



(MUDIMA)



## The Impact of Qiraah on the Determination of Fiqh Law According to Al-Alusi

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### ABSTRACT

The purpose of this study is to reveal the relationship between Qiraah and Jurisprudence, the method of Determining the Law of Jurisprudence according to Al-Alusi, and the impact of Qiraah on the Verses of Worship on Determining the Law of Jurisprudence according to Al-Alusi. This research is a qualitative research, the type of research is library research. The data collection method used is literature study. The results showed that; 1). The close relationship between fiqh and qiraah has had a significant impact on the understanding and development of Islamic law. The understanding and expertise in qiraah by the fuqaha provided an additional dimension in the interpretation and application of Islamic law. Thus, the close relationship between fiqh and qiraah became one of the hallmarks of the Islamic tradition of thought. 2) In exploring the verses to find istinbat law, imam al-Alusi uses two main methods, namely bayani and qiyasi methods. 3) The differences in qiraah that affect the istinbat law have given birth to different legal status. This has a significant impact on the process and results of determining the law, such as in the case of worship issues

## INTRODUCTION

Recitation (Qira'ah), interpretation (Tafsir), and legal deduction (Istinbat) form an interconnected chain that can mutually influence each other. Different recitations result in varied interpretations, which subsequently lead to diverse legal deductions, even giving rise to the four major schools of Islamic jurisprudence: Shafi'i, Hanafi, Hanbali, and Maliki. The diversity in legal deductions clearly impacts various fiqh issues within the wider community, due to the differences in interpretation stemming from the variations in recitation.

From the beginning of its development, books of Qur'anic exegesis (Tafsir) have been marked by differences in recitation. Some of these books focus their interpretation specifically on legal verses and tend to have a fiqh-oriented approach. For instance, *Ahkam al-Qur'an* written by Abu Bakar Ibn al-Arabi (d. 543 H), al-Qurtubi (d. 671 H) known for *al-Jami' Li Ahkam al-Qur'an*, and Wahbah al-Zuhaili (d. 2015 AD) with *al-Tafsir al-Munir*.

One of the Tafsir books that has gained considerable attention is *Ruh al-Ma'ani* by Imam al-Alusi (d. 1270 H), known for its Sufi inclinations. Based on the classification of schools as outlined by Wahab Khallaf (d. 1375 H), al-Alusi is categorized as a follower of Abu Mansur al-Maturidi (d. 333 H), aligning with the Maturidiyah theological school.

In the realm of fiqh, al-Alusi shows a tendency towards the Hanafi school, although he does not completely disregard the Shafi'i school. This is evident in al-Alusi's interpretation of legal verses. His interpretations are influenced by recitations that affect or do not affect the legal deductions (istinbat).

The importance of understanding the differences in recitations that influence legal deductions is supported by the position of the Tafsir book *Ruh al-Ma'ani*, which is rich in al-Alusi's intellectual studies, as it employs the opinions of many scholars to strengthen its arguments and interpretations. However,

currently, there is a scarcity of researchers who have studied the richness of *Ruh al-Ma'ani* in terms of recitation, especially concerning the recitation of worship verses.

The distinctive feature of the Tafsir *Ruh al-Ma'ani* is that many classify it as an allegorical interpretation (tafsir isyari). However, within this Tafsir book, there is a fascinating construction of legal deductions that merits deeper study, enabling the exploration of al-Alusi's thoughts and understanding the extent to which his interpretative style influences his legal deductions in *Ruh al-Ma'ani*, particularly those related to the recitation of worship verses. This distinctive feature also provides a strong stimulus to further uncover Imam al-Alusi's views and attitudes in linking Qur'anic recitation with legal deductions.

Thus, the analysis presented above is important and interesting to study and research how the forms of recitation differences relate to Arabic language aspects, especially semantic analysis in relation to the changes in the meaning of verses found in worship verses in al-Alusi's Tafsir.

Another factor that makes this research important is the strict criteria set by the scholars of recitation for accepting or rejecting a recitation. The scholars of recitation have established three conditions for a recitation to be accepted or considered authentic. One of these conditions is that the recitation must conform to the rules of the Arabic language.

Furthermore, the differences in recitations have become more widespread, driven by advances in science and technology, with various Qur'anic readings being recorded on tapes and CDs. Consequently, these recordings have become accessible to all layers of the Muslim community.

Similarly, a phenomenon observed by the researcher is that when Qur'anic recitations are played through mosque loudspeakers, the recitation on the tape might differ from what they commonly read. For example, the word *والضحى*

(wadduha) is read as *والضحى* (wadduhe) in what is known as imalah (tilting recitation). This leads to mutual accusations of errors among them, with some considering the recitation *والضحى* (wadduhe) to be incorrect and lacking any basis from the Prophet Muhammad (peace be upon him).

On the other hand, there are laypeople or certain groups within the community who can only read the Qur'an without understanding the meaning of its verses, and are also unaware of the recommended differences in recitation that originated with the Prophet and continued among the companions up to the present generation. They also lack knowledge of the rules of the Arabic language. Thus, some might mistakenly consider the different recitations of the Qur'an to be incorrect and misguided.

Additionally, the researcher initially assumed that Qur'anic recitation was merely a matter of differences in reading styles. However, after delving into the study of 'ulum al-Qur'an (Qur'anic sciences), it became apparent that recitation involves not just differences in reading styles but also linguistic aspects. Differences in recitation can affect the meaning, either insignificantly or significantly.

## **METHODS**

This research is qualitative and descriptive in nature. It aims to describe the recitations of worship verses in al-Alusi's Tafsir. This research is conducted through library research, involving sources such as the Qur'an, Hadith books, Tafsir books, 'ulum al-Qur'an, rules of Tafsir, Arabic language books, and other references relevant to the research title.

## **RESULTS AND DISCUSSION**

### **The Relationship Between Qira'ah and Fiqh**

#### **Hubungan Qiraah dengan Fikih**

Scholars who integrate the knowledge of qira'ah (Qur'anic recitation) and fiqh (Islamic jurisprudence) are considered to have a more holistic understanding of Islamic teachings. They can use their in-depth understanding of qira'ah to

interpret legal texts in the Qur'an. Mastery of qira'ah helps in better understanding the Qur'anic verses, which in turn affects the understanding of the laws derived from these texts. In practice, scholars who merge these two fields can issue fatwas (legal opinions) that are more comprehensive and contextual.

Many scholars have paid attention to both fiqh and qira'ah. For example, Imam al-Hasan al-Basri (642-728 AD), a tabi'in who lived in the 7th century AD, believed that a good understanding of Qur'anic recitation would aid in the interpretation and application of Islamic law (Al-Husari, n.d., p. 99). Throughout the history of fiqh and qira'ah, many fiqh scholars have had a deep understanding of qira'ah. They recognized the importance of reading the Qur'an properly and understanding its meaning to issue accurate legal opinions. Proficiency in qira'ah helps jurists understand Qur'anic verses better, enabling them to provide more precise legal views. This reflects the understanding that the relationship between fiqh and qira'ah is complementary. A deep understanding of both is deemed essential for scholars and Islamic intellectuals (Mohd A'tarahim, 2017; Muttaqin, 2024).

A fiqh scholar who understands qira'ah can better grasp the context of the Qur'an and apply Islamic law more accurately. Conversely, a qari' (reciter of the Qur'an) who understands fiqh can recite with an understanding of the meanings and laws contained within the verses. Differences in qira'ah or variations in Qur'anic recitation can have implications for fiqh. Therefore, a deep understanding of qira'ah helps in detailing and understanding the legal implications of different recitations. This creates harmony between the understanding of the Qur'an and the application of Islamic law in everyday life. Thus, scholars proficient in both can offer more comprehensive and directed Islamic legal views, ensuring that interpretation and application of the law are based on a deep understanding of the sacred Qur'anic text and its context.

Despite their high status and profound knowledge, jurists still respect qira'ah scholars and always refer to them for various issues. This is evident from Abu Hanifah's statement to one of the ten qira'ah imams, Imam Hamzah. According to him, the two advantages you have over us, which we cannot dispute, are the Qur'an and al-fara'id (inheritance laws). On another occasion, Abu Hanifah acknowledged Imam Ja'far as one of the ten recognized qira'ah imams (Al-Husari, n.d., p. 48). This illustrates the close connection between qira'ah and fiqh and the relationship between qira'ah and fiqh scholars.

Abu Hanifah's statement reflects humility towards qira'ah scholars. Despite his high status and expertise in Islamic law, he did not hesitate to acknowledge the superiority of qira'ah scholars and refer to them in certain matters. Similarly, Imam Malik, one of the four madhhab imams, showed confidence in the knowledge and authority of Imam Nafi', a qira'ah imam. When asked about the ruling on reciting the basmalah (bismillah) aloud in prayer, Imam Malik advised consulting Imam Nafi'. This reflects the belief that qira'ah experts like Imam Nafi' have authority and deep knowledge in such matters. A similar sentiment was expressed by Imam Ahmad bin Hanbal, the founder of the Hanbali madhhab, who stated that he preferred the recitation of Abu 'Amr (Al-Husari, n.d., p. 28). This indicates Imam Ahmad's tendency to appreciate and prioritize certain recitations held by Imam Abu 'Amr in qira'ah knowledge. His choice reflects a respect for qira'ah experts and the understanding that each imam or scholar has unique recitation styles.

Imam Malik's and Imam Ahmad bin Hanbal's comments emphasize an important principle in Islam about seeking knowledge from experts or those with expertise in a particular field. This demonstrates respect for the expertise and authority of scholars in specific areas, including qira'ah.

From this discussion, it is clear that there is a strong relationship between fiqh and qira'ah in Islamic tradition. Fiqh scholars not only study

Islamic laws but also seriously consider qira'ah, which involves the rules and variations of Qur'anic recitation. The close relationship between the two significantly impacts the understanding and development of Islamic law. Fiqh scholars view qira'ah as an essential component in understanding Islamic law.

Understanding the variations in Qur'anic recitation helps them classify recitations as mutawatir (widely transmitted) and non-mutawatir, and determine accepted (maqbul) and rejected (mardud) recitations. This understanding of qira'ah significantly influences Islamic law. The classification of accepted or rejected recitations can affect the opinions and fatwas issued by fiqh scholars. Therefore, qira'ah forms an important foundation in the development of Islamic law. The understanding and expertise in qira'ah by fiqh scholars add a dimension to the interpretation and application of Islamic law. Thus, the close relationship between fiqh and qira'ah is a distinctive feature in the tradition of Islamic thought.

#### **Al-Alusi's Method of Fiqh Determination**

In extracting legal deductions from verses, Imam al-Alusi employs two main methods: the bayani method and the qiyasi method. These methods are:

##### **Bayani Method**

This method focuses on the direct understanding and interpretation of verses without using analogy or legal deduction from the nas (text of the Qur'an or Hadith). Imam al-Alusi examines verses literally and directly to identify the laws expressed in the text.

##### **QIYASI Method**

The qiyasi method involves using analogy or comparison with laws already explained in the nas (text). If an event or situation is not explained in the text, its ruling can be deduced by referring to similar cases that have been explained. Al-Alusi uses this method to identify laws in contexts not directly addressed by the text.

These methods can be found in the Qur'an, such as in the following verse:

وَأَعِدُّوا لَهُمْ مَا اسْتَطَعْتُمْ مِنْ قُوَّةٍ وَمِنْ رِبَاطِ الْخَيْلِ  
نُرْهِبُونَ بِهِ عَدُوَّ اللَّهِ وَعَدُوَّكُمْ وَآخَرِينَ مِنْ دُونِهِمْ لَا

تَعْلَمُونَهُمْ اللَّهُ يَعْلَمُهُمْ وَمَا تُنْفِقُوا مِنْ شَيْءٍ فِي سَبِيلِ اللَّهِ يُوَفَّ إِلَيْكُمْ وَأَنْتُمْ لَا تُظْلَمُونَ

Translate:

Prepare against them whatever force you can muster and steeds of war, to strike terror into the hearts of the enemies of Allah and your enemies, and others besides them whom you do not know but Allah knows them. Whatever you spend in the way of Allah will be fully repaid to you, and you will not be wronged. (Translation by Lajnah Pentashihan Mushaf al-Qur'an, Ministry of Religious Affairs, Republic of Indonesia & Language Development and Fostering Agency, Ministry of Education and Culture, Republic of Indonesia, 2019)

In the context of the verse, it discusses the duty of Muslims to equip themselves and prepare for war. There is an interpretation of the word **فُؤَّةٌ** (quwwah) in the verse that gives a deeper understanding. According to the interpretation of 'Abdullah ibn 'Abbas ra, **فُؤَّةٌ** (quwwah) in its indefinite form means everything that can help in strength during war, including all types of weapons. Meanwhile, according to Ikrimah, the word **فُؤَّةٌ** can be interpreted as fortresses (al-husun wa al-ma'aqil), and in another narration, as stallions. This interpretation reflects the richness of the Arabic language and the diversity of meanings of words in the context of Islam. For example, strength in the context of war can involve weapons, fortresses, or even horses. The Prophet Muhammad saw., as conveyed by the narration of Muslim bin Hajjaj al-Naisaburi, also reminded his followers to maximize all their strengths, mentioning arrows, bows, and repeating it three times (Al-Naisaburi, 1991, p. 95).

According to the researcher, in a literal sense, the wording is general, but the emphasis of the Prophet Muhammad saw. on arrows (al-ramyu) in the verse indicates that the Prophet saw. specifically mentioned arrows because at that time, arrows were the most effective and widely used tools in critical situations.

Then, Imam al-Alusi established a ruling using analogy with his statement (**الْحَجُّ عَرَفَةَ**) "Hajj is Arafah" (Al-Alusi, 2005a, p. 220) which also shows that although one aspect is specifically emphasized, it does not mean that it is the only important thing. In the context of Hajj, standing in

Arafah is emphasized as the highest pillar, but it does not mean that other aspects, such as tawaf ifadah, sa'i, and tahallul, become unimportant.

Similarly, with the verse discussing preparation and vigilance in facing the enemy, many tools and equipment can be used. Although arrows are mentioned specifically, it does not exclude the use of other tools or strategies that may be useful in different situations. Thus, there is diversity in the forms of preparation that Muslims can undertake in facing challenges or warfare.

The Prophet Muhammad saw. also praised those who teach archery, train horses, joke with their families, and teach swimming, because these activities do not conflict with the remembrance of Allah. This shows that in Islam, useful and productive activities in daily life can also be a form of worship if done with good intentions and within the framework of Islamic law (Al-Nasai, 2001, pp. 176–177).

After citing several views or narrations and delving into the linguistic aspects, Imam al-Alusi has a different legal inference from the hadith. Based on his analysis of the generality of the verse and the contents of the hadith that need to be contextualized, he concludes that:

فَالَّذِي أَرَاهُ الْعِلْمَ عِنْدَ اللَّهِ تَعَيَّنَ تِلْكَ الْمُقَابَلَةُ عَلَى أَيْمَةِ الْمُسْلِمِينَ وَحِمَاةِ الدِّينِ، وَ لَعَلَّ فَضْلَ ذَلِكَ الرَّمِيِّ يُنْبِئُ لِهَذَا الرَّمِيِّ لِقِيَامِهِ مَقَامَهُ فِي الذَّبِّ عَنِ بَيْضَةِ الْإِسْلَامِ، وَلَا أَرَى مَا لِأَفْنِيهِ مِنَ النَّارِ لِلضَّرُورَةِ الدَّاعِيَةِ إِلَيْهِ إِلَّا سَبَبًا لِلْفَوْزِ بِالْحِجَّةِ إِنْ شَاءَ اللَّهُ تَعَالَى، وَلَا يَبْعَدُ دُخُولُ مِثْلِ هَذَا الرَّمِيِّ فِي عُمُومِ قَوْلِهِ سُبْحَانَهُ: وَأَعِدُّوا لَهُمْ مَا اسْتَطَعْتُمْ مِنْ قُوَّةٍ-308 (Al-Alusi, 2005b, pp. 308–309)

According to Imam al-Alusi, I see that mastery of knowledge is more effective in protecting Muslims and guarding the religion against enemies. The importance of arrows used in the early rise of Islam, according to the conditions, and I do not see any violation (if not using arrows) leading to hell because of urgent necessity, but rather it becomes a cause of fortune to obtain paradise, even not far from the general meaning of the verse: **وَأَعِدُّوا لَهُمْ مَا اسْتَطَعْتُمْ مِنْ قُوَّةٍ**.

Imam al-Alusi's legal inference demonstrates a deep and contextual approach in understanding verses and hadiths. Imam al-Alusi seems to

combine seeing the general wording of the verse with considering the indefinite form and taking into account the related hadiths. In this case, Imam al-Alusi does not limit himself to the explanation of the hadith that mentions that the word قُوَّةٌ (quwwah) refers to الرَّمْيُ (arrows), but also considers the general wording of the verse in its indefinite form. Thus, the legal understanding produced reflects an effort to comprehensively understand the context of the verse and the related hadith.

Another example is the case of theft in QS Al-Ma'idah/5:38:

وَالسَّارِقُ وَالسَّارِقَةُ فَاقْطَعُوا أَيْدِيَهُمَا جَزَاءً بِمَا كَسَبَا نَكَالًا مِنَ اللَّهِ وَاللَّهُ عَزِيزٌ حَكِيمٌ

Translation:

The male thief and the female thief cut off their hands as a recompense for what they have earned and as a punishment from Allah. Allah is Almighty and wise. (Lajnah Pentashihan Mushaf al-Qur'an Badan Litbang dan Diklat Kementerian Agama Republik Indonesia & Badan Pengembangan dan Pembinaan Bahasa Kemdikbud Republik Indonesia, 2019)

The above verse explains the law of cutting off the hands of male and female thieves. However, viewed from the aspect of its qira'ah, there are several differences in readings, including: 'Isa ibn 'Umar (d. 149 AH) reading with a fatha (nasb), السَّارِقُ وَالسَّارِقَةُ (Al-Alusi, 2005, pp. 308–309), while Ubay ibn Ka'ab (d. 32 AH) reads by omitting the alif and lam (hazf al-alif wa al-lam): السَّرِقُ وَالسَّرِيقَةُ. Meanwhile, Ibn Mas'ud (d. 32 AH) replaces the word أَيْدِيَهُمَا with أَيْمَانَهُمَا, thus it is read: (Karar, 2006, p. 78) السَّارِقُ وَالسَّارِقَةُ حُكْمُهُمَا فَأَقْطَعُوا أَيْمَانَهُمَا. In establishing the law regarding theft with hand cutting, Imam al-Alusi sets several conditions (Al-Alusi, 2005, pp. 413–414). First; The method of theft, Imam al-Alusi establishes that theft can be committed both secretly and openly, without the owner's permission. This reflects flexibility in assessing the type of theft. Second; The stolen property under tight security, theft must be committed against property that is closely guarded or under tight security. This is intended to establish the conditions under which a person can be considered guilty of theft. Third; The value of the theft, according to Imam al-Alusi, the stolen

goods must exceed ten dirhams. This indicates that there is a minimum value that must be reached to apply the hand-cutting penalty. This approach may differ from the views of other schools of thought which may set a different value. Fourth; The part of the hand that is cut, Imam al-Alusi mentions that the part of the hand that should be cut is the right wrist.

Imam al-Alusi provides examples of the views of various schools of thought regarding the hand-cutting penalty. Some schools, such as Shafi'i, al-Awza'i, Abi Sur, and Imamiyah, set specific conditions, such as a minimum value for theft. He emphasizes that the hand-cutting penalty must be more than a quarter dinar, while Abu 'Ali al-Jubba'i (d. 321 AH) states a minimum of five dirhams, and the Khawarij state that the hand-cutting penalty is mandatory regardless of the amount stolen. Meanwhile, there is a differing opinion with the Khawarij school which states that the hand-cutting penalty is obligatory, regardless of the amount stolen.

The decree of Imam al-Alusi regarding the ruling on cutting off the hand, specifically the right hand, is based on the recitation (qiraah) of Ibn Mas'ud (Karar, 2006, p. 78) السَّارِقُ وَالسَّارِقَةُ حُكْمُهُمَا فَأَقْطَعُوا أَيْمَانَهُمَا and the hadith of Ubay ibn Abi Rabi'ah (d. 93 AH), which details the Prophet Muhammad's instruction to cut off part of a thief's right hand. Imam al-Alusi emphasizes that the punishment for theft cannot be resolved through repentance alone; instead, the hand-cutting penalty must be enforced.

According to researchers, the qiraah of Ibn Mas'ud is considered a qiraah syaz (irregular), and according to the majority of scholars, a qiraah syaz cannot be used as a source of law because it violates one of the three conditions set by scholars, thus rendering it invalid. However, this decree reflects the interpretation and exegesis of Imam al-Alusi based on these sources, which involve both qiraah and hadith.

### **Impact of Qiraah on Worship Verses in Determining Fiqh Law According to Al-Alusi**

Based on the researcher's exploration of worship verses in the exegesis of Imam al-Alusi, the researcher found approximately 295 verses discussing worship, which includes ritual worship (ibadah mahdah) such as prayer, fasting, zakat,

and pilgrimage. Prayer is discussed in 153 verses, zakat in 84 verses, fasting in 10 verses, and pilgrimage in 48 verses. However, not all of these verses have different qiraahs that impact legal derivation (istinbat hukum).

In this dissertation, the researcher focuses on discussing several verses related to worship, specifically: prayer (QS Al-Baqarah/2:125); (QS Al-Hajj/22:77); fasting (QS Al-Baqarah/2:183-185); zakat (QS Al-Taubah/9: 58, 60); pilgrimage (QS Al-Baqarah/2:198); (QS Ali 'Imran/3:96); QS Al-Hajj/22:27).

### Shalat

Regarding the law of praying behind the Maqam Ibrahim, Allah SWT says in QS Al-Baqarah/2: 125:

مَنْ وَاتَّخَذُوا وَأَمَّنَّا لِلنَّاسِ مَثَابَةً نَبَيْتَ جَعَلْنَا وَإِذْ  
مُصَلِّيَ إِبْرَاهِيمَ مَقَامٍ

Terjemahnya:

Translation:

"(Remember) when We made the House (Ka'bah) a place of return and a place of safety for mankind. (And remember) when We said, 'Take the Maqam Ibrahim as a place of prayer.'" (Lajnah Pentashihan Mushaf al-Qur'an Badan Litbang and Diklat Kementerian Agama Republik Indonesia & Badan Pengembangan dan Pembinaan Bahasa Kemdikbud Republik Indonesia, 2019)

The above verse is one of the legal verses (ahkam) discussing the law of praying behind the Maqam Ibrahim. This verse also has a qiraah that implicates the law. Therefore, to find the legal derivation done by Imam al-Alusi on this verse, it is necessary to examine the analysis of qiraah and semantics as well as its legal derivation.

### Al-Alusi's Legal Derivation in the Realm of Prayer Worship

Differences in qiraah in this context lead to differences in fiqh law among jurists in determining a ruling. The views of fuqaha and the evidence they use regarding the two versions of qiraah are as follows:

In this case, the difference in recitation between the perfect tense form **وَاتَّخَذُوا** and the imperative form **وَاتَّخَذُوا** in a verse can create differences in the understanding of fiqh law, particularly regarding the issue of praying behind the Maqam Ibrahim.

Fuqaha who recite in the perfect tense **وَاتَّخَذُوا** view it as a description of an action that has already occurred, concluding that praying behind the Maqam Ibrahim is sunnah. This is because the perfect tense often refers to actions that have already been performed in the past.

This view is supported by the thoughts of certain fuqaha figures. For example, it is mentioned that Imam Malik, Ahmad bin Hanbal, and Imam al-Syafi'i support the view that praying behind the Maqam Ibrahim is sunnah, referring to the recitation **وَاتَّخَذُوا**. (Qudamah, 1997, p. 232)

This statement indicates that some fuqaha use the story of a Bedouin Arab who asked the Prophet Muhammad as evidence to support their view regarding praying behind the Maqam Ibrahim. In the story, the Bedouin Arab asked **هَلْ عَلَيَّ غَيْرُهَا** (is there any other obligation I have to perform besides the obligatory prayer). The Prophet replied, no, unless he performs the sunnah prayer voluntarily **إِلَّا أَنْ تَطُوعًا** (Al-'Arabi, 2003; Al-Baihaqi, 2003; Al-Bukhari, 1422; Al-Sakhawi, 1999; Al-Syafi'i, 2001; Anas, 1406). This view emphasizes that praying behind the Maqam Ibrahim is not an obligation or a collective duty. Rather, it is considered a voluntary or sunnah act. Sunnah in this context refers to a recommended action, but not obligatory. Therefore, praying behind the Maqam Ibrahim is seen as a voluntary practice, not considered a mandatory act that must be performed collectively.

On the other hand, the Hanafi school, based on the recitation **وَاتَّخَذُوا** which they consider a command ('amr), believes that the two-rak'ah prayer after completing tawaf is obligatory. This view applies to both sunnah tawaf and obligatory tawaf. Meanwhile, some Hanbalis and some Shafi'is believe that tawaf is part of the essential elements (rukun) in the pilgrimage, making the prayer after tawaf not obligatory.

Based on various views of scholars regarding the meaning derived from the difference in qiraah or recitation variations, Imam al-Alusi provides the following legal derivation:

أَخْرَجَهُ أَبُو نُعَيْمٍ مِنْ حَدِيثِ ابْنِ عُمَرَ «أَنَّ النَّبِيَّ صَلَّى اللَّهُ تَعَالَى عَلَيْهِ وَسَلَّمَ أَخَذَ بِيَدِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ فَقَالَ: يَا عُمَرُ هَذَا مَقَامُ إِبْرَاهِيمَ فَقَالَ عُمَرُ: أَفَلَا نَتَّخِذُهُ مُصَلِّيَ فَقَالَ: لَمْ أَوْمِرْ بِذَلِكَ فَلَمْ تَجِبِ الشَّمْسُ حَتَّى نَزَلَتْ هَذِهِ الْآيَةُ» وَالْأَمْرُ فِيهَا لِلِاسْتِحْبَابِ إِذْ

الْمُبَادِرِ - مِنْ - الْمُصَلَّى - مَوْضِعِ الصَّلَاةِ مُطْلَقًا، وَقِيلَ: الْمُرَادُ بِهِ الْأَمْرُ بِرَكْعَتَيْ الطَّوَافِ لَمَّا أُخْرِجَهُ مُسَلِّمًا عَنْ جَابِرٍ «أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ تَعَالَى عَلَيْهِ وَسَلَّمَ لَمَّا فَرَعَ مِنْ طَوَافِهِ عَمَدَ إِلَى مَقَامِ إِبْرَاهِيمَ فَصَلَّى خَلْفَهُ رَكْعَتَيْنِ، فَأَلْمَزَ لِلْجُؤَبِ عَلَى بَعْضِ الْأَقْوَالِ، وَلَا يَحْفَى ضَعْفُهُ لِأَنَّ فِيهِ التَّقْيِيدُ بِصَلَاةٍ مَخْصُوصَةٍ مِنْ غَيْرِ دَلِيلٍ، وَقِرَاءَتُهُ عَلَيْهِ الصَّلَاةُ وَالسَّلَامُ الْآيَةُ حِينَ أَدَاءِ الرَّكْعَتَيْنِ لَا يَفْتَضِي تَخْصِيصَهُ بِهِمَا، وَذَهَبَ النَّحْوِيُّ وَمُجَاهِدٌ إِلَى أَنَّ الْمُرَادَ مِنْ مَقَامِ إِبْرَاهِيمَ الْحَرَمَ كُلَّهُ، وَابْنُ عَبَّاسٍ وَعَطَاءٌ إِلَى أَنَّهُ مَوَاقِفُ الْحَجِّ كُلِّهَا، وَالسَّعْبِيُّ إِلَى أَنَّهُ عِرْقَةٌ وَمُزْدَلِفَةٌ وَالْجَمَارُ، وَمَعْنَى- إِتْخَاذَهَا مُصَلَّى- أَنْ يُدْعَى فِيهَا وَيَقْرَبُ إِلَى اللَّهِ تَعَالَى عِنْدَهَا» (Al-Alusi, 2005e, p. 378).

Meaning:

The hadith narrated by Abu Nu'aim from Ibn 'Umar's hadith, "The Prophet (saw) held 'Umar's (ra) hand and said: O 'Umar, this is the place (maqam) of Ibrahim." Then 'Umar said: Shall we not make this a place of prayer? The Prophet (saw) then said: I was not commanded to do that, and the sun did not set until this verse was revealed." This command is a command of desire, because the word maqam indicates a place of prayer in absolute terms, and it is said: the intended meaning is the command to perform the sunnah tawaf prayer of two rak'ahs, as narrated by Muslim from Jabir, that "The Messenger of Allah (saw), when he had completed the tawaf (circumambulating the Ka'bah), went to the maqam of Ibrahim and prayed two rak'ahs behind it. Therefore, this command is obligatory based on several hadiths." However, it is weak because it is limited to certain prayers without any evidence, while reciting this verse during the two rak'ah prayer does not make it obligatory to specify it. Imam Al-Nakh'i and Imam Mujahid opine that what is meant by maqam Ibrahim is the entire Haram land. Meanwhile, Ibn 'Abbas and 'Ata' say that maqam Ibrahim is the entire place of Hajj rituals, whereas Al-Sya'bi says that maqam Ibrahim is Arafah, Muzdalifah, and the jamarat. This means that making it a place of prayer is to pray there as a form of supplication and drawing closer to Allah (swt) at that time.

From the various opinions of the fuqaha mentioned above, and the arguments, both rational and transmitted, that they use as the basis and foundation in understanding the two different versions of qiraah, the writer tries to choose the most preponderant opinion in this matter.

As for the opinion that states that praying behind the maqam of Ibrahim is sunnah and not obligatory, this opinion is based on several reasons or views as follows:

First; a command that indicates obligation can apply as long as there is no evidence that changes or redirects it, while the evidence that changes it exists, namely the Prophet's (saw) statement to the Bedouin who asked him: Do I have any other obligation besides this? The Prophet replied: No, except voluntarily.

Second; the majority of scholars have agreed that praying behind the maqam of Ibrahim is sunnah. This indicates that the fuqaha intend to act on both pieces of evidence, namely combining or integrating the two different qiraah versions. Hence, the reading of fathah in the word **وَاتَّخَذُوا** does not lead to differences. Likewise, the reading of kasrah in **وَاتَّخَذُوا** does not lead to differences based on the evidence they use, because indeed the derivation of evidence indicating sunnah with the form of fi'il amr is stronger than others. (Al-Naisaburi, n.d., p. 443)

Meanwhile, the followers of Imam Malik hold a view similar to the majority of scholars where they both desire a combination between the two qiraah. They believe that praying behind the maqam of Ibrahim can be obligatory during the performance of obligatory tawaf, and sunnah during sunnah tawaf. (Isma'il, 2000, p. 383) It seems that the followers of Imam Malik are more tolerant than the majority of scholars.

On the other hand, Abu Hanifah also opines that praying behind the maqam of Ibrahim is obligatory, but they do not consider it fard. They differentiate between fard and wajib, and then they say:

الْفَرْضُ مَا نُبِتَ بِدَلِيلٍ قَطْعِيٍّ , وَالْوَاجِبُ مَا نُبِتَ بِدَلِيلٍ ظَنِّيٍّ ('Ala al-Din Abi Bakr bin Mas'ud, Al-Kasani Al-Hanafi, 1986, p. 1145)

Meaning:

Fard is a mandatory ruling based on definitive evidence, while wajib is a ruling based on speculative evidence.

If we analyze Abu Hanifah's opinion, there are two alternatives in one matter. Because it is speculative (dugaan), including praying behind the maqam of Ibrahim.



In connection with the various arguments put forward by the scholars above, the writer tends to the opinion that praying behind the maqam of Ibrahim is sunnah, although the scholars of usul state that if two principles of usul meet, namely, the fi'il amr that indicates a demand, such as *وَاتَّخِذُوا* (a talabiyyah sentence), and a khabariyyah sentence *وَاتَّخِذُوا*, then the talabiyyah sentence must take precedence.

After considering the opinions of scholars through extensive observation of the evidence from the Qur'an and hadith, as well as the opinions of scholars supporting the madhab, the researcher leans towards a moderate view without rejecting any of the scholars' views. This means that praying behind the maqam of Ibrahim after performing tawaf, whether it is sunnah tawaf or obligatory tawaf, can be considered sunnah, just as it can be considered obligatory. This is based on both qiraah, the sanad of which originates from the Prophet (saw), so both versions of the qiraah are categorized as mutawatir qiraah, thus both readings are valid and can be practiced.

#### **Istinbat Hukum Al-Alusi in the Realm of Fasting Worship**

In Imam Al-Alusi's analysis of the differences in qiraah on the verse QS al-Baqarah/2:184, particularly related to the ruling on making up Ramadan fasts and fidyah, there is an impact on the extraction or derivation of different rulings. This impact is based on the debate in qiraah:

#### **Ramadan Fasts**

In essence, scholars differ on the ruling of making up Ramadan fasts, whether to make up for them consecutively or whether it is permissible to make them up separately or non-consecutively. This is due to the difference in reading or qiraah among the Qurra experts.

1). The majority of Qurra read the phrase *(أَخْرَ أَيَّامٍ مِنْ فَعِدَّةٍ)* as a mutawatir qiraah, so they believe that making up for Ramadan fasts does not have to be done consecutively or separately. This means a person can make up for the missed fasts without having to do so in succession. This qiraah also indicates that it is obligatory to make up for the missed Ramadan fasts without specifying consecutive days. (Al-Alusi, 2005e, p. 455) Then Abu 'Ubaidah bin al-Jarrah opined that Allah

(swt) did not provide ease for you to break your fast in the holy month of Ramadan even in a state of excuse (hindrance), then Allah did not intend for you difficulty in making up for the missed fasts that could not be done in its time. (Anas, 1994, p. 281) This view is in line with what Al-Jassas stated that the phrase *(أَخْرَ أَيَّامٍ مِنْ فَعِدَّةٍ)* indicates the obligation to make up for the fast on certain days without specifying consecutive days, and Al-Jassas (Al-Jassas, 1405, p. 288) added flexibility related to making up for the fasts, stating that one is allowed to make up for the fasts either separately or consecutively according to certain conditions or circumstances. However, the condition to make up for the fasts consecutively contradicts the apparent meaning of the verse.

2). The view pioneered by Ubay bin Ka'b is that he read the phrase *(مُتَتَّبِعَاتٍ أَخْرَ أَيَّامٍ مِنْ فَعِدَّةٍ)*; the addition of the phrase *مُتَتَّبِعَاتٍ* introduces a recitation known as qiraah syaz (irregular) [Karar, 2006, p. 91] because it differs from the rasm al-usmani (the standard text of the Qur'an that is widely accepted). This recitation significantly impacts the establishment of a legal ruling. Therefore, those who follow the recitation *(مُتَتَّبِعَاتٍ أَخْرَ أَيَّامٍ مِنْ فَعِدَّةٍ)* may understand that the missed fasts must be made up consecutively. The evidence for this is that fasting during Ramadan is performed consecutively, so Imam al-Alusi establishes a ruling using the method of qiyas (analogy) that the missed fasts must also be made up consecutively. Thus, whoever makes up their fasts non-consecutively, their fasting is considered invalid, because, according to him, it is not permissible to separate al-ada (the original act) and al-qada (the compensatory act), as is the command in making up prayers [Al-Alusi, 2005e; Karar, 2006] .

After examining the debate among qiraah scholars regarding the various recitations of this verse, there are two differing views based on the recitation used. First, those who read the phrase *أَخْرَ أَيَّامٍ مِنْ فَعِدَّةٍ* (Qiraah mutawatir). This view states that it is permissible to make up fasts non-consecutively according to the apparent meaning of the verse. Second, those who read the phrase *أَخْرَ أَيَّامٍ مِنْ فَعِدَّةٍ* hold that it is obligatory to make up the fasts consecutively. Therefore,

both views are based on the argumentation and interpretation of the qiraah they follow. The researcher highlights that both hold the belief that their view is correct. The researcher concludes and agrees with the first group based on the qiraah mutawatir, as qiraah mutawatir directly originates from the Prophet Muhammad saw. and holds a high position in the hierarchy of qiraah. Thus, qiraah mutawatir can be used as a strong hujjah (proof) in establishing legal rulings.

Meanwhile, the researcher considers the qiraah that adds the phrase *مُتَتَّبِعَاتٍ* as qiraah syaz (irregular), because this recitation is considered to violate the principle of rasm usmani and therefore cannot be used as hujjah.

### The Law of Fidyah or Compensation for Those who Cannot Fast

The different legal conclusions regarding fidyah or compensation for those who cannot fast due to valid reasons are influenced by the following differences in qiraah:

1). Imam 'Asim, Ibn Kathir, Abu 'Amru, Hamzah, al-Kisa'i, Ya'qub al-Hadrami, Khalaf al-Bazzar read the phrase (فِدْيَةٌ) with tanwin (nominative case marker), while the phrase (طَعَامٌ) is read bi al-raf'i (nominative), and the phrase (مِسْكِينٍ) is read bi al-ifrad (singular) and with a kasrah on the nun, according to the narration of Ibn 'Abbas, and this qiraah is considered hasanah (good) [Al-Alusi, 2005e, p. 459]. Imam al-Alusi derived the legal ruling from this qiraah that fidyah means giving food to the poor in the amount that they usually eat daily, which is half a sa' of wheat or one sa' of other food according to the people of Iraq, one mud according to the people of Hijaz, for each day. This was at the beginning of Islam when fasting was first prescribed to them, and they were not yet accustomed to it, so they were allowed to break their fast and pay fidyah as a concession. The narrative is as follows:

فِدْيَةٌ أَيُّ إِعْطَاؤِهَا طَعَامٌ مِسْكِينٍ وَهِيَ قَدْرٌ مَّا يَأْكُلُهُ كُلُّ يَوْمٍ وَهِيَ نِصْفُ صَاعٍ مِنْ بَرٍّ أَوْ صَاعٍ عِنْدَ أَهْلِ الْحِجَازِ لِكُلِّ يَوْمٍ وَكَانَ ذَلِكَ فِي بَدَأِ الْإِسْلَامِ لَمَّا أَنَّهُ قَدْ فَرَضَ عَلَيْهِمُ الصَّوْمَ وَمَا كَانُوا مُتَعَوِّدِينَ لَهُ فَاشْتَدَّ عَلَيْهِمْ فَرَحَصَ لَهُمْ فِي الْإِفْطَارِ وَالْفِدْيَةِ ... (Al-Alusi, 2005e, p. 455)

Similarly, according to Imam Shafi'i, the singular form (مِسْكِينٍ) indicates that those who

cannot fast should give fidyah every day to one poor person [Al-Shafi'i, 2006, p. 283].

2). Imam Nafi', Ibn Zakwan, Ibn 'Amir, Abu Ja'far read the phrase (فِدْيَةٌ) without tanwin, and the phrase (طَعَامٌ) bi al-khafd 'ala idafah (in the genitive case due to idafah), while the phrase (مِسْكِينٍ) is read bi al-jam' (plural) and with a fatha on the nun without tanwin. Therefore, they read (مَسَاكِينٍ). When read with idafah, the meaning of fidyah for fasting is limited to staple food only, as the term fidyah is broad and can mean staple food alone or other types of food.

3). Hisham ibn 'Amir reads the phrase (فِدْيَةٌ) with tanwin on (فِدْيَةٌ), while (طَعَامٌ) is read bi al-raf'i, and (مَسَاكِينٍ) is read bi al-jam' and with a fatha on the nun without tanwin. Thus, the plural form (مَسَاكِينٍ) indicates that those who feed the poor should do so either by giving food every day to one person or by providing a certain amount of food to multiple people in one day.

Based on the researcher's observation of the scholarly disagreement regarding the linguistic aspect of qiraah in Surah al-Baqarah/2:184, which results in different legal conclusions, the phrase *مِسْكِينٍ طَعَامٌ فِدْيَةٌ يُطِيفُونَهُ الَّذِينَ وَعَلَى* is specifically for the elderly or those who cannot fast, granting them the concession to provide fidyah by feeding the poor [Al-Tabari, 2001, p. 166]. Ibn 'Abbas interprets the verse to mean that the elderly who cannot fast are given the concession to break their fast and provide food to the poor if they wish [Al-Tabari, 2001, p. 167]. Similarly, Imam 'Ali bin Abi Talib states that the verse specifically addresses the elderly [Al-Jassas, 1405, p. 440].

The researcher's conclusion is that both the plural form *مَسَاكِينٍ* and the singular form *مِسْكِينٍ* can be applied because both are mutawatir qiraah. The difference in meaning is that the plural form *مَسَاكِينٍ* indicates multiple poor people, while the singular form *مِسْكِينٍ* refers to each poor person individually. The researcher emphasizes that both have legitimacy and can be applied, reflecting the richness of the qiraah tradition in Islam. It is important to recognize the flexibility and diversity of Qur'anic recitations and to respect the variety of understandings and interpretations they produce.

In this context, the researcher asserts that both interpretations have legitimacy and can be applied, and these differences reflect the richness of the qira'ah tradition in Islam. Therefore, it is important to acknowledge the flexibility and variation in the qira'ah of the Qur'an and to respect the diversity of understandings and interpretations that arise from it. Regarding the issue of different qira'ah in the aforementioned verse, Imam al-Alusi provides legal conclusions in his exegesis as follows:

وَقَرَأَ سَعِيدُ بْنُ الْمُسَيَّبِ يُطِيقُونَهُ بِضَمِّ الْيَاءِ الْأُولَى  
وَتَشْدِيدِ الْيَاءِ الثَّانِيَةِ  
وَمُجَاهِدٌ وَعِكْرَمَةُ يُطِيقُونَهُ بِتَشْدِيدِ الطَّاءِ وَالْيَاءِ  
الثَّانِيَةِ وَكَلَّتَا الْقِرَاءَتَيْنِ عَلَى صِيغَةِ الْمَبْنِيِّ لِلْفَاعِلِ عَلَى  
أَنَّ أَسْلُهُمَا يُطِيقُونَهُ وَيَطِيقُونَهُ مِنْ فِعْلٍ وَتَفْعِيلٍ لَا  
مِنْ فِعْلٍ وَتَفْعِيلٍ وَإِلَّا لَكَانَ بِالْوَاوِ دُونَ الْيَاءِ لِأَنَّهُ مِنْ  
طَوْقٍ وَهُوَ وَاوِيٌّ، وَقَدْ جَعَلَتِ الْوَاوُ يَاءً فِيهِمَا ثُمَّ  
أَدْغَمَتِ الْيَاءُ فِي الْيَاءِ وَمَعْنَاهُمَا يَتَكَلَّفُونَهُ، وَعَائِشَةُ  
رَضِيَ اللَّهُ تَعَالَى عَنْهَا « يُطَوِّقُونَهُ بِصِيغَةِ الْمَبْنِيِّ  
لِلْمَفْعُولِ مِنَ التَّفْعِيلِ أَيْ يُكَلِّفُونَهُ أَوْ يُقَلِّدُونَهُ مِنَ الطَّوْقِ  
بِمَعْنَى الطَّاقَةِ أَوْ الْفَلَادَةِ، وَرُوِيَ الثَّلَاثُ عَنْ ابْنِ  
عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَيْضًا، وَعَنْهُ يَطَوِّقُونَهُ  
بِمَعْنَى يَتَكَلَّفُونَهُ أَوْ يُقَلِّدُونَهُ وَيُطَوِّقُونَهُ بِإِدْغَامِ النَّاءِ فِي  
الطَّاءِ... وَالْحَقُّ أَنَّ كُلًّا مِنَ الْقِرَاءَاتِ يُمَكِّنُ حَمْلَهَا عَلَى  
مَا يَحْتَمِلُ النَّسْخَ، وَعَلَى مَا لَا يَحْتَمِلُهُ. وَلَكِنْ ذَهَبَ  
بَعْضُ- وَرُوِيَ عَنْ حَفْصَةَ أَنَّهَا قَرَأَتْ وَعَلَى الَّذِينَ  
يُطِيقُونَهُ وَقَرَأَ نَافِعٌ وَإِبْنُ عَامِرٍ بِإِضَافَةِ فِدْيَةٍ إِلَى-  
الطَّعَامِ وَجَمَعَ الْمَسْكِينِ (Al-Alusi, 2005e, p. 456) ...

Imam al-Alusi's explanation of the qira'ah debate in this passage shows that he adopts a scholarly and analytical approach to addressing differences in qira'ah. Several key points can be summarized as follows:

First, citation of sources and Imam Qurra, Imam al-Alusi attempts to provide clarification by detailing the sources of the qira'ah differences and mentioning the names of the narrators or Imam Qurra' from whom the qira'ah originates.

Second, semantic and grammatical explanations. Imam al-Alusi pays attention to the semantic and grammatical aspects in explaining the differences in qira'ah. This includes the origin of words, grammatical structure, and the changing meanings of words. Thus, he attempts to provide a deep understanding of the differences in qira'ah.

Third, the influence of qira'ah on Qur'anic interpretation. Imam al-Alusi explains the influence of qira'ah on the interpretation of the Qur'an. This includes how variations in readings

can affect the understanding or interpretation of specific verses.

In this regard, it reflects Imam al-Alusi's effort to approach differences in qira'ah scientifically, providing historical and linguistic context, and exploring their impact on the understanding of the Qur'an. This perspective underscores the importance of approaching differences in qira'ah with reason and knowledge, aiming to preserve the integrity of the Qur'anic text and providing adequate explanations for the variations that emerge in the qira'ah tradition.

### Legal Conclusions of Al-Alusi in the Realm of Zakat

The law contained in this verse indicates that the distribution of zakat is limited to only eight groups of recipients (mustahik). These eight groups are: the first and second groups; fuqara and masakin, with differing opinions among scholars regarding the distinction between the poor and the needy. According to Ya'kub al-Sakit, al-Qutaybi, Yunus bin Habib, and others, the poor (fakir) are in a worse condition compared to the needy (miskin). They argue that a fakir person still has an income, although insufficient for their needs; while a miskin, they say, has no fixed income at all. This view is supported by Abu Hanifah and Malik among the four major madhhab imams (Suma, 2016, pp. 69–70).

In contrast, other scholars, including Imam al-Shafi'i, hold that the fuqara are in a much lower position than the masakin. They argue as follows:

a) Allah swt. begins His verse with the word fuqara rather than al-masakin. Mentioning the fuqara first and before the masakin indicates that the fuqara are in the greatest need. That is, prioritizing those in greater need among other important groups.

b) The Prophet saw. in his prayer asked Allah to be raised among the needy:

اللَّهُمَّ أَحْيِنِي مِسْكِينًا وَأَمِتْنِي مِسْكِينًا وَاحْشُرْنِي  
فِي زُمْرَةِ الْمَسَاكِينِ يَوْمَ الْقِيَامَةِ . (Al-Tirmizi, 1975; Majah, n.d.)

Meaning:

“O Allah, make me live as a miskin, and make me die as a miskin, and gather me in the group of masakin on the Day of Resurrection.”

This prayer can be understood that the Prophet asked Allah to live and die as a miskin,

not as a fakir. In another instance, the Prophet also prayed for protection from disbelief and poverty.

. (Al-Alusi, اللَّهُمَّ إِنِّي أَعُوذُ بِكَ مِنَ الْكُفْرِ وَالْفَقْرِ 2005a, p. 311)

Meaning:

“O Allah, I seek refuge in You from disbelief and poverty.”

c) Al-Shafi'i states that the fakir are those who do not have wealth and a stable source of income, and they are in deep need. Meanwhile, the miskin are those who still have some wealth or income but it is insufficient for their needs. Al-Shafi'i's view emphasizes that the status of a fakir is considered lower or more difficult compared to a miskin. As Allah swt. says in QS Al-Kahfi/18: 79. وَأَمَّا السَّقِيئَةُ فَكَانَتْ لِمَسَاكِينَ This verse indicates that the miskin still have property, i.e., the boat (Al-Alusi, 2005a, p. 311).

Meanwhile, scholars who support the first opinion, which states that the miskin are in a lower state than the fakir, also present several arguments, including:

a) The miskin are those who do not possess anything; they live wherever they can because they have no house to live in. This demonstrates the extreme lowliness of the miskin (Al-Jassas, 1405, p. 309).

b) Imam Abu Hanifah considers that the fakir do not beg and still have a source of income, although it does not suffice for their needs. Conversely, the miskin are those who beg and have absolutely nothing or no income (Al-Alusi, 2005a; A. al-M. B. al-D. M. bin A. bin 'Abd al-'Aziz bin 'Umar bin M. al-B. Al-Hanafi, 2004).

c) The miskin are in a lower state compared to the fakir, as Allah swt. states in QS Al-Balad/90:16. مَثْرَبَةَ ذَا مِسْكِيناً أَوْ (or a miskin in dire poverty), indicating that they are in great need. If the fakir were in a lower state, this verse would have described them as fakir, not miskin (Al-Alusi, 2005a, p. 310).

The third group, al-'amilun, are those who are trusted by the authorities to handle the collection and distribution of zakat. This includes employees hired for this purpose, such as BAZNAS (the National Zakat Agency) entrusted by the government.

The fourth group, al-muallafah qulubuhum (those whose hearts are inclined towards Islam),

has different interpretations regarding the term. According to Imam al-Alusi, there are three groups included in this verse: a) they are non-Muslims whom the Prophet persuaded to embrace Islam; b) they are those who have embraced Islam but with weak faith, such as 'Uyainah bin Hisn, Al-aqra' bin Haris, and al-abbas bin Mardas al-sulami. Thus, the Prophet saw. gave zakat or aid to them to strengthen their commitment to Islam; c) they are people given aid to eliminate harm from the believers, and some of them have their hearts softened by charity to fight against non-believers and those who refuse zakat (Al-Alusi, 2005a; Rida, n.d.).

The fifth group is those to free slaves. However, in the present time, the formal system of slavery no longer exists. The sixth group, al-garimin, are those in debt. The verse implies that those in debt can be given zakat without condition, but Imam al-Alusi limits this to debts not related to sin or wrongdoing (Al-Alusi, 2005a, p. 313). This is similar to the view of the Shafi'i scholars who also impose the restriction that if a person's debt is for their own benefit, they are not eligible for zakat unless they are classified as poor. However, if the debt is for defending the faith, they may receive al-garimin's share even if they are wealthy (Suma, 2016, p. 74).

The seventh group, sabilillah, according to Abu Hanifah, Malik, and al-Shafi'i, refers to soldiers or fighters who do not receive a salary from the relevant department. According to Ahmad bin Hanbal, sabilillah can be given to those who wish to perform Hajj but do not have the means (Suma, 2016, p. 75). The writer believes that the phrase fi sabilillah in Allah's command is general and includes all activities for obeying Allah, such as funding wars, Hajj, and others.

The eighth group, ibn sabil, refers to travelers who leave their homes and travel far but then run out of funds during their journey. Such a person is entitled to receive zakat even if they are wealthy in their hometown. In the book fath al-Qadir, it is mentioned that one should not take more than needed. If a merchant has debts that they cannot collect or pay, they may receive zakat because they are considered poor like a traveler (Al-Alusi, 2005a; Al-Syaukani, 1414).

Imam al-Alusi's understanding of the verse related to zakat demonstrates his caution and

tolerance towards differing views among scholars. While he presents different qira'ah on the verse, he does not delve deeply into the debate about these differences. Instead, his focus is on explaining the groups eligible for zakat according to the Qur'an's understanding.

Imam al-Alusi shows wisdom and tolerance by outlining the diverse scholarly opinions on zakat. Despite following the Hanafi madhhab, he does not become fanatic about his school's views. This reflects an attitude that values the diversity of opinions within Islam. One of Imam al-Alusi's strengths is his tolerance for differing views, and he is very wise in explaining the variety of interpretations.

### Legal Conclusions of Al-Alusi in the Realm of Hajj

The legal conclusions drawn by Imam al-Alusi in understanding the verse are as follows:

The phrase (الْحَجُّ أَشْهُرٌ مَّعْلُومَاتٌ) according to Imam al-Alusi means that Hajj is a period known to people from the time they reach maturity until the age of forty. Imam al-Alusi adds by quoting the Sufi view that after the age of forty, Sufis become indifferent and calm; in his view, obscurity is better than blindness, and a little better than deficiency. Thus, anyone who wishes to perform Hajj during these months must prepare with sincere intentions. This narrative can be seen in the following text:

الْحَجُّ أَشْهُرٌ مَّعْلُومَاتٌ وَهِيَ مَدَّةُ الْحَيَاةِ الْفَائِيَةِ أَوْ مِنْ وَقْتِ بُلُوغِ الْحُلُمِ إِلَى الْأَرْبَعِينَ... وَمِنْ هُنَا قِيلَ: الصُّوفِيُّ بَعْدَ الْأَرْبَعِينَ بَارِدٍ نَعْمَ الْعَمَشِ خَيْرٌ مِنَ الْعَمَى وَالْقَلِيلُ خَيْرٌ مِنَ الْجُرْمَانِ فَمَنْ فَرَضَ فِيهِنَّ الْحَجَّ عَلَى نَفْسِهِ بِالْعَزِيمَةِ (Al-Alusi, 2005e, p. 488)

Then, al-Maragi (d. 1371 AH) explains the meaning of the verse أَشْهُرٌ مَّعْلُومَاتٌ, indicating that the time to perform the obligatory Hajj is during specific months, namely Shawwal, Dhu al-Qa'dah, and Dhu al-Hijjah (Al-Maragi, 1365, p. 99).

Al-Qushayri (d. 465 AH) elucidates this verse by saying that just as the pilgrimage of the soul is known only during certain months, it is not permissible to perform the Hajj throughout the year except at specific times. Whoever misses this time misses the Hajj (Al-Qushayri, n.d., p. 165).

Imam al-Alusi's explanation of the verse فَلَا رَفْتٌ وَلَا فُسُوقٌ وَلَا جِدَالٌ فِي الْحَجِّ highlights its meaning in the context of Hajj. In his exegesis, Imam al-Alusi states that this verse prohibits all forms of behavior that violate moral and ethical norms during Hajj. The following points can be derived from this explanation:

First; Avoiding worldly indulgence, meaning the performance of Hajj should focus on spiritual and worship aspects, not on worldly and luxurious inclinations. This reflects the importance of steering clear of worldly temptations and concentrating on spiritual aspects during Hajj.

Second; Avoiding all forms of disobedience, encompassing all acts of disobedience or deeds that violate Allah's rules. During Hajj, a Muslim is expected to avoid all forms of sin or wrongdoing.

Third; Refraining from disputes or quarrels, ensuring that the performance of Hajj is conducted in a peaceful and harmonious atmosphere. Disputes or quarrels among pilgrims should be avoided as much as possible. This underscores the importance of maintaining harmony and unity during the pilgrimage.

Fourth; Encouraging good and preventing evil. If faced with insulting words or inappropriate behavior, it is recommended to respond with polite and patient words.

The narrative built by Imam al-Alusi can be seen in the following text:

فَلَا رَفْتٌ أَي فَلَا يَمِيلُ إِلَى الدُّنْيَا وَزِينَتِهَا وَلَا فُسُوقٌ وَلَا يَخْرُجُ القُوَّةَ الغَضَبِيَّةَ عَن طَاعَةِ القَلْبِ بَل لَا يَخْرُجُ عَن الوَقْتِ وَلَا يَدْخُلُ فِيمَا يورث المَقْتِ وَلَا جِدَالٌ فِي الْحَجِّ أَي وَلَا يِنَازِعُ أَحَدًا فِي مَقَامِ التَّوَجُّهِ إِلَيْهِ تَعَالَى إِذِ الكُلُّ مِنْهُ وَإِلَيْهِ وَمَنْ نَازَعَهُ فِي شَيْءٍ يَنْبَغِي أَنْ يَسْلِمَهُ إِلَيْهِ وَيَسْلَمَ عَلَيْهِ وَإِذَا خَاطَبَهُمُ الجَاهِلُونَ قَالُوا سَلَامًا (Al-Alusi, 2005e, p. 488)

Based on this text, it can be concluded that a person who has set the intention to perform Hajj in the month of Dhu al-Hijjah, by intentionally having the intention of Hajj in their heart, wearing ihram as an external action, and reciting the talbiyah, is thereby prohibited from actions such as rafas (sexual acts), fusuq (transgressive acts), and jidal (disputes).

The emphasis on the prohibition of rafas, which is explained as sexually inclined actions culminating in intimate relations (coitus), indicates the importance of maintaining purity and

piety during the Hajj. Other prohibitions that must be observed by those in ihram include engaging in fusuq and jidal. Fusuq refers to committing any kind of sinful act, including specific prohibitions such as hunting, cutting nails, plucking hair, and so on.

Jidal (disputes) refers to arguments, quarrels, and hostility, especially among fellow pilgrims performing Hajj. If all these prohibitions are adhered to and avoided by those performing Hajj, then such a Hajj is described by the Prophet saw. as producing individuals as pure as a newborn baby. As the Prophet saw. said:

فَمَنْ حَجَّ فَلَمْ يَرْفُثْ وَلَمْ يَفْسُقْ فَرَجَعَ كَيَوْمٍ وُلِدَتْهُ أُمُّهُ. (Lasyain, 2002, p. 95)

Meaning:

Whoever performs Hajj and does not engage in rafas or fusuq will return pure like the day they were born from their mother.

According to the initial conclusion of the researcher, from Imam al-Alusi's explanation regarding the above verse, Imam al-Alusi does not elaborate on the differences in qira'ah present in the verse. However, he still explains and interprets each word, providing explanations of the meanings contained within those words. This indicates that Imam al-Alusi's view of qira'ah is diverse. At times, he provides explanations of the differences in qira'ah found in certain verses, even deriving legal conclusions when the verse addresses legal matters. On the other hand, sometimes he simply explains the meanings or interprets the words of the verse without commenting on the qira'ah issues. Similarly, with the above verse discussing prohibitions that must be avoided during Hajj, Imam al-Alusi only provides explanations from the perspective of tafsir or reveals the meanings of each word without detailing or explaining the differences in qira'ah in the verse.

## CONCLUSION

1). The Relationship Between Qira'ah and Fiqh: The close relationship between the two has a significant impact on the understanding and development of Islamic law. The understanding and expertise in the science of qira'ah by the fuqaha provide an additional dimension in the interpretation and application of Islamic law.

Thus, the close relationship between fiqh and qira'ah becomes one of the distinctive features in the tradition of Islamic thought. 2) The Method of Determining Fiqh Law According to Al-Alusi: In deriving legal rulings from the verses, Imam al-Alusi uses two main methods: the bayani method and the qiyasi method. 3) The Impact of Qira'ah on Worship Verses on the Determination of Fiqh Law According to Al-Alusi: Differences in qira'ah that influence legal derivation have resulted in varying legal statuses. This has a significant impact on the process and outcome of legal determinations, especially in matters of worship.

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