

The Responses of the Qur'ān to the Contemporary Needs: An Investigation of the Possibility of Generalizing the Verses on Slave Release to Financially Liable Prisoners' Release

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Abstract

One of the serious problems in the Islamic societies that has usually worried the rulers and has bothered the religious scholars and authorities is the existence of non-criminal prisoners who have been sentenced to prison simply because of financial liability. On the other hand, the Holy Qur'ān has called itself the explainer of everything. That is to say, whatever needed to guide the human to bliss in his worldly and otherworldly social life can be found in the Qur'ān. The article at hand aims at exploring the Qur'ān to find out if there is any solution in the Qur'ān for releasing the financially liable prisoners who have been prisoned in some cases due to a misfortune such as non-intentional homicide and don't have the ability to pay the blood money to the avengers of blood. The result obtained based on the thematic interpretation and the legist principle "the ruling criterion in the noble qur'ānic verses is the generality of the language rather than the particularity of the case" is that we can generalize the qur'ānic verses on the slave release to setting free the merely financially liable prisoners. At the end, four solutions have been extracted from the Holy Qur'ān for releasing the merely financially liable prisoners.

Keywords

The Qur'ān, Prisoner release, Thematic interpretation, Slave release

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Introduction

It is possible for people in the Islamic society to be sentenced to prison due to financial liabilities arising from dowry, non-intentional blood money, bounced check, the market fluctuations that lead to bankruptcy, financial mismanagement, etc. Despite the laudable efforts made by the benevolent Faithful to release the prisoners, these efforts have never been enough to satisfy the needs and, compared to the number of needy prisoners, these efforts are insignificant.

Now the question is that whether the Holy Qur'ān as the eternal Word of God – that responds to all needs of the human in his life – has any solution for releasing these non-criminal prisoners. The study at hand aims at referring to the Noble Qur'ān – as the Book of religion and the main, superior source of Islamic rulings – to find the response of the Qur'ān and Islam to this social problem of the Islamic society.

The concept of prisoner

A prisoner is a person in prison. And prison is a place in which the convicts with final judgment are held via the order of the legally and judicially qualified judicial officials for a set time or permanently as a form of punishment or in order to learn a profession, rehabilitate, and re-adapt (the Public Relations of the Islamic Consultative Assembly, 1997: 218).

In the present article, the term prisoner refers to the merely financially liable prisoners who have been sentenced to prison by the judiciary merely due to financial liabilities, not the political prisoners, combatant prisoners, or the prisoners for whom certain criminal punishments have been specified in the Qur'ān and Islam who should undergo the punishment of their own criminal act.

Nonetheless, the question that arises is that whether in the Islamic government the merely financial liability can cause one to be sentenced to imprisonment. Or can, for example, the verse "If the debtor is in a difficulty, grant him time Till it is easy for him to repay" (Qur'ān 2:280) be used to imprison one due to merely financial liability in the Islamic society, or should he be granted extra time to repay his debt, or the

government should find another solution to help him repay his debt? It is out of the scope of the present article to address this issue and it can be answered in another article. The article at hand asserts that regardless of the question that if imprisoning a financially liable person is legitimate or not, we currently face this difficulty in our society. In order to find a solution for this problem in the Islamic Sharī'a, we should explore the religious texts to find out if we can discover a solution out of the Islamic texts and Sharī'a for this social and state problem.

Discussion bases and principles

The main effective bases and principles of the study at hand include the following.

The Qur'ān responds to all problems the human faces in guidance and knowledge domains

One of the principles of this discussion is that the Noble Qur'ān, as the comprehensive book of Islam, responds to human's all needs in knowledge and bliss. This principle has its roots in the Qur'ān and has been emphasized in the narrations of the Descendants of the Prophet (a).

The Qur'ān says in the 89th verse of the Bee chapter, "We have sent down to thee the Book explaining all things, a Guide, a Mercy, and Glad Tidings to Muslims." This verse that introduces the Noble Qur'ān as explainer of everything is the clearest and the most direct verse that can be used to prove this principle. In addition, it is mentioned in a narration from Imām Ṣādiq,

Verily the Sublime Allāh has revealed the explanation of everything in the Qur'ān. By Allāh, He has not forgotten to explain anything his Servants need, in a way that no one can say, "I wish the ruling for this issue has also been revealed in the Qur'ān", and Allāh has revealed in the Qur'ān the ruling for that issue, too.

Therefore, according to the foregoing noble verse and narration, everything that the human needs in his personal and social life to attain

bliss as well as the rulings for all issues the human faces exist in the Qur'ān.

The Qur'ān rulings are not limited to the case for which a verse is revealed

Almost all jurists and legists believe that the rulings expressed in the noble verses of the Qur'ān are not limited to the cases for which they have been revealed for, but include all cases covered by the general language of the Qur'ān.

Some scholars believe that as some narrations imply, the hidden meaning and esoteric interpretation of the Qur'ān is the same as the general meaning of the qur'ānic verses wording that in construed based on the principle that "in the interpretation of the noble qur'ānic verses, the generality of its language should be noted rather than the particularity of the case for which the verse has been revealed". This interpretation then can be generalized to the new and similar cases. It is this meaning that guarantees the comprehensiveness of the Qur'ān and causes it to include all times and eras, because if the general concepts are not to be taken from specific cases and each verse is limited to the case for which it has been revealed, many of the qur'ānic verses will be useless (Ma'rifat, 2000, vol. 1: 25-27).

Usefulness of all qur'ānic verses

One of the principles of this discussion is that all qur'ānic verses are useful in raising human awareness and no noble verse of the Holy Qur'ān or its rulings can be abandoned. This even includes the abrogated verses or the ones whose topic is currently out of discussion. This principle is extracted from the verses about the eternity of the Qur'ān and from numerous narrations by the Descendants of the Prophet (a), especially the verses on the esoteric interpretation of the noble verses of the Qur'ān. The principle expresses that each and every noble verse of the Holy Qur'ān will guide and enlighten human life and Islamic society until the Day of Judgment and no verse of the Qur'ān will ever lose this feature. The Sublime God says, "No falsehood can

approach it from before or behind it: It is sent down by One Full of Wisdom, Worthy of all Praise" (Qur'ān 41:42).

Abolition of a verse of the Qur'ān or permanent abrogation of its ruling is a kind of falsehood that – as asserted by the foregoing verse – is not possible in the Qur'ān. With regard to the rejection of the falsehood, this noble verse is generalizable and includes all noble verses of the Qur'ān.

Definition of the key terms

The key terms that can be related to the prisoner release include raqabah, tahrīr, and fakk.

Raqabah

The first term is raqabah which has been used in four noble verses of the Qur'ān. In Rāghib's view, raqabah is taken from the root raqab, which in essence means the famous body organ (neck) which is virtually used to represent all body, and in customary practice is applied to slaves, as the sublime God says, "If one (so) kills a believer, it is ordained that he should free a believing raqabah" (Qur'ān 4:91) which means slave; "for the ransom of riqāb" (Qur'ān 2:177) which means slaves, because they are among those for whom the alms tax should be spent (Rāghib Isfahānī, 1991: 361).

In addition, Khalīl writes,

Raqabah is the lowest part of the neck. Moreover, contrary to the word "'unuq", this word is used virtually to refer to the whole body. Accordingly, it is common to say that "may God release his raqabah", but it is uncommon to say that "May God release his 'unuq" (Farāhīdī, 1989, vol. 5: 154-155).

Besides, Ibn Manzūr writes,

Some have said that raqabah is the upper part of the neck and some have said that it is the lower part of it, and its plural forms are raqabāt and raqāb. In addition, a rough-necked maid is called raqbānīyyah, but the free women have never been described as raqbā' or raqbānīyyah (rough-necked) by Arabs. Raqabah also

means "he put a rope around his neck" as well as slave. The phrase *a'taqa raqabah* means "he set free someone", and *Fakka raqabah* means "he released a slave". The men of literature say that in the latter meaning, all human body is called by the name of one of its organs and this is due to the nobility and worth of this organ (Ibn Manzūr, 1993, vol. 1: 428).

To say that the men of literature have believed that the word *raqabah* as the name of a part of human body has been virtually used to name the whole human body due to the nobility of the former is not acceptable because the worth of some other organs of the human body such as heart or eye is also high and can even be considered higher than the worth of neck.

It seems that as the philologists have suggested, the main meaning of the word *raqabah* has been neck. Then, because when they caught a person as a prisoner of war they put a rope around his neck and tied the prisoners of war by connecting these ropes, the verb *raqabah* was derived from its noun form, that is, it came to mean "he put a rope around his neck". From that time, the word *raqabah* was attributed to prisoners of war and slaves. Then, the word *asīr* (prisoner of war) was generalized from this specific meaning and was used in the general meaning of prisoner of war and slave, although no rope is around his neck. Therefore, we should add to the assertion of the philologists and rhetoricians – who say that *raqabah* is an example of hyponymy – that *raqabah* in this virtual meaning is applied to a person when he is slave or prisoner of war. Therefore, this word is always accompanied by the words *fakk*, *taḥrīr*, and *'ataq*. It is also noteworthy that in the light of the previous explanations, the essence of this word and the path it has gone through in its virtual development as well as the expressive miraculousness of the *Qur'ān* in using wise combinations of words make it improbable that the meaning of the word *raqabah* be limited to prisoners of war and slaves, but rather, this word can be used with regard to any person who is imprisoned by another person or even limited and restricted by him, such as a debtor who is under pressure by his creditor, as these uses have been reported in philology for the word *raqabah*.

Fakk

Fakk is derived from the root fakak. Rāghib says, "It means removal of sadness, and fakk rahn is to set free the mortgage, as the phrase fakk raqabah is releasing the slave or prisoner of war" (Rāghib Isfahānī, 1991: 643). In addition, with regard to the verse "fakkun raqabah" (Qur'ān 90:13), he writes, "Some say that the intention of this verse is to release the slave, and some say that it wants to say that human should free himself from the Divine Punishment by faith, sound belief, and virtuous deeds".

Ibn Manẓūr writes, "fakaktu al-shay' means to free something". He also quotes Aṣma'ī and writes, "the word fakk is used about releasing slaves as well as freeing anything that leads to its comfort" (Ibn Manẓūr, 1993, vol. 10: 475).

In the light of these applications, Muṣṭafawī has introduced the main meaning of fakk as freedom from constraints and chains. In his view, fakk is used to refer to freedom from any type of constraint (Muṣṭafawī, 1981, vol. 9: 128).

Tahrīr

Tahrīr is taken from the root ḥarar, and in Rāghib's view is related to ḥarārah (heat) and is opposite to cold ... Ḥurr is an antonym to 'abd ... Tahrīr is freeing the human from slavery, including literal slavery and virtual one (which is fondness toward the worldly life). The 92nd verse of the Nisā' chapter of the Qur'ān revolves around freeing the human from slavery in its literal meaning, while the 35th verse of the House of 'Imrān – "O my Lord! I do dedicate unto Thee what is in my womb for Thy special service" – refers to freeing the human from the chain of worldly affairs. In addition, Ḥarrartu al-qawm means "I freed them from prison", and Ḥurr al-wajh is one who is not dragged by his needs to slavery and inferiority (Rāghib Isfahānī, 1991: 224-225).

Contrary to Rāghib, though, Fayūmī has taken the original meaning of the word Ḥurr as purity and unconstraint. He writes that when used about rolling sand, Ḥurr is a label given to a type of sand that has not been mixed with other materials and is pure, and when discussing the

human, the meaning of *Ḥurr* (free as opposed to slave) is taken from this same meaning, since a free human is away from slavery. The plural form of the word is *Aḥrār* (Fayūmī, 1984, vol. 1: 128).

Therefore, when used about the human, the word *Taḥrīr* means freeing him. *Taḥrīr al-raqabah* then is defined as releasing a slave from the slavery and *Taḥrīr al-walad* means purifying one's child (son) to worship the God and serve in the mosque (Ibid.; Muṣṭafawī, 1981, vol. 2: 192; Farāhīdī, 1989, vol. 3: 24; Ibn Manẓūr, 1993, vol. 4: 177).

The investigation of the words *raqabah*, *fakk*, and *taḥrīr* reveals that although these words have initially been used about the slaves, during the time of their usage their meaning has changed and they have got generic meaning. This latter meaning can be generalized and attributed to any person who has been constrained by anyone, be him a slave, prisoner of war, debtor, prisoner, etc.

In addition to this lexical generalization, the narrations that imply the esoteric interpretation of the *Qur'ān* as well as the ones that liken the continuity of the *qur'ānic* rulings to the ever-flowing movement of the sun and the moon in day and night lead to the possibility of the foregoing generalization and extension of the concepts of *fakk*, *raqabah*, and *taḥrīr*. Moreover, this famous legist principle that asserts "in the *qur'ānic* interpretation the generality of the wording should be considered rather than the specificity of the cause of revelation" which has been confirmed by the narrations from the Descendants of the Prophet (a) clearly authorizes the extension and generalization of the meaning and denotation of the foregoing terms. Therefore, we can generalize those *qur'ānic* verses that are about releasing the slaves to freeing the prisoners and even prisoners with financial liabilities based on philological considerations, the narrations on the esoteric interpretation, and the aforementioned legist principle as well as the principles such as the *Qur'ān's* responding of human's all needs in the guidance and knowledge domains, unlimitedness of the *qur'ānic* rulings to the revelation case, and the usefulness of all *qur'ānic* verses.

Ways to free the financially liable prisoners

In this part, we analyze the noble verses of the Holy Qur'ān which are related to releasing the prisoners. This way, we will infer the methods and solutions that the Holy Qur'ān has foreseen for the Muslim rulers and people to free non-criminal prisoners. To this end, the noble verses will be examined based on their revelation order so that in addition to knowing the ways and solutions for releasing the prisoners, we can get familiar with the legislation process of releasing the slaves – which can be generalized to releasing the prisoners. The basis of the revelation order of the noble verses is a narration by 'Aṭā' Khurāsānī from Ibn 'Abbās (Ṭabrisī, 1993, vol. 10: 613).

Motivating people to release the prisoners

And what will explain to thee the path that is steep? (It is:) freeing the bondman (Qur'ān 90: 12-13).

This is the first verse revealed in Mecca to motivate humans to free the slaves. In these two noble verses, the Sublime God has motivated and encouraged His addressee – Muslim and non-Muslim – to free the slaves.

It can be said that releasing the slaves from the chains of slavery and granting them freedom – this divine and innate dispositional gift to them – has been among the principles of the Islamic invitation that has been taken into account from the very early days of Islam by the Prophet and the Qur'ān. Since in the Meccan era the Prophet's invitation was in its early stages, he had stood up as a social reformer and an agent of God among the polytheists of Mecca, and on the contrary, the notables and leaders of the Meccan polytheists had stood up to confront the new religion and Prophet and there had not appeared any independent society as the Islamic society, the language of these verses is not the legislation language. Rather, its language is to motivate and encourage humans to free the slaves and on the other hand, it is to reprimand the human and remind him his responsibility about the slavery system that existed in the society.

Motivating the Faithful to free the prisoners through cooperation

Affected by some narrations, some interpreters and philologists have come to believe that fakk raqabah is different from 'atq raqabah. 'Atq raqabah is the release of a slave by a single individual when he pays all expenses of releasing the slave (or the imprisoned slave), while fakk raqabah is the partial cooperation of a person in releasing the slave or the imprisoned person (Ibn Manẓūr, 1993, vol. 10: 476). Fakhr al-Dīn Ṭureyhī has attributed this difference in meaning to 'atq and fakk (Ṭureyhī, 1996, vol. 5: 285).

In a prominent narration, Barā' b. 'Azib narrates that a nomad came to the Messenger of God (s) and asked him to teach him an act by doing which he could enter paradise. The Messenger of God told him, "'Atq the nasama and fakk the raqabah". The nomad said, "Aren't both of these the same?" The Messenger of God (s) said, "No. 'Atq of raqabah is when you alone free a slave, while fakk of raqabah is when you cooperate in paying the price" ('Arūsī Ḥuweyzī, 1994, vol. 5: 583).

According to the foregoing verse of the City chapter, not only Muslims, but all humans should take action and set free the slaves and prisoners and if they are not able to so, all of them are invited to cooperate in this Islamic and humanistic action that pleases the God.

It is noteworthy that due to the modern technological advancements, we can use innovative methods to encourage people to cooperate in freeing the prisoners. Cultural measures through public media and establishment of charity committees and organizations can both help organize the collection of public donations of the benevolent people and direct these donations in more appropriate directions.

Requiring people to free the prisoners in order to forgive the sins

According to some verses of the Holy Qur'ān, some members of the Islamic society are required to free the slaves. These are people who have committed deeds considered disagreeable by Islam, such as non-intentional homicide, nonfulfillment of promise, and incestuous comparison (a type of pre-Islamic divorce which was nullified by Islam). The word requirement here means that the Sublime God has

given them a chance to choose an act from among several ones, the one that is easier for them. This is considered compensation for committing that act and by doing it, the perpetrator is forgiven. In all such cases, the first introduced act is freeing a slave. This prioritization of freeing a slave over the other two acts – i.e. two consecutive, non-stop months of fasting or feeding 60 poor people and providing them with clothes – is an indication of its importance and primacy of freeing a slave over the two other acts. It is noteworthy that the revelation of these verses has been in Midīnīte era and after the establishment of the Islamic society. Now, these verses are mentioned based on the revelation order.

The penalty for non-intentional homicide

Never should a believer kill a believer; but (If it so happens) by mistake, (Compensation is due): If one (so) kills a believer, it is ordained that he should free a believing slave, and pay compensation to the deceased's family, unless they remit it freely. If the deceased belonged to a people at war with you, and he was a believer, the freeing of a believing slave (Is enough). If he belonged to a people with whom ye have treaty of Mutual alliance, compensation should be paid to his family, and a believing slave be freed. For those who find this beyond their means, (is prescribed) a fast for two months running: by way of repentance to God: for God hath all knowledge and all wisdom (Qur'ān 4: 92).

According to this noble verse, the penalty for the non-intentional murder of a Muslim is that first, the blood money should be paid to his/her heirs, and second, in order to compensate for this sin and being forgiven, the murderer should free a Muslim slave.

The penalty for nonfulfillment of promise

God will not call you to account for what is futile in your oaths, but He will call you to account for your deliberate oaths: for expiation, feed ten indigent persons, on a scale of the average for the food of your families; or clothe them; or give a slave his freedom. If that is beyond your means, fast for three days... (Qur'ān 5:92).

According to this noble verse, any Muslim who does not fulfill his

promise and does not act upon its content should feed ten poor people, or clothe them, or free a slave so that his sin is compensated and forgiven.

The penalty for incestuous comparison

But those who divorce their wives by Zihar, then wish to go back on the words they uttered,- (It is ordained that such a one) should free a slave before they touch each other... (Qur'ān 58:3)

According to this noble verse, if a man commits an incestuous comparison toward his wife – i.e. in order to divorce her, he says: "your back is like the back of my mother". Not only this type of divorce – which belongs to the Ignorance Days – is invalid and unacceptable, but due to committing this sin, the man does not have the right to go to his wife for sexual intercourse until he pays the compensation for his sin and free a slave.

Using the alms tax to free a prisoner

Another solution for freeing prisoners that can be extracted from the Holy Qur'ān is using the alms tax to free prisoners.

Alms are for the poor and the needy, and those employed to administer the (funds); for those whose hearts have been (recently) reconciled (to Truth); for those in bondage and in debt; in the cause of God; and for the wayfarer: (thus is it) ordained by God, and God is full of knowledge and wisdom (Qur'ān 9:60).

This noble verse has been revealed toward the end of the Midīnīte era and is seemingly the last verse in the line of verses on freeing the slaves, and it can be used to induce the ruling for freeing the prisoners.

*As revealed by its verses, the Repentance chapter has been revealed after the Conquest of Mecca, around the Ninth century AH. The obligatory alms tax that is discussed in Islamic jurisprudence was legislated that year based on the word *Ṣadaqah* (Qur'ān 9:103).*

In the verse 60 of the Repentance chapter, too, the uses of the alms tax are introduced. According to this noble verse, one of the uses of the alms tax – introduced as the fifth use – regards the slaves. Using the

phrase "fī al-riqāb" (for those in bondage), the Qur'ān asserts that the alms tax should be spent for the slaves, not to be given to them as their property. Moreover, the word fī connotes containership, and so, this word can imply that the slaves are like the true containers for the use of the alms tax. Therefore, it can be inferred from this noble verse that – according to and by accepting the previous principles – one of the uses of the alms tax in the Islamic society is using it to free the prisoners.

Thus, by a review of the verses related to freeing the slaves and by generalizing them to freeing the prisoners, four qur'ānic solutions can be inferred and suggested. These solutions include encouraging people to free the prisoners, encouraging people to cooperate in freeing the prisoners through establishment of charity funds, paving the way for paying the money needed for the compensation of non-intentional and accidental homicide, the nonfulfillment of promise, and the incestuous comparison to free the slaves as a way of having these sins forgiven, and using part of the alms tax to free the prisoners. Nonetheless, it should be noted that the incestuous comparison has been a type of divorce among the Hijāz Arabs during the Ignorance Days. This type of divorce has never been part of the Iranian culture and in the light of the transcending culture of Islam and the qur'ānic prohibition, the incestuous comparison has been obviated from the Arabic culture.

Reasons for the validity of generalizing the foregoing verses

As it was referred in the section on the discussion principles, generalization of the verses on freeing the slaves to the guiltless prisoners and inferring the order for freeing them is on the one hand based on the common and definite legist principle "the rulings of the noble qur'ānic verses are based on the generality of their language rather than the particularity of the case and cause of their revelation", and on the other hand, on numerous evidences from the narrations of the Infallible Imāms (a) in which they have considered separate some verses of the Holy Qur'ān and so, have inferred rulings differently from the referent of these verses in their linguistic context. Some examples are as following.

1. In the verse eight of the Time chapter, the Qur'ān says, "And they

feed, for the love of God, the indigent, the orphan, and the captive". Allāmah Ṭabāṭabā'ī writes in this regard,

The word asīr (captive) is intended to mean the prisoner of war who has been taken captive by Muslims from the pagans' lands, and interpreting it as prisoner, wife, a Muslim prisoner of war in the hands of pagans, or slave is unacceptable. Therefore, this noble verse is to admire the Righteous who despite their desire to eat their food, give it to the indigent, the orphan, and the slave due to their love towards God (Ṭabāṭabā'ī, 1996, vol. 20: 127).

However, in a narration from Imām Riḍā (a), the word asīr in this noble verse has been interpreted as the wife, and a different ruling has been inferred from it. Ma'amar b. Khalād narrates from Imām Abū al-Ḥasan who said, "A man should expand his family's alimony so that they do not wish him death." Then Imām recited the foregoing verse and said, "The family of a man is his captive ..." ('Arūsī Huweyzī, 1994, vol. 5: 478). It is clear that the expansion Imām Riḍā has suggested in the interpretation of the foregoing noble verse is based on one meaning of the word asīr as wife, since in philology, the word asīr has different meanings, including prisoner of war, slave, prisoner, debtor, wife, etc. (Qurṭabī, 1985, vol. 20: 129).

2. Regarding the second verse of the Abundance chapter, "Therefore to thy Lord turn in Prayer and Sacrifice", many interpreters have taken the word *naḥr* as sacrifice, and have ruled that God has ordered his Prophet to say prayer and sacrifice to thank Him for the bestowment of Abundance (Ṭabrisī, 1993, vol. 10: 837). However, opposed to this famous interpretation and in line with the Arabic language as well as the linguistic context, the word *naḥr* in this verse is taken by some Islamic narrations as bringing the hand up to the neck level when proclaiming *Allāhu Akbar* in the prayers. Allāmah Ṭabāṭabā'ī writes, "In both *Shī'a* and *Sunnī* narrations from the Prophet (s) and 'Alī (a) as well as the *Shī'a* narrations from Imām Ṣādiq (a) and other Descendants of the Prophet (a), the phrase "wanḥar" has been interpreted as bringing the hand up to the neck level when proclaiming *Allāhu Akbar* (Ṭabāṭabā'ī, 1996, vol. 20: 371). Then, the interpreters have offered evidences from philology that prove the word *naḥr* in

Arabic also means "at the neck level" (Ṭabrisī, 1993, vol. 10: 837).

3. With regard to the noble verse 14 of the Ṭāhā chapter – "so serve thou Me (only), and establish regular prayer for celebrating My praise" – Allāmah Ṭabāṭabā'ī writes, "The phrase *li dhikrī* [My praise] is addition of the infinitive to the object, and the preposition *li* expresses the cause. The intention of the noble verse is to ask Moses to say prayer in order to remember God" (Ṭabāṭabā'ī, 1996, vol. 14: 141). However, relying on some narrations from the Prophet (s) and the Descendant of the Prophet (a), the Shī'a and Sunnī interpreters and jurists have inferred from this verse that when a faithful Servant remembers that he has not said his prayers, he should say it at that time, no matter if it is on time or not (Ibid.: 159; Kulaynī, 1986, vol. 3: 293). According to this interpretation of this noble verse, the preposition *li* expresses time rather than cause, and this meaning has no relationship with the linguistic context of the verses – the prophethood of Moses (a). Therefore, the underlying reason for this jurisprudential understanding of this noble verse is nothing but the robust interpretive principle that the noble verses of the Qur'ān can be interpreted regardless of the linguistic context and according to the linguistic and literary capacities accepted in the language, and so, the noble verses can be taken to have various meanings according to the linguistic rules. Muqaddas Ardibīlī writes about the foregoing verse,

Some have said that the meaning of this verse is that one should say the prayer when he remembered it, so if he lost the chance to say the prayer on time and remembered to say it after some time, he should say it immediately. According to this interpretation, the meaning of the phrase *li dhikrī* is remembering to say the prayer (and not to say the prayer to remember Him), and this interpretation is acceptable, because remembering to say the prayer is dependent upon remembering God (Muqaddas Ardibīlī, n.d.: 100).

These are examples of esoteric interpretation and expansion of the meaning of the noble verses of the Qur'ān which are done based on the Arabic rules and the capacity of the Arabic language at the Revelation era. These and numerous suchlike cases can be systematized within the framework of linguistic rules, and by repeating the same act in other

verses of the Qur'ān, can be used to respond to the increasing needs of the contemporary era. Although numerous suchlike interpretations are done within the general, ethical, and social Qur'ānic knowledge domains by interpreters and even jurists without taking any caution, no significant effort has been made in the domain of the jurisprudential rulings to maximally use the capacity of the noble verses of the Qur'ān to respond to the contemporary needs.

Other ways to free the prisoners

The verse 60 of the Repentance chapter introduces the uses of the alms tax. One of these is the use of the alms tax "in the cause of God". Although "in the cause of God" might in the first glance seem to mean "for holy struggle in the cause of God", it is clear that phrase can be attributed generally to all affairs including the freeing of the financially liable prisoners. Astarābādī writes, "Most of our colleagues (the Shī'a jurists) believe that 'in the cause of God' in this verse is general and includes all interests of Muslims in the Islamic society as well as all good ways that bring about Proximity of God" (Astarābādī, n.d., vol. 1: 353).

Therefore, one of the uses of the alms tax based on the phrase "in the cause of God" in the 60th verse of the Repentance chapter can be using it to free the financially liable prisoners which is spent based on the opinion of the full competent scholar of Islamic law or the Guardian jurist.

Spending the alms tax to free the financially liable yet poor prisoners of homicide

Another point that can be inferred from the 60th verse of the Repentance chapter is that using the alms tax to free the slave is not essentially limited to direct purchase and release of a slave. Rather, the Guardian jurist of the Islamic society can spend the alms tax on helping those who should free a slave due to committing sins such as non-intentional homicide, incestuous comparison, nonfulfillment of promise, etc. but are so poor that cannot do so. It has been asserted in the commentary

of 'Alī b. Ibrāhīm Qomī that the referent of the phrase "wa fī al-riqāb" in the foregoing verse are those who are obliged to pay the compensation for non-intentional homicide, incestuous comparison, hunting in the Sacred Precinct, and nonfulfillment of promise but do not have enough money to pay the compensation. Therefore, the Sublime God put a share for them in the alms tax to be used to pay for their compensation (Qomī, 1988, vol. 1: 299).

Two possible stances can be taken toward this statement in Qomī's commentary. First, the compensation to be funded by the referred group is a slave. This meaning is completely congruent with the word *al-riqāb*. The second possibility is that the compensation to be funded by this group is slave or other compensations such as feeding the poor, clothing them, etc. By accepting this possibility it is seen that how the Qomī commentary has expanded the scope of *al-riqāb* and generalized it to other debtor groups. This understanding confirms the main idea of this article that whatever suggested for the possibility of generalizing the slave freeing compensation to the financially liable prisoners can be expanded to all conducts for which God has specified compensation, even if the perpetrators are not sentenced to prison.

Conclusion

Relying on principles such as the eternity of the Qur'ān, the Qur'ān's responding to all needs of the human in guidance, knowledge, and behavior domains, the possibility of esoteric interpretation of the qur'ānic verses or the reality of their hidden meaning, usefulness of all qur'ānic verses and the impossibility of abandoning any of them, and the abundance of meaning in the qur'ānic statements, as well as using thematic interpretation method and philological analysis, it was tried to generalize the verses about releasing the slaves to freeing the merely financially liable prisoners. If we accept this esoteric interpretation and generalization, we can assert that the Holy Qur'ān has provided the Faithful with the following ways to free the merely financially liable prisoners, so they can have a role in freeing the Faithful who have been imprisoned merely due to financial liabilities: encouraging all strata of the society, especially the rich, to free the prisoners, either individually

or collectively; requiring people to free the merely financially liable prisoners in return for having been forgiven sins such as non-intentional homicide, nonfulfillment of promise, and incestuous comparison; and ultimately, using the alms tax in this cause.

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