

## **“What Israel Forbade to Himself”: A Case of Biblical Exegesis in the Qur’an?**

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The derivation of legal norms from narrative texts is a familiar, indeed pervasive feature of Qur’an exegesis. It is striking that in at least one passage, the text of the Qur’an appears to engage in its own internal process of interpreting biblical narrative as having normative legal consequences. The passage arises in the third *sura* of the Qur’an, *The House of Imran*, in the course of a lengthy excursus on the people of the book. It reads as follows: “All food was permitted to the children of Israel (*banu isra’il*) save what Israel forbade (*harrama*) for himself before the Torah was sent down. Say: Bring the Torah now, and recite it, if you are truth-tellers” (Q 3:93).

To what does this verse refer? The verse begins with the claim that the Israelites were permitted by God to eat any food they liked before the Torah was revealed. To this is added the caveat that before the Mosaic revelation, the Israelites had forbidden themselves certain foods. Subsequently, the Mosaic revelation prohibited still more foods, as divine punishment for Israelite misdeeds.

The first problem raised by the verse lies in its allusion to some pre-revelatory prohibitions on food. Muhammad knew of the existence of Mosaic prohibitions on food. But what pre-Mosaic, or at least pre-revelatory prohibitions might he mean to mention? Unfortunately, the verse provides no indication of what these might have been. One traditional interpretation makes the prohibition refer to “the flesh and milk of camels.”<sup>1</sup> The Qur’an itself specifies that God prohibited to the

1 See ‘Abdallah Ibn ‘Umar al-Baydawi, *Tafsir al-baydawi*, ad loc. (Beirut,

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Israelites *kull d̄hi dhafar*, which, regardless of translation (solid hoof, a toe, a nail) appears to include the camel. This suggests that the camel was not the subject of pre-Mosaic prohibition. The Bible does of course prohibit the flesh of camels,<sup>2</sup> but no biblical or rabbinic source with which I am familiar provides support for the opinion that there is some pre-revelatory basis for the ban. Indeed, Leviticus 11:4 makes the prohibition on consuming camel flesh part of the organizing legal logic of the more general prohibition on eating beasts whose hooves are not split. Possibly the interpretation that connects the ban to camels relates to the pre-Islamic Arabian milieu, rather than the Jewish.<sup>3</sup>

A further difficulty with the verse lies in the subject of the verb “forbade” (*harrama*): Israel, expressed in the singular. It is worth noting that in this statement, the Qur'an attributes an act of legal prohibition to a human, rather than a divine source: “save what Israel forbade for himself.” When juxtaposed with the revelation of the Torah, this formulation implies that the act of prohibition stemmed from a human source. So if we seek to identify this pre-Mosaic prohibition with anything in Jewish tradition, we ought to try to find it in an apparently non-divine source.

Only one biblical prohibition fits the criteria we have established: (1) food-related; (2) pre-Mosaic; (3) non-revelatory. This is the statement of Genesis 32:33, establishing the prohibition on consumption of *gid ha-nasheh*, variously translated as the sciatic nerve, or a vein associated with it:<sup>4</sup> “Therefore to this day the Israelites do not eat the *gid*

1995), 1:272 [hereafter Baydawi]. See also Jalal al-Din al-Mahalli and Jalal al-Din al-Suyuti, *Tafsir al-imamayn al-jalilayn*, ad loc. (Beirut, 1970), 52 [hereafter Tafsir al-Jalilayn]. See also Robert Roberts, *The Social Laws of the Qoran Considered and Compared with Those of the Hebrew and Other Ancient Codes* (London: Curzon Press, 1971), 112 n. 2 (reprint of Williams and Norway 1925 edition).

2 Lev 11:4; Deut 14:7.

3 Compare 6:144, apparently alluding to a pre-Islamic ban on camels. See Roberts, *Social Laws of the Qoran*, 114.

4 This solution to the puzzle of Q 3:93 has not to my knowledge been

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*ha-nasheh* that is on the hip socket, because he [the angel of the Jacob story] struck Jacob on the hip socket at the *gid ha-nasheh*.” This verse describes the existence of a food prohibition stemming from a non-Mosaic origin. It also, strikingly, does not report a revelatory source, but merely recites the existence of a practice. The three conditions are thus satisfied. By contrast, the Noahide laws of Genesis 9:3-7 appear before the Mosaic revelation, and several involve food (the ban on consumption of blood, and in rabbinic tradition, the ban on the eating of live flesh). But these prohibitions are squarely attributed to God, whereas the ban on eating the sciatic nerve is described simply as an Israelite practice.

Intriguingly, too, the prohibition stems from an event in the life of Jacob, the very event in which he acquires the name Israel. The Qur’anic verse characterizes the prohibition as one adopted by “Israel,” singular, not *Banu Isra’il* collectively. This allusion to Israel (as opposed to the Children of Israel) is one of only two such references in the Qur’an.<sup>5</sup> This provides a further basis to suggest that we are in the presence of a Qur’anic verse directly related to Genesis 32:33. The Qur’anic text may be read to say that Israel himself, i.e. Jacob,<sup>6</sup> prohibited to himself the

proposed before. However, at least some connection between the Genesis incident and this passage is hinted at by Baydawi’s gloss on the verse. He reports: “It is said that he [i.e. Jacob] had sciatica [*’irq al-nasa*], and he vowed that if he were healed he would not eat the foods most loved by him, and that [i.e. the flesh and milk of camels] was most loved by him.” Baydawi, *ad loc*. The connection with the sciatic nerve can hardly be pure coincidence, since the nerve has no connection to camels or their milk. Baydawi is reporting a tradition somehow obliquely connected to some source with knowledge of the connection of Q 3:93 with Genesis 32:33. See also George Sale (1697?-1736), the first translator of the Qur’an into English, *The Koran* (1734), 47 and note b (reprint Garland Publishing, 1984), 47, who reported Baydawi’s gloss but did not make the connection to Genesis.

5 The other is Q 19:58, in which Israel figures in a list of biblical prophets, including Adam, Noah, and Abraham. In this example, the name “Israel” clearly refers to Jacob.

6 Baydawi and Tafsir al-Jalilayn each say that “Israel” refers here to Jacob.

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eating of certain foods, and that these are the foods which the Israelites (*banu isra'il*) were not permitted to eat even before the Mosaic revelation.

Despite the close fit between the prohibition of *gid ha-nasheh* and Q 3:93, the association lies open to the criticism that this allusion would have required detailed knowledge of the biblical text on the part of the Prophet. This essay is not the proper place for an extensive discussion of this perennial topic.<sup>7</sup> However, the best response that may be offered here is the example itself. The interpretation offered here requires no great cleverness or manipulation of language. It accounts for all the problematic features presented by the verse, and even adds to them an explanation of the idiosyncratic use of the name Israel.

The second half of Q 3:93 offers another clue. God tells the Prophet, "Say: Bring the Torah and recite it, if you are truth-tellers (*in kuntum sadiqin*)." This challenge, presumably leveled at Jewish interlocutors, requires explanation. Why should Muhammad challenge the Jews to produce the Torah? What does he mean by "if you are truth-tellers"? To understand the content of the polemic, we need to realize that both Muhammad and his Jewish opponents agree that only God constitutes a proper source of revelation. The verb *harrama* requires the subject "God" for orthodoxy to be maintained. This view receives support from the anti-idolatry polemic of 6:148-150, in which the Qur'an condemns the idolaters for establishing prohibitions themselves, without divine sanction.<sup>8</sup>

7 Compare, for example, Q 2: 61 with Numbers 11:5. The Israelites complain of the repetitiveness of the manna, and ask for "the fruits of the earth: *baquliha wa-qitha'iha wa-fumiha wa-'adasiha wa-basaliha*." Of this detailed list, two items have Hebrew cognates in the biblical verse cited (*kishu'im* and *betsalim*). *Fum* translates as "grains"; so does *hatsir* of the biblical verse. Both lists have precisely five items. Once more, the reliance on precise, textual knowledge seems too certain to deny.

8 This passage will be analyzed in detail later in the essay.

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Muhammad, then, means to challenge the Jews by citing the prohibition of *gid ha-nasheh* to prove that the Jews established a prohibition for themselves, without receiving it from God through revelation.<sup>9</sup> He grounds his claim on the language of the Bible itself, and confronts the Jews by challenging them to produce the text itself. He is confident that it will support his view. The only response available to the Jews (and of course unrecorded) will be to re-interpret Genesis 32:33 as a divine commandment; if they do so they will have to address the chronological problem posed by Muhammad: the event took place before the Mosaic revelation.<sup>10</sup>

The Qur'anic text continues (Q 3:94): "For one who fabricates lies about God after this, those are the wicked." What does "after this" signify? Arguably, after the biblical proof-text has been produced and examined, anyone who asserts that all biblical prohibitions are from God may be said to fabricate lies about God. Those who do so (i.e., Jews who assert the divine origin of every prohibition) are the "wicked," in opposition to "truth-tellers," the self-description of the Jews in the previous verse.

If this analysis explains the verses correctly, the Qur'an presents an example of Muhammad citing the Bible itself against the Jews. Mu-

9 On polemic as a mode of Qur'anic discourse that may shed light on its compositional history, see John Wansbrough, *Qur'anic Studies: Sources and Methods of Scriptural Interpretation* (Oxford: Oxford University Press, 1977); idem, *The Sectarian Milieu: Content and Composition of Islamic Salvation History* (Oxford: Oxford University Press, 1978). Needless to say, one need not embrace source criticism of the Qur'anic text to interpret passages in polemical terms.

10 Moses Maimonides counts Genesis 32:33 as a divine prohibition in his listing of the commandments, *Sefer ha-Mitsvot*, as do all other traditional Jewish listings. For a polemic response to criticism of the sort I attribute to Muhammad here, see the anonymous fourteenth century *Sefer ha-Hinukh*, commandment 3: "This phrase, 'do not eat,' [Gen 32:33] was not said by way of narrative, as if to say, because this thing happened to the father, the children refrain from eating this vein, but rather it is a prohibition of God, may He be blessed, that they may not eat it."

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hammad challenges the Jews by asserting that their own scripture presents Jacob (Israel) as legislating for himself, on his own authority. The Jews themselves (this occurs offstage, as it were) claim that all biblical prohibition, including Genesis 32:33, is divinely mandated. Muhammad challenges the Jews to produce the Bible and recite: the plain meaning of the verse supports his view. He declares that anyone who lies about God after confronting the explicit biblical text surely is wicked, rather than correct. He has won his polemical point by showing that the Bible itself demonstrates that Israel prohibited something to itself *without divine sanction*.

The verse's chronological account of Jewish practice in light of Mosaic revelation raises, too, the relation of revelation to existing practice. This relation turns out to constitute a central theme in the Qur'an's discussion of legislation. An essential aspect of the Qur'an's self-consciousness, on this view, lies in its awareness of its relation not only to earlier books, but to a society grounded in existing socio-religious practice. The Qur'an does not limit itself to replacement of earlier laws and customs; it supplements, affirms, and varies. The Qur'an does not consider itself unique in thus altering (while recognizing) prior legislation. In the Qur'anic conception, the Bible does the same. This verse alludes to God's extension of Israelite food prohibition. The same phenomenon appears at Q 4:160. There, the wickedness of some Jews results in the prohibition of (good) things that had been permitted them: "*harramna 'alayhim tayyibat uhillat lahum.*"

Further mention of the punitive prohibition of food to the Jews appears at Q 6:146, juxtaposed with a statement of those foods prohibited by the Qur'an. The juxtaposition and the language of prohibition deserve attention. The passage begins (Q 6:145) with a striking formulation of the Qur'anic prohibition: "Say: I do not find prohibited (*muharram*) to an eater to eat thereof in what has been revealed to me except for that which is dead..." Why is the Prophet instructed to adopt this circuitous formulation ("I do not find prohibited ... in what has been revealed to me"), instead of a more direct one such as, "God has not

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prohibited anything except...”? Of the two other Qur’anic passages which contain the list of food prohibitions, one uses the active form *harrama* (Q 2:173); the other uses the passive *hurrimat ‘alaykum* (Q 5:3). The awkward formulation of Q 6:145 seems to depend on the phrase “in what has been revealed to me,” which requires the use of the passive participle.

The phrase “what has been revealed to me” sharply distinguishes the Qur’an from other sources of revelation. In contradistinction to the Jews, who have more prohibitions (described in the following verse), those who follow Muhammad’s revelation are subject only to the prohibitions mentioned here. Note that the formulation used here refers to the existence of an earlier revelation to Muhammad, one which apparently may be perused<sup>11</sup>: “I do not *find* prohibited.” This verse does not constitute, on its face, an independent act of legislation; instead it affirms, for reasons of its own, the prohibitions of 2:173. In so doing, it implies the prior existence of a body of revelation (“what has been revealed to me”), although not necessarily written.

The second half of Q 6:145 states that if someone were compelled to eat the forbidden foods “without desire and not returning” (*ghayra baghin wa-la ‘adin*), then “surely your Lord is forgiving and kind.” This passage echoes Q 2:173, omitting only the assurance “no sin is upon him.” If Q 2:173 is taken as the legislative act, this passage maintains its non-normative character as a reminder or affirmation of existing legal obligations.

We may read some polemic intent into the juxtaposition of this reiteration of the Qur’anic food prohibitions with the more extensive Mosaic ones, especially because the next verse reiterates that the Jews received these further prohibitions as “punishment.” However, beyond the polemic force of the formulation (“what has been revealed *to me*”),

11 The perusal, of course, may proceed by mental, rather than by visual means. However, the phrase “I do not find” raises the possibility of an allusion to a written record of previous revelations that the Prophet can consult if he chooses.

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we can identify a particular attitude towards the existence of earlier legislation: it exists independently of the Qur'an to the extent that it regulated the behavior of a different group of people. The Prophet says nothing, here, about lifting these prohibitions from the Jews. These prohibitions do seem to be binding on the Jews, given their divine source. But regarding these prohibitions, "what has been revealed" to the Prophet apparently remains silent.

In contrast to divine prohibitions applying to the Jews, the *sura* goes on to deny the validity of prohibitions adopted by idolaters. The idolaters defend their practices and polytheism as the will of God (Q 6:148): had He not willed it, they argue, they would not have engaged in idolatry, "nor would we have prohibited anything (*wa-la harramma*)." Here, the term "prohibit" appears to stand in for the system of legislation adopted by the idolaters. The first-person plural verb indicates that the idolaters themselves take responsibility for the legislation, although they claim that they would not have done so had not God willed it.

Intriguingly, the divine response to this clever defense depends in part upon the source of the legislation. God instructs the Prophet to tell the idolaters that they rely on nothing but *dhann*, conjecture or speculation. This implies that their self-legislation does not reflect God's will, but their own imperfect perception of it. God further instructs Muhammad to challenge the idolaters by demanding that they produce witnesses to testify "that God prohibited (*harrama*) this" (Q 6:150). The nature of "this" remains unexplained, but it presumably refers to the "anything" the idolaters spoke of prohibiting. The polemical point pressed against the idolaters is that they cannot show that God prohibited those things they consider prohibited. The polemic ends with an emphatic introduction of those things that God in fact did legislate: the Prophet declares that he will now state "what *your Lord* has prohibited to you (*harrama 'alaykum*)." The ensuing list includes some negative, as well as some positive enactments, suggesting that in this sentence, too, the notion of "prohibition" stands in for a broader notion of legislation.

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Idolaters thus “prohibit” for themselves, without divine sanction, and this demonstrates the unfounded character of their religion. By implication, the existence of divinely sanctioned law shows that the recipients of that law follow God’s will. This has obvious significance for the people of the book. Most interesting, the polemic of Q 6:148-150 against idolaters sheds light on the anti-Jewish polemic of Q 3:93-94, discussed above. It makes it clear that prohibiting without divine sanction constitutes proof of error, or failure to adhere to the divine will. By showing the Jews to have partaken of this error in pre-Mosaic times, Muhammad shows their capability for error, and puts the Jews on a level with the pre-Islamic Arab idolaters.

One subtle difference between the two polemics exists, however. In pursuing his polemic against the idolaters, God instructs the Prophet not to enter into disputation. Once the challenge to produce witnesses of revelation has issued, the Prophet is to desist: “Then if they testify, do not testify with them. And do not follow the desires of those who deny Our *ayat*, and who do not believe in the hereafter, while making others equal to their Lord” (Q 6:150). Because the idolaters deny the fundamental beliefs of Islam, the Prophet may not counter their testimony with testimony of his own.

The polemic against idolaters thus proceeds in an assertory, rather than an argumentative form. Not so the anti-Jewish polemic: God requires Muhammad precisely to “testify” against the Jews by citing their own texts against them and proving the correctness of his view. The difference between the two polemical approaches might reflect the greater number of shared assumptions among early Muslims and Jews (compared to idolaters). It might, alternatively, reflect pragmatic recognition of the fact that Jews possessed experience with argumentative religion, and might be swayed, whereas a different strategy would prove efficacious against idolaters.