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Title: SOCIAL LEGISLATION IN SURAT AL-AHZAB

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Abstract: In this article the author examines Surat 33 of the Qur'an, *al-Ahzab*, in the context of circumstances in Prophet Muhammad's life at the time of its revelation. Pivotal issues such as the roots of the Muslim perspective on adoption, succession of women, and who was referred to by the term *ahl al-bayt* are looked at via the same lens.

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Surat 33 al-Ahzab of the Qur'an, it is known, is composed of pronouncements and legislation in the time around the Battle of the Trench and the Siege of Medina in Du'l-Qa'da of the year 5 April 627 CE. The legislation, containing the designation of Muhammad as the Seal of the Prophets (*khatam al-nabiyyin*) obviously had a major bearing on the question of the succession to him five years later.

David Powers has recently argued that the passage of the Sura, verses 36-40, in which Prophet Muhammad is called Seal of the Prophets and where he is also described as not being "the father of any of your men" is a later addition to the Qur'an dating from the generation after his death.¹

Muhammad, according to Powers, considered Zayd b. Haritha, his adopted son, as his legitimate successor. The Prophet's Companions, however, prevented the legitimate hereditary succession of Zayd (or, if he was dead, of Zayd's son Usama), and later Muslims claimed that the Qur'an had revoked the legality of Zayd's adoption. Powers' argument is hardly sustainable since the verses abolishing adoption, verses 4-6, would also have to be considered a late addition to the Qur'an.

Zayd, to be sure, until this time must have been considered as the potential heir and successor to Prophet Muhammad. Under the Qur'anic rules of inheritance promulgated a year before, he would have been entitled to inherit two fifths of the Prophet's property, and each of Muhammad's three surviving daughters would have inherited one fifth. Could Zayd, as an adopted son, have succeeded Muhammad in his position as a prophet? Succession to prophethood according to the Qur'an and in the popular view of the time was normally on the basis of male descent, though ultimately determined by divine election.

There was, however, no precedent for a son by adoption to succeed to prophethood, and in the popular view this was evidently not reasonable. In Mecca, a Qurayshite opponent had triumphantly called Muhammad *Abtar*, cut off from male progeny, after his two sons with Khadija had died in infancy. Implied in the offensive appellation evidently was that Muhammad, without a natural son, could not have a successor and therefore could not be a true prophet. The incident had occasioned *Surat 108 al-Kawthar* of the Qur'an, which hurled the appellation back at the offender.² Muslims no doubt had fewer misgivings to think of Zayd, whom they regularly called son of Muhammad, as his potential successor and Prophet.

At the same time they were aware of Muhammad's ardent and undiminished desire for a natural son. It was a desire which, according to the Qur'an, earlier members of the prophetic chain, Abraham with his aged wife Sarah and Zachariah, father of John the Baptist with his barren wife, had experienced, and God had responded to their prayers. Muslims and Muhammad himself were at this stage hardly convinced that Zayd was destined to become the Prophet's successor.

Muhammad, it is to be noted, had adopted Zayd long ago before his mission as a prophet, when his circumstances were entirely different. Zayd, born into a respected family of the Syrian Arab tribe of Kalb, had been captured and sold into slavery as a boy and was presented to Muhammad by his wife Khadija in order to assist him in his caravan trade. Muhammad found him an absolutely loyal and indispensable helper, manumitted him and then formally adopted him as his son, apparently against some opposition among his Hashimid kin. Muhammad, no doubt, envisioned at the time that he might eventually turn

over his thriving business to his trustworthy helper. If he had by then any natural sons, as he certainly expected, they obviously would share the inheritance in some way.

After Muhammad's prophetic calling, his adopted son became a capable and courageous military leader in the early Muslim raids and battles with the Meccans. He hardly, however, displayed any signs of spiritual inspiration. Could Muhammad envision him now as a successor in his prophetic mission? *Sura* 33:40 unambiguously ruled out this possibility. Muhammad, not being the father of Zayd, could not be succeeded by him as a prophet.

In the Qur'anic passage, this pronouncement follows the announcement that God had ordered Muhammad to marry his own cousin Zaynab, the former wife of Zayd, in order that the faithful should know that it was licit for them to marry the wives of their adopted sons when the latter no longer wanted them (verse 37). This context evidently encouraged later speculation that the affair of Zaynab was the occasion of the abolition of adoption, whose purpose was to allow Muhammad, who had suddenly become infatuated with his cousin, to marry his daughter-in-law. Such interpretation, suggested by early Muslim *sira* and exegesis, gave rise to much medieval Christian polemic against Muhammad and his claim to prophethood.

In reality it was the abolition of adoption which inevitably occasioned the drama of Zaynab and Zayd. The proclamation delegitimising adoption contained in verses Q. 33:3-8 most likely occurred some months before the announcement of Muhammad's marriage with Zaynab in verses Q.33:36-40.

If the arrangement of *Surat al-Ahzab* reflects the chronology of revelation, adoption was abolished still before the Siege of Medina, which is described at length in verses Q. 33:9-27, while Muhammad's marriage took place sometime after it. In verse 33:37 the Qur'an thus does not speak of Zayd as Muhammad's adoptive son any more, but as "the one on whom God has bestowed bounty and on whom you (Muhammad) have bestowed bounty".

The delegitimation of adoption was part of the general legislation of the Qur'an, much of which was promulgated a year earlier and collected in *Sura* 4 *al-Nisa'*. A basic aim of this early Medinan legislation was to foster cohesion and mutual material support in the Muslim community, to aid orphans and the poor and to provide appropriately for women. Such social justice and material welfare was primarily to be achieved by the existing traditional kinship groups based on blood relationship, who were responsible for the well-being of their members. Verse 6 of *Surat al-Ahzab* stated: "Blood relatives (*ulu'l-arham*) are closer to each other in the Book of God than believers and Emigrants (*muhajirin*), though you may still make gifts to your close friends (*awliya'ikum*)".

This, the Qur'an goes on to explain, was recorded in all books of prophetic scripture as God's covenant with you (Muhammad), Noah, Abraham, Moses and Jesus (verse 33:7). Muhammad had, it must be remembered, at the time of the *hijra* to Medina, sponsored pacts of brotherhood (*mu'akhat*) between individual Meccan Emigrants and Medinan Helpers which were to compensate the Emigrants for their loss of mutual ties with their kin who remained idolators in Mecca. Yet as soon as some of these blood relatives came to Medina as Muslims and joined the early Emigrants, the kinship ties were fully restored and the pacts of brotherhood reduced to mere bonds of friendship. The same words were used in Qur'an 8:75 to proclaim the priority of kinship ties over any friendship pacts as was now in respect to adoption of sons: *ulu'l-arhami ba'dhum awla biba'din fi Kitabi'llah*.

Zaynab bt. Gahs, daughter of Muhammad's paternal aunt Umayma, had been known and dear to him already before his prophetic mission. When she, unmarried, arrived together with her brother 'Abd Allah in Medina among the early Emigrants, he must have felt responsible for her well-being. His son Zayd asked him for permission to propose marriage to her, and Muhammad encouraged him. Zaynab and 'Abd Allah, acting as her guardian, at first declined the proposal. Priding herself to be the most beautiful lady of Quraysh, Zaynab evidently did not view Zayd, an uncultured freed slave, a suitable match. She was, no doubt, aware that some of Muhammad's and her Hashimid kin had not approved of the adoption of Zayd. We are not told whether her mother Umayma was among them.

When informed that Muhammad backed the proposal, Zaynab relented reluctantly. The marriage turned out to be unhappy and remained childless. When adoption was delegitimised and Zayd's legal status became reduced to that of a client of the Prophet, Zayd could see no longer hope to repair the marriage and proposed to divorce her, again asking for Muhammad's permission. The Prophet was put in an awkward position. He knew well that the divorce was equally desired by his cousin and that he had been mistaken in pressing her to marry Zayd. Yet, if he encouraged Zayd now to divorce her, it would have humiliated him by implying that the Prophet no longer considered him a suitable partner for a noble Quraysh lady. He also feared, as the Qur'an explains, that people would suspect that he pressed Zayd to divorce her because he wanted to marry the wife of his former adoptive son. He therefore advised Zayd to keep his wife, and was censured for it by the Qur'an.

The Qur'anic designation of Muhammad as Seal of the Prophets must have raised questions about the future of mankind. Most Muslims at the time no doubt understood it to mean that he was to be the last prophet and Islam was the final religion, as Muslims have commonly understood it ever since. Did this mean that the end of the world was imminent? A passage in *Surat al-Ahzab* (verses 65-68) later, following the designation, reports that people were asking Muhammad about the Hour. The Qur'an answered, as it had done so before, that only God has knowledge of it, but that the Hour might well be near.

Muhammad being the Seal of the Messenger-Prophets, divine legislation obviously would end with him, and the Qur'an six years later indeed announced that their religion, Islam, was now complete. Yet Muhammad was by now not only the conveyor of Divine pronouncements, orders and laws; he had also become their executor and head of the Muslim Community as well as the custodian in charge of the *Mal Allah*, God's property of land and valuables kept in the treasury. Who would succeed him in these functions? Zayd b. Haritha, no longer his son, was excluded, unless Prophet Muhammad would name him in his testament.

The Prophet's Qur'anic legal heirs were now his three daughters who would receive two thirds of his inheritance and his wives who collectively would inherit one eighth. Might any of the women succeed Muhammad as head of the Community? Few of the contemporary Muslims presumably expected so, unless God were to elect her. There were, however, in biblical and Qur'anic history some precedents of legitimate queens, and later Muslims have occasionally accepted the rule of women.

In *Surat al-Ahzab* the Qur'an proclaimed, more insistently than before, the obligation of the faithful to honour and obey the Prophet unconditionally. Just after the order to name adopted sons after their real fathers, verse 33:6 stated: "The Prophet is *awla* (closer and more entitled

to obedience) to the faithful than they are themselves”. Further on, in verse 33:36, they were told: “When God and His Messenger have decided on a matter that concerns them, it is not fitting for any believing man or woman to claim freedom of choice in that matter. Whoever disobeys God and His Messenger is far astray”.³ Earlier, in Mecca, only God alone had been given such decisive choice over-riding the choice of human beings.⁴ In verse 33:6 the obligation of the faithful to honour and obey the Prophet is emphatically extended to his wives in the words: “And his wives are their mothers”.

A large portion of *Surat al-Ahzab* is indeed devoted to raising the religious and social rank of Muhammad’s wives. In verse 33:32 they are addressed: “Wives of the Prophet, you are not like any other women”. The statement, to be sure, comes in a distinctly exhortatory context. The wives are warned that they must behave properly to earn their high status. Prophet Muhammad is ordered to tell them that if they desired the life and adornments of this world, he would make provision for them and send them off. They must not speak with a soft voice so as to provoke the lust of men sick at heart. They must stay secluded in their houses and not display their charms. They must keep up the prayer, pay alms, and obey God and His Messenger. The passage reaches its climax in the statement (verse 33): “God wishes to keep pollution away from you, people of the House (*ahl al-bayt*), and to purify you thoroughly”.

In later Islam there was acrimonious controversy about who was meant by the *ahl al-bayt* in this verse. Shi‘i Qur’an commentators insisted that the Prophet’s close kin, especially the *ahl al-kisa’*, Prophet Muhammad, ‘Ali, Fatima, Hasan and Husayn, were his *ahl al-bayt*, while Sunni commentators maintained that his wives were meant. For the contemporary Muslims, this was hardly a question. They understood the obvious in the Qur’anic context: that the wives were here addressed as part of Prophet Muhammad’s *ahl al-bayt*, not as constituting his whole family or the core of it that God wanted to purify. The statement of the Qur’an that the wives of the Prophet were the mothers of the believers had been followed immediately by the categorical assurance that blood relatives are closer to each other than others in the Book of God. No one certainly could doubt that in the sight of God, Prophet Muhammad’s daughters were closer to him than his wives. They would at this stage under Qur’anic law be his primary heirs.

There could, however, have been a question as to which of Muhammad’s kin was included here in his *ahl al-bayt*. The Prophet’s *ahl al-bayt* in the wider sense were at this time understood to be the Banu Hashim and, in close association with them, the Banu’l-Muttalib. The two clans had been the victims of the boycott by the majority of Quraysh in Mecca, and ever since Muhammad felt specifically responsible for their protection and welfare. They were the *ulu’l-qurba*, the close kin whom the Qur’an granted a share, together with the Prophet himself, of the *khums* of booty and the *fay* of conquered land.

They were, at the same time, excluded by Muhammad from receiving or administering any portion of *zakat* on the grounds that *zakat* constituted the impure dregs of the people. *Ahl al-bayt* could, however, also be understood in a narrower sense to mean the immediate family of Muhammad. Al-Tabari in his Qur’an commentary provides strong evidence that this narrower sense of the term *ahl al-bayt* prevailed at the time. In commenting on verse 33:33, he quotes no less than sixteen *hadiths* and reports supporting the view that the five *ahl al-kisa’* were meant in the verse.⁵

The Medinan Companion Abu Sa‘id al-Khudri reported that the Prophet had affirmed: “This *aya* descended concerning five, myself, ‘Ali, Hasan, Husayn, and Fatima”. There are seven

reports in which Umm Salama, wife of Muhammad, describes with slight variations how the verse was revealed in her apartment and the Prophet was joined by 'Ali, Fatima and their two sons. The Prophet declared that these were his *ahl al-bayt* and implored God that He purify them.

Umm Salama then asked if she was not one of them, and Muhammad assured her that she belonged to his family (*ahl*) and was destined for a good hereafter (*anti ila khayr*). 'A'isha, who was not on good terms with her step-daughter Fatima, narrated that the Prophet one morning went out (from her apartment) in a black woollen garment with ornamental borders and came back with his grandson Hasan. Then he recited the purification verse. Anas b. Malik, who was then a young servant in the household of Muhammad, reported that after the revelation of the verse, the Prophet for six months used to pass by the house of Fatima whenever he went out for his prayer and to call out: "The prayer, the prayer, *ahl al-bayt*". Then he would recite the purification verse.

Among all these reports there is only one that could properly be considered Shi'i. An otherwise unknown Abu'l-Daylam narrated to the Kufan Qur'an commentator Isma'il al-Suddi that 'Ali, the surviving son of the Prophet's martyred grandson Husayn, asked a Syrian: "Have you not read in (*Surat al-Ahzab*): God wishes to keep pollution away from you, *ahl al-bayt*, and to purify you thoroughly?" The Syrian asked back: "Are they you then?" 'Ali b. al-Husayn answered: "Yes". As against this array of testimony in favour of the *ahl al-kisa'*, al-Tabari adduces only a single report in support of the opinion that the Prophet's wives were meant by the *ahl al-bayt* in the purification verse.

A certain 'Alqama, who cannot be definitely identified, narrated that 'Ikrima used to proclaim (*yunadi*) in the market, reciting the purification verse: "It descended about the wives of the Prophet specifically (*khassatan*)". 'Ikrima, the Berber slave of 'Abd Allah b. al-'Abbas, was well-known as a propagator of Khariji ideology who travelled in the middle Umayyad age throughout the Muslim world spreading Khariji views. His public proclamation evidently was a politically motivated claim without basis in the Qur'an or early tradition and was quoted by 'Alqama as such.

The elevation of Muhammad's closest kin in religious and social rank announced in the purification verse of *Surat al-Ahzab* could not leave the Muslim community in doubt that he was still envisaging his successor to come from them. As it were, his closest blood relatives at the time were his three daughters, and one of them had two sons, aged two and one. Yet he was still full of hope that a son would be born to him and would survive.

Four years later, Mariyah the Copt, his slave concubine, did bear him a son. Prophet Muhammad announced his birth to the Muslim community at prayer time and told them that he had named him after his forefather Ibrahim. There was even talk now that Ibrahim would become a prophet. A year later Ibrahim died. Of the Prophet's daughters, Zaynab and Umm Kultum by then had also passed away. When Prophet Muhammad's own turn came, only his youngest daughter, Fatima, was left.

¹ David S. Powers, *Muhammad is Not the Father of Any of Your Men: The Making of the Last Prophet*, Philadelphia 2009.

² A detailed discussion of the incident is given by M.J. Kister, "The Sons of Khadija", in *JSAI* 16 (1993), pp. 85-91.

³ Translation by M.A.S. Abdel Haleem, *The Qur'an: A new Translation*, Oxford 2004.

⁴ See Qur'an 28:68.

⁵ Al-Tabari, *Jami' al-bayan*, ed. 'A. al-Turki, Riyad 2003, vol. 19, pp. 103-108.