred, according to the explicit text of the Qur'an and the Sunnah. Thus they fall within the apportionment of the fifth and the prohibition on receiving charity He, peace be upon him, also spoke indeterminately when he said, "I have been commanded to fight the people until they say, 'There is no god but God.'" Then God, exalted is He, explained and clarified that through His saying in Sūrat Barāʾah: "Then if they repent, establish prayer, and give the zakāt, let them go their way." If someone says, "Nothing clarified this hadith except the hadith of Ibn ʿUmar and Abū Hurayrah: 'I have been commanded to fight the polytheists when

ما يتلى في بيوتكن من آيات الله والحكمة إن الله كان لطيفا خبيرا. قال علي فرفعت هذه الآية الشك وبينت أن أهل بيته عليه السلام هن نساؤه فقط وأما بنو هاشم فإنهم آل محمد وذو القربى بنص القرآن والسنة فهم في قسمه الخمس وتحريم الصدقة وقد اجمل عليه السلام قوله أمرت أن أقاتل الناس حتى يقولوا لا إله إلا الله ثم فسر الله تعالى ذلك وبينه بقوله في سورة براءة فإن تابوا وأقاموا الصلاة وآتوا الزكاة فخلوا سبيلهم فإن قال قائل ما بين هذا الحديث إلا حديث ابن عمر وأبي هريرة أني أمرت أن أقاتل المشركين حين يقولوا لا إله إلا الله ويقيموا الصلاة ويؤتوا الزكاة ويؤمنوا بما أرسلت به. قيل له، وبالله تعالى التوفيق: هذا الخبر الذي ذكرت هو موافق لما في براءة، فصح أن الله تعالى أنزل ذلك عليه في القرآن ثم أخبر به عليه السلام أصحابه بلفظ فكان بيانا مرددا تفسيرا مؤكدا، فخبر أبي هريرة وابن عمر إنما هو حكاية لما في براءة. يعلم ذلك ببديهة العقل عند قراءة الآية والحديث المذكور. قال علي: وقد يرد البيان بالإشارة على ما في حديث كعب بن مالك مع أبي حدرد إذ أشار إليه عليه السلام بيده أن ضع النصف

they say, “There is no god but God,” establish prayer, give the zakāt, and believe in that with which I have been sent,’” he is told—and success comes through God, exalted is He—this report you mentioned agrees with what is in Barāʾah. It is therefore established that God, exalted is He, revealed that to him in the Qur’an, and that he, peace be upon him, then informed his Companions of it verbally. It was thus a repeated clarification and a reinforcing explanation. The report of Abū Hurayrah and Ibn ʿUmar is merely a recounting of what is in Barāʾah. This is known through the immediate apprehension of reason upon reading the verse and the hadith mentioned. ʿAlī said: Clarification may also occur through a gesture, as in the hadith concerning Kaʿb ibn Mālik and Abū Ḥadrad, when he, peace be upon him, gestured to him with his hand: “Remit half.”[2][3][4]

[2]**Translator’s note (L193):** The sequence concerning prohibited sexual relations appears corrupt: الربيبة الزانية literally means “the adulterous stepdaughter,” while الشركة means “partnership.” These supplied readings are preserved rather than silently replaced; the intended enumeration and its syntax are uncertain. بينانا is an apparent typographical error for بيانا, “clarification.”

[3]**Translator’s note (L198):** The second hadith quotation has حين, “when,” rather than حتى, “until.” The supplied wording is retained, although it sits awkwardly with the argument.

[4]**Qur’an references (L193):** Qur’an 23:6 (Al-Mu’minun); Qur’an 70:30 (Al-Ma’arij); Qur’an 16:44 (An-Nahl); Qur’an 75:18 (Al-Qiyamah); Qur’an 75:19 (Al-Qiyamah); Qur’an 4:176 (An-Nisa); Qur’an 33:32 (Al-Ahzab); Qur’an 33:33 (Al-Ahzab); Qur’an 33:34 (Al-Ahzab); Qur’an 9:5 (At-Tawbah).



PRECISION IN THE FOUNDATIONS OF LEGAL RULINGS

الباب 9: تأخير البيان

Chapter 9: Delaying Clarification

Ibn Ḥazm · Arabic–English parallel edition

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[Chapter Nine: On Delaying Clarification]

L199

L200–202 ʿAlī said: They disagreed concerning one kind of clarification. One group said: "The unelucidated statement comes first, and then the explanatory statement comes." Others said: "They come only together." Still others said: "The unelucidated statement may come before the explanatory statement, the explanatory statement before the unelucidated statement, or both together; all of this is permissible."

ʿAlī said: This is our position, except that clarification may never be delayed beyond the time when acting becomes obligatory, and the Prophet, God bless him and grant him peace, may not delay it for the blink of an eye after it has reached him. We do not say this because reason precludes that, but because an explicit text has prescribed this. We rule out God's delaying clarification beyond the time when acting becomes obligatory because of God the Exalted's saying: "God burdens no soul beyond its capacity. It shall have what it has earned, and against it shall be what it has incurred. Our Lord, do not take us to task if we forget or make a mistake. Our Lord, do not lay upon us a burden such as You laid upon those before us. Our Lord, do not burden us with what we have no strength to bear. Pardon us, forgive us, and have mercy on us. You are our Protector, so help us against the unbelieving people." We know that no one has the capacity to act upon something of which he has no knowledge. We rule out the Prophet's delaying clarification beyond the moment it reaches him, peace be upon him, because of God the Exalted's saying: "O Messenger, convey what has been sent down to you from your Lord. If you do not, then you have not conveyed His message. God will protect you from the people. God does not guide the unbelieving people." If he, peace be upon him, delayed clarification beyond the moment it reached him, then during that interval, however short, he would deserve to be described as having failed to convey it. Had he failed to convey it, he would have been disobedient. Only an ignorant person attributes this to the Prophet, God bless him and grant him peace. Anyone who persists in attributing disobedience to him through concealing the revealed law and failing to convey it is an unbeliever by the consensus of the community.

[الباب التاسع في تأخير البيان]

قال علي واختلفوا في نوع من أنواع البيان فقالت طائفة إنما يرد المجمل ثم يرد المفسر وقال آخرون لا يردان إلا معا وقال آخرون جائز ورود المجمل قبل المفسر، والمفسر قبل المجمل، وورودهما معا، كل ذلك جائز. قال علي: وبهذا نقول: إلا أنه لا يجوز أن يتأخر البيان عن وقت إيجاب العمل البتة ولا يجوز أن يؤخره النبي صلى الله عليه وسلم بعد وروده عليه طرفة عين ولسنا نقول بهذا لأن العقل يمنع ذلك، لكن لأن النص قد ورد بذلك، وإنما منعنا من تأخير الله البيان عن وقت وجوب العمل لقول الله تعالى {لا يكلف لله نفسا إلا وسعها لها ما كسبت وعليها ما كتسبت ربنا لا تؤاخذنا إن نسينآ أو أخطأنا ربنا ولا تحمل علينآ إصرا كما حملته على لذين من قبلنا ربنا ولا تحملنا ما لا طاقة لنا به وعف عنا وغفر لنا ورحمنآ أنت مولانا فنصرنا على لقوم لكافرين} وقد علمنا أنه ليس في وسع أحد أن يعمل بما لا يعرف به وإنما منعنا من تأخير النبي صلى الله عليه وسلم البيان عن ساعة وروده عليه السلام لقول الله تعالى {يأيها لرسول بلغ مآ أنزل إليك من ربك وإن لم تفعل فما بلغت رسالته ولله يعصمك من لناس إن لله لا يهدي لقوم لكافرين} فلو أخر عليه السلام البيان عن ساعة وروده عليه لكان عليه السلام في تلك المدة وإن قلت مستحقا لاسم أنه لم يبلغ، ولو أنه لم يبلغ لكان عاصيا ولا ينسب هذا إلى النبي صلى الله عليه وسلم إلا جاهل ومن تمادى على نسبة المعصية إليه في طي الشريعة وترك تبليغها فهو كافر بإجماع الأمة. قال علي: وقد نزلت الصلوات الخمس مفسرة بمكة، ثم جاءت آيات كثيرة مدنيات فيها: أقيموا الصلاة فقط، فصح بذلك ما ذكرنا من أنه قد ينزل المفسر قبل المجمل، وأما نزول المجمل قبل المفسر فقد نزل ذلك في الصيام وتحريم حشيش مكة ثم جاء تخصيص الإذخر. قال علي: وأما قولنا بتأخير الله عز وجل البيان ما لم يأت وقت إيجابه تعالى العمل به، فهو

ʿAlī said: The five prayers were revealed with their explanation in Mecca. Then many Medinan verses came containing only "Establish prayer." This establishes what we have stated: the explanatory statement may be revealed before the unelucidated statement. As for the revelation of the unelucidated statement before the explanatory statement, this occurred concerning fasting and the prohibition on cutting Mecca's herbage; then came the specific exception for idhkhir grass. ʿAlī said: As for our position that God, mighty and majestic, may delay clarification so long as the time has not come when He, exalted is He, makes acting upon it obligatory, this is expressly stated in His saying, exalted is He: "He is not questioned about what He does, while they are questioned." God, mighty and majestic, has revealed many verses containing the account of Moses, the account of Jesus, peace be upon them both, and the account of ʿĀd, Thamūd, and Abraham, peace be upon them. Some preceded others; some were revealed in Mecca and some in Medina; and some are more complete than others. Why, then, do those who would prevent their Lord, exalted is He, from doing whatever He wills, without any explicit text from Him stating that He does not do it, not object to their Lord concerning what we have mentioned, saying: "Why were these accounts not revealed in full in one place, so that they would provide fuller admonition and a more satisfying account, after which He could reinforce them in that same form if He wished?"

I would like to know: since these people acknowledge that reinforcement is wisdom, what do they say about the many accounts and admonitions that He, mighty and majestic, has mentioned in the Qurʾān only once? Do you suppose they were devoid of wisdom because they were neither repeated nor reinforced? Furthermore, if He, exalted is He, reinforced the matter of Moses, peace be upon him, by repeating it twenty times, for example, what is the difference between twenty times and twenty-one times or nineteen times? If someone claims that this number is more conducive to wisdom, he has laid claim to impudence, his shamelessness has become plain upon his face, and he has said something that he knows to be contrary to what he says. We would also ask him about other accounts repeated less often than the account of Moses, peace be upon him. If he says, "Repeating the account of Moses

منصوص في قوله تعالى: {لا يسأل عما يفعل وهم يسألون} وقد أنزل الله عز وجل آيات كثيرة فيها: قصة موسى، وقصة عيسى عليهما السلام، وقصة عاد وثمود وإبراهيم عليهم السلام، بعضها قبل بعض، وبعضها بمكة، وبعضها بالمدينة، وبعضها أكمل من بعض، فهلا اعترض المانعون ربهم تعالى من أن يفعل ما يشاء بغير نص منه تعالى أنه لا يفعله على ربهم فيما ذكرنا فيقولون: هلا نزلت هذه القصص كاملة في مكان واحد، فتكون أتم للوعظ، وأشفى للخبر، ثم يؤكدها كذلك إن شاء. وليت شعري إذ أقر هؤلاء بأن التأكيد حكمة، فماذا يقولون في قصص كثيرة ومواعظ لم يذكرها عز وجل في القرآن إلا مرة واحدة؟ أتراها عريت عن الحكمة إذ لم تكرر ولا وكدت؟. وأيضا فإن أكد تعالى تكرار مسألة موسى عليه السلام عشرين مرة مثلا ما الفرق بين عشرين مرة، وبين إحدى وعشرين مرة أو تسع عشر مرة؟ فإن ادعى أن هذا العدد أبلغ في الحكمة ادعى القحة وبانت قلة الحياء في وجهه، وقال ما يعلم أنه بخلاف ما يقول، وسألناه أيضا عن قصص أخر كررت أقل من تكرار قصة موسى عليه السلام. فإن قال اكتفى بتكرار قصة موسى. قيل له: ما الفرق أن يكتفي بتكرار قصة موسى عن تكرار قصة إبراهيم. ولا يكتفي بتكرار قصة إبراهيم عن تكرار قصة موسى؟ وما الفرق بين ذكره تعالى ما ذكر من قصص الأنبياء عليهم السلام، وبين ما أمسك عنه تعالى من ذكره لبعضهم؟ وما الفرق بين ذلك وبين أن لو ذكر من أمسك عنه وأمسك عمن ذكر، وقد ذكر من لا شريعة له غير شريعة من قبله كثيرا، كإلياس واليسع وذي الكفل، وغيرهم، ولعل من أمسك عنه تعالى ولم يذكره من الرسل أعظم آية، وأبلغ في الوعظ ممن ذكر.

sufficed," he is to be told: "What is the difference between taking repetition of the account of Moses as sufficient in place of repeating the account of Abraham, and taking repetition of the account of Abraham as sufficient in place of repeating the account of Moses? What is the difference between His mentioning, exalted is He, those accounts of the prophets, peace be upon them, that He mentioned, and His refraining, exalted is He, from mentioning some of them? What is the difference between this and His having mentioned those whom He left unmentioned and having left unmentioned those whom He mentioned?" He has frequently mentioned those who had no revealed law other than the revealed law of their predecessors, such as Elijah, Elisha, Dhū al-Kifl, and others. Perhaps those messengers whom He, exalted is He, passed over and did not mention possessed a greater sign and afforded more effective admonition than those He mentioned.[1]

قال علي: وأنا أقطع ولا أمتري أن ملقي هذه النكتة إلى ضعفاء المسلمين مغمور في دينه، ضعيف في عقله، كائد للشريعة، ولا شك في ذلك، ثم تهافت بالتقليد مع من تهافت، وبالله تعالى التوفيق.

L203 ʿAlī said: I affirm categorically, without doubt, that whoever casts this subtle objection before the weak among the Muslims is compromised in his religion, weak in his intellect, and plotting against the revealed law. There is no doubt about this. Then he plunged headlong into uncritical imitation along with those who plunged into it. Success comes through God the Exalted.[2]

L204–206 Among the questions raised by those who prohibit delaying clarification altogether was their saying: "What do you say concerning someone who has heard the verse about cutting off the thief's hand but has not heard the hadith explaining the prescribed limit in that matter? Is he to cut off the hand of every thief for a fals of gold? And concerning someone who has heard the verse about unlawful sexual intercourse but has not heard the ruling on stoning? And concerning someone who has heard the verse about suckling but has not heard the hadith concerning the prescribed limit in that matter? Is he to flog the married offender without stoning him, flog the slave woman one hundred lashes, and establish a prohibition on marriage through a single

ومما سأل عنه المانعون من تأخير البيان جملة أن قالوا: ما تقولوا فيمن سمع آية قطع السارق، ولم يسمع الحديث المبين للتوقيت في ذلك، أيقطع كل سارق لفلس من ذهب؟ وفيمن سمع آية الزنى ولم يسمع حكم الرجم، وفيمن سمع آية الرضاع ولم يسمع الحديث في التوقيت في ذلك أيجلد المحصن ولا يرجمه ويجلد الأمة مائة ويحرم برضعة واحدة أم كيف يفعل؟ فإن قلتم: ينفذ ما سمع على جملته، كنتم قد أمرتموه بالباطل. وإن قلتم: لا يفعل، أمرتموه بمعصية ما سمع من القرآن. فالجواب: أننا لم نجد قط تأخير ورود البيان عن وقت وجوب العمل، وأما قبل وجوبه فليس يلزمه إلا الإقرار بالجملة، وأن يقول: سمعت وأطعت، ولا مزيد إذا لم تكن مبينة مفهومة مثل قوله تعالى {وآتوا لزكاة} فهذا ليس عليه إلا الإقرار بتصديق ذلك كما قلنا فقط. إذ لم يأته بيان ما كلف من ذلك، وأما إن كان النص مفهوما بينا فعليه العمل به حتى يبلغه

[1] **Qur'an references (L200):** Qur'an 2:286 (Al-Baqarah); Qur'an 5:67 (Al-Ma'idah); Qur'an 21:23 (Al-Anbya).

[2] **Translator's note (L203):** The expression "maghmūr in his religion" is unusual. "Compromised in his religion" renders its apparent disparaging sense here; the precise intended meaning is uncertain.

suckling, or how is he to act? If you say that he is to implement what he has heard in its entirety, you will have commanded him to do what is false. If you say that he is not to do so, you will have commanded him to disobey what he has heard of the Qurʾān."

The answer is that we have never found clarification arriving later than the time when acting becomes obligatory. Before it becomes obligatory, he is required only to acknowledge the statement as a whole and to say, "I have heard and obeyed," and nothing more, if it has not been clarified and made comprehensible. An example is His saying, exalted is He: "And give the alms." Such a person is required only to acknowledge its truth, as we have said, and nothing more, since clarification of what he has been charged with in that regard has not reached him. But if the text is comprehensible and clear, he must act upon it until its abrogation or specification reaches him. This is unavoidable, since whoever says that he is not required to act upon what has reached him of this has said to him: "Do not obey your Lord, and do not act upon what He has commanded you, for perhaps there is a text abrogating this text, or a text specifying it." This contradicts God the Exalted's command in the Qurʾān to obey Him. Anyone who consistently pursues this foolish position must never act upon anything in the Qurʾān or the transmitted prophetic practices until he has acquired exhaustive knowledge of all the Qurʾān's rulings and mastered all the transmitted prophetic practices. This entails departing from Islam and nullifying the revealed law.

ʿAlī said: Turning this question back upon them, we ask them: "What is required of someone who heard a particular command while the Messenger, peace be upon him, was alive, concerning something that was subsequently abrogated? Is he to believe concerning that command that it is perpetual, thereby believing something false, or is he to believe that it will cease to apply after a while, thereby adopting a belief that disobeys what he has heard?" Their answer here is our answer just given to what they asked us: whoever hears that is required to acknowledge it, obey it, and believe that it is true and binding so long as nothing abrogating it has come. It thus remains perpetual; if something abrogating it comes, it is relinquished in favor of the abrogating text.

نسخه، أو تخصيصه ولا بد، إذا من قال: لا يلزمه العمل بما بلغه من ذلك فقد قال له: لا تطع ربك، ولا تعمل بما أمرك. فلعل ههنا نصا ناسخا لهذا النص، أو نصا مخصصا له، وهذا خلاف أمر الله تعالى في القرآن بطاعته. ومن طرد هذا القول السخيف لزمه ألا يعمل بشيء من القرآن، ولا السنن أبدا. حتى يستوعب معرفة جميع أحكام القرآن، وضبط جميع السنن، وفي هذا الخروج عن الإسلام وإبطال الشريعة. قال علي: ونسألهم في رد هذا السؤال عليهم فنقول ما الذي يلزم من سمع أمرا ما والرسول عليه السلام حي مما جاء النسخ بعد ذلك فيه أيعتقد في ذلك الأمر التأبيد فيكون معتقدا للباطل. أو يعتقد فيه السقوط بعد حين فيعتقد المعصية لما سمع؟ فجوابهم ها هنا جوابنا آنفا فيما سألونا عنه، وأنه يلزم من سمع ذلك الإقرار والطاعة والاعتقاد أن ه حق لازم ما لم يأت ما ينسخه فهو على التأبيد، وإن جاء ما ينسخه فهو متروك للناسخ. قال علي: وتأخير الاستثناء والتخصيص عندنا جائز كتأخير البيان جملة ولا فرق، وهو جائز ما لم يأت وقت إيجاب العمل، وبالله تعالى التوفيق.

ʿAlī said: In our view, delaying an exception or a specification is permissible, just as delaying clarification in general is permissible; there is no difference. It is permissible so long as the time when acting becomes obligatory has not come and success comes through God the Exalted.[3][4]

L207–212 ʿAlī said: Among the things that establish the soundness of our position is His saying, exalted is He: {When We recite it, follow its recitation. * Then upon Us rests its clarification.} "Then" necessarily implies an interval. And His saying, exalted is He, in the account of the angels who spoke to Abraham, peace be upon him: {They shall surely carry their burdens, and burdens along with their burdens; and on the Day of Resurrection they shall surely be questioned about what they used to fabricate. * We certainly sent Noah to his people, and he remained among them a thousand years less fifty years; then the flood seized them while they were wrongdoers. * So We delivered him and the companions of the ship, and made it a sign for all peoples. * And Abraham, when he said to his people: "Worship God and fear Him. That is better for you, if you know. * You worship only idols apart from God, and you invent falsehood. Those whom you worship apart from God possess no provision for you. So seek provision from God, worship Him, and give thanks to Him. To Him you shall be returned. * If you deny, communities before you have also denied. The messenger is responsible only for clear delivery." * Have they not seen how God originates creation, then repeats it? That is easy for God. * Say: "Travel through the earth and observe how He began creation. Then God will bring forth the final creation. God has power over all things. * He punishes whom He wills and has mercy upon whom He wills, and to Him you shall be brought back. * You cannot thwart Him

قال علي: ومما يبين صحة قولنا قوله تعالى {فإذا قرأناه فتبع قرآنه * ثم إن علينا بيانه} وثم توجب مهلة وقوله تعالى في قصة الملائكة القائلين لإبراهيم عليه السلام: {وليحملن أثقالهم وأثقالا مع أثقالهم وليسألن يوم لقيامة عما كانوا يفترون * ولقد أرسلنا نوحا إلى قومه فلبث فيهم ألف سنة إلا خمسين عاما فأخذهم لطوفان وهم ظالمون * فأنجيناه وأصحاب لسفينة وجعلناها آية للعالمين * وإبراهيم إذ قال لقومه عبدوا لله وتقوه ذلكم خير لكم إن كنتم تعلمون * إنما تعبدون من دون لله أوثانا وتخلقون إفكا إن لذين تعبدون من دون لله لا يملكون لكم رزقا فبتغوا عند لله لرزق وعبدوه وشكروا له إليه ترجعون * وإن تكذبوا فقد كذب أمم من قبلكم وما على لرسول إلا لبلاغ لمبين * أولم يروا كيف يبديء لله لخلق ثم يعيده إن ذلك على لله يسير * قل سيروا في لأرض فنظروا كيف بدأ لخلق ثم لله ينشىء لنشأة لآخرة إن لله على كل شيء قدير * يعذب من يشآء ويرحم من يشآء وإليه تقلبون * ومآ أنتم بمعجزين في لأرض ولا في لسمآء وما لكم من دون لله من ولي ولا نصير * ولذين كفروا بآيات لله ولقآئه أولئك يئسوا من رحمتي وأولئك لهم عذاب أليم * فما كان جواب قومه إلا أن قالوا قتلوه أو حرقوه فأنجاه لله من لنار إن في ذلك لآيات لقوم يؤمنون * وقال إنما تخذتم من دون لله أوثانا مودة بينكم في لحياة لدنيا ثم يوم لقيامة يكفر بعضكم ببعض ويلعن بعضكم بعضا ومأواكم لنار وما لكم من ناصرين * فآمن له لوط وقال إني مهاجر إلى ربي إنه هو لعزيز لحكيم * ووهبنا له إسحاق ويعقوب وجعلنا في ذريته لنبوة ولكتاب وآتيناه أجره في لدنيا وإنه في لآخرة لمن لصالحين * ولوطا إذ قال لقومه إنكم لتأتون

[3] **Translator's note (L204):** "A fals of gold" follows the supplied wording. A fals ordinarily denotes a copper coin; its association with gold here is awkward, and the intended monetary expression is uncertain. "The prescribed limit" translates al-tawqīt: here it concerns the qualifying amount or number in the theft and suckling rulings, rather than a time limit.

[4] **Translator's note (L205):** The supplied text has al-taʾyīd ("support" or "confirmation") twice. The argument apparently requires al-taʾbīd ("perpetuity"), which is the reading reflected in the translation; the supplied wording appears corrupt. The spacing in "an na hu" evidently splits the single word annahu ("that it").

on earth or in heaven, and apart from God you have neither protector nor helper." * Those who disbelieve in God's signs and in meeting Him—those have despaired of My mercy, and those shall have a painful punishment. * His people's answer was only to say: "Kill him or burn him." But God delivered him from the fire. In that are signs for people who believe. * He said: "You have taken idols apart from God only as a bond of affection among yourselves in the life of this world. Then, on the Day of Resurrection, you will disown one another and curse one another; your refuge will be the Fire, and you will have no helpers." * Lot believed him, and he said: "I am emigrating to my Lord. He is the Mighty, the Wise." * We bestowed Isaac and Jacob upon him, and placed prophethood and Scripture among his descendants. We gave him his reward in this world, and in the Hereafter he shall surely be among the righteous. * And Lot, when he said to his people: "You commit an indecency in which no one among all peoples has preceded you. * Do you indeed approach men, cut off the road, and commit reprehensible acts in your assembly?" His people's answer was only to say: "Bring us God's punishment, if you are among the truthful." * He said: "My Lord, help me against the people who spread corruption." * When Our messengers came to Abraham with the good news, they said: "We shall destroy the inhabitants of this town. Its inhabitants have been wrongdoers." * He said: "Lot is in it." They said: "We know best who is in it. We shall certainly deliver him and his household, except his wife; she is among those who remain behind."} Thus they spoke in general terms at first and deferred clarification until the question about Lot arose. They then answered that they had not intended him to be included in the destruction, excepting only his wife. Some of those who prohibit deferring clarification altogether have objected here, saying: "Abraham, peace be upon him, ought already to have known that Lot was excluded from the punishment, because of their saying {}—and Lot was no wrongdoer." They are told—and through God, exalted is He, comes success: Lot might have done something by which he would deserve to be counted as a wrongdoer, so Abraham, peace be upon him, feared this and asked about him. Likewise, the deliverance of his household was stated to Noah, peace be upon him, in an undetailed form. He therefore thought that 'household' meant his relatives, until it was subsequently clarified to him that what was meant by

لفاحشة ما سبقكم بها من أحد من لعالمين * أئنكم لتأتون لرجال وتقطعون لسبيل وتأتون في ناديكم لمنكر فما كان جواب قومه إلا أن قالوا ئتنا بعذاب لله إن كنت من لصادقين * قال رب نصرني على لقوم لمفسدين * ولما جآءت رسلنآ إبراهيم بلبشرى قالوا إنا مهلكو أهل هذه لقرية إن أهلها كانوا ظالمين * قال إن فيها لوطا قالوا نحن أعلم بمن فيها لننجينه وأهله إلا مرأته كانت من لغابرين} فعموا في أول الأمر وأخروا البيان حتى وقع السؤال عن لوط فأجابوا بأنهم لم يعنوه بالهلاك حاشا امرأته فقط. وقد اعترض في هذا بعض من منع من تأخير البيان جملة بأن قال: قد كان يجب أن يعلم إبراهيم عليه السلام أن لوطا خارج عن العذاب لقولهم {} ج ولوط ليس ظالما قيل لهم وبالله تعالى التوفيق. يمكن أن يحدث من لوط ما يستحق به الظلم، فأشفق إبراهيم عليه السلام من ذلك فسأل عنه، وقد أجمل لنوح عليه السلام خلاص أهله، فظن أن الأهل هم القرابة حتى بين له بعد ذلك أن المراد بأهله أهل دينه. فإن قال قائل: فما المراد من المجمل الوارد قبل ورود بيانه؟ قيل له وبالله تعالى التوفيق: المراد منا فيه هو المراد منا في المتشابه الذي أمرنا بأن نبحث عنه، ولا نبتغي تأويله، وأن يقول كل من عند ربنا، وأما المراد فيه فالذي يأتي به البيان إذا أتى ويبين قولنا قول الله تعالى {} فإنما يبين لنا لئلا نضل ولا ضلال في ورود الأمر ما لم يأت وقت وجوب العمل به، فأما إذا جاء وقت وجوب العمل به فلو تركنا نعمل بغير ما أريد منا لكنا قد ضللنا، وقد أخبرنا تعالى بأن ذلك لا يكون، وقوله تعالى صدق وحق بالله تعالى التوفيق. فعلى هذا الوجه منعنا من تأخير البيان عند وجوب العمل، وإلا فليس في العقل ما يمنع من ذلك لو شاء تعالى، ولو فعل الله تعالى ذلك لكان تعنيتا لنا وقد أخبرنا تعالى فقال {} فأخبر تعالى أنه لو أراد أن يكلفنا العنت فعل، وهذا نفس قولنا وبالله تعالى التوفيق. قال علي: يختلف في الوضوح، فيكون بعضه جليا، وبعضه خفيا، فيختلف الناس في فهمه فيفهمه بعضهم ويتأخر بعضهم عن فهمه، كما قال علي بن

his household was the people of his religion. If someone says, “What, then, is required concerning an undetailed statement that has been given before its clarification has been given?” he is told—and through God, exalted is He, comes success: What is required of us concerning it is what is required of us concerning the ambiguous, which we have been commanded to investigate, without seeking its interpretation, and to say: “All is from our Lord.” As for what is intended in it, that is what its clarification supplies when it comes. Our position is made clear by the saying of God, exalted is He: {}. He clarifies for us only so that we do not go astray; and there is no going astray in the giving of a command so long as there has not arrived the time when acting upon it becomes obligatory. But when the time when acting upon it becomes obligatory arrives, if we were left to act otherwise than as was intended of us, we would have gone astray. He, exalted is He, has informed us that this will not happen, and His saying, exalted is He, is true and right. Through God, exalted is He, comes success. It is on this basis that we prohibit deferring clarification when action becomes obligatory. Otherwise, there is nothing in reason to preclude that, had He, exalted is He, so willed. Had God, exalted is He, done that, it would have been an imposition of hardship upon us. And He has informed us —exalted is He—saying: {}. Thus He, exalted is He, has informed us that, had He wished to impose hardship upon us, He would have done so. This is precisely our position, and through God, exalted is He, comes success. ʿAlī said: It varies in clarity: some of it is evident and some obscure. People therefore differ in their understanding of it: some understand it, while others are delayed in understanding it. This is as ʿAlī ibn Abī Ṭālib, may God be pleased with him, said: “Except that God grants a man understanding of His religion.” Likewise, ʿUmar, may God be pleased with him—despite his being at the very pinnacle of knowledge, as the Prophet, God’s blessings and peace be upon him, expressly attested concerning him—found himself unable to understand the verse concerning kalālah. He died acknowledging that he had not understood it, while others among the Companions, may God be pleased with them, understood it. He, peace be upon him, rebuked him and informed him that it was clear, and that the verse revealed in summer sufficed for understanding it. Likewise, ʿAdī supposed that the white thread and the black thread were threads of the sort people use, until God, exalted is

أبي طالب رضي الله عنه: إلا أن يؤتي الله رجلا فهما في دينه، وكما تعذر على عمر رضي الله عنه وهو الغاية في العلم بنص النبي صلى الله عليه وسلم على ذلك فيه فهم آية الكلالة فمات وهو يقر أنه لم يفهمها وفهمها غيره من الصحابة رضي الله عنهم وانتهره عليه السلام وأخبره بأنها بينة يكفي من فهمها الآية التي نزلت في الصيف، وكما عرض لعدي في توهمه أن الخيط الأبيض والأسود من خيوط الناس حتى زاده الله تعالى بيانا في أن ذلك من الفجر، وقد اكتفى غير عدي بالآية نفسها، وعلم أن المراد الفجر. وكما توهم ابن أم مكتوم أنه ملوم في تأخره عن الغزو، فزاده الله بيانا باستثناء أولي الضرر، وقد اكتفى غير ابن أم مكتوم بسائر النصوص الواردة في رفع الحرج، وأن لا حرج على مريض ولا أعمى، وأن الله تعالى لا يكلف نفسا إلا وسعها. قال علي: فهذه حقائق الكلام في البيان وتأخيره مجموعة باستيعاب وإيجاز وبالله تعالى التوفيق. والتأكيد نوع من أنواع البيان قال الله عز وجل {وأتموا لحج ولعمرة لله فإن أحصرتم فما ستيسر من لهدي ولا تحلقوا رؤوسكم حتى يبلغ لهدي محله فمن كان منكم مريضا أو به أذى من رأسه ففدية من صيام أو صدقة أو نسك فإذآ أمنتم فمن تمتع بلعمرة إلى لحج فما ستيسر من لهدي فمن لم يجد فصيام ثلاثة أيام في لحج وسبعة إذا رجعتم تلك عشرة كاملة ذلك لمن لم يكن أهله حاضري لمسجد لحرام وتقوا لله وعلموا أن لله شديد لعقاب} وقال تعالى {وواعدنا موسى ثلاثين ليلة وأتممناها بعشر فتم ميقات ربه أربعين ليلة وقال موسى لأخيه هارون خلفني في قومي وأصلح ولا تتبع سبيل لمفسدين} بعد أن ذكر تعالى ثلاثين ليلة وعشرا فإن قال قائل: إن الله تعالى علمنا الحساب بذلك فقد افترى، لأننا كنا نعلم الحساب قبل نزول القرآن، نعني النوع الإنسان جملة، وبالله تعالى التوفيق. وقد أتى بعض أهل القياس المتحذلقين المتنطعين في قوله تعالى {وأتموا لحج ولعمرة لله فإن أحصرتم فما ستيسر من لهدي ولا تحلقوا

He, gave him further clarification that this referred to dawn. Others besides ʿAdī had found the verse itself sufficient and knew that dawn was intended. Likewise, Ibn Umm Maktūm supposed that he was blameworthy for staying behind from military campaigning, so God gave him further clarification by excepting those with disabilities. Others besides Ibn Umm Maktūm had found sufficient the other texts that remove hardship, state that no blame attaches to a sick person or a blind person, and state that God, exalted is He, burdens no soul beyond its capacity. ʿAlī said: These, then, are the truths concerning clarification and its deferral, brought together comprehensively and concisely. Through God, exalted is He, comes success. Emphasis is one of the kinds of clarification. God, mighty and majestic, said: {Complete the pilgrimage and the lesser pilgrimage for God. If you are prevented, then whatever sacrificial offering is readily available. Do not shave your heads until the sacrificial offering reaches its appointed place. Whoever among you is ill or has an ailment of the head must make a compensatory offering of fasting, charity, or sacrifice. When you are secure, whoever enjoys the lesser pilgrimage followed by the pilgrimage must offer whatever sacrificial offering is readily available. Whoever cannot find one must fast three days during the pilgrimage and seven when you return. Those are ten complete. That is for anyone whose household does not reside near the Sacred Mosque. Fear God, and know that God is severe in punishment.} And He, exalted is He, said: {We appointed thirty nights for Moses and completed them with ten, so the appointed time of his Lord was completed as forty nights. Moses said to his brother Aaron: "Take my place among my people, set things right, and do not follow the way of those who spread corruption."} This was after He, exalted is He, had mentioned thirty nights and ten. If someone says that God, exalted is He, taught us arithmetic by this, he has fabricated a falsehood, because we knew arithmetic before the revelation of the Qur'an—we mean the human species as a whole. Through God, exalted is He, comes success. One of the affectedly clever, over-scrupulous proponents of analogy has produced an outlandish claim concerning His saying, exalted is He: {Complete the pilgrimage and the lesser pilgrimage for God. If you are prevented, then whatever sacrificial offering is readily available. Do not shave your heads until the sacrificial offering reaches its appointed place. Whoever among you

رؤوسكم حتى يبلغ لهدي محله فمن كان منكم مريضا أو به أذى من رأسه ففدية من صيام أو صدقة أو نسك فإذآ أمنتم فمن تمتع بلعمرة إلى لحج فما ستيسر من لهدي فمن لم يجد فصيام ثلاثة أيام في لحج وسبعة إذا رجعتم تلك عشرة كاملة ذلك لمن لم يكن أهله حاضري لمسجد لحرام وتقوا لله وعلموا أن لله شديد لعقاب} بآبدة فقال معنى قوله تعالى {وأتموا لحج ولعمرة لله فإن أحصرتم فما ستيسر من لهدي ولا تحلقوا رؤوسكم حتى يبلغ لهدي محله فمن كان منكم مريضا أو به أذى من رأسه ففدية من صيام أو صدقة أو نسك فإذآ أمنتم فمن تمتع بلعمرة إلى لحج فما ستيسر من لهدي فمن لم يجد فصيام ثلاثة أيام في لحج وسبعة إذا رجعتم تلك عشرة كاملة ذلك لمن لم يكن أهله حاضري لمسجد لحرام وتقوا لله وعلموا أن لله شديد لعقاب} دليل على أن الهدي الذي عوض منه الصوم في التمتع لا يكون إلا كاملا.

is ill or has an ailment of the head must make a compensatory offering of fasting, charity, or sacrifice. When you are secure, whoever enjoys the lesser pilgrimage followed by the pilgrimage must offer whatever sacrificial offering is readily available. Whoever cannot find one must fast three days during the pilgrimage and seven when you return. Those are ten complete. That is for anyone whose household does not reside near the Sacred Mosque. Fear God, and know that God is severe in punishment.} He said: "The meaning of His saying, exalted is He, {Complete the pilgrimage and the lesser pilgrimage for God. If you are prevented, then whatever sacrificial offering is readily available. Do not shave your heads until the sacrificial offering reaches its appointed place. Whoever among you is ill or has an ailment of the head must make a compensatory offering of fasting, charity, or sacrifice. When you are secure, whoever enjoys the lesser pilgrimage followed by the pilgrimage must offer whatever sacrificial offering is readily available. Whoever cannot find one must fast three days during the pilgrimage and seven when you return. Those are ten complete. That is for anyone whose household does not reside near the Sacred Mosque. Fear God, and know that God is severe in punishment.} is evidence that the sacrificial offering for which fasting is

substituted when enjoying the lesser pilgrimage followed by the pilgrimage must necessarily be complete."[5][6][7][8][9]

L213–215 Ali said: The first fault in this statement is that it is an assertion without evidence, and this is forbidden, especially when made about Allah, mighty and majestic. Moreover, exalted is Allah Most High above intending that the sacrificial offering be complete, yet leaving it undescribed as such and confining Himself to saying, {And complete the pilgrimage and the lesser pilgrimage for Allah. But if you are prevented, then whatever sacrificial offering is readily available. And do not shave your heads until the sacrificial offering reaches its appointed place. Whoever among you is ill or suffers an ailment of the

قال علي: وأول ما في هذا القول الدعوى بلا دليل، وهذا حرام لاسيما على الله عز وجل، وأيضا فإنه قد جل الله تعالى عن أن يريد أن يكون الهدي كاملا فيترك أن يصفه بذلك ويقتصر على أن يقول {وأتموا لحج ولعمرة لله فإن أحصرتم فما ستيسر من لهدي ولا تحلقوا رؤوسكم حتى يبلغ لهدي محله فمن كان منكم مريضا أو به أذى من رأسه ففدية من صيام أو صدقة أو نسك فإذآ أمنتم فمن تمتع بلعمرة إلى لحج فما ستيسر من لهدي فمن لم يجد فصيام ثلاثة أيام في لحج وسبعة إذا رجعتم تلك عشرة كاملة ذلك لمن لم يكن أهله حاضري لمسجد لحرام وتقوا لله وعلموا أن لله شديد لعقاب} ثم ينبه على كمال الهدي بذكر أن تكون العشرة الأيام في الصوم كاملة فبان كذب هذا القائل وصح أن قوله تعالى {وأتموا لحج ولعمرة لله فإن أحصرتم فما ستيسر من لهدي ولا تحلقوا رؤوسكم حتى يبلغ لهدي محله فمن كان منكم مريضا أو به أذى من رأسه ففدية من صيام أو صدقة أو نسك فإذآ أمنتم فمن تمتع بلعمرة إلى لحج فما ستيسر من لهدي فمن لم يجد فصيام ثلاثة أيام في لحج وسبعة إذا رجعتم تلك عشرة كاملة ذلك لمن لم يكن أهله حاضري لمسجد لحرام وتقوا لله وعلموا أن لله شديد لعقاب} 1 2 كقول رسول الله صلى الله عليه وسلم في حديث الزكاة فابن لبون ذكر وكقوله عليه الصلاة والسلام في حديث الفرائض فما أبقت الفرائض فلأولى رجل ذكر وإنما هذا توكيد وبيان زائد فقط. قال علي: ومما يبين أن الله تعالى يؤخر البيان قبل أن يريد منا تعالى العمل بالحديث الوارد عن النبي صلى الله عليه وسلم بأن الله تعالى يعرض في الخمر فمن كان عنده منها شيء فليبعها، فما أتى الوقت الذي أراد الله تعالى أن يوجب علينا اجتنابها أنزل الآيات في تحريمها وتلا ذلك رسول الله صلى الله

[5] **Translator's note (L207):** The quotation introduced as the account of the angels speaking to Abraham begins much earlier, with Qur'an 29:13, and continues through intervening narratives. The supplied extended quotation has been retained in full. The Qur'anic transcription repeatedly omits initial alifs and contains other apparent orthographic defects. Readily identifiable words have been translated according to their evident readings.

[6] **Translator's note (L208):** Two pairs of empty quotation braces appear in the source; their missing contents have not been supplied. An isolated Arabic letter jīm follows the first pair and appears to be a stray transcription or apparatus marker. The statement that Lot might do something warranting classification as a wrongdoer is the author's argument. The supplied wording says that the ambiguous is something 'we have been commanded to investigate, without seeking its interpretation.' This potentially problematic wording has been retained; no missing negation has been supplied. The final quotation uses the singular verb 'to say' after a construction referring to 'us'; the translation follows its evident collective sense.

[7] **Translator's note (L210):** The source has empty quotation braces after 'saying'; the missing quotation has not been supplied. The opening 'It varies in clarity' has no explicit subject in this segment; the context concerns clarification. Kalālah is a technical inheritance term concerning a person who leaves neither ascendants nor descendants entitled to inherit; its precise interpretation is itself the subject under discussion. The wording concerning the verse revealed in summer is syntactically awkward. The translation gives its apparent sense without supplying an additional quotation. The report attributed to ʿAlī ibn Abī Ṭālib is rendered as supplied, including 'understanding of His religion.'

[8] **Translator's note (L212):** The full Qur'anic verse appears twice in the supplied segment; both occurrences have been translated in full.

[9] **Qur'an references (L207):** Qur'an 75:19 (Al-Qiyamah); Qur'an 29:13 (Al-'Ankabut); Qur'an 29:14 (Al-'Ankabut); Qur'an 29:18 (Al-'Ankabut); Qur'an 29:21 (Al-'Ankabut); Qur'an 29:23 (Al-'Ankabut); Qur'an 29:26 (Al-'Ankabut); Qur'an 29:32 (Al-'Ankabut); Qur'an 2:196 (Al-Baqarah); Qur'an 7:142 (Al-A'raf).

head must offer a ransom of fasting, charity, or sacrifice. Then, when you are secure, whoever enjoys the lesser pilgrimage until the pilgrimage must offer whatever sacrificial offering is readily available. Whoever cannot find one must fast three days during the pilgrimage and seven when you return: those are ten complete days. That is for anyone whose family does not reside near the Sacred Mosque. And be mindful of Allah, and know that Allah is severe in punishment}, and then indicating the completeness of the sacrificial offering by mentioning that the ten days of fasting must be complete. Thus the falsehood of this speaker is manifest, and it is established that His saying, Most High, {And complete the pilgrimage and the lesser pilgrimage for Allah. But if you are prevented, then whatever sacrificial offering is readily available. And do not shave your heads until the sacrificial offering reaches its appointed place. Whoever among you is ill or suffers an ailment of the head must offer a ransom of fasting, charity, or sacrifice. Then, when you are secure, whoever enjoys the lesser pilgrimage until the pilgrimage must offer whatever sacrificial offering is readily available. Whoever cannot find one must fast three days during the pilgrimage and seven when you return: those are ten complete days. That is for anyone whose family does not reside near the Sacred Mosque. And be mindful of Allah, and know that Allah is severe in punishment} 1 2 is like the saying of the Messenger of Allah ﷺ in the report concerning obligatory alms: "Then a two-year-old camel, male," and like his saying ﷺ in the report concerning prescribed inheritance shares: "Whatever the prescribed shares leave over belongs to the nearest male relative, a male." This is merely emphasis and additional clarification.

Ali said: Among the things that make clear that Allah Most High defers clarification before He Most High intends us to act is the report transmitted from the Prophet ﷺ that "Allah Most High is alluding to wine; so whoever has any of it should sell it." Then, when the time arrived at which Allah Most High intended to make abstaining from it obligatory upon us, He revealed the verses prohibiting it, and the Messenger of Allah ﷺ recited them to the people immediately. He ﷺ may also add clarification after clarification has already preceded it, so that it constitutes confirmation and information for those whom the first report reaches. Thus the five prayers were revealed

عليه وسلم على الناس من وقته وقد يزيد عليه السلام بيانا بعد تقدم البيان قبله فيكون تأكيدا وإخبارا لمن يبلغه الخبر الأول، كما نزلت الصلوات الخمس بمكة مبينة بأوقاتها، ثم سأل السائل بالمدينة عن أوقاتها وأوائلها وأواخرها فأراه عليه السلام ذلك بالعمل وقد بينها أيضا بكلامه عليه السلام لغير ذلك السائل وكما أخر الله تعالى عن النبي صلى الله عليه وسلم بيان المناسك قبل أن يأتي وقت وجوب عملها فلما أتى وقت وجوبها بينها له عليه السلام فبينها عليه السلام بفعله غير مؤخر لها ومن ادعى أنه عليه السلام كان عنده بيان المناسك وكتمها عن أصحابه، ومنعهم الأجر بالعلم بها وبالإقرار بجملتها فقد افترى وكذب نبيه صلى الله عليه وسلم إذ يقول إن حقا على كل نبي أن يدل أمته على أحسن ما يعلمه لهم ومن قال بهذا فقد أكذب ربه تعالى إذ يقول عز وجل واصفا لنبيه صلى الله عليه وسلم {لقد جآءكم رسول من أنفسكم عزيز عليه ما عنتم حريص عليكم بلمؤمنين رءوف رحيم} وإذا كتمهم ما يستعجلون الأجر بالإقرار به ويزدادون علما بفهمه، فقد خالف الصفة التي ذكرها الله تعالى، ومن قال ذلك فقد فارق الإسلام

in Mecca with their times explained; then a questioner in Medina asked about their times, their beginnings and their ends, and he ﷺ demonstrated this to him in practice. He ﷺ also explained them verbally to someone other than that questioner. Likewise, Allah Most High deferred giving the Prophet ﷺ clarification of the pilgrimage rites before the time came when performing them became obligatory. Then, when the time of their obligation arrived, He explained them to him ﷺ, and he ﷺ explained them through his actions, without deferring them. Whoever claims that he ﷺ possessed the explanation of the pilgrimage rites but concealed it from his Companions, depriving them of the reward for knowing them and acknowledging them in their entirety, has fabricated a falsehood and accused his Prophet ﷺ of lying when he says: "It is incumbent upon every prophet to direct his community to the best that he knows for them." Whoever says this has declared his Lord Most High untruthful when He, mighty and majestic, says in describing His Prophet ﷺ: {There has certainly come to you a messenger from among yourselves; grievous to him is what you suffer, solicitous for you, compassionate and merciful toward the believers}. If he concealed from them that by acknowledging which they would hasten to gain reward, and by understanding which they would increase in knowledge, he would have acted contrary to the description Allah Most High gave. Whoever says that has departed from Islam.[10][11]

L216–218 If someone says: "You are now describing Muhammed ﷺ as wishing that the inhabitants of the earth should increase in goodness. This contradicts

فإن قال قائل فأنت تصف الآن محمدا صلى الله عليه وسلم بأنه يريد أن يزداد أهل الأرض خيرا وهذا خلاف قولك إن الله عز وجل لم يرد هذا بكل الناس فقد وصفت محمدا صلى الله عليه وسلم بأفضل مما وصفت به الله عز وجل وبأنه أرأف بنا من الله تعالى. قال علي: فنقول وبالله التوفيق: هذه شغبية ضعيفة، وإنما يماثل بين الشيئين أو يفاضل بينهما، إذا كانا واقعين تحت نوع واحد، أو تحت جنس واحد، وليس صفتنا لله تعالى من نوع صفتنا للمخلوقين ورحمة محمد صلى الله عليه وسلم بالناس هي من جنس تراحمنا بعضنا لبعض إلا أنها أعلى من كل رحمة لإنسي، وأكمل وأتم

[10] **Translator's note (L213):** The isolated numerals "1 2" are retained as supplied; they appear to be reference or transcription markers. The wording introducing the report about wine is syntactically awkward. The translation follows the apparent argument that clarification may be deferred until action is required. The supplied "فما أتى الوقت" is awkward in context; "when the time arrived" reflects the apparent intended temporal connection, which would ordinarily be expressed with "فلما". The supplied wording says "those whom the first report reaches," without a negation. The translation preserves this, although "those whom the first report did not reach" would fit the stated purpose of renewed notification more naturally. The camel in the alms quotation is an ibn labun, a camel that has completed two years and entered its third. The inheritance quotation explicitly repeats maleness; that repetition is retained because it is central to the author's argument.

[11] **Qur'an references (L213):** Qur'an 2:196 (Al-Baqarah); Qur'an 9:128 (At-Tawbah).

your statement that Allah, mighty and majestic, did not will this for all people. You have therefore described Muhammed ﷺ in terms more excellent than those in which you have described Allah, mighty and majestic, and as being more compassionate toward us than Allah Most High."

Ali said: We reply—and success comes through Allah: This is a weak sophistical objection. Two things may be judged alike or ranked in excellence only when they fall under a single species or a single genus. Our description of Allah Most High is not of the same kind as our description of created beings. Muhammed's ﷺ mercy toward people belongs to the same genus as our mercy toward one another, except that it is loftier than any human being's mercy, more perfect, more complete, and more enduring. Allah Most High does not fall with us under the species of humanity as Muhammed ﷺ falls with us under it, although he is more excellent than everyone beneath him. Nor is Allah, mighty and majestic, praised with the terms in which His creatures are praised. Do you not see that we describe Allah, mighty and majestic, in praise of Him, as Overpowering and Supremely Proud, whereas in every created being beneath Him Most High this is severe censure and great disparagement? We describe Him Most High as possessing severe wrath, as doing whatever He wills, and as possessing a stratagem against which one cannot feel secure. If we described a created being with any of this, it would be censure and a defect. We praise created beings for reason, shrewdness, nobility, courage, and chastity, yet none of these may be used to describe Allah, mighty and majestic. Whoever seeks to measure Allah Most High's mercy toward His creatures by His Prophet's ﷺ mercy toward them has deviated into heresy in his description of his Lord Most High. We know with certainty that Allah, mighty and majestic, never willed to guide Abu Talib. Had He willed that he believe, He would have opened his breast to Islam. Rather, He willed to punish him in the fire of Hell forever. And we know with certainty that Abu Talib's coming to believe was among Muhammed's ﷺ most far-reaching hopes. Allah Most High has made further argument on this unnecessary for us through His saying: {You do not guide whom you love, but Allah guides whom He wills, and He knows best those who are guided}. As for someone who believes in Allah, Allah is more compassionate

وأدوم، وليس الله تعالى واقعا معنا تحت نوع البشرية كوقوع محمد صلى الله عليه وسلم معنا تحتها وإن كان أفضل من كل من دونه ولا يثنى على الله عز وجل بما يثني به على خلقه، ألا ترى أننا نصف الله عز وجل مثنين عليه بأنه جبار متكبر؟ وهذا في كل مخلوق دونه تعالى ذم شديد، واستنقاص عظيم، ونصفه تعالى بأنه ذو غضب شديد، أنه يفعل ما يريد، وأنه ذو مكر لا يؤمن. وكل هذا لو وصفنا به مخلوقا لكان ذما ونقصا. ونمدح المخلوقين بالعقل والكيس، والنبل والنجدة والعفة وكل هذا لا يجوز أن يوصف به الله عز وجل، فمن أراد أن يقيس رحمة الله تعالى لخلقه برحمة نبيه صلى الله عليه وسلم لهم فقد ألحد في وصفه لربه تعالى وقد علمنا يقينا أن الله عز وجل لم يرد قط أن يهدي أبا طالب ولو شاء أن يؤمن لشرح صدره للإسلام، بل أراد أن يعذبه في نار جهنم أبدا وعلمنا يقينا أن محمدا صلى الله عليه وسلم كان من أبعد آماله أن يؤمن أبو طالب وقد كفانا الله تعالى ذلك بقوله {إنك لا تهدي من أحببت ولكن لله يهدي من يشآء وهو أعلم بلمهتدين} فأما من آمن بالله فالله أرأف به من نفسه بنفسه ومن محمد صلى الله عليه وسلم ومن أبيه وأمه اللذين ولداه لأنه جازاه على ذلك بما لو ملك الاختيار لم يبلغ مقدار ما أعطاه الله تعالى في الجنة، ولا سمح له أبواه بذلك، ولأنه تعالى غفر له ما لو فعله عاصيا لأبيه ما غفر له ذلك، فإن الرجل يزني بأمة الله تعالى فيغفر له بالتوبة، وبموازنة حسناته لسيئاته، ولو زنى بأمة أبيه لقطعه.

toward him than he is toward himself, than Muhammed ﷺ is toward him, and than his father and mother who begot him are toward him. For He has rewarded him for that with something that, even if he possessed the choice, would not attain the measure of what Allah Most High has given him in Paradise, nor would his parents have been so generous to him. And because He Most High has forgiven him for something that, had he done it in disobedience to his father, his father would not have forgiven him for it. A man commits unlawful intercourse with a female servant of Allah Most High, and He forgives him through repentance and through weighing his good deeds against his evil deeds. But had he committed unlawful intercourse with his father's slave woman, his father would have severed ties with him.[12][13][14]

L219–221 As for someone who does not believe, Allah never willed any good for him. Had He willed good for him, He would have caused him to die as a miscarried fetus. Whoever says that Allah Most High was unable to do that has deviated into heresy and described his Lord Most High as deficient in the extreme. Whoever says that Allah Most High willed good for Pharaoh, we challenge him to a mutual imprecation and say: "O Allah, do not will for us the good that You willed for Pharaoh." Let him then pray to his Lord Most High to will for him the good that He willed for Pharaoh.

If an objector raises a sophistical objection and says: "You are now describing Muhammed ﷺ as having willed something other than what Allah, mighty and majestic, willed"—and success comes through Allah—this is a weak sophistical objection like the preceding one. Yes, this is precisely what we say here, acknowledging what our Lord, mighty and majestic, said: that Muhammed ﷺ desired that people be guided whom Allah Most High did

[12]**Translator's note (L217):** The unvocalized "لا يؤمن" is read here as "against which one cannot feel secure," referring to the preceding stratagem. The sentence concerning possession of choice is compressed: the supplied wording does not explicitly identify what would fail to attain the measure of the divine gift. The translation retains that compression rather than supplying a specific imagined choice or request.

[13]**Translator's note (L218):** "A female servant of Allah" and "his father's slave woman" translate the same Arabic noun in different possessive contexts; the contrast is between a woman as Allah's servant and a woman enslaved to the man's father.

[14]**Qur'an references (L216):** Qur'an 28:56 (Al-Qasas).

وأما من لم يؤمن فما أراد الله به خيرا قط، ولو أراد به خيرا لأماته سقطا، فمن قال: إن الله تعالى لم يقدر على ذلك فقد ألحد ووصف ربه تعالى بغاية النقص، ومن قال: إن الله تعالى أراد الخير بفرعون فنحن نباهله. ونقول: اللهم لا ترد بنا من الخير ما أردته بفرعون، فليدع ربه تعالى أن يريد به من الخير ما أراده بفرعون فإن شغب مشغب فقال إنك الآن تصف محمدا صلى الله عليه وسلم بأنه أراد غير ما أراد الله عز وجل وبالله تعالى التوفيق: وهذه شغبية ضعيفة كالتي قبلها. نعم كذلك نقول في هذا المكان مقرين بما قال ربنا عز وجل من أن محمدا صلى الله عليه وسلم أحب أن يهتدي قوم لم يحب الله تعالى أن يهديهم، وليس في اختلاف ما أراد الله تعالى ههنا وما أراد نبيه عليه السلام عيب على نبيه عليه السلام لأنه إنما يمدح النبي فمن دونه من المخلوقين بالائتمار لربه تعالى فقط، لا بأن يوافق ربه فيما لم يكلفه، ألا ترى أننا نمدح أنفسنا بالنكاح والأولاد وهما منفيان عن الله عز وجل لم يردهما لنفسه قط، ونمدح بالصدقة على المحتاج الذي لم يرد الله أن يغنيه، ولو أراد أن يغنيه لكان قادرا عز وجل على ذلك فلم نؤمن نحن قط أن تريد ما أراده الله عز وجل في كل وقت، بل نهينا عن ذلك فقد أراد الله عز وجل قتل من سلط عليه الكفار من المؤمنين،

not desire to guide them. There is no fault in His Prophet, peace be upon him, in the difference here between what Allah Most High willed and what His Prophet, peace be upon him, willed. For a prophet, and all created beings below him, are praised only for obeying their Lord Most High, not for agreeing with their Lord concerning something with which He has not charged them. Do you not see that we praise ourselves for marriage and children, both of which are excluded from Allah, Almighty and Majestic, who has never willed them for Himself? And we are praised for giving charity to a needy person whom Allah has not willed to enrich. Had He willed to enrich him, He, Almighty and Majestic, would have been able to do so. We have never been commanded to will what Allah, Almighty and Majestic, wills at every moment; rather, we have been forbidden that. Allah, Almighty and Majestic, has willed the killing of those believers over whom He has given the unbelievers power; were we to will that, we would become evildoers. All that is intended of us is to comply with what we have been commanded and desist from what we have been forbidden. Our opponents' position amounts to the assertion of certain proponents of heresy that we are obliged to resemble Allah, Almighty and Majestic. This, in our view, is unbelief, because nothing resembles Allah Most High, and none but a heretical unbeliever seeks to resemble Him. This is clear, and through Allah Most High comes success. We now return to the remainder of the discussion concerning delaying clarification. If someone who permits delaying clarification beyond the time when the command becomes obligatory adduces the story of Moses and al-Khidr, peace be upon them both, there is no equivalence. For Moses, peace be upon him, was never bound in that story by any command whose nonperformance would constitute a failure on his part. He merely questioned him forgetfully, and forgetfulness is excused. Likewise, Noah's question concerning his son, peace be upon him, was asked forgetfully, because Allah Most High had already explained to him that he should take his family aboard, except those among them against whom the pronouncement had already gone forth. Noah, peace be upon him, forgot this exception, although it would have sufficed him, since his son was an unbeliever against whom the pronouncement had already gone forth together with the other unbelievers. They also adduced the command concerning the cow of the

ولو أردنا نحن ذلك لفسقنا، وإنما أريد منا الائتمار لما أمرنا به والانتهاء عما نهينا عنه، وقول خصومنا يؤول إلى قول بعض أهل الإلحاد: أن الواجب علينا التشبه بالله عز وجل، وهذا كفر عندنا، لأن الله تعالى لا يشبهه شيء، فلا يروم التشبه به إلا كافر ملحد. وهذا بين، وبالله تعالى التوفيق. ثم نرجع إلى بقية الكلام في تأخير البيان، فإن احتج بعض من يجيز تأخير البيان عن وقت وجوب الأمر بقصة موسى والخضر عليهما السلام فلا سواء، فموسى عليه السلام لم يلزمه قط أمر في تلك القصة يلزمه التقصير إن لم يأته، وإنما سأله ناسيا والنسيان مرفوع، وكذلك كان سؤال نوح عليه السلام في ابنه ناسيا، لأن الله تعالى قد كان بين له أن يحمل أهله إلا من سبق عليه القول منهم، فنسي نوح عليه السلام هذا الاستثناء، وقد كان كافيه لأن ابنه كان كافرا قد سبق عليه القول في جملة من كفر. واحتجوا أيضا بأمر بقرة بني إسرائيل، وأنه تعالى أخر عنهم بيان الصفات التي زادهم بعد ذلك.

Children of Israel, arguing that He Most High delayed explaining to them the attributes that He subsequently added for them.[15]

L222–224 Ali said: This provides them with no proof, because those attributes were simply additions to the legal prescriptions. Had they not asked about them, those additions would not have been imposed on them. Had they, when first commanded, slaughtered a white cow or a red or piebald one, it would have sufficed for them. But when they increased their questioning, their legal requirements were increased, and they thereby became included among those whom Allah Most High censured through His Prophet ﷺ, when he said: "Among those whose offense is greatest in Islam is someone who asks about something that was not forbidden, and it is then forbidden because of his question"; and in his saying, peace be upon him: "Those before you perished only because of their many questions and their disagreements with their prophets." The correctness of this position of ours is made clear by His saying, Almighty and Majestic: {O you who believe, do not ask about things which, if disclosed to you, would distress you. But if you ask about them while the Quran is being sent down, they will be disclosed to you. Allah has pardoned them, and Allah is Forgiving, Forbearing. A people before you asked about them, then became unbelievers on their account.} Thus He Most High expressly stated what we have said—to Him belongs praise—and explained to us that things are pardoned and their obligations waived for us before we ask about them. Once we ask about them, they become binding upon us, and perhaps we then disobey and perish. All of that has already been encompassed by His knowledge, Almighty and Majestic. As for the delayed revelation of {O you who believe, do not ask about things which, if disclosed to you, would distress you. But if you ask about them while the Quran is being sent down, they will be disclosed to you. Allah has pardoned them, and Allah is Forgiving, Forbearing} in the story of Ibn al-Ziba'ra, when he objected to the Prophet ﷺ during his recitation of {Know that Allah

[15] **Translator's note (L220):** The wording فلم نؤمن نحن قط أن تريد is apparently corrupt: literally, it reads approximately, "we have never believed that you should will." The translation follows the sense indicated by the immediate contrast with prohibition, "we have never been commanded to will," while recording the defective wording here.

قال علي: وهذا لا حجة لهم فيه، لأن تلك الصفات إنما هي زيادات شرائع لو لم يسألوا عنها لم يزادوهم؛ ولو ذبحوا في أول ما أمروا بقرة بيضاء أو حمراء أو بلقاء لأجزت عنهم؛ لكنهم لما زادوا سؤالا زيدوا شرعا، ودخلوا بذلك في جملة من ذم الله تعالى على لسان نبيه صلى الله عليه وسلم إذ يقول إن من أعظم الناس جرما في الإسلام من سأل عن شيء لم يحرم فحرم من أجل مسألته وفي قوله عليه السلام إنما هلك من كان قبلكم بكثرة مسائلهم واختلافهم على أنبيائهم ويبين صحة قولنا هذا قوله عز وجل {يأيها لذين آمنوا لا تسألوا عن أشيآء إن تبد لكم تسؤكم وإن تسألوا عنها حين ينزل لقرآن تبد لكم عفا لله عنها ولله غفور حليم * قد سألها قوم من قبلكم ثم أصبحوا بها كافرين} {} فأخبر تعالى بنص ما قلنا وله الحمد، وبين لنا أن الأشياء معفوة ساقطة عنا قبل أن نسأل عنها، فإذا سألنا عنها لزمتنا؛ ولعلنا نعصي حينئذ فنهلك، وكل ذلك قد سبق في علمه عز وجل وأما تأخر نزول {يأيها لذين آمنوا لا تسألوا عن أشيآء إن تبد لكم تسؤكم وإن تسألوا عنها حين ينزل لقرآن تبد لكم عفا لله عنها ولله غفور حليم} في قصة ابن الزبعرى إذ اعترض على النبي صلى الله عليه وسلم في تلاوة {علموا أن لله شديد لعقاب وأن لله غفور رحيم} فقال نحن نعبد الملائكة والنصارى يعبدون عيسى، فهم في جهنم معنا، فإن ابن الزبعرى كان مغفلا عن تدبر الآية الأولى وقد كان له فيها كفاية له عقل، ولكن الثانية أتت مؤكدة لها فقط وهي إخباره تعالى عن سؤاله الملائكة فقال تعالى: {ويوم يحشرهم جميعا ثم يقول للملائكة أهؤلاء إياكم كانوا يعبدون} فأخبر تعالى عن الملائكة الصادقين المقدسين أنهم قالوا: {قالوا سبحانك أنت ولينا من دونهم بل كانوا يعبدون لجن أكثرهم بهم مؤمنون} فليس قول القائل أنا أعبد الملائكة، ولا قول النصارى: نحن نعبد المسيح موجب لصدقهم، لأن العبادة

is severe in punishment, and that Allah is Forgiving, Merciful}, saying, “We worship the angels, and the Christians worship Jesus, so they are in Hell with us”: Ibn al-Ziba‘ra had neglected to reflect upon the first verse, although it would have sufficed him, had he possessed understanding. The second came only to confirm it: namely, His account, Most High, of His questioning the angels. He Most High said: {And on the day He gathers them all together, then says to the angels, “Was it you that these people used to worship?”} He Most High then related that the truthful, sanctified angels said: {They said, “Glory be to You! You are our protecting ally rather than they. Rather, they used to worship the jinn; most of them believe in them.”} Thus a person’s saying, “I worship the angels,” nor the Christians’ saying, “We worship the Messiah,” establishes that they speak truthfully. For worship consists only in following and submitting, and is derived from servitude. A person worships only the one to whom he submits and whose command he follows. As for someone whom he disobeys and opposes, he does not worship him, and he lies in claiming that he worships him. Thus those who say, “We worship the angels and the Messiah,” are lying in making that claim.[16][17][18]

إنما هى الاتباع والانقياد مأخوذة من العبودية، وإنما يعبد المرء من ينقاد له، ومن يتبع أمره، وأما من يعصي ويخالف فليس عابدا له وهو كاذب في ادعائه أنه يعبده. فالقائلون نحن نعبد الملائكة والمسيح كذبة في دعواهم لذلك

L225–228 They have never worshipped them; they have worshipped only the devils, by submitting to their commands and following their seductions. Had they followed the angels and the Messiah, peace be upon him, these would have commanded them only to worship Allah, Almighty and Majestic, and to say,

ما عبدوهم قط، وإنما عبدوا الشياطين لانقيادهم لأمرهم واتباعهم إغواءهم، ولو اتبعوا الملائكة والمسيح عليه السلام ما أمروهم إلا بعبادة الله عز وجل، وبأن يقولوا: إننا لا نعبد شيئا من دون الله عز وجل، بل كانوا ينهونهم عن الكذب وهذا عين الكذب وقد بين عليه السلام معنى قول ربه تعالى {تخذوا أحبارهم ورهبانهم أربابا من دون لله ولمسيح بن مريم ومآ أمروا إلا ليعبدوا إلها واحدا لا إله إلا هو سبحانه عما يشركون} فقال قائل يا رسول الله ما كنا نعبدهم فأخبرهم عليه السلام أنهم إذا أطاعوهم في تحريم ما حرموا وتحليل ما أحلوا، فقد اتخذوهم أربابا ونحن إنما أطعنا أمر نبينا عليه السلام لعلمنا أنه كله من عند الله عز وجل وأنه لا يقول من تلقاء نفسه شيئا قال الله عز وجل {وما ينطق عن لهوى * إن هو إلا وحي يوحى} فإن قال قائل فعلى قولك فمن عصى منا لم يعبد الله عز وجل؟ قيل له: نعم، لم يعبد الله تعالى لتلك

[16] **Translator’s note (L222):** The supplied لم يزادوهم is grammatically irregular in this context. The translation reflects the apparent sense that the additional requirements would not have been imposed on them.

[17] **Translator’s note (L223):** The Quranic quotations attached here to Ibn al-Ziba‘ra’s objection appear misplaced: the quoted prohibition on questioning is Quran 5:101, and “Know that Allah is severe in punishment…” is 5:98. Neither, as quoted, supplies the premise of the objection about worshippers and their objects of worship being in Hell. The supplied quotations have been translated without substitution. The wording وقد كان له فيها كفاية له عقل is defective. “Had he possessed understanding” reflects the apparent intended conditional sense of له عقل; the supplied text does not contain an explicit conditional particle. The angels’ response is introduced with “they said” both in the author’s prose and within the supplied Quranic quotation; the repetition is retained.

[18] **Qur’an references (L222):** Qur’an 5:101 (Al-Ma’idah); Qur’an 5:102 (Al-Ma’idah); Qur’an 34:40 (Saba); Qur’an 34:41 (Saba).

"We worship nothing besides Allah, Almighty and Majestic." Indeed, they would have forbidden them to lie, and this is the very essence of lying. He, peace be upon him, explained the meaning of his Lord's saying, Most High: {They took their scholars and their monks as lords besides Allah, and the Messiah, son of Mary, although they were commanded only to worship one God: there is no god but Him. Glory be to Him above what they associate with Him.} Someone said, "O Messenger of Allah, we did not worship them." He, peace be upon him, informed them that when they obeyed them in prohibiting what they prohibited and permitting what they permitted, they had taken them as lords. We obey the command of our Prophet, peace be upon him, only because we know that it is all from Allah, Almighty and Majestic, and that he says nothing on his own initiative. Allah, Almighty and Majestic, said: {He does not speak from desire. It is nothing but revelation revealed.} If someone says, "According to your position, then, whoever among us disobeys has not worshipped Allah, Almighty and Majestic," he is answered: Yes, he has not worshipped Allah Most High by that act of disobedience or in committing it, but he has worshipped Him in the rest of his obedience and in his affirmation of divine oneness. If someone says, "According to your position, then, when we obey the Messenger ﷺ, we have worshipped him," he is answered—and through Allah Most High comes success: Obedience to the Messenger ﷺ requires that neither the expression 'worship' nor its meaning be applied except to Allah, Almighty and Majestic, alone, who has no partner. It also requires that whoever obeys Satan in unbelief has worshipped him. These are meanings established by revealed law, concerning which one must remain strictly within what revealed law has brought. As for anyone who claims that the clarification that the slain combatant's personal effects belong to his slayer was revealed after the verse concerning the division of spoils, this is a claim supported by no evidence, nor has it ever been transmitted through any sound channel. The same applies to the clarification of the share of the near relatives, and to the claim that the clarification that Banu Hashim and Banu Abd al-Muttalib are the near relatives, to the exclusion of Banu Abd Shams and Banu Nawfal, was revealed later than the verse: this is a claim with no validity whatsoever. If someone says, "But Uthman, may Allah be pleased with him, and Jubayr ibn Mut'im did not know this," he is answered:

المعصية ولا فيها، ولكن عبده في سائر طاعته وإقراره بالتوحيد. فإن قال قائل فعلى قولك إننا إذا أطعنا الرسول صلى الله عليه وسلم لقد عبدناه قيل له وبالله تعالى التوفيق إن طاعة الرسول صلى الله عليه وسلم توجب ألا يطلق لفظ العبادة ولا معناها إلا لله عز وجل وحده لا شريك له، وتوجب أن من أطاع الشيطان في الكفر فقد عبده، وهذه معان شرعية لا يتجاوز فيها ما أتت به الشريعة فقط، وأما من ادعى بيان كون أن السلب للقاتل نزل بعد آية قسم الغنائم، فدعوى لا يقوم عليها دليل ولا روي ذلك قط من وجه يصح، وكذلك القول في بيان سهم ذي القربى وأن بيان كون بني هاشم وبني عبد المطلب هم ذو القربى، دون بني عبد شمس وبني نوفل، نزل متأخرا عن الآية دعوى لا تصح أصلا. فإن قال قائل: فإن عثمان رضي الله عنه، وجبير بن مطعم جهلا هذا. قيل له: نعم، وما في هذا علينا من الحجة، ومتى منعنا أن يخفى على الصاحب والصاحبين والعشرة والأكثر منهم فهم آية أو آيات من القرآن وقد كان في قسمة رسول الله صلى الله عليه وسلم لبني المطلب دونهما ما يكفي لأنهما كانا يوقنان بلا شك أن رسول الله صلى الله عليه وسلم لا يمنع ذا حق حقه ولا يعطي أحدا غير حقه فكان في هذا كفاية، لأنه لو كان لبني عبد شمس، وبني نوفل حق في سهم ذوي القربى ما منعهم إياه رسول الله صلى الله عليه وسلم ولوكان بنو عبد المطلب خارجين من ذوي القربى ما أعطاهم النبي صلى الله عليه وسلم حقا ليس لهم ولكن عثمان وجبير رضي الله عنهما أرادا علم السبب الذي من أجله استحق بنو المطلب الدخول فيما خرج قومهما منه، والخصلة التي بان بها بنو عبد المطلب دون بني عبد شمس وبني نوفل، وقد قال عثمان رضي الله عنه في الجمع بين الأختين بملك اليمين: أحلتهما آية وحرمتهما آية، فأخبر رضي الله عنه أنه خفيت عليه رتبة هاتين الآيتين، ولم يدر أيهما يغلب ويستثني من الأخرى، ولا يجوز عند ذي فهم ولب أن يعتقد

Yes—and what proof does this provide against us? When have we ever denied that an understanding of one or more verses of the Quran may elude one Companion, or two, or ten, or more of them? And in the Messenger of Allah's ﷺ allocation to the Banu al-Muttalib, to the exclusion of those two clans, sufficient evidence, for the two of them were certain, without doubt, that the Messenger of Allah ﷺ would neither withhold from anyone entitled to a right what was his nor give anyone what was not his right. This was sufficient, because, had the Banu Abd Shams and the Banu Nawfal possessed a right to the share of the near relatives, the Messenger of Allah ﷺ would not have withheld it from them; and had the Banu Abd al-Muttalib been outside the category of near relatives, the Prophet ﷺ would not have given them a right that was not theirs. But Uthman and Jubayr, may Allah be pleased with them both, wanted to know the reason why the Banu al-Muttalib were entitled to inclusion in that from which their own clans were excluded, and the characteristic by which the Banu Abd al-Muttalib were distinguished from the Banu Abd Shams and the Banu Nawfal. Uthman, may Allah be pleased with him, said concerning combining two sisters through ownership by the right hand: "One verse permitted the two of them, and another verse prohibited the two of them." He thus reported, may Allah be pleased with him, that the relative precedence of these two verses was hidden from him, and that he did not know which prevailed and established an exception to the other. No one possessed of understanding and intellect can believe that a thing is prohibited and permitted at the same time for the same person, such that it is permissible for him to do it and impermissible for him to do it, so that he both does it and does not do it. This is an impossibility whose impossibility is manifest. Whoever reaches this point has spared us the trouble of dealing with him. As for sales of allotted palm-fruit crops, the report has come with a connected transmission chain establishing their exception from

الشيء حراما حلالا في وقت واحد، على شخص واحد، فيكون يحل له أن يفعله ولا يحل له أن يفعله، فيفعل ولا يفعل، وهذا محال ظاهر الامتناع، ومن بلغ ههنا كفانا نفسه، وأما العرايا فقد جاء الحديث موصولا في استثنائها من التمر بالرطب وبالله تعالى التوفيق

the prohibition on exchanging dried dates for fresh dates. Through Allah Most High comes success.[19][20][21]

[19] **Translator's note (L225):** The text names Banu Abd al-Muttalib here. The following context alternates between Banu al-Muttalib and Banu Abd al-Muttalib. The supplied name is retained without harmonization.

[20] **Translator's note (L228):** The opening continues a sentence in the preceding context. The source alternates between Banu al-Muttalib and Banu Abd al-Muttalib in describing the beneficiaries and their distinguishing characteristic. This apparent inconsistency is preserved. "Sales of allotted palm-fruit crops" renders the technical term al-araya, referring here to the exceptional transaction involving fresh dates on palms and dried dates.

[21] **Qur'an references (L225):** Qur'an 9:31 (At-Tawbah); Qur'an 53:4 (An-Najm).

الباب 10: الأخذ بموجب القرآن

Chapter 10: Adhering to What the Qur’an Requires

Ibn Ḥazm · Arabic–English parallel edition

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[الباب العاشر في الأخذ بموجب القرآن]

قال علي ولما تبين بالبراهين والمعجزات، أن القرآن هو عهد الله إلينا والذي ألزمنا الإقرار به، والعمل بما فيه، وصح بنقل الكافة الذي لا مجال للشك فيه، أن هذا القرآن هو المكتوب في المصاحف، المشهورة في الآفاق كلها، وجب الانقياد لما فيه فكان هو الأصل المرجوع إليه. لأننا وجدنا فيه: {وما من دآبة في الأرض ولا طائر يطير بجناحيه إلا أمم أمثالكم ما فرطنا في الكتاب من شيء ثم إلى ربهم يحشرون} فما في القرآن من أمر أو نهي فواجب الوقوف عنده، وسنذكر إن شاء الله تعالى في باب الأخبار التالي لهذا الباب كيف العمل في بناء آي القرآن خاصها مع عامها، وبناء السنن عليها، وسنذكر إن شاء الله تعالى في باب الأوامر والنواهي، كيف العمل في حمل أوامر القرآن ونواهيه على الظاهر، والوجوب، والفور، ونذكر إن شاء تعالى في باب العموم والخصوص، ما يقتضيه ذلك الباب من أخذ آي القرآن على عمومها، ونوعب الرد على كل من خالف الحق في ذلك إن شاء الله تعالى وبالله التوفيق. قال علي: ولا خلاف بين أحد من الفرق المنتمية إلى المسلمين من أهل السنة والمعتزلة والخوارج والمرجئة والزيدية في وجوب الأخذ بما في القرآن، وأنه هو المتلو عندنا نفسه، وإنما خالف في ذلك قوم من غلاة الروافض هم كفار بذلك مشركون عند جميع أهل الإسلام، وليس كلامنا مع هؤلاء، وإنما كلامنا في هذا الكتاب مع أهل ملتنا، إذا قد أحكمنا بطلان سائر الملل في كتاب الفصل وبالله تعالى التوفيق. ونذكر إن شاء الله تعالى في باب الإجماع من هذا الكتاب بالبرهان الصحيح أن القراءات السبع التي نزل بها القرآن باقية عندنا كلها، وبطلان قول من ظن أن عثمان رضي الله عنه جمع الناس على قراءة واحدة منها أو على بعض الأحرف السبعة دون بعض وبالله تعالى التوفيق

[Chapter Ten: Adhering to What the Qurʾān Requires]

L229

L230–231 ʿAlī said: Once demonstrations and miracles had established that the Qurʾān is God's covenant with us, which He has required us to acknowledge and act upon, and once transmission by the community at large, leaving no room for doubt, had established that this Qurʾān is the one written in the copies known throughout all regions, submission to its contents became obligatory. It is therefore the foundational authority to which we refer, for we find in it: "There is no creature on earth, nor bird flying on its two wings, but they are communities like you. We have neglected nothing in the Book. Then to their Lord they will be gathered." Every command or prohibition in the Qurʾān must therefore be observed. God Most High willing, in the chapter on transmitted reports that follows this chapter, we shall explain how to read the Qurʾānic verses together—the specific alongside the general—and how to relate the Sunnahs to them. God Most High willing, in the chapter on commands and prohibitions, we shall explain how the Qurʾān's commands and prohibitions are to be understood according to their apparent meaning, as binding, and as requiring immediate compliance. God Most High willing, in the chapter on general and specific expressions, we shall discuss what that subject requires concerning taking Qurʾānic verses in their general scope, and give a comprehensive reply to everyone who has opposed the truth in this matter, God Most High willing. Success comes through God. ʿAlī said: None of the groups affiliated with the Muslims—the people of the Sunnah, the Muʿtazilah, the Khārijites, the Murjiʾah, or the Zaydiyyah—disagrees that it is obligatory to follow what is in the Qurʾān, or that it is this very Qurʾān recited among us. Only some of the extremists among the Rāfiḍah have disagreed about that; by doing so, they are unbelievers and polytheists according to all the people of Islam. Our discussion is not with these people. In this book we address the people of our own religion, since we have already established the invalidity of the other religions in the Book of al-Fiṣal. Success comes through God Most High. God Most High willing, in this book's chapter on consensus we shall show, by sound demonstration, that all seven readings in which the Qurʾān was revealed remain with us, and that the view of anyone who supposes that ʿUthmān—may God be pleased with him—united

the people upon only one of them, or upon some of the seven aḥruf rather than others, is false. Success comes through God Most High.[1]

[1] **Qur'an references (L230):** Qur'an 6:38 (Al-An'am).