



Abrogated Rulings in the Qur'an: Discerning their Divine Wisdom

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Abstract

Abrogation in the Qur'an refers to the phenomenon of a later verse changing or altering a ruling established by a verse revealed earlier, either in whole or in part. Later scholars developed diverging technical definitions of abrogation that differed slightly from the linguistic usage of earlier generations, leading to significant disagreements over the nature of abrogation, how many verses were abrogated, and even whether abrogation is a legitimate interpretive mechanism. This article seeks to clarify the meaning of abrogation as it was intended by the righteous predecessors, who often used the word 'abrogation' to refer to making exceptions to an earlier rule rather than completely repealing it. The wisdom of abrogation is explored in relation to the gradual prohibition of alcohol consumption, as further evidence of the divine nature of the Qur'an. Finally, the claim that the peaceful verses of the Qur'an were invalidated by the 'verse of the sword' is challenged.

Introduction

In the name of Allah, the Gracious, the Merciful

One of the most contentious issues in the sciences of the Qur'an is the doctrine of 'abrogation' (*naskh*). The English term abrogation implies that a previous rule or teaching in a verse was completely cancelled by a new verse. Critics of Islam have seized on this notion to argue that the Qur'an is contradictory and, therefore, cannot be of divine origin. But is this how the early Muslims understood the phenomenon of Qur'anic abrogation? Did Allah change His mind? Or is there a deeper wisdom as to why some rules should change?

The truth is that abrogation is further evidence of the divine origin of the Qur'an because it has delivered appropriate rules to be applied in different situations, reflecting the Wisdom of the Creator who intended Islam to be applicable to all times, places, and people. If the text had a rigid set of rules, it would have been too inflexible for modern people, let alone the early Muslims, to follow its guidance in their lives.

Abrogation occurs by the Will and Wisdom of Allah, Who knows what teachings people need in the precise moment that they need it. It can occur between verses of different divine books or within the same divine book.

Allah said:

*We do not abrogate a verse and allow it to be forgotten but that We bring what is better than it or like it. Do you not know that Allah has power over all things?*¹

Some specific rules in the previous revelations contained in the Torah, Psalms, and Gospel were abrogated by rules laid down in Islam, although the spirit of all the divine books is the same. For example, Jews celebrate the Sabbath on Saturday, Christians celebrate their holy day on Sunday, and Muslims perform al-Jumu'ah prayers on Friday. We believe that Allah guided us to single out Friday for the weekly sermon instead of other days. Should Muslims, then, impose their religious law on all others by force?

Allah said:

*To each among you We have made a law and a way. If Allah had willed, He would have made you into a single nation, but He tests you in what you have been given. Thus, race towards what is good. Unto Allah will all of you return and He will tell you about that in which you differed.*²

The religion of the Prophets is the same single religion, while the laws they followed changed over time and place. As Qatadah said, "The religion is one, but the laws are different." And he also said, "The Torah has a law, the Gospel has a law, and the Qur'an has a law. Allah permits in them what He wills and forbids what He wills as a trial, that it may be known who obeys Him and who disobeys Him. Rather, the religion is one, besides which none is accepted: monotheism and sincerity to Allah, which was brought by the Messengers."³ Allah could have

¹ Sūrat al-Baqarah 2:106.

² Sūrat al-Mā'idah 5:48.

³ al-Ṭabarī, *Jāmi' al-Bayān 'an Ta'wīl al-Qur'ān* (Bayrūt: Mu'assasat al-Risālah, 2000), 10:385 verse 5:48.

commanded Muslims to force all people to follow a single code of law but He did not, instead urging us to “race towards what is good,” which is to compete with each other in good deeds. We believe Islam is the final religion, abrogating and perfecting all that came before it, so we should invite others to it by way of good example, behavior, and persuasion, but never by compulsion or deception.

In addition to inter-revelatory abrogation is the issue of intra-revelatory abrogation, that is, understanding why some verses of the Qur'an seem to contradict each other and how they can be properly reconciled. Critics claim that abrogation is simply a tool used to explain away confused and contradictory verses. Does the Qur'an contradict itself?

Allah said:

*Do they not reflect upon the Qur'an? If it had come from another besides Allah, they would have found much contradiction within it.*⁴

The entire Qur'an can be interpreted according to a principled and consistent methodology. Any contradiction between verses is only *apparent*, not an actual contradiction. These apparent contradictions can be reconciled if investigated beyond a mere surface reading; abrogation is just one of several methods of interpretive reconciliation. Why, then, did classical scholars disagree over the number of abrogated verses, with some saying hundreds of verses were abrogated and others saying only a handful were?

The source of confusion for laypeople is in the variety of different technical definitions given to ‘abrogation’ by later scholars and how their definitions differed from the linguistic usage of the word by early Muslims.

⁴ Sūrat al-Nisā' 4:82.

Abrogation: Technical and linguistic meanings

The technical definition of abrogation, which came to be adopted by later scholars, was expressed by Imam al-Haramayn al-Juwayni in this way: “Its legal definition is an address indicating the lifting of a ruling established by a previous address, without which it would remain in effect.”⁵ Put differently, abrogation was understood as the nullification or invalidation of a ruling mentioned in a previous verse.

Some later scholars understood abrogation to be in an absolute sense; i.e., the previous verse was completely cancelled. They would support their arguments with plenty of statements of the early Muslims saying such-and-such verse was ‘abrogated.’ But did the early Muslims intend by this phrase the absolute technical meaning ascribed to it later on?

According to Ibn al-Qayyim, the early Muslims employed the term ‘abrogated’ in a more fluid manner:

*I say: The general meaning of the righteous predecessors when using the words ‘abrogating’ and ‘abrogated’ is sometimes the complete removal of the previous ruling—and this is the technical term of the latter generations—or sometimes the removal of the general, absolute, and outward meaning or otherwise, whether by specification, restriction, interpreting an absolute as limited, or by explanation and clarification. Even then they would refer to it as exceptional and conditional.*⁶

In other words, the early Muslims would say a verse was ‘abrogated’ if there was any change to the original rule at all, even if the change was partial or exceptional.⁷ These types of partial abrogation came to be known as ‘specification’ (*takhsis*), ‘restriction’ (*taqyid*), ‘explanation’ (*tafsir*), ‘clarification’ (*tabyin*), ‘exceptional’

⁵ Imām al-Ḥaramayn al-Juwaynī and Jalāl al-Dīn al-Maḥallī, *Sharḥ al-Waraqāt fī Uṣūl al-Fiqh* (Filasṭīn: Jāmi’at al-Quds, 1999), 1:58-59.

⁶ Ibn Qayyim al-Jawzīyah, *I’lām al-Muwaqqi ‘n ‘an Rabb al-‘Ālamīn* (Dar al-Kutub al-‘Ilmiyah, 1991), 1:29.

⁷ Louay Fatoohi, *Abrogation in the Qur’an and Islamic Law: A Critical Study of the Concept of “naskh” and Its Impact* (London: Routledge, 2014), 13.

(*istithna*'), and 'conditional' (*shart*). The previous rule was changed or 'abrogated' to account for a new situation, but it was not nullified, invalidated, or canceled entirely.

Another way of understanding these nuances is to differentiate between actual abrogation and figurative abrogation. Ibn 'Aqilah al-Makki writes:

*Regarding specification and clarification, I say that this is a type of figurative abrogation, as abrogation is the lifting of the original ruling and this specification and clarification in the verses are mentioned as exceptions. Indeed, it is referred to as 'abrogation' because it lifts the general ruling, otherwise it is not truly abrogation.*⁸

A rule that is specified or given as an exception is an instance of 'abrogation' only in the figurative sense that a partial change has occurred. The verse containing the previous rule is still in effect but has been limited in a certain way.

The English word 'abrogation' is therefore not always the best translation as the Arabic term could merely signify a minor amendment to an earlier rule. Failure to appreciate this subtle linguistic shift over generations can have enormous consequences for how Muslims understand the Qur'an, its genre of interpretive literature, and the statements of early authorities. Ibn Abbas (ra) was one of the first authorities on the Qur'an, a cousin of the Prophet ﷺ, and a leading Muslim scholar after he passed away. The Prophet ﷺ reportedly placed his hands on him and said, "O Allah, grant him knowledge of the Book."⁹ Hence, to cite Ibn Abbas is to draw upon his enormous credibility as an interpreter of the Qur'an.

Ibn Abbas would frequently use the term 'abrogation' but many times in its partial, limited, or figurative sense. Al-Shatibi writes, "Makki said that Ibn Abbas would mention several things in the Qur'an for which an exception was made and he would say: It is abrogated."¹⁰ And Al-Sakhawi writes, "In our view, the terms

⁸ Ibn 'Aqilah, *Al-Ziyadah wal Ihsan fi 'Ulum al-Qur'an* (al-Shāriqah: Markaz al-Buḥūth wal-Dirāsāt al-Shāriqah, 2008), 5:298.

⁹ al-Bukhārī, *Ṣaḥīḥ al-Bukhārī* (Bayrūt: Dār Ṭawq al-Najjāh, 2002), 1:26 #75, *kitab al-'ilm bab qawl al-nabi sall Allahu alayhi wa sallam Allahumma 'allimhu al-Kitab*.

¹⁰ al-Shātibī, *Al-Muwāfaqāt* (al-Qāhirah: Dār Ibn 'Affān, 1997), 3:346.

abrogation, specification, and exception occurred after the time of Ibn Abbas, and Ibn Abbas would refer to all of that as abrogation.”¹¹ And Al-Qurtubi writes, “The predecessors would intend specification by the word abrogation, figuratively and metaphorically.”¹²

As an example of his use of partial abrogation, Al-Tabari records in his commentary:

Ibn Abbas said the verse ‘Do not enter houses other than your own houses’ (24:27) was then abrogated and an exception was given by the verse, ‘There is no blame upon you for entering houses not inhabited in which there is convenience for you’ (24:29).¹³

The verse 24:27 originally laid down a general rule (do not enter other people’s houses without their permission) and then a few verses later in 24:29 made an exception to the general rule (you may enter houses if no one is living there). Muslim travelers at the time might have needed to make use of abandoned or uninhabited houses, so permission to do so was granted by restricting the general prohibition. Although Ibn Abbas said the first verse was ‘abrogated,’ he obviously intended by that specification or exception and not a complete repeal of the original rule. Abrogation here was meant in a figurative sense, not literally, and Al-Tabari explicitly associates it as a type of ‘exception.’

It is clear from this, and dozens of other examples, that many times Ibn Abbas never intended complete abrogation when using the Arabic term *naskh*. The problem, however, is that uninformed Muslims and critics of Islam attempt to utilize the authority of Ibn Abbas to support completely unfounded claims like all the ‘peaceful verses’ of the Qur'an have been invalidated. Scholars of the Qur'an would understand what Ibn Abbas meant by a careful analysis of verses, commentaries, and juristic opinions, but lay people usually do not know about the

¹¹ al-Sakhāwī, *Jamāl al-Qurrā’ wa Kamāl al-Iqrā’* (Bayrūt: Mu’ssasat al-Kutub al-Thaqāfiyah, 1999), 2:589.

¹² al-Qurtubī, *Jāmi’ li-Ahkām al-Qur’an* (al-Qāhirah: Dār al-Kutūb al-Miṣrīyah, 1964) 2:65, verse 2:106.

¹³ al-Ṭabarī, *Jāmi’ al-Bayān ‘an Ta’wīl al-Qur’ān*, 19:153 verse 24:29.

nuances involved, thus causing confusion and misinterpretation when his statements and others are brought forth in a polemical context.

This is not simply a problem that has appeared in the modern day either. For generations, some commentators of the Qur'an misinterpreted the usage of abrogation by early Muslims to infer their own technical definitions developed much later. It is also a loophole of sorts for all kinds of unfounded interpretations to inject themselves into the commentary tradition. Indeed, it is not difficult to see that the doctrine of abrogation has the potential for abuse by simply canceling the verses one wishes to not practice.

Al-Zarkashi, a scholar of the classical period, criticized a number of commentators in his time who relied too heavily on the later technical meaning of abrogation:

The Qur'an has abrogated and oversees all divine scriptures. There will be nothing after it to abrogate it. What is within it of abrogating and abrogated verses is known to be few and Allah clarifies what is abrogated at the time it is abrogated... As for the Qur'an, despite the opinion of many commentators, it is not abrogated (by the Sunnah). Indeed, it is only postponed and delayed, or it is held back as vague until it is clarified in a necessary moment, or it is a directive that alters another directive before it, or it specifies the general meaning, or a general ruling has been specified, or one meaning contributes to another. There are many directives of this kind that they imagine are abrogated but it is not so. It is the Book overseeing all other sacred books besides it, and it is internally consistent.¹⁴

We have identified the origin of confusion over the meaning of abrogation and the reason why so many scholars dramatically differed in the number of verses they claimed had been abrogated. They were simply using different definitions of abrogation and they may not have appreciated how the meaning of the term subtly changed over time and within different schools of interpretation. Scholars also found ways in which an allegedly abrogated verse was still applicable, thus

¹⁴ al-Zarkashī, *Al-Burhān fī 'Ulūm al-Qur'ān* (al-Qāhirah: Dār Ihyā' al-Kutub al-'Arabīyah, 1957), 2:43-44.

removing it from the technical definition of abrogation. They ended up demonstrating that abrogation occurs on a spectrum, not necessarily as all-or-nothing.

There were other layers of scholarly debate that further complicated the meaning of abrogation, such as the possibility of a verse being “withdrawn” or abrogated in its writing but not its ruling (*naskh al-rasm wa baqa' al-hukm*), or whether it is possible for the Sunnah to abrogate the Qur'an. These topics are beyond the scope of this article and have been covered elsewhere.¹⁵ What really matters is not which technical definition of abrogation succeeds in scholarly forums, but rather that the definition in use helps ordinary Muslims to act upon the Qur'an in the way that Allah intended.

From all this it might seem that abrogation is a liability, a troubling issue to be brushed aside and only discussed in an apologetic manner. The reality, though, is that there is decisive wisdom in the phenomenon of abrogation, which further demonstrates the divine nature of the Qur'an.

The wisdom of abrogation

There are very few rules in life that are absolutely black-and-white, no exceptions allowed. Just about every rule has an exception, which is why the distinction between ‘general’ (*'amm*) and ‘specific’ (*khass*) is so important in Islamic legal theory.¹⁶ We would not be able to construct any legal theory, let alone a moral theory, without appreciating the fact that different situations call for different rules.

This idea seems obvious enough if one thinks about it, but the notion of abrogation has always been a line of attack by the critics of Islam, even in the time of the Prophet ﷺ. If the rules change, then has Allah changed His mind?

¹⁵ See for example the chapters “Does the Mushaf contain all of the Qur'an?” and “Abrogation in the Sunna” in Louay Fatoohi's study *Abrogation in the Qur'an and Islamic Law* (London: Routledge, 2014), 122-128 and 207-218.

¹⁶ See for example al-Juwaynī's discussion of ‘general’ and ‘specific,’ with al-Maḥallī's commentary, in *Sharḥ al-Waraqāt fī Uṣūl al-Fiqh* beginning on page 1:222.

Allah said:

*If We replace a verse in place of another verse, and Allah knows best what He reveals, they say: Indeed, he has forged it! No, rather most of them do not know.*¹⁷

According to Al-Suyuti, the replacement of the verse mentioned here is “by its abrogation or revelation of another in the best interests of people” and what the critics do not understand is “the reality of the Qur'an and the benefits of abrogation.”¹⁸ Abrogation serves the welfare of people by bringing forth the rule most appropriate to their specific situation, making changes as necessary and building a more comprehensive legal and moral framework. This is how any educational model must work, beginning with the easiest lessons and moving on to more challenging and beneficial lessons as the student advances. Giving advanced lessons to an unprepared student would be detrimental to their education.

Perhaps the best example in the Qur'an of a beneficial modification to the rules is the progressive discouragement and eventual prohibition of alcoholic drinks. Alcohol was originally permissible in the early stages of prophethood, as the first verses to be revealed concerned faith and ethics instead of laws. Very few concrete legal rules were established in Mecca; then the Prophet ﷺ migrated to Medina and he needed guidance from Allah in the management of a well-ordered society. People started asking him about alcohol, so the verses of the Qur'an began to mention it.¹⁹

Allah said:

*They ask you about wine and gambling. Say: In both of them is great sin and some benefit for people, but the sin of them both is greater than the benefit.*²⁰

¹⁷ Sūrat al-Naḥl 16:101.

¹⁸ al-Suyūṭī and al-Maḥallī, *Tafsīr al-Jalālayn* (al-Qāhirah: Dār al-Ḥadīth, 2001), 1:360.

¹⁹ al-Tirmidhī, *Sunan al-Tirmidhī* (Bayrūt: Dār al-Ġarb al-Islāmī, 1998), 5:103 #3049, *kitab tafsir al-Qur'an bab wa min surat al-Ma'idah*.

²⁰ Sūrat al-Baqarah 2:219.

This verse discouraged alcohol consumption, but stopped short of prohibiting it outright. As stated by Ibn Kathir, “By this verse the way was prepared for the decisive unlawfulness of wine, as it is not explicit but rather implied.”²¹ The end goal was to rid society of alcohol altogether in gradual, achievable steps. In a verse revealed later, this initial discouragement was abrogated by the prohibition of alcohol consumption before prayer.

Allah said:

*O you who have faith, do not approach the prayer while you are intoxicated, until you know what you are saying.*²²

The original rule of discouragement was now replaced with a limited, contextual prohibition. Muslims were still allowed to drink as long as they did not come to prayer drunk. The final verse on alcohol, which was revealed near the end of the Prophet’s ﷺ mission, forbade drinking completely.

Allah said:

*O you who have faith, wine, gambling, idolatrous sacrifices, and diving arrows are the disgrace of the work of Satan, so stay away from them that you may succeed.*²³

The partial prohibition mentioned in the earlier verse was now repealed and replaced by full prohibition. Mujahid said, “They were prohibited from praying while intoxicated, then it was abrogated by the forbiddance of wine.”²⁴ When this last verse was revealed, the Prophet ﷺ said, “Verily, Allah Almighty has forbidden wine. Whoever hears this verse and he has some with him, let him not drink it nor sell it.” Abu Sa’id al-Khudri (ra) added, “The people brought into the road of the city whatever they had with them and poured it out.”²⁵

²¹ Ibn Kathīr, *Tafsīr al-Qur’an al-‘Azīm* (Bayrūt: Dār al-Kutub al-‘Ilmīyah, 1998), 1:434, verse 2:219.

²² Sūrat al-Nisā’ 4:43.

²³ Sūrat al-Mā’idah 5:90.

²⁴ al-Ṭabarī, *Jāmi’ al-Bayān ‘an Ta’wīl al-Qur’ān*, 8:377 verse 4:43.

²⁵ Muslim ibn al-Ḥajjāj al-Qushayrī, *Ṣaḥīḥ Muslim* ([Bayrūt]: Dār Iḥyā’ al-Kutub al-‘Arabīyah, 1955), 3:1205 #1578, *kitab al-musaqah bab tahrīm bay’i al-khamr*.

The prohibition of wine (*khamr*) was extended to all types of alcohol and intoxicants, as the Prophet ﷺ said, “Every intoxicant is unlawful.”²⁶ The effective cause (*'illah*) prohibiting these substances is their capacity to intoxicate; therefore, common drugs of abuse, which have no legitimate medical use, are prohibited because of their intoxicating effects, as well as any new drugs of abuse that might be developed or discovered in the future.

Altogether the rules about alcohol moved through four stages:

1. It was originally permissible.
2. Then it was discouraged by verse 2:219.
3. Then it was prohibited to drink before prayer by verse 4:43.
4. Then it was prohibited in general by verse 5:90.

There are important lessons to be learned from this experience of gradual prohibition. At the beginning stages of the Prophet's ﷺ mission, people were simply not ready to give up alcohol for the sake of a greater purpose. Aisha (ra) said, “If the first thing to be revealed was ‘Do not drink wine,’ they would have said, ‘We will never stop drinking wine.’ And if it were revealed ‘Do not commit adultery,’ they would have said, ‘We will never stop committing adultery.’”²⁷ Certainly, alcohol can have such a tight grip over people's lives that only strengthening their faith can break it. Even today, the successful Alcoholics Anonymous 12-step program makes explicit references to God as the reason and means to quit.²⁸ Likewise, people at the time of the Prophet ﷺ needed to build up their faith and recognize a meaningful purpose to their lives that would make the difficult struggle of quitting alcohol worth it.

The same model of gradual, progressive implementation on a societal level can apply to other Islamic teachings as well. Abdul Malik said to his father, the Caliph Umar ibn Abdul Aziz (ra), “O father, what is the matter that you do not implement the divine commands? By Allah, I would not mind if it caused discord between us

²⁶ Muslim, *Ṣaḥīḥ Muslim*, 3:1586 #1733, *kitab al-ashribah bab bayan in kull muskir khamr wa an kull khamr haram*.

²⁷ al-Bukhārī, *Ṣaḥīḥ al-Bukhārī*, 6:185 #4993, *kitab fada'il al-Qur'an bab ta'lif al-Qur'an*.

²⁸ “The Twelves Steps of Alcoholics Anonymous,” *Alcoholics Anonymous*.
https://www.aa.org/assets/en_US/smf-121_en.pdf

as long as it was the truth.” Umar said, “Do not be hasty, my son. Verily, Allah censured [drinking] wine in the Qur'an twice and on the third time He made it unlawful. I fear that if I compelled people to follow the truth all at once, they would reject it all at once and that would be a tribulation.”²⁹ Although some Muslims are zealous in their desire to remake society according to their understanding of Islam, it is simply unwise and counter-productive to impose upon people what they are not yet ready to accept.

In an ideal situation, no person should feel the need or desire to drink alcohol. The detrimental effects of alcohol consumption were clear even in ancient times. The general prohibition of intoxicants, in this ideal case, is in the best interests of individuals and societies as a whole. A recent massive study of global alcohol consumption concluded that, despite minor health benefits in some contexts, overall “alcohol is a colossal global health issue and small reductions in health-related harms at low levels of alcohol intake are outweighed by the increased risk of other health-related harms, including cancer.”³⁰ The Qur'an's insistence that the harms of alcohol outweigh its benefits are vindicated yet again by study and experience.

That said, might there still be something to learn from the abrogated rulings on alcohol, either from its implicit discouragement or its limited prohibition? No doubt, the default rule of no alcohol consumption at all is usually the safest and most optimal thing to do, but we can imagine and have collectively experienced times when the Qur'an's gradual method for phasing out alcohol is warranted anew.

At the individual level, alcohol is one of the most dangerous substances that a person can suddenly withdraw from his or her system if they are addicted.³¹ A full-blown alcoholic who quits drinking ‘cold-turkey’ might experience insomnia and tremors, even potentially life-threatening seizures and delirium requiring

²⁹ Ibn 'Abd Rabbih, *Al-'Iqd al-Farīd* (Bayrūt: Dār al-Kutub al-'Ilmīyah, 1983), 5:185.

³⁰ Robyn Burton and Nick Sheron, “No level of alcohol consumption improves health,” *The Lancet*, August 23 2018. [https://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(18\)31571-X/fulltext](https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(18)31571-X/fulltext).

³¹ Gar L. Fisher and Nancy A. Roget (eds.), *Encyclopedia of substance abuse prevention, treatment, & recovery* (Thousand Oaks, CA : Sage Publications, 2009) 1005. <http://dx.doi.org/10.4135/9781412964500.n343>.

medical intervention.³² It would be harmful and possibly fatal for anyone to impose the general prohibition on such a person, which means the general prohibition cannot apply here. An alcoholic in this situation needs an individualized treatment plan for gradually withdrawing from alcohol consumption. As such, the previous verses on alcohol might be ‘abrogated’ but their lesson remains and, in this specific case, could be skillfully applied again to meet the needs of the moment.

The same dynamic applies at the societal level as it does to an individual. Suddenly withdrawing alcohol from a society in which it is culturally entrenched can produce terrible unintended consequences and end up making the situation much worse. This actually happened when the American government ratified the 18th amendment to the Constitution outlawing all sale and consumption of alcohol, known in history as the period of Prohibition. The supporters of the amendment surely meant well, but American society was not ready for such a shocking change. Not only was the law impractical in that it was literally impossible to fully enforce, it more ominously led to the rise of violent criminal syndicates. Notorious mobsters like Al Capone acquired millions of dollars and unprecedented power by selling alcohol on the black market. The premature prohibition of alcohol handed over enormous influence in American society to gangsters, thieves, and killers, the worst of the worst.

The American experiment with Prohibition was ultimately a catastrophic failure and was repealed by the 21st amendment. This harsh historical lesson was expressed succinctly in the words of industrialist John D. Rockefeller Jr.:

When Prohibition was introduced, I hoped that it would be widely supported by public opinion and the day would soon come when the evil effects of alcohol would be recognized. I have slowly and reluctantly come to believe that this has not been the result. Instead, drinking has generally increased; the speakeasy has replaced the saloon; a vast army of lawbreakers has appeared; many of our best citizens have openly ignored Prohibition; respect for the law has been

³² Bayard M, McIntyre J, Hill KR, Woodside J Jr., “Alcohol withdrawal syndrome,” *Am Fam Physician*, March 2004 15;69(6):1443-50. <https://www.ncbi.nlm.nih.gov/pubmed/15053409>.

*greatly lessened; and crime has increased to a level never seen before.*³³

Thus, a gradual withdrawal from alcohol is in the best interests of individuals as it is for societies. In hindsight, it is easy to see how the Qur'an's wisdom would have aided Americans in their quest to mitigate the harms of alcohol. It is not only the standard rulings in Islamic law that provide guidance, but also the history of how those laws evolved through revelation into what they are now.

And this is really the crux behind the wisdom of abrogation. In order to understand the full picture of any topic in Islam, one must gather all of the relevant verses, traditions, and commentaries so that they can be synthesized, contemplated, and interpreted plausibly and consistently. One cannot take a single verse out of its greater context and apply it absolutely when there may very well be important exceptions.

The reality of abrogation speaks to a larger point about rules changing in different contexts. Learned Muslim scholars do not just apply statements in the Qur'an and Sunnah literally without consideration of other texts, principles, and priorities. They must evaluate their judgments in light of the 'spirit of the law' (*maqasid al-shari'ah*), consideration of social customs (*'urf*), and any other factor that might negatively influence the intended outcome.

Ibn al-Qayyim writes at length on the importance of a jurisconsult (*mufti*) considering time, place, custom, and context in applying Islamic rules:

As for knowing the circumstances of people, this is a tremendous principle required of the jurisconsult and judge. For if he does not understand it, understand commanding and prohibiting and then prefer one over the other, it will cause more harm than good. Indeed, if he has no understanding of the circumstances of people, the oppressor will appear to him as the oppressed and vice versa, the truth will appear as false and vice versa, and he will aid the cause of

³³ "Everything you ever wanted to know about Prohibition," *OUPblog* (Oxford University Press), October 21st 2011. <https://blog.oup.com/2011/10/prohibition/>.

deception and deceit. The heretic will appear to him as a righteous person, the liar as a truthful person. He will dress every lie in a false garment underneath which is sin, dishonesty, and wickedness. By his ignorance of the people, their circumstances, their habits, and their customs, he cannot distinguish this from that. Rather, he must have understanding of the plots of people, their deceit, their deceptions, their habits, and their customs. For the judgment (fatwa) changes with a change in time, place, habits, and circumstances. All of that is part of the religion of Allah.³⁴

These are the considerations a Muslim scholar must account for after the period of divine revelation has ceased. Abrogation, on the other hand, involved taking up similar considerations *while the divine revelation was still ongoing*. The community of the Prophet's ﷺ companions transitioned from one of the most lawless societies to one of the most law-abiding. The wisdom of gradualism through abrogation was essential to this transformational process.

We should know that all of the verses in the Qur'an have value and application in some way, either generally, as a specific exception, or a historical lesson. The key is to gather all the relevant pieces of information within the text, and context, to interpret them in a plausible and consistent manner, reconciling apparent contradictions as appropriate and drawing on exceptions as necessary. Muslims in now-established communities are generally responsible for applying the final rules resulting from abrogation, but the spirit of gradualism may still inform the particular judgments of individual jurisconsults.

Now, we will make use of what we have learned at this point to approach perhaps the most consequential issue related to abrogation: the alleged 'verse of the sword' (*ayat al-sayf*).

³⁴ Ibn Qayyim al-Jawzīyah, *I'lām al-Muwaqqi'in*, 4:157.

Did the ‘sword verse’ abrogate the peaceful verses?

Muslims often argue that Islam is a religion of peace by pointing to the dozens and dozens of Qur'anic verses that encourage compassion, forgiveness, and good deeds. However, critics of Islam and even some Muslims have an unsophisticated argument to explain away anything in the Qur'an that contradicts their views: the peaceful verses have allegedly been abrogated by the ‘verse of the sword.’ Needless to say, their argument falls apart upon closer scrutiny.

The idea that peaceful verses were abrogated does exist in the classical heritage but was by no means universally accepted. Scholars such as Abu Ja'far al-Nahhas, Ibn al-Jawzi, and Al-Suyuti only accepted about twenty cases of genuine abrogation in the Qur'an, none of which involved the verse or verses of the sword.³⁵ Although proponents of sword-verse abrogation disagree over which verse is actually the verse of the sword, it is often cited as verse 9:5:

*When the sacred months have passed, then kill the idolaters wherever you find them, besiege them and lie in wait for them in every place of ambush. But if they repent, establish prayer, and give charity, then let them go on their way. Verily, Allah is Forgiving and Merciful.*³⁶

It is important to appreciate that the term ‘verse of the sword’ appeared later in the classical tradition. The sword, of course, was considered to be a symbol of justice and not aggression or violence. Regardless, such terminology does not originate with the Prophet ﷺ and his companions. The clause ‘kill the idolaters wherever you find them’ is usually singled out by critics and extremists as the final command regarding relations between Muslims and non-Muslims, as if it were a declaration of all-out permanent holy war on all non-Muslims everywhere. Besides the absurd infeasibility of such a teaching, to interpret this clause as absolute only makes sense if one cynically ignores all of the surrounding verses in the same chapter.

³⁵ Khalid Yahya Blankinship, "Sword Verses," in *The Oxford Encyclopedia of the Islamic World*. *Oxford Islamic Studies Online*. <http://www.oxfordislamicstudies.com/article/opr/t236/e0979> (accessed 29 Aug 2018).

³⁶ Sūrat al-Tawbah 9:5.

The subsequent verses 9:10 through 9:13 state unequivocally that the ‘idolaters’ under discussion are those who habitually broke their peace treaties. The purpose of fighting them is to stop their aggression and, even so, the door of repentance remains open for them:

They do not observe for a believer any kinship or covenant. It is they who have transgressed. If they repent, establish prayer, and give charity, then they are your brothers in religion. We make clear the signs for people who know.

If they break their oaths after their treaty and defame your religion, then fight the leaders of unbelief. Verily, nothing is sacred to them, that they might cease. Will you not fight people who violated their oaths and determined to expel the Messenger and yourselves and they attacked you first?³⁷

The clause ‘that they might cease’ clarifies that the aim of fighting is to stop their aggression, and ‘they attacked you first’ explains what caused the conflict to begin in the first place. Moreover, the immediately following verse 9:6 grants asylum and immunity to any idolater who lays down their weapons whether or not they individually accept Islam:

If one of the idolaters seeks your protection, then grant him protection that he may hear the word of Allah, then deliver him to his place of safety. That is because they are people who do not know.³⁸

As expressed elsewhere in the Qur'an, war is only justified as a response to unprovoked aggression. That principle still holds true when the entire passage surrounding the sword verse is read and interpreted consistently. It becomes evidently implausible to imagine that a single line from verse 9:5 has completely abrogated all of the verses around it and hundreds of verses in other chapters. Interestingly enough, some of the earliest interpreters of the Qur'an such as Al-Dahhak, Sufyan, and Al-Suddi believed that the phrase ‘kill the idolaters

³⁷ Sūrat al-Tawbah 9:10-13.

³⁸ Sūrat al-Tawbah 9:6.

wherever you find them' was itself abrogated by the verse, "Either set them free as favor or ransom them until the war has laid down its burdens" (47:4).³⁹ They understood that the command to 'kill them' was not absolute in any sense, but rather was restricted by other verses.

Verses revealed earlier about peace and warfare were likewise understood by the companions as still operative and legally valid even after the revelation of the sword verses. At least three key verses disprove the idea that Islam advocates a permanent state of war against non-Muslims or that the peaceful verses were invalidated.

Allah said:

*Fight in the way of Allah those who fight you, but do not transgress.
Verily, Allah does not love transgressors.*⁴⁰

This verse is relevant to both the justification for starting a war (*jus ad bellum*) and the lawful limits of conduct during war (*jus in bello*), both of which are based upon the Islamic principle of non-aggression.⁴¹ It warns against transgressing the rules of war, as there can never be a time when Allah loves transgression, indicating that the effective legal cause will remain eternally unchanged. It is also consistent with the authentic statement of the Prophet ﷺ, "Verily, the most tyrannical of people to Allah Almighty is one who kills those who did not fight him,"⁴² among many others.

Al-Tabari records several narrations from the early Muslims who did not consider this verse to be abrogated. The distinguished commentator Ibn Abbas (ra) explained the import of the verse this way:

³⁹ al-Ṭabarī, *Jāmi' al-Bayān 'an Ta'wīl al-Qur'ān*, 14:140 verse 9:6.

⁴⁰ Sūrat al-Baqarah 2:190.

⁴¹ Hassan Shibly, "War, Islam, and the Sanctity of Life: Non-Aggression in the Islamic Code of Combat," *Yaqaen Institute for Islamic Research*. 03 October 2017.

<https://yaqaeninstitute.org/en/hassan-shibly/war-islam-and-the-sanctity-of-life-non-aggression-in-the-islamic-code-of-combat/>

⁴² Aḥmad Ibn Ḥanbal, *Al-Musnad* (al-Qāhirah: Dār al-Ḥadīth, 1995), 6:233-234 #6681; declared authentic (*ṣaḥīḥ*) by Aḥmad Shākir in the commentary.

*Do not kill women, children, the elderly, or whoever comes to you with peace and he restrains his hand (from fighting), for if you did so you would have certainly transgressed.*⁴³

And the Caliph Umar ibn Abdul Aziz clarifies the meaning, “That verse refers to women, children, and whoever does not wage war among them.”⁴⁴ They believed that the verse 2:190 prohibits attacking those we would describe today as civilians, non-combatants, and non-aggressors. This interpretation is consistent with the greater textual context surrounding the verses of the sword, that warfare is only justified as a response to physical threat, which is also the legal opinion of the historical majority of Muslim jurists according to the classical scholar Ibn Taymiyyah:

*As for the oppressor who does not fight, then there are no texts in which Allah commands him to be fought. Rather, the unbelievers are only fought on the condition that they wage war, as is practiced by the majority of scholars and is evident in the Book and Sunnah.*⁴⁵

In a treatise devoted to this topic, Ibn Taymiyyah uses verse 2:190 as the primary piece of evidence that unbelievers are only fought on the condition that they wage war. They are not fought just because they are non-Muslims. He then refutes the opinion that the verse was abrogated, writing:

I say: This opinion (that the verse 2:190 is not abrogated) is the opinion of the majority of scholars. It is the way of Malik, Ahmad ibn Hanbal, and others. The other opinion (that the verse is abrogated) is weak. Indeed, to claim abrogation requires proof and there is nothing in the Qur'an to contradict this verse. Rather, what is in the Qur'an is consistent with it, so where is the abrogating verse?⁴⁶

⁴³ al-Ṭabarī, *Jāmi' al-Bayān 'an Ta'wīl al-Qur'ān*, 3:563 verse 2:190.

⁴⁴ al-Ṭabarī, *Jāmi' al-Bayān 'an Ta'wīl al-Qur'ān*, 3:562 verse 2:190.

⁴⁵ Ibn Taymīyah, *Kitāb al-Nubūwāt* (al-Riyāḍ: Aḍwā' al-Salaf, 2000), 1:570.

⁴⁶ Ibn Taymīyah, *Qā'idah Mukhtaṣarah fī Qitāl al-Kuffār wa Muhādanatuhum wa Tahrīm Qatlahum li Mujarrad Kufrihim* (al-Riyāḍ: 'Abd al-'Azīz ibn 'Abd Allāh ibn Ibrāhīm al-Zayr Āl Ḥamad, 2004), 101.

Nevertheless, the critics and extremists try to find support for their theory in some of the classical commentaries. For instance, Al-Tabari records the opinion of Al-Rabia', "This verse (2:190) was the first to be revealed about fighting in Medina. When it was revealed, the Messenger of Allah ﷺ fought those who fought him, and restrained from those who did not fight him, until the chapter Bara'ah (verse 9:5) was revealed."⁴⁷ There are other statements in the classical heritage like this, claiming that the 'sword verse' abrogated the previous verses that restrict the scope of fighting. But as we have seen, the early Muslims sometimes used the word 'abrogated' in a flexible and figurative sense, not the technical meaning ascribed to it later. Was the verse 2:190 abrogated completely or only partially? If so, in what sense was it abrogated?

Al-Baydawi relates the opinion that verse 2:190 was abrogated by the imperative to perform self-defensive preemptive strikes against hostile forces:

*It is said that verse (2:190) was before they were commanded to fight the idolaters altogether, the combatants among them and those who remain in their places. And it is said that it means those who wage war upon you or from whom that is expected.*⁴⁸

A strictly literal reading of 2:190 would only allow Muslims to attack those who are directly attacking them in the moment. They would not be allowed to take the initiative against a hostile enemy who is building up an army at their borders. Accordingly, the verse 9:5 'abrogated' the literal import of 2:190 and allowed for incursions into enemy territory, but the basic principle of non-aggression remained operative. This is sometimes referred to as 'offensive *jihad*' (*jihad al-talab*), which is an offensive tactic within an overall defensive strategy. As the Arabs used to say, "When the Romans are not campaigned against, they campaign (against you)."⁴⁹ That is, the best defense, in a world where warring empires was the norm, is a good offense. Even so, abrogation is not necessary to incorporate this interpretation

⁴⁷ al-Ṭabarī, *Jāmi' al-Bayān 'an Ta'wīl al-Qur'ān*, 3:561-562 verse 2:190.

⁴⁸ al-Baydāwī, *Anwār al-Tanzīl wa Asrār al-Ta'wīl* (Bayrūt: Dār Ihyā' al-Turāth al-'Arabī, 1998), 1:270 verse 2:190.

⁴⁹ al-Dhahabī, *Siyar A'lām al-Nubalā'* (al-Qāhirah: Dār al-Ḥadīth, 2006), 14:85.

because “those who fight you” in verse 2:190 can include “those who are preparing to fight you.”⁵⁰

The Prophet ﷺ used offensive tactics to preempt the invasions and attacks of aggressive neighbors. The Romans initiated hostilities when one of their allies assassinated the Muslim ambassador, which led to the battle of Mu'tah and later the expedition of Tabuk. The Prophet ﷺ did not simply wait in Medina for the Roman army to arrive. If the earlier verses on fighting were indeed abrogated by the verse of the sword, then it is only in this partial, limited sense of allowing preemptive action against credible threats. The spirit of non-aggression still always applied, such as when the Prophet ﷺ forbade Muslims from attacking peaceful neighbors, saying, “Leave the Abyssinians alone as long as they leave you alone, and leave the Turks alone as long as they leave you alone.”⁵¹ These nations were not attacked by the early Muslims precisely because they were not threatening.

Another key verse commands Muslims to conduct peace treaties with their enemies if they are offered reasonable terms of peace.

Allah said:

*If they incline to peace, then incline to it as well and put your trust in Allah. Verily, Allah is the Hearing, the Knowing.*⁵²

According to Ibn Kathir, this verse cannot be abrogated because the Prophet ﷺ continued to act upon it as a legal precedent, “If the enemy is too powerful, then it is permissible to conduct a truce with them as indicated by this noble verse, and as was done by the Prophet ﷺ on the day of Al-Hudaybiyyah. Thus, it is not invalidated, nor is it abrogated, nor is it restricted.”⁵³ He supports his argument with the statement of the Prophet ﷺ, “Verily, after me there will be conflicts or

⁵⁰ ‘Abd al-Raḥmān ibn Nāṣir al-Sa’dī, *Taysīr al-Karīm al-Raḥmān fī Tafṣīr Kalām al-Mannān* (Bayrūt: Mu’assasat al-Risālah, 2000), 1:89 verse 2:190.

⁵¹ Abū Dāwūd, *Sunan Abī Dāwūd* (Ṣaydā, Lubnān: al-Maktabah al-Aṣrīyah, 1980), 4:112 #4302, *kitab al-Malahim bab fī al-nahī ‘an tahyij al-Turk wa al-Habashah*; declared good (*ḥasan*) by al-Albānī in the commentary.

⁵² Sūrat al-Anfāl 8:61.

⁵³ Ibn Kathīr, *Tafṣīr al-Qur’an al-‘Azīm*, 4:74 verse 8:61.

affairs, so if you are able to end them in peace then do so.”⁵⁴ The verse and its accompanying traditions demonstrate that peace is preferred whenever possible.

Ibn Kathir mentions here an instance when the enemy is too strong to attack, in which case a truce is permissible. Some have understood such peace treaties, then, to be merely a temporary tactic until Muslims are strong enough to fight back. This logic is cited today by activists who try to justify the marginalization of Muslim minorities. However, Ibn Kathir uses this example as simply one case in which a peace treaty is permissible. He is arguing for the majority legal opinion, adopted by Abu Hanifa, Malik, and Al-Shafi'i, that “a peace treaty is permissible if the leader sees benefit in it.”⁵⁵ In other words, the Muslim leader has broad permission to conduct peace treaties if it serves the welfare (*maslahah*) of the Muslim community. Therefore, this verse cannot be abrogated and, in fact, it places limits on the sword verses.

Lastly, a third key verse articulates the general rule governing relations between Muslims and non-Muslims. Like the other verses, this rule also has not been abrogated or invalidated.

Allah said:

*Allah does not prohibit you from those who do not fight you for religion and do not expel you from your homes, that you be benevolent to them and generous to them.*⁵⁶ *Verily, Allah loves those who are fair. Allah only prohibits you from those who fight you for religion and expel you from your homes and assist in your expulsion, that you take them as allies. Whoever takes them as allies, then they are the oppressors.*⁵⁷

⁵⁴ Ahmad Ibn Hanbal, *Al-Musnad*, 1:469 #695; declared authentic (*ṣaḥīḥ*) by Ahmad Shākir in the commentary.

⁵⁵ Ibn Rushd (Averroës), *Bidāyat al-Mujtahid wa Nihāyat al-Muqtaṣid* (al-Qāhirah: Dār al-Ḥadīth, 2004), 2:150.

⁵⁶ The verb *tuqsitu ilayhim* is often translated as “be fair to them.” That is a possible linguistic meaning. However, it more likely means in this context, as Al-Qurtubi said, “give them a payment (*qistan*) from your wealth for the purpose of good relations.” He further explains, “It does not mean ‘justice’ here, because justice is required for those who fight and those who do not fight, as said by Ibn al-’Arabi” (*Jāmi’ li-Aḥkām al-Qur’an*, 18:59 verse 60:8).

⁵⁷ Sūrat al-Mumtaḥanah 60:8-9.

Muslims ought to maintain good relations with non-Muslims who do not persecute them for their faith or otherwise harm them, in accordance with another verse, “There is no hostility except against oppressors.”⁵⁸ Al-Tabari disagreed with the opinion of some who said these verses 60:8-9 were abrogated, saying:

The first opinion in that is correct, those who say that what is meant by ‘Allah does not prohibit you from those who do not fight you for religion,’ are among all types of creeds and religions, that you are benevolent to them, have good relations with them, and be fair to them. Indeed, Allah Almighty generalized in His saying ‘those who do not fight you for religion and do not expel you from your homes,’ to include all of those who can be described in this way and He did not restrict it for some to the exclusion of others. It does not mean as those who say it was abrogated.⁵⁹

The wording of the verse is stated comprehensively such that it applies to all people, regardless of their religion, anyone who can be accurately described as a non-aggressor. Al-Tabari further supports his argument with the report of Asma bint Abi Bakr (ra):

My mother was an idolater and she came to me during the truce with the Quraysh. I asked the Messenger of Allah ﷺ, ‘O Messenger of Allah, my mother has come to me and she is hoping for kind treatment. Should I treat her well?’ The Prophet said, ‘Yes, treat your mother well.’⁶⁰

In another narration of this event, Ibn Uyaynah (ra) adds that the verse 60:8 was then revealed in response to Asma’s question.⁶¹ It did not matter that her mother was a polytheist or that she came from a hostile community. Asma’s mother came in peace and therefore she should be treated well, full stop. On the basis of this report, according to Al-Qurtubi, the “majority of interpreters say the verse 60:8 is

⁵⁸ Sūrat al-Baqarah 2:193.

⁵⁹ al-Ṭabarī, *Jāmi‘ al-Bayān ‘an Ta’wīl al-Qur’ān*, 23:323 verse 60:8.

⁶⁰ al-Bukhārī, *Ṣaḥīḥ al-Bukhārī*, 3:164 #2620, *kitab al-Hibah wa Fadliha bab al-hadiyyah lil-mushrikin*.

⁶¹ al-Bukhārī, *Ṣaḥīḥ al-Bukhārī*, 8:4 #5978, *kitab al-Adab bab sillah al-walid al-mushrik*.

operative (*muhkamah*)... The judge Ismai'l ibn Ishaq entered the home of a non-Muslim citizen and was generous to him. Those who were present held that against him, so he recited these verses to them.”⁶²

Each set of verses, whether discussing compassion or justice, peace or war, are applicable to their appropriate situations. The verses of compassion and forgiveness were revealed first to express the default stance, then the sword verses created an exception to this general rule. Peace is the desired state of affairs, but war is sometimes necessary to defend the innocent. Forgiveness is the right attitude to have, but not at the expense of justice for victims.

Shaykh Mahmoud Shaltut, the late Grand Imam of al-Azhar, concisely describes the mainstream understanding of the peaceful verses vis-à-vis the sword verses:

As for the Verses of Forgiveness and Pardon, they aim to shape morality and are to be followed in a context that does not infringe on pride and dignity. Every situation has its own legislation and these verses are also fixed and unassailable.

*Legislation that is built upon consideration for different situations, and for the different conditions of individuals and groups, and asks of people that in each situation they follow what is most suitable, cannot be accused of being a contradictory legislation or that some parts of it abrogate others. Indeed, to people with sound minds, it is a wise and extremely precise legislation that promotes the interest of those who fall under its authority and brings happiness to the individual and the community.*⁶³

The peaceful verses and the sword verses do not contradict each other, nor do they cancel each other out. Each set of verses serves its own purpose, in its own time and its own conditions, with peaceful, just, and positive relations between human beings as the desired end goal. Or as it is said in the Bible, “For everything there is

⁶² al-Qurṭubī, *Jāmi' li-Aḥkām al-Qur'an*, 18:59-60 verse 60:8.

⁶³ Ghazi bin Muhammad, Ibrahim Kalin, and Mohammad Hashim Kamali (eds.), *War and Peace in Islam: The Uses and Abuses in Jihad* (Cambridge: Islamic Texts Society, 2013), 17-18.

a season, and a time for every matter under heaven... a time for war and a time for peace.”⁶⁴

Conclusion

Abrogation in the Qur'an refers to the revelation of later verses which change or alter the rulings established by earlier verses. Abrogation may completely remove the previous ruling, or it might partially amend it with exceptions or conditions. Scholars disagreed over the number of verses that are abrogated because they would often employ different technical definitions of the word ‘abrogation.’ Rather than exposing alleged contradictions in the Qur'an, the phenomenon of abrogation reflects the divine wisdom of delivering different teachings to suit each appropriate context. This wisdom can be clearly observed by examining the Qur'an’s gradual approach to the prohibition of alcohol consumption. Even though the general rule in Islam is the prohibition of all intoxicants, the evolution of this rule in the Qur'an provides important lessons for mitigating the harms of alcohol in both individuals and societies. The spirit of gradualism revealed by abrogation is also a source of wisdom for dealing with other problems and issues.

The claim that the peaceful verses of the Qur'an were abrogated, or invalidated, by the ‘verse of the sword’ is based upon a lack of awareness of the nuanced manner in which the term was employed by early Muslims. Several classical scholars, including the Qur'an’s earliest commentators, rejected the claim that the peaceful verses were abrogated in part or in whole. Those who did claim the peaceful verses were abrogated intended by that partial abrogation, that warfare involves rules that are exceptions to the otherwise general rules of peace, tolerance, and forgiveness.

Success comes from Allah, and Allah knows best.

⁶⁴ Ecclesiastes 3:1-8; Michael D. Coogan, Marc Z. Brettler, Carol A. Newsom, and Pheme Perkins, *The New Oxford Annotated Bible: with the Apocrypha* (New York: Oxford University Press, 2010), 939.