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Lawful and Unlawful

That which is legally authorized, and that which is not. Among its various legislative pronouncements, the Qur'ān declares certain objects and actions lawful or unlawful. The words *halāl*, "lawful, allowed, permitted," and *harām*, "unlawful, forbidden, prohibited," and cognate terms from the trilateral roots *h-l-l* and *h-r-m*, respectively, most often designate these two categories and are of relatively frequent occurrence. Qur'ānic declarations of lawfulness or unlawfulness are limited to a relatively few areas of the law as later elaborated by Muslim jurists: for the most part, ritual, family law and dietary matters (see *RITUAL AND THE QUR'ĀN*; *FAMILY*; *MARRIAGE AND DIVORCE*; *FOOD AND DRINK*). On the other hand, the lawful/unlawful rubric also has non-legislative functions in the Qur'ān. Although the seemingly primary categories of *halāl* and *harām* were largely eclipsed by jurisprudential rubrics that were developed subsequently, the terms retained significance in ascetic thought (see *ASCETICISM*) and have recently become prominent in popular handbooks of religious law.

Vocabulary

Apart from denoting lawfulness, the root *h-l-l* indicates an exit from the ritual state connected with the pilgrimage (q.v.) and re-entry into the profane state (*idhā halaltum*, Q 5:2; see *RITUAL PURITY*). In this sense, too, it is the antonym of *h-r-m* (see

below). Concretely, it refers to dissolution (e.g. Q 66:2, metaphorically, of an oath; see *BREAKING TRUSTS AND CONTRACTS*; *OATHS*) and also alighting (e.g. Q 20:86, again metaphorically, of God's wrath; see *ANGER*). The most common means for indicating lawfulness in the Qur'ān is to use the causative verb *aḥalla*, "to make lawful," usually with God as the subject (e.g. Q 7:157, "He makes the good things lawful for them") but it is sometimes passive (e.g. Q 5:1, concerning certain livestock; see *ANIMAL LIFE*; *BOUNTY*). In one instance it occurs in the first person plural, in an address to Muḥammad (Q 33:50; see *FORM AND STRUCTURE OF THE QUR'ĀN*; *LANGUAGE AND STYLE OF THE QUR'ĀN*). Very occasionally, people are made the subject of this verb, to suggest that they wrongly deem something lawful (e.g. Q 9:37, though words derived from *h-r-m* are more common in such accusations; see below). Finally, it should be noted that the intransitive verb *halla*, "to be lawful," occasionally appears in the negative, to indicate that something is not lawful (e.g. Q 2:230, providing that one's wife ceases to be lawful, i.e. available for sexual intercourse, after divorce). The Qur'ān also employs the adjectives *hill* and *halāl* to indicate lawfulness (e.g. in Q 5:5 and Q 8:69, respectively, concerning certain foods).

Words derived from the root *h-r-m* not only connote God's making something unlawful but also frequently express the idea of sacredness (see *SANCTITY AND THE SACRED*), e.g. *al-shahr al-harām*, "the sacred month" (Q 2:194; see *MONTHS*); *al-haram*, "the sacred precinct," where the Ka'ba (q.v.) is located (Q 28:57); *hurum*, persons in the ritual state associated with pilgrimage (e.g. Q 5:1); and *hurumāt*, certain sacred ordinances or institutions (Q 2:194; 22:30). The *h-r-m*-derived counterpart to *aḥalla* is the causative verb *ḥarrama*, "to make un-

lawful," and, as in the case of the former, God is frequently its subject (e.g. Q 2:173, concerning foods). The Qur'an does not employ an intransitive verb derived from *ḥ-r-m*, making do instead with the passive of *ḥarrama* (e.g. Q 5:3, also concerning foods) and the related passive participle e.g. Q 6:145, again concerning foods; the corresponding participial form from *ahalla* is not found in the Qur'an). A number of passages use *ḥarrama* in the first person plural and in most of these God recounts how he had previously made certain things, especially foods, unlawful for the Jews

Q 4:160; 6:146; 16:118; 28:12; see JEWS AND JUDAISM). The counterpart of the adjective *ḥalāl* is *ḥarām*, though they only appear together twice (Q 10:59; 16:116). There is no *ḥ-r-m*-derived equivalent to the form *ḥill* but in Q 21:95 the Kāfān tradition of variant readings (see READINGS OF THE QUR'ĀN) substitutes the word *ḥirm* for *ḥarām* (see Jeffery, *Materials*, e.g. 62, codex of Ibn Mas'ūd). Later legal theorists paired *ḥill* with the non-qur'ānic term *ḥurma* (e.g. Faḥr al-Dīn al-Rāzī [d. 606/1210], *Mafḥūl*, i, 15).

Especially in regard to dietary rules, *ḥalāl* and *ḥarām* parallel to a degree the Levitical categories of clean and unclean, respectively. As noted, though, *ḥalāl* and *ḥarām* also connote profaneness and sacredness, respectively, suggesting a potentially puzzling link between what is sacred and what is unclean. Possibly, a pre-qur'ānic connection existed between sacredness and ritual-related restrictions (*ḥarām*) on the one hand and the profane state and a general lack of restrictions (*ḥalāl*) on the other. Thus, the objects of qur'ānic prohibitions would have been assimilated to a category of ritually mandated restrictions rather than ritually impurity (see Heninger; Pureté). However that may be, the qur'ānic terms are paralleled to some extent by the Hebrew

pair *mūtar* and *asūn*, meaning permitted ("loosened," semantically equivalent to *h-l-l*) and forbidden (q.v.; Wansbrough, *QS*, 174).

Certain other terms in the Qur'an also connote lawfulness and unlawfulness. A number of passages use the word *junāh*, "sin," in variants of the phrase "It is not a sin for you to..." as an indirect means of describing lawful activities (e.g. Q 2:198, permitting commercial activity while in the ritual state required of pilgrims; see MARKETS; SELLING AND BUYING; SIN, MAJOR AND MINOR). Rhetorically, passages employing *junāh* often imply that the activity in question might have been thought unlawful and hence required clarification. Commentators (see EXEGESIS OF THE QUR'ĀN: CLASSICAL AND MEDIEVAL) gloss the word *ḥijr* as meaning *ḥarām* in two passages. In Q 6:138, unnamed persons declare certain produce and livestock *ḥijr*, which means, according to the commentators, that it was declared *ḥarām*, "off-limits, or sacrosanct," in connection with a pagan rite (e.g. Tabarī, *Tafsīr*, xii, 139-40). In Q 25:22, the phrase *ḥijr mahjūr* appears in the following sentence: "On the day they see the angels (see ANGEL), there will be no glad tidings then for the wrongdoers, and they will say *ḥijran mahjūran*." Some commentators attribute the phrase in question to the angels and gloss it as meaning *ḥarām muḥarram*, that is, either paradise (q.v.) or the glad tidings (see GOOD NEWS) will be "strictly forbidden" to the wrongdoers (e.g. Bayḍāwī, *Anwār*, ii, 37). The phrase *ḥijr mahjūr* also appears in Q 25:53, where it seems to refer concretely to physical separation (e.g. Bayḍāwī, *Anwār*, ii, 43), and the word *ḥijr* appears alone in Q 89:5, where it is traditionally understood to mean "intelligence" (e.g. Bayḍāwī, *Anwār*, ii, 401; see INTELLECT; KNOWLEDGE AND LEARNING). The word *suhṭ* appears at Q 5:42 and twice

at Q 5:62-3, always in the phrase "eaters/eating of *suht*" (*akkālūna lil-suhtī, aklīhimu l-suhta*), an apparently derogatory reference to the Jews. The commentators took *suht* to refer either generally to unlawful gain or specifically to bribes accepted by Jewish judges (e.g. Ṭabarī, *Tafsīr*, x, 318-24, 447-8), thus connecting it with the remainder of Q 5:42, in which the Prophet is given permission to adjudicate Jewish legal matters. In Leviticus 22:25, a Hebrew cognate, *mashḥat*, refers to inherent "corruption" or "mutilation" which renders certain ritual offerings unfit (see CONSECRATION OF ANIMALS; CORRUPTION) but the more usual sense of the biblical Hebrew cognate is "destruction," which is how a related Arabic word is used at Q 20:61. According to Jeffery (*For. vocab.*, 165-6), *suht* means "unlawful" in a technical sense. He notes an interesting parallel with the Talmud (Shabb. 140b, discussing the principle of *bal tashlūt* derived from *Deut* 20:19) but opts for a Syriac origin of the word (*sūhtā*, "depravity, corruption"). The remainder of this discussion deals only with words derived from the roots *ḥ-l-l* and *ḥ-r-m*.

What is lawful and unlawful?

As noted above, qur'ānic declarations of lawfulness and unlawfulness pertain mostly to ritual, dietary law and family law. For example, Q 5:96 declares the hunting of land animals while in the ritual state for the pilgrimage to have been outlawed (*ḥurrima*) but fishing and eating the catch lawful (*uḥilla*, see HUNTING AND FISHING). In regard to dietary matters, the most prominent and oft-repeated rule provides that God has made unlawful (*ḥarrama*) carrion (q.v.), blood, swine flesh and what is consecrated to other than God (Q 2:173; 16:115; and with slight variations at Q 5:3 and 6:145). The largest number of rules that use this rubric concern family law. Q 4:22-4, for example, details which

women have been made unlawful (*ḥurrima*) to marry and which lawful (*uḥilla*). A noteworthy principle of Islamic commercial law at Q 2:275 provides that God made lawful (*ahalla*) sales transactions and forbade (*ḥarrama*) usury (q.v.).

In contrast to the many overtly legislative passages which pronounce on lawfulness and unlawfulness, other passages employ the lawful/unlawful rubric to suggest that the Muslims are, perhaps, subject to fewer legal restrictions than previous communities. Several such passages use words derived from the roots *ḥ-l-l* and *ḥ-r-m* to suggest that God has begun to expand the category of the lawful, as in Q 5:5: "Today the good things (*al-tayyibāt*) have been made lawful for you (*uḥilla lakum*)" (see also Q 2:172-3 [with *ḥ-r-m*]; 5:4, 88; 7:157; 16:114). Other passages contain an implicit or explicit charge that certain human beings have mistakenly declared things lawful or unlawful (mostly the latter). These fall into three main groups: those in which people are enjoined not to outlaw what God has provided (Q 5:87; 6:140; 7:32; 10:59); those which generally complain that people have wrongly forbidden or made lawful unspecified things (Q 6:148; 9:29; 16:35, 116; 66:1); and those in which people are accused of wrongly outlawing (or permitting) certain specified things, mostly in connection with pagan practices (see generally Q 6:138-50; 9:37; see IDOLATRY AND IDOLATERS).

Finally, several passages use the lawful/unlawful rubric to suggest that the Jews labored under a more burdensome law than the Muslims, either because the former created unnecessary rules (Q 3:93) or because God wished to punish them (Q 4:160; 6:146; 16:118). The process of repealing this more onerous law imposed on the Jews apparently begins with Jesus (q.v.), who says in Q 3:50 that he has come as a confirmation of the Torah (q.v.), to make

lawful (*li-uhilla*) some of the things which had previously been forbidden (*hurrima*, compare *Matt* 5:17-9, in which Jesus denies that he has come to relax the Law).

Post-qur'anic developments

Early commentators, such as Ibn 'Abbās (d. 68/687) and Muḥammad al-Kalbī (d. 146/763) are said to have recognized declarations of lawfulness and unlawfulness (*ḥalāl wa-ḥarām*) as one among several fundamental modes of qur'anic discourse (Versteegh, *Arabic grammar*, 64, 106; see also Wansbrough, *QS*, 149, 173-4; see LITERARY STRUCTURES OF THE QUR'ĀN). Exegetes and legal theorists, however, soon moved beyond this basic qur'anic distinction. The commentator and grammarian al-Farrā' (d. 207/822), for example, differentiates between qur'anic prohibitions (sing. *nahy*) which aim merely to inculcate proper etiquette (*adab*) and those which function to outlaw something (*nahy muḥarrim*; Kinberg, *Lexicon*, 863). This move marks the extraction of an abstracted and generalized concept of unlawfulness (and implicitly lawfulness), inferable from a text's language and capable of being applied and elaborated outside the confines of those qur'anic passages that used the root *h-r-m* (or *h-l-l*). Al-Shāfi'ī (d. 204/820), for example, applied this same *adab/talwīm* distinction to prophetic ḥadīth (Shāfi'ī, *Risāla*, par. 926-60; see HADĪTH AND THE QUR'ĀN).

Scrutiny of the variously formulated legislative provisions in revealed texts, and speculation on their potentially disparate legal consequences, led jurists to a theory of gradations of legal obligation. More precisely, legal theorists developed a classificatory scheme of moral evaluations (*ahkām*, sing. *ḥukm*) to which all human acts could be assigned: mandatory (*wājib*), recommended (*mandūb*), merely permitted (*mubāḥ*), disapproved (*makrūh*), and forbidden (*ḥarām* or *maḥzūr*). In a sense, the first

four categories could be considered refinements of what is *ḥalāl* (Jackson, *Islamic law*, 118) but it is really only the outer categories of mandatory and forbidden that have the force of rules (Weiss, *The spirit*, 18-9), and they do not parallel the categories of *ḥalāl* and *ḥarām* (*ḥalāl*/lawful being a broader and different sort of category than *wājib*/mandatory). This graded scale eclipsed the fundamental qur'anic binary of *ḥalāl*/*ḥarām*, which came to be applied only in much more limited fashion to certain things (e.g. wine [q.v.; see also INTOXICANTS]) and persons (e.g. potential spouses; Schacht, *Introduction*, 121 n. 2; see PROHIBITED DEGREES). Contrasting with these developments in speculative legal hermeneutics, there emerged a pictistic tendency to view the world as fundamentally divisible into realms of lawfulness and unlawfulness. This "scrupulosity" (for a good example of which, see Cooperson's description of Aḥmad b. Hanbal [d. 241/845], *Arabic biography*, 112-8) may, perhaps, be considered a concern with ritual purity in the widest possible sense, but is in any event connected with the rise to prominence of the traditionists, part of whose "programme" was "to identify the categories 'forbidden' and 'invalid'" (Schacht, *Introduction*, 46). The great theologian al-Ghazālī (d. 505/1111) may be said to have reconciled to some extent the legal-hermeneutical and ethical-ascetic uses of the lawful/unlawful rubric in Book xiv of his *Ihyā' ulūm al-dīn* (Revivification of the religious sciences), the *Kitāb al-ḥalāl wa-l-ḥarām* ("Book of the lawful and the unlawful," Fr. trans. R. Morclon, *Le livre du licite et de l'illicite*). Al-Ghazālī criticizes the view that the world has become so corrupted that one is no longer in a position to observe the distinction between *ḥalāl* and *ḥarām*. He insists, rather, that scrupulosity (*wara'*), an even stricter standard than *ḥarām*, is still possible. Practicing *wara'*

requires that one avoid not only what is *ḥarām* but also many things (and actions) which, though technically *ḥalāl*, possess the quality of *shubha*, "dubiousness" (for the more usual technical legal meaning of which, see Rowson, *Shubha*). Al-Ghazālī's technically accomplished analysis represents an interesting application of speculative modes of juridical thinking to an anti-theoretical, pietistic concern (see THEOLOGY AND THE QUR'ĀN).

In recent times, a number of popular books giving practical guidance on the application of Islamic law in everyday life take the categories of lawful and unlawful as their organizing principle. A prominent such work is *al-Ḥalāl wa-l-ḥarām fi l-Islām* (Eng. trans. *The lawful and the prohibited in Islam*) by Yūsuf al-Qaraḍāwī (b. 1926). In the introduction, al-Qaraḍāwī says that he is the first to author a work devoted entirely to the topic of *ḥalāl* and *ḥarām*. Whatever al-Ghazālī might have thought of that claim, al-Qaraḍāwī's work unleashed a virtual flood of books (some critical of al-Qaraḍāwī for his liberal views) devoted to distinguishing the *ḥalāl* from the *ḥarām* in daily life. Such works, including that of al-Qaraḍāwī, are now widely available in languages other than Arabic. Their contents derive, however, from the subsequently developed categories of classical Islamic law and, as such, they extend well beyond qur'ānic declarations of lawfulness and unlawfulness, to cover the full range of activities possible in contemporary life. See also LAW AND THE QUR'ĀN; ETHICS AND THE QUR'ĀN.

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Laziness see VIRTUES AND VICES, COMMANDING AND FORBIDDING

Leader see KINGS AND RULERS; IMĀM

Leaf see WRITING AND WRITING INSTRUMENTS; SCROLLS; TREES

Learning see KNOWLEDGE AND LEARNING

Leather see HIDES AND FLEECE; ANIMAL LIFE

Left Hand and Right Hand

The terminal part of each arm, often with connotations of evil and good, respectively (see GOOD AND EVIL; HANDS). The left hand (*shimāl*, pl. *shamā'īl*, *mash'ama*) and the right hand (*yamīn*, pl. *aymān*, *maymana*) appear in the Qur'ān in two contexts: first, the *ḥisāb*, a record or statement of personal