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Qur'ānic *jizya* verse (*'an yadin*)**

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**QUR'ĀN AND POETRY:
MORE DATA CONCERNING THE QUR'ĀNIC
JIZYA VERSE (‘AN YADIN)***

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Franz Rosenthal, in whose memory this article is written, dedicated a special study to some problems in the Qur'ān, including the issue of ‘*an yadin*.¹ This expression appears only once in the Qur'ān, in 9:29. This verse reads (Rosenthal's translation):

Fight those who do not believe in God and in the Last Day and who do not consider forbidden what God and His Messenger have forbidden, and who do not take as their religious norm the true religious norm, of those who have been given the Book, until they give *al-jizyata ‘an yadin wa-hum ṣāghirūn*.

Several scholars apart from Rosenthal have tried to elucidate the meaning of the Qur'ānic ‘*an yadin*, among them Kister,² Bravmann³ and others whose studies have been reviewed in detail by R. Paret.⁴ I have also added some observations concerning this issue.⁵ The present study examines some verses of poetry which make use of the phrase ‘*an yadin*, all of which except one have not yet been studied. Their evidence may shed more light on the significance of the Qur'ānic ‘*an yadin*.

These verses are entirely independent of the Qur'ān and seem to be firmly rooted in the ancient literary legacy of classical Arabic. They use the phrase ‘*an yadin* in various contexts which fall into three main groups:

*My thanks are due to Prof. Yohanan Friedmann for his comments on this article.

¹ Franz Rosenthal, "Some Minor Problems in the Qur'ān", *The Joshua Starr Memorial Volume* (New York, 1953), pp. 67–84.

² M.J. Kister, "‘*An yadin* (Qur'ān, IX/29): An Attempt at Interpretation," *Arabica* 11 (1964): 272–78.

³ M.M. Bravmann, *The Spiritual Background of Early Islam* (Leiden, 1972), pp. 199–212.

⁴ Rudi Paret, *Der Koran: Kommentar und Konkordanz* (Stuttgart, 1971), pp. 199–200.

⁵ Uri Rubin, "Qur'ān and *tafsīr*: the case of ‘*an yadin*", *Der Islam* 70 (1993): 133–44.

1 Group A: “Generously”

1.1 Muṣ‘ab b. ‘Abdallāh

A verse by Muṣ‘ab b. ‘Abdallāh b. Muṣ‘ab (d. 236/851), of the descendants of Khadija’s father Khuwaylid, of the Asad of the Quraysh:⁶

[*kāmīl*]
Bintu l-amīni wa-ṣihru Aḥmada minhumū
tuhdā za‘īnatuhā ilaynā ‘an yadī.

“The daughter of al-Amīn and Aḥmad’s son-in-law are from them,
 their riding woman has been presented to us ‘*an yadin*.”

“Daughter (*bint*) of al-Amīn” is a description of Zaynab, the daughter of the Prophet Muḥammad, in a verse attributed to her husband Abū l-‘Āṣ b. al-Rabī.⁷ Husband and wife were maternal first cousins through Khadija (Zaynab’s mother) and her sister Hāla (mother of Abū l-‘Āṣ).⁸ This means that they were both among the poet’s ancestors.

Zaynab came from Mecca to Medina after the *hijra*, but her husband embraced Islam and came to Medina only later. When he finally became a Muslim, Muḥammad reportedly gave his daughter back to him as a lawful wife, keeping the old pre-Islamic marriage intact.⁹ This generously renewed bond is probably alluded to in the statement that their “riding woman” (*za‘īna*), i.e. Zaynab who rode from Mecca to Medina,¹⁰ was given as a gift, i.e. in renewed marriage, to her husband.

Whether this interpretation of the verses is correct or not, it is in any case clear that the phrase ‘*an yadin*’ occurs here in the sense of a generous presentation of some gift. In this context, ‘*an yadin*’ is therefore a metaphor signifying the act of handing over something willingly and unconditionally, and as a token of pure generosity.

⁶ Al-Zubayr b. Bakkār, *Jamharat nasab Quraysh wa-akhbārīhā*, Maḥmūd Muḥammad Shākir, ed., 8 vols. (Cairo, 1962), vol. 1, p. 205; Ibn Sa‘d, *Kitāb al-ṭabaqāt*, (Beirut, 1960), vol. 8, p. 32; Ibn Manṣūr Muḥammad b. Mukarram, *Mukhtaṣar Ta’rīkh Dimashq li-Ibn ‘Asākir*, 29 vols. (Damascus, 1984–88), vol. 24, p. 333.

⁷ Ibn Sa‘d, *Ṭabaqāt*, vol. 8, p. 32; Ibn ‘Asākir, *Mukhtaṣar*, vol. 2, p. 262.

⁸ *Ibid.*, vol. 8, pp. 30–31.

⁹ *Ibid.*, vol. 8, p. 33.

¹⁰ For *za‘īna* as standing for women coming from Mecca to Medina see Ibn Sa‘d, *Ṭabaqāt*, vol. 1, p. 226; Laylā bt. Abī Ḥathma is said to have been the first Muslim *za‘īna* who came to Medina.

1.2 Durayd b. al-Ṣimma

A verse by Durayd b. al-Ṣimma (d. 8/629) reads:¹¹

[*tawīl*]
A-‘ādhīla inna l-ruz’ a fī mithli Khālīdīn
wa-lā ruz’ a fī mā ahlaka l-mar’u ‘an yadī.

“O you who reprove (me), misfortune is in (the death of) Khālīd
 and there is no misfortune in what man squanders ‘*an yadīn*”.

The poet says here that unlimited spending of one’s property ‘*an yadīn*’ cannot be considered as a misfortune compared to the death of a nobleman like Khālīd. The idea is that one should not hesitate to lose all one’s possessions for noble causes like charity. It is clear then that ‘*an yadīn*’ here signifies generous and unreserved spending of property.

2 Group B: “Voluntarily”

2.1 Majnūn Laylā

The following verses are attributed to Majnūn Laylā, the famous hero of the romantic story of the lover who lost his reason because he could not marry his beloved Laylā.¹² They read:¹³

[*tawīl*]
A-raytuki in lam u‘tiki l-ḥubba ‘an yadīn
wa-lam yaku ‘indī idh abayti ibā’ū.
A-tārīkatī li-l-mawti anti fa-mayyitun
wa-mā li-l-nufūsi l-khā’ifāti baqā’ū.

¹¹ Al-Aṣma‘ī, ‘Abd al-Malik, *al-Aṣma‘iyyāt*, Aḥmad Muḥammad Shākir and ‘Abd al-Salām Hārūn (eds.), 2 vols. (Cairo, 1964), vol. 1, p. 107. This verse was already noticed by Kister (‘*An yadīn*’, pp. 277–8), but his interpretation is different from the one suggested here. Bravmann’s interpretation (*op. cit.*, p. 206f.) of the verse is more to the point. My previous interpretation of the verse is insufficient. See Rubin, *op. cit.*, p. 140, note 51.

¹² See Ch. Pellat, “Majnūn Laylā”, *EI*², s.v.

¹³ Abū l-Faraj al-Iṣfahānī, *Kitāb al-aghāmī*, 20 vols. (Cairo 1285/1868, repr. Beirut 1970), vol. 1, p. 183. I am grateful to Yohanan Friedmann and Etan Kohlberg for their help in translating these verses. The form *a-raytuki* (for *a-ra’aytuki*) is required by the meter.

“Tell me, if I do not give you love ‘*an yadin*
 and if you refuse, I have no power to refuse –
 Would you leave me to die so that I would indeed die?
 fearful souls cannot stay alive.”

In these verses the poet asks his beloved to remember that he cannot control his love for her, and that he has not given it to her of his own free will (‘*an yadin*), and that even if she refuses, he has no power to subdue it. He therefore asks his beloved not to let him die of his severe illness, implying that his cure is in her hands.

There is another version of the relevant verse which uses the opposite term of ‘*an yadin*, i.e. ‘*an qilan*, but leaves the idea of the verse intact. This is achieved by replacing the negative *lam u‘tiki* by the positive *a‘taytuki*.¹⁴

[*tawīl*]
A-raytuki in a‘taytuki l-wudda ‘an qilan
 “Tell me, if I only give you love against my own will (‘*an qilan*) . . .”

The appearance of ‘*an qilan* as the opposite of ‘*an yadin* leaves no doubt as to the significance of ‘*an yadin* in the former version. When the poet declares there that he did not give his love ‘*an yadin*, it certainly means that he did not give it willingly and of his own accord.

2.2 ‘Abdallāh b. al-Zubayr

A verse by an anonymous poet in praise of an unidentified hero, but said to suit ‘Abdallāh b. al-Zubayr, reads:¹⁵

[*rajaz*]
 . . .
Ya’bā fa-yu‘tī ‘an yadin wa-yamna’u.
 “Resilient (*ya’bā*), gives ‘*an yadin*, and refuses (humiliation)”.

The person praised here appears as one who cannot be forced to give anything away (*ya’bā*), and gives only of his own free choice (‘*an yadin*), and is able to resist harassment. Therefore ‘*an yadin* here means giving voluntarily.

¹⁴ Al-Dhahabī, Muḥammad b. Aḥmad, *Ta’rīkh al-islām*, ‘Umar ‘Abd al-Salām Tadmūrī, ed., 42 vols. (Beirut, 1990), vol. 6, p. 312 (attributed here to Jamīl b. ‘Abdallāh).

¹⁵ Al-Balādhurī, Aḥmad b. Yaḥyā, *Jumal min ansāb al-ashraf*, Suhayl Zakkār and Riyāq Zirikī (eds.), 13 vols. (Beirut, 1996), vol. 6, p. 353; Ibn ‘Asākir, *Mukhtaṣar*, vol. 12, p. 185.

3 Group C: “Submissively”

3.1 Al-Juhaniyya

A verse¹⁶ by al-Juhaniyya¹⁷ reads:

[*tawīl*]

Wa-laysa bi-mi'tā'i l-ẓulāmati 'an yadin

wa-lā dūna a'lā sawrati l-majdi qābilū.

“He does not give in to injustice¹⁸ ‘*an yadin*

and does not agree to less than the highest degree (*sawra*) of dignity”.

Here ‘*an yadin* describes lack of resistance in the face of injustice, which means that it may be translated as “submissively”. Literally, the idea is of giving oneself away to injustice with one’s own hands. The hero is praised here for not being used to such submissive conduct.

3.2 Muḥammad b. Ḥāzim

A verse by Muḥammad b. Ḥāzim al-Bāhilī (lived in al-Ma'mūn's time¹⁹) reads:²⁰

[*tawīl*]

‘*Alā annakum tarḍawna bi-l-dhullī ṣāḥiban*

wa-tu'tūna man lāḥākumu l-dayma 'an yadī.

“You are pleased with humiliation as a companion

¹⁶ Al-Jāḥiẓ, ‘Amr b. Baḥr, *Al-Bayān wa-l-tabayn*, ‘Abd al-Salām Muḥammad Hārūn, ed., 4 vols. (repr. Beirut, n.d.), vol. 1, p. 215.

¹⁷ Probably the pre-Islamic Su'dā bt. al-Shamardal. See Sezgin, *GAS*, vol. 2, p. 311. Or Salmā bt. Majda'a (Makhda'a?). See a verse by her in *Lisān*, s.v. *ḥ.ḍ.r.* (vol. 2, 908 col. 2) and s.v. *s.m.'l.* (vol. 3, 2087 col. 1), and s.v. *n.f.ḍ.* (vol. 6, 4506 col. 1).

¹⁸ For *yu'tī l-ẓulāmata* in the sense of “give in to injustice”, see *Lisān*, s.v. *h.m.z.* (vol. 6, 4698 col. 3).

¹⁹ See Sezgin, *GAS*, vol. 2, p. 517.

²⁰ *Aghānī*, vol. 12, p. 166.

and you give in to wrongdoing²¹ coming from whoever quarrels with you, ‘*an yadin*.”

Here certain people (according to the story, this refers to the tribe of Numayr) are condemned for their lack of resistance against wrongdoing, and therefore ‘*an yadin* may again be conceived in the sense of “submissively”.

Summing up, it is clear that in all the above examples, ‘*an yadin* is an adverbial expression describing an act of handing over something. Common to all groups is the absence of resistance when the act of handing over is being carried out. In groups A and B resistance is absent due to generosity and willingness, and in group C it is absent due to submissiveness. In the latter case, the act is not so much of handing over as it is of giving in. *Yad* in all groups is the metaphorical instrument with which the act of handing over or giving in is carried out.

4 The Qur’ānic ‘*an yadin*

Equipped with these examples we are now in a position to re-consider the Qur’ānic ‘*an yadin*. Since the context is evidently of tax payment (*jizya*), group A is irrelevant because generosity is not an option in the case of an obligatory tax. Group B is irrelevant for the same reason. We thus have group C which indeed fits perfectly well into the immediate context of the Qur’ānic verse. The Qur’ān seems to demand of the Jews and the Christians to pay the *jizya* submissively. Nevertheless, one can also imagine that the demand is for full payment without holding back any part of the tax, thus echoing the meanings of groups A and B as well.

The Qur’ānic phrase *wa-hum ṣāghirūn* is an extension of the demand for submissive obedience, or as put by the lexicographers:²² *al-ṣāghir* is he who agrees to humiliation (*dhull*) and wrongdoing (*ḍaym*). This means that the Qur’ān requests that the *jizya* be paid submissively (‘*an yadin*), while the payers remain lowly and content with their humiliated status (*ṣāghirūn*). In other words, the Qur’ān requests of the People of the Book to agree to the very humiliating situation which according to

²¹ In Arabic: *ḍaym*. For *a‘tā l-ḍayma* in the sense of “give in to wrongdoing”, see Ibn Bukayr, Yūnus, *Kitāb al-siyar wa-l-maghāzī li-Muḥammad Ibn Ishāq*, S. Zakkār, ed. (Damascus, 1978), p. 164; Ibn ‘Asākir, *Mukhtaṣar*, vol. 29, p. 132: “Fight! because fighting is justice, and you will never see the warrior submitting to injustice (*yu‘tī l-ḍayma*) till he makes peace.”

²² *Lisān*, s.v. *ṣ.gh.r.* (vol. 4, p. 2453 col. 3).

the above verses any true Arab nobleman is expected to resist. Therefore the *jizya* in its Qur'ānic sense draws a clear ethical line between Arabs and non-Arabs.

4.1 The *tafsīr*

The various interpretations of the Qur'ānic '*an yadin* have already been surveyed in my previous study, but in view of this new data some further observations are possible.

One of the interpretations takes the Qur'ānic '*an yadin* to mean that the taxpayer should pay the highest sum possible, to make him prefer becoming a Muslim, and thus be exempt from *jizya*.²³ We can now observe that this interpretation carries the basic meaning of the phrase (lack of resistance) to its most extreme limits.

Some exegetes perceived the Qur'ānic "hand" as standing for that of the receiver, not the payer.²⁴ Such perception has no basis in the above examples, but it nevertheless accords with another usage of the word *yad*, when it denotes *ni'ma*, "benefaction". One example will suffice: a verse by Muḥammad b. 'Abd al-Malik al-Zayyāt reads:²⁵

[*tawīl*]

Wa-mā naṣarūhu 'an yadin salafat lahu...

"They did not help him due to a benefaction (*yad*) which he had to his credit (with them)..."

But the relevance of this verse to the Qur'ānic '*an yadin* is limited, because it lacks the verb *a'tā* or other verbs denoting giving or spending, which appear in all the other verses quoted above, as well as in the Qur'ān. In spite of these disadvantages, the interpretation based on *yad* as *ni'ma* did gain access into the *tafsīr*, in which case the Qur'ānic injunction would be that the *jizya* must be paid as a reward due for a benefaction.²⁶ This interpretation indicates that some exegetes and jurists liked to think of the *jizya* as a symbol of the mercy of the Islamic

²³ Rubin, *op. cit.*, p. 135 (no. 2).

²⁴ *Ibid.*, pp. 136–7.

²⁵ *Aghānī*, vol. 20, p. 47.

²⁶ This was indeed how Bravmann (*op. cit.*, p. 199) perceived the Qur'ānic '*an yadin*. He explained that the People of the Book must pay the *jizya* in recompense for the right to stay alive as non-Muslims.

state unto its non-Muslim subjects.²⁷

As for the texts of some *jizya* treaties which were concluded with non-Muslims during the early Islamic era, I have noted²⁸ that some of them contain the injunction that the tax should be paid ‘*an aydhim*’ (“out of their hands”). We can now observe that rather than preserving the basic meaning of the Qur’ānic injunction, these treaties merely provide for a practical rule in which *yad* means “property”. This rule links between poll-tax rates and wealth, much in accordance with pre-Islamic provincial Sasanian policy.²⁹

By way of conclusion, a look at what Ibn al-Qayyim (d. 751/1350) has to say on the matter might be useful:³⁰

‘*An yadin* describes a state (*hāl*), i.e. they must give the *jizya* while they are humiliated and oppressed (*adhillā’ maqhūrīn*). This is the correct (*al-ṣaḥīḥ*) interpretation of the verse. Some said that the meaning is “from hand to hand, in cash, not on credit”. Others said: “From his hand unto the hand of the receiver, not sending it nor delegating its payment.” Others said: “It means due to a benefaction on your part unto them by agreeing to receive payment from them.” But the accurate opinion is the first one, and the people are agreed on it. The most far-fetched opinion that misses God’s intention is that of those who say that the meaning is: “Out of their ability to pay it, which is why [the *jizya*] is not collected from those who can’t afford it”. This rule is correct, but its application to the verse is wrong. No one of the Companions of the Prophet and of the Successors interpreted it in this manner nor anyone of the old masters of the *umma*. It is only the witty inference of some later scholars.

²⁷ For a general overview of the *jizya* in the discussions of Muslim jurists, see Paul L. Heck, “Poll Tax”, *EQ*, s.v. (vol. 4, pp. 151–4); Yohanan Friedmann, *Tolerance and coercion in Islam: interfaith relations in the Muslim tradition* (Cambridge, 2003), pp. 77–80.

²⁸ Rubin, *op. cit.*, pp. 138–40.

²⁹ *Ibid.*, p. 142, with reference to Cl. Cahen, “Djizya”, *ET*², s.v.

³⁰ Ibn Qayyim al-Jawziyya, *Aḥkām ahl al-dhimma*, Yūsuf b. Aḥmad al-Bakrī and Shākir b. Tawfiq al-‘Ārūrī, eds., 3 vols. (Riyāḍ-Beirut, 1997), vol. 1, pp. 119–20.