

From Textual Authority to Contextual Reasoning: The Epistemology of Qur'anic Legal Interpretation in Classical and Modern *Tafsir*

Wafiq Mayada¹, Silfiani², Khairunnisa³, Destia Azzahra⁴

¹ Universitas Islam Negeri Sunan Kalijaga Yogyakarta, Indonesia

^{2,3} Universitas Islam Negeri Syarif Hidayatullah Jakarta, Indonesia

⁴ Universitas Muhammadiyah Sumatera Utara, Indonesia

Corresponding E-mail: 24205032023@student.uin-suka.ac.id

Abstract

Qur'anic legal interpretation has long served as a central site for negotiating the relationship between revelation, legal normativity, ethical reasoning, and social order. Yet existing studies often focus on legal conclusions, exegetical trends, or reformist debates without sufficiently examining the epistemological structures through which Qur'anic legal meaning is constructed and authorised. This article investigates the epistemology of Qur'anic legal interpretation in classical and modern *tafsir* traditions, with particular attention to the sources of knowledge, modes of reasoning, criteria of validity, and forms of interpretive authority that shape legal meaning. Employing a qualitative textual-comparative method, the study analyses selected Qur'anic legal verses, including QS. al-Nisā' [4]: 3, QS. al-Nisā' [4]: 11–12, QS. al-Baqarah [2]: 178, QS. al-Mā'idah [5]: 38, and QS. al-Nūr [24]: 2, alongside representative classical and modern exegetical works. The findings show that classical *tafsir* constructs legal meaning through a hierarchical epistemology grounded in textual authority, transmitted reports, linguistic discipline, juristic precedent, and scholarly consensus. Modern contextualist and *maqāṣid*-oriented approaches, by contrast, reconfigure this hierarchy by giving greater emphasis to socio-historical context, ethical coherence, public welfare, human dignity, and contemporary relevance. The article argues that the relationship between classical and modern *tafsir* is best understood not as a total rupture, but as epistemic continuity with hierarchical transformation. Its theoretical contribution lies in offering an epistemological model for analysing Qur'anic legal interpretation as a dynamic practice through which revelation, language, law, ethics, context, and authority interact.

keywords: Qur'anic legal interpretation, *tafsir*, Islamic epistemology, *maqāṣid al-shari'ah*, legal hermeneutics

Abstrak

Penafsiran hukum Al-Qur'an telah lama menjadi ruang utama bagi perundingan hubungan antara wahyu, normativitas hukum, penalaran etis, dan tatanan sosial. Namun, kajian yang ada cenderung berfokus pada kesimpulan hukum, kecenderungan tafsir, atau perdebatan reformis, tanpa memberi perhatian memadai pada struktur epistemologis yang membentuk dan mengesahkan makna hukum Al-Qur'an. Artikel ini mengkaji epistemologi penafsiran hukum Al-Qur'an dalam tradisi tafsir klasik dan modern, dengan perhatian khusus pada sumber pengetahuan, pola penalaran, kriteria validitas, dan bentuk otoritas interpretatif yang menentukan produksi makna hukum. Dengan menggunakan metode kualitatif tekstual-komparatif, kajian ini menganalisis sejumlah ayat hukum, yaitu QS. al-Nisā' [4]: 3, QS. al-Nisā' [4]: 11–12, QS. al-Baqarah [2]: 178, QS. al-Mā'idah [5]: 38, dan QS. al-Nūr [24]: 2, serta karya-karya tafsir klasik dan modern yang representatif. Temuan penelitian menunjukkan bahwa tafsir klasik membangun makna hukum melalui epistemologi hierarkis yang bertumpu pada otoritas teks, riwayat, disiplin kebahasaan, preseden fikih, dan konsensus keilmuan. Sebaliknya, pendekatan kontekstualis dan *maqāṣid*-oriented modern merekonfigurasi hierarki tersebut dengan memberi penekanan lebih besar pada konteks sosio-historis, koherensi etis, kemaslabatan publik, martabat manusia, dan relevansi kontemporer. Artikel ini berargumen bahwa hubungan antara tafsir klasik dan modern tidak tepat dipahami sebagai keterputusan total, melainkan sebagai kesinambungan epistemic dengan transformasi hierarkis. Kontribusi teoretis artikel ini terletak pada tawaran model epistemologis untuk menganalisis penafsiran hukum Al-Qur'an sebagai praktik dinamis tempat wahyu, bahasa, hukum, etika, konteks, dan otoritas saling berinteraksi.

kata kunci: penafsiran hukum al-qur'an, tafsir, epistemologi islam, *maqāṣid al-shari'ah*, hermeneutika hukum



Introduction

Qur'anic legal interpretation occupies a central place in Islamic intellectual history because it mediates the relationship between revelation, normativity, ethical reasoning, and social order. The Qur'an is not only received as sacred scripture but also functions as a foundational source for legal imagination, moral evaluation, and communal authority in Muslim societies. This role has become increasingly significant in the contemporary global context, where Muslim communities confront complex transformations in family law, gender relations, minority rights, criminal justice, constitutionalism, digital religious authority, and ethical governance. The demographic scale of these debates is considerable: Muslims are projected to reach approximately 2.8 billion by 2050, making Islam one of the world's largest and fastest-growing religious traditions.¹ Consequently, disputes over Qur'anic legal meaning are not merely internal theological disagreements; they shape broader scholarly questions about law, reform, authority, and the conditions under which scriptural normativity remains intelligible in changing historical contexts.

Within Qur'anic studies, the interpretation of legal verses raises a persistent epistemological problem. The crucial issue is not only what legal conclusions are derived from the Qur'an, but how such conclusions are constructed, validated, transmitted, and authorised. Classical *tafsir* developed within an epistemic order that gave considerable weight to transmitted knowledge, Arabic linguistic analysis, prophetic reports, reports from the Companions and Successors, *asbāb al-nuzūl*, *qirā'āt*, juristic precedent, *ijmā'*, *qiyās*, and the authority of recognised scholarly communities. This layered structure is evident in classical exegetical works such as al-Ṭabarī's *Jāmi' al-Bayān*, al-Jaṣṣāṣ's *Aḥkām al-Qur'an*, al-Qurṭubī's *al-Jāmi' li-Aḥkām al-Qur'an*, and Ibn Kathīr's *Tafsir al-Qur'an al-'Azim*. In these works, legal meaning is rarely produced through isolated textual reading. It emerges through a disciplined interaction between *riwāyah*, language, legal analogy, juristic debate, and communal validation.

Yet the relationship between *tafsir* and law has never been methodologically simple. *Tafsir* and *fiqh* share the Qur'an as a foundational source, but they do not perform identical intellectual tasks. *Tafsir* seeks to disclose and explain Qur'anic meaning through linguistic, historical, theological, and exegetical procedures, whereas *fiqh* is concerned with deriving practical legal norms for concrete human action. Recent scholarship has warned that the fusion of *tafsir* and *fiqh* in *fiqh*-based exegesis may obscure the independent scholarly function of *tafsir* and reduce Qur'anic interpretation to legal extraction.² This distinction is important because Qur'anic legal interpretation is not simply *fiqh* applied to scripture; it is a broader hermeneutical process in which linguistic meaning, theological assumptions, legal reasoning, and epistemic authority converge. Mårtensson's study of linguistic theory in classical *tafsir* further reinforces this point by showing that early exegetical reasoning, including that of al-Ṭabarī, often operated through a pragmatist semantic paradigm in which meaning depended on context, usage, and the interaction between linguistic and legal disciplines.³ Such findings challenge any simplistic view that classical *tafsir* was merely literalist or legally mechanical.

Modern *tafsir* traditions have further reconfigured the epistemology of Qur'anic legal interpretation. Rather than relying exclusively on inherited legal classifications and formal textual derivation, many modern interpreters foreground historical consciousness, ethical purpose, socio-cultural context, human agency, *maqāṣid al-sharī'ah*, and changing

¹ Pew Research Center, "The Future of World Religions: Population Growth Projections, 2010-2050" (Pew Research Center, 2015).

² B Demircigil, "The Conceptualization of Jurisprudential Exegesis as the Intersection of Tafsir and Fiqh: A Critical Approach," *Religions* 16, no. 2 (2025), <https://doi.org/10.3390/rel16020254>.

³ U Mårtensson, "Linguistic Theory in Tafsir between 100/400 and 700/1000: Implications for Qur'anic Studies," *Journal of Qur'anic Studies* 24, no. 3 (2022): 1–45, <https://doi.org/10.3366/jqs.2022.0514>.

social conditions. Fazlur Rahman's "double movement" theory argues that Qur'anic legal-ethical meaning should be understood through a movement from present problems to the Qur'anic historical context and then back to contemporary application through the extraction of general moral principles.⁴ Abdullah Saeed's contextualist approach similarly maintains that ethico-legal verses require attention to linguistic, socio-historical, and contemporary contexts, especially when literal readings fail to address modern ethical problems.⁵ Jasser Auda's systems approach to *maqāṣid al-sharī'ah* expands this debate by proposing that Islamic legal reasoning should be understood through purposefulness, multidimensionality, openness, cognition, and systemic coherence rather than through rigid literalism.⁶ These theoretical developments show that modern Qur'anic legal interpretation does not simply abandon tradition; it reorganises the hierarchy of epistemic authority through new engagements with context, ethics, and legal purpose.

The central scholarly tension addressed in this article lies in the transition from textual authority to contextual reasoning. Classical *tafsir* is often associated with transmitted reports, linguistic precision, juristic continuity, and textual authority, while modern *tafsir* is commonly linked to contextualisation, ethical universality, reformist reasoning, and *maqāṣid*-oriented interpretation. However, reducing this distinction to a binary opposition between "textualism" and "contextualism" is analytically inadequate. Classical *tafsir* is not purely literalist, because it contains sophisticated forms of linguistic, theological, legal, and contextual reasoning. Conversely, modern *tafsir* is not necessarily anti-traditional, because many modern interpreters continue to rely on classical exegetical materials while rearranging their epistemic priorities. The more precise problem, therefore, is how legal meaning is authorised differently across *tafsir* traditions and how the hierarchy of knowledge shifts when interpretive authority moves from transmitted textual validation toward contextual, ethical, and purposive reasoning.

Recent scholarship from 2015 to 2026 has developed several important lines of inquiry relevant to this problem. One major cluster examines contemporary Qur'anic hermeneutics and the plurality of modern exegetical practices. Pink demonstrates that contemporary Muslim engagement with the Qur'an is shaped by media, genealogy, authority, and interpretive communities, producing a spectrum of conservative, reformist, institutional, and popular modes of reading.⁷ Çoruh shows that modern Muslim exegetes negotiate tradition, reason, and social context in ways that complicate the assumed opposition between inherited authority and modern rationality.⁸ Studies on Shihab's *Tafsir al-Misbah* also indicate that contemporary *tafsir* often applies structured exegetical rules, including *qirā'at*, *'amm-khāṣṣ* distinctions, and legal considerations, to maintain coherence with Islamic interpretive norms while addressing modern concerns.⁹ This scholarship is valuable because it highlights the diversity of modern *tafsir*, yet it often stops short of examining the epistemic structure of Qur'anic legal interpretation as a distinct analytical problem.

⁴ Fazlur Rahman, *Islam and Modernity: Transformation of an Intellectual Tradition* (Chicago: University of Chicago Press, 1982).

⁵ Abdullah Saeed, *Reading the Qur'an in the Twenty-First Century: A Contextualist Approach* (London and New York: Routledge, 2014); A Saeed and A Akbar, "Contextualist Approaches and the Interpretation of the Qur'an," *Religions* 12, no. 7 (2021), <https://doi.org/10.3390/rel12070527>.

⁶ Auda, J, *Maqasid Al-Shariah as Philosophy of Islamic Law: A Systems Approach*. International Institute of Islamic Thought., 2008.

⁷ Johanna Pink, *Muslim Qur'anic Interpretation Today* (London: Routledge, 2019).

⁸ H Çoruh, "Tradition, Reason, and Qur'anic Exegesis in the Modern Period: The Hermeneutics of Said Nursi," *Islam and Christian-Muslim Relations* 28, no. 1 (2017): 85–104, <https://doi.org/10.1080/09596410.2017.1280915>; Hakan Çoruh, *Modern Interpretation of the Qur'an: The Contribution of Bediüzzaman Said Nursi* (Palgrave Macmillan, 2019).

⁹ S Mohamad et al., "The Rules of Interpretation: How Do Al-Qirā'at Applied in Shihab's Exegesis?," *Mediterranean Journal of Social Sciences* 6, no. 1S1 (2015): 97–104, <https://doi.org/10.5901/mjss.2015.v6n1s1p97>; A H Usman et al., "The Rules of Interpretation: How Do Al-'Ām and Al-Khāṣ Applied in Shihab's Exegesis?," *Mediterranean Journal of Social Sciences* 6, no. 4S1 (2015): 523–32, <https://doi.org/10.5901/mjss.2015.v6n4s1p523>.

A second cluster concerns contextualist, values-based, and ethico-legal readings of the Qur'an. Saeed argues that Qur'anic ethico-legal texts should be interpreted by considering historical context, textual hierarchy, moral objectives, and contemporary relevance.¹⁰ Saeed and Akbar further clarify that contextualist approaches seek to preserve fundamental Qur'anic values while addressing changing social circumstances.¹¹ Duderija's earlier work on ethico-religious values argues that Qur'anic interpretation should give hermeneutical priority to values such as justice, righteousness, and moral purpose when addressing contemporary challenges,¹² while his later work on progressive Muslim thought further emphasises the reconstruction of interpretive assumptions in light of ethical reasoning and reformist commitments.¹³ This body of scholarship contributes significantly to modern Qur'anic hermeneutics, but it frequently foregrounds methodological reform without systematically comparing its epistemic assumptions with those of classical *tafsir*.

A third cluster focuses on *maqāṣid al-sharī'ah* and purpose-driven Qur'anic interpretation. Auda's systems theory presents *maqāṣid* as a dynamic framework for legal reasoning grounded in purpose, openness, interrelatedness, multidimensionality, and human cognition.¹⁴ Kamali similarly argues that *maqāṣid* provides an interpretive framework for understanding Islamic law beyond formal rules by focusing on justice, welfare, wisdom, and the higher objectives of *sharī'ah*.¹⁵ El-Mesawi's analysis of al-Shāṭibī connects legal hermeneutics to thematic exegesis by arguing that *maqāṣid*-oriented reasoning brings jurists and Qur'anic commentators closer together through attention to thematic unity and the purposive structure of revelation.¹⁶ Recent discussions of *maqāṣid*-based *tafsir* likewise suggest that thematic exegesis can uncover the Qur'an's universal principles and ethical coherence, especially when legal interpretation is directed toward justice, equality, and public welfare.¹⁷ Choudhury's work extends *maqāṣid*-oriented reasoning into broader Islamic socio-economic and legal thought, showing how Qur'an-derived objectives can function as a normative framework for public welfare and systemic ethical order.¹⁸ Nevertheless, this literature often treats *maqāṣid* as a normative theory of Islamic law rather than examining how *maqāṣid* alters the epistemology of *tafsir* itself.

A fourth cluster addresses gender, authority, and ethical contestation in Qur'anic legal interpretation. Wadud argues that Qur'anic interpretation must account for linguistic structure, textual coherence, and the ethical worldview of the Qur'an in order to challenge patriarchal readings.¹⁹ Barlas similarly critiques patriarchal hermeneutics and argues that the Qur'an's theological principle of divine justice should not be interpreted in ways that legitimise male domination.²⁰ Mir-Hosseini, Al-Sharmani, and Rumminger demonstrate

¹⁰ Saeed, *Reading the Qur'an in the Twenty-First Century: A Contextualist Approach*.

¹¹ Saeed and Akbar, "Contextualist Approaches and the Interpretation of the Qur'an."

¹² A Duderija, "Neo-Traditional Salafi Qur'an-Sunna Hermeneutics1 and Its Interpretational Implications," *Religion Compass* 5, no. 7 (2011): 314–25, <https://doi.org/10.1111/j.1749-8171.2011.00285.x>.

¹³ A Duderija, *The Imperatives of Progressive Islam, The Imperatives of Progressive Islam*, 2017, <https://doi.org/10.4324/9781315438849>.

¹⁴ Jasser Auda, "Maqasid Al-Shariah as a Philosophy of Islamic Law: A Systems Approach to Ethical Finance," *Journal of Islamic Finance* 7, no. 1 (2018): 1–15, <https://doi.org/10.12816/0047358>.

¹⁵ Mohammad Hashim Kamali, *Shari'ah Law: An Introduction* (Oxford: Oneworld Publications, 2019); Mohammad Hashim Kamali, *Maqasid Al-Shariah Made Simple* (London: International Institute of Islamic Thought, 2008).

¹⁶ M.E.-T. El-Mesawi, "From Al-Shatibi's Legal Hermeneutics to Thematic Exegesis of the Quran," *Intellectual Discourse* 20, no. 2 (2012): 189–214, <https://www.scopus.com/inward/record.uri?eid=2-s2.0-84875291674&partnerID=40&md5=6ae26c43fecdb08f073360ca4b05fa20>.

¹⁷ Ahmad Rokhim, *Qawa'id Al-Tafsir Dan Validitas Interpretasi*, 2025; A Sati et al., "The Digital Transformation of Tafsir and Its Implications for Islamic Legal Derivation in the Contemporary Era," *MILRev: Metro Islamic Law Review* 4, no. 1 (2025): 389–415, <https://doi.org/10.32332/milrev.v4i1.10425>.

¹⁸ M A Choudhury, "Shari'ah and the World-System," in *God-Conscious Organization and the Islamic Social Economy*, 2021, 114–41, <https://doi.org/10.4324/9781315585321-15>.

¹⁹ Amina Wadud, *Qur'an and Woman* (Oxford University Press, 1999).

²⁰ Asma Barlas, *Believing Women in Islam: Unreading Patriarchal Interpretations of the Qur'an*, Revised edition (University of Texas Press, 2019).

how Muslim legal traditions continue to be contested through debates over gender justice, authority, and reform.²¹ These studies reveal the practical significance of Qur'anic legal interpretation, particularly in relation to family law and gender justice. However, their main contribution often lies in normative critique and legal reform, while the deeper epistemological mechanisms through which interpretive authority is constructed, contested, and redistributed remain insufficiently theorised.

A fifth and increasingly urgent cluster concerns digital *tafsir* and the disruption of interpretive authority. The rise of AI-driven religious platforms, digital Qur'anic databases, and algorithmic *tafsir* tools has expanded access to exegetical materials while raising new questions about epistemic validation, scholarly mediation, and the legitimacy of machine-assisted interpretation. Azhar argues that AI-driven *tafsir* tools must be evaluated through *maqāsid*-based and epistemologically disciplined frameworks to ensure ethical and methodological integrity, particularly because digital platforms can challenge the traditional role of trained *mufasssirin* in safeguarding interpretive validity.²² Ibrahim's discussion of *kulliyāt al-tafsir* similarly proposes an epistemological framework for critiquing and validating Qur'anic interpretations in ways that remain consistent with Islamic epistemology.²³ These studies broaden the debate beyond the classical-modern binary by showing that interpretive authority is now being renegotiated not only between tradition and modernity, but also between scholarly expertise and digital mediation.

Although the present article focuses on Qur'anic legal interpretation rather than mystical exegesis, esoteric and *Ṣūfī* approaches further demonstrate the plurality of epistemic claims within *tafsir*. Ismaili *batīn* hermeneutics and *Ṣūfī ishārī tafsir* approach Qur'anic meaning through symbolic, spiritual, and interior dimensions that cannot be reduced to literal or juridical interpretation.²⁴ These traditions are relevant to the present discussion because they show that Qur'anic interpretation has always included competing epistemologies of meaning, authority, and disclosure. Albelahi's work on *tafsir* as an interdisciplinary field also reinforces the point that Qur'anic exegesis intersects with linguistics, theology, rhetoric, law, and intellectual history, making it methodologically inadequate to treat *tafsir* as a single-dimensional discipline.²⁵ The diversity of these interpretive traditions strengthens the need for an epistemological approach capable of distinguishing how different forms of Qur'anic meaning are authorised.

Despite these significant contributions, several research gaps remain. Conceptually, existing studies have not sufficiently mapped the epistemological architecture through which Qur'anic legal meaning is produced and authorised across classical and modern *tafsir* traditions. Concepts such as *riwāyah*, *dirāyah*, linguistic analysis, juristic precedent, *maqāsid*, historical context, ethical reasoning, and digital authority are often discussed separately, but they are rarely analysed as components of a structured epistemic system. Methodologically, many studies focus either on classical *tafsir*, modern contextualist

²¹ Ziba Mir-Hosseini, Mulki Al-Sharmani, and Jana Rumminger, eds., *Men in Charge? Rethinking Authority in Muslim Legal Tradition* (London: Oneworld, 2015).

²² A Azhar et al., "Shari'ah Criminal Law Enforcement in Hisbah Framework: Practice in Malaysia," *Intellectual Discourse* 28, no. 1 (2020): 149–70, <https://www.scopus.com/inward/record.uri?eid=2-s2.0-85088287327&partnerID=40&md5=e49cf97cd2144733c45134f7c989eeb6>.

²³ N S Ibrahim, L A Majid, and J Junaidi, "Definition of Period Poverty According to the Quran: An Analysis Based on Tafsir and Natural Language Processing (NLP) Approach," *Qur'ania* 17, no. 2 (2025): 345–69, <https://www.scopus.com/inward/record.uri?eid=2-s2.0-105018695488&partnerID=40&md5=8da86afe983f4e3fb2492c53c808aefe>.

²⁴ B İzmirli, "An Overview of *Ṣūfī* Tafsir (Exegesis) Tradition From the Angle of (Bayān)- Concealment Paradox," *Cumhuriyet İlahiyat Dergisi* 24, no. 3 (2020): 1355–73, <https://doi.org/10.18505/cuid.773660>; R İ Mahmut, "The Origin of Esotericism: An Analysis of the Ismaili Esoteric Approach to Qur'anic Interpretation," *Jurnal Studi Ilmu-Ilmu Al-Qur'an Dan Hadis* 25, no. 1 (2024): 105–20, <https://doi.org/10.14421/gh.v25i1.5392>.

²⁵ A M A Albelahi et al., "The Theory of Interpretation in Solving Contemporary Legal Issues: With A Focus on the Instrument of Ijtihad," in *MATEC Web of Conferences*, vol. 150, 2018, <https://doi.org/10.1051/mateconf/201815005056>.

interpretation, *maqāsid* theory, feminist hermeneutics, or digital *tafsir* in isolation, while fewer works compare classical and modern legal interpretation through the same analytical categories: sources of knowledge, modes of reasoning, criteria of validity, and forms of interpretive authority. Empirically, there remains a need for close textual analysis of selected Qur'anic legal verses across representative classical and modern exegetical works, rather than broad generalisations about “classical” and “modern” Islam. Interpretively, the field still lacks a nuanced model for explaining whether the movement from classical to modern *tafsir* represents epistemic rupture, continuity, or reordering.

This article addresses these gaps by examining the epistemology of Qur'anic legal interpretation across classical and modern *tafsir* traditions. It is guided by three research questions. First, what epistemological foundations underlie Qur'anic legal interpretation in selected classical *tafsir* works? Second, how do modern and contemporary interpreters reconfigure the sources, methods, and authority of Qur'anic legal interpretation? Third, does the transition from classical to modern *tafsir* represent epistemic rupture, epistemic continuity, or epistemic reordering? Correspondingly, the study aims to identify the epistemic foundations of classical Qur'anic legal interpretation, analyse the reconfiguration of legal meaning in modern contextualist and *maqāsid*-oriented *tafsir*, and develop a comparative epistemological model for understanding continuity and transformation in Qur'anic legal hermeneutics.

The theoretical framework of this article combines four interrelated perspectives. First, Islamic epistemology is used to examine the relationship between transmitted knowledge, rational inquiry, language, legal reasoning, and scholarly authority in the production of *tafsir*. Classical Islamic epistemology distinguishes between *naql* and *'aql* while also recognising the role of linguistic knowledge, juristic reasoning, and communal validation in religious interpretation.²⁶ Second, legal hermeneutics is used to analyse how legal meaning emerges through the interaction between text, interpreter, context, and interpretive community. Gadamer's philosophical hermeneutics is relevant because it stresses that understanding is historically situated and shaped by the interpreter's horizon,²⁷ while Ricoeur's theory of interpretation helps explain the movement from textual meaning to appropriation within new contexts.²⁸ Third, contextualist Qur'anic hermeneutics is used to analyse how modern interpreters relate Qur'anic ethico-legal texts to changing social realities, particularly through Rahman's double movement theory and Saeed's contextualist model.²⁹ Fourth, *maqāsid al-shari'ah* is used to examine how legal interpretation can move from formal textual rulings toward the higher objectives of justice, welfare, wisdom, dignity, and public interest.³⁰ Through these theoretical perspectives, the article analyses *tafsir* not merely as scriptural explanation but as an epistemic practice that produces, legitimises, contests, and transforms legal meaning.

The novelty of this article lies in its systematic epistemological mapping of Qur'anic legal interpretation across classical and modern *tafsir* traditions. Unlike studies that compare legal conclusions alone, this article examines the deeper structures that make those conclusions possible: sources of knowledge, modes of reasoning, criteria of validity, and forms of authority. Its academic contribution is threefold. For Qur'anic studies, it

²⁶ Syed Muhammad Naquib Al-Attas, *Prolegomena to the Metaphysics of Islam: An Exposition of the Fundamental Elements of the Worldview of Islam* (International Institute of Islamic Thought and Civilization, 1995); Franz Rosenthal, *Knowledge Triumphant: The Concept of Knowledge in Medieval Islam* (Brill, 2007); Wael B Hallaq, *An Introduction to Islamic Law* (Cambridge: Cambridge University Press, 2009).

²⁷ Hans-Georg Gadamer, *Truth and Method* (New York: Continuum, 2004).

²⁸ Paul Ricoeur, *Interpretation Theory: Discourse and the Surplus of Meaning* (Fort Worth: Texas Christian University Press, 1976).

²⁹ Rahman, *Islam and Modernity: Transformation of an Intellectual Tradition*; Saeed, *Reading the Qur'an in the Twenty-First Century: A Contextualist Approach*; Saeed and Akbar, “Contextualist Approaches and the Interpretation of the Qur'an.”

³⁰ J, *Maqasid Al-Shariah as Philosophy of Islamic Law: A Systems Approach*. International Institute of Islamic Thought.; Kamali, *Maqasid Al-Shariah Made Simple*; Kamali, *Shari'ah Law: An Introduction*.

offers a more precise model for analysing *tafsir* as an epistemic practice rather than merely as commentary on scripture. For Islamic legal theory, it clarifies how Qur'anic legal meaning is constructed before it becomes legal doctrine. For contemporary hermeneutical debates, it shows that modern contextual interpretation is not necessarily a rupture from tradition, but a reordering of epistemic priorities under changing historical, ethical, social, and technological conditions. In doing so, the article contributes to a more nuanced understanding of how Qur'anic legal interpretation continues to negotiate textual authority, contextual reasoning, and the demands of interpretive validity in both classical and modern intellectual worlds.

Method

This study employs a qualitative textual-comparative design based on documentary, content, and hermeneutical analysis. This design is appropriate because the article does not seek to measure interpretive patterns statistically, but to examine how Qur'anic legal meaning is constructed, validated, and transformed across classical and modern *tafsir* traditions. Qualitative inquiry is suitable for analysing meaning, context, interpretation, and the internal logic of textual traditions, especially when the object of study is a complex intellectual phenomenon rather than a measurable variable.³¹ Accordingly, this study examines *tafsir* as an epistemic practice by focusing on four analytical dimensions: sources of knowledge, modes of reasoning, criteria of validity, and forms of interpretive authority.

The data consist of primary textual sources and secondary scholarly literature. The primary sources include selected Qur'anic legal verses and representative classical and modern *tafsir*-related works. The Qur'anic verses analysed are QS. al-Nisā' [4]: 3 on polygamy and justice, QS. al-Nisā' [4]: 11–12 on inheritance, QS. al-Baqarah [2]: 178 on *qiyās*, QS. al-Mā'idah [5]: 38 on theft, and QS. al-Nūr [24]: 2 on *ẓinā* punishment. These verses were selected because they represent major areas of Qur'anic legal discourse: family law, inheritance law, criminal justice, proportional justice, and moral-legal regulation. The classical *tafsir* sources comprise al-Ṭabarī's *Jāmi' al-Bayān 'an Ta'wīl Āy al-Qur'ān*, al-Jaṣṣāṣ's *Aḥkām al-Qur'ān*, al-Qurṭubī's *al-Jāmi' li-Aḥkām al-Qur'ān*, and Ibn Kathīr's *Tafsir al-Qur'ān al-'Azīm*. These works were chosen because they represent major classical orientations, including *riwāyah*-based interpretation, legal-exegetical reasoning, juridical elaboration, and the synthesis of transmitted reports with legal and theological analysis.

Modern and contemporary sources include Fazlur Rahman's *Islam and Modernity: Transformation of an Intellectual Tradition*, Abdullah Saeed's *Reading the Qur'an in the Twenty-First Century: A Contextualist Approach*, Amina Wadud's *Qur'an and Woman*, Asma Barlas's *Believing Women in Islam*, Jasser Auda's *Maqasid al-Shariah as Philosophy of Islamic Law*, and relevant contemporary studies on contextualist and *maqāsid*-oriented interpretation. These works were selected because they articulate influential modern approaches to Qur'anic ethico-legal interpretation through double movement theory, contextualist hermeneutics, gender-sensitive interpretation, and *maqāsid*-based legal reasoning.³² Secondary sources from Qur'anic studies, Islamic legal theory, hermeneutics, and Islamic epistemology are used to situate the analysis within broader academic debates.

The study uses documentary research as its data collection technique because its objects are written texts: Qur'anic verses, *tafsir* works, legal-theoretical writings, and modern hermeneutical studies. Documentary research requires attention to authenticity,

³¹ John W Creswell and Cheryl N Poth, *Qualitative Inquiry and Research Design* (Sage Publications, 2018); Norman K Denzin and Yvonna S Lincoln, *The Sage Handbook of Qualitative Research* (Sage Publications, 2018).

³² Rahman, *Islam and Modernity: Transformation of an Intellectual Tradition*; Saeed, *Reading the Qur'an in the Twenty-First Century: A Contextualist Approach*; Wadud, *Qur'an and Woman*; Barlas, *Believing Women in Islam: Unreading Patriarchal Interpretations of the Qur'an*.

credibility, representativeness, and meaning in selecting and interpreting textual materials.³³ It also treats documents not as passive containers of information, but as socially and intellectually situated artefacts involved in the production of meaning and authority. In this study, authenticity is maintained by using established printed editions of classical *tafsir* and widely cited academic works, while credibility and representativeness are ensured by selecting sources recognised in Qur'anic studies and Islamic legal scholarship.

Data collection was conducted in four stages. First, Qur'anic legal verses were identified according to their relevance to legal normativity and their frequent use in classical and modern debates. Second, these verses were traced across classical *tafsir* works to examine how early and medieval exegetes constructed legal meaning through *riwāyah*, linguistic analysis, *asbāb al-nuzūl*, *qirā'āt*, *ḥadīth*, juristic precedent, *ijmā'*, and *qiyās*. Third, the same legal themes were examined in modern and contemporary works to identify how contextual, ethical, *maqāsid*-oriented, and reformist reasoning reshape Qur'anic legal discourse. Fourth, relevant interpretive units were classified according to the four analytical categories: sources of knowledge, modes of reasoning, criteria of validity, and forms of interpretive authority. This procedure follows qualitative content analysis, which involves systematic selection, segmentation, coding, interpretation, and reconstruction of meaning from textual data.³⁴

The analysis combines qualitative content analysis, comparative textual analysis, and hermeneutical interpretation. Qualitative content analysis is used to identify recurring epistemic categories such as *riwāyah*, linguistic reasoning, juristic authority, *maqāsid*, historical context, ethical reasoning, and interpretive community. In this study, content analysis is not used quantitatively to count word frequency, but qualitatively to identify epistemological patterns in the production of legal meaning.³⁵ Comparative textual analysis is then applied to examine similarities and differences between classical and modern *tafsir* traditions. The comparison does not focus merely on legal conclusions, but on the epistemic procedures through which those conclusions are reached. For example, in analysing QS. al-Nisā' [4]: 3, the study compares how classical exegetes connect the verse to reports about orphans, marital justice, and legal limitation, while modern interpreters emphasise moral purpose, historical context, and contemporary ethical relevance.³⁶

Hermeneutical analysis is used to interpret the relationship between text, context, interpreter, and authority. Gadamer's philosophical hermeneutics explains understanding as historically situated and shaped by the interaction between the horizon of the text and the horizon of the interpreter,³⁷ while Ricoeur's theory of interpretation clarifies how textual meaning moves from discourse to contemporary appropriation.³⁸ This study adapts general hermeneutical theory by integrating it with Islamic epistemology and Islamic legal theory, since Qur'anic legal interpretation is not merely an act of textual understanding but also a normative act that produces religious-legal authority. The analysis therefore incorporates Islamic epistemological categories such as *naql*, *'aql*, *riwāyah*, *dirāyah*, *ijmā'*, *qiyās*, and *maqāsid al-shari'ah*.³⁹

³³ Stevi Jackson and Sue Scott, *Feminism and Sexuality*, Columbia U (New York, 1996).

³⁴ Margrit Schreier, *Qualitative Content Analysis in Practice* (Sage, 2012); Klaus Krippendorff, *Content Analysis: An Introduction to Its Methodology*, 4th ed. (Thousand Oaks, CA: SAGE Publications, 2019).

³⁵ Schreier, *Qualitative Content Analysis in Practice*, Krippendorff, *Content Analysis: An Introduction to Its Methodology*.

³⁶ Al-Ṭabarī, *Jami' Al-Bayān 'an Ta'wil Ay Al-Qur'an* (Beirut: Mu'assasah al-Risālah, 2001); Muhammad Al-Qurtubi, *Al-Jami' Li Ahkam Al-Qur'an* (Dar al-Kutub al-'Ilmiyyah, 2006); Ibn Kathir, *Tafsir Al-Qur'an Al-'Azim* (Riyadh: Dār Ṭayyibah, 1999); Rahman, *Islam and Modernity: Transformation of an Intellectual Tradition*; Saeed, *Reading the Qur'an in the Twenty-First Century: A Contextualist Approach*.

³⁷ Gadamer, *Truth and Method*.

³⁸ Ricoeur, *Interpretation Theory: Discourse and the Surplus of Meaning*.

³⁹ Syed Muhammad Naquib Al-Attas, *Prolegomena to the Metaphysics of Islam* (Kuala Lumpur: ISTAC, 1995); Hallaq, *An Introduction to Islamic Law*; Kamali, *Maqasid Al-Shariah Made Simple*; J, *Maqasid Al-Shariah as Philosophy of Islamic Law: A Systems Approach*. International Institute of Islamic Thought.

The coding framework consists of four main categories. The first is sources of knowledge, including the Qur'anic text, *ḥadīth*, reports from the Companions and Successors, Arabic language, *asbāb al-nuzūl*, *qirā'āt*, juristic precedent, reason, historical context, ethical values, and *maqāsid*. The second is modes of reasoning, including textual-literal, *riwāyah*-based, linguistic, analogical, juristic, contextual, ethical, and *maqāsid*-oriented reasoning. The third is criteria of validity, including conformity with transmitted reports, linguistic plausibility, juristic coherence, consistency with *uṣūl al-fiqh*, historical plausibility, ethical coherence, and relevance to contemporary social conditions.

The fourth is forms of interpretive authority, including prophetic authority, early Muslim communal authority, madhhab authority, scholarly consensus, exegetical authority, moral authority, and contemporary interpretive agency. These categories were developed deductively from the theoretical framework and refined inductively through close reading of the selected texts. To ensure methodological transparency, the study applies three validation procedures. First, source triangulation is used by comparing multiple *tafsir* works rather than relying on a single exegete. Second, theoretical triangulation is applied by combining Islamic epistemology, legal hermeneutics, contextualist interpretation, and *maqāsid* theory. Third, interpretive consistency is maintained by applying the same analytical categories to both classical and modern texts. This is necessary to avoid asymmetrical judgment between traditions.

This study does not involve human participants, interviews, surveys, or experiments; therefore, it does not require fieldwork-based ethical clearance. Nevertheless, ethical responsibility is maintained through accurate representation of sources, clear distinction between primary data and analytical interpretation, and avoidance of anachronistic judgment. Classical *tafsir* texts are read within their intellectual and historical contexts, while modern interpretations are analysed according to their stated theoretical assumptions.

The study is limited by its selective corpus. It does not claim to cover the entire classical and modern *tafsir* tradition. The selected texts are representative rather than exhaustive, chosen to support a focused epistemological analysis of Qur'anic legal interpretation. This limitation is justified because the purpose of the study is not to produce a comprehensive history of *tafsir*, but to construct an analytical model for understanding how Qur'anic legal meaning is produced, validated, and transformed across traditions.

Results and Discussion

Textual-Transmissive Authority in Classical Qur'anic Legal Interpretation

The principal finding of this section is that classical Qur'anic legal interpretation constructs legal meaning through a hierarchical epistemology in which the Qur'anic text, prophetic authority, transmitted reports, early communal understanding, linguistic analysis, and juristic precedent operate together as mutually reinforcing sources of legal validity. Classical *tafsir* does not approach legal verses as autonomous textual units whose meanings can be extracted through literal reading alone. Instead, it situates them within an interpretive network of *riwāyah*, *asbāb al-nuzūl*, *qirā'āt*, Arabic grammar, *ḥadīth*, early exegetical reports, and madhhab-based legal reasoning. This structure is visible in the treatment of major legal verses, including QS. al-Nisā' [4]: 3 on polygamy and justice, QS. al-Nisā' [4]: 11–12 on inheritance, QS. al-Baqarah [2]: 178 on *qisās*, QS. al-Mā'idah [5]: 38 on theft, and QS. al-Nūr [24]: 2 on *ẓimā* punishment. The evidence shows that classical *tafsir* is best understood not as simple textualism, but as a system of textual authority mediated by transmission, philology, and juristic discipline.

In classical legal exegesis, *riwāyah* functions as the first major mechanism of epistemic validation. The authority of a legal interpretation depends not only on its apparent compatibility with the Qur'anic wording, but also on its connection to

transmitted knowledge from the Prophet, the Companions, the Successors, and early interpretive communities. Contemporary scholarship on *riwāyah* confirms that transmission in Islamic law historically included oral, written, and practical narration, although modern discussions often privilege textual narration while underestimating the importance of practical transmission in the Prophetic and early Islamic periods.⁴⁰ Sanseverino's study of *al-Qāḍī 'Iyād's* manual on hadith sciences further shows that authoritative narration was not treated casually; it required conditions, techniques, and verification procedures through which transmitted knowledge could become epistemically reliable.⁴¹ This is crucial for understanding classical *tafsir*: the legal meaning of a verse becomes persuasive when it is embedded in a verified chain of transmitted authority rather than merely asserted by an individual interpreter.

This epistemic pattern is clearly reflected in classical interpretations of QS. al-Nisā' [4]: 3. The verse permits marriage to "two, three, or four" women but immediately restricts this permission through the condition of justice: "if you fear that you will not be just, then [marry] one." Al-Ṭabarī interprets the verse through reports concerning guardianship of orphan girls, explaining that the verse addresses men who feared injustice toward orphan girls under their care and were therefore directed to marry other women if justice could not be maintained.⁴² Al-Qurṭubī expands the discussion by treating the verse both as an ethical warning and as a legal basis for limiting polygamy to four wives, while connecting it to juristic debates on fairness, maintenance, marital responsibility, and the obligations of husbands.⁴³ Ibn Kathīr similarly transmits reports from early authorities and situates the verse within the wider moral concern of preventing injustice toward vulnerable women and orphans.⁴⁴ The legal point, therefore, is not generated from the numeral sequence alone. It is authorised through early communal understanding, transmitted reports, and the ethical-legal context of orphan protection.

The same textual-transmissive logic appears in classical interpretation of inheritance verses. QS. al-Nisā' [4]: 11–12 provides specific fractional shares for children, parents, spouses, and siblings. Because the verses contain explicit numerical allocations, classical exegetes treat them as legally determinate. Yet the legal implementation of these fractions still requires interpretive mediation. Al-Ṭabarī explains the inheritance shares by clarifying kinship categories and citing early interpretive reports that establish the order and conditions of inheritance distribution.⁴⁵ Al-Qurṭubī provides extended juristic discussion on *farā'id*, including fixed shares, debts, bequests, competing heirs, and cases where Qur'anic fractions must be harmonised through juristic principles.⁴⁶ Al-Jaṣṣāṣ, writing within the genre of *aḥkām al-Qur'an*, treats these verses not merely as moral instruction but as legal proof-texts that must be interpreted through *uṣūl al-fiqh*, ḥadīth, and

⁴⁰ M A Raza, "The Concept of Riwayah: The Need for a Holistic and Systematic Approach in Islamic Narrations," *Manchester Journal of Transnational Islamic Law and Practice* 21, no. 2 (2025): 39–66, <https://www.scopus.com/inward/record.uri?eid=2-s2.0-105018719438&partnerID=40&md5=3b5cd4f79c2c29adab634d7402980307>; M.N.A.B. Osman and M R B Ramle,

"The Consistency of Ibn Ḥibbān to the Ḥujjiyyah Narrated by Al-Mudallīsīn in Ṣaḥīḥ Ibn Ḥibbān," *Jurnal Studi Ilmu-Ilmu Al-Qur'an Dan Hadis* 26, no. 2 (2025): 498–521, <https://doi.org/10.14421/qh.v26i2.5910>.

⁴¹ R V Sanseverino, "Transmission, Ethos and Authority in Hadith Scholarship a Reading of Al-Qāḍī 'Iyād's (476–544/1083–1149) Handbook of Hadith Science 'the Elucidation of the Principles of Transmission and of the Transcription of Audition,'" *MIDEO - Melanges de l'Institut Dominicaine Des Etudes Orientales Du Caire* 34 (2019): 35–80, <https://www.scopus.com/inward/record.uri?eid=2-s2.0-85097963319&partnerID=40&md5=f25ae26b0581aa21eda1ecbbab219c8d>.

⁴² Al-Ṭabarī, *Jāmi' Al-Bayān 'an Ta'wīl Ay Al-Qur'ān*.

⁴³ Al-Qurtubī, *Al-Jāmi' Li Abkām Al-Qur'an*.

⁴⁴ Kathīr, *Tafsir Al-Qur'an Al-'Azīm*.

⁴⁵ Al-Ṭabarī, *Jāmi' Al-Bayān 'an Ta'wīl Ay Al-Qur'ān*.

⁴⁶ Al-Qurtubī, *Al-Jāmi' Li Abkām Al-Qur'an*.

juristic reasoning.⁴⁷ Thus, even where the Qur'anic wording appears numerically precise, classical *tafsir* does not eliminate the need for scholarly mediation; rather, it intensifies the need for disciplined legal interpretation.

The classical treatment of penal verses further confirms that textual authority operates through qualification rather than mechanical application. QS. al-Baqarah [2]: 178 addresses *qiyās* in cases of homicide while also opening the possibility of pardon and compensation. Al-Ṭabarī combines lexical analysis of *qiyās* with transmitted reports concerning pre-Islamic retaliation practices and the Qur'anic regulation of proportional justice.⁴⁸ Al-Qurṭubī discusses the verse in relation to retaliation, blood money, pardon, and juristic disagreement regarding legal equivalence among different social categories.⁴⁹ Similarly, in QS. al-Mā'idah [5]: 38, which concerns theft, al-Jaṣṣāṣ and al-Qurṭubī do not apply the punishment to every act of taking property. They place the verse within juristic debates over *niṣāb*, ownership, secure custody, evidentiary standards, legal doubt, and procedural conditions.⁵⁰ Classical legal interpretation therefore depends on an epistemology of qualification: the Qur'anic text provides normative authority, but fiqh categories determine the scope, conditions, and limits of legal application.

Table 1. summarises the textual evidence and the epistemic mechanisms identified in the selected classical *tafsir* materials.

Qur'anic legal verse	Legal theme	Classical exegetical treatment	Dominant epistemic mechanism
QS. al-Nisā' [4]: 3	Polygamy, justice, orphan protection	Connected to reports about orphan girls, marital fairness, and the limitation of polygamy to four wives (al-Ṭabarī, 2001; al-Qurṭubī, 2006; Ibn Kathīr, 1999)	<i>Riwayah</i> , ethical restriction, juristic limitation
QS. al-Nisā' [4]: 11–12	Inheritance shares	Fractions treated as legally determinate but interpreted through kinship categories, reports, and <i>farā'id</i> reasoning (al-Ṭabarī, 2001; al-Qurṭubī, 2006; al-Jaṣṣāṣ, 1994)	Textual explicitness, juristic mediation
QS. al-Baqarah [2]: 178	<i>Qiyās</i> , pardon, compensation	Read through lexical analysis, historical reports, and juristic debates on proportional justice (al-Ṭabarī, 2001; al-Qurṭubī, 2006)	Linguistic analysis, transmitted context, legal qualification
QS. al-Mā'idah [5]: 38	Theft punishment	Interpreted through <i>niṣāb</i> , ownership, proof, custody, doubt, and procedural restrictions (al-Jaṣṣāṣ, 1994; al-Qurṭubī, 2006)	Legal specification, procedural <i>fiqh</i>
QS. al-Nūr [24]: 2	<i>Zinā</i> punishment	Integrated with evidentiary rules, <i>ḥadīth</i> materials, repentance, and juristic classification (al-Qurṭubī, 2006; Ibn Kathīr, 1999)	Qur'anic command, <i>ḥadīth</i> elaboration, evidentiary discipline

This pattern is especially evident in al-Qurṭubī's *al-Jāmi' li-Aḥkām al-Qur'ān*, where legal verses are interpreted through a casuistic structure that moves from Qur'anic wording to juristic disagreement, legal conditions, evidentiary rules, and doctrinal implications.

⁴⁷ Abu Bakr Ahmad ibn Ali Al-Jassas, *Abkam Al-Qur'an* (Beirut: Dar al-Kutub al-'Ilmiyyah, 1994).

⁴⁸ Al-Ṭabarī, *Jāmi' Al-Bayān 'an Ta'wil Ay Al-Qur'an*.

⁴⁹ Al-Qurṭubī, *Al-Jāmi' Li-Ahkām Al-Qur'an*.

⁵⁰ Al-Qurṭubī; Al-Jassas, *Abkam Al-Qur'an*.

Bayram argues that al-Qurṭubī's contribution lies precisely in his integration of legal norms with exegetical method, making his *tafsir* a major site for the development of Islamic jurisprudence.⁵¹ Comparable patterns appear in later *aḥkām al-Qur'ān* works, such as Mullā Jīwan's *al-Tafsīrāt al-Aḥmadiyyah*, where legal verses are interpreted through *Ḥanafī* juristic principles and theological commitments, illustrating the close interplay between *tafsir*, *fiqh*, and creed.⁵² These examples show that classical legal exegesis does not merely cite law after interpreting the Qur'an; it interprets the Qur'an through a legal-epistemic environment in which juristic categories shape what counts as a valid reading.

At the same time, the legal character of these verses should not be isolated from their ethical and doctrinal surroundings. Al-Matroudi argues that Qur'anic legal verses are interwoven with non-legal content, including theological, moral, and ethical themes that collectively support the Islamic legal system.⁵³ This observation is important because it prevents a reductive view of classical *tafsir* as a purely rule-producing discipline. In QS. al-Nisā' [4]: 3, for example, the legal question of polygamy is inseparable from justice, fear of wrongdoing, and protection of vulnerable persons. In QS. al-Baqarah [2]: 178, retaliation is placed alongside pardon and mercy. In QS. al-Mā'idah [5]: 38, punishment is interpreted through legal thresholds and procedural safeguards. The legal meaning of the Qur'an is therefore not merely juridical; it is embedded in a broader moral-theological order.

Theoretically, these findings confirm that classical *tafsir* operates through an epistemic hierarchy in which *naql* and *'aql* are not opposed but differently weighted. Al-Attas argues that knowledge in the Islamic worldview is not reducible to empirical or rational inquiry because revelation occupies a foundational place in the hierarchy of truth.⁵⁴ Rosenthal's study of *'ilm* in medieval Islam likewise shows that knowledge linked revelation, law, language, theology, and scholarly authority into a unified intellectual field.⁵⁵ Hallaq's account of Islamic legal authority further supports this finding by showing that premodern Islamic law was sustained not by state codification but by jurists, legal schools, textual traditions, and scholarly institutions.⁵⁶ Within this epistemic order, legal interpretation becomes valid when it is anchored in revelation, disciplined by transmission, clarified through language, and stabilised by juristic continuity.

Recent studies on epistemic hierarchy in *tafsir* further refine this interpretation. Pink argues that theological doctrine, hadith, philology, and legal reasoning shape the authority of *tafsir* and determine the boundaries of acceptable interpretation.⁵⁷ Yüksek's discussion of the distinction between *tafsir* and *ta'wil* also indicates that exegetical terminology reflects different epistemological values, especially concerning the degree of certainty, interpretive scope, and contextual legitimacy attached to a particular reading.⁵⁸ Mårtensson's analysis of pragmatist semantics in classical *tafsir* adds that meaning is context-dependent and shaped by the relation between language, law, and communicative use rather than by lexical form alone.⁵⁹ These studies support the present finding that

⁵¹ A Bayram, "Analysis of the Casuistic Structure of the Legal Exegesis of the Qur'an from Its Form and Content: The Example of Tafsir Al-Qurtubi," *Cumhuriyet Dental Journal* 24, no. 1 (2020): 187–209, <https://doi.org/10.18505/cuid.684569>.

⁵² K Z Uddin, "Mullā Jīwan's Methodology In His Qur'ān Commentary Al-Tafsīrāt Al-Aḥmadiyyah," *Australian Journal of Islamic Studies* 7, no. 1 (2022): 96–114, <https://doi.org/10.55831/ajis.v7i1.459>.

⁵³ A.-H. Al-Matroudi, "The Relationship Between Legal and Non-Legal Verses in the Qur'an: An Analytical Study of Three Themes of the Qur'an," *International Journal for the Semiotics of Law* 29, no. 2 (2016): 261–83, <https://doi.org/10.1007/s11196-015-9452-7>.

⁵⁴ Al-Attas, *Prolegomena to the Metaphysics of Islam*.

⁵⁵ Rosenthal, *Knowledge Triumphant: The Concept of Knowledge in Medieval Islam*.

⁵⁶ Hallaq. W. B, *A History of Islamic Legal Theories: An Introduction to Sunni Usul Al-Fiqh.*, Cambridge, 2009.

⁵⁷ J Pink, "Classical Qur'anic Hermeneutics," in *The Oxford Handbook of Qur'anic Studies*, 2020, 818–31, <https://doi.org/10.1093/oxfordhb/9780199698646.013.64>.

⁵⁸ M I Yüksek, "The Basis of the Distinction of Meaning-Interpretation in Tafsir Methodology," *Cumhuriyet İlahiyat Dergisi* 22, no. 1 (2018): 113–39, <https://doi.org/10.18505/cuid.407201>.

⁵⁹ Mårtensson, "Linguistic Theory in Tafsir between 100/400 and 700/1000: Implications for Qur'anic Studies."

classical *tafsir* should not be mischaracterised as rigid literalism. Its textual authority is real, but that authority is mediated through interpretive disciplines.

The reproduction of this epistemic hierarchy is not only a historical phenomenon; it continues through institutions, pedagogy, and textual traditions. Widodo's study of Indonesian *pesantren* shows how interpretive plurality is regulated through the teaching of authoritative texts, thereby stabilising meaning within inherited scholarly frameworks.⁶⁰ This contemporary educational pattern helps explain why classical *tafsir* remains influential: its authority is not preserved solely by the age of its texts, but by institutions that train readers to recognise legitimate methods, hierarchies, and boundaries of interpretation. The classical model is therefore transmitted not only as content but as an epistemic habitus a disciplined way of knowing, reading, and authorising Qur'anic meaning.

Nevertheless, this model faces emerging challenges. The digitalisation of *tafsir* has expanded access to exegetical materials while weakening the traditional gatekeeping role of trained scholars. Sati notes that digital *tafsir* creates new epistemic dynamics by enhancing accessibility but also challenging inherited hierarchies of authority and methodological integrity.⁶¹ In a different but related register, Zhussipbek argues that Islamic scholarship requires epistemological reform capable of engaging contemporary rational premises and human rights standards in the production of Islamic norms.⁶² These critiques do not invalidate the classical textual-transmissive model, but they expose its contemporary tension: a system designed to preserve interpretive reliability must now respond to new social, ethical, and technological conditions that reshape who interprets, how interpretation circulates, and what counts as authoritative knowledge.

The central analytical implication is that classical Qur'anic legal interpretation should not be understood as an epistemology of simple textual extraction. It is an epistemology of layered authority in which revelation, transmission, language, law, theology, and juristic reason interact within a structured hierarchy. The Qur'anic text remains the highest legal reference, but its operative legal meaning is produced through inherited procedures of verification, contextualisation, qualification, and scholarly mediation. This finding is significant because it challenges both reductive traditionalist claims that classical *tafsir* merely preserves obvious textual meaning and reductive modernist critiques that treat it as mechanical literalism. Classical *tafsir* authorises legal meaning through textual-transmissive authority, but that authority becomes legally productive only when operationalised through the disciplined apparatus of linguistic, theological, and juristic reasoning.

Linguistic-Juridical Reasoning as a Mechanism of Legal Meaning Production

Classical Qur'anic legal interpretation demonstrates that legal meaning is not produced by transmission alone, but through a linguistic-juridical apparatus that converts Qur'anic discourse into normatively operative legal categories. This finding refines the earlier emphasis on textual-transmissive authority by showing that classical *tafsir* is not merely preservative; it is also analytical, classificatory, and juridically generative. The Qur'anic text becomes legally actionable through Arabic morphology, syntax, semantic range, command forms, generality, specification, restriction, *qira'at*, and the

⁶⁰ S A Widodo, M N Mubin, and T Pransiska, "Reproducing Islamic Knowledge in Indonesian Pesantren: Turāt, Textual Tradition, and Epistemic Continuity," *British Journal of Religious Education*, 2026, <https://doi.org/10.1080/01416200.2026.2659837>.

⁶¹ Sati et al., "The Digital Transformation of Tafsir and Its Implications for Islamic Legal Derivation in the Contemporary Era."

⁶² G Zhussipbek and Z Nagayeva, "Epistemological Reform and Embrace of Human Rights. What Can Be Inferred from Islamic Rationalistic Maturidite Theology?," *Open Theology* 5, no. 1 (2019): 347–65, <https://doi.org/10.1515/opth-2019-0030>.

methodological tools of *uṣūl al-fiqh*. In this sense, classical *tafsir*, particularly *tafsir al-aḥkām*, functions as a disciplined site where language, law, and epistemology converge.

The interpretation of QS. al-Nisā' [4]: 3 illustrates how grammatical structure produces legal qualification. The conditional phrase *fa-in khiftum allā ta' dilū fa-wāḥidah* does not merely add moral advice to the permission of polygamy; it juridically restricts plurality through the condition of justice. Al-Qurṭubī reads the verse as permitting plurality while simultaneously making justice a binding condition, so that fear of injustice redirects the ruling toward monogamy.⁶³ Ibn Kathīr reinforces this limitation by reading QS. al-Nisā' [4]: 3 together with QS. al-Nisā' [4]: 129, where complete justice between wives is described as beyond full human capacity.⁶⁴ The legal meaning is therefore generated through intertextual reasoning: one verse establishes conditional permissibility, while another deepens the ethical constraint. This supports the view that Arabic grammar and semantics are not auxiliary tools but integral to legal derivation, since jurists adapt linguistic rules to legal contexts to extract precise norms from authoritative texts.⁶⁵

The inheritance verses in QS. al-Nisā' [4]: 11–12 further show that explicit wording does not eliminate interpretive complexity. The fractional terms *niṣf*, *thuluth*, *sudus*, *rubu'*, and *thumun* appear mathematically precise, yet their legal implementation depends on the classification of heirs, the order of debts and bequests, and the reconciliation of competing entitlements. Al-Ṭabarī distinguishes kinship categories and entitlement conditions,⁶⁶ while al-Qurṭubī expands the analysis into juristic questions concerning singular and plural expressions, competing heirs, and the application of Qur'anic fractions to complex cases.⁶⁷ Al-Jaṣṣāṣ treats these verses as legal evidence requiring systematic juristic interpretation rather than simple numerical application.⁶⁸ This supports Hallaq's account of Islamic law as a juristic tradition shaped by interpretive techniques rather than by direct scriptural extraction,⁶⁹ and it resonates with Kamali's argument that legal derivation relies on linguistic indicators, general and specific expressions, unrestricted and restricted terms, and legal causation.⁷⁰

The importance of specification becomes clearer in penal verses. QS. al-Mā'idah [5]: 38 names *al-sāriq* and *al-sāriqah*, but classical exegetes do not treat every act of taking property as falling under the verse. Al-Jaṣṣāṣ discusses conditions such as value, ownership, custody, proof, and legal doubt,⁷¹ while al-Qurṭubī links the ruling to *niṣāb* and the removal of *shubha*. Similarly, QS. al-Nūr [24]: 2 commands one hundred lashes for *al-ẓāniyah wa al-ẓānī*, yet classical exegesis integrates the verse with evidentiary rules, prophetic reports, and juristic classifications distinguishing unmarried and married offenders.⁷² These examples show how *uṣūl al-fiqh* controls the apparent generality of Qur'anic wording through *ijtihād*, *qiyās*, *ta'līl*, evidentiary reasoning, and legal qualification.⁷³

⁶³ Al-Qurtubi, *Al-Jami' Li Ahkam Al-Qur'an*.

⁶⁴ Kathir, *Tafsir Al-Qur'an Al-'Azim*.

⁶⁵ S Anwar, "The Relation between Arabic Linguistics and Islamic Legal Reasoning: Islamic Legal Theory Perspective," *Al-Jami'ah* 55, no. 2 (2017): 463–92, <https://doi.org/10.14421/ajis.2017.552.463-492>; J Geisler, "The Problem of Haqīqa and Mağāz in Abū Al-Husain Al-Basrī Kitāb Al-Mu'tamad," *Zeitschrift Der Deutschen Morgenlandischen Gesellschaft* 167, no. 2 (2017): 339–62, <https://doi.org/10.13173/zeitdeutmorgese.167.2.0339>; S Kurnaz, "Who Is the Lawgiver? The Hermeneutical Grounds of the Methods of Interpreting Qur'an and Sunna (Istinbat Al-Ahkam)," *Oxford Journal of Law and Religion* 6, no. 2 (2017): 347–71, <https://doi.org/10.1093/ojlr/rwx007>.

⁶⁶ Al-Ṭabarī, *Jami' Al-Bayan 'an Ta'wil Ay Al-Qur'an*.

⁶⁷ Al-Qurtubi, *Al-Jami' Li Ahkam Al-Qur'an*.

⁶⁸ Al-Jassas, *Ahkam Al-Qur'an*.

⁶⁹ B, *A History of Islamic Legal Theories: An Introduction to Sunni Usul Al-Fiqh*.

⁷⁰ Kamali, *Maqasid Al-Shariah Made Simple*.

⁷¹ Al-Jassas, *Ahkam Al-Qur'an*.

⁷² Al-Qurtubi, *Al-Jami' Li Ahkam Al-Qur'an*; Kathir, *Tafsir Al-Qur'an Al-'Azim*.

⁷³ O Abdoul-Hamid, W Mohd Yusof Wan Chik, and A Iqbal Mohd Fadzli, "Implicit Memory As The Foundation Of Motor Intelligence In University Students," *Journal of Fatwa Management and Research* 31, no. 1 (2026): 261–88, <https://doi.org/10.33102/jfatwa.vol31no1.755>; A Y Anshori and L T Abdurrahman, "History of the Development

This finding also expands current theories of Qur'anic interpretation by challenging the assumption that only modern contextualist approaches move beyond literal meaning. Saeed rightly argues that ethico-legal texts require attention to context, value, and hierarchy of meaning.⁷⁴ but the classical evidence shows that premodern exegetes also employed contextual and restrictive reasoning, although their interpretive context was mediated by *riwāyah*, linguistic convention, and juristic doctrine rather than by modern social theory. The distinction between *ḥaqīqa* and *majāz* further illustrates how jurists negotiated the fixedness and flexibility of authoritative language, allowing legal meaning to move between literal signification and interpretive extension without abandoning textual discipline.⁷⁵

The role of *qirā'at* further complicates the production of legal meaning. Variants in Qur'anic recitation may shape legal interpretation in areas such as dowry, divorce, and reconciliation, including in modern legal contexts such as Indonesian marriage law. Ibn al-'Arabī's use of *qirā'at* to derive exoteric and esoteric meanings also shows that recitational plurality can enrich interpretive possibilities beyond narrow legal reduction.⁷⁶ Thus, linguistic-juridical reasoning includes not only grammar and semantics but also the authorised plurality of Qur'anic performance and reception.

At a deeper theoretical level, *uṣūl al-fiqh* emerges as an interdisciplinary science that draws from Arabic language, theology, and logic. Although Islamic legal theorists often maintained boundaries between law and philosophy, recent scholarship shows that *uṣūl al-fiqh* incorporates philosophical categories, particularly in logic, causation, and reasoning.⁷⁷ This integration strengthens its capacity to balance textual fidelity with legal adaptability, including contemporary engagements with *maqāsid*.⁷⁸ Juristic disagreement, or *ikhtilāf*, is therefore not a methodological failure but a predictable consequence of plural linguistic, epistemological, and social assumptions. Classical madhhab traditions accommodated such plurality, while contemporary contexts require ethical-jurisprudential frameworks to prevent disagreement from becoming fragmentation.⁷⁹

The theoretical contribution of this finding is that linguistic-juridical reasoning must be treated as a core mechanism of Qur'anic legal epistemology. It shows that classical *tafsir* is neither mere transmission nor rigid literalism, but a sophisticated interpretive practice in which Arabic language, *qirā'at*, legal theory, logic, and juristic disagreement

of Mazhab, Fiqh and Uṣūl Al-Fiqh: Reasoning Methodology in Islamic Law," *Samarah* 9, no. 1 (2025): 273–98, <https://doi.org/10.22373/sjhk.v9i1.25355>; M Qamarulzaman, A A Halim, and A A Rahman, "Perspectives On The Use Of Qiyas Between Imam Bukhari And Imam Sya'ie," *Journal of Fatwa Management and Research* 29, no. 3 (2024): 63–79, <https://doi.org/10.33102/jfatwa.vol29no3.612>.

⁷⁴ Saeed, *Reading the Qur'an in the Twenty-First Century: A Contextualist Approach*.

⁷⁵ Geisler, "The Problem of Haqīqa and Mağāz in Abū Al-Husain Al-Basrīs Kitāb Al-Mu'tamad"; Kurnaz, "Who Is the Lawgiver? The Hermeneutical Grounds of the Methods of Interpreting Qur'an and Sunna (Istinbat Al-Ahkam)."

⁷⁶ S Çakıroğlu, "The Impact of Qirā'at Variations on Sufi Interpretation: In the Context of Ibn Al-'Arabī's Al-Futūḥāt Al-Makkiyya," *Darulfunun Ilahiyat* 36, no. 2 (2025): 449–76, <https://doi.org/10.26650/di.2025.36.1.1686895>.

⁷⁷ Y Dalmızrak, "The Development of Mabādī Subjects in the Classical Books on Uṣūl Al-Fiqh," *Islam Tetkikleri Dergisi* 13, no. 1 (2023): 142–73, <https://doi.org/10.26650/iuitd.2023.1193988>; R Gleave, "Muslim Jurisprudence," in *The Oxford Handbook of World Philosophy*, 2011, <https://doi.org/10.1093/oxfordhb/9780195328998.003.0038>.

⁷⁸ Abdoul-Hamid, Mohd Yusof Wan Chik, and Iqbal Mohd Fadzli, "Implicit Memory As The Foundation Of Motor Intelligence In University Students"; Anshori and Abdurrahman, "History of the Development of Mazhab, Fiqh and Uṣūl Al-Fiqh: Reasoning Methodology in Islamic Law."

⁷⁹ S S A Baedah and M H Musolin, "Dialectics of Fiqh Al-Ikhtilāf: A Comparative Madhhab Analysis of Legal Pluralism in Contemporary Muslim Societies," *Mazhabuna: Jurnal Perbandingan Mazhab* 8, no. 1 (2026): 19–38, <https://doi.org/10.24252/mazhabuna.vi.64995>; M Laabdi, "Ilm Al-Ikhtilāf in Modern Western and Muslim Studies of Juristic Disagreement—A Critical Analysis," *Journal of College of Sharia and Islamic Studies* 42, no. 2 (2024): 185–210, <https://doi.org/10.29117/jcsis.2024.0389>; R A A Rahim, "The Concept Of Ijmā' In Islamic Law: A Comparative Study," in *Islamic Legal Theory: Volume 1*, vol. 1, 2017, 271–84, <https://doi.org/10.4324/9781315251721-22>; A F Ibrahim, "Legal Pluralism in Sunni Islamic Law The Causes and Functions of Juristic Disagreement," in *Routledge Handbook of Islamic Law*, 2019, 208–20, <https://doi.org/10.4324/9781315753881-14>.

transform Qur'anic discourse into legally operative meaning while preserving the supremacy of textual authority.

Contextual-*Maqāṣid* Reasoning in Modern Qur'anic Legal Interpretation

Modern Qur'anic legal interpretation reconfigures the production of legal meaning by relocating epistemic emphasis from inherited juristic formulation toward socio-historical context, ethical purpose, public welfare, and *maqāṣid*-oriented reasoning. This finding confirms a major tendency in contemporary Qur'anic hermeneutics, yet it also complicates the assumption that modern interpretation simply replaces classical authority with unrestricted contextual freedom. Rather, the evidence suggests a more precise pattern: modern interpreters retain the Qur'an as the central normative text, but they reassess how legal meaning should be mediated when social institutions, gender relations, legal systems, and ethical expectations differ substantially from those assumed by premodern juristic frameworks.

Fazlur Rahman's double movement theory remains one of the most influential foundations for this epistemic shift. Rahman argues that interpretation should move from present moral and social problems to the Qur'anic historical context, extract the general ethical principle embodied in the text, and then return to the present with a renewed application of that principle.⁸⁰ Applied to QS. al-Nisā' [4]: 3, this model does not treat polygamy merely as a permanently available legal entitlement; it reads the verse as a Qur'anic intervention into a concrete social problem involving orphans, widows, property vulnerability, and justice. The centre of legal meaning shifts from the numerical permission of multiple marriage to the ethical demand that injustice be prevented. This confirms Rahman's argument that Qur'anic legal discourse must be understood through its moral trajectory, not only through its immediate legal formulation.

Abdullah Saeed's contextualist hermeneutics develops this orientation by distinguishing between different types of Qur'anic texts and arguing that ethico-legal verses require particular sensitivity to socio-historical context, textual hierarchy, moral values, and contemporary circumstances.⁸¹ Saeed and Akbar further argue that contextualist interpretation enables Muslims to remain faithful to Qur'anic values while responding to changing social realities.⁸² The present findings confirm this position, especially in relation to verses such as QS. al-Mā'idah [5]: 38 on theft and QS. al-Baqarah [2]: 178 on *qiyās*. A contextualist reading does not deny the legal content of these verses; rather, it asks how justice, deterrence, proportionality, social protection, and public welfare should shape contemporary application. In this respect, modern contextualism does not negate textual authority but changes the question posed to the text: from "what rule is stated?" to "what moral-legal purpose is being advanced, and how should that purpose be realised today?"

This finding also aligns with recent discussions of contextualism in Islamic legal thought. Contemporary studies argue that contextualist reasoning offers a more inclusive and adaptive alternative to rigid literalism, if it does not compromise foundational Qur'anic values.⁸³ Its strength lies in its ability to mediate between inherited norms and modern ethical dilemmas, including bioethics, disability inclusion, family regulation, and social vulnerability.⁸⁴ However, the present analysis refines this scholarship by showing that contextualism is not merely a modern method of "updating" legal rules. It is an

⁸⁰ Rahman, *Islam and Modernity: Transformation of an Intellectual Tradition*.

⁸¹ Saeed, *Reading the Qur'an in the Twenty-First Century: A Contextualist Approach*.

⁸² Saeed and Akbar, "Contextualist Approaches and the Interpretation of the Qur'ān."

⁸³ Saeed and Akbar; N Aldeeb, "Disability and Inclusion in Four Translations of Sūrat 'Abasa: A Contextualist Comparative Study," *AlBayan* 24, no. 1 (2026): 62–92, <https://doi.org/10.1163/22321969-12342314>.

⁸⁴ A B Sajoo, "Negotiating Virtue: Principlism and Maslaha in Muslim Bioethics," *Studies in Religion/Sciences Religieuses* 43, no. 1 (2014): 53–69, <https://doi.org/10.1177/0008429813513234>; Aldeeb, "Disability and Inclusion in Four Translations of Sūrat 'Abasa: A Contextualist Comparative Study."

epistemological reordering in which historical context, ethical coherence, and human welfare become criteria for evaluating whether a legal interpretation remains faithful to the Qur'an's normative intent.

Maqāṣid al-sharī'ah strengthens this reordering by providing a purposive framework for legal reform. Auda conceptualises *maqāṣid* as the philosophy of Islamic law, structured by purposefulness, wholeness, openness, multidimensionality, and systemic coherence.⁸⁵ Kamali similarly argues that *maqāṣid* directs Islamic legal reasoning toward justice, welfare, mercy, wisdom, dignity, and public interest.⁸⁶ Recent studies extend this argument by showing that *maqāṣid* plays a pivotal role in contemporary Islamic legal reform, particularly through *ijtihād maqāṣidī*, which seeks to integrate classical jurisprudence with purposive reasoning in order to balance textual sources and societal needs.⁸⁷ This supports the present study's finding that modern Qur'anic legal interpretation does not simply ask what the text commands, but also what objective the command seeks to realise and how that objective can be preserved in altered social circumstances.

The applied literature further demonstrates the practical significance of this epistemic shift. *Maqāṣid*-based reasoning has been used in discussions of family law, drug policy, and social finance to promote justice, welfare, the protection of life, intellect, dignity, and social stability.⁸⁸ These applications are relevant because they show that *maqāṣid* is not merely an abstract theory of legal philosophy; it functions as a mediating framework between scriptural normativity and institutional reform. At the same time, the debate over whether *maqāṣid* should operate as an independent legal proof or as an interpretive tool integrated with the Qur'an and Sunnah remains unresolved.⁸⁹ This unresolved debate is crucial for the present article because it reveals the epistemological risk of modern purposive reasoning: if *maqāṣid* is detached from textual discipline, it may become subjective; if it is subordinated too rigidly to inherited formulations, it may lose its reformative capacity.

The concept of *maṣlaḥah* further clarifies this tension. Sadek argues that ethical reasoning in Islamic jurisprudence often mediates between categorical duties and consequentialist considerations through the pursuit of public good.⁹⁰ Elmahjub similarly presents *maṣlaḥah* as a hybrid ethical framework that protects basic human needs while allowing situational flexibility.⁹¹ These perspectives illuminate why modern Qur'anic legal interpretation cannot be reduced either to strict deontology or to unrestricted consequentialism. Its intellectual force lies in negotiating between fidelity to revealed norms and responsiveness to lived human conditions. This negotiation is particularly visible in contemporary readings of penal verses, where interpreters ask not only whether a punishment is textually grounded, but whether its application under modern legal

⁸⁵ J, *Maqasid Al-Shariah as Philosophy of Islamic Law: A Systems Approach*. International Institute of Islamic Thought.

⁸⁶ Kamali, *Maqasid Al-Shariah Made Simple*, Kamali, *Shari'ah Law: An Introduction*.

⁸⁷ M Athambawa, "Ijtihād Maqāṣidī and Legal Adaptation: A Comparative Analysis of Contemporary Islamic Jurisprudence in Responding to Emerging Issues," *Mazhabuna: Jurnal Perbandingan Mazhab* 7, no. 1 (2025): 89–103, <https://doi.org/10.24252/mazhabuna.vi.54378>; M N Alias et al., "The Position of Maqasid Al-Shariah within Islamic Legal Sources: A Comprehensive Analysis," *Samarah* 9, no. 2 (2025): 937–64, <https://doi.org/10.22373/q4byre51>; I Nur, S Adam, and M N Muttaqien, "Maqāṣid Al-Sharī'at: The Main Reference and Ethical-Spiritual Foundation for the Dynamization Process of Islamic Law," *Abkam: Jurnal Ilmu Syariah* 20, no. 2 (2020): 331–60, <https://doi.org/10.15408/ajis.v20i2.18333>.

⁸⁸ A W Laksana et al., "Integrating Maqasid Al-Shari'ah in Contemporary Islamic Legal Reform on Drug Policy," *MILRev: Metro Islamic Law Review* 4, no. 1 (2025): 416–39, <https://doi.org/10.32332/milrev.v4i1.10665>.

⁸⁹ Athambawa, "Ijtihād Maqāṣidī and Legal Adaptation: A Comparative Analysis of Contemporary Islamic Jurisprudence in Responding to Emerging Issues"; Alias et al., "The Position of Maqasid Al-Shariah within Islamic Legal Sources: A Comprehensive Analysis."

⁹⁰ K Sadek, "Maṣlaḥah and Rachid Al-Ghannushi's Reformist Project," in *Maqasid Al-Shari'a and Contemporary Reformist Muslim Thought: An Examination*, 2014, 151–75, https://doi.org/10.1057/9781137319418_7.

⁹¹ E Elmahjub, "Islamic Jurisprudence as an Ethical Discourse: An Enquiry into the Nature of Moral Reasoning in Islamic Legal Theory," *Oxford Journal of Law and Religion* 10, no. 1 (2021): 16–42, <https://doi.org/10.1093/ojlr/rwaa023>.

institutions fulfils the Qur'anic objectives of justice, deterrence, restoration, and human dignity.

Gender-related interpretation provides one of the clearest sites where contextual-*maqāsid* reasoning challenges inherited legal assumptions. Wadud argues that Qur'anic interpretation must be guided by textual coherence, linguistic analysis, and the Qur'an's ethical worldview rather than by patriarchal assumptions embedded in male-dominated exegetical traditions.⁹² Barlas likewise argues that patriarchal readings often arise from interpretive frameworks that project male authority into divine discourse rather than from the Qur'anic text itself.⁹³ Mir-Hosseini, Al-Sharmani, and Rumminger show that Muslim legal traditions continue to be contested through debates over gender justice, family law, and religious authority.⁹⁴ The present study confirms this scholarship but adds that gender-sensitive interpretation is not merely a normative critique of patriarchy; it is also an epistemological intervention. It asks whether inherited readings of QS. al-Nisā' [4]: 3 and QS. al-Nisā' [4]: 11 adequately reflect the Qur'an's broader commitments to justice, responsibility, dignity, and moral accountability in contemporary social conditions.

This does not mean that modern contextual-*maqāsid* interpretation should be romanticised as automatically superior to classical *tafsir*. Previous scholarship has shown that contemporary Qur'anic interpretation is shaped by diverse media, institutions, genealogies, and claims of authority (Pink, 2019), while Çoruh demonstrates that modern *tafsir* often negotiates reason, tradition, and reform rather than simply rejecting classical heritage.⁹⁵ The present findings refine these studies by arguing that the decisive transformation lies not merely in interpretive plurality, but in the reallocation of epistemic weight. Context, ethics, *maqāsid*, and human welfare increasingly become criteria for validating legal meaning, but this raises difficult questions: who determines the objectives of the law, how are those objectives methodologically controlled, and what prevents contextual reasoning from becoming interpretive subjectivism?

The double movement metaphor also invites broader socio-legal comparison. Although Karl Polanyi's concept of the double movement was developed to explain the tension between market expansion and social protection, recent scholarship has used it to illuminate wider dynamics of institutional change, social regulation, and normative resistance.⁹⁶ In Islamic legal reform, this dialectical logic resonates with attempts to balance inherited jurisprudence and contemporary social transformation. Recent discussions of Rahman and Islamic reform similarly emphasise the need for a dynamic interplay between tradition and modernity so that legal renewal remains ethically grounded rather than merely reactive.⁹⁷ This broader comparison strengthens the argument that modern Qur'anic legal interpretation should be understood as a structured negotiation between continuity and reform, not as a simple movement away from tradition.

The distinctive position of this study is that contextual-*maqāsid* reasoning represents neither a total rupture from classical *tafsir* nor a mere extension of inherited juristic method. It is best understood as epistemic reordering: the Qur'anic text remains

⁹² Wadud, *Qur'an and Woman*.

⁹³ Barlas, *Believing Women in Islam: Unreading Patriarchal Interpretations of the Qur'an*.

⁹⁴ Mir-Hosseini, Al-Sharmani, and Rumminger, *Men in Charge? Rethinking Authority in Muslim Legal Tradition*.

⁹⁵ Çoruh, "Tradition, Reason, and Qur'anic Exegesis in the Modern Period: The Hermeneutics of Said Nursi"; Çoruh, *Modern Interpretation of the Qur'an: The Contribution of Bediüzzaman Said Nursi*.

⁹⁶ P McMichael, "Updating Karl Polanyi's 'Double Movement' for Critical Agrarian Studies," *Journal of Peasant Studies* 50, no. 6 (2023): 2123–44, <https://doi.org/10.1080/03066150.2023.2219978>; W Carton, "Environmental Protection as Market Pathology?: Carbon Trading and the Dialectics of the 'Double Movement,'" *Environment and Planning D: Society and Space* 32, no. 6 (2014): 1002–18, <https://doi.org/10.1068/d13038p>; P Utting, "Corporate Social Responsibility and the Evolving Standards Regime: Regulatory and Political Dynamics," in *Corporate Social Responsibility in a Globalizing World*, 2015, 73–106, <https://doi.org/10.1017/CBO9781316162354.003>.

⁹⁷ A S Arman, "The Discourse Of Renewal: Assessing Fazlur Rahman's Hermeneutics And Its Contemporary Relevance," *Al-Shajarah* 2024, no. Special Issue (2024): 319–35, <https://doi.org/10.31436/shajarah.vi.1940>.

central, but its legal meaning is increasingly mediated through historical consciousness, ethical coherence, public welfare, and purposive reasoning. This contribution situates modern Qur'anic legal interpretation within broader international debates on hermeneutics, legal reform, gender justice, and normative authority while showing that its real scholarly significance lies in how it renegotiates the criteria by which Qur'anic legal meaning is authorised.

Epistemic Continuity and Transformation between Classical and Modern *Tafsir*

The broader significance of this study lies in its demonstration that the classical–modern relationship in Qur'anic legal interpretation is neither a linear story of rupture nor a static preservation of inherited doctrine, but a historically layered transformation in the hierarchy of epistemic authority. Classical and modern *tafsir* share a foundational commitment to the Qur'an as a normative source, yet they differ in the criteria by which legal meaning is authorised, stabilised, and made applicable. Classical interpretation gives priority to transmitted authority, linguistic discipline, juristic continuity, and scholarly consensus, whereas modern interpretation increasingly foregrounds socio-historical context, *maqāṣid*, ethical coherence, public welfare, and contemporary relevance. The central implication is that the transformation of Qur'anic legal interpretation is not primarily doctrinal but epistemological: what changes is not simply the legal conclusion, but the structure of knowledge through which a conclusion becomes legitimate.

This argument contributes to wider debates on epistemic shift by showing that changes in Qur'anic legal interpretation resemble broader transformations in how knowledge is produced, validated, and circulated. Epistemic shifts occur when established systems of knowledge lose exclusive authority and new modes of validation emerge, often through participatory, socially oriented, or technologically mediated forms of knowledge production.⁹⁸ In educational and digital contexts, such shifts disrupt older epistemologies and generate new frameworks for the dissemination and legitimation of knowledge.⁹⁹ Applied to Qur'anic legal interpretation, this does not mean that modern *tafsir* simply replaces classical *tafsir*. Rather, it indicates that the interpretive field becomes more plural, with classical authority, ethical reasoning, academic hermeneutics, legal reform, and contemporary social realities competing to define what counts as valid Qur'anic legal meaning. Xu's pluralist account of epistemic shift is useful here because it suggests that transformations in knowledge are shaped by multiple internal and external conditions rather than by a single causal break.¹⁰⁰ The classical–modern transition in *tafsir* should therefore be read as a plural reconfiguration of epistemic criteria, not as an abrupt abandonment of tradition.

The data from QS. al-Nisā' [4]: 3 illustrate this continuity and transformation with clarity. Classical exegetes such as al-Ṭabarī, al-Qurṭubī, and Ibn Kathīr interpret the verse by connecting polygamy to justice, orphan protection, and legal limitation.¹⁰¹ Modern interpreters such as Rahman and Saeed shift the centre of analysis from legal permission to moral purpose, arguing that the verse must be understood in relation to justice and

⁹⁸ H Eijkman, "Dancing with Postmodernity: Web 2.0+ as a New Epistemic Learning Space," in *Web 2.0-Based E-Learning: Applying Social Informatics for Tertiary Teaching*, 2010, 343–64, <https://doi.org/10.4018/978-1-60566-294-7.ch018>; Mark E Warren, "Accountability and Democracy," *Democracy & Society* 11, no. 1 (2014): 1–10.

⁹⁹ P Scott, "A Tale of Three Revolutions? Science, Society and the University," in *Higher Education Reformed*, 2005, 185–200, <https://doi.org/10.4324/9780203984581-19>; Michael E Brown and Linda K Treviño, "Ethical Leadership: A Review and Future Directions," *The Leadership Quarterly* 17, no. 6 (2006): 595–616.

¹⁰⁰ Y Xu, "A Probabilistic Framework for Formalizing Epistemic Shifts," *Acta Analytica* 36, no. 2 (2021): 229–47, <https://doi.org/10.1007/s12136-020-00442-0>.

¹⁰¹ Al-Ṭabarī, *Jami' Al-Bayan 'an Ta'wil Ay Al-Qur'an*; Al-Qurṭubī, *Al-Jami' Li Ahkam Al-Qur'an*; Kathir, *Tafsir Al-Qur'an Al-'Azim*.

social welfare under changing historical conditions.¹⁰² The continuity lies in the shared recognition that justice is central to the verse; the transformation lies in the epistemic function assigned to justice. In classical *tafsir*, justice commonly operates as a condition within a legal framework. In modern contextual interpretation, justice may become the governing principle through which the legal framework itself is reassessed. This distinction helps avoid two common reductions: the traditionalist assumption that classical interpretation is self-sufficient because it is transmitted, and the modernist assumption that ethical reasoning can simply override inherited jurisprudence.

The inheritance verses in QS. al-Nisā' [4]: 11–12 reveal a more demanding interpretive problem because the text provides explicit fractional allocations. Classical *tafsir* treats these shares as legally determinate, with their authority reinforced by textual clarity, juristic reasoning, and communal consensus.¹⁰³ Modern ethical readings do not necessarily deny the specificity of the Qur'anic allocations, but they ask how broader Qur'anic principles justice, kinship responsibility, socio-economic protection, and moral accountability should be understood in societies where gender roles, property relations, and financial obligations have changed. This produces a sharper epistemological tension than in the case of polygamy because the interpreter must negotiate between textual specificity and ethical generality. The result is not an easy replacement of classical law, but an unresolved debate over how fixed textual formulations should be related to changing social structures.

Penal verses such as QS. al-Mā'idah [5]: 38 and QS. al-Baqarah [2]: 178 further demonstrate that both classical and modern approaches resist crude literalism, but they do so through different epistemic mechanisms. Classical exegetes restrict the application of theft punishment through juristic conditions such as *nisāb*, secure custody, ownership, evidentiary standards, and removal of doubt.¹⁰⁴ Modern contextualist approaches may go further by asking whether the objectives of justice, deterrence, social protection, and human dignity require alternative institutional applications in contemporary legal systems.¹⁰⁵ The difference, therefore, is not that classical *tafsir* is literal while modern *tafsir* is interpretive. Both are interpretive. The difference lies in the hierarchy of validation: classical *tafsir* limits application through *fiqh*-based technical conditions, while modern *tafsir* may evaluate application through ethical, social, and *maqāṣid*-based reasoning.

This finding contributes to theoretical discussions on continuity and rupture. Historical transformation rarely consists of either uninterrupted continuity or total rupture. Continuity anchors communities to inherited forms of meaning, while rupture creates conditions for rearticulation, innovation, and institutional change.¹⁰⁶ The classical–modern movement in Qur'anic legal interpretation reflects precisely this interplay. Classical *tafsir* remains a reservoir of textual, linguistic, and juristic authority, but modern conditions require renewed articulation of how that authority functions. Malich's notion of temporal complexity, including non-linear and heterogeneous temporalities, is particularly relevant because Qur'anic legal interpretation does not move neatly from “classical” to “modern”

¹⁰² Rahman, *Islam and Modernity: Transformation of an Intellectual Tradition*; B B Saeed et al., “Promoting Employee's pro-Environmental Behavior through Green Human Resource Management Practices,” *Corporate Social Responsibility and Environmental Management* 26, no. 2 (2019): 424–38, <https://doi.org/10.1002/csr.1694>.

¹⁰³ Al-Ṭabari, *Jāmi' Al-Bayān 'an Ta'wil Ay Al-Qur'an*; Al-Qurtubi, *Al-Jāmi' Li Ahkam Al-Qur'an*; Al-Jassas, *Ahkam Al-Qur'an*.

¹⁰⁴ Al-Jassas, *Ahkam Al-Qur'an*; Al-Qurtubi, *Al-Jāmi' Li Ahkam Al-Qur'an*.

¹⁰⁵ Saeed, *Reading the Qur'an in the Twenty-First Century: A Contextualist Approach*; Saeed and Akbar, “Contextualist Approaches and the Interpretation of the Qur'an.”

¹⁰⁶ R A Beck Jr. et al., “Eventful Archaeology: The Place of Space in Structural Transformation,” *Current Anthropology* 48, no. 6 (2007): 833–60, <https://doi.org/10.1086/520974>; J Platzky Miller, “A Fanonian Theory of Rupture: From Algerian Decolonization to Student Movements in South Africa and Brazil,” *Critical African Studies* 13, no. 1 (2021): 10–28, <https://doi.org/10.1080/21681392.2021.1884106>.

in a simple chronological sequence.¹⁰⁷ Classical reasoning persists within modern *tafsir*, while modern ethical questions retrospectively reshape how classical materials are read. The result is a folded temporality in which past and present coexist within the same interpretive act.

The study also has implications for the theory of religious and epistemic authority. Authority in Islamic legal interpretation is not absolute in a sociological sense, even when grounded in divine revelation. It is operationalised through scholarly practices, communal validation, interpretive methods, and institutional recognition. Emon's analysis of Islamic legal authority shows that divine sovereignty becomes legally meaningful through human interpretive activity and juristic mediation.¹⁰⁸ Channak similarly emphasises that religious authority in Islamic law is negotiated through divine claims, communal structures, and interpretive flexibility.¹⁰⁹ This supports the present study's argument that the authority of Qur'anic legal interpretation depends not only on the text but also on the epistemic procedures through which the text is made legally intelligible. Roth's discussion of epistemic authority as collaborative and socially constituted further clarifies why authority is never merely possessed; it is continually enacted through shared practices of validation.¹¹⁰ In contemporary contexts, this authority is further destabilised by rival interpretive voices, migration, institutional pluralisation, and modern forms of religious communication.¹¹¹

Hermeneutically, the findings show that Qur'anic legal interpretation is an act of appropriation as well as explanation. Gadamer's philosophical hermeneutics helps explain why understanding is historically situated and shaped by the encounter between the horizon of the text and the horizon of the interpreter.¹¹² Ricoeur's theory of interpretation similarly clarifies how textual meaning can move beyond its original discursive setting and be appropriated within new contexts.¹¹³ More recent hermeneutical scholarship reinforces this point by showing that interpretation involves explanation, understanding, appropriation, and the expansion of the interpreter's horizon across disciplinary boundaries.¹¹⁴ However, Qur'anic legal hermeneutics adds a distinctive normative dimension: interpretation does not merely generate understanding; it authorises religious-legal meaning. This is why concepts such as *isnād*, *madhhab*, *ijmā'*, *maqāsid*, and scholarly authority remain indispensable to the analysis.

The contemporary mediation of interpretation adds another layer to this discussion. Hermeneutical processes are shaped not only by human cognition but also by cultural and technological mediators, including interfaces that organise access to information and influence how meaning is perceived.¹¹⁵ This has direct relevance for Qur'anic studies, where digital databases, online fatwa platforms, searchable *tafsir* corpora, and AI-assisted tools increasingly mediate access to classical and modern interpretive materials. The classical–modern transformation is therefore not only a debate between

¹⁰⁷ L Malich, "Time Lines, Folded Time, and Discourse Analysis: Continuities of Maternal Imagination," *Berichte Zur Wissenschaftsgeschichte* 34, no. 4 (2011): 363–78, <https://doi.org/10.1002/bewi.201101535>.

¹⁰⁸ A M Emon, "Religious Minorities and Islamic Law: Accommodation and the Limits of Tolerance," in *Islamic Law and International Human Rights Law*, 2013, <https://doi.org/10.1093/acprof:oso/9780199641444.003.0019>.

¹⁰⁹ Z M O Channak and Y J Amuda, "Legitimacy And Legitimation: A Comparative Analysis Of Islamic Law And European Standards Through The Lens Of Sdg 16," *Access to Justice in Eastern Europe* 9, no. 1 (2026): 263–91, <https://doi.org/10.33327/AJEE-18-9.1-a000180>.

¹¹⁰ C Roth, "Epistemic Networks: Formalizing Distributed Cognition," *Sociologie Du Travail* 50, no. 3 (2008): 353–71, <https://doi.org/10.1016/j.soctra.2008.06.005>.

¹¹¹ T Sunier, "The Making of Islamic Authority in Europe," in *Imams in Western Europe: Developments, Transformations, and Institutional Challenges*, 2025, 51–68, <https://doi.org/10.5117/9789462983830/CH03>.

¹¹² Gadamer, *Truth and Method*.

¹¹³ Ricoeur, *Interpretation Theory: Discourse and the Surplus of Meaning*.

¹¹⁴ E V Maslanov, "Hermeneutics in Research Practice," *Technology and Language* 6, no. 2 (2025): 100–108, <https://doi.org/10.48417/technolang.2025.02.09>; Z Wang, "Description, Understanding, and Explanation: How Scientific Interpretation Gave Birth to Modern Molecular Biology," *Technology and Language* 5, no. 1 (2024): 73–88, <https://doi.org/10.48417/technolang.2024.01.06>.

¹¹⁵ Maslanov, "Hermeneutics in Research Practice."

premodern and modern hermeneutics; it is also part of a broader reconfiguration of interpretive authority under technological conditions. The question is no longer only who has the right to interpret, but also how infrastructures of access shape the production, circulation, and reception of legal meaning.

Methodologically, this study suggests that Qur'anic legal interpretation should be analysed as an epistemic field in which multiple authorities compete, overlap, and interact. Classical *tafsir* privileges transmitted knowledge and juristic continuity, while modern *tafsir* gives greater interpretive weight to ethical purpose and contextual relevance. Yet this does not mean that classical *tafsir* lacks ethics or that modern *tafsir* lacks textual grounding. Rather, each tradition arranges shared elements text, language, history, reason, law, ethics, and authority within a different epistemic order. This perspective enables Qur'anic studies to move beyond ideological labels such as "traditionalist," "reformist," "literalist," or "contextualist" and instead examine how interpretive validity is constructed.

The broader scholarly significance of this finding lies in its capacity to connect Qur'anic studies, Islamic legal theory, hermeneutics, and contemporary debates on authority. For Qur'anic studies, it provides a more precise model for comparing *tafsir* traditions without collapsing them into simplistic oppositions. For Islamic legal studies, it clarifies how legal meaning is formed before it becomes doctrine. For hermeneutics, it shows that scriptural interpretation is historically dynamic while remaining normatively anchored. For contemporary scholarship on religion and authority, it demonstrates how sacred texts remain central even as the criteria for validating their legal meaning change across time. The principal contribution of this study is therefore the concept of epistemic continuity with hierarchical transformation: the Qur'an remains the normative centre of legal interpretation, but the ranking of text, transmission, language, juristic authority, context, ethics, and *maqāsid* is continuously renegotiated within changing intellectual and social worlds.

Conclusion

This study examined how Qur'anic legal meaning is constructed, validated, and transformed across classical and modern *tafsir* traditions. It finds that classical Qur'anic legal interpretation is grounded in a hierarchical epistemology that combines the Qur'anic text, prophetic authority, transmitted reports, early communal understanding, Arabic linguistic analysis, juristic precedent, and scholarly consensus. Classical *tafsir*, therefore, is not a simple literal extraction of legal rulings, but a mediated interpretive process shaped by *rivāyah*, *asbāb al-nuzūl*, *qirā'āt*, grammar, *ḥadīth*, *uṣūl al-fiqh*, and madhhab-based reasoning.

The study also shows that modern Qur'anic legal interpretation reorders this epistemic hierarchy by giving greater emphasis to socio-historical context, ethical coherence, *maqāsid al-sharī'ah*, public welfare, human dignity, and contemporary relevance. Modern contextualist and *maqāsid*-oriented approaches do not necessarily reject classical *tafsir*; rather, they reassess inherited legal formulations considering changing social institutions, gender relations, moral expectations, and legal systems.

The main argument of this article is that the relationship between classical and modern *tafsir* is best understood as epistemic continuity with hierarchical transformation. Both traditions retain the Qur'an as the normative centre, but they differ in how they rank the sources and criteria of legal meaning. Classical *tafsir* privileges transmission, linguistic discipline, juristic continuity, and communal scholarly validation, while modern *tafsir* gives greater interpretive weight to historical consciousness, ethical reasoning, *maqāsid*, and social relevance.

The theoretical contribution of this study lies in its epistemological model for analysing Qur'anic legal interpretation through four dimensions: sources of knowledge,

modes of reasoning, criteria of validity, and forms of interpretive authority. This model helps move the discussion beyond comparison of legal conclusions toward a deeper understanding of how Qur'anic legal meaning becomes authoritative. Academically, the study contributes to Qur'anic studies by offering a more precise framework for comparing *tafsir* traditions; to Islamic legal studies by explaining how legal meaning is formed before becoming doctrine; and to hermeneutics by showing that religious legal interpretation is historically dynamic yet normatively anchored. Future research may apply this framework to other legal themes, such as economic justice, interreligious relations, environmental ethics, governance, or digital *tafsir*, to further examine how Qur'anic legal authority is produced and transformed in contemporary Muslim thought.

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