



IN THE NAME OF ALLAH THE MOST GRACIOUS, THE MOST MERCIFUL

VERSES OF QUR'AN BEGINNING WITH **آمَنُوا الَّذِينَ آتَاهَا يَا**

PART 6 (3 November 2022)

(Explanations taken from Tafsir Ibn Kathir)

9. Qur'an surah al Baqarah (2) verse 282

آمَنُوا إِذَا يَا أَيُّهَا الَّذِينَ
تَدَايَنْتُمْ بِدِينٍ إِلَىٰ أَجَلٍ مُّسَمًّى
فَاكْتُبُوهُ ۚ وَلْيَكْتُب بَيْنَكُمْ كَاتِبٌ
بِالْعَدْلِ وَلَا يَأْبَ كَاتِبٌ أَنْ
يَكْتُبَ كَمَا عَلَّمَهُ اللَّهُ ۚ فَلْيَكْتُب
وَلْيُمْلِلِ الَّذِي عَلَيْهِ الْحَقُّ
وَلْيَتَّقِ اللَّهَ رَبَّهُ وَلَا يَبْخَسْ مِنْهُ
فَإِنْ كَانَ الَّذِي عَلَيْهِ ۖ شَيْئًا
الْحَقُّ سَفِيهًا أَوْ ضَعِيفًا أَوْ لَا
يَسْتَطِيعُ أَنْ يُمِلَّ هُوَ فَلْيُمْلِلِ
وَلِيَّهُ بِالْعَدْلِ ۚ وَاسْتَشْهِدُوا
شَهِيدَيْنِ مِنْ رِجَالِكُمْ ۖ فَإِنْ لَمْ

يَكُونَا رَجُلَيْنِ فَرَجُلٌ وَامْرَأَتَانِ
مِمَّن تَرْضَوْنَ مِنَ الشُّهَدَاءِ أَنْ
حَدَاهُمَا فَتُذَكِّرَ إِحْدَاهُمَا تَضِلُّ
الْأُخْرَى وَلَا يَأْبَ الشُّهَدَاءُ إِذَا
مَا دُعُوا وَلَا تَسَامُوا أَنْ
تَكْتُبُوهُ صَغِيرًا أَوْ كَبِيرًا إِلَى
أَجَلِهِ ذَلِكَ أَقْسَطُ عِنْدَ اللَّهِ
وَأَقْوَمُ لِلشَّهَادَةِ وَأَدْنَىٰ أَلَّا
تَرْتَابُوا إِلَّا أَنْ تَكُونَ تِجَارَةً
تُدِيرُونَهَا بَيْنَكُمْ فَلَيْسَ حَاضِرًا
عَلَيْكُمْ جُنَاحٌ أَلَّا تَكْتُبُوهَا
وَأَشْهَدُوا إِذَا تَبَايَعْتُمْ وَلَا
يُضَارُّ كَاتِبٌ وَلَا شَهِيدٌ وَإِنْ
تَفَعَّلُوا فَإِنَّهُ فَسُوقٌ بِكُمْ
وَاتَّقُوا اللَّهَ وَيُعَلِّمُكُمُ اللَّهُ
وَاللَّهُ بِكُلِّ شَيْءٍ عَلِيمٌ

O you who believe! When you contract a debt for a fixed period, write it down. Let a scribe write it down in justice between you. Let not the scribe refuse to write as Allah has taught him, so let him write. Let him (the debtor) who incurs the liability dictate, and he must fear Allah, his Lord, and diminish not anything of what he owes. But if the debtor is of poor understanding, or weak, or is unable himself to dictate, then let his guardian dictate in justice. And get two witnesses out of your own men. And if there are not two men (available), then a man and two women, such as you agree for witnesses, so that if one of them (two women) errs, the other can remind her. And the witnesses should not refuse when they are called on (for evidence). You should not become weary to write it (your contract), whether it be small or big, for its fixed term, that is more just with Allah; more solid as evidence, and more convenient to

prevent doubts among yourselves, save when it is a present trade which you carry out on the spot among yourselves, then there is no sin on you if you do not write it down. But take witnesses whenever you make a commercial contract. Let neither scribe nor witness suffer any harm, but if you do (such harm), it would be wickedness in you. So be afraid of Allah; and Allah teaches you. And Allah is the All-Knower of each and everything."

The Necessity of Writing Transactions That Take Effect Later on

This Ayah is the longest in the Glorious Qur'an. Imam Abu Ja`far bin Jarir recorded that Sa`id bin Al-Musayyib said that he was told that the Ayah most recently revealed from above the Throne -- the last Ayah to be revealed in the Qur'an -- was the Ayah about debts.

Allah's statement,

(O you who believe! When you contract a debt for a fixed period, write it down) directs Allah's believing servants to record their business transactions when their term is delayed, to preserve the terms and timing of these transactions, and the memory of witnesses, as mentioned at the end of the Ayah,

(that is more just with Allah; more solid as evidence, and more convenient to prevent doubts among yourselves.)

The Two Sahihs recorded that Ibn `Abbas said, "Allah's Messenger came to Al-Madinah, while the people were in the habit of paying in advance for fruits to be delivered within one or two years. The Messenger of Allah said,

(Whoever pays money in advance (for dates to be delivered later) should pay it for known specified measure and weight (of the dates) for a specified date.)

Allah's statement,

(write it down) is a command from Him to record such transactions to endorse and preserve their terms. Ibn Jurayj said, "Whoever borrowed should write the terms, and whoever bought should have witnesses." Abu Sa`id, Ash-Sha`bi, Ar-Rabi` bin Anas, Al-Hasan, Ibn Jurayj and Ibn Zayd said that recording such transactions was necessary before, but was then abrogated by Allah's statement,

(Then if one of you entrusts the other, let the one who is entrusted discharge his trust (faithfully).)

Allah's statement,

(Let a scribe write it down in justice between you) and in truth. Therefore, the scribe is not allowed to cheat any party of the contract and is to only record what the parties of the contract agreed to, without addition or deletion. Allah's statement,

(Let not the scribe refuse to write, as Allah has taught him, so let him write) means, "Those who know how to write should not refrain from writing transaction contracts when asked to do so." Further, let writing such contracts be a type of charity from the scribe for those who are not lettered, just as Allah taught him what he knew not. Therefore, let him write, just as the Hadith stated,

(It is a type of charity to help a worker and to do something for a feeble person.) In another Hadith, the Prophet said,

(Whoever kept knowledge to himself will be restrained by a bridle made of fire on the Day of Resurrection.) Mujahid and `Ata' said that if asked to do so, "The scribe is required to record."

Allah's statement,

(Let him (the debtor) who incurs the liability dictate, and he must have Taqwa of Allah, his Lord) indicates that the debtor should dictate to the scribe what he owes, so let him fear Allah,

(And diminish not anything of what he owes,) meaning, not hide any portion of what he owes.

(But if the debtor is of poor understanding) and is not allowed to decide on such matters, because he used to waste money, for instance,

(Or weak), such as being too young or insane,

(Or is unable to dictate for himself) because of a disease, or ignorance about such matters,

(then let his guardian dictate in justice.)

Witnesses Should Attend the Dictation of Contracts

Allah said,

(And get two witnesses out of your own men) requiring witnesses to attend the dictation of contracts to further preserve the contents,

(And if there are not two men (available), then a man and two women) this requirement is only for contracts that directly or indirectly involve money. Allah requires that two women take the place of one man as witness, because of the woman's shortcomings, as the Prophet described. Muslim recorded in his Sahih that Abu Hurayrah said that the Messenger of Allah said,

(O women! Give away charity and ask for forgiveness, for I saw that you comprise the majority of the people of the Fire.)

One eloquent woman said, "O Messenger of Allah! Why do we comprise the majority of the people of the Fire" He said,

(You curse a lot and you do not appreciate your mate. I have never seen those who have shortcoming in mind and religion controlling those who have sound minds, other than you.) She said, "O Messenger of Allah! What is this shortcoming in mind and religion" He said,

(As for the shortcoming in her mind, the testimony of two women equals the testimony of one man, and this is the shortcoming in the mind. As for the shortcoming in the religion, woman remains for nights at a time when she does not pray and breaks the fast in Ramadan)

Allah's statement,

(such as you agree for witnesses) requires competency in the witnesses. Further, Allah's statement,

(so that if one of them errs) refers to the two women witnesses; whenever one of them forgets a part of the testimony,

(the other can remind her) meaning, the other woman's testimony mends the shortcoming of forgetfulness in the first woman.

Allah's statement,

(And the witnesses should not refuse when they are called) means, when people are called to be witnesses, they should agree, as Qatadah and Ar-Rabi` bin Anas stated. Similarly, Allah said,

(Let not the scribe refuse to write as Allah has taught him,

(As for the shortcoming in her mind, the testimony of two women equals the testimony of one man, and this is the shortcoming in the mind. As for the shortcoming in the religion, woman remains for nights at a time when she does not pray and breaks the fast in Ramadan)

Allah's statement,

(such as you agree for witnesses) requires competency in the witnesses. Further, Allah's statement,

(so that if one of them errs) refers to the two women witnesses; whenever one of them forgets a part of the testimony,

(the other can remind her) meaning, the other woman's testimony mends the shortcoming of forgetfulness in the first woman.

Allah's statement,

(And the witnesses should not refuse when they are called) means, when people are called to be witnesses, they should agree, as Qatadah and Ar-Rabi` bin Anas stated. Similarly, Allah said,

(Let not the scribe refuse to write as Allah has taught him, so let him write.)

Some say that this Ayah indicates that agreeing to become a witness is Fard Kifayah (required on at least a part of the Muslim Ummah). However, the majority of the scholars say that the Ayah,

(And the witnesses should not refuse when they are called) is referring to testifying to what the witnesses actually witnessed, thus befitting their description of being `witnesses'. Therefore, when the witness is called to testify to what he witnessed, he is required to give testimony, unless this obligation was already fulfilled, in which case such testimony becomes Fard Kifayah. Mujahid and Abu Mijlaz said, "If you are called to be a witness, then you have the choice to agree. If you witnessed and were called to testify, then come forward." It was reported that Ibn `Abbas and Al-Hasan Al-Basri said that the obligation includes both cases, agreeing to be a witness and testifying to what one witnessed.

Allah's statement,

(You should not become weary to write it (your contract), whether it be small or large, for its fixed term) perfects this direction from Allah by commanding that the debt be written, whether the amount is large or small. Allah said,

(You should not become weary) meaning, do not be discouraged against writing transactions and their terms, whether the amount involved is large or small. Allah's statement,

(that is more just with Allah; more solid as evidence, and more convenient to prevent doubts among yourselves) means, writing transactions that will be fulfilled at a later date is more just with Allah meaning better and more convenient in order to preserve the terms of the contract. Therefore, recording such agreements helps the witnesses, when they see their handwriting - or signatures - later on and thus remember what they witnessed, for it is possible that the witnesses might forget what they witnessed.

(And more convenient to prevent doubts among yourselves) meaning, this helps repel any doubt. Since if you need to refer to the contract that you wrote and the doubt will end.

Allah's statement,

(save when it is a present trade which you carry out on the spot among yourselves, then there is no sin on you if you do not write it down) indicates that if the transaction will be fulfilled immediately, then there is no harm if it is not recorded. As for requiring witnesses to be present in trading transactions, Allah said,

(But take witnesses whenever you make a commercial contract.)

However, this command was abrogated by,

(Then if one of you entrusts the other, let the one who is entrusted discharge his trust (faithfully).)

Or, it could be that having witnesses in such cases is only recommended and not obligatory, as evident from the Hadith that Khuzaymah bin Thabit Al-Ansari narrated which Imam Ahmad collected. `Umarah bin Khuzaymah Al-Ansari said that his uncle, who was among the Prophet's Companions, told him that the Prophet was making a deal for a horse with a Bedouin man. The Prophet asked the Bedouin to follow him so that he could pay him the price of the horse. The Prophet went ahead of the Bedouin. The Bedouin met several men who tried to buy his horse, not

knowing if the Prophet was actually determined to buy it. Some people offered more money for the horse than the Prophet had. The Bedouin man said to the Prophet, "If you want to buy this horse, then buy it or I will sell it to someone else." When he heard the Bedouin man's words, the Prophet stood up and said, "Have I not bought that horse from you" The Bedouin said, "By Allah! I have not sold it to you." The Prophet said, "Rather, I did buy it from you." The people gathered around the Prophet and the Bedouin while they were disputing, and the Bedouin said, "Bring forth a witness who testifies that I sold you the horse." Meanwhile, the Muslims who came said to the Bedouin, "Woe to you! The Prophet only says the truth." When Khuzaymah bin Thabit came and heard the dispute between the Prophet and the Bedouin who was saying, "Bring forth a witness who testifies that I sold you the horse," Khuzaymah said, "I bear witness that you sold him the horse." The Prophet said to Khuzaymah, "What is the basis of your testimony" Khuzaymah said, "That I entrusted you, O Messenger of Allah!" Therefore, the Messenger made Khuzaymah's testimony equal to the testimony of two men. This was also recorded by Abu Dawud and An-Nasa'i. Allah's statement,

(Let neither scribe nor witness suffer (or cause) any harm) also indicates that the scribe and the witness must not cause any harm, such as, when the scribe writes other than what he is being dictated, or the witness testifies to other than what he heard or conceals his testimony. This is the explanation of Al-Hasan and Qatadah." Allah's statement,

(But if you do (such harm), it would be wickedness in you) means, "If you defy what you were commanded and commit what you were prohibited, then it is because of the sin that resides and remains with you; sin that you never release or rid yourselves from."

Allah's statement,

(So have Taqwa of Allah) means, fear Him, remember His watch over you, implement His command and avoid what He prohibited,

(And Allah teaches you.) Similarly, Allah said,

﴿ يَا أَيُّهَا الَّذِينَ ءَامَنُوا إِن تَتَّقُوا اللَّهَ يَجْعَل لَّكُمْ فُرْقَانًا ﴾

(O you who believe! If you have Taqwa of Allah, He will grant you Furqan)(a criterion to judge between right and wrong)())8:29(, and,

﴿ يَا أَيُّهَا الَّذِينَ ءَامَنُوا
اتَّقُوا اللَّهَ وَءَامِنُوا بِرَسُولِهِ
يُؤْتِكُمْ كِفْلَيْنِ مِن رَّحْمَتِهِ وَيَجْعَل
لَكُمْ نُورًا تَمْشُونَ بِهِ ﴾

(O you who believe! Have Taqwa of Allah, and believe in His Messenger, He will give you a double portion of His mercy, and He will give you a light by which you shall walk (straight))57:28(.

Allah said;

﴿ وَاللَّهُ بِكُلِّ شَيْءٍ عَلِيمٌ ﴾

(And Allah is the All-Knower of everything) stating that Allah has perfect knowledge in all matters and in their benefits or repercussions, and nothing escapes His perfect watch, for His knowledge encompasses everything in existence.