

**Fanaticism of Madzhab in Interpretation:
Study of The Book of *Aḥkam al-Qur'an* By al-Jaṣṣaṣ**

Farida Nur 'Afifah

Sekolah Tinggi Agama Islam Sunan Pandanaran Yogyakarta, Indonesia

Faridanurafifah204@gmail.com

**Article
Information**

Submitted: April 17, 2020
Revised 1: April 23, 2020
Revised 2: April 27, 2020
Revised 3: October 02, 2020
Accepted: December 16, 2020

Keywords

*Al-Jaṣṣaṣ, Madzhab
Fanaticism, Aḥkam
al-Qur'an*

Abstract

Tafsir Aḥkam al-Qur'an is one of Ahmad ibn Muhammad al-Razi al-Jaṣṣaṣ works that are interesting to study. The interpretation is fanatical on Hanafi madzhab and inappropriate with the context of the verse being examined. It is used as a reference by society in the medieval era because it has unique characteristics, where al-Qur'an used for political purposes, madzhab, or ideology to defend particular interests. Therefore, using the descriptive method of analyzing literature data, this study examined the Tafsir Aḥkam al-Qur'an in the aspect of al-Jaṣṣaṣ's biography, a background of writing interpretation, away of understanding, systematics and discussion of the book, and the examples of interpretation. The results showed that al-Jaṣṣaṣ is inconsistent in compiling his book in terms of style, method, or systematics. Al-Jaṣṣaṣ's bigotry in his madzhab influences his logic-based interpretation. Interpretation tends to be self-contained and sometimes deviated. He also gave scathing comments to other schools that did not agree with al-Jaṣṣaṣ.

Kata Kunci

*Al-Jaṣṣaṣ, Fanatisme
Madzhab, Aḥkam
al-Qur'an*

Abstrak

Tafsir Aḥkam al-Qur'an merupakan salah satu karya dari Ahmad ibn Muhammad al-Razi al-Jaṣṣaṣ yang menarik untuk diteliti. Selain penafsirannya yang fanatik terhadap madzhab Hanafi, tafsir ini juga pembahasannya sering dirasakan tidak sesuai dengan ayat yang dibicarakan (keluar dari konteks). Kitab ini digunakan sebagai rujukan masyarakat di era pertengahan, di mana al-Qur'an didominasi dengan penggunaannya untuk kepentingan politik, madzhab, atau ideologi untuk membela kepentingan tertentu. Selain itu, kitab ini memiliki keunikan dari segi karakteristiknya, untuk itu tulisan ini akan mengkaji tentang Tafsir Aḥkam al-Qur'an dari segi biografi al-Jaṣṣaṣ, latar belakang penulisan tafsir, metode penafsiran, sistematika dan pembahasan kitab, serta beberapa contoh dari penafsiran kitab

tersebut. Tulisan ini menggunakan metode deskriptif analisis data kepustakaan. Adapun hasil dari kajian ini al-Jaṣṣaṣ dalam menyusun kitabnya tidak konsisten dari segi corak, metode, ataupun sistematika. Al-Jaṣṣaṣ yang terlalu fanatik pada madzhabnya berpengaruh pada tafsirannya yang berbasis nalar. Banyak tafsiran yang dituangkan dari pemikiran ia sendiri dan terkadang melenceng dari semestinya. Komentar pedas juga ia berikan kepada madzhab lain yang tidak sepaham dengan al-Jaṣṣaṣ

Introduction

Tafsir al-Qur'an is an attempt to understand and explain the meaning of the verses of the al-Qur'an according to human capabilities and competencies. Exploring the content of al-Qur'an will produce a branch of knowledge, such as hermeneutics, semantics, interpretation and so on.¹ God's messages, which are continuously interpreted according to the times, conditions and situations, produce a varied understanding.² One of the knowledge that results from understanding the al-Qur'an is Tafsir. Tafsir is a scientific discipline that is increasing until now.³

The understanding of al-Qur'an develops dynamically following the times and historical cycles. It is never disconnected. It led to the emergence of madzhab and styles in the interpretation of al-Qur'an.⁴ The six types of interpretation according to Muhammad Quraish Shihab are the literary style of language, the philosophy and theology, the scientific interpretation, the fiqh and law, the Sufism style and the social culture literature.⁵ The fiqh type

will be examined in this study with the book of *Aḥkam al-Qur'an* by Aḥmad ibn Muḥammad al-Razi al-Jaṣṣaṣ. This style is one that developed in the middle 3-4 Hijriyah.⁶ Fiqh interpretation is popularly known as tafsir of *Aḥkam* because it is oriented towards the legal verses in the al-Qur'an.⁷

In medieval times, al-Qur'an is dominated for political, school or ideological purposes to defend particular interests.⁸ The fiqh interpretation appears to represent each madzhab to develop fanaticism level of its mufasir. It is not uncommon to become a "wild" interpretation by interpreting certain verses in al-Qur'an out of discussion context.⁹ *Aḥkam al-Qur'an* book by Aḥmad ibn Muḥammad al-Razi al-Jaṣṣaṣ (370 H) is in interpreting Q.S. Yusuf :26, "Yusuf said: "He tempted me to subject myself (to him)," and a witness from the woman's family gave her testimony: "If her robe is torn on the face, then the woman is right, and Joseph is among the people who are lying." The verse explains the Prophet Yusuf story and Zulaikha, but al-Jaṣṣaṣ interprets the verse to the problem of finding treasures.¹⁰

¹Muhammad Amin Suma, *Studi Ilmu-ilmu al-Qur'an* (Jakarta: Pustaka Firdaus, 2004), 26.

²In fact, after the Prophet Muhammad died, all problems including the law were continued by generations of friends and tabi'in. It created difference understanding to solve problems in personality, rationality and socio-cultural. Musa'id Muslim Abdillah Ali Ja'far, *Atsar al-Taṭawwur al-Fikri fi al-Tafsir fi al-Aṣr al-'Abbasi* (Beirut: Muassasah al-Risalah, 1984), 136.

³Nur Kholis Setiawan, *Al-Qur'an Kitab Sastra Terbesar* (Yogyakarta: elSAQ Press, 2006), 1.

⁴Muhammad Aminullah, "Karakteristik Penafsiran Ayat-ayat Hukum dalam Tafsir Ahkam al-Qur'an Karya al-Jashash," *Al-Ittihad: Jurnal Pemikiran dan Hukum Islam* 2, no. 2 (2015): 64.

⁵Wahyuddin, "Corak Dan Metode Interpretasi Aisyah Abdurrahman Bint Al-Syâthi," *Al-Ulum* 11, no 1 (2011): 80. This is an attempt by scholars to interpret the Qur'an specifically in certain fields. Nashruddin Baidan, *Metode Penafsiran al-Qur'an* (Yogyakarta: Pustaka Pelajar, 2011), 58.

⁶Abdul Mustaqim, *Dinamika Sejarah Tafsir al-Qur'an* (Yogyakarta: Adab Press, 2012), 89. It has been various interpretive madzhab, one of them is a fiqh-style interpretation book during the 2nd century AH. Every priest from the madzhab often has an interpretation as the guidance of his madzhab. However, at this time the fiqh style had not developed in such a way, and began to develop in the following century. Masyhuri, "Merajut Sejarah Perkembangan Tafsir Masa Klasik: Sejarah Tafsir dari Abad Pertama Sampai Abad Ketiga Hijriyah," *Hermeunetik* 8, no. 2 (2014): 221.

⁷Kusroni, "Menelisik Sejarah dan Keberagaman Corak Penafsiran al-Qur'an," *El-Furqonia* 05, no 2 (2017): 141-142.

⁸Abdul Mustaqim, *Pergeseran Epistemologi Tafsir* (Yogyakarta: Pustaka Pelajar, 2008), 59.

⁹Abdul Mustaqim, *Dinamika Sejarah Tafsir al-Qur'an*, 120-121.

¹⁰Muhammad Husain al-Dzahabi, *Al-Tafsir wa al-Mufassirin*, Juz II (Mesir: Maktabah Wahbah, 1976), 325.

The interpretation of *Aḥkam al-Qur'an* was found in the golden age of science, along with the *bi al Ma'tsur* interpretation, so it can be said that the interpretation of *Aḥkam al-Qur'an* is an old interpretation.¹¹ Besides, along with the shift in the interpretation tradition from history-based interpretation (*tafsir bi al-ma'tsur*) to reason-based interpretation (*tafsir bi al-ra'yi*).¹² This interpretation only discusses verses that have legal meaning by collecting verses that have the same discussion, then interpreting them on a regular basis used by madzhab. This fanatical attitude prompted *al-Jaṣṣaṣ* to impose the interpretation of al-Qur'an verses and interpret that was solely to support madzhab. It makes the commentary book of *Aḥkam al-Qur'an* seem like a particular school of jurisprudence. It means it is not like a book of commentaries in general.

The commentary book of *Aḥkam al-Qur'an* has its uniqueness, like the previous problem, this book only discusses issues related to law that grouped according to the topics discussed. It is not uncommon to put the arguments with the nuances of madzhab. However, it is necessary to look at *al-Jaṣṣaṣ*'s bigotry in interpreting legal verses, by reviewing *al-Jaṣṣaṣ*'s biography, the background of writing the interpretation, the way of interpretation, the systematic discussion of the book. Then it is strengthened by several examples from the book interpretation.

Biography of Aḥmad ibn Muḥammad al-Razi al-Jaṣṣaṣ

al-Jaṣṣaṣ was born in 305 H/917 AD and died in 370 H/981 AD.¹³ For the place of birth, there are two opinions from Dr. Muḥammad Ḥusain al-Dzahabi in his book *Tafsir wa al-Mufasssirun*, *al-Jaṣṣaṣ* was born in Baghdad city (Iraq).¹⁴

¹¹Musa Ibrahim al-Ibrahim, *Buḥuts Manhajiyah fi 'Ulum al-Qur'an al-Karim* (t.k: Dar 'Umar, 1996), 115.

¹²Abdul Mustaqim, *Dinamika Sejarah Tafsir al-Qur'an*, 90.

¹³Aḥmad ibn Muḥammad al-Razi al-Jaṣṣaṣ, *Aḥkam al-Qur'an*, Juz I (Beirut: Dar al-Ihya' al-Turast al-'Arabi, 1992), 3.

¹⁴Muḥammad Ḥusain al-Dzahabi, *Al-Tafsir Wa al-Mufasssirun* (Mesir: Maktabah Wahbah, n.d), 323.

However, according to the team of compiled the *Encyclopedia of Islamic Law*, *al-Jaṣṣaṣ* was born in Rayy, Persia (Iran). His full name is Aḥmad ibn Muḥammad al-Razi al-Jaṣṣaṣ. His nicknamed is *al-Jaṣṣaṣ* means work as a painter. He is known to be diligent in studying at a time of growth and development of science.¹⁵

al-Jaṣṣaṣ who is known as a forgiving, *wara'* and *zuhud*, making him liked among the people.¹⁶ He attaches great importance to self-development through increasing worship to Allah SWT.¹⁷ When he became the last leader of the Hanafi madzhab.¹⁸ *Al-Jaṣṣaṣ* studied first from Ahwaz with Abu al-Ḥasan 'Ubaidillah bin Ḥasan bin al-Karakhi in the field of fiqh and then to Abu Sahal al-Zujaj. He then went to Naisabur to study hadith and Islamic justice, studying with Abu al-Abbas al-'Aṣam al-Naisaburi. Finally, he settled in Baghdad in 344 AH until he died.¹⁹ *Al-Zujaj* was a teacher who taught him to be a *zuhud*. *Al-Jaṣṣaṣ* was a fiqh priest who embraced the Hanafi madzhab in the 4th century AD.²⁰ The book *Aḥkam al-Qur'an* is a fiqh book which is used as an important reference for followers of the Hanafi madzhab.²¹ The other teachers were Abu Sa'id al-Baza'i, Musa bin Nasr al-Razi, Abdullah bin Ja'far bin Faris al-Asbahani, Abu al-Qasim Sulaiman bin Aḥmad al-Ṭabrani (w.360 H) and

¹⁵Khairuddin, "Metode Penafsiran Ayat Hukum al-Jashshash," *Al-Fikra: Jurnal Ilmiah Keislaman* 10, no. 2 (2011): 242.

¹⁶In studying *maqom zuhud*, he studied with his teacher al-Karkhi. Then after reaching the state of *zuhud* he was asked to become a judge, but was rejected by him. Muhammad Aminullah, "Karakteristik Penafsiran Ayat-ayat Hukum dalam Tafsir Ahkam al-Qur'an Karya al-Jashshash," *Al-Ittihad: Jurnal Pemikiran dan Hukum Islam* 2, no. 2 (2015): 66.

¹⁷Budy Prestiawan, "Menikahi Orang Musyrik Perspektif al-Jashshash dan al-Qur'an (Analisis Terhadap Surat al-Baqarah: 221 in Tafsir Ahkam al-Qur'an and al-Jami' Li Ahkam al-Quran)," *Skripsi*, Fakultas Ushuluddin UIN Syarif Hidayatullah Jakarta, 2014, 15-16.

¹⁸Manna' al-Qaṭṭan, *Mabahits fi 'Ulum al-Qur'an* (Jakarta Timur: Pustaka al-Kautsar, 2012), 469.

¹⁹Ibid., 243-244.

²⁰Aḥmad ibn Muḥammad al-Razi al-Jaṣṣaṣ, *Aḥkam al-Qur'an*, Juz I, 3. see Husnul Hakim, *Ensiklopedia Kitab-kitab Tafsir; Kumpulan-kumpulan Kitab Tafsir Dari Masa Klasik Sampai Masa Kontemporer* (Depok: elsiQ, 2013), 19.

²¹Manna' al-Qaṭṭan, *Mabahits fi 'Ulum al-Qur'an*, 377.

Abdul Baqi bin Qani'.²²

As a well-known scholar, al-Jaṣṣaṣ was visited by many science lovers. He earned the nickname *fi Mujtahid al-Masa'il* among the Hanafi school of thought, because of his persistence in performing ijtihad.²³ Thus al-Jaṣṣaṣ had several expert disciples, such as; Abu 'Abdillah Muḥammad bin Yaḥya al-Jurjani al-Ḥanafi, Abu Ḥasan Muḥammad bin Aḥmad al-Za'farani, Abu Aḥmad bin Musa al-Khawarizmi, Aḥmad ibn Muḥammad ibn' Amr, Abu Ja'far Muḥammad bin Aḥmad al-Nasafi and Abu al-Ḥasan bin Muḥammad bin Aḥmad bin al-Ṭayyib al-Ka'ariy.²⁴

As a famous person, he wants his knowledge to be useful for others. He wrote it in various books including *Aḥkam al-Qur'an*, *Syarḥ Mukhtaṣar al-Karkhi*, *Syarḥ Mukhtaṣar al-Ṭahawi*, *Syarḥ al-Jami' al-Kabir li al-Imam Muḥammad ibn Ḥasan al-Syaibani*, *Syarḥ al-Jami' al-Ṣaghir wa al-Jami' al-Kabir*, *Jawab al-Masail*, *Al-Fuṣul fi al-Uṣul*, *Adab al-Qada' dan Uṣul al-Fiqh*.²⁵

The Characteristics of *Tafsir Aḥkam al-Qur'an*

Al-Qur'an, as the holy book, is undoubtedly its uniqueness and will not disappear forever. Many exegetes have studied the Qur'an so that it has produced various interpretations with different styles and methods. Along with the development of interpretation which later resulted in several types of books, multiple books that were more law-oriented (fiqh interpretation) emerged.²⁶ This interpretation is what is called

the *Aḥkam interpretation*. One of them is *Aḥkam al-Qur'an* by al-Jaṣṣaṣ.

Al-Jaṣṣaṣ's interpretation view is included in the paradigm of al-Qur'an legitimacy. He attempts to make each verse agree with madzhab. In interpreting al-Qur'an, the first aspect that takes precedence is tauhid, to know the oneness of God.²⁷ To see more deeply about the interpretation of *Aḥkam al-Quran* is described as follows:

a. Background of the Writing

According to al-Dzahabi, the middle period was the period of interpretation emergence *bil ra'yi*, the end of Bani Umayyah reign, Ahmar dynasty and the beginning of Bani Abbasiyah reign. The period of Abbasids was famous for its interpretation of madzhab ideologies. Riots and bloodshed often occur as a madzhab fanatic impact.²⁸ During this period, various interpretive ideological styles emerged; one of them was the fiqh interpretation. The study of fiqh during the period of the Abbasids reached a golden peak, due to the firm stance of the four madzhab like Abu Hanifah, Imam Malik, Imam Shafi'i, and Imam Ahmad bin Hanbal. This situation made specific thoughts tend to dominate interpretation work in the middle ages (affirmative).²⁹

Al-Jaṣṣaṣ had migrated from Baghdad to Basra because of power handover from the Umayyads to the Abbasids. He moved back to Baghdad to teach his teacher thoughts Abi al-Ḥasan al-Karkhi. Al-Jaṣṣaṣ put his teacher's teachings into writing to be accepted by his students, and the knowledge continued to be transmitted. He did not want his experience only to be owned by him.³⁰ The

²²Khairuddin, "Metode Penafsiran Ayat Hukum al-Jashshash," 245.

²³Husnul Hakim, *Ensiklopedia Kitab-kitab Tafsir, Kumpulan-kumpulan Kitab Tafsir Dari Masa Klasik Sampai Masa Kontemporer*, 19.

²⁴Khairuddin, "Metode Penafsiran Ayat Hukum al-Jashshash," 242. See Saedullah, "Life and Works of Abu Bakr al-Razi al-Jassas," *Islamic Studies* 16, no. 2 (1997): 132.

²⁵Aḥmad ibn Muḥammad al-Razi al-Jaṣṣaṣ, *Aḥkam al-Qur'an*, juz I, 3; Muḥammad Ali Ayazi, *Al-Mufasssirun Hayatuhum wa Manhajuhum* (Teheran: Wazarat al-Tsaqafah al-Irsyad al-Islamy, 1313), 110.

²⁶The terminology of fiqh interpretation cannot be separated from the purpose of fiqh as a style of interpretation which seeks to make legal decisions in al-Qur'an. Ahmad Izzan, *Metodologi Ilmu Tafsir* (Bandung: Tafakur, 2011), 200.

²⁷Muhammad Aminullah, "Karakteristik Penafsiran Ayat-ayat Hukum dalam Tafsir Ahkam al-Qur'an Karya al-Jashshash," *Al-Ittihad: Jurnal Pemikiran dan Hukum Islam* 2, no. 2 (2015), 68.

²⁸Ignaz Goldziher, *Madzhab Tafsir dari Klasik Hingga Modern*, translated by M. Alaika Salamullah et.al. (Yogyakarta: elSAQ Press, 2006), 131.

²⁹Kusrioni, "Menelusik Sejarah dan Keberagaman Corak Penafsiran al-Qur'an," *el-Furqonia*, 136.

³⁰Musa'id Muslim Abdillah Ali Ja'far, *Atsar al-Taṭawwur al-Fikri fi al-Tafsir fi al-Aṣr al-'Abbasi*, 159. The style of fiqh interpretation has several factors, namely internally the existence of verses of the al-Qur'an with a legal nuance (aḥkam verses),

interpretation of this book contains arguments that strengthen the Hanafi madzhab and rebuttals to the opinion that refutes the Hanafi madzhab. However, the initial purpose of this interpretation was to defend the school of thought.

b. Systematics of the Discussion

The systematics used by al-Jaṣṣaṣ is classified in the orderly *Muṣaḥfi*, the arrangement based on chapters, such as from the letter al-Fatiḥah to an-Nas. In fact, not all verses were interpreted by him. The interpretation of *Aḥkam al-Qurʿan* can also be categorized in the orderly *Maudhuʿi*, the discussion based on specific chapters. Al-Jaṣṣaṣ limited his performance to verses relating to the branch law (problems *furuʿiyah*). He explained using the hadith and some of the opinions of the madzhab imam. The table of contents explained more about what will be discussed (the theme) than al-Qurʿan verses. Therefore, readers must be careful using this interpretation.³¹ Al-Jaṣṣaṣ was fanatical on his madzhab. He forced to interpret as he wishes and refuted those who disagree with him. Factually, the exaggeration of its interpretation made the reader reluctant to continue reading.³²

The book *Aḥkam al-Qurʿan* is considered too deviated from the al-Qurʿan, as is the fanatical interpretation of the Hanafi school of thought. The discussion on the issue of fiqhiyah and khilafiyah is often broad and broad. The content of the discussion was unappropriated with what is being discussed. Al-Jaṣṣaṣ took a lot of opinion from madzhab making this book like a fiqh, not interpretation book. Besides, the content of the

and externally the emergence of new problems among Muslims who demand creative solutions based on the holy book of the al-Qurʿan and hadith. It makes the jurisprudence-disciplined commentators try to do istinbath *aḥkam* from al-Qurʿan verses in detail. Abdul Mustaqim, *Dinamika Sejarah Tafsir al-Qurʿan*, 180-119.

³¹Budy Prestiawan, "Menikahi Orang Musyrik Perspektif al-Jashsash dan al-Qurʿan (Analisis Terhadap Surat al-Baqarah: 221 in Tafsir Ahkam al-Qurʿan dan al-Jamiʿ Li Ahkam al-Quran)," 18.

³²Mannaʿ al-Qaṭṭan, *Mabaḥits fi ʿUlum al-Qurʿan*, 378.

law discussed in the book *Aḥkam al-Qurʿan* is:³³

1. The Source of Islamic law

Islamic law source discusses the position of al-Qurʿan and Sunnah as Islamic teachings source, *ijmaʿ*, *qiyas*, *ijtihad*, *istihsan*, problems of *nasakh* and the legal position stipulated by al-Qurʿan.

An example in the case of *nasakh* is a debate on inheritance law verse. Al-Jaṣṣaṣ argued that in QS. al-Baqarah: 80 does not apply the *nasakh* of the Qurʿan with the Qurʿan. However, al-Jaṣṣaṣ seems to impose his will, because the number of scholars, including Shafiʿi states that Q.S. an-Nisa: 7 has abrogated inheritance, and by hadith. Al-Jaṣṣaṣ argued that there was no indication that the verse regarding inheritance abuses the verse concerning wills. Both have different legal materials so that they can be implemented in accordance with their respective provisions. It means that the two verses can be compromised without having to delete one of the verses.³⁴

2. Laws of Worship

This chapter discusses everything related to worship, both *mahdhah* and *ghairu mahdhah*. As interpreting *mahdhah* worship-fasting, in Surah al-Baqarah:187:... ثُمَّ آتَمُوا... ثُمَّ آتَمُوا إِلَى النَّيْلِ... Then complete the fast until (comes) evening...". In that verse, al-Jaṣṣaṣ tries arbitrarily (under his wish) to indicate that whoever is performing the sunnah fast is obliged to perfect it until the sunsets.³⁵

When explaining the order of the pillars of ablution, al-Jaṣṣaṣ with his fanaticism towards the doctrine and its abuse in *taʿwil* did not accept the opinion of Imam Shafiʿi and other. As al-Jaṣṣaṣ commented on the existing

³³Khairuddin, "Metode Penafsiran Ayat Hukum al-Jashshash," 247. See ibn Muḥammad al-Razi al-Jaṣṣaṣ, *Aḥkam al-Qurʿan*, Juz I – Juz V.

³⁴Ibid., 261-262.

³⁵Muḥammad Ḥusain al-Dzahabi, *Al-Tafsir wa al-Mufasssirun*, Juz II, 325.

regulations in the Shafi'i madzhab with words: وهذا القول مما خرج به الشافعي عن إجماع السلف والفقهاء
 "This opinion was issued by Shafi'i based on the results of *ijma' salaf* and *fuyaha*."

With this statement, it is as if Jaṣṣaṣ did not consider the opinion of Shafi'i because without his opinion the *salaf* and *fuyaha* had already agreed. In al-Jaṣṣaṣ's view, Imam Shafi'i is one of those people whose opinion is not credible so that consensus can be reached without an Imam Shafi'i.³⁶

3. *Mu'amalah Laws*

Discussions on *mu'amalah* law include the law of magic and the position of magicians in Islamic law, the obligation to educate children, care for orphans, orphans' assets, the law of handing over the property to orphans who are still child or stupid and the rule of eating orphan stuff and so on.

The care for orphans is exemplified in Q.S. an-Nisa: 2 and 6. Al-Dzahabi found that al-Jaṣṣaṣ tried to take from both verses as proof of Abu Hanifah's teaching that money should be paid to the orphan if he reaches twenty-five years immature.³⁷

4. *The Law of Ahwal al-Shakhshiyah*

The law of *Ahwal al-Shakhshiyah* discusses family life such as marriage and its details, engagement and its conditions, divorce in terms of types and matters divorce law, the iddah period of a woman who is either divorced or died by her husband.

The example in this section is marrying a polytheist law. Al-Qur'an explains about the permissibility of marrying *ahlulkitab* as in Q.S. al-Maidah: 5. Besides, the scholars forbid it, because *ahlulkitab* now is different from previous. *Ahlulkitab* now is idolatrous while

being married to a polytheist is prohibited. Al-Jaṣṣaṣ interpretation emphasized that marrying an idolatrous woman is feared of a less harmonious relationship between Muslims and non-Muslims because the purpose of marriage is to have *mawaddah*, as Allah SWT says in Rum: 21.³⁸

The argument used by al-Jaṣṣaṣ about the prohibition of marrying polytheists is Q.S. al-Baqarah: 221. Then al-Jaṣṣaṣ quoted a hadith narrated from Ibn Umar which states that the word "idolatrous is still general so that it can mean both male and female, both from among the infidels and *ahlulkitab*. When Ibn Umar was asked about marrying a *muysrik* woman, he replied that Allah forbids including Jewish and Christian women. As shown in verse below:³⁹

عن ابن عمر أنه كان لا يرى بأساً بطعام أهل الكتاب وكره نكاح نسائهم قال أبو عبيد
 وحدثنا عبد الله بن صالح عن الليث قال حدثني نافع عن ابن عمر أنه كان إذا سئل عن
 نكاح اليهودية والنصرانية قال إن الله حرم الشركات على المسلمين قال فلا أعلم من الشرك
 شيئاً أكبر أو قال أعظم من أن تقول ربها عيسى أو عبد من عبد الله فذكره في الحديث

In terms of marrying a slave, the *Ahlul Kitab* al-Jaṣṣaṣ are fanatical about the Hanafi madzhab, which is to make it legal, while the other three madzhab are forbidden. Al-Jaṣṣaṣ quoted as-Suddi's opinion about the *asbabun nuzul* verse which permits the marriage of slaves, namely on the occasion of Abdullah bin Rowahah who had a black slave whom he tortured. Then received advice from the Prophet to free and marry her.⁴⁰ The reason for

³⁶Muhammad Husain al-Dzahabi, *Al-Tafsir wa al-Mufasssirun*, 324-326.

³⁷Ibid., 325.

³⁸Budy Prestiawan, "Menikahi Orang Musyrik Perspektif al-Jaṣṣaṣ dan al-Qur'an (Analisis Terhadap Surat al-Baqarah: 221 in Tafsir Ahkam al-Qur'an dan al-Jami' Li Ahkam al-Qur'an," 39.

³⁹Ahmad ibn Muhammad al-Razi al-Jaṣṣaṣ, *Ahkam Al-Qur'an*, Juz II, 15.

⁴⁰Ibid., 17.

permissible married a slave is different from the three madzhab, Hanafi madzhab prevent marrying a slave is the existence of a wife who is free or is waiting for the *'iddah* period. Not for fear of falling into adultery and being unable to marry a free woman.⁴¹

Imam Abu Hanifah argues that marrying a polytheist woman is absolutely *haram*, but marrying a woman of *ahlulkitab*⁴² (Jews and Christians) are allowed, even though they adhere to the trinity. The most important thing is that they adhere to holy books. Even marrying a woman who is *ahlulkitab* in *Darul Harbi* is allowed with the *makruh tahrim* law. Meanwhile, marrying a woman with the text of *zimmi* is *makruh tanzih*. It is feared that this will cause slander and contain a large *mafasid*.⁴³

Another example is explaining the verse about women who are forbidden to marry in Q.S. an-Nisa'. Al-Jaṣṣaṣ describes the *khilafiyah* that occurs between Hanafiyah and Shafi'iyah regarding someone committing adultery with a woman law is lawful for him to marry that woman's daughter or not? In this matter, there was a long debate; then he ordered the Imam Shafi'i and his friends to put forward an argument, then he expressed his rejection and criticized him with an unpleasant expression:

فقد بان أن ما قاله الشافعي وما سلمه له السائل

⁴¹The last two reasons are the opinions of the Shafi'i, Maliki, and Hanbali madzhab. Agus Hermanto, "Larangan Perkawinan Perspektif Fikih dan Relevansinya dengan Hukum Perkawinan di Indonesia," *Muslim Heritage* 2, no.1 (2017): 146-147.

⁴²According to the Hanafi madzhab, *ahlu al-Kitab* is anyone who believes in a Prophet and a book that has been revealed by Allah SWT, including people who believe in Prophet Ibrahim AS and his *Suhuf* and those who believe in the prophet Musa AS and his book of Zabur, then the woman can be married. Nurcahya, Mawardi Dalimunthe, Srimurhayati, "Perkawinan Beda Agama dalam Perspektif Hukum Islam," *Hukum Islam* XVIII, no. 2 (2018): 149.

⁴³J. Shodiq, Misno, Abdul Rosyid, "Pernikahan Beda Agama menurut Imam Madzhab dan Hukum Positif di Indonesia", *Al-Mashlahah: Jurnal Hukum dan Pranata Sosial Islam* 07, no. 1 (2019): 15-16. See also Khammami Zada, "Arus Utama Perdebatan Hukum Perkawinan Beda Agama," *Ahkam* XIII, no. 1 (2013): 43-44.

كلام فارغ لا معنى تحته في حكم ما سُئِلَ عنه
"It has been clear what Shafi'i said and the answer received by the questioner was a blank message which had no meaning about the law being asked to him".⁴⁴

5. Inheritance and Testament Law

The law of inheritance and testament is discussed about the parts of heritage, people who inherit, the inheritance of apostates, 'aul and rad, musharaka, asabah, kalalah, will law and its details.

The law is regarding testament in Q.S. al-Baqarah:180, al-Jaṣṣaṣ explained the hadith is obligatory. It is essential. If some one passed away for two nights, and it was found a testament that had not been carried out. So, testament against parents and close relatives are mandatory.⁴⁵

6. Jinayah and Siyasaḥ Laws

This chapter discusses killing and *kifarat*, deliberate, semi-deliberate killing and the size of the diat, the size of the camel's diat and its age, diat other than camel, diat for infidels, *qiṣaṣ* and its laws of rebellion, oaths and *kifarat*, and so on.

It is an example of a case due to the law of *ila'* (oath). According to al-Jaṣṣaṣ divorce due to *ila'* status is *talak ba'in kubra*. If they want to return as husband and wife, they must re-contract with a new dowry. The way to return to an *ila'* wife, al-Jashash clings to the textual understanding of the *faik* verse, it is to return to something. Q.S al-Hujurat: 9, returning means God's command. Thus, if the meaning of *faik* returns to something, then the return of the husband to the wife who has *ila'* can be considered valid if he has restated and cancelled his oath whether he can intercourse

⁴⁴Muhammad Husain al-Dzahabi, *Al-Tafsir Wa al-Mufasssirun*, 325.

⁴⁵Khairuddin, "Metode Penafsiran Ayat Hukum Al-Jashshash," 261.

with his wife or not.⁴⁶ Al-Jaṣṣaṣ agrees with Ibn Abbas, al-Tsauri, Hasan bin Salih, and Abu Hanifah.

7. Lawful and Forbidden

This phase discusses the permissibility of eating marine animals, donkey and grasshopper meat. Forbidden includes eating carcasses, blood, pork, animals that are not slaughtered in the name of Allah SWT, wild animals with fangs, birds with sharp nails, monitor lizards, fallen dead birds, oil and carcass feathers, gambling and drinking wine. The prohibition prohibits what Allah SWT has made lawful, the emergency and its measure.

Al-Jaṣṣaṣ interprets al-Qur'an verses regarding forbidden food Q.S al-Baqarah 173: *إِنَّمَا حَرَّمَ عَلَيْكُمُ الْمَيْتَةَ وَالدَّمَ وَلَحْمَ الْخُنْزِيرِ وَمَا أُهِلَّ بِهِ لِغَيْرِ اللَّهِ...* "Indeed, Allah forbids for you carrion, blood, pork and animals which (when slaughtered) are called (names) except Allah."

Al-Jaṣṣaṣ interprets carcass, according to syara' is died animal without being slaughtered in the name of Allah. It because blocked without human intervention, accidentally, or killed by a human. Allah has forbidden a carcass absolutely, which is strengthened by the prohibition law. So Al-Jaṣṣaṣ said eating or using, in any case, is prohibited.⁴⁷

This interpretation consists of five volumes that were published in Istanbul-Turkey in 1412 H or 1992 AD by Dar Ihya al-Turats al-Arabi. The first volume contains *muqod* sains, biography, *Hajj* and *Umrah* law (402 pages). The second volume is regarding the interpretation of al-Qur'an verse, such as about *tahrim* and *khamr*, *tasrif fi malal orphans*, marriage, menstruation and its surroundings, *ikhtilaf*, etc (376 pages). The third volume (384 pages) explains about

inheritance, *kalalah*, zakat and the ability of wills and diplomas, etc. The fourth volume (408 pages) discussed *tayamum* and faith, *shaidul bahr*, *halal* and *haram* food, etc. The fifth volume (384 pages) explains the interpretation of the Qur'an, Friday sermons and journeys, killing and *khiyar*, etc. His interpretation, the verse number is not written but is based on the chapter taken from the main idea of the verse.⁴⁸

The chapter names in the table of contents are not the same as the names of the letters in the al-Qur'an or any other interpretation book. It is taken from the first verse of the chapter, of which many are found in chapter 30:⁴⁹

1. Surah al-Insyiqaq is called إِذَا السَّمَاءُ انشَقَّتْ
2. Surah al-A'la is called سَبِّحْ اسْمَ رَبِّكَ الْأَعْلَى
3. Surat al-Ma'un is called أَرَأَيْتَ الَّذِي يُكَذِّبُ بِالذِّينِ
4. Surah al-Lahab is called تَبَّتْ

c. Interpretive Style and Method

This book is *bi al ma'tsur* interpretation that is interpreting the Qur'an with Qur'an and the words of friends or *tabi'in*. Apart from this book also explains his thoughts.⁵⁰ Therefore, it can be concluded that he combines the *manqul or ma'tsur* with the interpretation of *ma'qul*. The method used in interpreting is *tahlili* (analytic) that is interpreting al-Qur'an verse by explaining all aspects contained in interpretation verse and explaining the meaning of the interpretation following the interpreter who explains.⁵¹ The method applied by al-Jaṣṣaṣ is:

⁴⁸Aḥmad ibn Muḥammad al-Razi al-Jaṣṣaṣ, *Aḥkam al-Qur'an*, chapter I-Juz V.

⁴⁹Lilik Umi Kaltsum, "Tafsir Fiqhiy: Potret Pemikiran al-Jashshash," *Refleksi* VI, no. 3 (2004): 280.

⁵⁰Budy Prestiawan, "Menikahi Orang Musyrik Perspektif al-Jashshash dan al-Qur'an (Analisis Terhadap Surat al-Baqarah: 221 in Tafsir Ahkam al-Qur'an dan al-Jami' Li Ahkam al-Quran)," 18.

⁵¹Nashruddin Baidan, *Metode Penafsiran al-Qur'an* (Yogyakarta: Pustaka Pelajar, 2011), 31. The advantage of this method is a commentator can get a broad understanding of al-Qur'an verse because it express the meanings aimed in al-Qur'an. Abd. al-Hayy al-Farmawi, *Metode Tafsir Maudhu'iy: Suatu Pengantar*, translated by Suryan A. Jamrah (Jakarta: Raja Grafindo Persada, 1994), 11.

⁴⁶Ibid., 258-260.

⁴⁷Aḥmad ibn Muḥammad al-Razi al-Jaṣṣaṣ, *Aḥkam al-Qur'an*, chapter I, 132.

First, chapters are displayed by stating the subject matter contained and presenting the verse to be interpreted. Second, the explanations provide etymology and strengthen of al-Qur'an verses, hadiths and opinions of friends using the expression "qila". Third, *fiqhiyah* issues are included to explain the interpreted verse. Fourth, the use of scholar opinions and argumentation. Fifth, interpreting the verse is along with legal explanations. Sixth, The view of the *ulama* is analyzed by his own statement (doing *tarjih*), especially as a defence of the teachings of Hanafi's madzhab.⁵²

Interpretation always refers to Abu Hanifah's method:

"I study law from Allah's book. If it is not found in it, then I will extract it from the Prophet sunnah. If it is not found it, then I will look for it in Prophet companions words. In this case, I will take from the friends that I want and will leave the friends that I want too. And I don't take their word out on another word. So, when a case has been resolved with Ibrahim al-Nakhai, al-Sya'bi, Ibn Sirin, al-Hasan, Atha', Said bin al-Musayyab, then a people must perform *ijtihad* as they do *ijtihad*."⁵³

Al-Jaṣṣaṣ adheres to and maintains the existence of the al-Qur'an. He did not accept the hadith as the backer of the al-Qur'an. It was only certain laws accepts *nasakh* (selective), such as women whose husbands died with The *iddah* period of four months and ten days is a substitute for the *iddah* period of one year.⁵⁴

Al-Jaṣṣaṣ is interpreting a verse with a *fiqh* style and influenced by *Mu'tazilah* though interpreting theology, such as interpreting Surah al-An'am [6]: 103:....*لَا تُدْرِكُهُ الْأَبْصَارُ*... and can not be reached by eyesight... ". Al-Jaṣṣaṣ interpreted the verse with *لَا تَرَاهُ الْأَبْصَارُ* (the eye is

unable to see it), a denial of sight. As one of the concepts of *Mu'tazilah* is to purify *tawhid* by denying the nature of God, that God cannot be seen. It is Allah's praise for Himself to deny that human eyes are unable to see what all Allah can see. Humans are very unlikely to reach God that it becomes impossible.⁵⁵ Al-Jaṣṣaṣ strengthens his opinion with Q.S. al-Baqarah: 255 *لَا تَأْخُذُهُ سِنَّةٌ وَلَا نَوْمٌ* "He was not overpowered by sleepiness and did not sleep."⁵⁶

The connection between al-Jaṣṣaṣ and *Mu'tazilah* can be seen when al-Manshur Billah mentions his name in *thabaqat al-Mu'tazilah* book.⁵⁷ It makes al-Jaṣṣaṣ look inconsistent both in terms of method, style or systematics applied.

The Fanaticism of Madzhab in al-Jaṣṣaṣ Interpretation

Madzhab is teaching that involves doctrines, interpretations and school followers. The doctrines applied in madzhab development originate from *atsar* (al-Qur'an and as-Sunnah), ratio, the practices of the predecessors or so-called expert deeds, *qiyas*, and collective *maslahat*. Indeed, the different madzhab only mingled in the matter of *dalalah*, It means it was not in the realm of madzhab fanaticism. The fanaticism of the madzhab means placing the madzhab imams as shari'at makers or considering imam's opinions as shari'at arguments that cannot be refuted. Over time, a madzhab developed and grew. There has emerged a tendency of *taqlid* and fanaticism to separate each other and inline with their authority.⁵⁸

⁵⁵According to *Mu'tazilah* God is immaterial, that is, it cannot be seen with the eye. This is because first, God is not present and cannot be seen. Second, if God can be seen by the eye, then God can be seen in the world today, but in reality God cannot be seen. Kusmin Busyairi, *Konsep Aliran Mu'tazilah* (Yogyakarta: UD. Rama, 1983), 30-31.

⁵⁶Muḥammad Ḥusain al-Dzahabi, *Al-Tafsir wa al-Mufasssirun*, Juz II, 326.

⁵⁷This does not rule out that al-Jaṣṣaṣ, was influenced by *Mu'tazilah* thought. Khoirul Bahri Nasution, *Hukum Islam Kontemporer (Dari Teori ke Implementasi Ayat-ayat Hukum)* (Lhokseumawe: Sefa Bumi Persada, 2019), 10.

⁵⁸Arif Al Wasim, "Fanatisme Madzhab dan Implikasinya terhadap Penafsiran al-Qur'an," *Syariat* IV, no. 01 (2018):17-18.

⁵²Aḥmad ibn Muḥammad al-Razi al-Jaṣṣaṣ, *Aḥkam al-Qur'an*; Khairuddin, "Metode Penafsiran Ayat Hukum al-Jashshash," 269.

⁵³Musa'id Muslim Abdillah Ali Ja'far, *Atsar al-Taṭawwur al-Fikri fi al-Tafsir fi al-Ashr al-'Abbasi*, 172.

⁵⁴Khairuddin, "Metode Penafsiran Ayat Hukum al-Jashshash," 269-271.

Ignaz argues that madzhab fanaticism has changed the sacredness of something religious to be profane, such as al-Quran interpretation. An interpretation made fanatically only to support madzhab or political currents and religious sects. They have confused Islam benefit with world-oriented power. Therefore, understanding is a sectarian interpretation based on the interests of religious denominations.⁵⁹

The fiqh interpretation book is too emphasizes the viewpoint of madzhab. It was received a response from Shaikh Muhammad Abduh, “al-Qur’an is the basis to support madzhab”. In other words, Al-Qur’an is used as a justification for madzhab and is not used as a guide to obtaining the truth.⁶⁰ The fanaticism inherent in al-Jaṣṣaṣ criticize other madzhab and justifies his school, Hanafi school.

Based on the examples mentioned, it is clear that al-Jaṣṣaṣ was fanatical in his madzhab. The implication of his fanaticism is very unfavourable for ordinary people. The existence of these differences, even if only slightly, can cause a physical clash. However, intellectuals argue that a difference is a positive thing in thought and methods.⁶¹

Conclusion

Based on the results of the analysis, it can be concluded that *Aḥkam al-Qur’ān* by Aḥmad ibn Muḥammad al-Razi al-Jaṣṣaṣ book is fiqh interpretation book. It only discusses legal passages and as a reference for Hanafiyah madzhab followers.

Al-Jaṣṣaṣ’s bigotry on Hanafi madzhab makes his interpretation far from what is in harmony. He enforces his will far from the problems that exist in interpreting and al-Qur’an verse, like interpreting Q.S. Yusuf: 26. Besides, sharp and

unnatural criticism is directed at the Hanafi madzhab, such as analyzing women who are forbidden to marry. This book seems to be a Fiqh Hanafiyah book because it is dominated by Hanafi madzhab in interpretation.

The tafsir al-Jaṣṣaṣ appears inconsistent in terms of method, style or systematics applied. It can be seen when al-Jaṣṣaṣ involves the systematics of *Muṣaḥḥi tartib*. The arrangement takes into a chapter from Q.S. al-Fatihah to Q.S. an-Nas. Practically, Not all verses have been interpreted by him. Besides, it also applies the *Maudhu’i* orderly system. The discussion is based on specific chapters; It makes the book like a fiqh book, not interpretation book. Last, this book refers to fiqh Hanafi and Mu’tazilah theology style.

References

- al-Farmawi, Abd. Al-Hayy. *Metode Tafsir Maudhu’iy: Suatu Pengantar*. Translated by Suryan A. Jamrah. Jakarta: Raja Grafindo Persada, 1994.
- al-Ibrahim, Musa Ibrahim. *Buḥuts Manhajiyyah fi ‘Ulum al-Qur’an al-Karim*. t.k: Dar Umar, 1996.
- al-Jaṣṣaṣ, Aḥmad ibn Muḥammad al-Razi. *Aḥkam al-Qur’an*. Beirut: Dar al-Iḥya’ al-Turast al-‘Arabi, 1992.
- al-Qaṭṭan, Manna’. *Mabahits fi ‘Ulum al-Qur’an*. Jakarta Timur: Pustaka al-Kautsar, 2012.
- al-Dzahabi, Muḥammad Ḥusain. *Al-Tafsir wa al-Mufasssirun*, Mesir: Maktabah Wahbah, 1976.
- Aminullah, Muhammad. “Karakteristik Penafsiran Ayat-ayat Hukum dalam Tafsir Ahkam al-Qur’an Karya al-Jashash.” *Al-Ittihad: Jurnal Pemikiran dan Hukum Islam* 2, no. 2 (2015).
- Ayazi, Muḥammad Ali. *Al-Mufasssirun Hayatuhum wa Manhajuhum*. Teheran: Wazarat al-Tsaqafah al-Irsyad al-Islamy, 1313.

⁵⁹Ignaz Goldziher, *Madzhab Tafsir dari Klasik Hingga Modern*, translated by M. Alaika Salamullah, et.al., Yogyakarta: elSAQ Press, 2006.317.

⁶⁰M. Quraish shihab, *Kaidah Tafsir* (Jakarta: Lentera Hati, 2015), 379.

⁶¹M. Ghazali Rahman, “Pluralitas Mazhab dalam Fikih,” *Al-Ulum* 10, no. 1 (2010): 195.

- Baidan, Nashruddin. *Metode Penafsiran al-Qur'an*. Yogyakarta: Pustaka Pelajar, 2011.
- Busyairi, Kusmin. *Konsep Aliran Mu'tazilah*. Yogyakarta: UD. Rama, 1983.
- Goldziher, Ignaz. *Madzhab Tafsir dari Klasik Hingga Modern*. translated by M. Alaika Salamullah, et.al. Yogyakarta: elSAQ Press, 2006.
- Hakim, Husnul. *Ensiklopedia Kitab-kitab Tafsir, Kumpulan-kumpulan Kitab Tafsir Dari Masa Klasik Sampai Masa Kontemporer*. Depok: elsiQ, 2013.
- Hermanto, Agus. "Larangan Perkawinan Perspektif Fikih dan Relevansinya dengan Hukum Perkawinan di Indonesia." *Muslim Heritage* 2, no.1 (2017).
- Izzan, Ahmad. *Metodologi Ilmu Tafsir*. Bandung: Tafakur, 2011.
- Ja'far, Musa'id Muslim Abdillah Ali. *Atsar al-Ta'awwur al-Fikri fi al-Tafsir fi al-Ashr al-'Abbasi*. Beirut: Muassasah al-Risalah, 1984.
- Kaltsum, Lilik Umi. "Tafsir Fiqhiy: Potret Pemikiran al-Jashshash." *Refleksi* VI, no. 3 (2004).
- Khairuddin. "Metode Penafsiran Ayat Hukum al-Jashshash." *Al-Fikra: Jurnal Ilmiah Keislaman* 10, no. 2 (2011).
- Kusroni. "Menelisik Sejarah dan Keberagaman Corak Penafsiran al-Qur'an." *El-Furqonia* 05, no. 2 (2017).
- Masyhuri. "Merajut Sejarah Perkembangan Tafsir Masa Klasik: Sejarah Tafsir dari Abad Pertama Sampai Abad Ketiga Hijriyah." *Hermeunetik* 8, no. 2 (2014).
- Mustaqim, Abdul. *Dinamika Sejarah Tafsir al-Qur'an*. Yogyakarta: Adab Press, 2012.
- Pergeseran Epistemologi Tafsir*. Yogyakarta: Pustaka Pelajar, 2008.
- Nasution, Khoirul Bahri. *Hukum Islam Kontemporer (Dari Teori ke Implementasi Ayat-ayat Hukum)*. Lhokseumawe: Sefa Bumi Persada, 2019.
- Prestiwawan, Budy. "Menikahi Orang Musyrik Perspektif al-Jashshash dan al-Qur'an (Analisis Terhadap Surat al-Baqarah: 221 Dalam Tafsir Ahkam al-Qur'an dan al-Jami' Li Ahkam al-Quran)." *Skripsi*, Fakultas Ushuluddin UIN Syarif Hidayatullah Jakarta, 2014.
- Rahman, M. Ghazali. "Pluralitas Mazhab dalam Fikih." *Al-Ulum* 10, no. 1 (2010).
- Rosyid, J. Shodiq, Misno, Abdul. "Pernikahan Beda Agama menurut Imam Madzhab dan Hukum Positif di Indonesia." *Al-Mashlahah: Jurnal Hukum dan Pranata Sosial Islam* 07, no. 1 (2019).
- Saeedullah. "Life and Works of Abu Bakr al-Razi al-Jassas." *Islamic Studies* 16, no. 2 (1997).
- Setiawan, Nur Kholis. *Al-Qur'an Kitab Sastra Terbesar*. Yogyakarta: elSAQ Press, 2006.
- Shihab, M. Quraish. *Kaidah Tafsir*. Jakarta: Lentera Hati, 2015.
- Srimurhayati, Nurcahya, Mawardi Dalimunthe. "Perkawinan Beda Agama dalam Perspektif Hukum Islam." *Hukum Islam* XVIII, no. 2 (2018).
- Suma, Muhammad Amin. *Studi Ilmu-ilmu al-Qur'an*. Jakarta: Pustaka Firdaus, 2004.
- Wahyuddin. "Corak dan Metode Interpretasi Aisyah Abdurrahman Bint Al-Syâthi." *Al-Ulum* 11, no. 1 (2011).
- Wasim, Arif Al. "Fanatisme Madzhab dan Implikasinya terhadap Penafsiran al-Qur'an." *Syariat* IV, no. 01 (2018).
- Zada, Khammami. "Arus Utama Perdebatan Hukum Perkawinan Beda Agama." *Ahkam* XIII, no. 1 (2013).