

A Critical Examination of the Philosophical Foundations of Oaths in the Holy Qur'an: Implications for Islamic Ethics and Jurisprudence

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ABSTRACT

The current study critically investigates the philosophical foundations of Oaths in the context of Qur'anic principles. It also explores the implications for the Islamic ethics and jurisprudence in the light of the thoughts of Muslims scholars. It aims to critically examine the relevance of oaths in the holy Qur'an with jurisprudence and ethics. Oaths means to establish truthful statements to demonstrate sincerity and honesty. This is considered the significant component of Islam. The study explores the ontological and epistemological foundations of oaths linking it with truth and knowledge. The study also covers the ethical foundations of oaths and it emphasises that oaths focuses on dependability and accountability for the people. The aim of this research is to highlight the Quranic way of addressing which seems totally natural because the similar way of addressing has been remained in human history. The basic question was emerged that if the Quranic way of addressing to its audiences has been logical, so it was the reason to work on this topic. The topic holds a lot of significance because it is related to the moral values like trust, and honesty, thus, it highlights the significance of Islamic teachings.

Keywords: Oath, Qur'an, History, Islamic Law, Civilizations, Jurisprudence, Ethics.

1 Introduction

Oaths are used to bind people to their vows and are seen as a way to ask God to confirm the truth of promises or statements made. It is believed that swearing an oath is a serious transgression that can bring about divine punishment and that doing so is a solemn confirmation of one's sincerity and honesty. Oaths are significant, according to the Holy Qur'an, which emphasises their function in establishing the truth and offering a way to verify assertions in various verses. As an illustration, Allah states in Surah al-Baqarah, verse 224, "And do not make Allah an object of your oaths, lest you enter into evil."ⁱ This passage is interpreted as a caution against swearing in vain or calling upon the name of Allah without justification. Moreover, the Qur'an frequently employs oaths to highlight the veracity of its message. It says, "Therefore I swear by the receding stars - And really, it is an oath - if you could know - [most] magnificent,"ⁱⁱ for example, in Surah al-Waqiah, verses 75-76.

The employment of oaths is thought to highlight the gravity and significance of the information being delivered. The philosophical foundations of oaths in the Holy Qur'an must therefore be thoroughly understood in order to comprehend their wider relevance for Islamic ethics and law. In order to do this, it is necessary to examine

the ontological and epistemological foundations of oaths, as well as how they relate to the truth, knowledge, and the divine. Furthermore, understanding how oaths promote honesty, dependability, and accountability in both personal and communal contexts requires evaluating their ethical ramifications. In the end, a fuller comprehension of the significance of oaths in Islamic thinking can shed light on how to use them to encourage moral conduct and uphold justice and accountability.ⁱⁱⁱ

Oaths are very important in Islamic business operations.^{iv} In Islamic banking, for instance, a contract can only be regarded as legitimate if all parties have sworn to uphold its terms. This is said to be a way to make sure that everyone acts honestly and is obligated to keep their word. Oaths have important ethical repercussions as well. An individual solemnly affirms their dedication to honesty and integrity by taking an oath. This may have significant effects on how people behave in both private and public settings. Oaths can be a potent reminder of how important it is to keep one's word and behave sincerely and honestly in all facets of life. Furthermore, it's critical to understand that the Holy Qur'an's oath-based worldview applies to contexts other than those of Islam. Oaths are a common occurrence that may be found in all major civilizations and traditions. Furthermore, a greater comprehension of the intellectual principles underlying oaths in the Holy Qur'an can shed light on the larger relevance of oaths for human civilization. We can better comprehend the function that oaths serve in human society and the manner in which they might be used to encourage moral behaviour, defend justice, and fortify social ties by investigating the ontological and epistemological foundations of oaths.

Oaths have many real-world applications in Islamic culture and society. The custom of swearing an oath before giving testimony in court is one frequent illustration. A witness must swear under oath in accordance with Islamic law before testifying, which is seen to help ensure the veracity of their claims. Several cultures and legal systems also follow the custom of taking an oath before testifying, demonstrating the universality of this procedure. Oaths are used in contracts and agreements, which is another illustration of how they are used in Islamic culture. For instance, contracts are frequently drafted in Islamic finance so that both parties must swear to uphold the terms of the agreement. This procedure is said to be a way to make sure that everyone acts in good faith and is required to keep their word. The practise of Islam frequently includes taking oaths. The Shahada, which is Islam's statement of faith, is essentially a pledge of devotion to the religion and its tenets.^v Muslims must likewise swear allegiance to their authorities and leaders, which is seen as a means of upholding the principles of justice and order in society.

Oaths in Islamic tradition have a profound spiritual importance in addition to these concrete examples. Muslims are urged to take oaths of honesty and commitment in their private and spiritual lives as a way to improve their religion and develop a closer relationship with God. A formal proclamation of faith and commitment can also be made in place of a pledge to carry out a specific deed of kindness or devotion. Ultimately, these real-world instances demonstrate the significance of oaths in Islamic culture and society, as well as the various ways in which they are applied to encourage moral conduct, enforce justice, and fortify social ties.

2 Literature Review

The scholarly research on the Qur'anic concept of oaths is examined in the subsequent literature study. The Qur'anic discourse makes extensive use of oaths, and scholars have extensively studied the text's organisation and presentation of these concepts. Researchers have debated whether or not the phrase "Lord" is predetermined and concealed in every instance of swearing in the Qur'an. Scholars have also looked at the justifications for Allah's swearing by different things in the Qur'an as well as how these oaths fit into the text's overall discourse. An overview of the main points and viewpoints presented in the literature on this subject will be given in this review.

The purpose of the paper by OLAOFE, Musa Adeyemi, "Oath and its Implications from Islamic Perspective" is to investigate the relevance of swearing in Islam. The author stresses the seriousness of what taking an oath involves and expresses concern about the cavalier attitude that many people have regarding swearing allegiance. The document explains the many kinds of oaths, what must be done if someone breaks an oath, and offers religious advice on how to take a legitimate swear if necessary. The study is well-written overall and offers a thorough analysis of the Islamic idea of swearing an oath. The author did a wonderful job of presenting the information in a logical and coherent manner, demonstrating that they have a solid grasp of the subject. The use of several religious allusions to bolster the author's claims is one of the paper's strong points.

The significance of swearing and the repercussions of breaking an oath are supported by a number of Hadiths and verses from the Quran, respectively. This contributes to provide a more thorough and knowledgeable view on the issue. The paper, however, might benefit from a more critical examination of the topic. The paper lacks depth when it comes to assessing the significance of swearing in modern Islamic law and practise, even though the

author gives a good summary of the concept of swearing in Islam. The author may have included additional instances of the different ways in which swearing is employed and how it has evolved over time. The possibility to investigate the social and cultural facets of the attitudes about swearing in Islamic cultures was also provided by this paper. By doing so, the analysis would have gained depth and served to paint a more complex picture of the issue. The study from OLAOFE, Musa Adeyemi, provides a comprehensive overview of the Islamic concept of swearing as a result. The essay provides a deep overview of the subject and is well written. The paper, however, may have benefited from a more critical examination of the consequences of swearing in modern Islamic law and practise, as well as of the cultural and socioeconomic elements that affect people's views on swearing in Islamic societies.^{vi}

The authors of the article "In the Purview of an Oath from the Jurisprudential Method of Islamic Law of Evidence," M.S. Mohd Ab Malek, M.J. Jeniwaty, M. Sulaiman, and S. Mohd Harun, give a thorough overview of the concept of oath in Islamic jurisprudence and its significance in the Islamic Law of Evidence. The article's authors address the topic from a legal standpoint and heavily cite Islamic legal precedent to back up their claims. They also analyse the significance of an oath in relation to the Islamic Law of Evidence's requirements for evidence. The status of swearing under oath to support information needed to support a court's decision is thoroughly discussed in the article. The paper does not, however, provide any empirical data to back up its assertions. The writers analyse the idea of an oath in Islamic law in great detail, however they do not give examples of how the idea is used in modern legal practise. The essay "In the Purview of an Oath from the Jurisprudential Way of Islamic Law of Evidence" by M.S. Mohd Ab Malek, M.J. Jeniwaty, M. Sulaiman, and S. Mohd Harun offers a valuable review of the notion of an oath in Islamic law and its significance to the Islamic Law of Evidence.^{vii}

The article "Rules and forms of making oath and debt in Islamic Law" by Rejjabbaevich, R. A. provides a comprehensive analysis of the rules and regulations related to oaths and debts in Islamic Law. The author highlights the need of adhering to the Islamic rules of swearing and debt settlement while also providing an overview of the applicable Islamic legal system. The article begins by stating that only adults and sane people are eligible to take an oath in accordance with Islamic law. The following topic is the unique oath, debt, and suretyship regulations under Islamic law. For instance, it is strictly forbidden to swear using a name other than Allah. The essay emphasises the significance of maintaining a pledge made in Allah's name as well as the consequences of breaking it. The author also emphasises the need of providing assistance to people who are in need and the responsibility Muslims have to do so without using usury, fraud, or dishonesty. The paper provides a clear explanation of the Islamic perspective on lending and debt-related practises, which is an important but generally disregarded aspect of Islamic law. Overall, the article considerably expands our understanding of Islamic law, particularly as it relates to vows and debts. The author's writing is clear and concise, and the ideas presented are solidly supported by useful examples and allusions to Islamic law.^{viii}

3 Research Methodology

A qualitative research technique will be used in the study, which will include a thorough analysis of the pertinent Qur'anic passages and a review of the body of literature on the topic. The following research questions will direct the research methodology: What are the philosophical foundations of oaths in the Holy Qur'an? What are the ethical implications of the Qur'anic teachings on oaths? How do these teachings impact Islamic jurisprudence?

The Holy Qur'an serves as the main source of information for this study. The study specifically focuses on the Qur'anic passages that deal with oaths. The researcher examines these verses in-depth and methodically to determine the philosophical underpinnings of oaths in the Holy Qur'an. To give a thorough understanding of the study challenge, the researcher also studies pertinent literature on the subject. A theme analysis method is used to examine the data gathered from the Qur'anic verses and the literature review. Finding patterns and themes in the data and deciphering their significance are tasks of thematic analysis. Data familiarisation, coding, theme building, and data interpretation are some of the stages that make up the analysis process. The research results are presented in narrative form, with passages from the Holy Qur'an and pertinent literature serving as supports. Religious sensitivity and respect are necessary for the study because it involves the interpretation of religious texts. The researcher makes sure that the research is carried out with consideration for the cultural beliefs of the participants. Also, the researcher assures the study participants' privacy and confidentiality. The proposed study seeks to offer a thorough grasp of the intellectual underpinnings of oaths in the Holy Qur'an and its ramifications for Islamic jurisprudence and ethics.

4 Discussion and Anlysis

The research of Qur'anic verses relating to oaths showed that the Holy Qur'an contains numerous intellectual underpinnings of oaths. They emphasise the value of honesty, sincerity, and reliability in interpersonal interactions. The Qur'an advises against breaking oaths and underlines the need of maintaining pledges that have been made. Islam's view of oaths and the idea of accountability to both God and one's fellow humans are intertwined. The investigation also showed that the relationship between oaths and moral conduct is given considerable weight in the Qur'an. The Qur'an underlines that taking an oath is a way to strengthen one's commitment to ethical conduct rather than granting permission to act unethically. This supports the notion that oaths are meaningful commitments with important moral repercussions rather than merely formalities. Oaths have a significant role in Islamic law, particularly in regard to commercial law, the investigation also showed. Oaths are used in Islamic law to establish a contract's legality and to specify the parties' respective rights and obligations. The Qur'an warns against contract or oath violations and stresses the significance of upholding contractual responsibilities.

The survey of the literature showed that there is a substantial body of knowledge on the topic of oaths in Islamic jurisprudence and ethics. The philosophical underpinnings of oaths, however, have received less attention in this research than the legal and procedural components of them. By performing a thorough research of the Qur'anic passages about oaths and its ramifications for Islamic ethics and jurisprudence, this study aims to fill this gap in the literature. Oaths are an important part of Islamic ethics and jurisprudence, according to the literature research and the analysis of Qur'anic passages on the subject. The intellectual underpinnings of oaths in the Holy Qur'an highlight the significance of sincerity, integrity, and moral conduct in interpersonal interactions. In Islamic law, oaths are significant, especially in the context of contract law. The results of this study add to the body of knowledge on Islamic ethics and jurisprudence and lay the groundwork for more study in this field.

Hazrat Ali (R.A) says about the Holy Quran:

"The Qur'an is such a bright torch that its brightness never ends, and it is such a deep and profound ocean that human thought cannot reach its depths".^{ix}

The Holy Qur'an emphasizes the importance of intellect and offers various ways to cultivate it. The Qur'an encourages the development of the intellect and opposes anything that hinders its growth. One of the ways to develop the human intellect is through the oaths of the Holy Qur'an, which are directly related to human thought and intellect. These oaths demand profound and profound contemplation, and the whole universe has been declared within the reach of human thought. Although God does not need any oath, He provides reasons for guidance and human evolution, even in the form of an oath. Swearing has a long history in human life, and it is an international practice. The story of Iblis and Hazrat Adam (AS) highlights the significance of oaths. The Holy Qur'an offers guidance to refine deep thoughts and travel from sensations and phenomena to supernatural and intangible things. He made false oath and by swearing for Hazrat Adam and Eve showed himself as benevolent and sympathetic to them both.^x

Swearing is a common practice in various languages and cultures to emphasize points and refute accusations. However, the Holy Quran has simplified this practice by presenting rational and logical arguments alongside emphasis. This unique approach has fundamentally changed the customary method of swearing, demonstrating the scientific and narrative miracles of the Holy Book. While the Quran does not challenge this method, it is clear that no human being can match the Quran's ability to present arguments and emphasize points with such clarity and effectiveness.

Background of Oath (Qasm) before the advent of Islam

Oaths have a long and ancient history among different nations and peoples. Throughout human history, every city, village, group, and tribe has had their own beliefs and faith, and with them, special things that were deemed sacred and venerable to prove a claim or remove slander. People have always feared the wrath and displeasure of their gods and goddesses, and knew that false oaths would result in punishment and curses by their deities. Therefore, by swearing in truth, they made their gods witnesses to their words.^{xi} It is noteworthy that the original form of oath was the oath of "Allah", but with the passage of time, the practice evolved to include oaths made to other deities and sacred entities. Despite this, it is evident that the oath of "Allah" has remained the most popular form of oath among all nations and religions, including those who practiced idolatry. Other groups, such as the Jews, would swear by their book, the Torah, as well as their revered prophets such as Hazrat Musa (AS), while Christians would swear by the Holy Gospel, Hazrat Maryam (AS), and the concept of the Trinity. Similarly, the people of Hijaz would swear by Laat, Uzza, and other insignificant things.^{xii} In Surah Yusuf, Allah Ta'ala has

described the swearing of the sons of Jacob with the word "Allah" at three places, 5 and this shows that swearing by "Allah" was common in the past. And it has been the norm, and this approach is not specific to the Arabs or any particular nation.

Post-Islamic Revolution in the Style of *Qasm*

After the emergence of Islam in Makkah, there were significant changes in the social, cultural and religious aspects of the people's lives. The revelation of the Holy Qur'an and other sciences and knowledge played a fundamental role in this transformation. One of the areas where Islam brought a significant change was in the practice of "*Qasm*" or swearing. The Holy Qur'an replaced the common practice of swearing by insignificant and worthless things, such as idols, nations, tribes, swords, horses, sky, stars, lovers, fathers, sons and one's own life with more meaningful things such as holy houses, inviting people to think deeply about these matters and understand their precise and complex order. Unlike human oaths that are intended to prove one's claim or remove slander, the oaths in the Holy Qur'an are based on faith and meaning, and require human beings to think and contemplate to understand them. Therefore, the Holy Qur'an presents oaths as a way to invite people to study and think about strange and unfamiliar existences and their realities. This behavior is not limited to Muslims, but rather is part of human nature that requires precise and certain promises and statements to develop an interest in speech and achieve satisfaction.^{xiii}

The Importance of *Qasm* in the Word

The act of taking an oath in speech is a way to add emphasis and prove a point. It is usually taken with things that hold importance and value to the speaker and the listener, in order to make the sworn statement more credible. In the past, people would take oaths with insignificant and worthless things, such as idols, nations, tribes, swords, and horses, among others. The Holy Qur'an, however, introduced a fundamental change in this practice by showing the true value and greatness of God, and swearing by great beings and creations that demonstrate the power and majesty of their Creator. Researchers have noted the importance of oaths in every human society and culture, especially in those that value the law and the restriction of speech.^{xiv} It is typically done with things that hold significant importance and value, and that the listener can also accept.

Taking an oath has legal and constitutional aspects and is used to ensure loyalty to the law and state. Even in courts of law, witnesses may use oaths to emphasize their truthfulness. Ordinary people also use oaths to prove their truthfulness or emphasize a point. The importance of swearing is such that when an orator begins and ends their speech with an oath, the listener realizes that there must be something of great value and importance in the speech. The most solid arguments and evidences are presented in the form of oaths, leaving no room for denial or refutation. All of these are blessings and mercy from Allah, presented to humanity.^{xv} According to some scholars, swearing is a powerful tool that can strongly reinforce a concept or belief in the mind of the listener, as it appeals to their innermost convictions. At the time of the revelation of the Holy Qur'an, people had various attitudes towards this holy book, some were skeptical and hesitant about its teachings, while others denied it due to enmity and obstinacy. Therefore, Allah Almighty used oaths in the Quran to emphasize the significance and validity of its demands, to remove any doubts or uncertainties, and to establish convincing arguments and proofs for these demands. Through numerous and successive oaths, the Quran reinforces the message and encourages the listener to believe in the truth of its teachings.^{xvi}

Philosophy and Benefits of Oaths in the Holy Qur'an

While the use of oaths is primarily for emphasis in the Holy Qur'an, they are also used to prove and establish the validity of these fundamental beliefs.^{xvii} The philosophy behind the Qur'anic oaths, as explained by Muhammad Jawad Mughnia, is that the Almighty has sworn by everything that exists with the aim of highlighting that everything in the universe is indicative of the oneness of Allah in its existence, and that He has no partner.

The theory of the hiddenness of the word 'Lord' and its answer

When the Qur'an swears by the creations of Allah, it implicitly affirms His Lordship over them and emphasizes their subservience to His will.^{xviii} However, this belief that the word "Lord" is predestined in all cases of swearing in the Holy Qur'an is not entirely accurate, as it neglects the fact that Allah has taken oaths from various beings in order to draw people's attention to His universal and self-evident verses and the signs of His power in the earth and the sky. It is not accurate to assume that the word "Lord" is hidden in every oath. Secondly, even if the word "Lord" is considered to be predestined in every case of swearing, it does not necessarily mean that it is the

only purpose of taking oaths. The oaths are also taken to draw people's attention to the signs of Allah's power in the universe and to encourage them to contemplate on these signs. Thirdly, swearing by other than Allah is not prohibited in all cases. In fact, the Qur'an has taken oaths by various beings and objects, such as the pen and the fig. Therefore, it is not accurate to assume that Allah cannot swear by anything other than Himself. However, it is important to note that the object of the oath should be great and valuable, and there is nothing greater than Allah.

"Fakhr Razi" holds the belief that the *surabs* of the Qur'an which contain "*Qasm*" were not revealed at the beginning of the revelation of the Holy Qur'an, but after establishing strong and firm arguments on various demands. These vows are very clearly defined with specific rhymes and weights.^{xx}

The oaths in the Quran serve multiple purposes. One reason for swearing by various entities is to address the misconceptions and ignorance of people regarding those entities. Some people used to deny the existence and benefits of these entities, while others elevated them to the level of divinity and worship. By swearing by these beings, Allah reminds people that these entities are His creations and that each of them has a designated place and purpose. The oaths also serve as a means to draw people's attention to the precise order and creation of the universe and encourage them to reflect on the signs of God's power and wisdom. Denying reality does not harm the reality itself, but rather, it harms the person who is in darkness and ignorance.

Some Other Benefits of Oaths of the Holy Qur'an

Scholars have also described some other benefits of Quranic oaths, which we summarize below:

1. "Oath" has been eaten to make people pay attention to the maximum benefit of these existences, which man should ponder over these existences and the strong and amazing arguments that exist in these existences on the oneness of God Almighty. There are, by gaining access to them, learn from them, and know that God Almighty has created these beings.^{xx}
2. The oaths of the Qur'an have been taken to invalidate the superstitious thoughts and ignorant beliefs of those people, who had and still have relations with these certain entities, such as: stars being worthy of worship and their being effective in human destiny and destiny. The belief of, or the belief that the angels are daughters of God, or the belief that certain times of the day are dull, etc.
3. Self-proclaimed oaths as well as those things for which an oath has been taken to prove, i.e. keeping the truth of both the answer to the oath, because some people used to deny these things, and some looked at them with doubt and hesitation, and Some people used to imagine illusions and ideas, such as: the existence of angels, the belief of being surrounded and the coming of the Day of Resurrection, and the Holy Qur'an being a divine revelation, etc. Many oaths have been taken for the sake of satisfaction.
4. Qur'anic oaths have two types of characteristics and two aspects have been considered in them, one is intended to draw people's attention to the oaths themselves, and on the other hand, the purpose is to emphasize and prove the answer to the oath, while in human oaths The aim is only to emphasize and prove the answer to the oath, and the attention of both the swearer and the addressee is focused only on the answer to the oath.
5. In the Qur'anic oaths, one of the purposes of swearing by these oaths is to describe the greatness of these oaths, such as: *Mujabideen* swearing by the horses of Islam, or the times of Hajj, so that people swear by these things. And create interest towards worship etc.
6. Sometimes the aim and purpose of swearing is to intimidate and intimidate the addressees and listeners, and sometimes these oaths are intended to be close and dignified to their Creator, and sometimes the addressee in this case, in which He has doubts and doubts, oaths are taken to give certainty and satisfaction. ^{xxi}

Distinctive Aspects and Features of Qur'anic Types

There are significant differences between the oaths made by humans and those made in the Quran. The oaths in the Quran possess unique and distinct characteristics that are not found in human oaths. Some of these characteristics are explained below:

Firstly, in human oaths, the value and respect of the oath is limited to the individual swearer. However, in the Quranic oaths, the value and respect of the oath is universal and applicable to all. This is because the Quranic oaths are sworn by entities that are masterpieces of God's creation, and are therefore dear and valuable to all. Secondly, there is no correlation between the oath and the answer to the oath in human oaths. In contrast, there is a clear and obvious connection between the oath and its response in the Quranic oaths. This is due to the fact that the Quranic oaths are mixed up and indicated through analogy and stress, and this analogy serves to prove the oath's answer. Lastly, although human vows are not always genuine or valuable, they are nonetheless deemed honourable to take since the maker of the oath values it. The pledges taken in the Quran, however, are all authentic, genuinely

valuable, and adored by all. These beings, which are masterpieces of God's creation, are necessary for people to live. They serve as evidence for the presence of an all-powerful creator who designed nature and the universe in a precise and flawless manner. In conclusion, the distinctions between human and Quranic vows serve to emphasise the superiority and distinction of the Quranic species. The Quranic vows serve as a reminder of the beauty and worth of God's creation in addition to highlighting the truth.^{xxiii}

5 Conclusion

Oaths are seen in the Islamic religion as a solemn commitment to justice and truth, according to the thematic analysis of Qur'anic passages on the subject. According to the study, the concept of oaths in the Holy Qur'an is intimately related to the values of responsibility, dependability, and honesty. Oaths of allegiance, testimony, and repentance are only a few of the different kinds of oaths described in the Qur'an, which were also recognised in the study. The study also emphasised the significance of keeping one's word while taking an oath in Islam and the repercussions of violating one. The Qur'an makes a point of stating that breaking an oath is a grave crime that calls for atonement. According to the study, violating an oath has repercussions for society as a whole as well as the person in Islamic ethics and jurisprudence. The results of this study have important ramifications for Islamic jurisprudence and ethics. The study emphasises the significance of oaths in maintaining justice and truth in Islamic society. It underlines the importance of people keeping their promises and keeping their word. The research has ramifications for Islamic legal systems as well, which might gain from a better comprehension of the philosophical underpinnings of oaths in the Holy Qur'an. The intellectual underpinnings of oaths in the Holy Qur'an and its ramifications for Islamic ethics and law are fully understood in this work, which concludes. The study underlines the significance of oaths in protecting truth and justice in Islamic society and the significance of people keeping their promises.

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