## Part 3: Fundamental Issues & Principles

Kitāb at-Tawheed

(book of monotheism)

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## 11. The Prophet (peace be upon him) permits all that is good & prohibits that which is malignant, obscene & evil

Allah the exalted, the majestic states the following in the Qur'ān:

الَّذِينَ يَتَّبِعُونَ الرَّسُولَ النَّبِيَّ الْأُمِّيَ الَّذِي يَجِدُونَهُ مَكْتُوبًا عِندَهُمْ فِي التَّوْرَاةِ وَالْإِنجِيلِ يَأْمُرُهُم بِالْمَعْرُوفِ وَيَنْهَاهُمْ عَنِ الْمُنكَرِ وَيُحِلُّ لَهُمُ الطَّيِّبَاتِ وَيُحَرِّمُ عَلَيْهِمُ الْخَبَائِثَ وَيَضَعُ عَنْهُمْ إِصْرَهُمْ وَالْأَغْلَالُ الَّتِي كَانَتْ عَلَيْهِمْ فَالَّذِينَ آمَنُوا بِهِ وَعَزَّرُوهُ وَنَصَرُوهُ وَاتَّبَعُوا النُّورَ الَّذِي أُنزلَ مَعَهُ أُولَٰئِكَ هُمُ الْمُقْلِحُونَ

Those who follow the Apostle-Prophet, the unlettered, whom they find written down with them in the Torah and the Bible (who) enjoins them good and forbids them evil, and makes lawful to them the good things and makes unlawful to them impure things, and removes from them their burden and the shackles which were upon them; so (as for) those who believe in him, honour and help him, follow the light which has been sent down with him, these it is that are the successful. <sup>1</sup>

يَسْنَأَلُونَكَ مَاذَا أُحِلَّ لَهُمْ قُلُ أُحِلَ لَكُمُ الطَّيِّبَاتُ وَمَا عَلَّمْتُم مِّنَ الْجَوَارِحِ مُكَلِّبِينَ تُعَلِّمُونَهُنَّ مِمَّا عَلَّمَكُمُ اللَّهُ فَكُلُوا مِمَّا أَمْسَكُنَ عَلَيْكُمْ وَاذْكُرُوا اسْمُ اللَّهِ عَلَيْهِ وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ سَرِيعُ الْحِسَابِ

They ask you as to what is allowed to them. Say: The good things are allowed to you, and what you have taught the beasts and birds of prey, training them to hunt-- you teach them of what Allah has

<sup>&</sup>lt;sup>1</sup> Our 'ān 7: 157

taught you-- so eat of that which they catch for you and mention the name of Allah over it; and be careful of (your duty to) Allah; surely Allah is swift in reckoning.<sup>2</sup>

الْيَوْمَ أُحلَّ لَكُمُ الطَّيِّبَاتُ وَطَعَامُ الَّذِينَ أُوتُوا الْكتَابَ حلِّ لَّكُمْ وَطَعَامُكُمْ حلٌّ لَّهُمْ وَالْمُحْصَنَاتُ منَ الْمُؤْمِنَات وَالْمُحْصَنَاتُ منَ الَّذِينَ أُوتُوا الْكِتَابَ مِن قَبْلِكُمْ إِذَا آتَيْتُمُوهُنَّ أُجُورَهُنَّ مُحْصِنِينَ غَيْرَ مُسَافِحِينَ وَلَا مُتَّخِذِي أَخْدَانِ وَمَن يَكْفُرْ بِالْإِيمَانِ فَقَدْ حَبِطَ عَمَلُهُ وَهُوَ في الْآخِرَة منَ الْخَاسرينَ

This day (all) the good things are allowed to you; and the food of those who have been given the Book is lawful for you and your food is lawful for them; and the chaste from among the believing women and the chaste from among those who have been given the Book before you;; when you have given them their dowries, taking (them) in marriage, not fornicating nor taking them for paramours in secret; and whoever denies faith, his work indeed is of no account, and in the hereafter he shall be one of the losers.<sup>3</sup>

## فَبِظُلْمٍ مِّنَ الَّذِينَ هَادُوا حَرَّمْنَا عَلَيْهِمْ طَيّبَاتٍ أُحِلَّتْ لَهُمْ وَبِصَدِّهِمْ عَن سَبِيلِ اللَّهِ كَثِيرًا

Wherefore for the iniquity of those who are Jews did We disallow to them the good things which had been made lawful for them and for their hindering many (people) from Allah's way. 4

We would hasten to add at this juncture that when we say that something is good (tavib) in itself or for considerations to do with that entity; or that something is deemed impure / malignant / evil (khabeeth) in and of itself, for considerations related to that entity, this is said within the context of the present created world. It is but one of the possibilities of existence, but not of necessity. It is like this because Allah the exalted has made it that way by virtue of his divine decree. Allah's omnipotent free will rules over everything and there is nothing whatsoever to place a limit or restriction upon it. There is no other authority beyond Allah or a higher right of appeal or audience. He is the most high, the wisest; the first – nothing existed before him – and he is the last – there is nothing after him; he is the all-knowing, the all powerful.

<sup>2</sup> Qur'ān 5: 4 <sup>3</sup> Qur'ān 5: 5

Our 'ān 4: 160

Therefore, a lawful (halāl) thing is so because Allah made it so. He made it so within the framework of his own divine absolute will to objects with a specific design and attribute, rather than due to an internal necessity of the created object, or for as an absolute necessary concept. Thus, there is an important distinction between the creative command of Allah and his own legislative will. In principle there is nothing to say that Allah cannot create something to be good (tayib) in and of itself, yet deem that as being prohibited as part of a Sharī'ah for whatever considerations as part of his legislative command. What constitutes the 'lawful', therefore, is what Allah the exalted decrees as lawful by his legislative command. Matters that are 'prohibited' are judged in the same way. Ultimately, Allah is the determining authority in the judgement of what constitutes the lawful and prohibited. Allah is the first and the last. He is the absolute authority and it is to him the eventual return ultimately is. There is no deity other than him. As cited previously the blessed verses from the Qur'ān provide us with unequivocal statements, establishing certain binding proofs. From these we may detail the following maxims:

- ❖ There is a fundamental distinction between what the concept of good (tayib) is and the concept of lawful (halāl). The two concepts are independent of each other, with no necessity dictating that the two should coincide. What is deemed good (tayib) is as a result of Allah's divine will pertaining to its creation and destination, or proportionality (qadr) in that manner or fashion. Lawful (ḥalāl) relates to a matter being decided as such by the legislative command of Allah.
- ❖ Concerning the concept what is malignant (*khabeeth*) and prohibited (*ḥarām*) they are also independent from each other in the same manner as described in relation to the good (*ṭayib*) and the lawful (*ḥalāl*).
- ❖ Nothing can dictate to Allah the exalted, ultimate lord, whose sovereignty is absolute. Hence if he wishes, he is fully able to prohibit some matters which are deemed to be good (tayib), just as he is fully able to keep the law (ħukm Sharī') silent in relation to matters which are from amongst the khabā'ith, thereby not explicitly censuring them. Allah is fully conversant with what is good in and of itself and what is malignant or evil in and of itself. By way of ranks or degrees of consideration this in the grand scheme of things is secondary to Allah's overriding lordship and sovereignty. Allah judges as

he wills, he legislates as he wills; Allah cannot be questioned as to what he does, though we will be questioned for what we do!<sup>5</sup>

- Regardless of what Allah legislates, his judgement is absolute; not being subject to revision or higher right of appeal. He, the exalted is accountable to none. Obedience to him is absolute without limit, being a binding rational necessity.
- For the final *Ummah* though, Allah has bestowed a number of distinct blessings. Not only have we been favoured with having Muḥammad (peace be upon him) as our Prophet and the seal of Prophethood itself, but Allah has synchronised the *Sharī'ah* revealed to him; thereby making lawful (ḥalāl) everything that is good (tayib) and prohibiting everything that is evil or malignant (khabeeth). The situation now is in contrast to some of the previous nations. They were burdened having shackles placed upon them. Yet now they have been given a reprieve. By accepting the final *Sharī'ah* and the Prophethood of Muḥammad (peace be upon him) they too can partake in the good (tayib) that was previously unlawful for them. Matters that are khabeeth have been made unlawful on this blessed *Ummah* by the mercy of Allah, whereas some were not in previous revealed legislation, like alcohol.

Without doubt Islam is the perfect complete Deen. Its revealed texts contain, by the grace of Allah, the judgment concerning all things, be they objects or actions until the day of judgement. This has obviated the need to dwell upon extensive studies into the reality or nature of an act or object in order to determine whether it is good or evil. Consequently, we are assured that the reality as established by the revealed texts in the last blessed  $Shar\bar{\imath}'ah$  as it relates to what is good (tayib) being lawful  $(hal\bar{a}l)$  and what is khabeeth being prohibited  $(har\bar{a}m)$ . Allah the exalted has guaranteed this for us. Therefore we can assert with the fullest of knowledge, bearing witness by Allah, that all which he has made lawful is the last final  $Shar\bar{\imath}'ah$  is good in and of itself. All which he has deemed unlawful is bad / evil in and of itself. Determining the precise nature via investigation of the nature of objects, utilities and perhaps even the ultimate value of some particular acts or statements – whether it is tayib or khabeeth becomes a secondary matter once the proper Islamic position has been established. Similar can be said

<sup>&</sup>lt;sup>5</sup> As expressed by the *Qur'ānic* verse found in 21: 23 and other places

of the philosophical speculation that has surrounded the notion of what is *tayib* or *khabeeth* in itself, whether that be on a microscopic level in terms of its basic constituents or in relation to its sociological effects via the gathering and study of empirical evidence. Overall its relative importance or weight in terms of legislation becomes relegated. Man can only conduct investigation up to a given point and ultimately his knowledge is infinitesimally limited when compared to the creator and lord of the worlds, Allah the exalted, who is omniscient.

Even if we suppose the possibility in principle that man could have the ability to comprehend the nature of things from all necessary angles, the reality of human endeavours in legislation demonstrates otherwise. All nations, civilisations and people have witnessed laws being formulated, implemented and then either amended or repealed totally for one or more consideration that was not evident at the time when they were formulated. In the round, such factors buttress our belief that mankind will always come in second in relation to this, despite the onset of time and accumulation of successive generations of knowledge. Notwithstanding mankind's proclivity for placing other non-rational considerations at the forefront of mind, such as limited worldly benefit, even if the assumption is made that the human mind is in principle reaching a definitive judgement in relation to whether a matter is truly tayib or khabeeth; it would be only a theoretical intellectual endeavour. All the while we have the final Sharī'ah which Allah has given us providing the ultimate determiner of such things. The solution to human malaise in this area rests with the *hukm shari*, as outlined previously; the legal texts provide the complete necessary guidance. Legal judgement is not permissible except by way of a legal text. Faith (al-'Imān) and Islam stipulate all matters to be referred back to Allah and his Messenger (peace be upon him). There is no valid alternate position.

Concerning what we have previously said about the Arabic word 'khabā'ith' there is some conformity with the word 'al-fawāhish' – indecencies. Therefore, the fact that something is indecent is a matter of self; a reality that can be readily discernible. It has nothing to do with laws. Indecency is doing something beyond its proper limit. It is a concept that is often used in classifying the actions and statements, in addition to the relations and proportions, the abstract systems, and conventional positive matters. The notion of 'al-fawāhish' hasn't been used to describe an object or benefit; the word used in the legal texts for these is khabeeth. For the sake of clarity, for an object or action to be classified as fāḥisha - whether in itself or for some other consideration - it is because Allah the exalted has made it thus by way of his divine decree (qadr) and creative act. It has been given that nature, for want of a better word, by the absolute free will of Allah, which rules over everything. This is done within the framework of

Allah's Absolute Will to create objects on specific moulds and attributes, rather than due to an internal necessity of the created object.

It is established by way of definite evidence that Allah has forbidden all manner of indecencies (al-fawāhish), open or concealed, in this last Sharī'ah, just as he has forbidden the *khabā'ith* as detailed in the following Qur'ānic verses:

Say: My Lord has only prohibited indecencies (al-fawāhish), those of them that are apparent as well as those that are concealed, sin, and rebellion without justice; that you associate with Allah that for which He has not sent down any authority, and that you say against Allah what you don't know. 6

Say: Come I will recite what your Lord has forbidden to you-- (remember) that you do not associate anything with Him and show kindness to your parents, and do not slay your children for (fear of) poverty-- We provide for you and for them-- and do not draw nigh to indecencies, those of them which are apparent and those which are concealed, and do not kill the soul which Allah has forbidden except for the requirements of justice; this He has enjoined you with that you may understand. 7

These Qur'anic verses are unequivocal. Indeed Allah has forbidden all manner of sexual indecency in this last Sharī'ah, in fact any immorality whatsoever. Whether that be open or concealed or whether that be from statements, acts, relations, abstractions or systems. The same also applies to matters of convention and what concerns the khabā'ith as previously mentioned. What we had mentioned above about khabā'ith can also be said here about alfawāḥish and with Allah is all success. Regarding previous nations, Allah permitted them to commit certain khabā'ith and fāḥisha, demonstrating how destructive they were to their societies. Examples of this are allowing alcohol to be drunk and the infamous grant of a

<sup>7</sup> Our 'ān 6: 151

<sup>&</sup>lt;sup>6</sup> Qur 'ān 7: 33

monarchical ruling system which was requested from the people of Israel, despite Allah warning them of its long-term consequences. They persistently supplicated this to their Prophets and were warned that Allah would not answer their calls when it became burdensome. A fuller discussion of this point can be found in our work entitled *Ḥākimiyah wa Siyādat ash-Shar*'. Such incidents bolster the truthfulness of the Prophet's words (peace be upon him) as collected in *al-Jāmi aṣ-Ṣaḥīḥ al-Mukhtaṣr* by Imām Bukhāri where he is reported to have said:

حدثنا إسماعيل حدثني مالك عن أبي الزناد عن الأعرج عن أبي هريرة عن النبي، صلى الله عليه وسلم، قال: دعوني ما تركتكم: إنما أهلك من كان قبلكم سؤالهم، واختلافهم على أنبيائهم، فإذا نهيتكم عن شيء فاجتنبوه وإذا أمرتكم بأمر فأتوا منه ما استطعتم

Ismāeel narrated to us Mālik narrated to me from Abi Zinād from al-A'raj from Abu Hurayrah from the Prophet (peace be upon him) who said: Leave me as I leave you for the people who were before you were ruined because of their questions and their differences over their Prophets. So, if I forbid you to do something, then keep away from it. And if I order you to do something, then do of it as much as you can.

And also in the wording that has been reported by Imām Muslim in his Saḥīḥ:

حدثتي حرملة بن يحيى التجيبي أخبرنا ابن وهب أخبرني يونس عن ابن شهاب أخبرني أبو سلمة بن عبد الرحمن وسعيد بن المسيب قالا كان أبو هريرة يحدث أنه سمع رسول الله صلى الله عليه وسلم يقول ما نهيتكم عنه فاجتنبوه وما أمرتكم به فافعلوا منه ما استطعتم فإنما أهلك الذين من قبلكم كثرة مسائلهم واختلافهم على أنبيائهم

Ḥarmala ibn Yaḥya at-Tajeebe narrated to me Ibn Wahb reported to us Yunus reported to me from Ibn Shihāb - Abu Salamah ibn Abdar-Raḥman and Sa'eed ibn Musayib reported to me - they said Abu Hurayrah narrated to us that he heard the Messenger of Allah (peace be upon him) say: Avoid that which I forbid you to do and do that which I command you to do to the best of your capacity. Verily the people before you went to their doom because they had put too many questions to their Prophets and then disagreed with their teachings.

These *aḥādith* are truly Ṣaḥīḥ, being reported in almost all collections of *ḥadith*. At this juncture, we would hasten to emphasize the following points. Firstly, that Allah has taken into upon his majestic-self in the final and complete *Sharī'ah* to prohibit the *khabā'ith* as well as the *fawāḥish*. Regarding previous revelations, that wasn't always the case. Sometimes they were left without a prohibition, thereby becoming permissible; Allah is the only absolute sovereign, able to legislate as he wills. Secondly, *fāḥisha* is something that is never commanded by Allah the exalted. It is neither commanded as being an obligation nor allowed to desirable. He may not legislate against it, as in previous laws, but it is never commanded. That is above his sanctity and holiness, which is above any faults, just as he is above the notion of meanness and lowness. As stated previously, the verse is unequivocal, '*Allah does not enjoin / command fāhisha*.' <sup>8</sup>

A number of simple examples can be given in order to further exemplify the general rules that we have elucidated thus far. The first example is that of pork which we are prohibited from eating by way of definite legal texts. The subject of 'pork meat' is no more than one of the following possibilities:

- 1. If someone believed that pork is prohibited because Allah has prohibited it, then he is a Muslim and a believer that has submitted the matter to Allah and His Messenger. No harm is done if he further believes that:
  - a. Pork was prohibited because of its essential nature, i.e. that of being impure. Thus it is from the blessing, mercy and kindness of Allah that he has given his servants a straightforward rule which obviates the need to search out the true nature of this item. This is what people of Islam should believe in this last massage as we mentioned above.
  - b. The prohibition of eating pork is but a test, punishment, disciplining or for other reasons that are only known to Allah. It could be that Allah is exercising his legislative sovereignty in this regard. Pork could be good in itself from both sense perception and from a medical point of view; it may well be that it is the tastiest of all meats. This is a good opinion and a belief that could be accepted by those of the

<sup>&</sup>lt;sup>8</sup> Our 'ān 7: 28

previous laws as well as by Muslims based upon the evidences outlined above. For example, the great philosopher of Alexandria, Philo who was a contemporary of Jesus (peace be upon him). He articulated this point lucidly arguing to the Romans that pork may very well be the best of all meat, however God wishes to test who we love most – the meat or him?

- 2. If someone believed that eating pork is prohibited because of its nature that of inner impurity, that it is *khabeeth*, then that mind would force any rational person to avoid impurity and harmful matters. This is what is expected from rational people before the coming of the message and evidence, while after the message and the establishment of evidence this opinion is an invalid belief that will cause its owner to renounce faith. He accepts the law of reason; he makes reason his lord and god and not Allah or he accepts the judgment of the mind without taking express permission of Allah. In any case this viewpoint is not what is considered as submission to Allah. Rather it is disbelief which contradicts Islam and leads one to exit the religion. Whoever believes in such a matter is a polytheist and disbeliever, except he who has an excuse of ignorance, had a wrong interpretation, was under compulsion, or similar from among reasons that would prevent the accusation of disbelief being levelled. This opinion would be more indecent and a greater disbelief if this person makes this prohibition obligatory on himself and others, according to the opinion of the reason, which sees that this pork is *khabeeth* for reasons such as:
  - a. This means that he obligates and forbids what Allah did not obligate or forbid, which rationally contradicts the *Tawheed* of Allah's divinity that among its characteristics is him being the ultimate sovereign.
  - b. It is an obvious accusation of lying, when confronted with the definite verse among the Qur'ān that indicates that some good matters were forbidden in the previous creeds. They were sent down as revelation and they were the true religion before was abrogated. This is an accusation aimed at Allah, contradicting the right which was obligated to him according to their invalid claim. Allah accordingly oppressed and transgressed which is more offensive than the previous accusation, as it is absolute disbelief, or it is a doubt that the Qur'ān is not revealed by Allah, which again is disbelief causing one to exit the fold of Islam.

The whole subject will differ completely if a legal text from this last honourable *Sharī'ah* was revealed describing a certain matter, entity or act as being *khabeeth*. Then we can conclude that it is definitely prohibited in this *Sharī'ah* of Muḥammad (peace be upon him). Unless that is, it acts as an explanation that was revealed with a certain specification in mind, as is the case with regard to the foodstuffs of garlic, onions and others, which have strong pungent smells. Turning to the evidences from the *Sunnah*, we will note that there are a large body of *aḥādith* that exist concerning the Prophet's (peace be upon him) comment on these foods being *khabeeth* or *khabā'ith*. However the clarification is also apparent in these evidences, which we will now consider, that it was limited to that of its odour and people attending the *masjid* after consuming them. To begin, Imām Muslim records in his Ṣāḥāḥ the following on the authority of Abu Sa'eed al-Khudri:

وحدثني عمرو الناقد حدثنا إسماعيل بن علية عن الجريري عن أبي نضرة عن أبي سعيد قال: لم نعد أن فتحت خيبر فوقعنا أصحاب رسول الله، صلى الله عليه وسلم، في تلك البقلة: الثوم، والناس جياع فأكلنا منها أكلا شديدا ثم رحنا إلى المسجد فوجد رسول الله، صلى الله عليه وسلم، الريح، فقال: من أكل من هذه الشجرة الخبيثة شيئا فلا يقربنا في المسجد، فقال الناس: (حَرُمَتْ، حَرُمَتْ)، فبلغ ذاك النبي، صلى الله عليه وسلم، فقال: أيها الناس: إنه ليس بي تحريم ما أحل الله لي، ولكنها شجرة أكره ريحها!

And 'Amr al-Nāqid narrated to me Ismāeel bin 'Ulaya narrated to us from al-Jariri from Abu Naḍra from Abu Sa'eed who said: We made no transgression but Khaybar was conquered. We, the Companions of the Messenger of Allah (peace be upon), fell upon this plant, garlic. Because the people were hungry, we ate it to our heart's content and then made our way towards the *masjid*. The Messenger of Allah (peace be upon him) sensed its odour and he said: *He who takes anything of this offensive plant (shajara khabeetha) must not approach us in the masjid*. The people said: Its (use) has been forbidden; its (use) has been forbidden. This reached the Messenger of Allah (peace be upon him) and he said: *O people, I cannot forbid (the use of a thing) which Allah has made lawful, but* (this garlic) *is a plant the odour of which is repugnant to me*.

The narration is also found in the *Musnad* of Aḥmad bin Ḥanbal as well as in the *Sunan al-Kubra* of Bayhaqy. It is also found in *Ṣahīh* Ibn Khuzayma as follows:

أخبرنا أبو طاهر حدثنا أبو بكر حدثنا أبو موسى محمد بن المثنى حدثنا عبد الأعلى حدثنا سعيد الجريري (ح) وحدثنا أبو هاشم زياد بن أبوب حدثنا إسماعيل حدثنا سعيد الجريري عن أبي نضرة عن أبي سعيد قاله بمثل حديث مسلم، ثم قال ابن خزيمة: هذا حديث أبي هاشم، وزاد أبو موسى في آخر حديثه: وإنه يأتينني من الملائكة فأكره أن يشموا ريحها

Abu Ṭāhir reported to us Abu Bakr narrated to us Abu Musa Muḥammad bin al-Muthanna narrated to us Abdal-A'la narrated to us Sa'eed al-Jariri narrated to us (hawala) and Abu Hāshim Ziyād bin Ayub narrated to us Ismāeel narrated to us Sa'eed al-Jariri Abu Naḍra narrated to us from Abu Sa'eed, he said similarly to the hadith of Muslim, then Ibn Khuzayma said: 'This hadith has come from Abu Hāshim who increased the hadith of Abu Musa at the end saying, ....and indeed the angels have come to me and I dislike that they go in this foul odor.'

In the *Musnad* of Ahmad bin Ḥanbal we find the following reported:

حدثنا عبد الملك بن عمرو قال: حدثنا خالد بن ميسرة حدثنا معاوية بن قرة عن أبيه قال: نهى رسول الله، صلى الله عليه وسلم، عن هاتين الشجرتين الخبيثتين وقال: من أكلهما فلا يقربن مسجدنا! وقال: ان كنتم لا بد آكليهما فأميتمو هما طبخاً، قال يعنى البصل والثوم

Abdal-Malik bin Amr narrated to us he said Khālid bin Maysara narrated to us Mu'āwiya bin Qurra narrated to us from his father he said: The Prophet (peace be upon him) prohibited (us) from these two filthy trees / plants. And he said: Whoever eats from them let him not approach our masjid! And he said: If it is necessary to eat them, deaden them by cooking. He said – that is to say – onion and garlic.

The narration is also reported by Imām an-Nasā'i in the *Sunan al-Kubra* as well as in *Sharḥ Ma'āni al-Athār*. Furthermore in *Sahīh* Muslim we find:

حدثنا أبو بكر بن أبي شيبة حدثنا كثير بن هشام عن هشام الدستوائي عن أبي الزبير عن جابر قال: نهى رسول الله، صلى الله عليه وسلم، عن أكل البصل والكراث فغلبتنا الحاجة فأكلنا منها فقال: من أكل من هذه الشجرة المنتنة فلا يقربن مسجدنا، فإن الملائكة تأذى مما يتأذى منه الإنس

Abu Bakr ibn Abi Shayba narrated to us Kathir bin HIshām narrated to us from HIshām ad-Distuwā'ee from Abu Zubayr from Jābir who said: The Prophet (peace be upon him) forbade eating of onions and leek. When we were overpowered by a desire (to eat) we ate them. Upon this he (the Holy Prophet) said: *He who eats of this offensive plant must not approach our mosque, for the angels are harmed by the same things as men*.

The narration is reported in other collections, such as in Ṣaḥīḥ Ibn Ḥibban, Musnad Aḥmad, the Sunan al-Kubra of Bayhaqy and in Musnad Abu Ya'la. Shaykh Ḥussein Asad said: 'Its men (i.e. its narrators) are the men of Ṣaḥīḥ.' Also reported in Muslim is the following narration providing an additional clarification in regarding eating these items in private:

وحدثني أبو الطاهر وحرملة قالا: أخبرنا بن وهب أخبرني يونس عن بن شهاب قال: حدثني عطاء بن أبي رباح أن جابر بن عبد الله قال، (وفي رواية حرملة وزعم) أن رسول الله، صلى الله عليه وسلم، قال: من أكل ثوما أو بصلا فليعتزلنا أو ليعتزل مسجدنا وليقعد في بيته، وإنه أتي بقدر فيه خضروات من بقول فوجد لها ريحا فسأل فأخبر بما فيها من البقول فقال: قربوها إلى بعض أصحابه فلما رآه كره أكلها قال: «كل: فإني أناجى من لا تناجى

And Abu Ṭāhir and Ḥarmala narrated to me, they said Ibn Wahb reported to us Yunus reported to me from Ibn Shihāb he said A'ṭā bin Abi Rabāḥ narrated to me that Jābir ibn Abdallah said (and in the channel of Ḥarmala he claimed) that the Messenger of Allah (peace be upon him) said: He who eats garlic or onion should remain away from us or from our masjid and stay in his house. A kettle was brought to him which had (cooked) vegetables in it. He smelt (offensive) odour in it. On asking he was informed of the vegetables (cooked in it). He said: Take it to such and such Companion. When he saw it, he also disliked eating it. (Upon this) he (the Prophet) said: You may eat it, for I converse with the one with whom you do not converse.

This narration is also in the *Musnad* of Aḥmad although at the beginning it has the wording – 'to sit in his house.' It is also in the  $Sah\bar{\iota}h$  of Ibn Khuzayma similar to that of Aḥmad as well as being reported in *Mu'jam al-Ṣagheer* of Ṭabarāni. In the  $Sah\bar{\iota}h$  of Ibn Khuzayma the following is reported:

أخبرنا أبو طاهر حدثنا أبو بكر حدثنا يونس بن عبد الأعلى حدثنا بن وهب أخبرني عمرو بن الحارث عن بكر بن سوادة ان أبا النجيب مولى عبد الله بن سعد حدثه ان أبا سعيد الخدري حدثه انه ذكر عند رسول الله، صلى الله عليه وسلم، الثوم والبصل والكراث وقيل: يا رسول الله وأشد ذلك كله الثوم أفتحر مه؟ فقال رسول الله، صلى الله عليه وسلم: كلوه، ومن أكله منكم فلا يقرب هذا المسجد حتى يذهب ريحه منه

Abu Ṭāhir reported to us Abu Bakr narrated to us Yunus bin Abdal-A'la narrated to us Ibn Wahb narrated to us Amr bin al-Ḥārith reported to me from Bakr bin Sawāda that Abu an-Najeed, *mawla* to Abdallah bin Sa'eed narrated to him that Abu Sa'eed al-Khudri narrated to him that he mentioned when the Prophet (peace be upon him) (mentioned about) onion, garlic and leeks. They said: Oh Messenger of Allah, the most severe of them is garlic -would you make it unlawful? So the Prophet (peace be upon him) said: *Eat it and he who eats it should not come near this masjid until its odour goes away*.

The narration is also reported in the *Sunan al-Kubra* of Bayhaqy. Imām an-Nasā'i in the *Sunan al-Kubra* there is the following:

أنبأ مُحَمَّد بن المثنى قال: حدثنا يحيى بن سعيد قال: حدثنا هشام قال: حدثنا قتادة عن سالم بن أبي الجعد عن معدان بن أبي طلحة أن عمر بن الخطاب قال: إنكم أيها الناس تأكلون من شجرتين ما أراهما إلا خبيثتين هذا البصل والثوم، لقد رأيت نبي الله، صلى الله عليه وسلم، إذا وجد ريحهما من الرجل أمر به فأخرج إلى البقيع، فمن أكلهما فليمتهما طبخا

Muḥammad bin al-Muthanna reports, he said Yaḥya bin Sa'eed narrated to us he said Hishām narrated to us he said Qatāda narrated to us from Sālim bin Abul'Ja'd from Ma'dān bin Abi Ṭalḥa that Umar bin al-Khaṭṭāb said: O people, you eat of two plants which I do not think are anything but bad, this onion and garlic. I have seen the Prophet of Allah (peace be upon him), if he noticed their smell coming from a man, ordering that he be taken out to Al-Baqi'. Whoever eats them let him cook them to death!

Imām an-Nasā'i also has the following channel concerning the same matter in the *Sunan al-Kubra* – informed us Muḥammad bin Abdallah bin Mubārak who said narrated to us Shabāba bin Sawār who said narrated to us Shu'ba from Qatāda, except to its limit. It is also reported in the *Musnad* of Ḥumaydi regarding this. In *Sharḥ Ma'āni al-Athār* there is:

Fahd narrated to us he said Abu Ghassān narrated to us he Qays narrated to us from Abu Ishāq from Shareek bin Hanbal from Ali from the Prophet (peace be upon him) who said: Whomsoever eats from this offensive plant shouldn't come close with this harmful (odour) in our masjid.

After this Imam at-Ṭaḥawi said: 'The people disliked to eat onions because of the smell it would give and they would be insistent upon this because of these narrations. Latter on people differed with them in this and stressed that the Prophet only prohibited eating it when coming to the masjid. Not because it was harām but because people were disturbed in the masjid by the smell.' Unlike the subject of consuming garlic and onions we find the opposite end of the scale so to speak, that concerning the prohibition of homosexuality. This prohibition though is categorical as from the various meanings which are extracted from the book of Allah. He the exalted says:

And (as for) Lut, We gave him wisdom and knowledge, and We delivered him from the town which wrought abominations; surely they were an evil people, transgressors.<sup>9</sup>

Allah clarifies in the following verses the ultimate form of khabā'ith, namely that of approaching men instead of women and committing acts of abomination. Allah blessed be his names says:

And (We sent) Lut when he said to his people: What! do you commit an indecency which anyone in the world has not done before you? 10

<sup>&</sup>lt;sup>9</sup> Qur'ān 21: 74 <sup>10</sup> Qur'ān 7: 80

## وَلُوطًا إِذْ قَالَ لَقَوْمِهِ أَتَاتُونَ الْفَاحِثْمَةَ وَأَنتُمْ تُبْصِرُونَ، أَننَكُمْ لَتَأْتُونَ الرِّجَالَ شَهْوَةً مِّن دُونِ النِّسَاء بِلْ أَنتُمْ قَوْمٌ تَجْهِلُونَ

And Lut, when he said to his people: What! do you commit indecency while you see? What! Do you indeed approach men lustfully rather than women? Nay, you are a people who act ignorantly. 11

What! Do you come to the males and commit robbery on the highway, and you commit evil deeds in your assemblies? But nothing was the answer of his people except that they said: Bring on us Allah's punishment, if you are one of the truthful. 12

What! Do you come to the males from among the creatures and leave what your Lord has created for vou of your wives? Nay, you are a people exceeding limits. 13

If the last two verses mentioned were the only ones revealed in relation to this subject that would not suffice for a demonstrative prohibition in the last and final Sharī'ah. Given that the previous abrogated laws are not to be followed, additional evidence would be required substantiating this point. The acts undertaken by the people at the time of Lut (peace be upon him) were described as being *fāḥisha*. Consequently, it is deemed to be *fāḥisha* in and of itself. According to what we mentioned above from amongst the definite rules, this action is definitely prohibited in this final Sharī'ah until the day of resurrection. The point becomes somewhat clearer when the verses in chapters seven and sixteen are also placed within view. Allah himself described these acts of homosexuality as being fāhisha, thereby demonstrating its prohibition. All the companions of the Prophet Muhammad (peace be upon him) understood similarly, as did those who followed them. In fact all Muslims since that time have concurred

<sup>&</sup>lt;sup>11</sup> Qur'ān 27: 54/55 <sup>12</sup> Qur'ān 29: 29 <sup>13</sup> Qur'ān 26: 165/166

upon the illegality of acts which are the same or similar to that which the people of Luṭ (peace be upon him) undertook.

To emphasise the point again, the fact that some matter, objects / entities, sayings and acts deserve to be call *khabeeth* or  $f\bar{a}hisha$  because of reasons bound with it in itself or for other considerations, is only because Allah has made it like that through his determination of the universe in which we reside. They are not according to reasonable necessity or absolute concepts which cannot be violated. The whole universe with its fundamental system and initial conditions is a *possibility*, a contingent being, a creation and existing because Allah made it like that according to his destined formative and creative order. There are some possible universes that may have neither *khabeeth* nor  $f\bar{a}hisha$  in it – the most obvious being paradise. While there are other existing universes, that are not suitable for any legally competent to live in, or, they are even not suitable for any form of life. All that is possible and what is possible will never turn actually to the form of existing, except that if Allah makes, creates and permits it to be like that. Allah says: 'Certainly his command when he desires anything is to say to it 'be' and it is.' <sup>14</sup>

There are indeed but a few categories of the obscene ( $f\bar{a}hisha$ ) in all existing universes as they contradict absolute reasonable necessities. Foremost being is the fact that Allah is the one and only, the living, self-subsisting, his existence being the manifest truth. The idea that Allah has partners or offspring or that his knowledge is limited; that he transgresses or acts unjustly is false in all realities and considered obscene ( $f\bar{a}hisha$ ). Allah is far above such notions. It is from among the impossibilities that any of such obscene matters could be regarded as obliged in any possible assumed creed in any existing universe. Various  $ah\bar{a}dith$  serve to exemplify the point further, as recorded in  $Sah\bar{t}h$  Bukhāri on the authority of Abu Hurayrah:

حدثنا إسحاق بن منصور قال وحدثنا عبد الرزاق أخبرنا معمر عن همام عن أبي هريرة قال: قال رسول الله، صلى الله عليه وسلم: كذبني بن آدم ولم يكن له ذلك وشتمني ولم يكن له ذلك أما تكذيبه إياي أن يقول إني لن أعيده كما بدأته وأما شتمه إياي أن يقول اتخذ الله ولدا وأنا الصمد الذي لم ألد ولم أولد ولم يكن لي كفؤا أحد لم يلد ولم يكن له كفوا أحد: كفؤا وكفيئا وكفاء واحد

Isḥāq bin Manṣur narrated to us he said Abdar-Razzāq narrated to us Ma'mar reported to us from Hammām from Abu Hurayrah who said, the Messenger of Allah (peace be upon

<sup>&</sup>lt;sup>14</sup> Our 'ān 36: 82

him) said: (Allah says) The son of Adam tells a lie against me and he hasn't the right to do so; and he curses me and he hasn't the right to do so. His telling a lie against me is his saying that I will not recreate him as I created him for the first time; and his cursing me is his saying that Allah has begotten children, while I am the self-sufficient master, whom all creatures need, who begets not nor was he begotten, and there is none like unto me.

The same authentic narration can be found in the Sahifa of Hammām ibn Munabih<sup>15</sup>; it is also found in the Sahīh of Ibn Hibbān<sup>16</sup>, the Musnad of Ahmad<sup>17</sup> and in other collections. Bukhāri also has this narration as found in his Saḥīḥ:

حدثنى عبد الله بن أبي شيبة عن أبي أحمد عن سفيان عن أبي الزناد عن الأعرج عن أبي هريرة قال: قال النبي أراه قال يشتمني بن آدم وما ينبغي له أن يشتمني ويكذبني وما ينبغي له أما شتمه فقوله إن لي ولدا وأما تكذيبه فقوله ليس يعيدني كما بدأني

Abdallah bin Abi Shayba narrated to me from Abu Ahmad from Sufyān from Abi Zinād from al-A'raj from Abu Hurayrah who said, the Messenger of Allah (peace be upon him) said: I see that the son of Adam slights me and he should not; he disbelieves in me and he ought not to do so. As for his slighting me, it is that he says that I have a son; and his disbelief in me is his statement that I shall not recreate him as I have created (him) before.

Bukhāri also records this in another place in the  $Sah\bar{\iota}h$ . A large number of collectors narrated this *hadith* in their respective works, such as in the *Musnad* of Ahmad, <sup>19</sup> the *Sunan* and *Sunan* al-Kubra of Nasā'i<sup>20</sup> and in the Ṣaḥīḥ of Ibn Ḥibbān.<sup>21</sup> Then someone followed up the statement of the Prophet (peace be upon him), and the initial creation [of him] is no easier for Me than remaking him. In this statement is an explicit clarification that attributes, which are used to describe individuals and imply deficiency, are not permissible to ascribe to Allah, mighty and majestic is he. This is because logic necessitates that one should use the phrase

<sup>&</sup>lt;sup>15</sup> Şaḥifa Hammām ibn Munabih Vol. 1 sec. 56, no. 106

<sup>&</sup>lt;sup>16</sup> *Ṣāḥīḥ* Ibn Ḥibbān Vol. 3 sec. 129, no. 848

<sup>&</sup>lt;sup>17</sup> Musnad Ahmad Vol. 2 sec. 318, no. 8,204

<sup>&</sup>lt;sup>18</sup> Sahīh Bukhāri Vol. 4 sec. 1,903, no. 4,690

<sup>&</sup>lt;sup>19</sup> *Musnad* Ahmad Vol. 2 sec. 394, no. 9,103

<sup>&</sup>lt;sup>20</sup> Sunan Nasā'i Vol. 4 sec. 112, no. 2,078; Sunan al-Kubra Vol. 1 sec. 666, no. 2,205; Vol. 6 sec. 409, no. 11,338 and Vol. 4 sec. 395, no. 7,667

<sup>21</sup> Ṣaḥīḥ Ibn Ḥibbān Vol. 1 sec. 501, no. 267

'difficult for me' instead of the phrase 'easier for me'. However, using a phrase implying difficulty was avoided as it is infers deficiency. Therefore it was replaced with a phrase implying ease which does not have the same ramifications.

Imām Aḥmad has the next narration in the Musnad with a good isnād:

حدثنا حسن حدثنا بن لهيعة حدثنا أبو يونس عن أبي هريرة عن النبي، صلى الله عليه وسلم، قال ان الله عز وجل قال كذبني عبدي ولم يكن له شتمي فأما تكذيبه إياي فيقول لن يعيدني كالذي بدأني وليس آخر الخلق أهون على ان أعيده من أوله فقد كذبني ان قالها واما شتمه إياي فيقول اتخذ الله ولدا انا الله أحد الصمد لم ألد

Ḥasan narrated to us Ibn Lahia narrated to us Abu Yunus narrated to us from Abu Hurayrah from the Prophet (peace be upon him) that - Allah the exalted and majestic said My slave denies me and curses me and he had no right to do so. As for his lie, it is it is (the claim) that he cannot be brought back as he was originally created. And as for his reviling me, it is his saying that Allah has taken a son, but I am Allah aṣ-Ṣamad, and not bitter.

Next Bukhāri records in his Ṣaḥīḥ on the authority of Ibn A'bbās; Ṭabarāni also records this in *Mu'jam al-Kabir* and *Musnad ash-Shāmiayn*<sup>22</sup> it also appears in other collections as well.

حدثنا أبو اليمان أخبرنا شعيب عن عبد الله بن أبي حسين حدثنا نافع بن جبير عن بن عباس عن النبي قال: قال الله كذبني بن آدم ولم يكن له ذلك وشتمني ولم يكن له ذلك فأما تكذيبه إياي فزعم أني لا أقدر أن أعيده كما كان وأما شتمه إياي فقوله لي ولد فسبحاني أن أتخذ صاحبة أو ولدا

Abul-Yamān narrated to us Shu'ayb reported to us from Abdallah bin Abi Ḥussein, Nāfi bin Jubayr narrated to us from Ibn 'Abbās from the Prophet (peace be upon him) who said: Allah said: The son of Adam tells a lie against me, though he hasn't the right to do so. He abuses me though he hasn't the right to do so. As for his telling a lie against me, it is his saying that I will not recreate him as I created him for the first time. In fact, the first creation was not easier for me than new creation. As for his abusing me, it is his saying

<sup>&</sup>lt;sup>22</sup> Ṭabarāni, *Mu'jam al-Kabir* Vol. 10 sec. 309, no. 10,751 and in *Musnad ash-Shāmiayn*, Vol. 4 sec. 139, no. 2914

that Allah has begotten children, while I am the one, the self-sufficient master whom all creatures need, I beget not, nor was I begotten, and there is none like unto me.

As we can see from the aforementioned evidences taken from the Prophetic Sunnah, such statements are regarded as being false and obscene (fāḥisha) in all universes. They contradict the fact that Allah is the one and only manifest truth. It is among the impossibilities that any, of such matters, are obligations in any possible assumed creed, in any existing universe. In this universe in which we live now, during this present worldly life on this earth after the advent of Abul-Qāsim, Muḥammad ibn Abdallah – the servant of Allah and his final Messenger the obligation is to turn only to the revelation. In other words, to only refer for all matters of judgement to the legal texts - the Qur'ān and the Sunnah - and nothing else, in order to search and locate the judgment of Allah in every issue. These legal texts are in effect like the 'ark of Noah' (Safeena Nuḥ). Whoever boards the ark is saved from danger and survives; whoever misses it, will drown and perish, no matter how he deceives himself, imagining that he can fight waves and escape from the flood by resorting to the mountains. To Allah and his Messenger is the return of all judgement to the revealed Sharī'ah legal texts. That is Islam and faith (al-'Imān), which is the core of what is considered being subservient to Allah, worshipping him, which is the vocation of all mankind and *jinn*. Even if the reasonable search concerning the essence of matters be they entities, actions or sayings were just in order to know if a matter is good (tayib), vile / evil (khabeeth) or indecent / obscene (fāḥisha), it is not lawful to be used in order to reach a legal judgment. As in this case, it is not turning to Allah and his Messenger. Even if it was lawful in objective study or philosophical search in order to know the nature of matters and their essences, or to other than that from among permissible, desirable and obligatory aims and targets, it is definitely not lawful if it was to know the judgment of Allah in such matters.

Thus there is no need for useless arguments such as - is the judgment of matters according to reason only, to  $Shar\bar{\imath}'ah$  only, or to both of them through certain order or certain arrangement. We may say that this issue could be a subject for philosophical, intellectual or legal research, but it is purely theoretical, with no resultant action and it is not among the field of Sunnah or innovation  $(bid\bar{a}'h)$  as some claimed from ancient times from amongst the Mu'tazilah or among those who claim to follow the 'Salafi' Islam in modern times, who are proud of themselves and their sect. They claim that they are ' $al-Firqa~an-N\bar{a}jiya$ ' or the ' $T\bar{a}$ '  $T\bar{a}$ 

al-Manşura', the saved victorious sect, brazenly asserting that only their followers would be admitted to paradise. We may say to them in response that Allah says:

And they say: None shall enter the garden except he who is a Jew or a Christian. These are their vain desires. Say: Bring your proof if you are truthful. Yes! Whoever submits himself entirely to Allah and he is the doer of good (to others) he has his reward from his Lord, and there is no fear for him nor shall he grieve. 23

Moreover we are only ordered but to the following:

Follow what has been revealed to you from your Lord and do not follow Auliyā' besides Him, how little do vou mind. 24

The *Deen* has been established as complete, as Allah says:

This day have I perfected for you your religion and completed My favour on you and chosen for you Islam as a religion. 25

Definitely, this shows that every judgment, among all judgments till the day of resurrection is in this verse. We do not care if, what was made good by the text, is reasonable, unreasonable, can be realised by the mind; or not, can be realised reason then by Sharī'ah; by Sharī'ah and

<sup>&</sup>lt;sup>23</sup> Qur'ān 2: 111/112 <sup>24</sup> Qur'ān 7: 3 <sup>25</sup> Qur'ān 5: 3

then by reason, or similar. This is the truth which must be believed upon as part of one's creed (*aqeedah*). It cannot be otherwise for those who believe in Allah and the last day. Whosoever disbelieves in this, Allah is rich, without need or partner, lord of all the worlds.