

Section 37

Surah Al-Baqarah, Verse 279

فَإِنْ لَّمْ تَفْعَلُوا فَأْذَنُوا بِحَرْبٍ مِّنَ اللَّهِ وَرَسُولِهِ وَإِنْ تُبْتُمْ فَلَكُمْ رُؤُوسُ أَمْوَالِكُمْ لَا تَظْلِمُونَ وَلَا تُظْلَمُونَ

279. "But if you do (it) not, then be you apprised for war from Allah and (His Apostle, and if you repent, you shall have your capital; (thus) deal you not unjustly (with others), nor you be dealt with unjustly."

In Islam, neither usury nor taking undue gains are allowed nor can the property of people be confiscated unilaterally.

In some governmental regulations, ownership is abrogated and all properties are forcefully taken from their possessors. In some other ones exploitation, devouring other's rights, and usury, in any form, is free.

Explanations

1. Usurer is a fighter against Allah. Any usurer would know that, in this battlefield, he (who is a feeble and contemptible mortal) is on one side, and Allah, the Almighty, is on the other side.

"But if you do (it) not, then be you apprised for war from Allah and His Apostle...."

2. Since usurer is a fighter against Allah, it is to the Islamic Government, as a duty, to take action against usurers.

3. The right of usurer is to be content with only the capital, without any interest.

"... you shall have your capital ..."

4. Both being oppressor and oppressive are condemned. Neither accept oppression nor be an oppressor.

".. (thus) deal you not unjustly (with others) nor you be dealt with unjustly."

5. Beware not to spare the principle of ownership of people for rescuing the deprived.

Surah Al-Baqarah, Verse 280

وَإِنْ كَانَ ذُو عُسْرَةٍ فَنَظِرَةٌ إِلَىٰ مَيْسَرَةٍ وَأَنْ تَصَدَّقُوا خَيْرٌ لَّكُمْ إِنْ كُنْتُمْ تَعْلَمُونَ

280. "And if (the debtor) is in straitness, then grant a respite until the time of ease; and if you remit it as charity it is better for you, if you but know,"

Concerning this verse, it is necessary to note that although giving a respite to the debtor is recommended, here, the debtor should not misuse this matter, because if he delays paying his debt without having any plausible excuse, he is counted a sinner.

An Islamic narration says that those who do not pay their debt without any excuse will be recorded sinful the same as it is recorded for a thief; and for the givers of respite, a reward will be recorded similar to that of martyrs,

Explanations

1, Not only do refrain from taking interest, but also give a respite for taking the capital, even,

2, The capability of the debtor is the base for the length of time in repayment of the debt,

"...then grant a respite until the time of ease..."

3, Islam is a supporter for the indigent,

"And if (the debtor) is in straitness..."

4, Remittal, due to the insolvent debtor, is better for you, because it may happen that you will be in the same situation in future.

"...and if you remit it as charity it is better for you ..."

5. Taking tile capital will be forgotten, but remittal to an insolvent debtor will never be forgettable.

6. Gaining the indigent's consent and the pleasure of Allah are much better than gaining wealth,

"... if you but know."

7. In religious jurisprudence, putting the excused debtor in prison is forbidden. In cases that a debtor is not really able to pay his debt, it is to the Islamic government to pay that debt.

8. In Islamic literature, it is said that every day that the debtor is given respite, the reward of the charity of the same amount of money is to Allah to be recorded for the creditor." 30

Surah Al-Baqarah, Verse 281

وَاتَّقُوا يَوْمًا تُرْجَعُونَ فِيهِ إِلَى اللَّهِ ثُمَّ تُوَفَّى كُلُّ نَفْسٍ مَّا كَسَبَتْ وَهُمْ لَا يُظْلَمُونَ

281. "And be in awe of a Day in which you shall be returned to Allah, and every one shall be paid in full what the one has earned; and they shall not be dealt with unjustly."

After stating some particular characteristics of the divine ordinances and Islamic affairs, the normatic custom of the Qur'an is that it often brings a general, common and inclusive notification forth at the end of a group of verses in order to emphasize and strengthen what has been cited before, and in order that the senses penetrate in the mind and spirit.

Therefore, in this verse, having attracted the attentions of the believers to the Resurrection and the chastisement of the wrong doers there, it warns them to be aware that there is a great Day in front when all the actions of every person, without anything less or more, totally will be given to him. .

"And be in awe of a Day in which you shall be returned to Allah ..."

It is at that time that the one will terribly wonder about the consequence of his evil deeds. They are the fruit of what he himself has produced. No one has done unjust against him, but he himself has done wrong against himself.

"... and every one shall be paid in full what the one has earned and they shall not be dealt with unjustly."

However, usury has ethically a very bad effect on the spirit of the debtor so that he finds a special spite in his heart against the usurer. It slackens the cord of social cooperation and mutual assistance amongst the members of communities.

In Islamic narrations it is cited upon the prohibition of usury that Husham-ibn-Salim has narrated from Imam Sadiq (as) who said:

"Verily, Allah, Almighty and Glorious, has forbidden usury so that people do not avoid of doing good work." 1

1. Ibn-Mas'ud narrated from the Messenger of Allah (S) who said:

"There have not been usury and fornication in no community save that they have incurred the punishment of Allah upon themselves." 2

2. Imam Amir-ul-Mu'mineen Ali (as) said:

*"O' people! Learn the jurisprudence and the laws of the religion at first, and then go after trading. By Allah, usury is found in this so that it is more concealed than the movement of an ant over a hard smooth stone."*3

3. Imam Sadiq (as) said:

"On the Day of Judgement, three persons are in the shelter of Allah, Almighty and Glorious, until the one becomes free from the Divine reckoning: 1) The person who has never taken action in fornication; 2) The person who has never mixed his property with usury; and 3) The person who has never had any effort in usury and fornication." 4

4. The holy Prophet (S) said:

"The business being in usury is the worst jobs." 5

5. Imam Rida (as) said:

"Beware that certainly usury is an unlawful job which causes shame and disgrace. It is among the great sins for which Allah has promised the Fire of Hell upon the executor, and we refuge to Allah from the Fire of Hell. And, according to all prophets and all the heavenly Book, usury is unlawful." 6

6. The Messenger of Allah (S) said:

"Most of my anxiety about my Ummah is for the unlawful jobs and unlawful incomes." 7

7. The holy Prophet (S) said:

*"The worshipper who does not avoid unlawful wealth and unlawful food, is like the one who builds upon a sandy land."*8

8. Jabir said that the Prophet (S) cursed the usurer, the writer of it, and its witness."9

9. A similar tradition to the above one is mentioned in Sahih-i-Bukhari, 3, and p. 78.

Surah Al-Baqarah, Verse 282

يَا أَيُّهَا الَّذِينَ آمَنُوا إِذَا تَدَايَنْتُمْ بِدَيْنٍ إِلَىٰ أَجَلٍ مُّسَمًّى فَاكْتُبُوهُ وَلْيَكْتُب بَيْنَكُمْ كَاتِبٌ بِالْعَدْلِ وَلَا يَأْبَ كَاتِبٌ أَنْ يَكْتُبَ كَمَا عَلَّمَهُ اللَّهُ فَلْيَكْتُبْ وَلْيَمْلِكِ الَّذِي عَلَيْهِ الْحَقُّ وَلْيَتَّقِ اللَّهَ رَبَّهُ وَلَا يَبْخَسْ مِنْهُ شَيْئًا فَإِن كَانَ الَّذِي عَلَيْهِ الْحَقُّ سَفِيهًا أَوْ ضَعِيفًا أَوْ لَا يَسْتَطِيعُ أَنْ يُمِلَّ هُوَ فَلْيَمْلِكْ وَلِيَّهُ بِالْعَدْلِ وَاسْتَشْهِدُوا شَهِيدَيْنِ مِنْ رِجَالِكُمْ فَإِن لَّمْ يَكُونَا رَجُلَيْنِ فَرَجُلٌ وَامْرَأَتَانِ مِمَّن تَرْضَوْنَ مِنَ الشُّهَدَاءِ أَن تَضِلَّ إِحْدَاهُمَا فَتُذَكَّرَ إِحْدَاهُمَا الْأُخْرَىٰ وَلَا يَأْبَ الشُّهَدَاءُ إِذَا مَا دُعُوا وَلَا تَسَامُوا أَنْ تَكْتُبُوهُ صَغِيرًا أَوْ كَبِيرًا إِلَىٰ أَجَلِهِ ذَلِكُمْ أَقْسَطُ عِنْدَ اللَّهِ وَأَقْوَمُ لِلشَّهَادَةِ وَأَدْنَىٰ أَلَّا تَرْتَابُوا إِلَّا أَنْ تَكُونَ تِجَارَةً حَاضِرَةً تُدِيرُونَهَا بَيْنَكُمْ فَلَيْسَ عَلَيْكُمْ جُنَاحٌ أَلَّا تَكْتُبُوهَا وَأَشْهِدُوا إِذَا تَبَايَعْتُمْ وَلَا يُضَارَّ كَاتِبٌ وَلَا شَهِيدٌ وَإِن تَفَعَّلُوا فَإِنَّهُ فَسُوقٌ بِكُمْ وَاتَّقُوا اللَّهَ وَيُعَلِّمُكُمُ اللَّهُ وَاللَّهُ بِكُلِّ شَيْءٍ عَلِيمٌ

282. "O' you who have Faith! when you contract a debt for a stated term, then write it down; and let a scribe write it down justly between you, and no scribe may refuse to write as Allah has taught him; so let him write, and let the one who incurs the debt dictate and he should be in awe of Allah, his Lord, and not diminish anything from it. And if he who owes the debt is unsound in understanding, or weak (mentally), or if he is not able to dictate himself; then let his guardian dictate justly; and call to witness from among your men, two witnesses; but if two men are not available, then a man and two women from among those whom you approve as witnesses; so that if either of the two women errs, the other will remind her; and the witnesses should not refuse (to evidence) whenever they are summoned.

And be not averse to writing it down, be the transaction small or big, with its fix term. That is more equitable in Allah's sight and more proper for testimony, and the surest way of avoiding doubt among yourselves; unless it is ready merchandise which you handle between yourselves, then there is no sin on you not to write it down. And have witnesses when you are trading one with another. And let no harm be done to a scribe or witness; and if you do, that is transgression on your part. Be in awe of Allah, and Allah teaches you, and Allah is All-Knowing of all things."

Commercial Documents in the Qur'an

After stating ordinances of charity given in the way of Allah, and the problem of usury, this verse, which is the longest verse of the Qur'an, expresses some ordinances upon the commercial and economical affairs in order that the capitals gain their natural growth and no difficulty or conflict comes forth for

people.

There are nineteen significant instructions about financial communication and trading in this verse which are dealt with in the following.

1. In the first ordinance it says:

"O' you who have Faith! When you contract a debt for a stated term, then write it down..."

This meaning, however, makes the problem of loan clear, too, saying that it is permitted, as well as appointing a time for the loan. The verse under discussion includes the whole debts which are found in bargains, like: a time-bargain, purchases on credit, and the loan itself.

2 & 3 Then, to create more confidence and that the contracts to be safe from the probable interference from the side of either of the parties, it says:

"... and let a scribe write it down just between you..."

Thus, contracts must be arranged by a third person who is just.

4. The person who is able to write must not refrain from writing.

"... and no scribe may refuse to write as Allah has taught him..."

That is, for the sake of that blessing which *Allah* has bestowed upon him, he should not flee from performing that writing of contract, and he must help the two sides of the bargaining in this essential problem.

5.

"...So let him write, and let the one who incurs the debt dictate..."

6.

"...and he should be in awe of Allah, his Lord, and not diminish it"

7.

"...And if he who owes the debt is unsound in understanding, or weak (mentally), or if he is not able to dictate himself; then let his guardian dictate."

8. The Guardian should also observe justice in dictating and confessing the debt of those who are under his guardianship.

"....justly...."

9. Then it adds that besides that beware

"... and call to witness from among your men, two witnesses..."

10 & 11

"...from among your men...",

means that, these two men should be both 'grown up' and 'Muslim'.

12.

"... but if two men are not available, then a man and two women..."

13.

"... from among those whom you approve as witnesses..."

14. In the case that witnesses are two men, either of them can bear witness independently. But when the witnesses are two women and a man, those two women must bear witness with together:

"... so that if either of the two women errs, the other will remind her..."

It is for the reason that women, because of the strong emotions, they have, may be affected by some factors and deviate from the right path.

15. One of the ordinances upon this subject is that:

"... and the witnesses should not refuse (to evidence) whenever they are summoned...",

Therefore, bearing witness is obligatory, when the invitation for the matter comes forth.

16. Debt should be written done whether it is small or big, because the safety of the economical relations, which Islam means requires that, even in the contracts concerning the small debts, the documents be written, too. That is for the same reason that the next sentence of the verse says:

"... And be not averse to writing it down, be the transaction small or big, with its fix term..."

Then, it adds:

"... That is more equitable in Allah's sight and more proper for testimony, and the surest way of avoiding doubt among yourselves..."

This sentence, in fact, is a hint to the philosophy of the above mentioned ordinances about writing transactional documents. It vividly shows that these recorded documents can be applied by the judge as witnesses and proofs.

17. Then, one aspect is exceptionally separated from this ordinance, when it says:

"...unless it is ready merchandise which you handle between yourselves, then there is no sin on you not to write it down..."

18. In cash transactions, though arranging and writing document is not necessary, still calling to witnesses is better for them, because it can prevent the probable future disputes. So, it says:

"... And have witnesses when you are trading one with another..."

19. For the last ordinance mentioned in this verse, it says:

"... And let no harm be done to a scribe or witness..."

Then, it is added:

"... and if you do, that is transgression on your part.. "

Finally, after mentioning all these ordinances, the Qur'an invites people to piety, virtue, and obedience to *Allah*, saying:

"... be in awe of Allah..."

Next to that, it reminds that whatever is necessary for your material and spiritual life, *Allah* teaches you:

"...and Allah teaches you..."

The occurrence of the above two phrases beside each other indicates that piety and worshipping *Allah* have a deep effect in appearing insight, cognizance and the increase of knowledge.

And, He is aware of everything that is good or evil for people. So, He determines what is good and appropriate for them.

"... and Allah is All-Knowing of all things."

Surah Al-Baqarah, Verse 283

وَإِنْ كُنْتُمْ عَلَى سَفَرٍ وَلَمْ تَجِدُوا كَاتِبًا فَرِهَانٌ مَّقْبُوضَةٌ فَإِنْ أَمِنَ بَعْضُكُمْ بَعْضًا
فَلْيُؤَدِّ الَّذِي أُوتِيَ أَمَانَتَهُ وَلْيَتَّقِ اللَّهَ رَبَّهُ وَلَا تَكْتُمُوا الشَّهَادَةَ وَمَنْ يَكْتُمْهَا فَإِنَّهُ آثِمٌ
قَلْبُهُ وَاللَّهُ بِمَا تَعْمَلُونَ عَلِيمٌ

283. "And if you are on a journey and you do not find a scribe, then take a pledge with

possession. But if one of you entrusts to another, then he who is trusted should pay back his trust; and let him be in awe of Allah, his Lord. And do not conceal testimony, and whoever conceals it, then surely his heart is sinful; and Allah is all-Knowing of what you do."

With stating some more ordinances upon the problem of commercial documents here, this verse, in fact, can be a complement to the previous one. The ordinances are as follows:

1.

"And if you are on a journey and you do not find a scribe, then take a pledge with possession..."

Of course, when the matter happens at home and there is not any scribe available either, sufficing to pledge is allowed.

2. The pledge should certainly be taken in possession of the creditor so that there can be felt an authority of confidence. It says:

"... then take a pledge with possession..."

3. Then, as an exception for the ordinances stated in the earlier verses, it says:

"... But if one of you entrusts to another, then he who is trusted should pay back his trust; and let him be in awe of Allah, his Lord..."

It is interesting that the claim of the creditor is stated as a deposit wherein treachery is a great sin.

4. Then, addressing all people, the Qur'an ordains an inclusive instruction upon bearing witness. It says:

"... And do not conceal testimony, and whoever conceals it, then surely his heart is sinful..."

Thus, those who are cognizant of the rights of others have a duty to attend to bear witness when they are summoned and they should not conceal it.

Since concealing testimony and refraining from bearing witness is done by mind and heart, it is introduced by the Qur'an as a sin of heart, and it says he who does it his heart is sinful.

Then, at the end of the verse, to emphasize and to attract the attentions better to the protection of deposits, delivering the rights of others, and stopping the concealment of testimony, the Qur'an warns by saying:

"... and Allah is All-Knowing of what you do."

People may not know which person is able to bear witness and who is not. Or, people may not know who the creditor is and who the debtor is in the case where there is not any pledge. But *Allah* knows everything and rewards everyone according to his / her own deeds.

Surah Al-Baqarah, Verse 284

لِلَّهِ مَا فِي السَّمَاوَاتِ وَمَا فِي الْأَرْضِ وَإِنْ تُبْدُوا مَا فِي أَنْفُسِكُمْ أَوْ تُخْفُوهُ يُحَاسِبِكُمْ بِهِ اللَّهُ فَيَغْفِرُ لِمَنْ يَشَاءُ وَيُعَذِّبُ مَنْ يَشَاءُ وَاللَّهُ عَلَىٰ كُلِّ شَيْءٍ قَدِيرٌ

284. "To Allah belongs whatever is in the heavens and whatever is in the earth; and whether you reveal what is in your minds or hide it, Allah will call you to account for it. Then He will forgive whom He wills, and will punish whom He wills; and Allah is All-Powerful over all things. "

This verse, in fact, completes what was said at the end of the previous verse. It says:

"To Allah belongs whatever is in the heavens and whatever is in the earth; and whether you reveal what is in your minds or hide it, Allah will call you to account for it..."

Then, the continuation of the verse means that do not suppose that actions such as concealing testimony and heartily sins are covered to Him. No, He is the One whose sovereignty is over the world of existence and the earth and the heavens totally. So, there will be nothing concealed to *Allah*.

"... Then He will forgive whom He wills, and will punish whom He wills..."

At the end of the verse, it says:

and Allah is All-Powerful over all things."

That is, He is both cognizant due to all the things of the world and able to determine the eligibilities and competencies and He is also able to compensate the disobedients.

Surah Al-Baqarah, Verse 285

آمَنَ الرَّسُولُ بِمَا أُنزِلَ إِلَيْهِ مِنْ رَبِّهِ وَالْمُؤْمِنُونَ كُلٌّ آمَنَ بِاللَّهِ وَمَلَائِكَتِهِ وَكُتُبِهِ وَرُسُلِهِ لَا نُفَرِّقُ بَيْنَ أَحَدٍ مِّنْ رُّسُلِهِ وَقَالُوا سَمِعْنَا وَأَطَعْنَا غُفْرَانَكَ رَبَّنَا وَإِلَيْكَ الْمَصِيرُ

285. "The Messenger believes in what has been sent down to him from his Lord and (so do) the believers. (They) all believe in Allah, His angels, His Books and His Messengers. (They say:) We make no difference between any of His Messengers'; and they say: 'We hear, and obey. Our Lord! Your forgiveness (do we ask), and toward You is the destination."

Occasion of Revelation

When the previous verse was revealed telling the believers that everything they had in their minds *Allah* knows and keeps account of it, whether they concealed or made manifest them, a group of the Prophet's companions became afraid of their state.

(They thought that none of them was free from the innate temptations and heartily occurrences. So, they told the Prophet (S) what they thought). Then, the revelation was sent down, and taught them how to believe in *Allah* and in what manner they would Supplicate, and what style of obedience and submission to Him they should follow.

Surah Al-Baqarah begins with a part of theology and faith in *Allah* and it ends with the same meaning, too. Thus, both the beginning and the end of the Surah are on the same line. However, the Qur'an says:

"The Messenger believes in what has been sent down to him from his Lord..."

This is the privilege of the godly prophets who seriously believed in their own doctrine and theology, and had no hesitation in their faith. First of all and before anybody else, they themselves had believed, and they persevered more than all others. Then, it says:

"....and (so do) the believers. (They) all believe in Allah, His angels, His Books and His Messengers. (They say :) 'We make no difference between any of His Messengers' !..."

Then, it adds that, besides having a firm and inclusive faith, in relation to action, believers also deliver such a statement:

"... and they say: 'We hear, and obey. Our Lord! Your forgiveness (do we ask), and toward You is the destination.'"

Therefore, belief in origin and the Divine Messengers should go forth and parallel with the practical commitment of all commandments of *Allah*.

Surah Al-Baqarah, Verse 286

لَا يُكَلِّفُ اللَّهُ نَفْسًا إِلَّا وُسْعَهَا لَهَا مَا كَسَبَتْ وَعَلَيْهَا مَا اكْتَسَبَتْ رَبَّنَا لَا تُؤَاخِذْنَا إِن نَّسِينَا أَوْ أَخْطَأْنَا رَبَّنَا وَلَا تَحْمِلْ عَلَيْنَا إصْرًا كَمَا حَمَلْتَهُ عَلَى الَّذِينَ مِن قَبْلِنَا رَبَّنَا وَلَا تُحَمِّلْنَا مَا لَا طَاقَةَ لَنَا بِهِ وَاعْفُ عَنَّا وَارْحَمْنَا أَنْتَ مَوْلَانَا فَانصُرْنَا عَلَى الْقَوْمِ الْكَافِرِينَ

286. "Allah does not impose upon anyone a duty but to the extent of his capacity; in his favour shall be what he has earned, and against him shall be (the evil) he has wrought. Our Lord! punish us not if we forget or make a mistake. Our Lord! lay not upon us a burden such as You did lay upon those before us. Our Lord! burden us not with what we have no strength to bear. And pardon us, and forgive us, and have mercy on us; You are our Guardian, so help us against the people who are infidels"

The beginning statement of this verse says:

"Allah does not impose upon anyone a duty but to the extent of his capacity; ... "

The entirety of the Islamic legislations, from the view point of capacity and capability of man, are rendered and depended on this very verse. Then, it adds that whatever good or evil a person does return to him:

"... in his favour shall be what he has earned, and against him shall be (the evil) he has wrought..."

By this statement, the above verse awares the believers of their responsibilities and the result of their own actions. It rejects the imagination of determinism, chance, horoscope and fancies of this kind.

Next to these two essential principles (that the duty of fulfilment is due to capacity, and everyone is responsible for one's own deeds), seven supplications are asked *Allah* from the tongue of the believers. These invocations are indeed, as instructions for all in general, to teach them what they say in supplication and what they ask for. At first, it says:

"...Our Lord! punish us not if we forget or make a mistake..."

Therefore, the forgetfulness resulted from carelessness are punishable. Since they know that they are punishable for their own actions, they call *Allah* as their Lord, the One Who has a specific grace in their training with a special cry and say that life, in any rate, is not empty of forgetfulness and mistake.

They try not to commit any intentional sin, but it is *Allah* Who may forgive them their mistakes and sins. As to their second invocation, it says

"Our Lord ! lay not upon us a burden such as You did lay upon those before us..."

For their third invocation it adds:

"...Our Lord! burden us not with what we have no strength to bear..."

This sentence may refer to the divine severe trials, or the hard punishments of this world and the next, or both of them. In the fourth, fifth and sixth invocations, they say:

"...And pardon us, and forgive us, and have mercy on us..."

Finally, in the seventh invocation, which is the last invocation, here, they say:

"... You are our Guardian, so help us against the people who are infidels."

Thus, their invocations cover the affairs of this world and the next, those like personal and social successes, divine forgiveness, and the mercy of *Allah*. This is an inclusive supplication.

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1. Wasail-ush-Shi'ah, vol 12, p. 422.
 2. Kanzul-'Ummal, vol 4, p. 107
 3. Bihar-al-Anwar, vol 100, p. 17
 4. Ibid, p. 18
 5. Safinat-ul-Bihar, vol 1, p. 507
 6. Bihar-al-Anwar, vol 100, p. 121
 7. 'Usul-Kafi, vol 3, p. 178
 8. Bihar-al-Anwar, vol 100, p. 157
 9. Sahih-i-Muslim, vol 3, tradition No. 106

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