

Assalamu Alaikum Wa Rahmatullahe Wa Barakatuhu

Bismillahir Rahmanir Rahim

Explanation of some of following verses of writ petition in Supreme Court of India

It is revealed in the Holy Quran: Sura An-Nisa 4:50, 89, & 101

أَنْظُرْ كَيْفَ يَفْتَرُونَ عَلَى اللَّهِ الْكَذِبَ ۗ وَكَفَىٰ بِهِ إِثْمًا مُّبِينًا ﴿٥٠﴾

Behold! how they invent a lie against Allah! but that by itself is a manifest sin! (Sura An-Nisa 4:50)

وَدُّوا لَوْ تَكْفُرُونَ كَمَا كَفَرُوا فَتَكُونُونَ سَوَاءً ۗ فَلَا تَتَّخِذُوا مِنْهُمْ
أَوْلِيَاءَ حَتَّىٰ يُهَاجَرُوا فِي سَبِيلِ اللَّهِ ۗ فَإِن تَوَلَّوْا فخذُوهُمْ وَاقْتُلُوهُمْ
حَيْثُ وَجَدْتُمُوهُمْ ۗ وَلَا تَتَّخِذُوا مِنْهُمْ وُلِيًّا وَلَا نَصِيرًا ﴿٨٩﴾

They but wish that ye should reject Faith, as they do, and thus be on the same footing (as they): But take not friends from their ranks until they flee in the way of Allah (From what is forbidden). But if they turn renegades, seize them and slay them wherever ye find them; and (in any case) take no friends or helpers from their ranks; (Sura An-Nisa 4:89)

وَإِذَا ضَرَبْتُمْ فِي الْأَرْضِ فَلَيْسَ عَلَيْكُمْ جُنَاحٌ أَنْ تَقْصُرُوا مِنَ
 الصَّلَاةِ ۖ إِنَّ خِيفْتُمْ أَنْ يَفْتِنَكُمُ الَّذِينَ كَفَرُوا ۗ إِنَّ الْكُفْرَيْنَ
 كَانُوا لَكُمْ عَدُوًّا مُبِينًا ﴿١٠١﴾

When you travel through the earth, there is no blame on you if you shorten your prayers, for fear the Unbelievers May attack you: For the Unbelievers are unto you open enemies. (Sura An-Nisa 4:101)

It is revealed in the Holy Quran: Sura Al-Ma'idah 5:14, 33, 51, & 57

وَمِنَ الَّذِينَ قَالُوا إِنَّا نَصْرَىٰ أَخَذْنَا مِيثَاقَهُمْ فَنَسُوا حَظًّا مِمَّا
 ذُكِّرُوا بِهِ ۗ فَأَغْرَيْنَا بَيْنَهُمُ الْعَدَاوَةَ وَابْغَضَاءَ إِلَى يَوْمِ
 الْقِيَامَةِ ۗ وَسَوْفَ يُنَبِّئُهُمُ اللَّهُ بِمَا كَانُوا يَصْنَعُونَ ﴿١٣﴾

From those, too, who call themselves Christians, we did take a covenant, but they forgot a good part of the message that was sent them: so, we estranged them, with enmity and hatred between the one and the other, to the day of judgment. And soon will Allah show them what it is they have done. (Sura Al-Ma'idah 5:14)

إِنَّمَا جَزَاؤُا الَّذِينَ يُحَارِبُونَ اللَّهَ وَرَسُولَهُ وَيَسْعَوْنَ فِي الْأَرْضِ
فَسَادًا أَنْ يُقَتَّلُوا أَوْ يُصَلَّبُوا أَوْ تُقَطَّعَ أَيْدِيهِمْ وَأَرْجُلُهُمْ مِّنْ
خِلَافٍ أَوْ يُنْفَوْا مِنَ الْأَرْضِ ۚ ذَٰلِكَ لَهُمْ حِزْبٌ فِي الدُّنْيَا وَلَهُمْ فِي
الْآخِرَةِ عَذَابٌ عَظِيمٌ ﴿٣٣﴾

The punishment of those who wage war against Allah and His Messenger, and strive with might and main for mischief through the land is: execution, or crucifixion, or the cutting off of hands and feet from opposite sides, or exile from the land: that is their disgrace in this world, and a heavy punishment is theirs in the Hereafter; (Sura Al-Ma'idah 5:33)

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَتَّخِذُوا الْيَهُودَ وَالنَّصَارَىٰ أَوْلِيَاءَ
بَعْضُهُمْ أَوْلِيَاءُ بَعْضٍ ۚ وَمَنْ يَتَوَلَّهُمْ مِنكُمْ فَإِنَّهُ مِنْهُمْ ۗ إِنَّ
اللَّهَ لَا يَهْدِي الْقَوْمَ الظَّالِمِينَ ﴿٥١﴾

O you who believe! take not the Jews and the Christians for your friends and protectors: They are but friends and protectors to each other. And he amongst you that turns to them (for friendship) is of them. Verily Allah guideth not a people unjust. (Sura Al-Ma'idah 5:51)

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَتَّخِذُوا الَّذِينَ اتَّخَذُوا دِينَكُمْ هُزُوءًا وَ
 لَعِبًا مِّنَ الَّذِينَ أُوتُوا الْكِتَابَ مِن قَبْلِكُمْ وَ الْكُفَّارِ
 أَوْلِيَاءَ ۗ وَ اتَّقُوا اللَّهَ إِنَّ كُنتُمْ مُؤْمِنِينَ ﴿٥٧﴾

O you who believe! take not for friends and protectors those who take your religion for a mockery or sport, whether among those who received the Scripture before you, or among those who reject Faith; but fear you Allah, if you have faith (indeed). (Sura Al-Ma'idah 5:57)

It is revealed in the Holy Quran: Sura Al-Anfal 8:12, 65, 66, & 69

إِذْ يُوحِي رَبُّكَ إِلَى الْمَلَائِكَةِ أَنِّي مَعَكُمْ فَثَبِّتُوا الَّذِينَ آمَنُوا ۗ
 سَأَلْتَنِي فِي قُلُوبِ الَّذِينَ كَفَرُوا الرُّعْبَ فَأَضْرِبُوا فَوْقَ الْأَعْنَاقِ وَ
 اضْرِبُوا مِنْهُمْ كُلَّ بَنَانٍ ﴿١٢﴾

Remember thy Lord inspired the angels (with the message): I am with you: give firmness to the Believers: I will instil terror into the hearts of the Unbelievers: smite ye above their necks and smite all their finger-tips off them. (Sura Al-Anfal 8:12)

يَا أَيُّهَا النَّبِيُّ حَرِّضِ الْمُؤْمِنِينَ عَلَى الْقِتَالِ ۗ إِنْ يَكُنْ مِنْكُمْ
عِشْرُونَ صَابِرُونَ يَغْلِبُوا مِائَتِينَ ۚ وَإِنْ يَكُنْ مِنْكُمْ مِائَةٌ
يَغْلِبُوا أَلْفًا مِنَ الَّذِينَ كَفَرُوا بِأَنَّهُمْ قَوْمٌ لَا يَفْقَهُونَ ﴿٦٥﴾

O Prophet! rouse the Believers to the fight. If there are twenty amongst you, patient and persevering, they will vanquish two hundred: if a hundred, they will vanquish a thousand of the Unbelievers: for these are a people without understanding. (Sura Al-Anfal 8:65)

الَّذِينَ خَفَّفَ اللَّهُ عَنْكُمْ وَعَلِمَ أَنَّ فِيكُمْ ضَعْفًا ۗ فَإِنْ يَكُنْ
مِنْكُمْ مِائَةٌ صَابِرَةٌ يَغْلِبُوا مِائَتَيْنِ ۚ وَإِنْ يَكُنْ مِنْكُمْ أَلْفٌ
يَغْلِبُوا أَلْفَيْنِ بِإِذْنِ اللَّهِ ۗ وَاللَّهُ مَعَ الصَّابِرِينَ ﴿٦٦﴾

For the present, Allah hath lightened your (task), for He knoweth that there is a weak spot in you: But (even so), if there are a hundred of you, patient and persevering, they will vanquish two hundred, and if a thousand, they will vanquish two thousand, with the leave of Allah: for Allah is with those who patiently persevere. (Sura Al-Anfal 8:66)

فَكُلُوا مِمَّا غَنِمْتُمْ حَلَالًا طَيِّبًا ۚ وَاتَّقُوا اللَّهَ ۗ إِنَّ اللَّهَ غَفُورٌ رَحِيمٌ ﴿٦٩﴾

But (now) enjoy what ye took in war, lawful and good: but fear Allah: for Allah is Oft-forgiving, Most Merciful. (Sura Al-Anfal 8:69)

Tafhimul Quran

5:33 Explanation

Here the land refers to that country or territory in which the maintenance of law and order is the responsibility of the Islamic State and "to wage war against Allah and His messenger" is to wage war against righteous system of government established by the Islamic State. As Allah likes that such a system of government should be established. He sent his messenger to establish an equitable system of government which should guarantee peace and justice to human beings, animals, trees, vegetation, and everything in the earth, which may enable human beings to develop to the fullest their natural capabilities which should exploit natural resources of the earth for the true progress and improvement of humanity and not for its destruction. It is obvious that any attempt, big or small, to undermine or overthrow such an established system, is in reality a war against Allah and His messenger. It does not make any difference whether that mischief is created by criminals or murderers who cause disorder in the settled and peaceful society, or by armed forces who attempt to overthrow the Islamic State and establish some corrupt un-Islamic system instead. And every sovereign treats such a violation directed against his authority or against any of his officials as war against himself.

The abstract of these alternative punishments has been given so that the Judge or the ruler may exercise his discretion and award punishment according to the nature extent of crime. The real object is to show that any attempt by any person residing in the Islamic State, to overthrow its government is high treason and a most heinous crime, and that the offender is liable to be awarded any of these capital punishments according to circumstance.

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Ibn Kathir

The punishment of those who cause mischief in the land

5:33 Explanation

Wage war mentioned here means, oppose and contradict, and it includes disbelief, blocking roads and spreading fear in the fairways. Mischief in the land refers to various types of evil. Ibn Jabir recorded that Ikrimah and Al-Hasan Al-Basri said that the Ayah:

إِنَّمَا جَزَاءُ الَّذِينَ يُحَارِبُونَ اللَّهَ وَرَسُولَهُ

(The recompense of those who Wage war against Allah His messenger) until

إِنَّ اللَّهَ غَفُورٌ رَحِيمٌ

(Allah is of-forgiving, Most Merciful) were revealed about the Idolators. Therefore, the ayah decrees that whoever among them repents before you apprehend them, then you have no right to punish them.

This ayah does not save a Muslim from punishment if he kills, causes mischief in the land or wage war against Allah and His messenger and then joins ranks with the disbelievers, before the Muslims are able to catch him. He will still be liable to punishment for crimes he committed. Abu Daud and An-Nasai recorded that Ikrimah said that Ibn Abbas said that the Ayah

إِنَّمَا جَزَاءُ الَّذِينَ يُحَارِبُونَ اللَّهَ وَرَسُولَهُ وَيَسْعَوْنَ فِي الْأَرْضِ فَسَادًا

(The recompense of those who wage war against Allah and His messenger and do mischief in the land) was revealed concerning Idolators. Those among them who repent before being apprehended, they will still be liable for punishment for the crimes they committed. The correct opinion is that this ayah is general in meaning and includes the idolators and the others who commit the types of crimes the Ayah mentioned.

Ameen

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