



Multicultural Islam, Diversity of Qira'at And Its Implications for Istinbath Law

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Abstract

One of the discussions of ulumul Qur'an which has a very important position in the study of Islamic science is the Science of Qira'at. Qira'at Science is a scientific fan that concentrates on examining the validity of the text of the Qur'an, both in terms of pronunciation and writing. According to scientific terms, qira'at is one of the madhhabs (schools) of pronunciation of the Qur'anic recitation chosen by one imam qurro' as a school that is different from other schools. Differences in reading the Qur'an in general can affect changes in meaning, including the implications for legal istinbath. However, is the taking of Istinbath law from a madzhab adopted by a country in harmony with the qira'at that is popular in that country? This research is in the form of library research (literature study), literature study can be interpreted as a data collection technique by conducting a study of books, literature, notes, and reports that have a relationship with the problem being solved. The object of observation in the research is the diversity of qira'at and its implications for Istinbath law in a madzhab. After analysis, it was found that a recitation of qira'at that is popular in a country does not have to be in line with the method of Istinbath law carried out by the imam of the madzhab that applies in that country. The results of this research are expected to provide a new perspective in the study of Ulumul Qur'an as well as knowing the values that are an inspiration for the community.

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INTRODUCTION

The Qur'an was revealed by Allah in the land of the Arabian Peninsula with a diversity of forms or models of reading. The Arabs themselves are a community consisting of various tribes spread across the Arabian Peninsula. Each tribe certainly has a different *lahjah*/dialect from one another. This dialect difference is certainly in accordance with the geographical and socio-cultural location of each tribe. But in addition, they have made the Quraysh language a common language in communicating and conducting other forms of interaction. On the other hand, the difference in *lahjah* / dialect eventually led to the consequences of the birth of various kinds of readings (qiraat) in reciting the Qur'an. Therefore, the Prophet himself justified the recitation of the Qur'an with various readings. The forms and models of the diversity of readings, some of which actually came from the Prophet, and some readings that did not come from the Prophet. So to find out it is necessary to understand the lines or rules that can be used as a guide, which readings are truly from the Prophet and which readings are not from him.

The differences in recitation in the Qur'an can be classified into two points. First, differences in readings related to the technical pronunciation of lafadz in *lahjah* / linguistic dialects. Second,

differences in readings related to the substance of the lafadz. The difference in reading related to the technical pronunciation of the lafadz in the language does not affect the change in meaning. This kind of reading difference is found in many *ushul al-qira'at* rules, such as reading lafaz (والضحى) some *qira'at* imams read *fathah*, some others read *taqlil* and others read *imalah*. Changes in reading as above do not affect the meaning, because the difference in reading is only in terms of linguistic dialects. This kind of difference is more dominant in the verses of the Qur'an than the differences found in the substance of the Qur'anic lafadz. While differences in reading related to the substance of the lafaz, in general, can affect changes in meaning. In the literature of *qira'at* science, this difference is more dominated in the rules of *furusy al-qira'at*. There are many examples in the Qur'an related to differences in reading that affect the meaning, including in verses that talk about law, more or less will affect the *Istinbath* of the law.

Before that, we need to know briefly what *Istinbath* law is, *Istinbath* is an effort to find the laws of shara' from the text of the Qur'an and as-Sunnah which is done by devoting the ability of reason and thought. At first glance, there seems to be a similarity between the meaning of *Istinbath* and *Ijtihad*. But in essence there is a difference between the two, *Ijtihad* has a broader scope than *Istinbath*, because *Istinbath* is the framework of *Ijtihad*. The focus of *Istinbath* is the text of the Qur'an and as-Sunnah. Therefore, the effort to understand, extract and formulate the law from these two sources is called *Istinbath*. Meanwhile, understanding, extracting and formulating the law through the methods of *qiyas*, *istihsab*, *istihsan* and other rational arguments is called *Ijtihad*.

One of the interesting objects worth studying in the study of *Ulumul Qur'an* is the Science of *Qira'at*. With the diversity of *Qira'at*, as well as the presence of a famous *Qira'at* in a country, is it in line with the method of *Istinbath* Law carried out by the Imam of the Madzhab used in that country. Therefore, this study aims to trace the correlation between differences in *Qira'at* readings and a *Istinbath* Law in a Madzhab adopted in several countries.

The research method used in this observation is a literature review through a qualitative approach. Data related to the Science of *Qira'at*, *Istinbath* Law becomes the main source in analyzing the object of study.

Previous studies related to the author's observations include. First, Basri & Fikri Hamdani's research (2020) with the title "*Implications of differences in Qira'at in Istinbath Hukum (Qira'at Analysis in terms of Mutlaq and Muqayyad)*". Basri's analysis, Fikri Hamdani concluded that *mutlaq* lafaz is a lafaz that shows certain units without any restrictions, while *muqayyad* lafadz is a bond that hinders something that has freedom of movement. The emergence of various *qiraat* that contain "inserts" in a lafaz in a particular verse that causes the word previously *mutlaq* status to change into *muqayyad* which has implications for legal *istinbath*. The majority of scholars are of the opinion that *qiraat* that differ from the Ottoman rasm are merely interpretations of verses in the Qur'an and are considered as *qiraat* that are *syadz*. However, some scholars still make the *qira'at* as proof because they think that it is part of the Qur'an, so it could be that this *qira'at* has the position of *khobar* or *hadith*, at least as the Prophet's interpretation of a verse (Basri & Fikri Hamdani 2020: 177).

Second, research by Endi Yenti, et al (2022) with the title "*The Influence of Nahwu Rules in Legal Istinbath*". Endi Yenti's analysis, et al. concluded that nahwu rules greatly affect the process of legal *istinbath*, differences in understanding will affect the resulting legal products. What causes differences in scholarly opinion on this matter are; (1) Differences in the flow of nahwu science which is influenced by the struggle between Arabic and non-Arabic languages due to the spread of Islam which in turn there is an effort to compile nahwu rules which are of course influenced by the character where the rules are compiled, (2) There are differences in *qira'at* caused by several things, namely: differences in the Prophet's *qira'at* in conveying and teaching the Qur'an, the Prophet's *taqrir* to the various *qira'at* that prevailed among the Muslims at that time, (3) *Qira'ah syadzah*; differences in some scholars in understanding the letters *al-ma'ani* because some of them adhere to *qira'ah syadzah*, (4) Differences in the meaning of *al-*

ma'ani letters caused by the transfer of the meaning of one letter to the meaning of another because of the closeness of meaning (Endi Yenti, et al 2022: 191-192). *Third*, the research of Muhammad Esa Prasastia Amnesti, et al (2021) with the title "*The effect of differences in Qira'at Shahih in the interpretation of the Qur'an and its implications for the law*". The analysis of Muhammad Esa Prasastia Amnesti, et al. resulted in the conclusion that this difference in qira'at has no effect on the *istinbath* of Islamic law, even providing light and easy wisdom for Muslims as a whole and showing the miracle of the Qur'an in terms of its content, because various recitations of *qira'at* can replace the position of verses that could be a lot if not condensed in *qira'at* and of course can help in interpreting the meaning and meaning of the verses of the Qur'an, both for *qira'at Mutawatir*, *Masyhur* and *Syadzah* (Muhammad Esa Prasastia Amnesti, et al 2021: 1572).

Based on the literature review that the author has described above, no research has been found that focuses on the effect of differences in *Qira'at* with *Istinbath* Law in a Madzhab, whether so far the *qira'at* that is popular in a country is in line with the *Istinbath* law of the Imam of the Fiqh Madzhab that they adhere to. Through this analysis, the author tries to present an observation, the result of which is that a well-known *qira'at* reading in a country does not have to be in harmony with the method of *Istinbath* law carried out by the madzhab imam that applies in that country. The results of this research are expected to provide a new perspective in the study of *Ulumul Qur'an* as well as knowing the values that are an inspiration for the community.

METHODS

The method used in this study is the semiotic method. This method is qualitative-interpretive in nature which focuses on the study of signs and texts as the object of study, as well as how researchers understand and interpret the code behind the signs (symbols) and texts. The semiotic method operates at two levels of analysis. First, analyze the signs individually, for example, the type of sign, the structure or mechanism of the sign, and the meaning of the sign. Second is the analysis of signs as a group or combination, namely a collection of signs that form what is called text (Budiman, 2011).

RESULTS AND DISCUSSION

Qira'at and Validity of Qira'at Authenticity

Etymologically, *qira'at* is a masdar form of the root *qara'a-yaqra'u-qira'at an wa qur'an*, which means reading. From this root, the words Qur'an and *qira'ah* were born. These two words have the following meanings: First, to gather and combine, that is, to gather and combine one with another. Second, reading al-tilawah, which means written sentences, such as the expression (pronouncing or sounding out letters) from a book that I have read. The word *qira'at* is singular, although it is placed in the plural in the study of al-Qur'anic science because the discussion includes many types of *qira'at* readings. As for terminology, the definition of *qira'at* is stated by the scholars of the Qur'an as follows:

1. Badr al-Din al-Zarkasyi said that *qira'at* is the pronunciation of the Qur'an, whether it is about letters or how to pronounce them, such as *takhfif* and *tasykil*, etc.
2. Abdul Hadi al-Fadli argues that *qira'at* is the science of knowing the pronunciation of the letters in the Qur'an. The scholars of *qira'at* agree and argue, either removing letters or assigning letters, giving harakat, substitute letters and other symbols that can be obtained by hearing.

Meanwhile, Ali as-Shabuni defines *qira'ah* with ;

القراءات مذهب من مذاهب النطق في القرآن يذهب به إمام من الأئمة القراء مذهباً يخالف غيره في النطق بالقرآن الكريم، وهي ثابتة بأسانيدھا إلى رسول الله صلى الله عليه وسلم

"*Qira'at is one of several madhhabs of Qur'anic articulation (vocabulary) chosen by one Imam of Qira'at that differs from other madhhabs and is based on a sanad that goes back to the Prophet Muhammad.*"

While what is meant by al-muqri' is a person who is familiar with *qira'at* who narrates it *musyafahah* (orally) through *talaqqi* (direct study) from a person who is an expert in the field of *qira'at*, so until the lineage of *qira'at* is connected to the Prophet Muhammad SAW.

Thus, *qira'at* is not the creation of the Imams of *qira'at* but it is from the Prophet Muhammad SAW. *Qira'at* was revealed at the same time as the Qur'an was revealed. That is, the *qira'at* is included in the Qur'an which is then attributed to an Imam of *Qira'at* who examines and selects it.

The mu'tabar *Qira'at* madhhab here appeared in the fourth century hijriyah in the hands of Imam Ahmad bin Musa bin al-Abbas who is famous as Ibn Mujahid (d. 324 H). Based on the results of an in-depth study of the various kinds of *qira'at* al-Qur'an that developed at that time, Ibn Mujahid concluded that there were only seven kinds of *qira'at* that were considered eligible and worthy of being accepted as *qira'at* al-Qur'an. Seven kinds of *qira'at* or commonly known as *Qira'at Sab'ah* were narrated by seven imams, namely;

	IMAM QIRA'AT		PERAWI
1	Imam Nafi (Nafi al-Madani Ibnu Abdurrahman bin Abi Nu'aim Abu Ruwaim al-Laitsi.)	1	Imam Qalun (Abu Musa Isa bin Mina az-Zarqa)
		2	Imam Warsy (Utsman bin Sa'id al-Qibthi al-Mishri)
2	Ibnu Katsir (Abdullah Abu Ma'bad al-Athar ad-Dari al-Farisi al-Makki)	1	Al-Bazzi (Ahmad bin Muhammad bin Abdullah Abu al-Hasan al-Bazzi)
		2	Imam Qunbul (Muhammad bin Abdurrahman al-Makhzumi Abu Umar al-Makki)
3	Abu Amr bin al-Ala (Zabban bin al-Ala at-Tamimi al-Mazani al-Bashari)	1	Imam Ad-Duri (Hafsh bin Umar Abu Umar al-Azdi al-Baghdadi an-Nahwi adh-Dharir)
		2	Imam As-Susi (Shaleh bin Zaid Abu Syu'aib as-Susi ar-Ruqi)
4	Ibn Amir ad-Dimasyqi (Abdullah Abu Imran al-Yahshabi)	1	Hisyam bin Ammar (Abu al-Walid as-Sullami ad-Dimasyqi)
		2	Ibnu Dzakwan (Abu Amr Abdullah bin Ahmad al-Fahri ad-Dimasyqi)
5	Ashim bin Abi an-Najud al-Kufi (Abu Bakar Ibnu Bahdalah al-Hannath)	1	Syu'bah (Abu Bakar bin Iyasy al-Asadi an-Nahsyali al-Kufi al-Hannath)
		2	Hafsh bin Sulaiman (Abu Umar al-Asadi al-Kufi al-Bazzar)
6	Hamzah bin Habib az-Zayyat (Abu 'Imarh al-Kufi at-Taimi)	1	Khalaf bin Hisyam (Abu Muhammad al-Asadi al-Bazzar al-Baghdadi)
		2	Khallad (Abu Isa bin Khalid asy-Syaibani asy-Shairafi al-Kufi)
7	Al-Kisa'I (Abu al-Hasan Ali bin Hamzah)	1	Abu al-Haris (al-Laits bin Khalid al-Baghdadi)
		2	Ad-Duri (Hafsh bin Umar Abu Umar al-Azdi al-Baghdadi an-Nahwi adh-Dharir)

In addition to the seven famous reciters among the scholars of *Qira'at*, there are three other famous Imams of *Qira'at*, but their level of *qira'at* is still below that of the seven reciters above, among them are:

	IMAM QIRAAT		PERAWI
1	Abu Ja'far al-Madani	1	Ibn Wirdan
		2	Ibn Jammaz
2	Ya'qub al-Bashari	1	Ruwais
		2	Rauh ibn Abd al-Mu'min
3	Khalf ibn Hisyam	1	Abu Ya'qub Ishaq ibn Ibrahim al-Marwazi
		2	Abu al-Hasan Idris ibn Abd al-Karim

Traces of differences in *qira'at* are scattered in the books of tafsir, such as in Tafsir Ibn Abbas which also explains *qira'at*. Even the interpretations of the archipelago's mufassirs also mention *qira'at* in their books, ranging from Tarjuman al-Mustafid, Malja al-Thalibin by Kiai Sanusi to Mushaf *qira'at* Sheikh Muhammad Arsyad Al-Banjari. The use of *qira'at* in this tafsir book shows how important *qira'at* is in the study of al-Qur'an interpretation. Given the wide variety of *qira'at* circulating among Muslims who are narrated by the qari', so to determine the quality of *qira'at*, the scholars make validity in the form of conditions, as a provision to be used as a reference when assessing whether a *qira'at* is valid or not.

Ibn al-Jazari in the verse *Thayyibah al-Nasyr* which means: "Every *qira'at*, if it conforms to the rules of *nahwu* (language), conforms to the Ottoman rasm, and has a *saheeh sanad*, then it must be recognized as *saheeh*". These are the three pillars that must be fulfilled, if these three conditions are not met then the *qira'at* is considered *syadz*.

Istinbath Law

Before discussing the effect of differences in *Qira'at* on *Istinbath* Law, we need to know what *Istinbath* is. Etymologically, the word *Istinbath* comes from the noun *an-nabṭ*, the masdar form of *nabaṭa-yanbuṭu-nabṭan*, which means the water that comes out of the well that was first dug. Therefore, the word *istinbath* is generally used in the sense of *istikhraj* (استخراج) to extract. As for the term, what is meant by *istinbath* is: *إستخراج المعاني من النصوص بفرط الذهب وقوة الفريضة* "Issuing the content of the law from the existing texts (*al-Qur'an* and *al-Sunnah*), with the sharpness of reason and optimal ability".

The definition of the term is still general so that *Istinbath* can be done by fiqh scholars and scholars who are experts in fields other than fiqh. Therefore, the terminological definition of *Istinbath* must be limited to the area of fiqh (Islamic law). With the restriction in the area of Islamic Law, then in summary *Istinbath* is an attempt to draw the law from the nash (*al-Qur'an* and *as-Sunnah*) by means of *Ijtihad*. The use of the term *ijtihad* implies that *Istinbath* must be carried out using *ushuliyyah* rules as operational guidelines in explaining the *nash-nash syar'i* based on the perspective of Islamic Law.

From the above definition, it can be understood that, the essence of *Istinbath* is an effort to find the laws of *Shara'* from the texts of the *Qur'an* and *as-Sunnah* which are carried out by devoting the ability of reason and thought. At first glance, there seems to be a similarity between the notions of *istinbaṭh* and *ijtihad*. But in essence there is a difference between *istinbaṭh* and *ijtihad*. *Ijtihad* has a broader scope than *istinbaṭh*, because *istinbaṭh* is the framework of *ijtihad*. The focus of *istinbaṭh* is the text of the *Qur'an* and *as-Sunnah*. Therefore, the effort to understand, extract and formulate the law from these two sources is called *istinbaṭh*. Meanwhile, understanding, extracting and formulating the law through the methods of *qiyas*, *istiṣhab*, and *istiṣlah* and other rational arguments is called *ijtihad*.

Correlation between a Qira'at and its Implications for Istinbath Law in a Madzhab adopted in a Country

The pluralistic phenomenon of *qira'at* al-Qur'an is sometimes related to the essence of the lafadz and sometimes related to the language pronunciation system (*lahjah*). Differences in *qira'at* related to the essence of lafadz will cause differences in meaning, while *qira'at* related to the pronunciation system of a language will not cause differences in meaning. According to Ibn Ashur, the relationship between *Qira'at* and Tafsir can be categorized into: *First*, *Qira'at* that does not have implications for interpretation, differences in *Qira'at* concerning legal verses and has no effect on *Istinbath* law, can be stated in the following example:

يَا أَيُّهَا الَّذِينَ آمَنُوا إِذَا نَكَحْتُمُ الْمُؤْمِنَاتِ ثُمَّ طَلَقْتُمُوهُنَّ مِنْ قَبْلِ أَنْ تَمْسُوهُنَّ فَمَا لَكُمْ عَلَيْهِنَّ مِنْ عِدَّةٍ تَعْتَدُونَهَا فَمَعَرَّوهُنَّ وَسَرَخُوهُنَّ سَرَاحًا جَمِيلًا

Meaning: "O you who believe, when you marry believing women, and then divorce them before you have mixed with them, there is no obligation on them for you to complete 'iddah. So give them mut'ah and let them go in the best way possible." (QS. al-Ahzab:49)

The above verse explains that a wife who is divorced by her husband before having sexual intercourse, then there is no 'iddah period for her. The 'iddah period is a waiting period for a wife who has been divorced by her husband, during which time she is not allowed to marry another man. In the verse above there are different readings of the lafadz (مِنْ قَبْلِ أَنْ تَمْسُوهُنَّ). The majority of *Qira'at* scholars read it according to the text. Hamzah and al-Kisa'i read *min qabli 'an tumasahunaa* (مِنْ قَبْلِ أَنْ تَمَّا سَهُنَّ) by adding the letter *alif* and in *dhammah* the letter *ta* (ت).

Another word in the verse above is the lafadz (تَعْتَدُونَهَا) with the letter *dal* (د). The majority of *Qira'at* scholars read according to the text. While Ibn Kathir, Hamzah, al-Kisa'i, Abu 'Amer, Ibn 'Amr, 'Asim and Nafi' read *ta'tadunaha* (تَعْتَدُونَهَا) with the letter *dal*. The difference in *qira'at* does not make a difference in determining the ruling, namely that a wife who is divorced by her husband does not have 'iddah for her if she has not had sexual intercourse with her husband.

Second, *qira'at* which has implications for interpretation, differences in *qira'at* concerning legal verses and affecting *Istinbath* law, can be stated in the following example:

أَوْ لَامَسْتُمُ النِّسَاءَ فَلَمْ تَجِدُوا مَاءً فَتَيَمَّمُوا صَعِيدًا طَيِّبًا فَامْسَحُوا بِوُجُوهِكُمْ وَأَيْدِيكُمْ مِنْهُ

Meaning: "or touch a woman and you do not have water, then wash with good (clean) earth; wash your face and your hands with it" (Q.s Al-Maidah: 6).

The verse above explains that touching between a man and a woman who are not mahrams invalidates wudhu. The scholars differ in opinion if the contact is between a man and a woman who are not bound by a mahram relationship, and the contact is direct, without any barrier. In the verse above there are different readings of the lafadz (أَوْ لَامَسْتُمُ). In the passage, there are scholars of *qira'at* who read according to the text, such as Ibn Katsir, Nafi', 'Ashim, Abu 'Amr and Ibn 'Amr. While Hamzah and Al-Kisa'i read *lamastum* (لَامَسْتُمُ) by reading short on the letter *Lam* / omitting the letter *alif*.

In Arabic, the word *al-lamsu* is a *Musytarak* lafadz, which is a lafadz formed with various meanings. *Al-lamsu* can mean touching and can also mean having sex. When lafadz *lamastum* (لَامَسْتُمُ) by reading short on the letter *Lam* / omitting the letter *alif* its meaning is touching, while in lafadz *Laa mastum* (أَوْ لَامَسْتُمُ) by reading long on the letter *lam* its meaning is intercourse. Ali ibn Abi Talib, Ibn Abbas and Hasan chose the first meaning, while Ibn Mas'ud, Ibn Umar and Sha'bi chose the second meaning.

This difference in understanding has led to differences of opinion among the madzhab imams and their followers in ruling on skin contact between men and women who are not mahrams, including wives. Imam Abu Hanifah and his followers stated that touching between a man and a woman does not invalidate wudlu absolutely, whether with lust or not. On the other hand, Imam Shafi'i and his followers asserted that contact between a man and a woman who are not muhrim invalidates wudoo', whether with desire or not.

Apart from the various views of the scholars above, Indonesia, which officially follows the Shafi'i madzhab in fiqh, which views that physical contact between men and women who are not

muhrim invalidates wudhu, whether with lust or not, the majority of Muslims in Indonesia also follow the Riwayat of Hafis 'An Ashim in *qira'at* al-Qur'an. However, is the process of extracting the law/*istinbath* law from Imam Shafi'i in line with the History of Hafis 'An Ashim? This question presents the complexity of harmonization between two important aspects of religious praxis.

In the association between men and women who are not muhrim, Imam Shafi'i argues that physical contact between the two invalidates wudhu, whether in the presence of lust or without lust, with the basis of his opinion on lafadz *lamastum* (لَمَسْتُمْ) by reading short on the letter lam / omitting alif which implies touching. However, there are differences in the recitation of the Qur'an, where Hafis 'An Ashim reads the lafadz *Laa mastum* (أَوْ لَامَسْتُمْ) by reading long on the letter lam which has the meaning of intercourse. This diversity in *qira'at* can affect the process of legal *istinbath*. However, in a country that follows a particular madzhab of fiqh, it is not always necessary to be in line with the *qira'at* that is popular in that country in law-making.

CONCLUSIONS

Qira'at is one of several madhhabs of articulation (vocabulary) of the Qur'an chosen by one Imam of *Qira'at* which is different from other madzhabs and based on a sanad that is connected to the Prophet Muhammad. Ibn Mujahid concluded that there are only seven kinds of *qira'at* that are considered eligible and worthy of acceptance as *qira'at* al-Qur'an. Seven kinds of *qira'at* or commonly known as *Qira'at Sab'ah* were narrated by seven imams. In addition to the seven famous reciters among the scholars of *Qira'at*, there are still three famous Imams of *Qira'at*, but their level of *qira'at* is still below the *qira'at* of the seven.

The diversity of *Qira'at* when related to the substance of the lafaz, in general, can affect the change in meaning, including the verses relating to the law, more or less will affect the *istinbath* of the law. *Istinbath* is an effort to find the laws of shara' from the texts of the Qur'an and as-Sunnah which is done by devoting the ability of reason and thought. The focus of *istinbath* is the text of the Qur'an and as-Sunnah. The effort to understand, extract and formulate the law from these two sources is called *istinbath*. Meanwhile, understanding, extracting and formulating the law through the methods of *qiyas*, *istihsab*, and *istihsal* and other rational arguments is called *ijtihad*.

In this study, it can be proven that the differences in *qiraat* and the validity of *qiraat* are facts that exist in the Qur'an. The implications of the diversity of *qiraat* for legal *istinbath* are also unavoidable. The conclusion that can be drawn from this discussion is that the existence of *qiraat* that is popular in a country does not have to be in line with the views of the imams of the fiqh madzhab in that country in the process of making law.

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