

USUL UT-TAFSIR-THE PRINCIPLES OF HERMENEUTICS

SESSION #3

In Session #2, we spoke of ayaat that are held on their present, surface meaning (haqiqah) as well as those that are figurative or metaphorical (majaaz). What we would now like to speak about is the mubayyin and the mujmal ayaat.

INDEPENDENT, CLEAR PASSAGES FROM AMBIGUITY (MUBAYYIN)

These are passages that are clear in and of themselves and do not need clarification from other ayaat.

Imaam al-Khatib al-Baghdaadi RH stated:

The mubayyin is what is independent in and of itself in revealing the intent of what is being said and not in need of going to other texts to know the intent.

[al-Faqih wal-Mutafaqqih, V. 1, pp. 74-78]

Imaam Muwaffaq ud-Din Ibn Qudaamah RH said that the mubayyin:

...is what benefits of itself without other possibilities and bearings.

[Rawdat un-Naazir wa Junnat ul-Munaazir, V. 1, p. 506]

Imaam Ibn Badraan al-Hanbali RH states of the Mubayyin:

It is the opposite of the mujmal, and it can be said that it is an expressed text on a meaning without returning to any other likeness. Al-Aamidi says, 'the mubayyin is speech that is independent in itself from need of explanation. And it does not need to be explained when it is related, as the mujmal and others do.'

[al-Madkhal, p. 266]

There are three forms of mubayyin texts that exist.¹ They are as follows, with textual examples:

The Nass

¹ This information is taken from Imaams Muwaffaq ud-Din (Rawdat un-Naazir, V. 1, pp. 505-524); Ibn Badraan al-Hanbali (al-Madkhal, pp. 263-270), al-Khatib al-Baghdaadi (al-Faqih wal-Mutafaqqih, V. 1, pp. 74-78).

A **nass** is what benefits in and of itself in its own meaning and is not in need of recourse to other texts. Thus it is clear and explicit in its' meaning and cannot be interpreted any other way.

Do not take a life that Allah has forbidden except with a right due to it.

[Surat ul-Israa' (17), ayah 33]

In this passage, we have been given an explicit command not to kill human life except when conditions exist that would merit that. There would be no way to misconstrue the text unless with wilful intent.

And do not come near the property of the orphans.

[Surat ul-Israa' (17), ayah 34]

The property of the orphans is to remain preserved, as we have been told not to even *come near* it. Such a passage is warning enough for any average person thinking clearly.

The Zaahir

A **Zaahir** text is one where it can hold two judgements, one of them stronger in meaning than the other. Thus it is generally clear and open, but could have another possible application. However, the most clearly and obviously understood meaning must be taken and acted upon as it has the most precedence over any second possible meaning when supporting evidence is compared. An example of an attempt at this was the exchange between the two Imaams Ahmad ibn Hanbal and Muhammad ibn Idris ash-Shaafi`ii ^{RHM}.

The Prophet Muhammad ^{SAW} is reported to have said,

We do not have the likeness of the sin of the one who seeks the return of a gift. It is like the dog returning to its' vomit.

[Collected by Imaams Ahmad al-Bukhaari, at-Tirmidhi, an-Nasaa'ii, Ibn `Adi, ad-Daaraqutni, as-Suyuti and an-Nabahaani and classed by them as sahih]

Imaam ash-Shaafi`ii took what he thought was the zaahir of the text and concluded that although it is not sunna to give take back a gift, it is allowable. For it is not impermissible for a dog to return to its' own vomit, nor is it hindered from doing so.

Imaam Ahmad ibn Hanbal ^{RH} took exception to this position, believing that taking back a gift given was impermissible. The Imaam based this position on the fact that the first part of the hadith states the likeness of the sin, then not long after mentions the sin, that being seeking the return of the gift. And due to the fact that the Lawgiver (Allah ^{SWT}) has negated sin from Himself and not affirmed it in His Law, it could not be the case that it would be allowed in the matter of gifts, which asking for them to be returned to the bearer would be a sin. It is with this understanding that Imaam Ahmad ibn Hanbal ^{RH} ruled the matter to be impermissible.

In the Qur'an, Allah ^{SWT} has told us,

Forbidden to you is dead meat...

[Surat ul-Maa'idah (5), ayah 3]

The `Umum

The **`Umum** are passages that are all-encompassing and explicit in their general sense in such a way as that they cannot be used in any other sense, unless clear evidence is brought that would show that they were restricted in some way. `Umum passages usually refer to the noun or subject in question in the definite, indicating all or most, the form that general passages most often appear in. Here are some examples:

And kill the idol worshippers wherever you find them.

[Surat ut-Tawba (9), ayah 5]

And do not take the Jews and Christians as friends.

[Surat ul-Maa'idah (5), ayah 51]

The fornicator may not marry any except a fornicatress or an idol worshipper. And a fornicatress may not marry any except a fornicator or an idol worshipper. Such a thing has been made impermissible for the believers.

[Surat un-Nur (24), ayah 3]

There is also a hadith from the Prophet SAW that goes with it,

The two eyes fornicate, the two hands fornicate, the two feet fornicate and the private parts fornicate.

[Related by Imaams Ahmad and at-Tabaraani]

PASSAGES THAT ARE ELUCIDATED BY OTHER TEXTS (MUJMAL)

Shaikh ul-Islam Muwaffaq ud-Din RH said that the mujmal passages are:

Those passages, in which their meanings are not absolutely understood. It is said that it is when there are two matters conceivable, where one of them does not have superiority over another. An example of this is the shared expressions used, like the expression al-`Ain, which is shared between gold and the discerning eye and other than those two. There is also the word qar', used for both the monthly cycle and the purification in between it.

[Rawdat un-Naazir wa Junnat ul-Munaazir, V. 1, pp. 516-517]

Shaikh ul-Islam Sulaimaan an-Najdi ^{RH} ² warned those who tamper with mujmal expressions:

If you had considered the expression very carefully, you would have known that you had interpreted the expression on other than its meaning and it is indeed incredible that you have left the clear expression and went to a mujmal expression

[as-Sawaa'iq ul-Ilaahiyyah, pp. 23-24]

Imaam Ibn Badraan al-Hanbali ^{RH} stated:

The mujmal in the lexical sense is the expression yielding two possible ways that it could be held...this happens in nouns, like al-`Ain, yielding a number of meanings, such as insight, a spring of water and gold. And there is the word al-Qar', which can yield the meanings of the monthly cycle and the purity in between it.

[al-Madkhal, pp. 263-264]

EXAMPLES OF MUJMAL TEXTS

To give us an understanding of what exactly mujmal texts are, we would like to provide some examples that will help you in your endeavours. After each passage, we will try to leave you with a question to solve or a text to research to clarify the passage given.

The food of the People of the Book is lawful for you and yours for them.

[Surat ul-Maa'idah (5), ayah 5]

By reading this on its outward import, it would seem that it is permissible to eat all of what the People of the Book prepare. This would include, in addition to the meats that we have in common with Jews, alcohol, which is also consumed by Jews during commemoration of the Sabbath between sunset on Friday and sunset on Saturday.

Your mothers have been made forbidden for you.

[Surat un-Nisaa' (4), ayah 23]

Has speaking to our mothers also been made impermissible? What of keeping family relations, buying them gifts, befriending them, obeying them and other actions? This ayah appears to be indicating an unrestricted sense about our mothers.

And divorced women shall wait for a period of three quru'.

[Surat ul-Baqarah (2), ayah 228]

² 1275 AH/1859 AD. Shaikh ul-Islam for his time and for the Ottoman Hanbalis, he was a theologian, jurist, poet, warrior and one of the renewers of Islam in his time. He wrote some three different works as well as numerous commentaries on the Hanbali fiqh texts in his time.

Let us return to the words of the rightly guided `ulama, who made particular reference to this verse. Imaam Muwaffaq ud-Din ^{RH} said of the word qar', the singular form of quru', which is used in the ayah:

There is also the word qar', used for both the monthly cycle and the purification in between it.

[Rawdat un-Naazir wa Junnat ul-Munaazir, V. 1, pp. 516-517]

Imaam Ibn Badraan ^{RH}, as we remember earlier, also says,

And there is the word al-Qar', which can yield the meanings of the monthly cycle and the purity in between it.

[al-Madkhal, pp. 263-264]

This is very important, as when a woman begins the process of divorce, do we start calculation from each monthly cycle, or each time of purity in between the monthly cycle? Is there is verse or hadith that could provide insight into the matter?

And they will be given a taste from a boiling `ain

[Surat ul-Ghaashiyah (88), ayah 5]

And you will see it with the certainty of the `ain.

[Surat ut-Takaathur (102), ayah 7]

Are these texts referring to `ain in the sense of a spring of water, an actual eye socket or gold? What textual or contextual understandings could assist us? Could both texts above have the same meaning or do they carry considerably different meanings?

So marry women of your choice, two and three and four.

[Surat un-Nisaa' (4), ayah 3]

In first reading this passage, it would appear that someone would be allowed to marry two, three and four wives all at once. Thus polygamy in this passage would be unlimited for whoever was able to do so.

But is this the case? Is there anything in this passage that would suggest otherwise? Are there any other supporting texts that would limit the unlimited statement that this ayah has seemed to put forward?

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