

Tafseer Al-Baqarah (2: 194-195)

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

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

﴿الشَّهْرُ الْحَرَامُ بِالشَّهْرِ الْحَرَامِ وَالْحُرُمَاتُ قِصَاصٌ فَمَنْ اعْتَدَى عَلَيْكُمْ فَاعْتَدُوا عَلَيْهِ بِمِثْلِ مَا اعْتَدَى عَلَيْكُمْ وَاتَّقُوا اللَّهَ وَاعْلَمُوا أَنَّ اللَّهَ مَعَ الْمُتَّقِينَ (194). وَأَنْفِقُوا فِي سَبِيلِ اللَّهِ وَلَا تُلْقُوا بِأَيْدِيكُمْ إِلَى التَّهْلُكَةِ وَأَحْسِنُوا إِنَّ اللَّهَ يُحِبُّ الْمُحْسِنِينَ (195)﴾

“[Fighting in] the sacred month is for the sacred month, and for [all] violations is retribution. So whoever has assaulted you, then assault (punish) him in the same way that he has assaulted you. And fear Allah and know that Allah is with those who fear Him. And spend in the way of Allah and do not throw [yourselves] with your [own] hands into destruction [by refraining from Jihad]. And do good; indeed, Allah loves the doers of good.” [Surah al-Baqarah 2:194,195]

Allah (swt) clarified in these verses as follows:

1. After Allah (swt) had removed the believers' discomfort in fighting against warring disbelievers at al-Masjid al-Haram when they fight there, Allah (swt) also removed in these verses the believers' discomfort against the disbelievers in the sacred month, when the disbelievers fight Muslims within it. In the treaty of Hudaibiyah, Muslims agreed to return for Umrah the following year, in the month of Dhul Qiddah, which was the month when the Treaty of Hudaibiyah was concluded. This was in order to perform the Umrah which is called Umrah Al-Qada as it was the alternative Umrah that took place under the treaty. Muslims had expected that the disbelievers would break the agreement and they would fight Muslims in Haram to prevent the Muslims from entering. And in the sacred month of Dhul Qiddah, Muslims were refraining from fighting both in Haram and in the sacred month. Hence, Allah (swt) informed them in this verse that, ﴿الشَّهْرُ الْحَرَامُ بِالشَّهْرِ الْحَرَامِ وَالْحُرُمَاتُ قِصَاصٌ﴾ “[Fighting in] the sacred month is for the sacred month, and for [all] violations is retribution” i.e. if they fight with you, then fight them. The word of Qisaas (قِصَاصٌ Retribution) gives the meaning of equivalency in terms of punishment.

RasulAllah (saaw) used not to fight in the sacred month unless they (enemies) fought. If Muslims were not attacked, he (saaw) maintained the month until he (saaw) disengaged. It is as reported by Ahmed from Jabir (ra), that RasulAllah (saaw) did not initiate the fighting in the sacred month, unless they (enemies) initiated the fighting or unless war continued until it reached the sacred month. Therefore, when the news reached RasulAllah (saaw) in Hudaibiyah, about the martyrdom of Uthman (ra), after Uthman (ra) was sent to Quraish to look into the issue of the hindrance of the Ummah, one thousand four hundred Companions (ra) pledged to him (saaw) under the tree, to fight against the mushrikeen. This happened in the sacred month of Dhul Qiddah. And when news reached him (saaw) that Uthman (ra) was not killed, he (saaw) refrained from fighting.

Similarly, after the Conquest of Makkah and the Battle of Hawazin on the day of Hunain, remnants of defeated disbelievers sought sanctuary in Taif. RasulAllah (saaw) pursued them, besieged them and struck them with the catapult. When the month of Dhul Qiddah began, the siege continued. RasulAllah (saaw) did not lift the siege due to the sacred month. This battle continued and RasulAllah (saaw) lifted the siege only due to the difficulty of opening Taif and the martyrdom of Muslims. So he (saaw) returned back to Makkah, after fourteen days of siege as confirmed in Bukhari and Muslim from Anas (ra).

Allah (swt) said, ﴿فَمَنْ اِغْتَدَى عَلَيْكُمْ فَاعْتَدُوا عَلَيْهِ بِمِثْلِ مَا اِغْتَدَى عَلَيْكُمْ﴾ “So whoever has assaulted you, then assault him in the same way that he has assaulted you.” It is affirmation of what came before in the verse, ﴿الشَّهْرُ الْحَرَامُ بِالشَّهْرِ الْحَرَامِ وَالْحُرُمَاتُ قِصَاصٌ﴾ “the sacred month is for the sacred month, and for [all] violations is retribution.” However, it has come with an additional meaning. In the beginning of the verse is the permissibility of fighting them in sacred month, if they fight against you within it. And the saying “for all violations is retribution” gives the meaning of equivalency in punishment, however, it is specific to Masjid Al-Haram.

In the completion of the verse ﴿فَمَنْ اِغْتَدَى عَلَيْكُمْ فَاعْتَدُوا عَلَيْهِ بِمِثْلِ مَا اِغْتَدَى عَلَيْكُمْ﴾ “So whoever has assaulted you, then assault him in the same way that he has assaulted you”, it’s meaning is of generality in all the punishments for assault, within the limits of Shar’a and equivalency should not be surpassed in the punishments.

As we have mentioned, the saying ﴿فَاعْتَدُوا عَلَيْهِ﴾ “assault him” is used as metaphorically (مجازيا Majaazeeyan) which means “punish him for his assault”. This is because punishment for the assault cannot be considered as assault by the real meaning.

Then Allah (swt) concluded the verse by placing reassurance in the hearts of believers that they are righteous ones and that Allah (swt) is with them to help and support, ﴿وَاعْلَمُوا أَنَّ اللَّهَ مَعَ الْمُتَّقِينَ﴾ “know that Allah is with those who are pious.”

2. Allah (swt) commanded the Muslims not to expose themselves to destruction by abandoning Jihad and abandoning spending on Jihad. Spending in the Path of Allah means spending in Jihad as it is indicated by investigation of the verses that have come about spending, Connected (مقرونا Maqroonan) with the phrase ﴿فِي سَبِيلِ اللَّهِ﴾ “in the Path of Allah” and it is clarified by Abu Ayyub Al-Ansari during the Battle of Constantinople.

It was reported by Abu Dawood and others from Aslam Abi Imran who said, “We were in Constantinople and a huge army of Rome came out. A man from amongst the Muslims broke enemy lines. So some people said, “He is throwing himself to destruction.” Abu Ayyub Al Ansari (ra) stood up and said, “O people! You are interpreting this verse (2:195) with such interpretation. However, it was revealed about us, the people of Ansar. When Allah (swt) honored His Deen and His Supporters (of deen) increased, some of us said to each other secretly, excluding RasulAllah (saw), ‘We had lost our wealth and Allah (swt) has honored His Deen and His supporters have increased. If we work for our wealth, we could fix what we have lost.’ So Allah (swt) revealed to His Prophet (saaw) that which responded to what we have said, ﴿وَأَنْفِقُوا فِي سَبِيلِ اللَّهِ وَلَا تُلْقُوا بِأَيْدِيكُمْ إِلَى التَّهْلُكَةِ﴾ “And spend in the way of Allah and do not throw [yourselves] with your [own] hands into destruction.” So the destruction is working for the wealth and fixing, whilst abandoning the battle.” Hence destruction is lagging behind in spending in Jihad and the meaning of, ﴿وَأَنْفِقُوا فِي سَبِيلِ اللَّهِ﴾ “Spend in the path of Allah” is Spend in Jihad.

The Root (مصدر Masdar) of Destruction (التَّهْلُكَةُ Tahluka) is like هَلَكَ (Holk) and هَلَاكَ (Halaak). The Root in the pattern of تَفْعَلَةٌ (Taf’ulah) is not in the speech of Arabs, except for this, which is famous. Sībawayh the linguist also narrated تَضَرَّرَ Tadurrah and تَسُرَّرَ Tasurrah from the Root Darar (ضرر Harm) and Suuroo (سرور Suuroo).

Then Allah (swt) concludes the verse by commanding those who are Able (قادر Qadir) to spend in Jihad to spend in the best means for Jihad and to spend from his best wealth i.e. being good in spending in general terms. Allah (swt) loves the doers of good and rewards them the good. Those who love Allah (swt), Goodness will come to him. ﴿وَاحْسِبُوا إِنَّ اللَّهَ يُحِبُّ الْمُحْسِنِينَ﴾ “And do goods; indeed, Allah loves the doers of good”