

Sources of Islamic Family Law: A Comparative Study of Classical and Contemporary Interpretations

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Abstract (10 PT)

The purpose of this study is to compare classical and contemporary interpretation methods as sources of Islamic family law. The main problem of this paper is how the approach used by classical and contemporary interpretation, what are the differences between the two methods, and the relevance of both as references for Islamic family law. This study uses a qualitative approach with a literature study to gather in-depth information on the theme. The results of the study indicate that the classical interpretation method is textual in nature and maintains the originality of the verses, while the contemporary method provides many new approaches that are more relevant to the present day. The differences between the two lies in the period of emergence, sources, approaches, and the main methods used in interpreting the verses. Both are relevant in addressing the challenges of Islamic family law sources, the classical method as the initial foundation and developed with various approaches by the contemporary method to become a foundation for society in the modern era

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1. INTRODUCTION

Islamic family law (IHL) is a crucial aspect of Islamic law, governing family matters such as marriage, divorce, maintenance, and inheritance. IHL holds a strategic position in Islamic legal discussions because it directly impacts social life and embodies spiritual values, morality, and justice within the family.

The main source of Islamic family law is based on the Quran and the Hadith as the primary source and *consensus* as a secondary source. The Qur'an, as the primary reference, contains many of Allah's provisions, both explicit and implicit. The Hadith explain and complement the provisions contained in the Qur'an. As a source of law after the Qur'an and Hadith, *ijma'*, or consensus of scholars, serves as a basis for addressing issues whose regulations are not explicitly stated in the Qur'an or Hadith. These three sources of law form the foundation of the framework for the formation of Islamic family law.

However, understanding the sources of Islamic law can be divided into two broad approaches: the classical and the contemporary. The classical method emphasizes the study of Quranic interpretations and discussions of Islamic jurisprudence (*fiqh*) through a long intellectual tradition, to seek an understanding of God's revelation and its application to everyday life. Contemporary methods, however, emerge from the dynamics of shifting times, the ever-evolving science, and socio-cultural landscape. In this context, legal

constructs created in a particular era cannot always be universally relevant, as each era differs in time and place, leading to distinct needs and challenges.

As values, culture, and society shift, eroded by the rapid flow of modernization and globalization, new issues arise in the realm of family law, such as those related to digital inheritance law. This situation demands legal certainty, necessitating a reinterpretation and reconstruction of Islamic family law to address the challenges of the times and to ensure greater relevance to the realities of the times.

These demands have given rise to a debate between classical and contemporary interpretation methods as to the most appropriate method for obtaining references to sources of Islamic family law. The classical interpretation method provides strong legitimacy based on established scholarly traditions. The contemporary interpretation method, on the other hand, offers an adaptive and flexible approach to understanding a problem's context. This gap arises when classical interpretation methods are deemed insufficiently responsive to addressing modern issues, while many consider contemporary interpretation methods too flexible, raising concerns that they could undermine the authority of Islamic law.

Thus, a comparative study of classical and contemporary interpretation methods is necessary to understand the sources of Islamic family law. This study is crucial, firstly, to find common ground between the two methods in order to address modern problems by exploring their approaches and differences. Secondly, to analyze the relevance of classical and contemporary methods in an effort to present Islamic family law that adheres to authoritative sources while adapting to changing times. The synergy between the two is expected to provide legal certainty, justice, and well-being for Muslims in the modern era.

2. METHOD

This paper uses a qualitative approach, namely, to explore a problem in depth, then conclude according to the context. The method used is a literature study (*library research*) to explore primary sources of Islamic family law in the form of tafsir books, fiqh books, and secondary sources from journals relevant to the topic. Using this method, classical and contemporary sources are analyzed, allowing for a comprehensive understanding of the topic discussed based on the available literature.

3. RESULTS AND DISCUSSION

The Journey of Interpretation Methodology in the Classical Tradition

The science of interpretation has gone through several stages from its inception to the modern era. Briefly, these stages can be explained as follows:

1. Reception time and direct teaching.

During this period, the Companions transmitted interpretations directly from the Prophet Muhammad, as some of them transmitted them from other Companions. Similarly, the Tabi'in transmitted interpretations from their Companions and from each other through the transmission channels. This period lasted during the time of the Prophet, his Companions, and the generation of Tabi'in who lived contemporaneously with them.

2. The period of codification of hadith.

When hadith began to be compiled into books, interpretation was compiled as a chapter within the books. In other words, interpretation did not yet stand alone as a separate discipline, but remained part of the discussion of hadith.

3. The time for separating tafsir from hadith.

At this stage, the interpretation begins to be compiled independently. The verses of the Quran are explained one by one and arranged according to the order of the Mushaf.

4. Some commentators shorten the chain of transmission and quote the opinions of previous commentators without citing their sources, thus mixing authentic hadith with weak ones. Others feel free to express their personal opinions without verifying their validity.
5. The development of interpretation then follows the pattern of expertise in the field of science being studied, such as interpretation with nuances of Nahwu by examining i'rab, aqidah, fiqh, and others.

The types of interpretation of the Qur'an are divided into two types. *First*, tafsir bi al-ma'tsur, which is also called tafsir *by al-riwayah* or tafsir naqli. *Second*, interpretation *bi al-ra'y*, also called tafsir *bi al-dirayah* or interpretation *'mind* (rational).

Description of Classical Interpretation with an Approach to *Bi Al-Ma'tsur*

Interpretation by al-Ma'tsur is of the explanation of the Qur'an regarding some of its own verses. The methods used in this interpretation include:

1. A narration from the Prophet Muhammad about the interpretation of the verses of the Quran.
2. Explanation from friends
3. Explanation from the tabi'in, however, there are still differences of opinion among scholars regarding the narration from the tabi'in; some scholars say it is included in the tafsir bi al-ma'tsur, while others include it in the tafsir *bi al-ra'yi*. However, because the books of tafsir bi al-ma'tsur contain interpretations from the tabi'in, the scholars include them in the category of tafsir *bi al-ma'tsur*.

The emergence of this type of interpretation is through a narration from the Prophet Muhammad, as explained in the issue of *divorce* and *interpretation* (direct reception and teaching). The companions narrated what they heard from the Messenger of Allah, then added to it with the knowledge they gained based on their understanding and ability, according to the limits set. Then the tabi'in followed in the footsteps of the companions, learning directly from them without doing their own *ijtihad* on a verse in the Qur'an.

As for the stages of the interpretation method *bi al-ma'tsur* including the following:

1. Oral transmission and reception

The initial stage begins with teachers passing on understanding (knowledge) to their students. This stage is the first stage in the life of Muslims, because the science of tafsir was born from the science of hadith; at that time, there was no other science other than the science of hadith.

2. Recording and writing (codification)

This stage began when Umar bin Abdul Aziz issued a recording order at the beginning of the second century Hijri and continues until the present day.

As for narrations that are proven to be true based on valid evidence, in this approach, they must be accepted and must not be rejected, ignored, or denied. This is because narrations are the primary foundation for understanding the Quran. Invalid narrations must be rejected and must not be accepted, studied, or used as a basis. Tafsir with the *bi al-ma'tsur* approach is considered one of the most important types of tafsir, if the sanad and matan are authentic, and the narrators are fair and trustworthy.

Interpretation *bi al-ma'tsur*. It also has shortcomings, especially in the narrations from the Companions and Tabi'in. This situation almost caused the loss of trust in this type of interpretation, if not for the efforts of scholars to safeguard and re-examine the narrations used. The factors that contribute to the weakness of this interpretation are as follows: *bi al-ma'tsur* among others: *First*, the entry of elements into the interpretation. *Second*, the elimination of the chain of transmission in the transmission of narrations. *Third*, the many false narrations made in tafsir.

In general, the interpretation method *is* divided into two parts: *First*, a narration that is authentic and supported by strong evidence, and then it is obligatory to accept it and must not be abandoned. *Second*, A narration that is not authentic must be rejected and cannot be accepted.

In interpretation, *bil ma'tsur* (interpretations based on narrations) are not completely free from false elements and interjected stories. This occurs for several reasons, as follows.

1. There is infiltration from the enemies of Islam, such as heretical Jews who pretend to embrace Islam to insert false news taken from their own books.
2. The interference of groups with heretical views and deviant sects, such as the *Rafidah*, who make up false hadiths and falsely attribute them to the Prophet Muhammad or his companions.
3. There are many narrations attributed to the companions without a clear chain of transmission, so that the authentic narrations are mixed with the inauthentic ones, and it becomes difficult to distinguish between truth and falsehood.

Interpretation Description *Bi Al-Ra'y* (Interpretation Based on Opinion)

Related to the approach of *bi ra'yi*. There are two definitions as follows:

1. An interpreter who interprets the verses of the Qur'an only with his own thoughts, without considering the opinions of scholars or without paying attention to the rules of knowledge required in interpretation, this method is a reprehensible method.
2. According to Dr. al-Dzahabi, *sharing your opinion*(opinion) can mean belief, *ijtihad*, or *qiyas* (analogy). In this context, what is meant is *ijtihad*.

So in terminology it is found that the interpretation *bi al-ra'y* is the interpretation of the Qur'an by *ijtihad* after an interpreter fulfills the requirements, including: mastering Arabic and its style, understanding the meaning of Arabic words, and being assisted by the poetry of the Jahiliyah, knowing the reasons for the revelation of verses, understanding the verses *nasikh* And *Mansukh*, as well as mastering all other sciences as supporting instruments needed in interpretation.

As previously discussed, *tafsir bi al-ma'tsur* is the form of *tafsir* that first appeared, while *tafsir bi al-ra'y* was only known later. In the early days of Islam, this type of interpretation was not yet known, and even the meaning of some verses of the Qur'an was not yet clearly understood. However, from another perspective, it can be said that the interpretation *bi al-ra'y* began to appear along with the emergence of Ibn Jarir ath-Thabari's method, especially when he began to select and strengthen certain opinions in his interpretation.

In addition, a stronger opinion states that the interpretation is based on *bi al-ra'y*. This new phenomenon emerged alongside various Islamic groups, particularly those with specific schools of thought or religious views. These groups interpreted the Quran according to their beliefs, aiming to reject the views of groups with differing views. Conversely, other groups also interpreted the Quran according to their own beliefs, aiming to refute previous views. This issue began to develop during the Abbasid period.

There are two types of *tasfir bi al-ra'y*, namely: *First*, *interpretational-Ra'y*, *The Praiseworthy* (*ar-ra'y al-mahmud*). *Kedua*, *interpretational-ra'y* the despicable (*muzmum*). What is meant by *interpretational-ra'y* Praiseworthy is an opinion that is based on true knowledge and understanding. This interpretation is divided into two types: *First*, selecting and strengthening (*tarjih*) the opinions of the scholars of the Salaf. This first type is divided into two branches:

1. If there is a difference of opinion among scholars about something that has the same meaning and the difference is only in the expression or wording, then the role of *opinion*

here it is explained that these opinions are not actually fundamentally different, because they all contain the same meaning.

2. If the difference occurs in different meanings, then *opinion* plays a role in determining whether the differences are significant *disagreement* (diverse but complementary differences) or choosing one of the stronger opinions from later commentators.

Second, provide new meanings, as long as they do not conflict with the interpretations of the Salaf and do not limit the meaning of the verse to the new interpretation. The conditions that must be met to use this approach are: *bi al-ra'y*, that is:

1. The meaning expressed must be in accordance with Arabic language rules.
2. It cannot contradict the interpretations of previous scholars.
3. One cannot blame the previous interpretation and consider it the most correct interpretation.

If these conditions can be met, then the new interpretation can be accepted and is included in the category of interpretation. *bir-ra'y*, which is commendable. Next, the second opinion is reprehensible (*ar-ra'y al-madzmūm*). This opinion takes various forms, but it generally stems from ignorance or lust. This type of interpretation is often found in the interpretations of heretical groups, such as the Mu'tazilah, Rafidhah (Shia), and some Sufis, among other groups.

Related to the method of interpretation, *bi ra'yi*, then several things must be considered, including:

1. It is not correct to interpret *bil-ma'tsūr* (interpretation based on narration) as opposed to interpretation *bir-ra'yi* (interpretation based on reasoning)
2. When there is a difference of opinion with the interpretation approach *bi ma'tsūr*, then new studies and reasoning are needed (*ra'yi*) to determine the strongest or most accurate opinion.

Thus, it is not accurate to consider all tafsir products *bi al-ma'tsur* true because it is based on history, but it is necessary to weigh and choose which opinion is more in accordance with the context of the verse and scientific truth.

Scholars are divided into two groups in responding to the interpretation *bi ra'yi*: *First*, some scholars do not dare to interpret the Qur'an, and also forbid others to do so. They believe that it is not permissible for anyone to interpret the Qur'an, even if they are a linguist, jurist, or Islamic law expert. According to them, one can only hold on to the narrations that come from the Prophet, the companions who witnessed the revelation, or from the *tabi'in* who learned directly from them. *Second*, scholars who are more flexible and allow interpretation based on *ijtihad*, which is called opinion *orra'yi*.

Based on Sheikh al-Zarqani's explanation, four factors must be fulfilled as conditions for the interpretation method *bi ra'yi* acceptable, namely:

1. Based on the Prophet Muhammad, paying attention to the use of authentic hadith
2. Taking the opinion of the companions, because some scholars consider the opinion of the companions to be equal to the hadith *marfu'* (directly from the Prophet), especially in matters of *the reason for the descent* (the reason for the revelation of the verse) and things that cannot be reached by reason
3. Using Arabic correctly, in the sense of not interpreting verses with meanings that are not known in common Arab usage.
4. Interpret according to the context of the verse and Sharia rules.

The Journey of Contemporary Era Interpretation Methodology

As previously explained, after the death of the Prophet Muhammad SAW, the journey of interpretation in providing understanding contained in the Qur'an experienced quite a long dynamic. Starting from the era of the Companions, the Successors, and beyond, up to

the scholars of interpretation, which is then referred to as the classical era. This pattern has long been ingrained among Muslims, particularly in the study of verses as a reference source of law. However, with the ongoing shifts in space and time, various new dynamics have emerged, necessitating a reinterpretation of Quranic verses as a fundamental source of law in Islam. This reinterpretation is intended to seek greater relevance and integration with modern issues. This is motivated by the many opinions that classical interpretations are no longer able to answer or are no longer relevant as a reference source of law. Based on this understanding, a new method is needed to reread Quranic verses to obtain precise answers according to the context of the case at hand.

Contemporary interpretation does not completely reject the classical tradition, but rather rereads the text of the Quran, which is then called a renewal of meaning, taking into account the context of the times. The spirit of renewal by contemporary interpreters has at least four main characteristics: first, a strong motivation to restore the Quran as a book of guidance; second, contextualization by prioritizing the presence of the Quran; third, hermeneutic character; and fourth, scientific and critical. These four characteristics provide a picture that Muslim scholars in this century have a strong desire to rekindle the spirit of exploring the messages of the Qur'an by prioritizing critical and scientific contextualization of verses to adapt to the demands of the problems of the times that continue to develop and change.

In general, contemporary interpretation attempts to combine textual understanding based on the structure, language, and literal meaning of the verse with contextual understanding that is understood based on social reality. By combining these two understandings, the Quran is not merely read as a text of revelation from the past, but rather as a dynamic and up-to-date guide for the continuation of human life in the modern era. This dynamic and up-to-date nature is accompanied by the presence of various approaches used by contemporary scholars of exegesis to deepen their understanding of the Quranic text as a bridge between the text and the complex realities of life.

In practice, contemporary interpretation methods can be divided into several approaches, including the following:

1. Hermeneutics

Hermeneutics can simply be defined as moving from ignorance to knowledge or understanding. There are three important elements inherent in this method, namely the actor or writer of the message, the text, and the reader. The author can be interpreted as God or the Messenger as the bearer or source of revelation. The text in this case is a verse of the Quran, which has a linguistic structure, *reasons for the revelation* (the context in which it was revealed), as well as the meaning it contains that is intended to be conveyed. The reader is understood as an interpreter who lives in a space and time with a social, cultural, and knowledge background that differs from the time of the revelation.

In the context of interpreting the Qur'an, the hermeneutic approach has three things that need to be considered as a basic foundation, namely: *First*, Interpreters of scripture are ordinary human beings with inherent strengths and weaknesses. Understandably, a human being is always bound by historical and experiential constraints that influence the nature of their interpretation, so that no interpretation can be concluded as absolutely right or wrong. *Second*, Interpretation will always be tied to language, history, and tradition. Therefore, it can be said that the interpretation process never occurs in isolation, but is instead part of a historical and linguistic process., Every interpreter is involved in active participation in history and language that shapes their understanding of sacred texts in a particular time and space. *Third*, no text is intended solely for its own region. This means that revelation did not occur in a vacuum, but rather within the context of Arab

society, which had its own culture, social system, and traditions. Therefore, the nature of Quranic revelation is evident in its content, form, language, and purpose.

In short, the process of the hermeneutic approach in interpreting the verses of the Qur'an can be summarized as follows:

- a. Text analysis, namely the process of analyzing the grammar or meaning contained in the verses of the Qur'an.
- b. Context analysis is the phase where the interpreter looks for the situation and background conditions behind the revelation of a verse of the Qur'an.
- c. Contextualization is the final step, analyzing the relevance of the Quran's meaning to the current context. This is intended to ensure that the resulting interpretation is appropriate to current situations and conditions.

2. Thematic

The thematic method, also known as tafsir maudhuiy, is the process of collecting verses of the Qur'an that have the same meaning in discussing a theme. This method has the advantage that it does not require a long time to read; simply by using a thematic interpretation book, it has been presented in accordance with the context of the problem comprehensively.

In brief, the stages of the thematic method in analyzing a theme based on verses of the Qur'an are as follows:

- a. Determine the theme or context being studied
- b. Collect sentences that are appropriate to the theme being studied.
- c. The arrangement of verses according to the time of revelation and the background of the revelation of the verse
- d. Finding correlations in the sentence
- e. Create a systematic discussion theme framework
- f. Adding discussion with hadith to get a deeper understanding and explanation
- g. Thoroughly analyze the verses that have been collected, so that conclusions are produced that provide answers to the context being discussed.

3. Maqashidi

Interpretation method *purpose*. While not yet popular during the classical era, it underwent development during the time of Ibn Asyur, known as the maqashid al-Qur'an. At that time, the maqashid al-Qur'an was divided into two parts: *First*, Maqashid al-a'la, namely the noble goal which includes social transformation, individual reform until the realization of prosperity. *Second*, Maqashid al-Asliyyah is the main objective of the revelation of the Qur'an. The meaning of the maqashid of the Qur'an can be understood as the goal and essence that Allah seeks to achieve through the revelation of the verses of the Qur'an. The maqashid method plays a crucial role in explaining the primary purpose or intent of the revelation of the Qur'an, enabling humans to reflect more deeply on its meaning.

Some rules and conditions must be met when using the Maqashidi method, including the following:

- a. Have comprehensive knowledge of the Quran and hadith.
- b. Carrying out the rules of interpretation
- c. Be careful in determining the meaning of the text and placing it according to its level.
- d. Analyzing the wisdom or benefit of a verse
- e. Be wise in weighing the benefits and harms when applying a verse.
- f. Pay attention to the impact of using maqashid in practicing a verse.

The Maqashid al-Qur'an seeks to explore the deeper meaning of the goals contained within the verses of the Qur'an, not just their literal meaning. Therefore, the following systematic steps are found in using the Maqashid method:

- a. Searching for the general purpose of revelation, as a first step, it is important to know that all verses of the Qur'an contain the aim of benefiting humanity.
- b. Exploring the context in which the verses were revealed, the historical context and social conditions are important for interpreters to gain a comprehensive understanding.
- c. Analyzing the specific purpose of a verse, an interpreter is required to be careful in exploring the specific meaning of a verse, because each verse of the Qur'an is not only universal, but also has many specific purposes within it.

4. Contextual

The contextual method is a method of Quranic interpretation that explores the meaning of verses in relation to the historical, social, and cultural context of the time they were revealed, while also considering their relevance to the present. This method focuses not solely on the text but also on the reality of the situation, resulting in an interaction between the interpreter and the social context. It can be understood that the contextual method prioritizes a broad understanding of various aspects such as culture, social, history, economics, politics, and so on, so that this approach has the ultimate goal of being a way to provide answers to the challenges of problems that continue to develop among the people.

Contextual interpretation is dynamic and adaptive, enabling interpreters to interpret the Quranic text in a way that is more relevant and responsive to the challenges of the times. Abdullah Saeed proposed four stages related to the contextual method:

- a. Looking for the initial context of the revelation, the Qur'an was revealed to an Arab society that had a social and cultural structure that influenced the meaning of a verse, so that understanding the socio-cultural situation and conditions at the time of the revelation is fundamental in obtaining a relevant interpretation.
- b. Interpreting the text of the Qur'an is not final and absolute; the emphasis on the interpretation of the verses of the Qur'an is treated dynamically and contextually, so that it can change according to social and cultural developments.
- c. Complexity of meaning, namely the contextual method, emphasizes the complexity of the meaning contained in the Qur'an, so that other instruments are needed to gain a deeper understanding.
- d. Linking the interpretation of the text with the context of the times, finally linking the interpretation of the text with current conditions, so that it remains relevant for each generation.

5. Scientific interpretation (*Out*)

The scientific method can be interpreted as a method of interpreting the verses of the Qur'an with modern knowledge, especially science, so that in the process, it is linked by citing scientific theories related to the verses being interpreted. Scientific studies are intended to strengthen existing theories, not to allow scientific theories to strengthen interpretations. Many verses in the Quran discuss modern sciences such as astronomy, biology, agriculture, animal husbandry, and so on, elaborated on with modern scientific theories from both Western and Eastern scholars.

There are several important rules to pay attention to in the scientific interpretation method. that is:

- a. Adhering to the essence, namely using theories produced by experts, so that they can be used as references and supports.

- b. Not forcing the understanding of the text, meaning being careful in the process of interpreting a verse when it is to be linked to a scientific discussion, so that there are no engineering or results that are seen as forced.
- c. Not justifying the people, the scientific method does not make the previous people backward, but rather, scientific interpretation complements existing interpretations.

Differences between Classical and Contemporary Interpretation Methods

As times change with each generation, the methods used by scholars across generations continue to evolve to meet the demands of the times. These differences are illustrated in the following table:

Aspect	Classical Method	Contemporary Methods
Development Period	Starting from the time of the Prophet Muhammad SAW, his companions, his followers, and the later scholars.	Developed from the 19th century to the present day
Historical Context	Based on traditional knowledge and maintaining the orientation of the purity of the revealed text	The demands of the relevance of the modern world are influenced by modernization and globalization
Source of Interpretation	History Based	Combining History with other supporting rational and interdisciplinary approaches
Approach	Textual and literal	Interdisciplinary and contextual
Main Method	Bi al-ma'tsur dan bi al-ra'yi	Hermeneutic, thematic, maqashidi, contextual, and scientific
Advantages	Maintaining the originality of the meaning of verses and scientific traditions	Offering a new reading method that is relevant to the times
Disadvantages	Less responsive to social change and scientific developments	Risk of subjectivity or being too free in interpretation

The table below shows a comparison between classical and contemporary interpretation methods, in terms of sources, approaches, and methods used. While contemporary interpretation methods don't completely abandon classical methods, they combine both with the addition of new approaches. This process produces different or new interpretations, particularly those related to family law. The results of this renewal are certainly a breath of fresh air for the needs of the community, which is facing many new problems not encountered in classical interpretation.

The Relevance of Classical and Contemporary Interpretation Methods in Addressing the Challenges of Islamic Family Law

The development of Islamic family law is inseparable from the dynamics of interpretation of the Qur'an and Hadith, the primary sources of Islamic law. In this context, although classical and contemporary interpretation methods emerged from different

histories and epistemologies, both have their respective roles, complementing each other in providing answers to the problems facing the community.

The normative and authentic meaning of verses is the foundation of the classical interpretation method, which is based on authentic narrations from the Prophet, his companions, and his successors. With this approach, the classical method provides an understanding of Islamic family law while remaining grounded in basic sharia principles, such as justice, compassion, and responsibility, while remaining grounded in authoritative sources and not exceeding the limits of the text.

On the other hand, contemporary interpretation methods bring a refreshing rereading of the verses of the Qur'an with the spirit of providing solutions and answers to the increasingly complex and diverse social and cultural challenges, especially family law in the modern era. Issues such as gender equality, children's rights, the role of women in the household, and the form of the modern family in general demand a rereading of the verses of the Qur'an more contextually and responsively to reach the realities of community life. The maqashid, hermeneutic, thematic, and other approaches provide opportunities for interpreters of this century to explore the universal values of the Qur'an, so that Islamic family law can be understood more dynamically and remain able to adapt to current developments without losing the essence of its teachings.

Whether using classical or contemporary methods to delve into the field of interpretation, an interpreter must possess a certain level of scientific competence, which is a primary requirement for researching and interpreting the Qur'an, which serves as the primary foundation for exploring law, particularly in this context, which intersects with Islamic family law. These areas of study include::

1. Knowledge of the Arabic language, to understand the meaning of words and their style.
2. The science of grammar, grammar, and grammar, to understand word forms, changes, and sentence structure.
3. The science of balaghah (rhetoric), to be able to capture the beauty and power of meaning in the Qur'an.
4. The science of qira'at (reading the Qur'an), because differences in qira'at can affect the meaning of the verse.
5. The science of ushuluddin (aqidah), so that the interpretation is in accordance with the correct basis of faith.
6. The science of usul fiqh is to understand how to derive laws from scriptures.
7. The science of hadith is related to interpretation, such as hadiths about the reason for the revelation of verses, abrogations or hadiths that explain the meaning of obscure verses.
8. The science of stories (the stories of the Qur'an), to understand the stories of previous people and their wisdom.
9. Ilmu al-mauhibah (gifted knowledge), namely knowledge that Allah gives to people who practice His knowledge, as mentioned in the hadith (there are differences of opinion among scholars in naming and discussing this knowledge).
10. Basic understanding of modern sciences, so that interpreters can adapt their understanding to current developments.

These requirements imply that not just anyone can interpret Quranic verses. Special expertise is required to ensure the authenticity of the verses and ensure that the resulting legal products are derived from in-depth ijtihad. These prerequisites can serve as parameters for determining whether someone is qualified to analyze a verse that serves as a source of Islamic family law.

One example of a contemporary family law issue concerns inheritance, specifically the division of inheritance between men and women. In classical interpretations, commentators

adhere to the *bi al-ma'tsur* method, based on the Prophet's hadith, the opinions of his companions, and his followers. As explained by at-Tabari in his commentary on Surah An-Nisa, verse 11, Allah SWT says:

يُوصِيكُمُ اللَّهُ فِي أَوْلَادِكُمْ لِلذَّكَرِ مِثْلُ حَظِّ الْأُنثِيَّيْنَ

“Allah has enjoined upon you concerning your children’s inheritance: a son’s share is equal to two daughters’ shares.”

What is meant by Allah's word "*yūṣīkumullāhu*" (Allah has bequeathed to you) is that Allah has determined and ordered you regarding the division of your children's inheritance; the share of the son is twice the share of the daughter.

That is, Allah has decreed that if one of you dies and leaves behind children, both male and female, then all his property is inherited by them together. If there are no other heirs besides them, then the male gets double the share of the female, regardless of whether the children are still young or have reached adulthood.

Say "*lines*" (like a part) here is read as *rafa'* (with vowels) *finish* because it functions as an attribute for the word preceded by the letter lam in the phrase "*the lids are there*" (for men). It is not objectified by the word "*yūṣīkumullāhu*", because the word "will" in this context means a command and explanation, not a verb that directly regulates the object of an object. So, the meaning is as if "Allah says to you about the (inheritance) of your children: the share of a son is equal to two shares of a daughter."

Regarding the reason for the revelation of this verse, at-Tabari said, "It has been stated that this verse was revealed to the Prophet Muhammad as an explanation from Allah regarding the obligatory law of inheritance for those who die and leave heirs." During the period of ignorance, the Arabs did not give inheritance to young children or to women. Inheritance was only inherited by men who were capable of fighting. So, Allah revealed this verse to stipulate that all children, young and old, male and female, have the right to inherit from their father if there are no other heirs, with the provision that: the share of a son is equal to two shares of a daughter.

From the above interpretation, it can be concluded that the method used by At-Tabari is to interpret the verses of the Qur'an with the verses of the Qur'an itself. This means that the share of men is twice that of women. At-Tabari also mentions the historical side where previously, in the era of ignorance, women did not receive inheritance as well as young children. He also mentioned that even adult men did not receive inheritance if they were unable to fight. After the arrival of Islam, Islam stipulated that all children, both boys and girls, have the right to inheritance.

As for the interpretation using the *bi al-Ra'y* approach of the letter an-nisa verse 11, Az-Zamakhsyari in his commentary said: "Allah advises you, entrusts the affairs of your children to you and commands you regarding inheritance, in accordance with justice and benefit. The verse states: "For a man, a share equal to that of two women."

Why doesn't the Qur'anic verse say "for two women is equal to one man's share" or "for one woman is half a man's share"? Because the verse emphasizes the virtue of men, which is why the man's share is doubled. The phrase "for a man is equal to two women's share" is intended to indicate the virtue of men. If it had been said "for two women is equal to a man's share," it would have emphasized women's shortcomings, not men's virtues.

Before the revelation of this verse, inheritance was usually given exclusively to men. Therefore, after the revelation of verse 11 of An-Nisa, women's rights were balanced. This way, women were not unduly disadvantaged and remained respected within the family line.

Based on the two classical approaches above, the same conclusion is reached: two inheritance shares for males and one for females. In terms of the methods used, both remain textual and prioritize maintaining the originality of the verses.

This contrasts with the approach taken by contemporary interpreters, who view the verse from a social, historical, and contextual perspective. Modern interpreters, such as Fazlur Rahman and Abdullah Saeed, believe that verse 11 of An-Nisa' (the Quran) represents contextual justice, appropriate to the era in which it was revealed. Therefore, reinterpreting the law in the verse can be done without losing its essence of justice.

Fazlur Rahman, with the theory of *double movement*, emphasizes that in understanding the inheritance verse in the context of An-Nisa verse 11, two stages are carried out, namely: *First*, understand the moral and socio-cultural context in which the verse was revealed. *Second*, understand these moral values in the present context. If we look at when this verse was revealed, the prevailing socio-cultural culture of the Arab nation was a patriarchal culture, where men were dominant in all aspects of the family. Based on this, it is natural that men's inheritance share is greater than women's because men have a greater burden.

Furthermore, Abdullah Saeed views that based on current reality, public roles are no longer dominated by men, but rather many women are also actively involved and even have more capable abilities than men. This is reflected in the economic independence, higher education, and strategic positions that women can hold in many sectors. With this contextual approach, the application of the 2:1 ratio may be modified to accommodate current situations and conditions, prioritizing the principle of justice, based on consideration of women's changing roles, unlike the situation at the time the verse was revealed.

The argument regarding the contextualization of Surah An-Nisa verse 11 is also supported by Muhammad Syahrur's theory of maximum and minimum limits. In modern society, women contribute to the family economy, so applying the 2:1 ratio does not always reflect justice. He argues that the *ijtihad* process must prioritize cultural diversity, local and global contexts, thereby avoiding potential disputes or conflicts. So that the division between men and women is found based on Muhammad Syahrur's theory of limits, namely the maximum limit for men is twice the share of women (66.6%) and the minimum limit for girls is (33.3%). This limit applies if the woman is not involved in bearing the family's economic burden. This rule can be applied in cases where women contribute to the family's economic needs, in which case the inheritance distribution can be adjusted to a 1:1 ratio. In principle, in the context of Surah An-Nisa verse 11, Muhammad Syahrur emphasized the permissibility of *ijtihad*, as long as it does not exceed the specified limits.

A comparison of these two interpretation methods reveals that classical interpretation emphasizes adherence to the text and its immutable legal provisions. Contemporary interpretation, on the other hand, prioritizes reinterpreting the text based on the current social order and the principle of justice. Therefore, both methods are relevant to their respective roles. In the context of family law, classical interpretation maintains the legal authority and continuity of Islamic law, while contemporary interpretation allows for the interpretation of Qur'anic values within modern society. Specifically, in the context of Surah An-Nisa, verse 11, the combination of these two methods provides a more complete, comprehensive, and contextual understanding of inheritance law, without abandoning the principles of Islamic law.

4. CONCLUSION

The classical interpretation method originated in the time of the Prophet Muhammad and continued through the scholars known as classical scholars. The approach used is divided into two parts. that is *bi-ma'tsur dan bi ra'yi*. These two approaches are interconnected, utilizing hadith narration and reasoning. Both the *bi ma'tsur* and *bi ra'yi* approaches are textual and prioritize the authenticity of verses in their interpretation.

Contemporary methods, meanwhile, have experienced significant development, marked by the emergence of many new approaches to interpreting Quranic verses.

The classical and contemporary methods of interpretation differ in terms of their development period, sources, approaches, and primary methods used. However, the contemporary method does not completely abandon the classical tradition of interpreting verses.

Both methods are relevant when faced with issues of Islamic family law. The classical method serves as the initial foundation, while the contemporary method develops it to be more relevant to contemporary issues. In the case of inheritance, for example, in Surah An-Nisa verse 11, the classical method provides a foundational socio-historical understanding of the time the verse was revealed. The contemporary method, with a different approach, reanalyzes it to provide answers to the needs of today's society.

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