

Tafsīr al-Qurṭubī
Vol. 6
Sūrat al-Mā'idah – The Table

Tafsīr al-Qurṭubī

The General Judgments of the Qur'ān
and Clarification of what it contains
of the *Sunnah* and *Āyahs* of Discrimination

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Vol. 6

Sūrat al-Mā'idah – The Table

translated by

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Table of Transliterations

ء	'	ض	ḍ
ا	a	ط	ṭ
ب	b	ظ	ẓ
ت	t	ع	'
ث	th	غ	gh
ج	j	ف	f
ح	ḥ	ق	q
خ	kh	ك	k
د	d	ل	l
ذ	dh	م	m
ر	r	ن	n
ز	z	ه	h
س	s	و	w
ش	sh	ي	y
ص	ṣ		

Long vowel

ا	ā
و	ū
ي	ī
أَؤ	aw
أَيَّ	ay

Short vowel

َ	a [<i>fatḥah</i>]
ُ	u [<i>dammah</i>]
ِ	i [<i>kasrah</i>]

Translator's note

The Arabic for the *āyats* is from the Algerian State edition of the *riwāyah* of Imam Warsh from the *qirā'ah* of Imam Nāfi' of Madina, whose recitation is one of the ten *mutawātir* recitations that are mass-transmitted from the time of the Prophet ﷺ.

There are minor omissions in the text. Some poems have been omitted which the author quotes to illustrate a point of grammatical usage or as an example of orthography or the usage of a word, often a derivative of the root of the word used in the *āyah*, but not the actual word used. Often it is difficult to convey the sense in English. Occasionally the author explores a grammatical matter or a tangential issue, and some of these may have been shortened. English grammatical terms used to translate Arabic grammatical terms do not have exactly the same meaning, sometimes rendering a precise translation of them problematic and often obscure.

The end of a *juz'* may vary by an *āyah* or two in order to preserve relevant passages.

Sūrat al-Mā'idah – The Table

It is Madinan by consensus. It is related that it was revealed when the Messenger of Allah ﷺ left al-Ḥudaybiyah. An-Naqqāsh mentioned that Abū Salamah said, 'When the Messenger of Allah ﷺ returned from Ḥudaybiyah, he said, "Alī, are you aware that *Sūrat al-Mā'idah* has been revealed to me? There is great benefit in it.'" Ibn al-'Arabī says, 'This *ḥadīth* is forged and it is not lawful for a Muslim to believe it is sound. But we do say that *Sūrat al-Mā'idah* is of great benefit and we do not prefer it to any other.' Ibn 'Aṭīyah said, 'I do not think that it resembles the language of the Prophet ﷺ.'¹ It is related that the Prophet ﷺ said, "*Sūrat al-Mā'idah* calls out in the dominions of Allah: "The one who has it will be delivered from the angels of punishment.""

Part of this *sūrah* was revealed during the Farewell Ḥajj and part in the year of the conquest of Makkah, which is its second *āyah*. All of the Qur'ān that was revealed after the Hijrah is Madinan, whether it was revealed in Madīnah or on a journey, and all that was revealed before the Hijrah is called Makkan. Abū Maysarah says, '*Al-Mā'idah* is part of the last of what was revealed. There is nothing abrogated in it. It contained eighteen obligations. These are found in *āyahs* 3, 4, 5, 6, 38, 95, 103 and 106.' There is a nineteenth obligation in *āyah* 58, which is the only mention of the *adhān* in the Qur'ān. What is mentioned in *Sūrat al-Jumu'ah* is particular to the *Jumu'ah* prayer, whereas here it is about all the prayers.

It is reported that the Messenger of Allah ﷺ recited *Sūrat al-Mā'idah* during the Farewell Ḥajj and said, 'People! *Sūrat al-Mā'idah* is one of the last parts of the Qur'ān to be revealed. Consider its *ḥalāl* to be *ḥalāl* and its *ḥarām* to be *ḥarām*.' Something similar is reported from 'Ā'ishah in a *mawqūf* transmission. Jubayr ibn Nufayr said, 'I visited 'Ā'ishah and she asked, "Do you recite *Sūrat al-Mā'idah*?" "Yes," I replied. She said, "It was one of the last parts of the Qur'ān to be revealed by Allah. Whatever you find is *ḥalāl* in it, consider that to be *ḥalāl*. Whatever you find is *ḥarām* in it, consider that to be *ḥarām*.'" Ash-Sha'bī said that nothing of this *sūrah* was abrogated except for: '...or the sacred months or the sacrificial animals' (5:2). Some have said that 5:106 was also abrogated.

1 it uses rhyme.

يَا أَيُّهَا الَّذِينَ آمَنُوا أَوْفُوا بِالْعُقُودِ أُحِلَّتْ لَكُمْ بَهِيمَةُ الْأَنْعَامِ إِلَّا مَا يُبْلِ عَلَيْكُمْ
عَنِ مَجْلِ الصَّيْدِ وَأَنْتُمْ حُرْمٌ لَنْ اللَّهُ يَحْكُمَ مَا يُرِيدُ ﴿١﴾

1 You who believe, fulfil your contracts. All livestock animals are lawful for you, except those that are recited to you now; but it is still not lawful to hunt while you are in *iḥrām*. Allah makes whatever judgments He wills.

You who believe, fulfil your contracts.

‘Alqamah said, ‘Everything in the Qur’ān which has “*You who believe*” in it is Madinan whereas “*O mankind*” is Makkan.’ This is usually true and has already been mentioned. This *āyah* is one of those whose eloquence is evident to someone who has insight into language: it contains many meanings in few words. It contains five rulings.

The first is the command to fulfil contracts. The second is that livestock is lawful. The third is that there is an exception in what is mentioned after it. The fourth is that the state of *iḥrām* is an exception for game which is hunted. The fifth is that it is permitted for someone who is not in *iḥrām* to hunt.

An-Naqqāsh related that the companions of al-Kindī said to him, ‘Wise one, produce for us the like of this Qur’ān.’ He said that he would and retreated for several days and then came out and said, ‘By Allah, I cannot, and no one can! I opened the copy of the Qur’ān to *Sūrat al-Mā’idah*, and I looked at it. It speaks of fulfilling and forbidding the breaking of contracts, makes a general ruling of lawfulness and then excepts one exception after another, and then speaks of Allah’s Power and Wisdom, all in two lines. No one can do the like of that except in several volumes.’

There are two dialectical possibilities of ‘fulfilling’: *wafā* and *awfā*. Fulfilling is also referred to in the words: ‘*Who is truer to his contract than Allah?*’ (9:11) and: ‘*Ibrāhīm, who paid his dues in full.*’ (53:37) A poet said, using both:

Ibn Ṭawq fulfilled (*awfā*) his responsibility
as he fulfilled (*wafā*) when he called her at Qilāṣ an-Najm.

‘*Uqūd* means ties. The singular is ‘*aqd*. The verb is used in reference to making a pledge and tying a rope. The verb is also used for thickening honey. So it is used both for ideas and physical bodies. Al-Ḥuṭay’ah said:

When a people make a contract (‘*aqd*)with their neighbour,
tie a rope tight on it and above it tie an upper rope.

Allah commanded that contracts be fulfilled. Al-Ḥasan said that by contracts He means those which involve debts – which is what a person agrees for himself in respect of buying and selling – hire and renting, marriage and divorce, sharecropping, reconciliation ownership, options, freeing and other matters which are not outside the *Sharī'ah*. It also includes whatever obedience he contracts for himself with Allah, such as *hajj*, fasting, *i'tikāf*, prayer, vows and the like which are part of the worship of Islam. As for vows which are not part of worship, they are not included by the consensus of the community. Ibn 'Arabī stated that.

Then it is said that it was revealed about the People of Book since Allah says: *'When Allah made a covenant with those given the Book: "You must make it clear to people and not conceal it."* (3:187) Ibn Jurayj said that it was particular to the People of the Book and revealed about them. It is said that it is general, and that is sound. The term 'believers' can include the believers of the People of the Book because there was a contract between them and Allah in their Books to fulfil the trust concerning Muḥammad ﷺ and they are commanded to do that here and elsewhere. Ibn 'Abbās said that the meaning covers what Allah made lawful and made unlawful and what is obligatory and the limits He set regarding all things. That is what Mujāhid and others said.

Ibn Shihāb said, 'I read the letter of the Messenger of Allah ﷺ which he wrote to 'Amr ibn Ḥazm when he sent him to Najrān. It began: "This is clarification to people from Allah and His Messenger: *'O you who believe, fulfil your contracts'* and it includes the *āyahs* until the end of *āyah* 4: *"Allah is swift at reckoning."*

Az-Zajjāj said, 'The meaning is: "Fulfil Allah's contract with you and your contracts with one another." All of this refers to the general meaning, which is sound. The Prophet ﷺ said, 'Believers abide by their agreed conditions.' He ﷺ said, 'Every agreed condition which is not in the Book of Allah is void, even if there are a hundred of them.' He was explaining that the contracts which must be fulfilled is those which are in harmony with the Book of Allah, in other words Allah's *Dīn*. If it is contrary to it, then it is void as the Prophet ﷺ confirmed by his words: 'If anyone does something which is not part this affair of ours, it will be rejected.'

Ibn Ishāq said, 'The tribes of Quraysh met in the house of 'Abdullāh ibn Jud'ān because of his honour and lineage, and they made a contract that there would not be anyone in Makkah who had been wronged – of their people or others – but that they would stand with him until his wrong was righted. Quraysh called that alliance "The Fuḍūl Alliance". It is that about which the Messenger ﷺ said, "I was present at an alliance in the house of 'Abdullāh ibn Jud'ān, that I would not

exchange for red camels. If I were invited to it in Islam, I would respond.” This alliance is what is meant by his words ﷺ, ‘Any alliance there was in the Jāhiliyyah is only strengthened by Islam’ because it was in harmony with the *Sharī‘ah* since it commands anyone who wrongs another to act justly. As for false treaties and invalid contracts for the sake of wrongdoing and aggression, Islam has destroyed them. Praise belongs to Allah.

Ibn Iṣḥāq said, ‘Al-Walīd ibn ‘Uqbah wronged al-Ḥusayn ibn ‘Alī regarding some property of his on the strength of al-Walīd’s authority since he was the governor of Madīnah. Al-Ḥusayn said to him, “I swear by Allah that you will give me my fair share or I will take my sword and stand in the Mosque of the Messenger of Allah ﷺ and invoke the Alliance of Fuḍūl!” ‘Abdullāh ibn az-Zubayr said, “I swear by Allah that if he calls me I will take my sword and stand with him until he has his due or we die together!” When that reached al-Miswar ibn Makhramah, he said the same, and it reached ‘Abd ar-Raḥmān ibn ‘Uthmān ibn ‘Ubaydullāh at-Taymī and he also said the same. When al-Walīd heard about that, he gave him satisfaction.’

All livestock animals are lawful for you

This is addressed to all those who believe. The Arabs had superstitious customs about livestock – *baḥīrah*, *sā’ibah*, *waṣīlah* and *ḥām* – which will be explained in the appropriate place (5:103). This *āyah* was revealed to remove those illusions and false opinions. There is disagreement about the meaning of ‘*bahīmatu-l-an‘ām*’ (*livestock animals*). The noun ‘*bahīmah*’ means all animals with four legs. They are called that because they are unable to speak or understand, cannot discriminate, and lack intelligence. A door which is ‘*mubham*’ is locked, ‘*bahīm*’ describes a black night, and ‘*buhmah*’ describes a hero who does not know from which direction he will be attacked.

The noun ‘*an‘ām*’ includes camels, cattle and sheep and goats. They are called this because the gentleness of their gait. Allah says: *‘And He created livestock. There is warmth for you in them, and various uses...’* (16:5-7) Allah also says: *‘And also animals for riding and for haulage’* (6:142). This means both large and small. Then He explains what they are and says: *‘...eight kinds in pairs’* (39:6). He says: *‘He has made houses for you out of cattle hides which are light for you to carry both when you are travelling and when you are staying in one place. And from their wool,’* referring to sheep, *‘and fur’*, referring to camels, *‘and hair’* (16:80), referring to goats. These are three proofs that tell us that the term *an‘ām* includes these species: camels, cattle and sheep and goats, and this is the position of Ibn ‘Abbās and al-Ḥasan. Al-Harawī said that *na‘am* means camels.

Aṭ-Ṭabarī said that some people say that it also includes wild animals like antelopes, wildebeests, asses and others. That was mentioned by other than aṭ-Ṭabarī, ar-Rabī', Qatādah and ad-Ḍaḥḥāk. It is as if Allah were saying, 'Livestock are lawful for you,' and then ascribing the genus to that making it more specific. Ibn 'Aṭīyah said, 'This is a good view because livestock falls into eight kinds. Other animals that are added to them are called "livestock" because they are joined with them. It is as if beasts of prey like lions and fanged animals are outside of the definition of livestock. So "*livestock animals*" are those with four legs that graze.'

According to this, it would include all animals with hooves because they graze and do not kill prey. That is not the case because Allah says: '*And He created livestock. There is warmth for you in them, and various uses.*' (16:5) Then He added to that: '*And horses, mules and donkeys.*' (16:8) When He mentioned those, and added them to livestock, it indicates that they are not part of them. Allah knows best.

It is said that '*livestock animals*' are those that are not game because game is called 'wild' (*waḥshī*), not *bahīmah*. This goes back to the first statement. It is related that 'Abdullāh ibn 'Umar said that '*bahīmatu-l-an'ām*' are foetuses that emerge when the mother is slaughtered. They are eaten without being slaughtered. Ibn 'Abbās said that. It is unlikely because Allah says: '*...except those that are recited to you now.*' There is no exception about the foetuses. Mālik said that slaughtering an animal also slaughters its foetus, if it is not born alive and its hair has begun to grow and its form is complete. If the form is not complete and hair has not begun to grow, it may not be eaten unless it is born alive and then slaughtered. If they rush to slaughter it and it dies on its own, some say that that constitutes slaughter and some say that it does not.

except those that are recited to you now;

This means except what is recited to you in the Qur'ān and the *Sunnah*. That includes carrion (5:3) and the words of the Prophet ﷺ, 'Every wild beast with fangs is unlawful.' If it is said that the words: '*what is recited to you now*' do not include the *Sunnah*, we reply that the *sunnah* of the Messenger of Allah ﷺ is part of the Book. There are two corroborations which support that. One is the *ḥadīth* of al-'Asīf which contains the words: 'I will decide between you by the Book of Allah,' and stoning is not a text in the Book of Allah. The second is the *ḥadīth* of Ibn Mas'ūd: 'Why should I not curse the one who curses the Messenger of Allah ﷺ when it is in the Book of Allah?' This will be further discussed in *al-Ḥashr*. It is possible that '*except those that are recited to you*' is now or '*what is recited to you*' is in

the future on the tongue of the Messenger of Allah ﷺ. So it is evidence that it is permitted to delay clarification, when it is not necessary at a particular time, until the time when it is needed.

but it is still not lawful to hunt while you are in *iḥrām*.

Hunting is not allowed to those in *iḥrām*, but others may hunt. That which is not game is allowed for both, whether they are in *iḥrām* or not. Grammarians disagree about whether it is an exception or not. The Basrans say that it is another exception to ‘*livestock animals*’. So both exceptions are to ‘*livestock animals*’ and it is an exception to them as well. It implies: except those that are recited to you except for game while you are in *iḥrām*’ which differs from the form of the exception in 15:57-58 as will be explained there.

It is also said to be an exception to the exception and so it is in the position of Allah’s words: ‘*We have been sent to a people who are evildoers.*’ (15:57) If it had been like that, it would be obliged to permit hunting while in *iḥrām* because it is an exception to what is forbidden since the words: ‘*except those that are recited to you*’ is an exception with respect to their permissibility. This approach is discarded. It then means: ‘*Although hunting game is not lawful when you are in iḥrām, livestock animals are lawful for you except for what has been recited to you concerning things other than game.*’ It is also permitted for it to mean: ‘*Fulfil your contracts without thinking it lawful to hunt, but livestock is lawful for you except what is recited to you.*’

Al-Farrā’ said that the words ‘*except those that are recited to you*’ could be in the nominative as an appositive, on the basis that they are added by ‘*illā*’ as it is added by ‘*lā*’. The Basrans only permit it to be in the indefinite and what is close to it of generic nouns, as in ‘*The people came except for Zayd.*’ He considers the accusative in ‘*ghayra*’ to be in the accusative in the *ḥāl* which is in ‘*fulfil.*’ Al-Akhfash said it means, “‘*You who believe, fulfill your contracts except to those who consider game lawful.*’” Others said that it is a *ḥāl* modifying *kum* in ‘*lakum*’. It implies: *Livestock animals are lawful for you without that making game lawful.*

Then it is said that it is possible that that *iḥlāl* refers to people, meaning: ‘*do not make game lawful while in a state of iḥrām.*’ It is also permitted for it to refer to Allah Almighty, meaning: ‘*I have made lawful for you livestock animals except for game during the time you are in iḥrām.*’ It is as you say, ‘*I have made this lawful for you except for allowing it to you on Friday.*’ If you say that it refers to people, then it means ‘*not making game lawful*’ and the *nūn* is elided for lightening.

while you are in *iḥrām*.

This is being in *iḥrām* for the *ḥajj* or *‘umrah*. *Ḥurum* is the plural of *ḥirām* which is the one in *iḥrām* on the *ḥajj*. A poet said:

I told her, ‘Return to yourself.

I am in *iḥrām* (*ḥirām*), and furthermore have said the *talbīyah*.

Someone is called this because the one who enters this state is forbidden women, perfume and the like. The verb *aḥrama* is also used for entering the *Ḥaram*, and so the game of the *Ḥaram* is also unlawful. Al-Ḥasan, Ibrāhīm and Yaḥyā ibn Waththāb recited *‘ḥurm’* (instead of *‘hurum’*) which is the dialect of Tamīm. They say *‘rusl’* for *‘rusul’*, *‘kutb’* for *‘kutub’* and the like.

Allah makes whatever judgments He wills.

This strengthens these legal rulings which differed from Arab customs. It means: ‘You, Muḥammad, hear the abrogation of their rulings to which Allah calls attention. He is the King of all. He makes whatever judgments He wills.’ *‘There is no reversing His judgment.’* (13:41) He legislates whatever He wishes however He wishes.

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَحْلُوا شَعِيرَ اللَّهِ وَلَا الشَّهْرَ الْحَرَامَ وَلَا الْهَدْيَ وَلَا الْقَلَائِدَ
وَلَا آيَاتِ اللَّهِ الْبَيِّنَاتِ الْحَرَامَ يَبْتَغُونَ فَضْلًا مِّن رَّبِّهِمْ وَيَرْضَوْنَ وَإِذَا حَلَلْتُمْ فَاصْطَادُوا
وَلَا يَجْرِمَنَّكُمْ شَنَا نُ قَوْمٍ أَن صَدُّوا كُرْعًا عَنِ الْمَسْجِدِ الْحَرَامِ إِن تَعْتَدُوا وَتَعَاوَنُوا عَلَى
الْبُرِّ وَالنَّقْوَىٰ وَلَا تَعَاوَنُوا عَلَى الْإِثْمِ وَالْعُدْوَانِ وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ شَدِيدُ
الْعِقَابِ ﴿٦﴾

2 You who believe! do not profane the sacred rites of Allah or the sacred months, or the sacrificial animals, or the ritual garlands, or those heading for the Sacred House, desiring profit and good pleasure from their Lord. When you have come out of *iḥrām*, then hunt for game. Do not let hatred for a people who debar you from the Masjid al-Haram incite you into going beyond the limits. Help each other to goodness and *taqwā*. Do not help each other to wrongdoing and enmity. Have *taqwā* of Allah. Allah is Severe in Retribution.

do not profane the sacred rites of Allah

This is addressed to those who are truly believers. ‘Do not transgress the limits of Allah in any matter.’ *Sha‘ā’ir* is the plural of *sha‘īrah*. Ibn Fāris said that the singular is *shi‘ārah*. It is better. A *sha‘īrah* is a camel which is sacrificed. *Ish‘ār* means to cut its hump so that it bleeds and so that it is known that it is a sacrifice. *Ish‘ār* is to make known by physical means. The verb *ash‘ara* is to make a mark by which it is known that the animal is a sacrificial camel. From the same root comes *mashā‘ir*, the singular of which is *mash‘ar*, which are the places which are known by signs. From the same root comes *shi‘r* (poetry) produced by a poet (*shu‘ūr* and *shā‘ir*). That is because by his poetry he makes understood what is not understood by another. There is also *sha‘īr* (barley) because of the hair on its head. *Sha‘ā’ir* denotes either the sacrificial animals or all the sacred rites of the *ḥajj*, as Ibn ‘Abbās said. Mujāhid said that it comprises Ṣafā and Marwah, the sacrifices, and the camels. A poet said:

We kill them generation after generation, and you see them
with the sacrificial (*sha‘ā’ir*) animals approaching.

The idolaters used to make *ḥajj* and ‘*umra* and brought sacrifices with them. The Muslims wanted to attack them and Allah revealed this. ‘Aṭā’ ibn Abī Rabāḥ said that it is all that Prophet ﷺ commanded and forbade. Al-Ḥasan said, ‘It is all the *dīn* of Allah,’ as when He says: ‘*That is it. As for those who honour Allah’s sacred rites, that comes from the taqwā in their hearts.*’ (22:32) It means the *dīn* of Allah. This is the preferred position because it is general.

Scholars disagree about the marking of the sacrifices. The majority permit it. Then they disagree about which side of the animal should be marked. Ash-Shāfi‘ī, Aḥmad and Abū Thawr say that it is the right side, and that is related from Ibn ‘Umar. It is confirmed that Ibn ‘Abbās stated that the Prophet ﷺ marked his camel on the right side of its hump. Muslim and others transmitted that, and it is sound. It is also related that he marked his camels on the left side. Abū ‘Umar ibn ‘Abd al-Barr says, ‘I consider this *ḥadīth* to be *munkar*.’ The sound transmission is that which Muslim has from Ibn ‘Abbās.’ He said that it is not sound from anyone else.

One group say that the marking should be on the left side, and that is the position of Mālik. He said, ‘There is no harm in doing it on the right side.’ Mujāhid said that it can be done on either side, and that is one of the two positions of Aḥmad. Abu Ḥanīfah forbids all of that, saying that it is torturing animals, but the *ḥadīth* rejects that. Furthermore, that is like branding by which ownership is known. It is as if he had not heard of this in the *Sharī‘ah*! It is very famous among scholars.

What I have seen written in the books of Ḥanafī scholars is that the position of Abu Ḥanīfah is that marking is disliked. Abū Yūsuf and ash-Shaybānī, however, say that it not disliked and not *sunnah*, but permissible. That is since marking is notification, it is a *sunnah* like garlanding. The unlawful aspect of it is that it is a wound and mutilation. So it contains both *sunnah* and innovation and is made allowable. Abu Ḥanīfah holds that marking is mutilation and is unlawful since it entails torturing an animal which is disliked, and what is related from the Messenger of Allah ﷺ was at the beginning when the desert Arabs used to loot all property unless it was a marked sacrificial animal. They only recognised sacrificial camels by marking. Then that was removed when the excuse was removed. That is how it is related from Ibn 'Abbās.

It is related that the Imam, Shaykh Abū Maṣṣūr al-Māturīdī, said, 'It is possible that Abu Ḥanīfah disliked the marking done by the people of his time because it was taken to excess by marking on the face. As for that which is not excessive, as was done in the time of the Messenger of Allah ﷺ, it is good.' Abū Ja'far aṭ-Ṭaḥāwī mentioned something like that. This is the excuse offered for Abu Ḥanīfah by the Ḥanafī scholars regarding the *ḥadīth* related about marking. They heard it, it reached them and they knew it. They said, 'According to the view that it is disliked, no one goes into *iḥrām* by it because doing something disliked is not counted as one of the practices.'

or the sacred months,

This (*shahr*) is a singular noun which is used generically for all sacred months. They are four, three in a row and one on its own, and will be mentioned in *Sūrat at-Tawbah*. The meaning is: 'Do not profane them by fighting or raiding in them nor change them around to make them lawful.' They used to do that by delaying the month.

or the sacrificial animals, or the ritual garlands,

This means: 'Do not profane sacrificial animals in general.' The garlands mark them out as being sacrifices. *Qalā'id* (garlands) is the plural of *qilādah*. So Allah forbade profaning sacrificial animals altogether and then mentioned garlanded animals to stress their sanctity. A *hady* is what is given (*uhdā*) to the House of Allah, be it a camel, cow or sheep. The singular is *hadyah*, *hadiyah*, *hady*. Those who say that *sha'ā'ir* means rites say that 'sacrificial animals' clarifies them in particular. Those who say that it means the sacrificial animals, say that a *mash'ar* is marked by blood on its hump and a *hady* is not marked but it is enough that they

be garlanded. It is said that the difference is that *sha'ā'ir* are camels and *hadys* are cattle, sheep, garments and all that is offered.

The majority say that *hady* is general and includes all that one uses to draw near to Allah with respect to sacrifices and *sadaqāt*. Confirming that are the words of the Prophet ﷺ: 'Someone who goes early to Jumu'ah is like someone who sacrifices (*muhdī*) a camel,' and it goes on to 'sacrifices (*muhdī*) an egg.' So he ﷺ called it a *hady*. Calling an egg a sacrifice can only be because *ṣadaqah* is meant by it. That is like scholars saying that when someone says, 'I have made this garment of mine a sacrifice (*hady*),' he must give it away as *ṣadaqah*. However, it is usually applied to one of the three categories of camels, cattle and sheep and driving them to the *Haram* and slaughtering them there. This is taken as the custom of the *Sharī'ah* from His words: 'If you are forcibly prevented, make whatever sacrifice (*hady*) is feasible' (2:196) which means sheep, and: '...the reprisal for it is a livestock animal (*hady*) equivalent to what he killed, as judged by two just men among you' (5:95), and: 'Anyone who comes out of *iḥrām* between 'umrah and *ḥajj* should make whatever sacrifice (*hady*) is feasible' (2:196), the minimum of which is a sheep according to the *fuqahā'*. Mālik said, 'When someone says, "My garment is a *hady*," then he must use its price to buy a *hady*.'

'Garlands (*qalā'id*)' are what people garland them with to protect them. There is some elision here, meaning: 'nor those with garlands.' Then this was abrogated. Ibn 'Abbās said, 'Two *āyahs* are abrogated in *al-Mā'idah*: the *āyah* of garlands and the words: "If they come to you, you can either judge between them or turn away from them." (5:43) The *āyah* about the garlands was abrogated by the command to kill the idolaters wherever they were and in any month. (9:5) The other *āyah* was abrogated by the words of Allah: "Judge between them by what Allah has sent down." (5:49) It is also said that what is meant are the garlands themselves and it forbids taking the bark of the trees of the *Haram* to use as garlands to seek security, as Mujāhid and Muṭarrif ibn ash-Shikhkhīr stated. Allah knows best.

The true meaning of *hady* is that it is anything that is given for which no recompense is given. The *fuqahā'* agree that if someone says, 'I owe a *hady* to Allah,' he must send its price to Makkah. As for the garlands, they are what are hung from the humps and necks of sacrificial animals as a sign that they are for Allah: be it sandals or anything else. That was an Abrahamic custom which existed in the *Jāhiliyyah* and Islam affirmed it. It is the *sunnah* for cattle and sheep. 'Ā'ishah said, 'The Messenger of Allah ﷺ once brought sacrifices to the House in the form of sheep and he garlanded them.' Al-Bukhārī and Muslim transmitted it. A group of scholars believe this, namely ash-Shāfi'ī, Aḥmad,