

The Impact of Conceptual and I‘rab Analysis of Verses 5-7 of Surah Al-Mu‘minun on Traditional and Modern Tafsir Interpretations

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Abstract

In the traditional literature that is still in use, despite the verses encouraging the end of slavery, slavery has generally been seen as a permanent phenomenon, not a temporary one. These traditional views have continued to be effective in some modern periods and have resurfaced in wars in some parts of the world. This situation shows that some groups still use old books of jurisprudence as a reference to continue concubinage. Considering that the phenomenon of war can always occur, there is a danger of returning to old customs regarding female captives. Whether the dictionary and i‘rab analysis of the verses will allow this fatwa or not is one of the most important contributions to this field. The research has revealed that there is a significant difference between the classical and modern interpretations of the verses in question. Purpose: This study aims to evaluate the interpretations of classical and modern commentators through conceptual and i‘rab analysis of verses 5, 6 and 7 of Surah Al-Mu‘minun. In particular, it focuses on the meaning of the phrase “mâ meleket eymanuhum” and reveals how traditional and contemporary interpretations of tafsir affect the meaning of the verses. Method: The research was conducted using conceptual analysis and linguistic analysis methods. First, the verses were conceptually analyzed and then analyzed within the framework of i‘rab, or Arabic grammar rules. Then, the interpretations of the commentators were examined to show the stages that our tafsir heritage has gone through in chronological order until today, and these interpretations were compared with the findings of the research. Main Findings: The study determined that there are serious differences in the meaning and scope of the phrase “mâ meleket eymanuhum”. The questions of whether the term "farç" in the verse refers to sexual intercourse or the protection of privacy, and whether the verse is addressed only to men or to both sexes, have been investigated. The research has also revealed significant differences between the classical and modern interpretations of verses 5-7 of Surah Al-Mu‘minun. Innovation: This study has re-evaluated the concepts in the verses by focusing more on their literal meanings and the place of their i‘rab in the sentence. It has brought a new perspective to the field by analyzing the extent to which the Turkish translations are compatible with the research findings and interpretations.

Keywords: Arabic Language and Rhetoric; Mâ meleket eyman; Concubines; I‘rab, Concept.

Introduction

In Islamic law, the issue of sexual intercourse with female captives through ownership (Milk al-Yameen) without marriage has given rise to significant debates among traditional and modern scholars. Traditional scholars have mostly seen the 5th and 6th verses of the Surah al-Mu‘minun as the strongest evidence in legitimizing this situation: وَالَّذِينَ هُمْ لِأَزْوَاجِهِمْ حَافِظُونَ إِلَّا عَلَىٰ أَزْوَاجِهِمْ أَوْ مَا مَلَكَتْ أَيْمَانُهُمْ فَاتَّهَمُوا بِغَيْرِ مَلُومٍ The expression "They guard their private parts except for their spouses or what their hands possess, and they are not to be blamed for that" excludes two classes. The same phrase is repeated in Surah Ma‘arij (al-Ma‘arij 70:29-30). On the other hand, some modern scholars interpret these and similar verses as only sexual intercourse is permissible through a marriage contract. This article aims to examine the validity of these different views through the conceptual and i‘rab analysis of the verses.

The following questions were sought to be answered in our study:

1. Does the word “farç” belong to women, men, or both? Is “farç protection” a metaphor for sexual intercourse in these verses, or is it stated that hijab will be allowed a little more comfort and freedom in the same house or in areas where people live together?

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2. Are the verses addressed only to men or to both sexes?
3. Who are included in the words “spouses” and “meleket eymanuküm” in the expression “exception” that comes after the preposition of exception?

The aim of the study is to compare and evaluate traditional and modern interpretations of this subject in terms of concept and meaning. Our Almighty Lord states that there is no inconsistency in the Quran (See an-Nisa, 4/82). Instead of defending or criticizing past scholars, our research aims to examine the Quranic verses in depth, in accordance with the principle of "Those who listen to the word and follow the best" (az-Zumar, 39/18), and to reveal the stages our interpretation heritage has gone through chronologically.

In the relevant literature, it has been seen that there are a sufficient number of books, theses and articles, and it has been determined that the subjects we examine have been addressed in studies in various main branches of science. However, no "article" has been encountered that reaches a conclusion as a whole by examining the words one by one, analyzing the concept and meaning, and comparing the classical and modern interpretations and translations of these verses in chronological order. Our study is limited to finding answers to the questions mentioned in the 5th, 6th and 7th verses of the Surah Al-Mu'minun. Considering the limits of our article, examples from the most widely accepted sources were selected.

The changes experienced in the societies of Islam in different periods have affected how these verses are understood. Today, sexual moral understandings and norms are changing, which affects the interpretation of the concepts.

In the pre-Islamic period, slavery was widespread all over the world. Islam was forced to recognize this situation from the beginning and introduced the freeing of slaves as an atonement in various cases and gradually tried to abolish it. As a matter of fact, in Surah Al-Balad, one of the first verses of the Meccan period, the importance of the freeing of slaves is emphasized as follows²: **فَلَا اقْتَحَمَ الْعَقَبَةَ . وَمَا أَدْرَاكَ مَا الْعَقَبَةُ .** “*But he did not dare to face the steep slope. Do you know what that steep slope is? It is to free a slave.*” (Al-Balad, 90/11-13). Later, the verses of the Surah Al-Mu'minun that are the subject of our discussion were revealed in Mecca³. Unfortunately, this spirit of ending slavery was not widely accepted despite many encouraging verses revealed in later periods, and slavery continued until the 19th century.

During this process, sects have expressed different views on the issue of prisoners of war. The legitimacy of enslavement in Islam is based on the acceptance of pre-Islamic practices, and it is stated that the freeing of slaves over time is to prepare them for liberation from slavery. There is a consensus among scholars that it is not permissible to kill women and children after being taken captive. This rule does not change whether the captives are People of the Book, non-Book communities, idolaters, or people who worship two gods such as the Seneviyya⁴.

According to the four Sunni sects, it is forbidden to have sexual intercourse with a female captive who has not yet been enslaved. However, after being enslaved, sexual intercourse with these women is considered permissible after they menstruate and are not pregnant, or if they are pregnant, after they have given birth. This legitimacy is tied to the reason for their enslavement⁵.

After drawing this general framework, we can consider the verses of our subject.

² Muhammed Eroğlu, “Beled Sûresi”, TDV İslâm Ansiklopedisi (İstanbul: TDV İslâm Araştırmaları Merkezi, 1992), 397.

³ Mukâtil b. Süleymân, Ebû'l-Hasan Mukâtil b. Beşir, *Tefsîru Mukâtil b. Süleymân*, thk. Abdullah Mahmûd Şehâte, Beyrut, 1423 /2002, 3/151.

⁴ Vehbe Zuhayli, *İslam Fıkhu Ansiklopedisi*, çev. Ahmet Efe, Beşir Eryarsoy, H. Fehmi Ulus, Abdurrahim Ural, Yunus Vehbi Yavuz, Nurettin Yıldız, İstanbul: Risale Yayınevi, 1994, 8/227-228.

⁵ Vehbe, Zuhayli, *el-Fıkhu'l-İslâmî ve Edilletubû. Şam: Dâru'l-Fıkr, 1409/1989*, cilt 5, 3. bölüm, 2. fasıl, 1. madde; Akt. Hâşim Özdaş, *Kur'an Âyetleri Işığında Savaş Esirlerinin Durumu*, (Basılmamış Doktora Tezi), Van Yüzüncü Yıl Üniversitesi, Van, 2019, 143.

Conceptual and I'rab Analysis of Verses 5, 6 and 7 of Surah Al-Mu'minun

Conceptual Analysis of Verses 5-7 of Surah Al-Mu'minun

The first of the verses presented as evidence that a Muslim man can have sexual intercourse with female prisoners of war who are slaves, without a marriage contract and its requirements, through possession, is the 5th, 6th and 7th verses of the Surah Al-Mu'minun, which was revealed in the Meccan period. After examining the concepts and i'rab in these verses, the views of the commentators will be given chronologically.

The Word لَفْرُوجِهِمْ

In the verse, (الْفَرْجُ ج فُرُوجٌ) means a gap, a crack, a cleft, a hole, a private part. The words (الْفَرْجُ وَالْفَرْجَةُ) mean a gap or opening between two things, a part that is not closed, as in a crevice in a wall. For this reason, the part between the two legs is also called (فَرْجٌ)⁶.

Thus, the word (السَّوَاءُ), which means "private place", is also made a metaphor and is widely used in the sense of "private place". Verses such as (وَالَّتِي أَحْصَنَتْ فَرْجَهَا "protecting one's private parts (chastity) (Mary)", (Al-Anbiya, 21/91); وَيَحْفَظْنَ فُرُوجَهُنَّ "Let them protect their private parts" (An-Nur, 24/31) can be given as examples. In addition, the word (فَرْجٌ) is used for every open, gaping and frightening place, as in the verses وَمَا لَهَا مِنْ فُرُوجٍ "And it has no cracks or clefts" (Qaf, 50/6), وَإِذَا السَّمَاءُ فُرْجَتْ "And when the sky is split open" (Al-Mursalat, 77/9)⁷. The word "farc" is used in the Holy Quran in 9 verses as a noun and a verb⁸.

According to Tabari (d. 310/922), what is meant by this word in the verse is the sexual organs of men⁹. However, Nasafi (d. 710/1310) says that this concept refers to the private parts of both men and women¹⁰.

In summary, the word (فَرْجٌ) means "place of chastity" in both physical and moral senses, indicating an emphasis on the preservation of chastity. These concepts will later be examined under their own heading, in the context of the verse, and together with the interpretations of the commentators.

The meanings given to the word (فُرُوجِهِمْ) in the 5th verse in **Turkish translations** are as follows:

Those who give the meaning of "their chastity": Bayraktar Bayraklı, Mustafa İslamoğlu, Muhammed Esed, Hakkı Yılmaz, Mustafa Öztürk.

Those who give the meaning of "their honor": Mehmet Okuyan.

Those who give the meaning of "sexual intercourse": Edip Yüksel.

Those who give the meaning of "private parts": Süleymaniye Foundation.

Those who give the meaning of "reproductive organs": Ali Rıza Demircan.

⁶ Râgıb el-İsfahânî Ebû'l-Kâsım el-Hüseyn b. Muhammed, *el-Miüfredât fî Garîbi'l-Kur'an*, thk. Safvân Adnân ed-Dâvûdî (Dimaşk-Beyrut: Dârü'l-Kalem, ed-Dârü's-Şâmiyye, 1412/1992), 628; İbn Fâris, Ebû'l-Hüseyn Ahmed b. Fâris b. Zekeriyâ el-Kazvîni er-Râzî, *Mu'cem Mekâyisü'l-Luğa*, thk. Abdüsselâm Muhammed Hârun, 6 cilt, (Beyrut: Dârü'l-Fîkr, 1399 /1979), 4/498; İbn Manzûr, Cemâlüddîn Ebû'l-Fazl Muhammed b. Mükerrrem b. Ali el-Ensârî er-Ruceyfi el-İfrîkî, *Lisânü'l-'Arab*, (Beyrut: Dâr Sâdir, 3. Basım., 1414 /1993), 2/341.

⁷ Daha geniş bilgi için ayrıca bkz. Râgıb, *el-Miüfredât*, 628; Ezherî, Ebû Mansûr Muhammed b. Ahmed el-Herverî, *Tehzîbü'l-Luğa*, thk. Muhammed Avad Mur'ib (Beyrut: Dâr İhyâü't-Türâsü'l-Arabî, 2001), 11/32; İbrahim Mustafa, Ahmed Zeyyât, Hâmid Abdülkâdir, Muhammed en-Neccâr, *el-Mu'cemü'l-Vasûl* (Kahire: Mecmau'l-Luğa el-Arabiyye, Dârü'd-Da' ve) t.y. 2/ 679.

⁸ Abdullah Ahmetoğlu, *el-Mu'cem el-Mufehres li Elfaz el-Kur'an el-Kerîm*, Kral Fahd Kur'an Kompleksi, www.qurancomplex.com, 30 Ekim 2002, 172-173.

⁹ Taberî, Ebû Ca'fer Muhammed b. Cerîr, *Câmi' u'l-Beyân 'an Te' vilî Ayi'l-Kur'ân*, thk. Abdullâh b. Abdülmuhsin et-Türkî, Dârü Hacer İslami Araştırmalar Merkezi işbirliğiyle (Kahire: Dâr Hacer, 1422 /2001), 17/11.

¹⁰ Nesefî Ebû'l-Berakât Abdullah b. Ahmed b. Mahmûd Hafızuddîn, *Medârikü't-Tenzîl ve Hakâiku't-Te' vil*, thk. Yûsuf Ali Bediyevi, (Beyrut: Dârü'l-Kelâmü't-Tayyib, 1419 /1998), 2/459.

Those who give the meaning of “their honor and chastity”: Celal Yıldırım.

Those who give the meaning of “private places”: Şaban Piriş, Suat Yıldırım.

Those who give the meaning of “their purity”: Erhan Aktaş, Ali Bulaç, Elmalılı (Simplified), Presidency of Religious Affairs (Kur'an Yolu), Elmalı, Süleyman Ateş, Gültekin Onan, Hasan Basri Çantay, İbn Kesir, Mahmut Toptaş.

Those who give the meaning of “gonads”: Ali Rıza Safa.

Those who give the meaning of “sexual organs”: Yaşar Nuri Öztürk (and their purity), Ahmet Hulusi.

Those who give the meaning of “private area”: Ömer Nasuhi Bilmen¹¹.

In the table, it is understood that the most preferred meaning for the word (فُرُوجِهِمْ) is concentrated in the words "chastity" and "purity".

The Word حَافِظُونَ

The word (حَافِظُونَ) in the 5th verse is the plural form of the noun (الْحَافِظُ) meaning “protector, watcher”. The opposite of the word الحِفْظُ is the word النسيان meaning to forget¹².

Following verses can be shown as examples: وَإِنَّا لَهُ لَحَافِظُونَ “We will surely protect it (the Quran)” (Yusuf, 12/12); حَافِظُوا عَلَى الصَّلَوَاتِ “(Continue) to pray and protect” (Al-Baqara, 2/238); وَالْحَافِظِينَ فُرُوجَهُمْ وَالْحَافِظَاتِ “Men who protect their farc and women who protect their farc..” (Al-Ahzab, 33/35). It is understood that the verses are generally used as a metaphor for protecting their chastity¹³.

It is understood from the verses that this word generally carries the meaning of mental and moral protection and emphasizes the preservation of chastity.

The word (حَافِظُونَ) in the 5th verse has the following meanings in **Turkish translations**:

Those who give the meaning of “they protect”: Bayraktar Bayraklı, Erhan Aktaş, Mustafa İslamoğlu, Elmalılı Hamdi Yazır (Simplified), Muhammed Esed, Presidency of Religious Affairs (Kur'an Yolu), Elmalılı, Süleyman Ateş, İbn Kesir, Suat Yıldırım, Ahmet Hulusi, Celal Yıldırım, Mahmut Toptaş, Mustafa Öztürk (“They protect it meticulously.” he said.), Ali Rıza Demircan (“They are protected from forbidden relationships.”).

Those who give the meaning of “they are the protectors”: Mehmet Okuyan, Yaşar Nuri Öztürk (“They are the ones who protect.” he said.), Ali Bulaç, Gültekin Onan, Hasan Basri Çantay, Şaban Piriş.

Those who give the meaning of “they avoid”: Edip Yüksel, Ali Rıza Safa.

Those who give the meaning of “those who protect”: Süleymaniye Foundation, Hakkı Yılmaz.

Those who give the meaning of “those who conserve”: Ömer Nasuhi Bilmen¹⁴.

It is understood that the most preferred meaning for the word (حَافِظُونَ) in the translations is concentrated in the words “they protect” and “they are the protectors”.

It is clear that there is no dispute over the meaning of this word. However, there are different interpretations of what "purity protection" means.

¹¹ Mealler için bkz. <https://www.kuranmealleri.net>; <https://acikkuran.com> (Erişim 21 Temmuz 2024)

¹² Râgıb, *el-Miüfredât*, 244; Halil b. Ahmed, Ebü Abdurrahman b. Amr el-Ferâhîdî el-Basrî, *Kitâbü'l- Ayn*, thk. Mehdi el-Mahzûmî, İbrâhim es-Sâmerâî, (Beyrut: Dârü'l-Hilâl, t.y.), 3/19; Ezherî, Ebü Mansûr Muhammed b. Ahmed, (t.y.), *Tebzîbü'l-Luğa*, (Thk.: Abdüsselam Harun), y.y., 4/265; İsmâil b. Abbâd, Kâfî'l-Küffât es-Sâhib, *el-Mubît fi'l-Luğa*, thk. Muhammed Hasan Âl Yâsîn, (Beyrut: Âlemü'l-Kütüb, 1414 /1994), 1/216; İbn Manzur, *Lisânu'l-Arab*, 2/342.

¹³ Râgıb, *el-Miüfredât*, 244.

¹⁴ Mealler için bkz. <https://www.kuranmealleri.net>; <https://acikkuran.com> (Erişim 21 Temmuz 2024)

The Word أَزْوَاجٌ

In the verse, the plural form of the word (أَزْوَاجٌ), meaning spouse or couple (الزَّوْجُ), is given. The term (زَوْجٌ) is used for each of the matching male and female pairs of living things. Similarly, the expression (زَوْجٌ) is used for each of the pairs consisting of inanimate objects. Anything that is similar or opposite is also called (زَوْجٌ). We can show these verses from the Quran as examples: فَجَعَلَ مِنْهُ الزَّوْجَيْنِ الذَّكَرَ وَالْأُنثَى "He created from it the two pairs, the male and the female" (Al-Qiyamah, 75/39), هُمْ وَأَزْوَاجُهُمْ "Themselves and their spouses.." (Yasin, 36/56). وَلَا تَمُدَّنَّ عَيْنَيْكَ إِلَىٰ مَا مَتَّعْنَا بِهِ أَزْوَاجًا مِنْهُمْ. In the verse, "And do not look at the blessings and pleasures We have given them as wives" (Al-Hijr, 15/88), the aim is to have supporters who are similar to each other and who are united with him. The word (زَوْجَةٌ) pronounced as plural (زَوْجَاتٌ) is not accepted as a valid dialect¹⁵.

The word "أَزْوَاجٌ", which is the plural of the word "الزَّوْجُ" in the verses, is a general term used to refer to all kinds of couples or pairs, whether animate or inanimate, male or female. This word is used in other contexts as well, as it represents spouses among people.

In Turkish translations, Elmalılı Hamdi Yazır and Hasan Basri Çantay used the word (أَزْوَاجُهُمْ) as "wives", while in other translations it was given the meaning "spouses". Since the verse in question also refers to "married spouses", no problem has been determined among the commentators on this issue¹⁶.

It is important to note that this concept is used in the common sense of "spouses" for both men and women. In traditional commentaries, the word "spouses" is generally understood as "female spouses". This situation has led to differences in rulings between traditional and contemporary interpretations. In further studies, the interpretations of the commentators will be considered in chronological order and the fatwas that these differences have led to will be revealed.

In the Quran, the word "zevc" is used to refer to the wife of His Holiness The Prophet Adam, Eve¹⁷, and the word "ezvâc" is used to refer to the wives of His Holiness The Prophet Mohammad¹⁸.

Conceptual analysis shows that the word "ezvac" in this verse is not specific to either men or women, but can include both. In fact, verses 1-10 of the Surah Al-Mu'minin generally mention the characteristics of believers. Therefore, there is no indication that only men are addressed by the word "ezvac". However, the fact that the term "ezvac" is used together with the phrase "ev mâ melekete eymanuhum" is because both classes are placed in different class statuses.

The Phrase أَوْ مَا مَلَكَتْ أَيْمَانُهُمْ

One of the biggest disagreements between traditional scholars of interpretation and jurisprudence and modern scholars is related to this group of words. If the preposition (أَوْ) "or" used here has the meaning of choice, then the person whose private parts must be protected is either the spouse or the person specified as (مَا مَلَكَتْ أَيْمَانُهُمْ). If it does not have the meaning of choice, that is, if the meaning is given as "and", then the private parts will not need to be protected from either group. In this case, the question arises as to whether the verses really only address men. The expression "Ma malaqat eymân" has generally been understood as "concubines" in traditional interpretations, but the word "concubines" does not appear in the Quran. At this point, we need to start examining the words in this phrase one by one.

The Letter أَوْ

According to Sibawayh, when it is said, "Sit with Amr or Khalid or anyone," it is said, "Sit with any of them." وَلَا تَطْعُ كُلَّ لَحْمًا أَوْ خَبْزًا أَوْ تَمْرًا. If it is said, "Eat meat or bread or dates," it is said, "Eat one of them."

¹⁵ Râgıb, *el-Müfredât*, 384; Ayrıca bkz. Halil b. Ahmed, *Kitâbü'l- Ayn*, 6/166; İbn Fâris, *Mu' cem Mekâyisü'l-Luğa*, 3/35.

¹⁶ Mealler için bkz. <https://www.kuranmealleri.net>; <https://acikkuran.com> (Erişim 21 Temmuz 2024)

¹⁷ وَقُلْنَا يَا أَدَمُ اسْكُنْ أَنْتَ وَزَوْجُكَ الْجَنَّةَ (el-Bakara, 2/35).

¹⁸ النَّبِيُّ أَوْلَىٰ بِالْمُؤْمِنِينَ مِنْ أَنفُسِهِمْ وَأَزْوَاجُهُ أُمَّهَاتُهُمْ (el-Ahzâb, 33/6).

أَمْ كَفُوراً The negative meaning in the verse "Do not obey those who are sinners or unbelievers" (Al-Insan, 76/24) means "Do not obey any of them"¹⁹.

That is, the preposition (أَوْ) is used in two places: a) For Tahyir (choice): "أَخْتَهَا أَوْ عَائِشَةَ تَزَوَّجْ" "Either marry Aisha or her brother." b) For Ibâha (freedom): "الزُّهَادُ أَوْ الْعُلَمَاءُ جَالِسِينَ" "Sit with the scholars or ascetics." There is a subtle difference between Tahyir and ibâha.

*"In tahyir, it is not permissible to combine two things, while in ibaha, it is permissible to combine two things. For example, the Arabic equivalent of the first example mentioned above regarding tahyir is "either marry Ayesha or her brother, but it is not possible for you to marry both of them." However, the Arabic equivalent of the second example mentioned regarding ibaha is "sit with both of the scholars and ascetics or with one of them." There are request forms before the prepositions أَوْ that come for tahyir and ibaha. In other words, they are found in insha'i kalam. The preposition أَوْ that comes in khabari kalam comes after šek (doubt), ibhâm (obscurity), taksim and ijm for tafsil/ detailed explanation."*²⁰

Ali Rıza Demircan, as a result of his research on the preposition "أَوْ", argues that Tahyîr is a generally preferred usage. Tahyîr requires choosing one of two or more options. While it is possible to combine the options in Ibâha, this is not possible in Tahyîr.²¹ For example, in the 89th verse of the Maidah sura, in the sentence "Taleb", which is formed by "determining the command" regarding the atonement of the oath, there is no obstacle to performing all three of the choices such as "(أَوْ)", which can give the meaning of Ibâha, and "feeding ten poor people" or "clothing" or "freeing a captive". However, what is meant by the preposition "(أَوْ)" in the verse is one of the choices. If "(وَ)" was used instead of "(أَوْ)" in Maidah 89, it would be understood that all of these options should be done at once²². Again, when the meaning of prohibition is given to the 31st verse of the Surah An-Nur²³ and the meaning of nefy is given to the 61st verse²⁴, it is seen that even in verses and similar ones where it is thought that the meaning of "and" can be given instead of "or", the attributive particle "(أَوْ)" preserves its meaning of directing to one of the choices it is loaded with, that is, the meaning of "or". Even though it is said that there are exceptional cases like in verses 62 of Furkan²⁵ and 24 of Insan²⁶, it is an accepted view that all the prepositions of "ev" found in the Quran are found for "Tahyir"²⁷.

The word (أَوْ) in the 6th verse is given the following meaning in **Turkish translations**::

Those who give the meaning of "and": Bayraktar Bayraklı, Elmalılı (simplified, original is the same), Presidency of Religious Affairs (Kur'an Yolu), İbn Kesir, Şaban Piriş, Suat Yıldırım, Mustafa Öztürk.

¹⁹ Sibeveyh, Ebû Bişr Amr b. Osmân b. Kanber el-Hârisî, *el-Kitâb*, thk. Abdüsselâm Muhammed Hârun, (Kahire: Mektebetü'l-Hancî, 3. Basım, 1408/1988), 3/184.

²⁰ Mustafa el-Galayîni, Câmîu'd-Dürüsü'l-'Arabiyye; Akt. Recep Kırıcı, *Arup Dilindeki em ve Ev Edatları ile İlgili Bir İnceleme*, Pamukkale Üniversitesi İlahiyat Fakültesi Dergisi, Bahar/Spring, 2021, 8 (1), 588-600.

²¹ Ali Rıza Demircan, *Kur'an ve Sünnet Işığında: (Köleleştirilerek Odaklaştırılan Savaş Esirleri Kadınlar Olarak) Cârîyeler ve Sömürülen Cinsellikleri*, 3. basım, (İstanbul: Ensar Neşriyat, 2012), 184.

²² فَكَفَّارَتُهُ إِطْعَامُ عَشْرَةِ مَسَاكِينَ مِنْ أَوْسَطِ مَا تُطْعَمُونَ أَهْلِيكُمْ أَوْ كِسْوَتُهُمْ أَوْ تَحْرِيرُ رَقَبَةٍ..(el-Mâide, 5/89). Daha geniş bilgi için bkz. Demircan, *Kur'an ve Sünnet Işığında: Cârîyeler ve Sömürülen Cinsellikleri*, 184-185.

²³ ...وَلَا يُبْدِينَ زِينَتَهُنَّ إِلَّا لِبُعُولَتِهِنَّ أَوْ آبَائِهِنَّ أَوْ آبَائِهِنَّ أَوْ أَبْنَاءِهِنَّ أَوْ أَخْوَالِهِنَّ أَوْ أَبْنَاءِ أَخْوَالِهِنَّ أَوْ أَخَوَاتِهِنَّ أَوْ بَنَاتِ أَخْوَالِهِنَّ أَوْ بَنَاتِ أَخَوَاتِهِنَّ أَوْ بَنَاتِ آبَائِهِنَّ أَوْ بَنَاتِ آبَائِهِنَّ أَوْ بَنَاتِ آبَائِهِنَّ أَوْ بَنَاتِ آبَائِهِنَّ .. (en-Nûr, 24/31)

²⁴ لَيْسَ عَلَى الْأَعْمَى حَرْجٌ وَلَا عَلَى الْمَرِيضِ حَرْجٌ وَلَا عَلَى الْأَعْرَجِ حَرْجٌ وَلَا عَلَى أَنْفُسِكُمْ أَنْ تَأْكُلُوا مِنْ بُيُوتِكُمْ أَوْ بُيُوتِ آبَائِكُمْ أَوْ بُيُوتِ إِخْوَانِكُمْ أَوْ بُيُوتِ أُمَّهَاتِكُمْ .. (en-Nûr, 24/61)

²⁵ وَهُوَ الَّذِي جَعَلَ اللَّيْلَ وَالنَّهَارَ خُلْفَةً لِمَنْ أَرَادَ أَنْ يَذَّكَّرَ أَوْ أَرَادَ شُكُورًا (el-Furkân, 25/62)

²⁶ فَاصْبِرْ لِحُكْمِ رَبِّكَ وَلَا تُطِعْ مِنْهُمْ آئِمًّا أَوْ كَفُورًا (el-Insân, 76/24)

²⁷ Demircan, *Kur'an ve Sünnet Işığında: Cârîyeler ve Sömürülen Cinsellikleri*, 185.

Those who give the meaning of “that is”: Mehmet Okuyan, Edip Yüksel, Mustafa İslamoğlu, Muhammed Esed, İhsan Eliaçık.

Those who give the meaning of “or”: Edip Yüksel (old edition), Erhan Aktaş (old edition), Suleymaniye Foundation (A.Bayındır), Ali Rıza Safa, Ömer Nasuhi Bilmen, Ali Rıza Demircan, Celal Yıldırım Yaşar Nuri Öztürk, Süleyman Ateş, Hasan Basri Çantay, Ali Bulaç, Gültekin Onan, Ahmet Hulusi²⁸.

As can be seen, Muhammed Esed, Edip Yüksel, Mehmet Okuyan, Mustafa İslamoğlu and İhsan Eliaçık gave the meaning of “that is” to the conjunction “(أو)” (or) in el-Mü'minûn 6.

Controversies regarding (مَا) and its impact on interpretations:

The preposition “(مَا) mâ” is one of the rare multifunctional prepositions that appear in many different forms in Arabic syntax. It is used in different meanings both as a noun and as a letter. When used as a letter, it is a context and has no locality in terms of i'rab. In other words, the letter “(مَا)” plays a role in the sentence in terms of meaning and does not function as any element in the sentence itself²⁹.

The Word "مَلَكَتْ"

(مَلَكَتْ يَمْلِكُ مَلَكًا) In the verb dictionaries, it means to possess, to be under the control of, to seize, to be king, to have authority and say. The same verb is used in the following verses *“أَمَّنْ يَمْلِكُ السَّمْعَ وَالْأَبْصَارَ”* “Who is in control of the ears and eyes?” (Al-Yunus, 10/ 31), *“لَا أَمْلِكُ لِنَفْسِي نَفْعًا وَلَا ضَرًّا”* “(Say;) I have no power to benefit or harm myself.” (Al-A'raf, 7/188), *“لِيَسْتَأْذِنَكُمْ الَّذِينَ مَلَكَتْ أَيْمَانُكُمْ”* “Let those under your command ask your permission” (An-Nur, 24/58)³⁰.

Consequently, the verb "مَلَكَتْ" carries the meaning of ‘ownership, authority and have a say’ and is used in various contexts in the Qur'an. This verb is associated with the word (أَيْمَانُ), which also expresses the meaning of owning slaves.

The Word (مَا نَأْتِي)

The word (مَا نَأْتِي) is used in dictionaries in the meanings of "oath", "right", "power", "concubine", "right thing", and "good direction." Originally meaning "right hand", this word (الْيَمِينُ) is also used in the Quran to express Allah's power, for example, "The heavens were rolled up with His right hand" (Az-Zumar 39/67). In addition, the expression "right-hand companions" (al-Waqia 56/27) is used to describe those who have attained happiness and prosperity. Using the right hand in taking an oath is a metaphorical use of the hand, which allows the expression "right hand" to be used in the sense of making an oath and agreement. For example, *“عَهْدِهِمْ بَعْدَ مِنْ أَيْمَانِهِمْ نَكُتُوا وَإِنْ”* "If they break their oath after their promise..." (At-Tawbah, 9/12). Also, the expression "الْيَمِينِ مَوْلَى" refers to the slave with whom a freeing agreement was made. The expression "يَمِينِي مَلِكٌ" is a strong expression used in the sense of "holding"³¹.

In other words, the word "يَمِينٌ" in Arabic is derived from "right hand" and is used in various meanings.

Turkish translations that give the meaning of concubine to the phrase أَيْمَانُهُمْ مَلَكَتْ مَا

The largest part of the disagreements is focused on this expression. While the expression “(أَيْمَانُهُمْ مَلَكَتْ مَا)” literally means “what your oaths/agreements have”, there is no specific word that would express the meaning of “concubine”.

²⁸ Mealler için bkz. <https://www.kuranmealleri.net>; <https://acikkuran.com> (Erişim 21 Temmuz 2024)

²⁹ Eyüp Akşit, *Arap Dilinde Mâ Edatı ve İşlevleri*, Türkiye Din Eğitimi Araştırmaları Dergisi, Sayı: 4, İzmir 2017 (41-59), 57.

³⁰ Râğb, *el-Miṣṣedât*, 774-775; Cevherî, Ebû Nasr İsmâil b. Hammâd, *es-Sıbâb Tâci'l-Luğâ ve Sıbâbu'l-Arabiyye*, thk. Ahmed Abdulgafûr Attâr, (Beyrut: Dâru'l-İlm li'l-Melâyin, 4. Basım, 1407/1987), 4/1609.

³¹ Râğb, *el-Miṣṣedât*, 893-894.

In some Turkish translations, this expression is given the meaning of "concubine" or "concubines" instead of "slave" or another word in parentheses or outside. İsmail Hakkı Bursevî, (d.1137/1725)³², Mir Muhammed Kerim el-Baküvî (d.1938)³³, Elmalılı Hamdi Yazır, Presidency of Religious Affairs (Kur'an Yolu), Süleyman Ateş, Hasan Basri Çantay, Şaban Piriş, Mahmut Toptaş, Suat Yıldırım, Ömer Nasuhi Bilmen, Celal Yıldırım³⁴, Mustafa Öztürk³⁵ are among those who translated it as concubine.

The phrase "Ma Meleket Ayman" is used in 15 places, 11 times in the Medinan surahs and 4 times in the Meccan surahs³⁶.

Evaluation

There is no indication in the first 10 verses of the Surah Al-Mu'minin that these verses only address men. The expression "Ma'malakat" (what contracts have) includes both male and female slaves at the time the Quran was revealed. Therefore, this expression does not have to be specific to concubines only. Furthermore, although the word "farç" refers to the parts that need to be covered, there is no indication that sexual intercourse was allowed without marriage. Therefore, making the expression "malakat eymanuhum" specific to concubines and saying that the verses are entirely addressed to men contradicts the conceptual analysis of the Quran.

How some of the rulings given by the first commentators have been repeated without much change throughout the ages will also become apparent in the chronological course of interpretation that we will discuss later.

After the conceptual analysis, we can now move on to the meaning of the verses and seek the answers to the three questions we stated in the introduction of the article there as well.

Prab Analysis of Verses 5-7 of Surah Al-Mu'minin

In this section, in order not to break away from the whole of the verses and not to cause any confusion, first the generally accepted short translation of the verses is given, then the effects of the translation and interpretation disagreements in the commentaries on the meaning are discussed. It is noticed that the bold black fonts from top to bottom show the whole verse.

* (وَ) , [reference letter]

* (الَّذِينَ) **that:** the reference letter وَ and the combined word referred to the explanatory words in the previous verse "'ism-i mevsûl". The next noun phrase, حَافِظُونَ لِفُرُوجِهِمْ هُمْ, is the indicative of the explanatory words mentioned above. Since it is an indicative sentence, it does not have a 'rab location. The 'rab of the words in this noun phrase are as follows:

* (هُمْ) **them:** in the place of the subject, the pronoun

* (لِفُرُوجِهِمْ) **their private parts (ل):** The one who came for reinforcement is inflected letter Lam, (فُرُوج): The first object is the subject whose next name is (حَافِظُونَ), it is also a noun phrase, (هَمْ): defining clause

³² İsmail Hakkı Bursevî, *Mubtasar Râihü'l-Beyân Tefsiri*, 5/430-432.

³³ Mir Muhammed Kerim el-Baküvî, *Keşfü'l-Hakayik an Nüketi'l-Âyâti ve'd-Dekayik*, Bakü, 1939 (Gerçeğin Doğuşu adlı CD içinde c.2, Mü'minûn Sûresi 5-7 (Daha geniş açıklama için Bkz. 357 nolu dipnot)

³⁴ Mealler için bkz. <https://www.kuranmealleri.net>; <https://acikkuran.com> (Erişim 21 Temmuz 2024)

³⁵ Mustafa Öztürk, *Kur'an-ı Kerim Meali: Anlam ve Yorum Merkezli Çeviri* (Ankara: Ankara Okulu Yayınları, 2014), 389.

³⁶ Ahmetoğlu, *el-Mu'cem el-Mufehres*, 217.

and the compound pronoun is in the place of preposition. (لَفْرُوجِهِمْ) The preposition is related to the next word (حَافِظُونَ):]

* (5) (حَافِظُونَ) They are the protectors [It is indicative, since it is a noun with a concise form, the “ref sign” is vav. Because the words with a concise form are i'rab with letters. The word حَافِظُونَ is the active name of the verb حَافِظَ, which is a derived verb form. The active name means the one who temporarily performs that action, who undertakes that action. However, as is known, the active name in the noun sentence expresses continuity.

* (الْإِ) exceptional [the letter of exception (we can also call it the preposition “hasr”)]

* (عَلَى أَزْوَاجِهِمْ) to their spouses [(عَلَى): letter preposition, (أَزْوَاج): inflected noun, noun phrase, (هَمْ): It is in the context of the conjunction pronoun. عَلَى أَزْوَاجِهِمْ “car-meccur” is related to حَافِظُونَ mentioned in the previous verse ³⁷.]

* (أَوْ مَا مَلَكَتْ أَيْمَانُهُمْ) or what their right hands/covenants/oaths have:

* (أَوْ) or [It is the letter of reference, the letter أَوْ expresses choice/preference. This letter, which means “or”, is generally used in situations of choosing one of two options.

* (مَا) [مَا أَزْوَاجِهِمْ that is, it refers to the word “to their spouses”, the common noun is in the place of the word “to their spouses”.

* (مَلَكَتْ) What they have [According to the verse, the verb “mebni” is past tense, the (تْ) at the end is a sign of “te'nis”, that is, for femininity. The verb used as past feminine due to its agent in the verse is from the 2nd chapter.]

* (أَيْمَانُهُمْ) their right hands/covenants/oaths [(مَلَكَتْ) It is the agent of the verb, it is the subject, it is the participle, (هَمْ): it is the participle and the participle pronoun is in the place of preposition. The sentence أَيْمَانُهُمْ مَلَكَتْ, which is the relative of the noun (مَا), has no place of i'rab.]

* (فَإِنَّهُمْ) They, indeed [(فَ): The letter “talil” (reason), (إِنَّ): it comes before the noun sentence and refers to the indicative. (هَمْ): is the name of (إِنَّ), the “muttasil pronoun” is in the “nasb” place. The pronoun in (إِنَّهُمْ) goes either to the word حَافِظُونَ or to what the exception indicates.]

* (6) (غَيْرُ مُؤْمِنِينَ) They are not condemned [(غَيْرُ): It is the indicative of (إِنَّ), (مُؤْمِنِينَ): It is a defining clause, it is the mixed form of the noun “müzbekker salim”, that is, since the mixed regular plural nouns are expressed with letters.

³⁷ Behcet, Abdülvâhid Sâlih, *el-İ' rabu'l-Mufasssal li Kitâbillâbi'l-Murretel*, (Amman: Dârü'l-Fikr li't-Tibâa ve'n-Neşr ve't-Tevzi, 2. Basım, 1418), 7/363; Derviş, Muhyiddin b. Ahmed Mustafa Derviş, *İ' rabu'l-Kur' an ve Beyânubuh*, (Humus: Dârü'l-İrşâd li's-Şuun el-Câmi' iyye; Dârü'l-Yemâme, Şam-Beyrut; Dâr İbn Kesîr, Şam-Beyrut, 4. Basım, 1415), 6/495. Ayrıca kısmi veya daha fazla irab için bkz. Ukberî, Ebû'l-Bekâ Abdullah b. Hüseyin b. Abdullah, *et-Tibyân fi İ' rabu'l-Kur' an*, thk. Ali Muhammed el-Becâvî, (Neşr: Kahire: İsa el-Bâbî el-Halebî ve Şürekâh, t.y.), 2/950; Mahmûd Sâfi, *el-Cedvel fi İ' rabu'l-Kur' an ve Sarfibi ve Beyânibi, ma' a Fevâid Nabviyye Hâmme* (Dımaşk: Dârü'r-Reşid; Beyrut: Müessesetü'l-İmân, 3. Basım, 1416/1995), 18/160; Deâs, Ahmed Ubeyd, Ahmed Muhammed Hamidân, İsmâil Mahmûd el-Kâsım, *İ' rabu'l-Kur' an el-Kerîm* (Dımaşk: Dârü'l-Münîr ve Dârü'l-Fârâbî, 1425 /2004), 2/324; Harrât, Ahmed b. Muhammed, *el-Mu' ctebâ min Muşkilü İ' rabu'l-Kur' an*, (Medîne: Kral Fahd Mushaf Baskı Kompleksi, 1426/2005), 2/763; Nahhâs, Ebû Ca'fer Ahmed b. Muhammed b. İsmâil b. Yunus el-Murâdî, *İ' rabu'l-Kur' an*, Hâşiye ve ta' lik: Abdülmün'im Halîl İbrâhîm (Beyrut: Dârü'l-Kütübi'l-İlmiyye, 1421/2000), 3/77-78; Zeccâc, Ebû İshâk İbrâhîm b. Serî b. Sehl, *Me' anü'l-Kur' an ve İ' rabuh*, thk. Abdülcelîl Abduh Şelebî, (Beyrut: Âlemü'l-Kütüb, 1408 /1988), 4/6-7.

* (فَن) **but who** [(ف): It is a letter of reference, (مَن): it is preceded, it is in the place of “ref” as a conditional noun that attracts two presenting verbs, it is forced due to transition.]

* (اِبْتَعَى) **If (he/she) calls** [The past verb, which is decreed upon the “elif”, is in the place of the “cezmi with the fatha”, and its doer is the hidden pronoun (هُوَ). It has been said that the verb اِبْتَعَى is the indicative of its (مَن) origin, and it has been said that the indicative is for all of the conditional and response sentences, that is, for the remaining sentence after the (مَن) origin³⁸.]

* (وَرَاءَ) **beyond** [The adverb of place is “mansub” and participle. It is related to the verb اِبْتَعَى. The word (وَرَاءَ) is the object of the verb (اِبْتَعَى)]³⁹

* (ذَلِكَ) **this** [The sign name which is defining clause]

* (فَأُولَئِكَ) **here is** [(ف): It is a relation for the answer to the condition, (أُولَئِكَ): it is a subject and the sign noun is in the place of “ref”. The sentence (...أُولَئِكَ) is a sentence for the answer to the condition.]

* (هُمُ) **these** [It is the second beginning and the pronoun is in the “ref” location, it is also called the pronoun of the section that comes for reinforcement and does not have a location in the i’rab, it is articulated with “damme” due to transition.]

* (٧) (الْعَادُونَ) **They are the ones who go to extremes** [(أُولَئِكَ) is the indicative of, (عَدَا) is the active noun form of the verb “he transgressed the limit, he exceeded the limit” as (الْعَادِي). Since the combined regular plural noun is indicative, it is merged with “vav”, which is a sign of “ref”. It has also been said that (هُمُ الْعَادُونَ) is the indicative of its subject أُولَئِكَ noun phrase. In this case, (هُمُ) is the the first word of the noun phrase, (الْعَادُونَ) is the indicative.]⁴⁰

The Effect of Disagreements in I’rab and Concept Analysis on Classical and Modern Period Commentaries

This section includes the interpretations reached by scholars working on the Quran as a result of the concept and i’rab in chronological order. The discussions generally focus on the expression حَافِظُونَ إِلَّا عَلَىٰ أَزْوَاجِهِمْ أَوْ مَا مَلَكَتْ أَيْمَانُهُمْ. In this verse, the existence of two classes called "wives" and "ma malaka eymanuhum" is clearly stated, and the protection of private parts is excluded from these two classes. There is no problem with "wives" since they are married, but the situation with slaves is complicated. During the time the Quran was revealed, slavery and concubinage were widespread throughout the world. Female or male slaves, on the other hand, were in the position of belonging to their owners through milq-i yemin, that is, through a contract. Those who argue that sexual intercourse with female prisoners of war and unlimited number of concubines without marriage is permissible have issued a fatwa primarily by citing this verse as evidence. Therefore, who this verse refers to is of great importance. Some of our prominent commentaries and examples of our scholars’ opinions are presented below, in the order of their death dates, within the limits of our article.

³⁸ Kurtubî, Ebû Abdillâh Muhammed b. Ahmed, *el-Camiu’ li Abkâmi’l-Kur’an*, (Thk. Ahmed el-Berdûnî ve İbrâhim Etfeyyîş), Kahire, 12/107: Kurtubi Zeccâc’ın irab konusunda şöyle dediğini nakleder: (اِبْتَعَى)nın me’ulü mahzuftur. (ذَلِكَ) zarftır. (وَرَاءَ) kendisiyle ister müzekker olsun veya müennes olsun daha önce zikri geçen şeye işaret eder.

³⁹ (وَرَاءَ) kelimesi aslında “ötesinde, arkasında” anlamındadır, ancak burada سِوَى başkası, dışında, manasındadır. (وَرَاءَ) kelimesi (اِبْتَعَى) "ararsa" kelimesinin mefulüdür. Bkz. Kurtubî, *el-Camiu’ li Abkâmi’l-Kur’an*, 12/107:

⁴⁰ Ukberî, *Tibyan II*, 950; Dervîş, *İ’rabu’l-Kur’an*, 6/495; es-Sâfî, *el-Cedvel*, 18/ 160; Deâs, *İ’rabü’l-Kur’âni’l-Kerîm*, 2/324; Behçet, *İ’rabu’l-Mufasssal*, 7/363-364; Harrât, *Müctebâ*, 2/763; Nahhâs, *İ’rabu’l-Kur’ân*, 3/77-78; Zeccâc, *Me’âni’l-Kur’ân ve İ’râbü*, 4/6-7.

The Effect of Disagreements on the Commentaries of Classical Period Commentators

Muqatil (d. 150/767) states in the verse, "إِلَّا عَلَىٰ أَزْوَاجِهِمْ أَوْ مَا مَلَكَتْ أَيْمَانُهُمْ" that the two classes that come after the preposition exception are the lawful wives or the slave girls that are owned.⁴¹ Muqatil's use of the word "concubines" despite saying "or" shows that he thought the verse was directed at men. **Ferrâ** (d. 207/822) argues that the letter "عَلَىٰ" in the sentence means "مِنْ" and that the "مَا" in the verse points to the low position of the mentioned one.⁴² **Zeccâc** (d. 311/923) states that the reason for using the letter "عَلَىٰ" is to condemn them for doing harmful things.⁴³ Ancak Ferrâ'nın bu görüşü geri kalan müfessirlerin çoğunda etkisini gösterecek ve tartışma konularına katılacaktır.

Zeccâc (d. 311/923)⁴⁴, **Taberî** (d. 310/922)⁴⁵, and **Mâtürîdî** (d. 333/944) also think that the verse is directed to men. According to Maturidi, while no exceptions were made in the sections of the surah up to this point, wives and concubines were made exceptions in this section⁴⁶.

According to **Cassas** (d. 370/981), وَالَّذِينَ هُمْ لِأَعْيُنِنَا حَافِظُونَ verse can be directed at both men and women, because when masculine and feminine come together, the masculine form prevails. However, the next sentence إِلَّا عَلَىٰ أَزْوَاجِهِمْ أَوْ مَا مَلَكَتْ أَيْمَانُهُمْ indicates that this provision is specific to men only. This sentence also points out the exception to the protection of the private parts and also informs us about the permissibility of sexual intercourse with both the wife and the slave girl⁴⁷. Because it is certain that the sentence "exception" refers to wives and slaves. Again, according to Cassas, in the 7th verse, the prohibition of mut'a marriage is meant by "those who exceed the limits"⁴⁸.

Thus, by the time of Cassas, the permissibility of sexual intercourse with slave women was clearly stated.

Zamakhshari (d. 538/1144) interprets the verse as "They protect their private parts in all cases except when they marry or take slaves.". According to Zamakhshari, the expression "(عَلَىٰ أَزْوَاجِهِمْ)" is in the case position here and means "those who dominate their wives, those who are the leaders of their wives." Or the letter (عَلَىٰ) here is related to an ambiguous expression that points to *ceri* (مَلُومِينَ غَيْرُ). However, it is interesting that in the last sentence, without mentioning slaves, he added the meaning "they are condemned for all kinds of relations except with their wives, but they are not condemned for relations through their wives"⁴⁹.

Zamakhshari also makes the following explanation:

"I can say that the reason why the expression (مَا مَلَكَتْ) "the things she possesses" is used instead of the expression (مِنْ مَلَكَتْ) "those she possesses" in the verse is to describe women who are of the intelligent kind but are in a state of mindlessness. Here Allah has commanded us to stay within the limits He has set as an exception, and they are women.

⁴¹ Mukâtil, *Tefsîru Mukâtil b. Süleymân*, 3/152.

⁴² Ferrâ, Ebû Zekerriyya Yahyâ b. Ziyâd, *Me'âni'l-Kur'an*, thk. Ahmed Yûsuf en-Necâti ve diğeri (Mısır, t.y.), 2/231.

⁴³ Zeccâc, Ebû İshâk İbrâhîm b. es-Serî el-Bağdâdî, *Me'âni'l-Kur'an' ve İrâbü* thk. Abdülcelîl Abduh Şelebî (Beyrut: Âlemü'l-Kütüb, 1408 /1988), 4/6.

⁴⁴ Zeccâc. *Me'âni'l-Kur'an' ve İrâbü*, 4/ 6.

⁴⁵ Taberî, *Câmiu'l-Beyân*, 17/11; 19/10-11.

⁴⁶ Mâtürîdî, Ebû Mansûr Muhammed b. Muhammed b. Mahmûd, *Te'vilâtü Eblî's-Sünne (Tefsîru'l-Mâtürîdî)*, thk. Mecdî Bâslûm, (Beyrut: Dârü'l-Kütübü'l-İlmiyye, 1426 /2005), 7/452.

⁴⁷ Cassâs, Ahmed b. Ali Ebû Bekr er-Râzî el-Hanefî, *Abkâmü'l-Kur'ân*, thk. Abdüsselâm Muhammed Ali Şâhîn, (Beyrut: Dârü'l-Kütübü'l-İlmiyye, 1415 /1994), 3/330-331.

⁴⁸ Cassâs, *Abkâmü'l-Kur'ân*, 3/ 330-331.

⁴⁹ Zemahşerî, Carullah Mahmud b. Ömer, *el-Keşşâf 'an Hakâ'iki'l-Tenzîl ve 'Uyûni'l-Ekâvîl fî Vücûbi'l-Tenzîl*, (Beyrut: Dârü'l-Kitâbi'l-Arabî, 1407/1987), 3/176.

Interestingly, Zamakhshari used both the terms "intelligent kind" and "state of mindlessness" in the same sentence. He also says that there is no limit to the number of concubines except for the marriage agreement⁵⁰.

According to **Ibn Atiyye** (d. 541/1147), the preposition "mâ" was preferred over the preposition "men" because in the expression "(م لكت ما)" the type of women was meant, not their personality⁵¹.

Ibn Arabi (d. 543/1149) states that the first 10 verses of the Surah Al-Mu'minun are general about men and women, and that this is one of the strange styles of the Qur'an. However, the verse "(لِفُرُوجِهِمْ هُمْ وَالَّذِينَ) (حَافِظُونَ)" only addresses men. There is no permissibility between women and their slaves regarding private parts. Because it is understood from other general and specific evidence that women should protect their private parts.⁵²

Ibn al-Jawzi (d. 597/1201) derived a meaning that encompasses two classes by using the word "or". However, while explaining the phrase "whoever seeks beyond this..." in the 7th verse, he shared the views of other people before him by saying "those who seek anything other than wives and slaves are the aggressors".⁵³

According to **Razi** (d. 606/1209), the verse means "They protect their private parts in all cases except when they get married or when they take concubines." When someone asked, "Couldn't it be said (مَنْ) instead of (مَا)?" Razi replied, "Because two qualities are combined in a concubine woman: One is femininity, which is the place of lack of intelligence or insecurity. The other is that she is tradable and can be sold like other goods." What is understood from the expression (مَلُومِينَ غَيْرَ) is related to something hidden. Accordingly, it is as if it is being said, "They are blamed for the relations they have with other than their wives", that is, "they are blamed for all kinds of sexual relations other than those that are made lawful for them. However, they cannot be blamed for those that are lawful". Zamakhshari also said the same thing. Razi adds, "This is the opinion of Zajjaj" and states that the meaning of the letter (عَلَى) is the word (حَافِظُونَ)⁵⁴.

As can be seen, two important commentators such as Zamakhshari and Razi saw this situation in women who were not educated or who were made into slaves or concubines and intimidated under the influence of tradition, and they themselves believed it wholeheartedly. The fact that some scholars generalize all the female servants created by Almighty Allah as the addressees of his last religion and call them "mindless and unreliable beings" and "goods for sale" is not an expression that can be swept under the rug and covered up. In fact, these generalizations are made based on characteristics that can be valid for both women and men. These narrations greatly influence our commentators to accept the views of the ancients, and most of them compile their works by making additions to these narrations. With Cassâs, the judgment that "since the private parts are not protected, sexual intercourse is also free" has now been accepted for these two classes of women. However, as stated in the conceptual analysis before, "private parts" does not have the meaning of sexual intercourse in the dictionary.

According to Qurtubi (d. 671/1273), the expression أَيْمَانُهُمْ مَلَكَتْ مَا أَوْ is attributed to "female spouses" and is "mecrur" as the location, while (مَا) is the masdariyah. Qurtubi quotes Ibn Arabi's view that the first 10 verses of Surah Al-Mu'minun are general about men and women. However, he says that it is not permissible

⁵⁰ Zemahşerî, *el-Keşşâf*, 3/176.

⁵¹ İbn Atiyye el-Endelüsî, Ebû Muhammed Abdülhak b. Gâlib, *el-Muharrerü'l-Vecîz fi Tefsîri'l-Kitâbi'l-Azîz*, thk. Abdüsselâm Abdüşşâfi Muhammed, Beyrut: Dârü'l-Kütübî'l-İlmiyye, 1. baskı, 1422/2001, 2/7.

⁵² İbn Arabi, Ebû Bekir Muhammed b. Abdullah el-Arabî el-Ma' âfirü el-Eşbilî el-Mâlikî, *Abkâmü'l-Kur'ân*, thk. Muhammed Abdülkâdir Atâ, 3. Basım. (Beyrut: Dârü'l-Kütübî'l-İlmiyye, 1423 /2003), 3/314.

⁵³ İbnu'l-Cevzi, Cemâlüddîn Ebü'l-Ferec Abdurrahman b. Ali b. Muhammed İbnü'l-Cevzî, *Zâdü'l-Mesîr fi 'İlmi't-Tefsîr*, thk. Abdürrezzâk el-Mehdî (Beyrut: Dârü'l-Kitâbi'l-Arabî, 1422), 3/256.

⁵⁴ Râzî, Fahreddin Ebû Abdillâh Muhammed b. Ömer el-Hasen b. el-Hüseyn, *Mefâtihul-Ğayb (Tefsîru'l-Kelb)*, 3. Basım (Beyrut: Dârü İhyâi't-Türâsi'l-Arabî, 1420 /2000), 23/261.

for a woman to have sexual intercourse with her male slave according to consensus. Because he and other commentators believe that preserving the private parts is an allusion to sexual intercourse.⁵⁵

While Qurtubi states that the sexuality in the verse is specific to men, he also quotes a narration that Ibn Kathir (d. 774/1373) calls weak. According to this, the narration transmitted from Qatada through Ma'mar is as follows:

“A woman lived a married life with her male slave. This matter was narrated to Umar (ra), who asked the woman: What prompted you to behave in this way? The woman said: In my opinion, just as a woman is lawful because she possesses a man, I also came to the conclusion that he is lawful for me because I possess him. Umar (ra) consulted the companions of Prophet Mohammad the Messenger of Allah (pbuh) about stoning this woman. They said: This woman has interpreted the book of Allah incorrectly. Therefore, she cannot be subjected to stoning. This time Umar (ra) said: Surely this is so. (He also said to the woman:) By Allah, I will never allow you to marry a free person ever after. So Umar punished that woman and did not apply hudud punishments. He also ordered the slave not to approach that woman. According to the narration from Abu Bakr bin Abdullah, he heard his father say: I was in the presence of Umar bin Abdul Aziz. A woman came with a bright slave belonging to her and said: I have married this slave of mine. My uncle's children prevented me from doing this. However, I am in the position of a man who has a slave girl and is having sexual intercourse with her. Tell my uncle's children to stop preventing me. Umar said: Have you ever been married before? When the woman said: Yes, he said: By Allah, if you were not such an ignorant person, I would stone you to death. However, take this slave and sell him to someone who will take him from the city where the woman is.”⁵⁶

Baydawi (d. 685/1286) states that despite the expression *"They turn away from vain deeds"* (23/3) in the Surah Al-Mu'minun, sexual intercourse with spouses and unlimited concubines is not considered as vain deeds because of the great danger it poses due to the great tendency of man to have sexual intercourse. However, whoever desires more than this has reached the most perfect point in excess. According to Baydawi's view, the pronoun (أَنَّهُمْ) in the sentence مَلُومِينَ غَيْرُ أَتَّهَمَ refers to the word (حَافِظُونَ) or to what the exception indicates, meaning that if they spend it on their wives or slaves, they will not be blamed for it. Baydawi also repeats what he said without saying *"Zamakhshari said"*. The letter (عَلَى) indicates the indicative of *"cer"* (حَافِظُونَ) or it means *"they protect their private parts in all cases except marriage or slavery"*.⁵⁷

In fact, the idea that there could be countless concubines in addition to four legal wives must have been on Baydawi's mind, and he offered justifications for this. Because he was convinced that the word *farc* means sexual intercourse, not private parts. After saying *"They turn away from vain things"* (Mu'minun 23/3), it seems that very few people find it strange whether the freedom to have sexual intercourse with unlimited concubines coincides with it.

Nasafi (d. 710/1310) also attributed the use of the expression *"(مَلَكَتْ مَا)"* instead of *"(مَلَكَتْ مَنْ)"* to the person being a slave, and stated that slaves were subject to the same treatment as those who were mentally deficient, and that for this reason they were sold like animals.⁵⁸ In fact, repeating Zamakhshari's lines became a tradition among the traditional scholars who came after him, and then the narrations came into

⁵⁵ Kurtubî, Ebû Abdillâh Muhammed b. Ahmed el-Kurtubî, *el-Câmi' li Ahkâmî'l-Kur'ân*, thk. Ahmed el-Berdûnî ve İbrâhîm Etfeyyîş, (Kahire: [Yayınevi Adı], 1964), 12/105- 106.

⁵⁶ Kurtubî, *el-Câmi' li Ahkâmî'l-Kur'ân*, 12/105.

⁵⁷ Beydâvî, Nâsiruddîn Ebû Saîd Abdullah b. Ömer b. Muhammed eş-Şîrâzî, *Emvâru't-Tenzîl ve Esrâru't-Te'vîl*, thk. Muhammed Abdurrahman el-Mer'âşlî (Beyrut: Dâr İhyâ'it-Türâs el-Arabî, 1418/1998), 4/82-83.

⁵⁸ Neseî, Ebû'l-Berekât Abdullah b. Ahmed Neseî, *Medârikü't-Tenzîl ve Hakâiku't-Te'vîl*, thk. Yûsuf Ali Bedivî, (Beyrut: 1998), 2/459.

play and the interpretations in the commentaries became more detailed. Now, it is rare to find someone who has a different opinion.

Ibn Kathir (d. 774/1373) also narrates a narration in which a woman had sexual intercourse with her slave and this situation was conveyed to Hz. Umar. However, Ibn Kathir states that this narration, which Qurtubi narrated similarly, is strange and has an interruption in its chain of narration.⁵⁹

Abu Hayyan (d. 745/1344) also stated that the expression (ما) means species, or gender, and then said that a woman cannot have sexual intercourse with a slave she owns. Because if a woman possesses her husband, her husband becomes unlawful for her and their marriage is broken. The reason is that in the 31st verse of Surah An-Nur, the expression “ma malakat” is included among the woman’s mahram (very close relatives). Mahram cannot be accepted as a spouse in any case.⁶⁰ These opinions are discussed collectively in the evaluation section..

Suyuti (d. 849/1445) **لَا يَلُومُونَ عَلَىٰ جَمَاعِ أَزْوَاجِهِمْ وَوَلَدِهِمْ** adds the phrase "sexual intercourse" more clearly than the others, with the sentence "They shall not be blamed for their sexual intercourse with their wives and concubines"⁶¹.

Jalaleyn (d. 864/1459) and (d. 911/1505)⁶² and **Abu's-Suud** (d. 982/1574)^{63,64} do not say different things. Again, one of the scholars of the Ottoman period, **İsmail Hakkı Bursevi** (d. 1725), after stating in his commentary that the word “ezvac” in the verse is the plural form of the word “zevç”, states that this word is used for both men and women. Although he gives the meaning of “they possess” to the expression “meleket eymanuhum” and writes that this expression actually includes both men and women, he says that the real purpose is concubines. He states that there is agreement when it is used for women. While interpreting the part “because of their relations with them”, he explains it with the expression “that is, they are not blamed because of their relations with their wives and concubines under their command” and agrees with the opinion of the previous commentators.⁶⁵

The translations of the sentence **فَمَنْ ابْتَغَىٰ وَرَاءَ ذَلِكَ** in the 7th verse, which consists of the words **فَمَنْ ابْتَغَىٰ وَرَاءَ ذَلِكَ قَاوَلْنِكَ هُمْ الْعَادُونَ**, have made comments that do not constitute an objection, such as “Whoever seeks beyond this”, “Whoever desires something beyond this”, “Whoever desires to go beyond this”. Ahmet Hulusi, who made explanations and comments differently from the others, said “Whoever desires beyond this (in other words, desire for sexual intercourse)”, while Suat Yıldırım interpreted as “But those who seek to go beyond this limit”. Süleymaniye Foundation (Abdulaziz Bayındır), who considered the sentence in the previous two verses not in the sense of sexual intercourse but in the sense of those who protect their private parts, has interpreted this part of the verse as “If they open it to others”.⁶⁶

Evaluation

⁵⁹ İbn Kesir, Ebû'l-Fidâ İsmâil b. Ömer b. Kesir el-Kureşî el-Basrî es-Sümme'd-Dımaşkı, *Tefsîru'l-Kur'ânî'l-Azîm*, thk. Sâmî b. Muhammed es-Selâme, (Riyad: Dâru Taybe li'n-Neşr ve't-Tevzî, 2. Basım, 1420 /1999), 5/462.

⁶⁰ Ebû Hayyân, Muhammed b. Yusuf b. Ali, *el-Bahrü'l-Mubîd fî'l-Tefsîr*, thk. Sıtkı Muhammed Cemîl (Beyrut: Dâru'l-Fikr, 1420 /2000), 7/548.

⁶¹ Suyutî, Celâleddîn Abdurrahman b. Ebû Bekir, *ed-Dürrü'l-Mensûr*, (Beyrut: Dâru'l-Fikr, t.y.), 6/87-88.

⁶² Celâlüddîn Muhammed b. Ahmed b. Ahmed el-Mahallî ve Celâleddîn Abdurrahman b. Ebû Bekir es-Süyûtî, *Tefsîru'l-Celâleyn* (Kahire: Dâru'l-Hadîs, [t.y.]), 446.

⁶³ Ebussuûd el-İmâdî Muhammed b. Muhammed b. Mustafa, *İrşâdü'l-'Aklis-Selîm ilâ Mezââyâ'l-Kitâbi'l-Kerîm* (Beyrut: Dâru İhyâi't-Türâsi'l-Arabî, [t.y.]), 6/124.

⁶⁴ Ebussuûd, *İrşâdü'l-'Aklis-Selîm ilâ Mezââyâ'l-Kitâbi'l-Kerîm*, 6/124.

⁶⁵ İsmâil Hakkı Bursevî, *Muhtasar Râhu'l-Beyân Tefsîri*, ihtisar eden: Muhammed Ali Sâbûnî, çev. Hüseyin Karapınar, Durak Pusmaz ve ark., 8. Basım (İstanbul: Damla Yayınevi, t.y.), 5/430-432.

⁶⁶ Bkz. <https://www.kuranmealleri.net>; <https://acikkuran.com> (Erişim 21 Temmuz 2024)

In summary, some traditional commentators, by making linguistic studies, have argued that from Ferrâ (d. 207/822) onwards, the particle "ما" (mâ) indicates a low status and later expresses mindless beings, and therefore women are considered to have the status of slaves. Zamakhshari (d. 538/1144) added to this that "(أزواجهم على)" means "those who dominate their wives, those who are leaders of their wives". These approaches are copies of each other and are repetitions of the same idea. However, there are also different approaches such as the letter (على) expressing condemnation because they can do objectionable things, as Zeccac (d. 311/923) said, or it can be the relative of (حافظون), etc. Similarly, it has been said that the particle (ما) does not express mindlessness but a type, as in the verse "طاب ما فاند كحوا" "Marry those whom you find pleasing" (An-Nisa, 4/3), or that it can be an infinitive. In our opinion, women may not have been able to object to the category of the mindless because they were not included as commentators or jurists in decision-making environments for various reasons and they did not have access to sufficient information. However, for example, in the 3rd verse of Surah Al-Layl (والأُنثَى الذَّكَرَ خَلَقَ وَمَا), when he says "By Him Who created the male and the female", Almighty Allah has used the name "ما" for Himself. The following verse is also like this: (سَوَّاهَا وَمَا وَنَفْسٍ) "By the soul and by the One who shaped it." (Ash-Shams, 91/7). In fact, all grammar scholars know very well that the intended name (ما) can be used for both the mindless and the intelligent.

In addition, traditional commentators have interpreted the word "farc" in the sense of the private parts and associated the verse with protection from sexual intercourse, but some have argued that this word can be used in the general sense of chastity and privacy. However, for those who meant that sexual intercourse was permitted, the fact that the number of concubines was unlimited did not seem strange. The fact that this unlimitedness was accepted and considered normal by the majority of traditional scholars exceeds the limits of human reason and logic. As a custom, owning and purchasing a concubine who was a prisoner of war was considered as a substitute for marriage and was considered sufficient for sexual intercourse. In connection with this understanding, traditional commentators generally interpreted the verses as directed at men and saw the expression "mâ meleket eymanuhum", which comes with the participle "exception", as the freedom of sexual intercourse with slave women. This approach served to legitimize slavery within the socio-economic structure of the period.

Razi and many other commentators have repeated and added to similar views based on previous interpretations. Some commentators, such as Qurtubi, were able to include the narrations about sexual intercourse with slaves in their interpretations without paying attention to their weakness or fabrication. These interpretations also show how traditional understandings of slavery and sexual intercourse were preserved and maintained in Islamic societies. Some commentators have stated that this expression could include both genders except for sexual intercourse, but this view has not been widely accepted. This also shows how gender roles are perceived in Islamic societies and how a religious discourse directed towards men has become dominant.

Therefore, the interpretations of the classical commentators reflect a sexist, pro-slavery perspective within the socio-cultural context of the period. These interpretations may be subject to serious criticism from today's ethical and human rights perspectives. However, these texts provide an important source for understanding how Islamic societies have been shaped throughout history and the impact of religious understandings on society. The interpretations made during this period also provide an idea about the gender, slavery and family structures of Islamic societies.

However, the new interpretations brought to these verses by contemporary commentators provide an important opportunity to re-evaluate and transform these traditional understandings.

The Impact of Disagreements on Modern Period Commentaries

Those Who Depart From Traditional Interpretations and Take Different Approaches

The 1900s and later were a period when works reached a wide audience with the impact of the printing press and slavery was abolished. During this period, some interpretations of verses 5-7 of the Surah Al-Mu'minun remained loyal to traditional interpretations, while others offered different interpretations.

Translated by **Ömer Rıza Doğrul** (d. 1952): “*They hide their shameful parts from what is forbidden, except for their wives with whom it is not possible to be accused of having legitimate relations and those who are the property of their right hands, because if they wish to do so with anyone other than these two, they would be exceeding the limits.*”

As can be seen, unlike others, Ömer Rıza Doğrul did not understand the concubines and the relationship with them from the verses in his interpretation, and then he interpreted the verses in his footnote as follows:

“*Every Muslim, male or female, does not expose their shameful parts in front of others. However, women have a certain degree of freedom with their husbands or female servants. Men can act in the same way with their wives and servants. It should not be forgotten that this Surah is Meccan. How to take concubines as wives was explained later in the Medina period. The property of the right hands must be treated according to the conditions stated in 4:25.*”⁶⁷

In other words, Ömer Rıza Doğrul emphasized that these verses are not only for men, but for both men and women. He also stated that there is no meaning of sexual intercourse with concubines in these verses and considered the verses in the context of opening the private parts rather than sexual intercourse. He also referred to the 25th verse of Surah An-Nisa and pointed out the issue of marrying them.

Translated by **Muhammed Esed** (ö.1992)⁶⁸: “*And those who guard their chastity, (do not seek satisfaction from anyone except their spouses - that is, from those whom they have lawfully (through marriage): for they are not to be blamed (for their relations with their spouses); but those who wish to exceed this (boundary), such are the transgressors.*”

In his commentary, Muhammad Esed explains the concept of “*protecting their chastity*” as “*guarding their private parts*” and argues that the expression “*ma malaka eymânuhum*” means “*those who are legitimately owned through marriage*” rather than slaves. According to him, the conjunction “*ev*” serves as an explanatory transition between the meanings of “*that is*”, “*in other words*” rather than indicating an option and points to “*those who are legitimately owned through marriage*”. In other words, it does not legitimize sexual intercourse with a female slave outside of marriage. Because such a presupposition or assumption contradicts the verses of the Quran an-Nisa 4/3, 24, 25, and an-Nur 24/32. Moreover, the Quran refers to both men and women with the words “*believers*” and “*spouses*”. Therefore, there is no reason to interpret this expression as “*their female slaves*”. Since both male and female slaves cannot be meant together, the meaning of the expression “*malakat eymanuhum*” here has nothing to do with slaves. It is very clear that it means “**those they have legitimately through marriage**” as it is mentioned in an-Nisa.⁶⁹

By evaluating the relevant verses of the Quran in a broad context, Esed went beyond traditional interpretations on issues such as slavery and male-female relations. This approach coincides with the effort to make sense of the Quran as a text based on universal moral principles.

Translated by **Bayraktar Bayraklı**: “*They guard their chastity, except with their spouses and what their hands possess. They are not to blame for their relations with them. But whoever seeks to go beyond that, those are the transgressors.*”

According to Bayraktar Bayraklı, men are addressed in these verses. Because in fact, it is mostly men who are sexually aggressive and can cause social harm. According to him, Muhammed Esed's explanation is very correct and this explanation should be taken as basis and adopted. After these words, Bayraktar Bayraklı takes Muhammed Esed's explanation of the verses in his work and conveys them.⁷⁰

⁶⁷ Ömer Rıza Doğrul, *Kur'an-ı Kerim'in Tercüme ve Tefsir-i Şerifi, Tanrı Bayrığı*, 3. Baskı, İstanbul, 1955, 2/552-553.

⁶⁸ Muhammed Esed, *Kur'an Mesajı: Meal-Tefsir*, 9. Basım (İstanbul: İşaret Yayınları, 2015), 835.

⁶⁹ Esed, *Kur'an Mesajı: Meal-Tefsir*, 9. Basım, 835.

⁷⁰ Bayraktar Bayraklı, *Yeni Bir Anlayışın Işığında Kur'an Tefsiri*, Bayraklı Yayınları, İstanbul, 2013, 13/187.

Translated by **Mehmet Okuyan**: *“They are the ones who guard their private parts. Except for their spouses, that is, those whom they have lawfully (through marriage). Surely they are not to be blamed (in their relations with their spouses). And those who wish to go beyond that are the transgressors.”*

Okuyan states in his commentary that the expression "*what their hands/oaths possess*" in verses 5-7 of Surah Al-Mu'minin refers to the marriage of slave women. He emphasizes that this interpretation could contribute to the end of the institution of slave women. Okuyan defends Islam's egalitarian approach to sexual morality by stating that the concept of chastity is not exclusive to women and that men should also be chaste. He also states that men's sexual pursuits outside of their married wives are defined as "*not recognizing any boundaries*" and that this is strongly rejected.⁷¹

Translated by **Hakkı Yılmaz**: *“And they are the ones who guard their chastity, - apart from their spouses or those of their vows, for they are not to be blamed for that, but those who wish to go beyond that, they are the ones who transgress.”*

Yılmaz states that these verses indicate that believers must protect their chastity and meet their sexual desires within the framework of marriage and legal agreements. Yılmaz emphasizes that women rented for sexual purposes are not real wives and that it is forbidden to exceed the limit.

He also explains how Islam forbade slavery, how slaves were protected while slavery continued, and how slave women could be married. Islam forbade the taking of slaves except in hot wars and the enslavement of those captured in war (See al-Anfal/62 and Muhammad/4). In this way, Islam completely eliminated slavery in a gradual manner. In the 19th century, England took the lead and, together with other states, banned slavery and ended this practice. However, the Ottoman Empire, despite being an Islamic state, was able to ban the black slave trade in 1857 and the white slave trade in 1909. Yılmaz explains with examples that the Prophet Mohammad (pbuh) also married slave women.⁷²

Translated by **Mustafa İslamoğlu**: *“5-7. Those who guard their chastity, except for their own spouses, that is, those whom they have lawfully possessed, they are not to be blamed (for the sexuality they share with their legitimate spouses). But those who go beyond this limit are the transgressors.”*

Mustafa İslamoğlu says in his commentary: *“I am including here the explanation of Esed, who attributed the function of declaration to “(أُو)” here, based on labor, regarding the interpretation of this verse”* and like Bayraktar Bayraklı, he also conveys Muhammed Esed's explanation without changing any of its lines. In fact, he himself gave the meaning of “that is” to “(أُو)” in his translation as declaration and translated the expression “(أَيْمَانُهُمْ مَلَكَتْ)” *meleket eymanuhum*” as “except for those they legitimately possess”.⁷³

Translated by **İhsan Eliaçık**: *“5-7. They are the ones who guard their chastity. They are the ones who are with their spouses, that is, with what they have lawfully. (2014 edition: with what they have by oath/contract). Because this is not a thing to be blamed. Whoever seeks beyond this, then they are the ones who have transgressed.”*

As can be seen, İhsan Eliaçık did not use the word "concubines" in his translation, but used the reference letter "ev" in the meaning of "that is" as a declaration, like Muhammad Esed, by saying "*Only those who are with their spouses, that is, those they have with an oath/contract*" in the 6th verse.⁷⁴

This interpretation reflects an effort to move away from traditional interpretations and re-evaluate the message of the Quran from a contemporary perspective.

⁷¹ Mehmet Okuyan, *Geniş Açıklamalı Kur'an Meal-Tefsir*, 2. Basım. (İstanbul: Haliç Üniversitesi Yayınları, Haziran 2022), 819.

⁷² Hakkı Yılmaz, *Nüzul Sırasına Göre Tebyinül Kur'an - İşte Kur'an*, İstanbul: İşaret Yayınları, 2015, 7/9.

⁷³ Mustafa İslamoğlu, *Nüzul Sırasına Göre Hayat Kitabı Kur'an - Gerekeçeli Meal*, İstanbul: Düşün Yayınları, 2010 (2.baskı), 585.

⁷⁴ Recep İhsan Eliaçık, *Nüzul Sırasına Göre Yaşayan Kur'an: Türkçe Meal/Tefsir* 5. Basım. (İstanbul: İnşa Yayınları, 2014), 676.

8. According to **Abdülaziz Bayındır**, the meaning of the verses is as follows::

وَالَّذِينَ هُمْ لِأُزْوَاجِهِمْ حَافِظُونَ . إِلَّا عَلَىٰ أَزْوَاجِهِمْ أَوْ مَا مَلَكَتْ أَيْمَانُهُمْ

“(Those men and women) *are the ones who guard their private parts. They are not blamed except in relation to their spouses or those under their authority* (the spouses of captives).” (Mu’minun, 5-6)

According to Bayındır, in traditional translations, both the exception and the letter of reference were given incorrect meanings, and two unforgivable mistakes were made in these verses. While the word “to their spouses” in the 6th verse was accepted as common for both women and men, the conjunction “(أو) or” was interpreted as “(و) and”, and “*those under their control*” was understood as concubines, and the verse was presented as evidence that concubines were halal to their owners. However, the conjunction “or” indicates the choice of one of the two options, while “and” indicates that both options can be realized together. Due to this understanding, the meaning of the verse was seriously distorted. According to him, the correct translation should be as follows: “*They can only reveal their private parts to their spouses or those under their control (captive spouses)*” (al-Mu’minun 23/6). If the meaning of the conjunction had not been changed, it would have been concluded that a man's private parts could be seen by either his wife or his concubine. However, this interpretation is not the translation that the traditional understanding wants.⁷⁵

According to Bayındır; in most translations, the use of the conjunction "and" with the expression "*wives and concubines under their command*" means that the man can have relations with both his wife and his concubine. If "or" were used, the meaning would be "*wives or concubines under their command*" and it would be understood that the man can have relations only with his wife or only with his concubine. However, the traditional interpretation does not want this result either, because according to the desire of the tradition, it should be possible for the man to have sexual relations with both. Abdülaziz Bayındır, who gave the examples of Abu Bakr al-Jassas (d. 370/981) and Tabatâi (d. 1981) from the Ja'faris regarding the incorrect interpretation given regarding the exception, did not accept their explanations. According to Bayındır, no exception sentence can be attributed such a meaning. If the verse had specifically said "men" and the sentence had been formed accordingly, the meaning given by the Ja'faris would have been acceptable. In that case, a man could expose his private parts to his wife or his concubine. However, a woman could not expose her private parts to her husband, and a concubine could not expose her private parts to her owner. In other words, those who adopt this view interpret the verses as follows: “(Those women and men) *are the ones who guard their private parts. (The males among them) can only expose their private parts to their wives and those under their control (their concubines).*” In short, according to Bayındır, since the verse does not only address men, the meaning of free sexual intercourse with a concubine cannot be derived from this verse. Otherwise, it would have to be permissible for women as well. It is also known that such a thing could never happen. The purpose of these verses is not to regulate sexual intercourse, but to regulate the rules of covering up and the boundaries of privacy.⁷⁶

Bayındır’s analysis emphasizes the importance of linguistic sensitivity in understanding the Qur’an. In particular, the correct translation of conjunctions and determining who the verses are addressed to are critical to the correct interpretation of the verse. Bayındır’s approach reminds us that traditional interpretations must be reconsidered and the original context of the text must be adhered to. Such approaches contribute to the correct understanding of the sacred texts throughout the ages.

According to **Ali Rıza Demircan**, these verses do not approve of having sexual intercourse with concubines without marriage due to the fact that they are owners without marriage. The purpose of these verses is to warn against adultery and homosexuality. It states that there can be spouses from free people as well as from prisoners of war. In addition, the word *farc* conveys the message that sexuality can only be through the reproductive organ. Demircan continues as follows:

⁷⁵ Abdülaziz Bayındır, "Savaş Esirleri ve Câriyelik," *Kıtap ve Hikmet Dergisi*, Ekim-Aralık 2015, sayı 11, 1-11.

⁷⁶ Abdülaziz Bayındır, "Savaş Esirleri ve Câriyelik," 1-11; Özdaş, Kur’an Âyetleri Işığında Savaş Esirlerinin Durumu, 177-178.

“The late Razî also explains why the word “ala” and not “an” is used for “Ezÿâc” in the 6th verse of the Surah Al-Mu’minun, but he does not mention the meaning of “Ev” at all. If he did, the meaning would be “They can only have sexual intercourse with their spouses or those they own”, and therefore the fact that free women and concubines cannot be combined would become clear, and the acceptance of taking as many concubines as we want over four women would remain in vain. Moreover, these verses (Al-Mu’minun 5-6) are not of a ruling-making nature.”⁷⁷

Again, Demircan says, *“The late Elmalî also did not take the preposition “ev” into consideration.”⁷⁸*

While there are provisions in the 32nd verse of the Surah An-Nur⁷⁹ and the 3, 24 and 25th verses of the Surah An-Nisa that emphasize the importance of marrying slave women, using the Meccan Surah Al-Mu’minun, which does not mention marriage, for this purpose is a slander against Islam and means telling lies. Therefore, allowing relations with slaves without marriage means allowing free women to have relations with captives without marriage. However, as accepted by Islamic scholars, it is possible for free women to marry captives, but it is forbidden to have relations with them without marriage. This situation contradicts the basic moral principles of Islam and the institution of marriage.⁸⁰

During the pre-Islamic period, it was common and accepted for owners to have sexual intercourse with their slaves. Since slaves could only have sexual intercourse with their owners, this was also an opportunity for them to live out their sexuality. In addition, since they could not be sold when they had children, they were closer to freedom. Islam transformed this practice and linked the relationship with slaves to marriage, and marriage to the conditions specified in the 25th verse of Surah An-Nisa. Marriage with slaves was defined as the reason for the slaves to gain their freedom.⁸¹

This commentary demonstrates that Demircan adopts a meticulous linguistic analysis and fiqh approach in his interpretations of sexual morality in the Qur'an. He also places a strong emphasis on the need to re-evaluate traditional interpretations.

Muhammad Ali Lahuri also states that the plural form of the word "farc", "furuc", means sexual organs and the expression "hifz al-farc" means keeping sexual desires under control. The expression "ma malaqah" refers to slaves/concubines and states that slave girls can be taken as wives under the conditions specified in the 25th verse of Surah an-Nisa. Since slave girls have the status of wives and have all the rights of a free wife, the expression "ma malaqah" is also mentioned here separately from wives. In addition, the expression "hifz al-farc" also means covering the immodest part of one's body and emphasizes that immodesty is forbidden according to Islamic morality. However, a certain degree of tolerance is allowed for women when they have husbands and female servants, and for men when they have wives and servants (Muhammad Ali, The Holy Quran, 648; Muhammad Ali, The Holy Quran, 681)⁸².

This means that these people have a little more flexibility in seeing private parts.

⁷⁷ Demircan, *Kur'an ve Sünnet Işığında: Cârîyeler ve Sömürülen Cinsellikleri*, 127-128.

⁷⁸ Demircan, *Kur'an ve Sünnet Işığında: Cârîyeler ve Sömürülen Cinsellikleri*, 186.

⁷⁹ وَأَنْكَحُوا الْأَيَّامَىٰ مِنْكُمْ وَالصَّالِحِينَ مِنْ عِبَادِكُمْ وَإِمَائِكُمْ إِنَّ يَكُونُوا فُقَرَاءَ يُغْنِيهِمُ اللَّهُ مِنْ فَضْلِهِ وَاللَّهُ وَاسِعٌ عَلِيمٌ *"İçinizden evli olmayanları, köle ve cârîyeleriniz arasından da elverişli olanları evlendirin. Yoksulluk içinde iseler Allah lutfu ile onları ibtiyaçtan kurtarır. Allah'ın hazinesi geniştir, her şeyi bilmektedir."* (en-Nûr, 24/32)

⁸⁰ Demircan, *Kur'an ve Sünnet Işığında: Cârîyeler ve Sömürülen Cinsellikleri*, 130-131.

⁸¹ Demircan, *Kur'an ve Sünnet Işığında: Cârîyeler ve Sömürülen Cinsellikleri*, 132.

⁸² Hâşim Özdaş, *Kur'an Âyetleri Işığında Savaş Esirlerinin Durumu*, 177'den naklen.

Those Who Continue in Traditional Interpretation

As far as we can determine, the remaining interpretations of the translations agree on the following three points:

- “They take the term "farc" to mean the sexual organ and sexual intercourse, and emphasize that believers should satisfy their sexual desires only with wives and concubines.
- They argue that verse 6 mainly addresses men, and in this context, they state that sexual relations with wives and concubines are considered legitimate for men.
- They interpret the term “meleket eymanukum” as concubines, indicating that sexual relations are considered legitimate through property without the need for a marriage contract.

For example, the following interpretations can be seen:

Mir Muhammed Kerim el-Baküvî (1853-1938)⁸³, Elmalılı Hamdi Yazır (ö.1942)⁸⁴, Ömer Nasuhi Bilmen (ö.1971)⁸⁵, Vehbe Zuhaylî (ö.1995)⁸⁶, Muhammed Ali es-Sâbûnî (ö.1997)⁸⁷, Celal Yıldırım (ö.2009)⁸⁸, Mevdûdî (ö.2005)⁸⁹, Seyyid Kutup⁹⁰, Mahmut Toptaş⁹¹, Süleyman Ateş⁹², Presidency of Religious Affairs (Kur'an Yolu)⁹³, Mustafa Öztürk⁹⁴.

However, the common view of all is that in the pre-Islamic period, unmarried sexual relations with concubines were common. They state that Islam had to accept this situation. They also state that Islam aimed to eliminate slavery and took steps in this direction. They accept that the verses were valid during the period when slavery continued and that they contain provisions regarding slavery. For example, the Kur'an Yolu commentary summarizes this situation with the following words: “*In accordance with the purpose of Islam, since slavery has been eliminated today, there is no longer any need to apply the provisions regarding this issue.*”⁹⁵

Evaluation

Traditional scholars accepted the interpretations made in the early periods as correct, and these interpretations were repeated without question for generations. Some ignored the subtleties of language and associated the word “farc” with a context that did not exist in it, and interpreted the word “or” as “and”. These errors changed the meaning and fed an approach that ignored the emotional and human

⁸³ Mir Muhammed Kerim el-Baküvî, *Keşfü'l-Hakâyik an Nüketi'l-Ayatü ve'd-De'kaik*, Azerbaycan Türkçesi ile yazılmış ilk tefsirdir. Daha geniş bilgi için bkz. Hakan Uğur, "Azerbaycanlı Şii Müfessir Mir Muhammed el-Baküvî'nin Keşfü'l-Hakâyik Adlı Tefsiri ve Tefsir İlmi Açısından Değeri," *Türkküm 2018 Uluslararası Türk Kültürü ve Medeniyeti Kongresi Tam Metin Bildiri Kitabı*, ed. Ahmed Uysal, yay. haz. İlker Ozan Yıldırım (Balıkesir: 2018), 417-425.

⁸⁴ Diğer mealler için de bkz. <https://www.kuranmealleri.net>; <https://acikkuran.com> (Erişim 21 Temmuz 2024)

⁸⁵ Ömer Nasuhi Bilmen, *Kur'an-ı Kerim Türkçe Meali Alisi ve Tefsiri*, Bilmen Basım ve Yayınevi, İstanbul, 1985, 5/2261.

⁸⁶ Vehbe ez-Zuhaylî, *et-Tefsîru'l-Munîr fî'l-Akâde ve'ş-Şerîa ve'l-Menbec* (Dımaşk: Dârü'l-Fikr; Beyrut: Dârü'l-Fikr el-Muâsır, 1411 /1991).

⁸⁷ Sâbûnî, Muhammed Ali, *Safvetü'l-Tefsîr*. (Kahire: Dârü's-Sâbûnî li't-Tibâa ve'n-Neşr ve't-Tevzî, 1417 /1997), 2/277-278.

⁸⁸ Celal Yıldırım, *İlmin Işğında Asrın Kur'an Tefsiri*, Anadolu Yayınları, İstanbul, 1987, 8/4072, 4073.

⁸⁹ Mevdûdî, *Tefhîmu'l-Kur'an*, İnsan yayınları, 2005, 3/400-402.

⁹⁰ Seyyid Kutub, *Fî Zülâli'l-Kur'an*, Dünya Yayınları, İstanbul, t.y.

⁹¹ Mahmut Toptaş, *Şifa Tefsiri*, Cantaş Yayınları, İstanbul, 2022, 5/287-288.

⁹² Süleyman Ateş, *Yüce Kur'an'ın Çağdaş Tefsiri*, Yeni Ufuklar Neşriyat, İstanbul, 1988; 6/84.

⁹³ Heyet (Hayrettin Karaman, Mustafa Çağrıncı, İbrahim Kafi Dönmez, Sadrettin Gümüş); *Kur'an Yolu*, Diyanet İşleri Başkanlığı Yayınları, Ankara, 2006, 4/11-12.

⁹⁴ Mustafa Öztürk, *Kur'an-ı Kerim Meali: Anlam ve Yorum Merkezli Çeviri* (Ankara: Ankara Okulu Yayınları, 2014), 389.

⁹⁵ Heyet, *Kur'an Yolu*, 4/11-12.

aspects of women. Thus, the understanding that viewed women as objects and granted them unlimited rights of ownership by men was legitimized. These interpretations are incompatible with the basic human values of Islam. Allah did not create women only to please men. This understanding, which ignores the emotional and human rights of women, also contradicts the Islamic concept of family. If the family is founded on love, compassion and mercy, not on material power and possessions, it will bring happiness to both parties.

Despite the abolition of slavery and concubinage, some traditional interpretations continue to exist in the works. However, as investigated in our article, some contemporary scholars have challenged this understanding. Other contemporary commentators have argued that the abolition of slavery was in accordance with the spirit of the Quran, but have ignored the fact that linguistic and grammatical analyses of the verses could provide a different meaning.

The expression (مَا مَلَكَتْ أَيْمَانُ) means “*what their right hands/oaths/contracts have*”, far from all concepts related to slavery. This expression has been used in traditional texts regarding slaves and concubines. However, it is very meaningful that Almighty Allah chose this expression here. This expression has been chosen instead of the concepts of “*your slaves or concubines*” As can be seen in the verse, *contracts*, or agreements, are the subject of the action used. In other words, this expression prioritizes contracts and their articles, regardless of whether they are men or women. Therefore, it allows for different interpretations today. Consequently, this concept has now become an expression that includes people we have contractual responsibilities for, such as married spouses, servants, and workers. For example, state institutions will do what is necessary for prisoners of war. When necessary, the prisoners in question can also be given to foster families as a trust with the permission of the state.

In the early periods of revelation, the rights and status of slaves and concubines were different. However, over time, the abandonment of slavery and the greater emphasis on human rights in Islamic societies have also affected the evaluation of such relationships. It is important to emphasize that traditional interpretations may be based on historical conditions and that these interpretations need to be re-evaluated today, as the Quran's universal principles of justice, mercy and human rights contradict some of these interpretations.

Conclusions

In our research, the verses 5-7 of the Surah Al-Mu'minun were first examined in terms of conceptual analysis, then in terms of i'rab, that is, Arabic grammar rules. Then, starting from the first complete commentator Mukatil, the verse was examined in chronological order, with the interpretations of some important traditional/classical period commentators and then some modern period commentators. Using the data collected in the research, comparisons were made with some translations prepared in Turkish. The following conclusions were reached regarding the extent to which the results of this research coincide or differ with the commentaries and translations:

Summary of Main Findings: In this study, we tried to answer the three questions we mentioned at the beginning of our article:

It has been emphasized that the word “*farq*” is a concept that belongs to both men and women as a private part. It is clear that the duty of “*protecting the private part*” is not only given to men, but to both genders. Therefore, the verses are valid for both women and men. However, the meaning of the concept of “*farq*” does not include sexual intercourse. Therefore, this concept has nothing to do with sexual intercourse. Although it is indirectly intended not to approach adultery, which is forbidden, it does not mean treating women prisoners of war as slaves and using their sexuality with an unlimited number of women prisoners of war without entering into a marriage contract. For this reason, the 32nd verse of Surah An-Nur (وَأَنْكِحُوا الْأَيَامَىٰ مِنْكُمْ وَالصَّالِحِينَ مِنْ عِبَادِكُمْ وَإِمَائِكُمْ) states “*Marry those of you who are single and those of your male slaves and concubines who are able to marry...*” and the marriage command is expressed with the imperative form. In the 3rd verse of An-Nisa, after those who fear that they will not be able to provide justice to orphans are told to marry other women, the marriage contract is ordered by saying, “*...then marry a woman or whom your right*

hands possess (with whom you have a contract)...” (أَوْ مَا مَلَكَتْ أَيْمَانُكُمْ فَانكِحُوا مَا طَابَ لَكُمْ مِنَ النِّسَاءِ مَثَلَىٰ ثَلَاثٍ وَرِبَاعٍ فَإِنْ خِفْتُمْ أَلَّا تَعْدِلُوا فَوَاحِدَةً) again with the imperative form.

Again, the verse an-Nisaa 25, (وَمَنْ لَمْ يَسْتَطِعْ مِنْكُمْ طَوْلًا أَنْ يَنْكِحَ الْمُحْصَنَاتِ الْمُؤْمِنَاتِ فَمِنْ مَا مَلَكَتْ أَيْمَانُكُمْ مِنْ فَتَيَاتِكُمْ) “...Those of you who are unable to marry free believing women, marry believing young girls (concubines) whom your right hands possess (by contract). Marry them with the permission of their guardians/families/owners and give them a fair mahr.” expresses marrying them as long as they are not unbelievers or polytheists. However, the opposing view evaluates these verses, which we cannot go into detail here because it would go beyond the scope of the article, in a different way. In the 6th verse of al-Mu'minun, which is our subject, the expression “ma meleket eymânuikum” is used for the prisoners of war to leave the status of slaves and gain the status of free people through marriage. In other words, if we think in terms of female prisoners of war, we can say that the reason for mentioning two separate classes is because one is a free woman and the other is a woman possessed by milk-i yemin, that is, a concubine. The woman possessed by milk-i yemin gains the status of a free woman by getting married. She is called “ma meleket eymânuikum” to distinguish her from the other free women. In fact, some of the scholars we have cited in our article with their sources also share this view. Therefore, the idea that the word “farc”, which is used in common for both groups, does not express sexual intercourse but the status of privacy in environments where people live together is more prevalent. In this case, the verse in question, “ma meleket eymânuikum”, explains that if one falls into negligence in the same environment, in the same house or in areas where they live together, this comfort in hijab can be forgiven. In fact, in Surah An-Nur 24/31, the term “melakat eyman” is used for those around whom believer women can walk around without covering themselves. Protecting a woman who is captured in war and accepting her as a member of the family, marrying her to a suitable person or releasing her with or without a price, as stated in Surah Muhammad verse 4, is more compatible with the principles of justice and mercy in the Quran. Muslims have failed to fulfill their responsibility to overcome the “steep slope”, which means freeing a slave, as stated in Surah Al-Balad verse 12.

In the exceptional part that comes after the exceptional preposition, “spouses” include free spouses, and the phrase “meleket eymanuküm” includes people who stay together day and night in a house or place where they live privately with a contract, or who work by being together twenty-four hours a day, and it also expresses flexibility in the boundaries of hijab. As Abdulaziz Bayındır points out, verses interpret verses, and the following sentences are included in the 58th verse of Surah An-Nur:

يَا أَيُّهَا الَّذِينَ آمَنُوا لَيْسَ عَلَيْكُمْ جُنَاحٌ عَلَيْهِمْ جُنَاحٌ بَعْدَهُنَّ طَوَّافُونَ عَلَيْكُمْ بَعْضُكُمْ عَلَىٰ بَعْضٍ تَوَلَّوْا بَعْضُكُمْ عَلَىٰ بَعْضٍ كَذَلِكَ يُبَيِّنُ اللَّهُ لَكُمْ الْآيَاتِ وَاللَّهُ عَلِيمٌ حَكِيمٌ “O you who believe! The (slaves) you have under contract and your children who have not yet reached puberty should ask your permission (when they come to you) three times a day: before the morning prayer, after taking off your clothes during the afternoon (rest), and after the night prayer...” If there was freedom of sexual intercourse and if they did not have to protect their private parts, there should not be such a verse in the Quran about “asking for permission”. It is stated that these people, who do not have to ask for permission to enter each other's presence outside of these three times, may not always be able to be in military discipline in unintentional situations that they are not aware of, in private places where they stay together for twenty-four hours, and that they will be tolerated if they have any faults. It is stated that if for any reason they fall into a moment of negligence and the parts that should be covered are exposed, that is, if there is a situation of uncovering without asking for permission, they will not commit a sin.

So in this case, the verse covers both women and men.

Contribution of the Study: This study makes a significant contribution by providing a historical and moral perspective on the issues of gender difference and slavery in Islam. The differences between traditional and modern interpretations of the verses reveal this observation and reveal the differences of opinion. In addition, it shows that although the word “farc” is traditionally associated with sexuality, it can actually be used in the sense of protecting privacy in environments where people live together. This finding adds a new

dimension to the discussions on sexual morality. The universal messages of Islam regarding the practice of slavery also make Islam's stance on social justice and human rights more evident.

Verses 5-7 of Surah Al-Mu'minun form the basis of Islam's moral principles on sexuality and slavery. This study demonstrates how the verses' universal messages on sexuality and privacy can be brought into line with human rights principles in the modern world and contribute to the healthy functioning of societies today.

Limitations: Although this study includes interpretations from different periods of Islamic history, it has not been possible to comprehensively address the views of all commentators. In addition, broader sociocultural and legal analyses are needed on the issues of slavery and gender difference. How norms change in historical contexts and the effects of these changes on Islamic law are areas that need more in-depth examination.

Recommendations for Further Studies: Future research should examine more comprehensively how the term "mâ meleket eymanuhum" has evolved in Islamic law and how it has been interpreted in different contexts. In addition, sociological and historical analyses of slavery and sexuality in Islam can contribute to a better understanding of these issues. Such studies can offer new perspectives on how the universal moral principles of Islam can be applied in the contemporary world.

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