

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Series of Questions Addressed to Eminent Scholar Ata Bin Khalil Abu Al-Rashtah,
Ameer of Hizb ut Tahrir through his Facebook Fiqhi Page

Answer to Question

Is Al-Basmala part of Surah Al-Fatiha?

To Bakr Saa'ed

(Translated)

Question:

Assalam Alaikum wa Rahmatullahi wa Baraktuh wa Maghfiratuh. I ask Allah (swt) to grant you success in all that is good. He (swt) is the Guardian of that.

My question is: If the scholars are unanimously agreed that the one who denies that the basmalah is a verse of Al-Fatihah is not a disbeliever because it is proven in hadeeth Ahaad and not in Mutawatir. How can it be a number in some of the Qur'an at the beginning of Al-Fatihah today?! And when did it enter as a verse on Al-Fatihah?! Is Al-Fatihah 7 verses or 6 without the basmalah? Does this conflict with Allah's preservation of the Noble Qur'an?! And what is the position of the coming Islamic state, Allah willing, regarding the presence of something that is not Mutawatir in the Qur'an, such as the basmalah and supplication at the end of the Qur'an?!

May Allah (swt) bless you.

Answer:

Walaikum Assalam wa Rahmatullahi wa Barakatuh,

We have previously answered a question about the basmalah on Rabi` al-Akhir 21, 1432 AH corresponding to 26 March 2011 CE, and it stated the following:

[As regarding the Basmalah, it is from the Quraan as part of the verse of Surah An-Naml (The Ants): ﴿إِنَّهُ مِنْ سُلَيْمَانَ وَإِنَّهُ بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ﴾ **“It is from Solomon and it is Bismillah ir-Rahman ir-Rahim.”**

But at the beginning of Al-Fatihah or the beginning of the chapters, it is subject to difference in terms of being a verse of the surah/chapter or it just separates between the surahs/chapters. This difference does not harm, because both sides admit it is from the Qur'an in the Surat of An-Naml, and the difference is over its place at the beginning of the surahs, except surah of At-Tawbah. In other words: Is it a verse at the beginning of the surahs, or is it a verse at the beginning of the Fatihah; or it is not a verse, neither at the beginning of the surahs and nor at the beginning of the Fatihah? As long as everyone acknowledges it as a verse from the Quraan in Surat An-Naml, then the difference over it at the beginning of the Surahs has no effect except in whether it is read or not in the prayer, at the beginning of the Fatihah or at the beginning of the surahs, openly or secretly, according to the Islamic rules deduced by mujtahideen.] End of Quote

To add to the clarification, and to answer the rest of the issues in your question, I would mention the following:

1. In the Shaksiya book, *The Islamic Personality Volume I* - pages 159-160 (Arabic version and in the translated version pages 116 and 117) the following is mentioned: [Jibreel (as) would recite all of what had been revealed to the Messenger (saw) from the Qur'an once every year. And in the year in which the Messenger of Allah (saw) died, Jibreel (as) recited the whole of the Qur'an twice to the Messenger (saw). It has been narrated by 'Aisha (ra) on the authority of Fatimah (ra) that: «أَسْرَرْتُ إِلَى النَّبِيِّ ﷺ إِنَّ جِبْرِيلَ كَانَ يُعَارِضُنِي الْقُرْآنَ كُلَّ سَنَةٍ مَرَّةً وَإِنَّهُ عَارِضُنِي» **“The Prophet, may Allah bless him and grant him peace, I**

confided to me, 'Jibril used to review the Qur'an with me every year, but this year he reviewed it with me twice. I only think that my time is approaching" [Reported by Bukhari].

It has been narrated about Abu Hurairah (ra) that he said: **«كَانَ يَعْزُضُ عَلَى النَّبِيِّ ﷺ الْقُرْآنَ كُلَّ عَامٍ مَرَّةً فَعَرَضَ عَلَيْهِ مَرَّتَيْنِ فِي الْعَامِ الَّذِي قُبِضَ فِيهِ»** "Jibreel used to present the Qur'an to the Prophet once a year, but he presented it twice in the year he (saw) died". Jibreel's presentation of the Qur'an to the Messenger (saw) every year means that he presented the arrangement of its verses in relation to other verses and the arrangement of its verses in their respective chapters because presenting the book means to present its sentences, words and arrangement. He presented it to him twice in the year in which the Messenger (saw) died. This means that the arrangement of the verses in relation to each other was presented and as well as the arrangement of the verses in their respective Suras. Similarly, it is possible to understand the hadith to mean that the Sura arrangement in relation to each other was presented. However, there are other ahadith which explicitly mention the arrangement of the verses. They state the arrangement of the verses in relation to each other and the arrangement of verses in their respective chapters: **«صَضُّوا هَذِهِ الْآيَاتِ فِي سُورَةٍ كَذَا بَعْدَ آيَةٍ كَذَا»** "Place these verses in such and such sura after such and such ayah", **«صَضُّوا هَؤُلَاءِ الْآيَاتِ فِي السُّورَةِ»**, **«صَضُّوا هَؤُلَاءِ الْآيَاتِ فِي السُّورَةِ»** "Place those verses in the Sura that mentioned such and such thing". A Sura would end and another Sura would begin as commanded by Allah (swt) through Jibreel (as). It has been reported that Ibn 'Abbas (ra) said: **«كَانَ النَّبِيُّ ﷺ لَا يَعْلَمُ خَتْمَ السُّورَةِ حَتَّى يَنْزِلَ بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ»** "The Prophet (saw) would not know the ending of a sura until 'bismillah I-rahman al-raheem' was revealed" And in another narration; in *The Islamic Personality Vol.1* 117 **«فَإِذَا نَزَلَتْ بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ عَلِمُوا أَنَّ السُّورَةَ قَدْ انْقَضَتْ»** "When 'bismillah I-rahman al-raheem' is revealed then they would know that the sura has come to an end" [Sunan Bayhaqi & Abu Dawud]. All of this definitely indicates that the arrangement of ayat in their Suras and the form of the Suras in terms of the number of verses and their places; all of that is determined by Allah (swt). The Ummah transmitted it in this form from her Prophet (saw) and that is proven by tawaatur (recurrent reports)...]

2. When the Companions, may Allah be pleased with them, adopted the Qur'an of Othman, they affirmed the basmalah in it at the beginning of Al-Fatihah and at the beginning of the rest of the surahs, with the exception of Surat Bara'ah, but it was not clear if this meant that the basmalah is a verse from each of the surahs in which they established the basmalah at the beginning, i.e. al-Fatihah and the rest of the surahs except for Bara'ah, or that the basmalah is for separating the surahs, and therefore there was a difference between the scholars in the fact that the basmalah is a verse from al-Fatihah and in being a verse from the rest of the surahs. Despite this difference, all of them acknowledge that the basmalah is inscribed in writing in the Qur'an on which the honorable Companions unanimously agreed at the beginning of Al-Fatihah and at the beginning of all other surahs except Surat Bara'ah; hence, the basmalah was not entered by Muslims later in the beginning of the surah or at the beginning of the Fatiha. Rather, it is established in the Qur'an of Othman at the beginning of the Fatiha and at the beginning of the surah, except for Bara'a, with the unanimity and agreement of the Companions, may Allah be pleased with them all.

3. It was stated in Al-Suyuti's book (Al-Itqan fi Ulum Al-Qur'an 1/234):

[Al-Fatihah: According to the audience, it is seven, so the Kufi and the Meccan numbered the basmalah without **«أَنْعَمْتَ عَلَيْهِمْ»** "You have blessed them" and the rest suggested the opposite. And Al-Hasan said: He numbered them eight, and some of them were six which he did not count, and another nine, which he counted both. **«إِيَّاكَ نَعْبُدُ»** "You Alone we worship". The first narration is strengthened by what was narrated by Ahmad, Abu Dawid, Al-Tirmidhi, the son of Khuzaimah, Al-Hakam, and Al-Darqati, and others narrated by Um Salama that the Prophet (saw) was reciting: **«بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ * الْحَمْدُ لِلَّهِ رَبِّ الْعَالَمِينَ * الرَّحْمَنِ الرَّحِيمِ * مَالِكِ يَوْمِ الدِّينِ * إِيَّاكَ نَعْبُدُ وَإِيَّاكَ نَسْتَعِينُ * اهْدِنَا الصِّرَاطَ الْمُسْتَقِيمَ * صِرَاطَ الَّذِينَ أَنْعَمْتَ عَلَيْهِمْ غَيْرِ الْمَغْضُوبِ عَلَيْهِمْ وَلَا الضَّالِّينَ»** "In the Name of Allah—the Most Compassionate, Most Merciful. All praise is for Allah—Lord

of all worlds, the Most Compassionate, Most Merciful, Master of the Day of Judgment You 'alone' we worship and You 'alone' we ask for help. Guide us along the Straight Path, The Path of those You have blessed—not those You are displeased with, or those who are astray.” [TMQ Al-Fatiha: 1-7]. So he cut it out verse by verse, and he counted it as the nomadic Arabs, and he counted: ﴿بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ﴾ “In the name of Allah the Most Compassionate the Most Merciful” as a verse and he didn't count: ﴿عَلَيْهِمْ﴾ “upon them”. Al-Darqutni narrated it with an authentic chain of narrators on the authority of Abd Khair, who said: Ali was asked about the Seven Mathani (Al-Fatiha), and he said: ﴿الْحَمْدُ لِلَّهِ رَبِّ الْعَالَمِينَ﴾ “All praise is for Allah - Lord of all worlds.” It was said to him that they are only six verses. He said: ﴿بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ﴾ “In the name of Allah the Most Compassionate the Most Merciful” is a verse.] **End of Quote.**

This means that the difference in the subject of the basmalah in terms of its being a verse...etc. falls under the section of ijtiḥad with valid evidence for the mujtahids, and the followers of the esteemed mujtahids, is a legitimate matter.

4. What was inserted into the Qur'an of dots, vowel marks, placing stopping signs and rulings on recitation...etc, or what was placed in some of the Qur'an at the end of supplications or on the margins of interpretation and explanations. All of this does not affect the mixing of the Qur'an with others, for the Muslims paid great attention to the Quran and millions of them have memorized it, and its texts have become frequent (tawatur-recurrent), so it is not possible to mix with others and confuse people. Therefore, hundreds of years ago, Muslims introduced to the Qur'an some matters that help in reading the Qur'an, such as dots, vowel marks, and others, and this did not affect the text of the Holy Qur'an. Therefore, the Khilafah (Caliphate) State does not prevent the presence of these marks and stopping signs in the Qur'an.

In conclusion: the occurrence of a difference in ijtiḥad with regard to the basmalah is that it is a verse of Al-Fatihah or is not a verse, or that Al-Fatihah has the number of its verses 6 or 7, or that it is read in secret or out loud. All of this does not affect Allah Almighty's preservation of the Holy Qur'an, for it is a verse from the Qur'an in Surat An-Naml, and the Qur'an is collected in one Mushaf since the time of the Rightly-Guided Caliphs, may Allah be pleased with them, as it was written in the presence of the Messenger, peace be upon him, and as they recited from the Messenger of Allah, peace be upon him, and Allah Almighty spoke the truth when he said: ﴿إِنَّا نَحْنُ نَزَّلْنَا الذِّكْرَ وَإِنَّا لَهُ لَحَافِظُونَ﴾ “It is certainly We Who have revealed the Reminder, and it is certainly We Who will preserve it.” [TMQ Al-Hijr: 9]

I hope this is sufficient and Allah Knows Best.

Your Brother,

Ata Bin Khalil Abu Al-Rashtah

26 Dhul Qi'dah 1443 AH

25/6/2022 CE

The link to the answer from the Ameer's Facebook page:

<https://www.facebook.com/HT.AtaabuAlrashtah/posts/582760463411327>