

Distinguishment of Ushul Fiqh and Ushul Tafsir Method and Its Implementation

Djamalullail Djamalullail
Universitas PTIQ Jakarta
E-mail: jamalistiqlal@gmail.com

Abstract

This research aims to explore the distinctions between the methods of ushul fiqh and ushul tafsir as well as their implementation. The study adopts a literature-based or library research approach with a qualitative, descriptive-analytical framework. One of the hallmarks of Islamic shari'ah is that its rulings whether global or detailed, about worship or social transactions are guided by specific rules. These rules help consolidate scattered concepts and diversify singular meanings, allowing a return to the original understanding and avoiding potential misinterpretations. The methods of ushul fiqh and ushul tafsir are frameworks that guide individuals in determining Islamic law and interpreting the Qur'an. They originated from the practices of the Prophet Muhammad's companions, who addressed contemporary issues and set precedents still referenced today. Although initially unwritten, these methods became integral among Islamic scholars. Misinterpretations often arise when one lacks an understanding of these frameworks. The ushul fiqh method generalizes legal principles through concise yet complete propositions, while the ushul tafsir method provides overarching rules to uncover the essence of Qur'anic meanings and their applications. Together, these methods ensure a coherent approach to Islamic legal and interpretative practices.

Keywords: Ushul Fiqh; Ushul Tafsir; Islamic Law; Qur'anic Interpretation.

Abstrak

Penelitian ini bertujuan untuk mengeksplorasi perbedaan antara metode ushul fiqh dan ushul tafsir serta implementasinya. Studi ini menggunakan pendekatan berbasis literatur atau penelitian pustaka dengan kerangka kerja kualitatif dan deskriptif-analitis. Salah satu ciri khas syariat Islam adalah bahwa semua aturannya baik yang bersifat global maupun rinci, terkait ibadah atau muamalah diatur oleh aturan-aturan tertentu. Aturan-aturan ini membantu menyatukan konsep-konsep yang tersebar dan memperluas makna tunggal, sehingga memungkinkan untuk kembali pada pemahaman awal dan menghindari kesalahpahaman. Metode ushul fiqh dan ushul tafsir merupakan kerangka kerja yang membimbing individu dalam menentukan hukum Islam dan menafsirkan Al-Qur'an. Metode ini berasal dari praktik para sahabat Nabi Muhammad dalam menghadapi berbagai masalah dan menetapkan preseden yang masih dirujuk hingga saat ini. Meskipun awalnya tidak ditulis, metode-metode ini menjadi bagian penting di kalangan ulama Islam. Kesalahpahaman sering terjadi ketika seseorang tidak memahami kerangka kerja ini. Metode ushul fiqh merumuskan prinsip-prinsip hukum melalui proposisi yang ringkas namun lengkap, sedangkan metode ushul tafsir menyediakan aturan umum untuk mengungkap inti makna Al-Qur'an dan aplikasinya. Keduanya memastikan pendekatan yang koheren dalam praktik hukum dan interpretasi Islam.

Kata kunci: Ushul Fiqh; Ushul Tafsir; Hukum Islam; Penafsiran Al-Qur'an.

Introduction

The Quran is the word of Allah revealed to the Prophet Muhammad SAW through the intermediary Jibril and reading

it is an act of worship with multiple rewards for each letter, Allah has made the Qur'an a

guide for all mankind to be safe in the world and the hereafter.¹

The method of interpretation was originally not a separate scientific discourse but was integrated with the science of interpretation and 'Ulumul Qur'an.² After its development, it then became a separate discipline. The methods of interpretation themselves are very diverse. There are basic methods and main methods related to various sciences that are consistent with the interpretation of the Quran. Understanding the methods of interpretation will avoid confusion and errors in interpreting verses and make it easier for interpreters to understand Allah's intentions in the Quran.

Essentially, each discipline has its own set of rules. For example, the science of Arabic includes nahwu sharaf, while fiqh encompasses fiqhiyah rules. Similarly, hadith has its specialized science, and interpretation also has its own rules, specifically the rules of interpretation.³ Kaidah Tafsir consists of two words, namely the rules and tafsir. The word "rule" comes from Arabic, qa'idah قاعدة/, which etymologically means al-ashl (origin) and al-asas (basis), that is, something that is the basis for something else, or in other terms, something on which something else is built. If it is likened to a building, then qa'idah is like the foundation of a building. Thus, the strength and stability of a building will be determined by the foundation. Whatever is used as a foundation for something else is the meaning of "rule" in its etymological meaning.⁴

In terms of terminology, there are many definitions among experts. Among other things, qâ'idah is a general law by which specific laws can be known. Although it is a general law, it does not mean that there are no exceptions, because every general law always has exceptions. This means that if there is a general rule then there is something excluded from that rule, it does not mean that it eliminates its generality. The determination of the Kulliyah rule is also based on in-depth research and observation, which draws on the origins of the Arabic language itself, rather than mere logic.⁵ As this also happens in some disciplines, such as ushuliyah rules, language rules, fiqhiyah rules, and others. While the word "tafsir" etymologically means al-kasyf (disclosure) and albayân (explanation).

According to Ibn Faris, the word consisting of the letters fa', sin, and ra', means to explain and explain something. As in the expression, interpreting a word means that he explains and clarifies its meaning. Or in other terms, interpretation is bringing something out from where it is hidden to where it is clear and visible.⁶ If it is said, "he tries to interpret the speech of his parents," it means that he tries to bring out the hidden meaning behind the speech so that it can be understood correctly. Meanwhile, tafsir from the terminological point of view, which is widely followed by scholars, is the science that discusses the ins and outs of the Qur'an in terms of its dalalah (what Allah wants from His verses according to human abilities). Seeing this

¹ Abdullah Syaifei, Nanat Fatah Natsir, and Mohamad Jaenudin, "Pengaruh Khatam Al-Qur'an Dan Bimbingan Guru Terhadap Kemampuan Membaca Al-Qur'an Di Mts Nurul Ihsan Cibinong Bogor," *Jurnal Dirosah Islamiyah* 2, no. 2 (2020): 130-49, <https://doi.org/10.47467/jdi.v2i2.116>.

² Haryono, "Kaidah-Kaidah Tafsir Dan Aplikasinya Dalam Penafsiran Ayat," *Al-Tadabbur: Jurnal Ilmu Al-Qur'an Dan Tafsir* 7, no. 1 (2022): 195-216, <https://doi.org/10.30868/at.v6i02.1595>.

³ Arini Nabila Azzahra, "METODE PEMAHAMAN HADIS: Telaah Atas Pemikiran Hadis K.H. Aceng Zakaria Dalam Kitab Al-Hidāyah Fī Masā'il Fiqhiyyah Muta'aridāh," *DIRAYAH: Jurnal Ilmu Hadis* 3 (2022): 1.

⁴ Ahmad Husnul Hakim IMZI, *Kaidah Tafsir Berbasis Terapan*, 1st ed. (Depok: Yayasan Elsiq Tabrok Ar Rahman, 2020).

⁵ Husnul Hakim IMZI.

⁶ Husnul Hakim IMZI.

definition, the term "interpreting" is a scientific work that must be supported by scientific disciplines. However, it must also be emphasized that an interpretation is relative (ṣaḥīḥ), not absolute and axiomatic (ḥaqq). This means that there is no final and absolute interpretation, because absolute truth belongs to Allah alone.

From this explanation, it can be understood that the rules of interpretation are general laws that can lead the interpreter to what Allah wants through His verses and know how to understand them correctly in their relative meaning or close to what Allah wants.⁷ According to 'Ali Iyazi, the rules of interpretation are something that is needed by a mufasssir. In English, the word "rule" is more accurately interpreted as principles, in contrast to the method, which means the way (al-ṭarîqah), in Indonesian commonly known as "approach". Therefore, Iyazi distinguishes between qâ'idah and manhaj. According to Iyazi, manhaj is the path taken by a mufasssir.⁸

Research Results and Discussion

The methods of fiqh are the translation of the Arabic al-qawaid al-fiqhiyah.⁹ Al-qawaid is a plural form (plural) of the word al-qaidah which linguistically means the

basis, rules or general standards. This definition is in line with Al-Ashfihani who says that qaidah linguistically means foundation or basis. The word alqawaid in the Qur'an found in Surah Al-Baqarah verse 127 and Surah an-Nahl verse 26 also means pole, base or foundation, which supports a building.¹⁰ While the word al-fiqhiyah comes from the word al-fiqh which means understanding or deep understanding which is affixed with an-nisbah to indicate classification or categorization.¹¹ Thus, linguistically, the methods of fiqh are the basics, rules or benchmarks that are general in nature regarding the types or issues that fall into the category of fiqh.¹²

In terms of meaning (the term of ushul al-fiqh scholars) fiqh rules are formulated with different redactions. As a sample, some formulations of Islamic jurists are presented, as follows: According to as-Subki, the rules of fiqh are a general legal matter in accordance with the laws of many branches.¹³ According to at-Taftazani, the rule is a general law that covers all its parts where the juz'i law is part of the law of the kulli.¹⁴ An-Nadwi quoted at-Tahanawi as saying that a rule is something general that covers all its parts, when the law of the previous parts is known.¹⁵ According to az-Zarqa, the rules of fiqh are the

⁷ Muhammad Agus Yusron, "Kaidah Yang Diperlukan Mufasssir," *Taffakur: Jurnal Ilmu Al-Qur'an Dan Tafsir* 2, no. 1 (2021): 63–86, <https://ejurnal.stiqarrahman.ac.id/index.php/tafakkur/article/view/52>.

⁸ Ahmad Solihin, "METODE TARJIH IBNU JARIR ATH-THABARI DALAM TAFSIR JAMI' AL-BAYAN 'AN TA'WIL AYI AL-QUR'AN," *MUMTAZ Jurnal Studi Al-Qur'an Dan Keislaman* 8, no. 02 (2024): 338–56.

⁹ David Sugianto and Salma, "Pendekatan Maqâshid Al- Syari'Ah Dalam Pemikiran Ali Jum'Ah," *Jurnal Al-Ahkam XXI*, no. 1 (2020): 122.

¹⁰ Alfi Nur Khoiriyah, "Tinjauan Qawaid Fiqhiyah Muamalah Terhadap Transaksi Dropship," *Jurnal Ilmiah Ekonomi Islam* 9, no. 3 (2023): 4656, <https://doi.org/10.29040/jiei.v9i3.10657>.

¹¹ Tika Mutiani and Muhamad Burhanuddin, "Kaidah Fiqh Dalam Fatwa Ekonomi Dsn-Mui," *Jurnal Ilmiah Ekonomi Islam* 9, no. 1 (2023):

773–79, <https://www.jurnal.stie-aas.ac.id/index.php/jei/article/view/7817>.

¹² R F Kartika and U Alfarisi, *Manfaat Qawaid Fiqhiyyah*, Penerbit Tahta Media, 2023, <http://tahtamedia.co.id/index.php/issj/article/view/561>.

¹³ Kartika and Alfarisi.

¹⁴ Hudzaifah Achmad Qotadah, Jaih Mubarak, and Adang Darmawan, "The Nature and Application of Fiqh Rules of Tafriq Al-Halal 'An Al-Haram (Idza Ijtama' Al-Halal Wa Al-Haram Ghuliba Al-Haram)," *Khuluqiyah Jurnal Kajian Hukum Dan Studi Islam* 05, no. 2 (2023): 91–100.

¹⁵ S Yudi, A Asmuni, and A Tuti, "Kaidah Kebahasaan Terkait Praktik Ekonomi Islam," *Jurnal Landraad* 1 (2022): 77–100, <https://jurnal.islahiyah.ac.id/index.php/jl/article/view/24%0Ahttps://jurnal.islahiyah.ac.id/index.php/jl/article/download/24/24>.

fundamentals of fiqh that are general in nature, in the form of concise legislative texts, covering the general laws of shara on events that fall under its theme.¹⁶

Thus it can be understood that the nature of the rules of fiqh is general, which is formulated from fiqh that is particular.¹⁷ So the rules of fiqh are a generalization of the laws of fiqh that are particular.¹⁸ However, usually, everything that is kulli, including these fiqh rules, is found exceptions, specializations, explanations and details. This is because there are possibilities of particulars or branch rulings that cannot be included in the principle, based on certain specifications or particularities.

A simple proposition of fiqh rules is that it means: The right to get results is caused by the obligation to bear losses. It should be noted that there is a difference between fiqh rules and ushul rules (al-qawa'id al-ushuliyyah). The fiqh method is a generalization of fiqh that can be used as a reference by scholars in determining the laws of fiqh covered by the method.¹⁹ Whereas ushul methods are general rules that are relied upon in determining fiqh rulings that are oriented towards the linguistic aspects of the Qur'an and Sunnah, which is why they are also called istinbathiyah methods and lughawiyah methods. In short, fiqh rules are generalizations of fiqh laws that have been formulated in the form of propositions. Whereas ushul rules are generalizations of

the forms and meanings of passages in the Quran and Sunnah whether they are formulated in propositions or not.

The importance of fiqh rules based on their material can be classified into two types: First, the laws of worship, such as prayer, fasting, zakat, hajj and others. Such laws are intended to realize and implement a servant's deep awareness of the main purpose of his life, which is to serve Him. Second, the laws of muamalah (laws relating to society in a broad sense), such as transactions, actions, legal sanctions for crimes and so on, apart from the issue of mahdhah worship. Today, the laws of muamalah have developed rapidly and taken the form of various disciplines that contain various legal issues, as seen in contemporary ushul al-fiqh books, when discussing the issue of legal division.²⁰ Thus, the area of discussion and issues of Islamic law is very broad, so that to memorize them one by one or to determine the law of each is not easy for people who study Islamic law, even experts. Therefore, an alternative solution is to formulate fiqh principles which are generalizations of these fiqh issues, and each generalization can accommodate similar issues. By adhering to these fiqh methods, Islamic jurists will find it easier to derive the law of a problem by projecting the problems to be determined by the fiqh methods that accommodate them.

In connection with this, Muhammad Hamzah quoted by A. Rahman argues that:

¹⁶ Qotadah, Mubarak, and Darmawan, "The Nature and Application of Fiqh Rules of Tafriq Al-Halal 'An Al-Haram (Idza Ijtama' Al-Halal Wa Al-Haram Ghuliba Al-Haram)."

¹⁷ Naeli Mutmainah Hisam Ahyani, "KONSTRUKSI EPISTEMOLOGI ISLAM (STUDI KOMPARATIF KONSEP MUSHAWWIBAH DAN Jurnal MEDIASAS: Media Ilmu Syari ' Ah," *Islam Terpadu* 4, no. 02 (2021): 11-30.

¹⁸ Khanza Jasmine, "REFORMULASI FIKIH MUAMALAH TERHADAP PRAKTIK

BARTER(Melihat Fenomena Sistem Barter Exposure Pada Sosial Media)," *Iqtishaduna: Jurnal Ilmiah Mahasiswa Jurusan Hukum Ekonomi Syariah* 6 (2024): 86-104.

¹⁹ Mutiani and Burhanuddin, "Kaidah Fiqh Dalam Fatwa Ekonomi Dsn-Mui."

²⁰ Muhammad Aziz, "SIGNIFIKANSI PERANGKAT IJTIHAD DALAM KAJIAN UŞHÛL Fiqh," *AL HIKMAH Jurnal Studi Keislaman* 11, no. September (2021).

"The problems of fiqh can only be understood easily through the rules of fiqh. Therefore, memorizing and understanding these rules is very useful ". In line with Muhammad Hamzah's statement, al-Qarafi argued that: these rules of fiqh are very urgent and useful, mastering them makes the jurist noble and prestigious.²¹ Whoever determines branch rulings whose particulars correspond, without using the rules of kulliyah, then the branch rulings will contradict each other and differ, even become chaotic. Furthermore, without the use of the rules of fiqh, one would need to memorize a large number of branch rulings, which would consume energy.

Thus, anyone who understands the rules of fiqh, then he does not need to memorize the laws of branches that are very much, because the laws of the branches have been included in the kulliyah method or the general principle. In connection with that, Muhammad Hamzah in his book *al-Fawa'id al-Bahiyah* quoted by Asymuni A. Rahman also said that fiqh issues can be bound by rules, which is why understanding these rules is very urgent. This view is in line with a proposition that has been formulated by Islamic jurists which reads: "Whoever maintains or understands the ushul will reach the target, and whoever maintains (understands) the rules will reach the desired goals." In addition, the urgency or importance of fiqh methods is also widely expressed by famous Islamic jurists, such as the views expressed by Imam Jalaluddin Abdurrahman As-Suyuthi in his book *al-Asybah wa an-Nazha'ir*, saying: Indeed,

the methods of fiqh are great knowledge, with which can be known the nature of fiqh, where it is obtained, where it is taken and its secrets. With this knowledge, people will be more prominent in their understanding and appreciation of fiqh and be able to relate, issue rulings and know the rulings of unwritten issues, and the rulings of cases and events that will not run out throughout the ages.²² For this reason, some of our scholars say that fiqh is knowing the similarities. The methods of fiqh have a significant function and a very urgent role in the maintenance and development of Islamic law.

The function and role of fiqh methods for the thinkers of Islamic law can be summarized as follows: First, the fiqh method can be used as a reference for experts or law enthusiasts in order to facilitate them to solve the fiqh problems they face, by categorizing similar problems within the scope of one method.²³ Secondly, as a medium or tool to interpret the texts in order to determine the law, especially those that fall into the category of laws that are not explicitly explained in the Qur'an or Sunnah, because the evidence is still *zanni*.²⁴ Third, fiqh is actually a knowledge or competence to be able to make similarities between a problem and similar problems.

Jalaluddin Abdurrahman as-Suyuthi says that his view is based on the words of "Umar ibn al-Khattab when he sent a letter to Abi Musa al-Ash'ari "As for the aftermath: Verily, the decree is an obligation that is confirmed and a sunnah that is followed, so understand when the decree approaches you. There is no benefit in saying the right

²¹ Dede Abdurrohman, Rachmat Syafe, and Mustofa, "Dual Banking System Perspektif Kaidah Fiqih Maa Haruma Akhduhu Haruma 'Ithauhu," *Ecobankers: Journal of Economy and Banking* 2, no. 1 (2021): 22-29.

²² Jahada Mangka, Andi Muh. Taqiyuddin BN, and Muh. Isra Syarif, "IMPLEMENTASI KAIDAH 'LĀ MASĀGA LĪ AL-IJTIHĀD FĪ MAURID AL-NAṢ'DALAM FIKIH ISLAM," *BUSTANUL*

FUQAHA: JURNAL BIDANG HUKUM ISLAM 3, no. 1 (2022): 81-99.

²³ Mangka, Muh. Taqiyuddin BN, and Syarif.

²⁴ Ubaidillah, "Ijtihad Imam Asy-Syafi'i (Analisis Kritis Terhadap Qaul Qadim Dan Qaul Jadid)," *MOMENTUM Jurnal Sosial Dan Keagamaan* 10, no. 1 (2021): 1-28.

thing that is not implemented. It does not prevent you from making a decision that you have decided to withdraw, and you have been guided by your intelligence to return to the truth.²⁵ Verily, the truth is something that comes before, and returning to the truth is better than continuing in falsehood. Understand what is engraved in your heart, what you find in the Book and the Sunnah. Recognize the issues that are similar and the same, then compare all affairs to something that is the same in your view, then hold on to what is more favorable to Allah and more similar to the truth in your view." Regarding the urgency of these fiqh rules, Washil and Azzam in the muqaddimah of their book entitled *al-Madkhal fi al-Qawa'id al-Fiqhiyah wa atsaruha fi al-ahkam ash-shariyah*, revealed: The methods of fiqh are instruments that help a fiqh scholar to understand the particular issues, similar and similar issues in all the subjects of fiqh.

These methods are many and varied. Hence, a fiqh jurist cannot comprehend all the contents of an Islamic book unless he learns the principles of fiqh. The higher the level of a fiqh jurist's mastery of these rules of fiqh, the higher his level of ability and the higher his rank will be, thus opening the way for him to the procedure for issuing a fatwa.²⁶ Thus, these fiqh rules are still urgent to be used as guidelines in resolving contemporary Islamic law, even though some of them are not agreed upon by the scholars. Said Aqil Hussein Al-Munawwar pointed out that among the fiqh methods, some are agreed upon by scholars about their validity in deriving the law, and some are still in dispute. The part that is agreed upon as hujjah, if the source is the Bible, Sunnah or if the method has a basis from the Bible and Sunnah. Judging by such fiqh

rules means following or judging by their basis.

Islamic jurists have conducted various studies on the principles contained in the texts of the Quran and Sunnah, in addition to researching the laws of *furu'*. As a result of this research, the scholars formulated the rules of fiqh, which are general rules that are relevant to similar areas. In formulating the rules of fiqh, they of course use a certain method, which we call the method of forming fiqh rules. The method referred to in this context is the means taken by the fiqh scholars in the formulation of fiqh methods until a general guideline is formed in the form of propositions, which from the aspect of Arabic grammar reflects the number of *mufidah* and from the aspect of meaning contains the generalization of fiqh laws. If we analyze based on the logic of reasoning that is generally followed, in the formulation of fiqh methods Islamic jurists generally use inductive reasoning methods. Induction is meant to be a method of reasoning or thinking that starts from specific statements to determine general laws or methods. Or in another expression, induction is a method of drawing conclusions based on special circumstances to be treated in general. In the context of this method of forming fiqh rules, *ushul fiqh* experts examine the verses of the Quran and the Sunnah of the Apostle in order to explore the values and norms contained therein and then formulate a fiqh rule in the form of a perfect proposition, although sometimes simple.²⁷

Not only that, they also conduct research on the laws and problems of fiqh, then formulate a fiqh method. Many products of the method have been produced by the scholars of *ushul al-fiqh* by

²⁵ Mokhtar Ahmad A'toa' and Mohd Noor Mardiana, "Zikir Dan Tafakkur Asas Psikoterapi Islam," *Jurnal Pengajian Islam* 14, no. 1 (2021): 204–17.

²⁶ Kartika and Alfarisi, *Manfaat Qawaid Fiqhiyyah*.

²⁷ Kartika and Alfarisi.

using the method of formulation and formation above. For example, the rule: al-Umur bi Maqasidiha, which is extracted from (1) the verse of the Qur'an Surah Al-Bayannah: 5, which means : "They were not told except that they should worship Allah by purifying their obedience to Him in religion with straightness...." (2) the Qur'anic verse Surah Ali "Imran : 145, which means: Whoever desires the reward of the Hereafter, we will give it to him. And we will reward those who are grateful.(3) Prophetic hadith: The deeds are only with intention. Each person gets only what he intends. Therefore, whoever's hijrah is to Allah and His Messenger, his hijrah is to Allah and His Messenger. (4) There is another hadith: The intention of a believer is better than his deeds (which are empty of intention). And other proofs that can be summarized to form the above rule. Similarly, the rules: al-yaqin la yuzal bi ash-Syakk, al-Masyaqqah Tajlib al-Taisir, adh-Dhararu yuzalu, and the rule of al-adah muhakkamah, which was formed based on the arguments of the Qur'an and Sunnah. As for other than these main methods, they were developed by the scholars as general conclusions from inductive research into the rulings of fiqh, and it is a matter of dispute among the fuqaha' to use them as proof in ruling. Some scholars do not recognize it, and even consider it an invalid method. Others, such as al-Qarafi, regarded the fiqh rulings obtained through such research as a reference or medium in ruling.²⁸

Three reasons for the importance of the history of the development of fiqh methods: Firstly, we can learn about the scholars' efforts in creating knowledge about the methods of fiqh as a general guideline that

can be used as a reference in solving fiqh problems. Secondly, the seriousness of the scholars can be used as an itibar or valuable lesson so as to encourage us to continue to be creative, continue their hard work, by maintaining and developing the methods of fiqh in order to maintain the existence of Islamic law, especially in the face of social change. Thirdly, the fiqh methods that have historically been formulated by scholars in the past can be directly utilized in dealing with contemporary Islamic legal issues, without having to waste any more energy.²⁹

In the period of the Apostle and the Companions, the highest authority in making decisions on Islamic law was the Prophet himself. All legal issues that arose in society were resolved directly by the Prophet through the guidance of revelation, as contained in the Qur'an and the Sunnah of the Prophet. In this period there was no specialization of certain sciences, including fiqh and ushul fiqh, there were no theories and rules of fiqh in its practical form as we can see in the books today. Whenever a legal issue arose in the community, the Prophet directly resolved it or the companions directly asked the Prophet, not resolved by guiding certain rules. These general principles can be used as a framework for thinking in solving a legal problem.³⁰

The principles of Islamic legal development, namely:

Adam al-haraj Namely the principle of eliminating pettiness and not burdensome. This principle is very much in line with human nature which dislikes burdens, especially heavy burdens. Many proofs explain the existence of this principle. Allah

²⁸ Kartika and Alfarisi.

²⁹ Abdul Manan Ismail et al., "Fiqh Awlawiyyāt Dalam Fatwa Berkaitan Covid-19: Analisis Fatwa Terpilih," *Al-Qanatir: International Journal of Islamic Studies* 23, no. 1 (2021): 1-21, <https://al-qanatir.com/aq/article/view/303>.

³⁰ Galih Orlando, "Efektivitas Hukum Dan Fungsi Hukum Di Indonesia," *Jurnal Pendidikan Agama Dan Sains* 6 (2022): 50-58, <https://www.ejurnal.stita.ac.id/index.php/TBQ/article/download/77/70>.

says: Allah does not burden anyone, but as much as he can (al-Baqarah: 286). Allah says: Allah wants relief for you and does not want hardship (al-Baqarah: 185). Allah's words: Allah does not wish to make anything a hardship for you. Furthermore, the Prophet said: Religion is easy. The Apostle said: Make it easy and do not make it difficult. Such is the importance of this principle in the formulation of a law that the Prophet said: Do not cause harm and do not cause harm in return. To that extent, even what is forbidden is permissible if there is an emergency, as the rule: the evil permits things that are forbidden.

Taqil at-Takalif is a continuation of the above principle of minimizing burdens. Allah forbids Muslims from asking questions about rulings that do not yet exist, which will result in burdening themselves. Allah says: O you who believe: Do not ask questions about things which, if explained to you, will cause you trouble, but if you ask them at the time when the verses of the Qur'an are revealed, they will be explained to you; Allah forgives you and Allah is Forgiving, Merciful. This verse means that Islam teaches its followers to try to be realistic. In the event that something is not clearly explained the rules, then it is sufficient to be guided by verses that are general and do not give much burden that makes it difficult for humans, both individually and socially. This is because Allah wants ease and leniency, not burdensome things. This is reinforced by the words of Allah: Allah wants relief for you and does not want hardship (al-Baqarah: 185) and the words of Allah: Allah wants to ease your burden, for man was created weak (Ali Imran: 28).

At-Tadrij fi at-Tasyri is that Islamic law is enacted in stages.³¹ In reality, every human being in society has traditions or customs, both good traditions and traditions that are not good, even harmful. They are obviously used to practicing their traditions, so it is very difficult to make a change from one old tradition to another new tradition. Ibn Khaldun once said: A society will oppose something new or something that comes later in its life, especially if the new thing is contrary to the existing tradition. There are several cases of laws that the Prophet exemplified to us that were established gradually, such as: the invitation to God Almighty; the rules of prayer, zakat, fasting, hajj, the prohibition of usury and the prohibition of alcohol, all of which were established gradually.

Musayarah bi mashalih an-nas means that the determination of a law must be in line with human interests, both individual and social.³² In other words, the determination of the law never leaves the elements of society as a consideration. As an elaboration of this principle, there are at least three criteria for determining the law:

First, the law that is stipulated is really for the benefit of humans and they really need the rule of law, in order to realize benefit and welfare. Second, the law is determined by the authorities or has authority, so that it can bind the community. The fiqh rule states "Hukm al-hakim ilzam wa yarfa" alkhilaf". The decisions and rules of the ruler are binding and eliminate differences of opinion.

Thirdly, the law is enacted according to need. Such principles have been outlined and practiced by ash-Shari" (Allah and the

³¹ Mohammad Afandi, "KANUNISASI HUKUM ISLAM DI INDONESIA (Perspektif Usul Al-Fiqh)," *Al-Mazaahib: Jurnal Perbandingan Hukum* 1, no. 1 (2022): 1-17, <https://doi.org/10.14421/al-mazaahib.v1i1.1343>.

³² Husnun Nahdhiyyah, "Telaah Fiqh Aulawiyat Terhadap Celibacy Dan Childfree Pada Realitas Kehidupan Sosial," *Al-Qadau: Peradilan Dan Hukum Keluarga Islam* 11, no. 1 (2024): 21-35, <https://doi.org/10.24252/al-qadau.v11i1.48930>.

Messenger). Although at the time of the Apostle and the Companions, this science of fiqh methods had not yet emerged, but there was an embryo in the form of expressions of the Apostle of Allah which were identified as fiqh methods. For example, the hadith of the Messenger of Allah which means: "It is not permissible to cause harm and it is not permissible to repay with harm". Jalaluddin Abdurrahman in his book *al-Mashalih al-Mursalah wa Makanatuha fi at-Tasyri'*, suggests that the word الضرر means to harm others for a benefit for the perpetrator of the harm. While the word الضرار means to harm others without any benefit that will return to the perpetrator of the harm. In the second century hijri, the disciplines of shari'ah science, including the science of fiqh rules, began to emerge.

The first rule of fiqh that was formulated when it became a discipline, as far as history can be traced, is the rule derived from the expression of Imam Abu Yusuf which means: "There is no authority for the imam to take something from a person's authority except on the basis of a law that is actually known (applicable). The estimation of the origin of the above fiqh principle is basically only a strong conjecture of Islamic jurists. This is after the scholars have projected their definitions onto earlier texts that meet the criteria of being a fiqh principle, i.e. a proposition that is general in nature in the form of legislative texts and includes particulars that are relevant to the proposition.

The existing fiqh methods are still considered relevant and can still be used as a guide in solving various fiqh problems. However, it is unfortunate that the current generation of Islamic law scholars or enthusiasts seem to pay less attention to this discipline, even if there are only a few.

To understand the Qur'an correctly, Allah sent the messenger as well as

explaining and interpreting the verses of the Qur'an that could not be accepted by the people at that time. This is explained in Surah Al-Jumu'ah, the third verse below. "It is Allah who has sent to the Ummi people a messenger from among them, he recited His verses, purified their hearts and souls and taught them the book and wisdom. Verily, they were in a state of manifest misguidance." (Q.S. Al Jumu'ah [62]:2) According to Ibn Kathir, this verse is actually a response to the acceptance of the prayer of Prophet Ibrahim (peace be upon him). There are three main missions of the messenger in the Qur'an. First, to recite to the people the Quran), Second, to purify their souls, Third, to teach the book and wisdom/sunnah). These are the three main missions of the messenger.

If analyzed, the third mission in the verse is implemented by interpreting the Qur'an to the people. The first generation to receive the teaching of the Qur'an were the Companions. After the Prophet Muhammad died, the relay of teaching the Qur'an was continued by the Companions. The companions who are famous as experts in interpreting the Qur'an are quite numerous. Such as Ali ibn Abi Talib, Abdullah ibn 'Abbas, Abdullah ibn Mas'ud, Ubai ibn Ka'ab, Zaid ibn Tsabit, Abdullah ibn Zubair and Abu Musa al Ash'ari.

In its journey, the science of tafsir developed rapidly in the generation of companions, tabiin and tabiit-tabiin. It's just that the book of interpretation written at that time was very limited. Especially with regard to the rules of interpretation. Almost the rules of interpretation were not found in the works of scholars related to qawāid al-tafsir in the first three generations. Therefore, the differences in interpretation among the Companions were very few compared to the differences in matters of fiqh law. Most of the differences in interpretation among them were only differences in the nature of editorial

differences, not differences in the nature of contradictory differences.

The meaning of the rules of interpretation is originally a translation of an Arabic word derived from two syllables, namely Qawaid and Al Tafsir. Qawaid is the plural of Qaidah, which means foundation.³³ In Al-Mu'jam Al Wasith by Ibrahim Anis it is stated, "The word rule, in the context of a building is its foundation." This meaning is also mentioned by ar Raghīb Al-Asfahani in AlMufradat fi Gharibil Qur'an (Raghīb al Asfahani, 2001: 410). This meaning is in line with the meaning of Qawaid in Surah al-Baqarah 127. Allah S.W.T. says: Remember when Abraham raised the foundations of the house of Allah with Ishmael and prayed: "O our Lord, accept from us our deeds, surely You are the All-Hearing, the All-Knowing".

The meaning of Al-Qawāid in the verse is or basic foundations. In summary, the meaning of the rule in language is the principle or foundation. As for the term, the word rule means as expressed by Khalid bin Uthman As-Sabt that: The general law that is used to identify the laws of details." (Khalid bin Uthman As-Sabt, 27).

The meaning of Tafsir comes from the word which means al-idhah wa tabyin explanation and illumination.³⁴ This meaning is in line with the meaning of the root word Fassara. In terms of the meaning of tafsir according to Imam At Thabrasi is to reveal the meaning of the lafazh which is not clear.

Tafsir is a branch of Islamic science that discusses the disclosure and explanation of the meanings and content of the verses of the Qur'an using a predetermined approach and methodology.³⁵ Sometimes the word tafsir is equated with ta'wīl. However, the scholars explained that tafsir is an explanation of verses based on history (riwayah) while ta'wīl is an explanation based on basic theory (dirayah).

With reference to the discussion and definition above, it can be concluded that the methods of interpretation are the general laws and rules of interpretation that include legal details used by the mufasir as an approach in interpreting the Qur'an to reveal the meaning and intent of the verse as desired by Allah SWT.³⁶

Along with the increasingly widespread Islamic sciences, and the increasingly fragmented Islamic science into several separate disciplines; even within the discipline is also still fragmented in very many and varied parts, it becomes very natural if it requires some kind of general guidelines that can be used as a reference in understanding these branches of science. It is impossible for us to understand a particular discipline properly and correctly without knowing the general rules, such as Arabic language rules, fiqh rules, ushul fiqh rules, tajweed rules, also including the rules of tafsir.³⁷ There are many opinions related to the urgency of "rules" in the context of understanding certain disciplines, among others: Ibn Taymiyyah said, "It is a must for anyone who wants to know a certain discipline to

³³ Jonwari and Faiz Zainuddin, "Konsep Tafsir Dan Takwil Dalam Prespektif As-Syatibi," *LISAN AL-HAL: Jurnal Pengembangan Pemikiran Dan Kebudayaan* 14, no. 2 (2020): 399–428, <https://doi.org/10.35316/lisanalhal.v14i2.791>.

³⁴ Jonwari and Faiz Zainuddin.

³⁵ Syaeful Rokim and Rumba Triana, "Al-Tadabbur: Jurnal Ilmu Al-Qur'an Dan Tafsir Tafsir Maudhui: Asas Dan Langkah Penelitian Tafsir

Tematik," *Al-Tadabbur: Jurnal Ilmu Al-Qur'an Dan Tafsir* 6, no. 2 (2021): 409–24, <https://doi.org/10.30868/at.v6i02.2057>.

³⁶ Haryono, "Kaidah-Kaidah Tafsir Dan Aplikasinya Dalam Penafsiran Ayat."

³⁷ Akma Rizky et al., "Konsep Pendidikan Islam Perspektif Al-Qabisi," *Mimbar Kampus: Jurnal Pendidikan Agama Islam* 23, no. 2 (2024): 862–72, <https://doi.org/10.17467/mk.v23i2.3375>.

know its general rules, so that he can understand and explain it correctly and proportionally." Az-Zarkasyi said, "There must be clear boundaries that cover several different and scattered issues. This is where the importance of principles comes in, and this is one of the ways in which Allah teaches His slaves through the Qur'an.³⁸ Sometimes it is conveyed in a global form, so that we do not feel narrow, because then it allows the emergence of interpretations. Conversely, sometimes it is also detailed so that our hearts become calm.

From this it becomes quite clear how important a rule is, namely to obtain the right understanding. Like a building, with a strong foundation, the building will also become sturdy because of it. If so, understanding the rules of interpretation is very important; even more important than other rules, because the object is the Qur'an.³⁹ As a result, anyone who knows the rules of interpretation, the verses of the Qur'an will be more open because he holds the "knife". Through that "knife" he will dissect the verses of the Qur'an to reveal the meaning they contain.

What is meant by ushul rules in interpretation here are some rules of interpretation that are generally based on linguistic rules that have been formulated by scholars of language, such as athaf, mufrad-jama', isim-fi'il, word addition rules, rules of words that are similar but not the same and other rules.

The Athaf rule is to understand the verses of the Qur'an by using the letters 'athaf. The letters of 'athaf are letters that are used to combine two or more sentences that are similar in form, such as ism with ism, fi'il with fi'il; or similar in the ruling of I'rab, such as rafa' with rafa', nashab with naṣab, khafaḍ with khafaḍ. However, these letters of athaf are understood in the context of

tafsir, not nahwu-sharaf. Among the most widely used letters of athaf are wawu, tsumma, and fa'. In addition, they have a broader meaning than the other letters of athaf. However, this paper only discusses the letter athaf wawu. The letter wawu has its own specialty because it has many functions. Among others: This is the main function of wawu athaf, which is as a differentiator. This means that if two or more statements are joined by a wawu, then each of them is different from the other, which is called mughāyarah. This is because the wawu athaf must contain two elements: musyārah, meaning that what is athafed is the same, and mughāyarah, meaning that what is athafed (ma'tūf) and what is athafed (ma'tūf 'alaih) are not the same. For example, see the words of Allah, which means ... Indeed, the disbelievers from among the People of the Book and the polytheists (will go) to Hellfire... (al-Bayyinah/98:6). This verse informs about two groups of disbelievers, namely the People of the Book and the polytheists. The terms people of the book and polytheists are joined by wawu 'athaf. Looking at the context, the wawu not only equates the two groups legally as disbelievers (musyārah), but also distinguishes between them (mughāyarah). This means that the term people of the book is different from polytheists. According to the scholars, the term people of the book refers to non-Muslim groups who have a religion, namely Jews and Christians, while the term musyrikin, refers to idolaters (paganists). Or in other terms, musyrikin is a non-Muslim group that does not have a religion and holy book. This, of course, has quite broad implications related to the treatment of Islam towards these two groups. Among other things, with regard to the law of animal slaughter, interfaith marriage, and others. Therefore, by looking at the above

³⁸ Yudi, Asmuni, and Tuti, "Kaidah Kebahasaan Terkait Praktik Ekonomi Islam."

³⁹ Yudi, Asmuni, and Tuti.

verse, it becomes very reasonable for some groups to allow interfaith marriages at this time. Because the prohibition of interfaith marriage in the Qur'an is expressed with *musyrikîn* (Qs.2: 221). Although later refuted by those who do not allow interfaith marriage, with the argument that the permissibility in the verse is accompanied by the term *min qabl*. That the permissibility is related to the pre-Islamic People of the Book, so that the current People of the Book can be categorized as polytheists.

Regardless of the differences of opinion among scholars regarding the legal status of interfaith marriage, what is clear is that the *wawu 'athaf* indicates the difference in status between the people of the book and the polytheists (*mughâyarah*). So that the mention of "kafir" to Christians, as in Indonesia, of course becomes less appropriate. Because after all, they are people who have a religion and holy book, even though in the view of Islam they are considered wrong. Moreover, Allah Himself distinguishes the mention of the two.

The second function is *limuthlaq al-jam'*, which means absolute merging. It means combining two or more sentences, each of which cannot be separated. This means that the second (*diathafkan*) does not always come later, or vice versa. For example, this sentence shows that between Muhammad and 'Amr it cannot be ascertained who came first. What is clear is that they both came and cannot be separated from each other. The above sentence would not be possible if only Muhammad or only 'Amr came. This can be illustrated by the two sides of one coin. A piece of currency will be considered genuine if both sides are genuine. However, if one of them is fake, then the currency is considered fake, even though the other side is genuine. In its application can be seen in

the verse which means ... And perform the prayer, pay the zakat, and obey the Messenger (Muhammad), so that you may be given mercy. (an-Nur/24: 56). This verse states that there are three things in order to always be blessed by Allah, namely establishing prayer, paying zakat, and obeying the Messenger. These three statements are joined by *wawu 'athaf*. Looking at the context, the *wawu* here functions as *limuthlaq al-jam'*. This is because all three are in the same position. That is, there is no prayer. See Ali al-Shabuni, *Rawa-i' al-Bayan*. without zakat and obedience to the Messenger; no zakat without prayer and obedience to the Messenger; no obedience to the Messenger without prayer and zakat. The terms prayer and zakat, in this verse, as well as in some other verses, may be understood as indicating the importance of prayer and zakat. But they are not understood in the context of the pillars of Islam. Because the question will arise, why prayer and zakat? Why not prayer and fasting or Hajj, or fasting and Hajj for example. In fact, all the pillars of Islam have the same position in the context of one's Islamic faith. Starting from this assumption, the combination of "establishing prayer" and "paying zakat" in the Qur'an can be given a broader perspective. The phrase "establishing prayer" can be understood as a form of vertical relationship, between humans and their God, while paying zakat is a manifestation of horizontal relationships, between humans and their neighbors. This kind of understanding may be quite relevant if we look at the position of man himself, as a spiritual being, on the one hand, and as a physical being, on the other. As a spiritual being, prayer becomes a means to get closer to Allah; while as a physical being, humans can be referred to as social beings, which need the presence of others to fulfill their needs. Therefore, through the commandment of zakat, it

seems to be reminded that the easiest way to build social relations is by spending one's property to help others or sacrifice for others. Thus, it can be concluded that the use of wawu 'athaf in the verse above requires every Muslim to maintain these three things simultaneously, namely building good relations with Allah (establishing prayer), building good relations with others (paying zakat), and obedience to His Messenger, by following his commands and avoiding his prohibitions, so that he will always be blessed by Allah.

As for its function as *lil aulawiyat*, it shows the meaning of priority scale. For example in the word of Allah SWT which means: Worship Allah and do not associate Him with anything. And do good to parents, relatives, orphans, the poor, close neighbors and distant neighbors, friends, *ibnu sabil* and slaves that you have. Indeed, Allah does not like the proud and the boastful. (an-Nisa'/4: 36). This verse contains three *qadhiyah* (main teachings) that are strung together with wawu 'athaf, namely worshiping Allah, the prohibition of associating partners with Him, and doing good to others. Looking at the context, wawu 'athaf here functions *li muthlaq al-jam'*. This can be explained, there is no worship without abandoning *shirk* and filial piety. Likewise, filial piety is considered non-existent without worshiping Allah and abandoning *shirk*. However, from the sentence *wa bil wâdaini ihsânan* to *wa mâ malakat aymânukum*, the letter wawu can be understood as indicating priority (*aulawiyât*). The argument is that the phrase *bi zil qurbâ is'athafkan* to *bil-wâlidain*, where the letter *ba'* in the phrase *al-walidain* is associated with the term *ihsan*. This is because, if the wawu is understood as *li mutlaq al-jam'*, then a person is only considered to be doing good if it includes everything there.

Thus, the above verse can be explained, that doing good as a manifestation of worship to Allah, must prioritize parents, then in sequence to relatives, orphans, the poor, close neighbors and distant neighbors, friends, *ibnu sabil* and slaves. While the command to do good, the term *ihsan* is used, which is taken from *ahsana-yuhsinu-ihsan*, which is goodness that is felt by the other party. Or in other words, the goodness that is born from the term *ihsan* is social goodness, not individual, nor is it a form of reciprocity. In other words, the social kindness is born because he sees Allah's kindness towards him, not in return for the kindness of others. This can be understood from Allah's words: ... Do good to others, as Allah has done good to you..." (Q.s. Qashash/28: 77) Looking at this verse, what motivates a person to do good to others is not that they do good to him. Rather, he sees that Allah is always doing good to him. Therefore, the two sentences above are not the same, the word *read ahsin*, there is a subject and predicate, without an object. Contrast this with the sentence that follows, which has a subject, predicate and object. This is because what is intended by this verse is not reciprocal kindness, but sincere kindness for the sake of Allah. However, there are some scholars who distinguish between the term *ihsân* which is transitive with the letter *ba'*, and that which is transitive with *ilâ*. If *ihsân* is transitive with *ba'*, then what is meant is immaterial benevolence, such as glorifying, honoring, and others. Meanwhile, when it is transitive with *ilâ*, it means material virtue, so the good intended here is not material but immaterial, such as honor or glorification, because the term *ihsân* is transitive with *ba'*.

If this is the basis of the theory, then the wawu can have two meanings, namely 1) *limutlaq al-jam'*, meaning that the kindness in the form of respect must be given to all, 2) *lil aulawiyat*, meaning that the kindness

remains a priority scale. Because, in certain cases one must prioritize, which of them should take precedence. Near and far here there are those who mean by place, family relations, and some between Muslims.

From the madrasa of the Prophet was born the experts of tafsir. These were the first scholars who inherited the science of tafsir directly (talaqqi) from the prophet Muhammad Sallahu alaihi wassalam. Among them are khulafaurrasyidin, Ibn Mas'ud, Ibn Abbas, Zaid ibn Tsabit, Abu Musa Al Asy'ari, Ubay ibn Ka'ab, Anas bin Malik, Abdullah bin Zubair, Jabir ibn Abdillah, Aisyah and others (Muhammad Hasbi Ash Shiddieqy, 2013: 182-183. See also Syaful Rokim, 2020: 81). After Islam expanded in the era of Usman bin Affan, many companions spread in various regions and they became teachers of tafsir in the region. Therefore, it is known in Medina Ubay bin ka'ab who printed Zaid bin Aslam, in Mecca there was Ibn Abbas who printed Mujahid and Thawus, in Kufa at that time there was Ibn Mas'ud who printed Al Qamah and Masruq.

Research Methods

This paper aims to explore the distinction between the methods of *Ushul Fiqh* and *Ushul Tafsir* and their implementation. To build a comprehensive understanding of the topic, the study employs a narrative review approach. This method involves searching for relevant literature, classifying it into major themes, and carefully examining, connecting, and organizing arguments to form a cohesive narrative.

The data collection process relies on two main sources. The primary sources include the Al-Qur'an and its translation, classical and contemporary Qur'anic commentaries, and current scientific literature on the differentiation between *Ushul Fiqh* and *Ushul Tafsir* methods and

their implementation. These sources provide foundational insights into the principles and interpretations relevant to the study.

Additionally, secondary sources are used to supplement and expand the research. These include academic journals, books, and scientific articles that specifically discuss the distinction between the methods of *Ushul Fiqh* and *Ushul Tafsir*. Together, these sources help provide a well-rounded exploration of the topic, ensuring a thorough analysis of how these methodologies are applied in the context of Islamic law and Qur'anic interpretation.

Conclusion

It is also different from *dabt* (definition). In fact, *kaidah* is also different from *Ulumul Qur'an* in general, although it is included in the scope of the discussion of *Ulumul Qur'an*. Because, in its broad meaning - according to Abdurrahman al-'Ak, any science related to the Qur'an can be included in the domain of *Ulumul Qur'an*. It's just that, because of its position directly related to the verse and even very decisive against the intended meaning, then the existence of the rules of tafsir is expected to help us in interpreting the verse precisely and avoid interpretation that is not intended by the verse itself.

The method of interpretation of the companions is interpretation *bil ma'tsur* or directly with the history obtained from the Prophet Muhammad SAW, the companions interpreted the Quran with the traditions of the Prophet SAW. Although not codified in detail, their interpretation followed the methods taught directly by the Prophet, the method they passed on to the next generation. Over time, it was only later that the science of the methods of interpretation stood alone as a separate branch of science.

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