



## IJTIHAD AHMAD MUSTHAFA AL-MARAGHI IN INTERPRETING LEGAL VERSES IN AL-MARAGHI'S TAFSIR

### IJTIHAD AHMAD MUSTHAFA AL-MARAGHI DALAM MENAFSIRAN AYAT HUKUM DALAM TAFSIR AL-MARAGHI

**Zakaria Ansori<sup>1\*</sup>, Ahmad Syukri Saleh<sup>2</sup>, Hermanto Harun<sup>3</sup>**

<sup>1\*</sup>UIN Sulthan Thaha Saifuddin Jambi, Email : [zakariaansor@gmail.com](mailto:zakariaansor@gmail.com)

<sup>2</sup>UIN Sulthan Thaha Saifuddin Jambi, Email : [ahmadsyukri@uinjambi.ac.id](mailto:ahmadsyukri@uinjambi.ac.id)

<sup>3</sup>UIN Sulthan Thaha Saifuddin Jambi, Email : [herman@uinjambi.ac.id](mailto:herman@uinjambi.ac.id)

\*email koresponden: [zakariaansor@gmail.com](mailto:zakariaansor@gmail.com)

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#### Abstract

The Qur'an, as the primary source of Islamic teachings, contains legal verses that require in-depth interpretation for proper application, one notable example being Tafsir al-Maraghi by Ahmad Musthafa al-Maraghi, a contemporary Egyptian scholar known for his moderate stance and independence from madhhab fanaticism. This study aims to reveal al-Maraghi's typology of ijtihad in interpreting legal verses, identify the legal products he produced, and examine his responses to contemporary legal issues. The research employs a library research method with a descriptive-analytical approach and fiqhi tafsir framework, using Tafsir al-Maraghi as the primary source alongside various ahkam tafsir and fiqh works as secondary sources, analyzed through content analysis and comparative reasoning. The findings show that al-Maraghi developed an integrative ijtihad model combining five typologies, namely bayani, tarjihi, maqashidi, istislahi, and tajdidi, with maqashid al-shari'ah orientation as the most dominant character, spanning worship, marriage, inheritance-testament, transactions, politics, and criminal law. The study concludes that this ijtihad pattern produces moderate, contextual legal interpretations relevant to the development of contemporary Islamic law in Indonesia. Further research is recommended to apply a systematic contemporary maqashid approach.

**Keywords :** Cross-Madhhab Tarjih, Integrative Ijtihad, Legal Verses, Maqashid Al-Shari'ah, Tafsir Al-Maraghi.

#### Abstrak

Al-Qur'an, sebagai sumber utama ajaran Islam, memuat ayat-ayat hukum yang memerlukan penafsiran mendalam agar dapat diterapkan dengan tepat; salah satu contoh pentingnya adalah Tafsir al-Maraghi karya Ahmad Musthafa al-Maraghi, seorang ulama kontemporer asal Mesir yang dikenal karena sikap moderat dan independensinya dari fanatisme mazhab. Penelitian ini bertujuan untuk mengungkap tipologi ijtihad al-Maraghi dalam menafsirkan ayat-ayat hukum, mengidentifikasi produk hukum yang



dihasilkannya, serta mengkaji responsnya terhadap isu-isu hukum kontemporer. Penelitian ini menggunakan metode studi pustaka dengan pendekatan deskriptif-analitis dan kerangka tafsir fikih, dengan menjadikan Tafsir al-Maraghi sebagai sumber primer serta berbagai karya tafsir hukum (ahkam) dan fikih sebagai sumber sekunder, yang dianalisis melalui analisis isi dan penalaran komparatif. Hasil penelitian menunjukkan bahwa al-Maraghi mengembangkan model ijtihad integratif yang memadukan lima tipologi yaitu bayani, tarjihi, maqashidi, istislahi, dan tajdidi dengan orientasi maqashid al-syari'ah sebagai karakteristik yang paling dominan, mencakup bidang ibadah, pernikahan, waris-wasiat, transaksi, politik, dan hukum pidana. Penelitian ini menyimpulkan bahwa pola ijtihad tersebut menghasilkan penafsiran hukum yang moderat dan kontekstual, serta relevan dengan perkembangan hukum Islam kontemporer di Indonesia. Disarankan adanya penelitian lanjutan yang menerapkan pendekatan maqashid kontemporer secara sistematis.

**Kata Kunci :** Tarjih Lintas Madzhab, Ijtihad Integratif, Ayat Hukum, Maqashid Al-Shari'ah, Tafsir Al-Maraghi.

## 1. INTRODUCTION

The Qur'an serves as the primary source of Islamic teachings, revealed as a guidance for humankind to regulate relationships with Allah, fellow humans, and the surrounding environment. The status of the Qur'an as a blueprint for human life is inseparable from its functions as *huda* (guidance), *furqan* (the criterion between truth and falsehood), *rahmat* (mercy), *syifa* (healing), *maw'izhat* (admonition), *dzikr li al-'alamin* (a reminder for the worlds), and *tibyan li kulli syai'* (an exposition of everything), as affirmed in various studies of *ulumul qur'an* (Abu Ja'far Muhammad ibn Jarir al-Thabari., 2000; Nasution, 1975). Among the various contents of the Qur'an, there are verses addressing legal matters, estimated to number no more than 500 verses, though scholars differ on the exact count (Suma, 2014).

These legal verses generate diverse provisions, ranging from matters of politics and governance (Salim, 1994) to the protocols of entering a person's private space. As the *dustur* or the highest constitution in *tasyri'* (legislation), the Qur'an frequently employs language that is interpretative, thus requiring supplementary explanation to be accurately understood and applied in life. Consequently, the presence of *tafsir* (exegesis) becomes an absolute necessity in the effort to grasp the legal substance of the Qur'an (Hasan, 1997; Munawwir, 1997). One highly popular exegesis among Muslims is Tafsir al-Maraghi by Ahmad Musthafa al-Maraghi (1300–1371 AH/1883–1952 CE), a contemporary scholar from Egypt. Although this commentary is generally categorized under the *adabi ijtima'i* (socio-literary) approach (Hasan, 1997; Shihab, 2007), al-Maraghi allocates a significant portion of jurisprudential discussion within his work (Quthb, 2003). This is evident in his interpretation of the *basmalah* in Surah al-Fatihah, the usury (*riba*) verses in QS. al-Baqarah (2): 275–281, the provision on interfaith marriage in QS. al-Baqarah/2: 221 in relation to the permission to marry the People of the Book based on QS. al-Maidah/5: 5, and his view on bequests (*wasiyat*) in QS. al-Baqarah/2: 180, which he argues was not abrogated by the inheritance verses (Maraghi, 1910; Sabuni, 2000).

Al-Maraghi's stance on the permissibility of interfaith marriage has notably drawn criticism from liberal thinkers such as Mawardi (2020), who views it as a form of gender and religious discrimination. The breadth of al-Maraghi's perspective is also manifest in his interpretation of the inheritance verse QS. an-Nisa'/4: 11, wherein he affirms the concept of substitute heirs (*ahli waris pengganti*), a notion aligned with the thought of Ibn Hazm al-Andalusi (Qurtubi, 2002) and subsequently accommodated within the Indonesian legal context through Hazairin's thought (1982), Article 185 of the Compilation of Islamic Law (KHI), and several jurisprudences of the Supreme Court of the Republic of Indonesia (Mahkamah Agung Republik Indonesia, 2008). Furthermore, al-Maraghi does not hesitate to select the *rajih* (stronger) opinion among different schools of thought (*madhab*), such as when adopting the Hanafiyah view regarding the law of shortening prayers (*shalat qashar*) in interpreting QS. an-Nisa'/4: 101 (Zuhaili, 2021).



His moderate stance and independence from strict madhab boundaries are also reflected in his view on the concept of naskh (abrogation), which he argues is closely linked to the evolution of public interest (maslahat) across time and space. This intellectual character demonstrates that al-Maraghi deserves to be positioned as a relatively independent jurist (mujtahid) (Al-Zuhayli & Zuhaili, 1986), as well as a contemporary scholar responsive to novel legal issues, such as bank interest, fasting for Muslims in polar regions, and the expanded meaning of *fi sabilillah* in the context of zakat recipients. Based on this background, this research is formulated to answer the primary question: how is Ahmad Musthafa al-Maraghi's *ijtihad* applied in interpreting legal verses within Tafsir al-Maraghi. This problem is broken down into three detailed sub-questions: first, what is al-Maraghi's typology in interpreting legal verses; second, what are the legal products generated by al-Maraghi in his interpretation of ayat ahkam; and third, what form does al-Maraghi's *ijtihad* take in responding to contemporary legal issues. Given the vast scope of ayat ahkam in the Qur'an and the varying scholarly views on their exact number (Suma, 2014), this study limits its scope to several representative themes within the realms of worship (ibadah), marriage (munakahat), transactions (muamalah), politics (siyasah), criminal law (jinayah), and social affairs, as reflected in discussions on ablution (wudu), shortened prayers (shalat qashar), fasting, zakat eligibility (mustahiq zakat), interfaith marriage, bequests, inheritance, usury (riba), political power, retaliation (qishash), terrorism, and the prohibition of intoxicants (khamar). The purpose of this study is to uncover al-Maraghi's typology of Islamic legal thought, identify the nature of his *ijtihad*—whether independent or affiliated with a specific school of jurisprudence—and examine his perspectives on contemporary legal issues. Academically, this research is expected to contribute to the advancement of tafsir ahkam studies while fostering a critical-analytical tradition toward classical and contemporary Islamic legal thought. Furthermore, this study aims to build public awareness that behind every legal product derived by an exegete lies a complex methodological process and *thariqah al-istinbath* (derivation method), meaning that such legal interpretations should be understood as relative rather than absolute and final.

## 2. RESEARCH METHOD

This study employs a qualitative library research design oriented toward generating descriptive data, thus applying a descriptive-analytical approach. This methodology is selected to systematically delineate Al-Maraghi's perspectives on the substance of legal verses as articulated in Tafsir Al-Maraghi. Given that the object of inquiry comprises ayat al-ahkam (legal verses), the analytical framework aligns with tafsir fihi (jurisprudential exegesis), wherein the researcher traces Al-Maraghi's views and comparatively evaluates them against the perspectives of other exegetes and jurists across various literatures of legal exegesis and classical jurisprudence. Through this mechanism, the gathered data are rigorously scrutinized to achieve a comprehensive understanding of the legal thought constructed by Al-Maraghi.

To capture Al-Maraghi's thought on the focused legal verses, his monumental exegesis, Tafsir Al-Maraghi—comprising thirty parts (juz) in ten volumes—serves as the primary data source. The investigated ayat al-ahkam are categorized into seven domains: rituals (ibadah), including QS. An-Nisa/4: 43 on ablution (wudu), QS. An-Nisa/4: 101 on shortening prayers (salat qasar), QS. At-Taubah/9: 60 on zakat recipients (mustahiq zakat), and QS. Al-Baqarah/2: 187 on fasting duration; personal status law (al-ahwal al-syakhsyah), including QS. Al-Maidah/5: 5 on interfaith marriage, QS. An-Nisa/4: 3 on polygamy, QS. Al-Baqarah/2: 180 on obligatory bequests (wasiat wajibah), QS. An-Nisa/4: 174 and 4: 11 on inheritance, and QS. An-Nisa/4: 33; commercial transactions (muamalah), specifically QS. Al-Baqarah/2: 275-281 on usury (riba); political jurisprudence (siyasah), encompassing QS. Ali Imran/3: 159 and QS. As-Syura/42: 38; criminal law (jinayah), regarding QS. Al-Baqarah/2: 178 on retaliation (qisas); terrorism, analyzed through QS. Al-Maidah/5: 33 on banditry (hirabah); and social affairs, comprising QS. Al-Maidah/5: 90-93 on medical treatment using illicit substances and QS. An-Najm/53: 38-41 concerning the spiritual rewards of reciting the Qur'an.



The selection of these specific verses is based on the pragmatic constraint that a single study cannot realistically encompass Al-Maraghi's entire exegesis of legal verses, especially given the lack of scholarly consensus regarding the exact number of ayat al-ahkam in the Qur'an. The selected verses are deemed representative of the standard partitions of Islamic law utilized by jurists: ibadah, muamalah, munakahat, siyasah, jinayat, and social jurisprudence. Verses on wudu and salat qasar are selected to map Al-Maraghi's jurisprudential school leanings, while verses on mustahiq zakat and fasting are chosen due to their relevance to contemporary legal developments, including fasting in polar regions. The text on interfaith marriage is highlighted as it remains a highly debated topic among Indonesian scholars, whereas the inheritance verses are chosen due to their correlation with the jurisprudence of the Supreme Court of the Republic of Indonesia regarding substitute heirs and the position of children in blocking siblings from inheritance (hijab). The political and governance verses are deemed relevant considering the historical context of Egypt, where Al-Maraghi lived during its transition from the Ottoman Caliphate toward a democratic system. Furthermore, the verses on qisas and hirabah are selected to evaluate their alignment with human rights discourses, while the texts on intoxicants and the rewards of Qur'anic recitation represent the aspect of beverages (al-asyribah) and broader social issues.

In accordance with its nature as library research, all data sources, both primary and secondary, are derived from literary materials. The primary source serving as the main reference is Tafsir Al-Maraghi itself. Supporting analytical data are retrieved from various related literatures, including At-Tafsir wa Al-Mufasssirun fi 'Ashr Al-Hadits by Abdul Qadir Muhammad Shalih, At-Tafsir wa Al-Mufasssirun fi Tsaub Al-Jadid by Abdul Ghafur Musthafa Ja'far, At-Tafsir wa Al-Mufasssirun by Muhammad Husin Al-Dzahabi, Al-Jami' li Ahkam Al-Qur'an by Al-Qurthubi, Tafsir Ayat Al-Ahkam by Imam Syafii, Tafsir Ayat Al-Ahkam by Muhammad Ali Ash-Shabuni, Tafsir Ayat Al-Ahkam by Muhammad Ali Al-Sayis, Ahkam Al-Qur'an by Abu Bakar Al-Jashshash, Tafsir Al-Mishbah by M. Quraish Shihab, Tafsir Al-Munir by Wahbah Zuhaili, and Tafsir Al-Qur'an Al-'Azhim by Ibnu Katsir. Data from these secondary sources serve to sharpen the analysis and provide a comparative baseline for Al-Maraghi's thought. Beyond his magnum opus, Al-Maraghi is known to have authored other works such as Al-Fath Al-Mubin fi Thabaqat Al-Ushuliyyin, Ulum Al-Balaghah, and Hidayah Ath-Thalib, though these texts remain difficult to access due to limited circulation (Zaini, 1997).

Data collection begins with gathering relevant primary and secondary materials, which are subsequently classified based on logical and systematic conceptual commonalities. To facilitate the tracking of Qur'an verses, the index text Al-Mu'jam Al-Mufahras li Alfazh Al-Qur'an Al-Karim compiled by Muhammad Fu'ad 'Abd Al-Baqi is utilized. The retrieval process is further assisted by Qur'anic digital software for verse tracking, alongside the Mausu'at Al-Hadits Asy-Syarif database for searching and citing prophetic traditions (hadith). Qur'anic translations refer to the official publications of the Ministry of Religious Affairs of the Republic of Indonesia. Once all data are gathered and classified, the researcher incorporates them into a systematic writing structure based on the pre-designed article framework.

The data analysis technique applied in this literary study centers on interpretative analysis, aimed at uncovering the underlying meaning behind Al-Maraghi's statements or concepts within his exegesis. The analysis proceeds through content analysis of the research materials, accompanied by a comparative analysis between two or more schools of thought to generate deep dialectics. By comparing these diverse sources and ideas, the researcher attempts to produce an intellectual synthesis that moves from a deductive pattern toward specific inductive conclusions as a convergence point between the compared thoughts. Data verification is conducted via source cross-checking, comparing one literary source with another. In this study, verification is directed toward a theoretical triangulation model, which involves comparing the ideas of various figures or experts and verifying them against both primary and secondary sources. Deep elaboration of the related theories is conducted to generate an induction of thought that converges into a singular, targeted, and rational conceptual framework, as reflected in the synthesis within each discussed sub-section.



This research is carried out progressively within the year 2026, commencing from the submission and approval of the research title, proposal drafting, advising and defense of the proposal, data collection, drafting of the research findings, advanced advising, progress seminars, and concluding with the closed defense, revisions, and the final open defense. These phases are structured sequentially to ensure the research process operates systematically from initial formulation to the final accountability of the scholarly work.

### 3. RESULT AND DISCUSSION

#### Intellectual Profile and the Construction of Islamic Legal Thought of Ahmad Musthafa Al-Maraghi

The thought of an exegete is never born in a vacuum; rather, it is the result of a long engagement between personal experiences, the scholarly environment, and the socio-political pressures surrounding their life. Ahmad Musthafa Al-Maraghi was born in 1881 CE in Al-Maraghah, an area in the Sohag Governorate, Upper Egypt, which is widely recognized as one of the birthplaces of great scholars (Maraghi, 1910). The nisba "Al-Maraghi" attached to his name originates from this birthplace. He grew up in a family that paid great attention to religious education, a condition that formed the initial foundation for the shaping of his intellectual inclinations. Al-Maraghi's lifetime coincided with a crucial period in the history of the Islamic world, particularly Egypt, when Western colonialism was strengthening and, concurrently, Muslims experienced stagnation of thought due to the rise of taqlid (blind imitation) culture and the weakening of the ijihad tradition (Al-Dzahabi, 2005). This situation was worsened by the British occupation of Egypt since 1882, which not only impacted political and economic aspects but also influenced the mindset of society and Islamic educational institutions. These conditions gave rise to friction between those who strictly maintained classical traditions and those who pushed for the reform of Islamic thought so that it could respond to the challenges of modernity. The debate between traditionalist and reformist groups was one of the critical backdrops in the formation of Al-Maraghi's thought. He lived during the emergence of the Islamic reform movement pioneered by Jamaluddin Al-Afghani and Muhammad Abduh, which was later continued by Muhammad Rasyid Ridha. Intellectual interaction with this circle of thought shaped Al-Maraghi's moderate character of exegesis, which remained grounded in the authority of the text (nass) yet open to rational and contextual readings. Thus, the construction of Al-Maraghi's legal thought can be understood as a synthesis between the heritage of classical exegesis and the spirit of modern Egyptian reform, a position that placed him as a bridge between textual authority and the demands of changing times (Al-Dzahabi, 2005). Al-Maraghi's Approach to Interpreting Legal Verses A study of Tafsir Al-Maraghi reveals that the interpretation of legal verses is supported by three intertwined methodological pillars: the linguistic approach, the tradition-based approach, and the rational approach. First, the linguistic approach (al-manhaj al-lughawi). Almost every discussion of a legal verse in this work begins with an explanation of vocabulary (al-mufradat) as an entry point to understanding the intent of the Sharia, because according to Al-Maraghi, errors in understanding word meanings can lead to errors in establishing law. A representative example is found in the interpretation of the ablution verse, QS. Al-Ma'idah/5: 6:

يَا أَيُّهَا الَّذِينَ آمَنُوا إِذَا قُمْتُمْ إِلَى الصَّلَاةِ فَاغْسِلُوا وُجُوهَكُمْ وَأَيْدِيَكُمْ إِلَى الْمَرَافِقِ وَامْسَحُوا بِرُءُوسِكُمْ وَأَرْجُلَكُمْ إِلَى الْكَعْبَيْنِ

"O you who have believed, when you rise to [perform] prayer, wash your faces and your forearms to the elbows and wipe over your heads and wash your feet to the ankles."

Al-Maraghi pays special attention to the function of the letter ba in the phrase wa imsaḥu bi ru'usikum, whether it signifies tab'idh (partially) or is merely za'idah (reinforcing), because this meaning directly implicates the extent of wiping the head during ablution (Al-Maraghi, n.d.). A similar analysis is applied to the word lamastum in the same verse, as well as in measuring the scope of the phrase fi sabilillah in QS. At-Taubah/9: 60, which he argues must not be narrowed down solely to the meaning of fighting in warfare. Second, the approach of tafsir bi al-ma'tsur, namely the explanation of a verse through another verse, the prophetic tradition (hadith), and the narrations of the companions



and successors (tabi'in). This pattern is evident when Al-Maraghi links the fasting verse QS. Al-Baqarah/2: 183 with the series of subsequent verses, or when he connects the prohibition of usury (riba) in QS. Al-Baqarah/2: 275 with QS. Ali Imran/3: 130 and QS. Ar-Rum/30: 39 to obtain a comprehensive understanding (Al-Maraghi, n.d.). In the discussion of polygamy, QS. An-Nisa'/4: 3, Al-Maraghi quotes a prophetic tradition regarding the obligation to act justly towards wives:

مَنْ كَانَتْ لَهُ امْرَأَتَانِ فَقَالَ إِلَىٰ إِحْدَاهُمَا جَاءَ يَوْمَ الْقِيَامَةِ وَشَفَعُهُ مَائِلٌ

*"Whoever has two wives and inclines to one of them, he will come on the Day of Resurrection with one side of his body drooping"* (Abu Dawud, Sunan Abi Dawud, Kitab al-Nikah, No. 2133).

Such narrations are not accepted blindly; Al-Maraghi critically filters out Israyiliyyat (Judeo-Christian traditions) deemed to lack strong foundations and offer no contribution to the understanding of the verse (Al-Qatthan, 1990). Third, the tafsir bi al-ra'yi (rational exegesis) approach, which constitutes the most prominent feature of this work. Al-Maraghi posits that the universality of the Qur'an demands interpretations capable of addressing contemporary issues, rather than being strictly confined to the historical context of the revelation's descent (Al-Ghazali, 1993). In explaining the prohibition of usury (riba) in QS. Al-Baqarah/2: 275-281, he does not merely stop at normative proofs but also delineates the socio-economic impacts of usury, such as widening inequality and the exploitation of the weak by the powerful (Ja'far, 2004). In practice, these three approaches do not operate in isolation; rather, they are applied sequentially, moving from linguistic analysis and narration tracking to rational reasoning that culminates in the objectives of the Sharia (maqashid al-syari'ah).

#### **Al-Maraghi's Products of Ijtihad in Legal Verses**

The products of Al-Maraghi's ijtihad are distributed across various fields of jurisprudence (fiqh), encompassing rituals (ibadah), marriage (munakahat), inheritance, commercial transactions (muamalah), politics (siyasah), and criminal law (jinayah). In the realm of rituals (ibadah), the most representative example is his interpretation regarding the invalidation of ablution (wudu) caused by lamastum al-nisa' (touching women) in QS. Al-Ma'idah/5: 6. There is a classical disagreement between the Shafi'i school, which interprets lamastum as direct skin-to-skin contact that invalidates wudu, and the Hanafi school, which interprets it metaphorically as sexual intercourse, meaning regular touching does not invalidate wudu (Al-Zuhaili, 2009). After weighing the context of the verse, its parallelism with the state of major ritual impurity (janabah), and the Sharia principle of ease, Al-Maraghi inclines toward the interpretation of the Hanafi school (Maraghi, 1910). This choice demonstrates a pattern of cross-school preference (tarjih lintas mazhab) untethered by school fanaticism, while remaining highly relevant to the context of modern social interaction between men and women in public spaces, including the practice of circumambulation (tawaf) among Umrah pilgrims from diverse jurisprudential backgrounds. In the realm of marriage (munakahat), his interpretation of the polygamy verse QS. An-Nisa'/4: 3 reveals a distinctive character:

وَإِنْ خِفْتُمْ أَلَّا تُقْسِطُوا فِي الْيَتَامَىٰ فَانكِحُوا مَا طَابَ لَكُمْ مِنَ النِّسَاءِ مَثَلَىٰ ثَلَاثٍ وَرُبَاعٍ فَإِنْ خِفْتُمْ أَلَّا تَعْدِلُوا فَوَاحِدَةٌ

*"And if you fear that you will not deal justly with the orphan girls, then marry those that please you of [other] women, two or three or four. But if you fear that you will not be just, then [marry only] one."*

According to Al-Maraghi, this verse was not revealed to encourage the practice of polygamy, but rather to restrict the custom of pre-Islamic Arab society which recognized no limit on the number of wives. The primary emphasis of the verse, in his view, is not on the permissibility of polygamy itself, but on the requirement of justice that a husband must fulfill as an absolute prerequisite (Maraghi, 1910). In the realm of inheritance and bequests, Al-Maraghi interprets QS. Al-Baqarah/2: 180 concerning the obligation of making a bequest to parents and close relatives. Diverging from the majority of scholars who consider this verse abrogated (mansukh) by the inheritance verses and the prophetic tradition "there is no bequest for an heir," Al-Maraghi tends to support the view of a group of successors (tabi'in), such as Said ibn al-Musayyab, Al-Hasan al-Bashri, and Ibn Jarir al-Thabari, that the provision of bequests remains valid for relatives who do not receive a designated share of inheritance (Ridha, 1990). He merely restricts the amount of the bequest to not exceed one-third of the



estate, referencing the tradition narrated by Sa'd ibn Abi Waqqas in Sahih al-Bukhari and Sahih Muslim. This perspective subsequently became one of the foundational references for the concept of obligatory bequests (wasiat wajibah) for adopted children and interfaith heirs within the Compilation of Islamic Law (KHI) in Indonesia.

In the field of muamalah (commercial transactions), the interpretation of the usury (riba) verse in QS. Al-Baqarah/2: 275.

وَأَحَلَّ اللَّهُ الْبَيْعَ وَحَرَّمَ الرِّبَا

"And Allah has permitted trade and has forbidden interest,"

is expounded by Al-Maraghi not merely as a normative prohibition, but is also linked to the linguistic root of the word al-riba, which means an increase or excess, thereby allowing its legal scope to be extended to various forms of modern transactions that contain elements of exploitation (Al-Maraghi, n.d.). In the field of jinayah (criminal law), the interpretation of the retaliation (qishash) verses in QS. Al-Baqarah/2: 178-179 demonstrates an emphasis on the protection of human life. Al-Maraghi asserts that the phrase wa lakum fi al-qishashi hayah ("and there is for you in legal retribution [a saving of] life") constitutes a powerful form of balaghah (rhetoric); while qishash outwardly appears to be a death penalty, in reality, it serves as a mechanism to safeguard the lives of society as a whole. He reinforces his interpretation by quoting a prophetic tradition (hadith)

لَرَوَالِ الدُّنْيَا أَهْوَنُ عَلَى اللَّهِ مِنْ قَتْلِ رَجُلٍ مُسْلِمٍ

"The destruction of the world is lighter in the sight of Allah than the killing of a Muslim man."

This tradition underscores the supreme value of human life within the framework of the Sharia, demonstrating that the primary objective of qishash is not to maximize punishments, but to prevent homicide through both preventive and repressive functions. In the field of siyasah (politics), the meaning of fi sabilillah (in the way of Allah) in QS. At-Taubah/9: 60 is expanded by Al-Maraghi to encompass education and da'wah (proselytization), rather than being limited solely to physical jihad. The recurring pattern across each case is a combination of linguistic analysis, narration tracking, rational deliberation, and an orientation toward the objectives of the Sharia, consistently guiding Al-Maraghi to moderate and applicable legal conclusions. The Typology of Ahmad Musthafa Al-Maraghi's Ijtihad in Interpreting Legal Verses An analysis of various legal verses covering the realms of rituals (ibadah), marriage (munakahat), inheritance and bequests, commercial transactions (muamalah), politics (siyasah), and criminal law (jinayah) indicates that Al-Maraghi does not employ a single pattern of ijtiha. On the contrary, he combines diverse legal derivation (istinbath) approaches in an integrative manner suited to the character of the issue at hand, meaning he cannot be simplistically categorized as merely a jurisprudential (fiqhi) exegete, a rational exegete, or a teleological (maqashidi) exegete alone.

Based on a thorough investigation, five typologies of ijtiha utilized by Al-Maraghi in an integrated manner can be formulated. First, bayani ijtiha, which involves extracting meaning through linguistic rules, as seen in the analysis of the letter ba in the ablution verse and the phrase kutiba 'alaikum in the bequest verse. Second, tarjihi ijtiha, which entails evaluating and selecting the strongest opinion among various schools of thought, as demonstrated in determining the meaning of lamastum. Third, maqashidi ijtiha, which consists of tracing the objectives of the Sharia behind each legal provision, such as the principle of preserving life (hifzh al-nafs) in the retaliation verse. Fourth, istislahi ijtiha, which involves considering the public interest in establishing legal conclusions, as apparent in the restriction of polygamy and the expansion of the scope of obligatory bequests. Fifth, tajdidi ijtiha, which is the contextualization of law toward contemporary issues, such as expanding the meaning of khamar to include modern addictive substances and bank interest within the framework of usury.

These five typologies do not operate in isolation; rather, they support one another within a single chain of the istinbath process, thereby forming an integrative ijtiha model. This finding confirms that Al-Maraghi is a legal exegete who integrates various instruments of ijtiha into a coherent interpretive



construction, and it is this pattern that yields moderate, argumentative, and public interest-oriented legal interpretations.



Picture 1. Legal Interpretation Model

#### Research Findings (Major Findings)

Several main findings can be formulated from the discussion above. First, Al-Maraghi developed an integrative *ijtihad* model that simultaneously combines five elements of *ijtihad*, namely *bayani*, *tarjihi*, *maqashidi*, *istislahi*, and *tajdidi* in producing legal conclusions, rather than relying on a single method. Second, the orientation of *maqashid al-shari'ah* becomes the most dominant character in Al-Maraghi's legal interpretation. This is evident in the legal interpretation of *qisas*, which is oriented toward *hifzh al-nafs* (protection of life); the prohibition of *khamr* toward *hifzh al-'aql* (protection of intellect); inheritance regulations toward *hifzh al-nasl* (protection of lineage); the prohibition of *riba* toward *hifzh al-mal* (protection of wealth); and the prohibition of *hirabah* toward *hifzh al-amn* (protection of security). Third, Al-Maraghi is not bound by specific *madhhab* (school of thought) fanaticism. In various legal issues, he presents the opinions of various schools of thought, evaluates the arguments of each, and then selects the opinion deemed stronger and more aligned with the public interest (*maslahah*). Thus, his position is more accurately described as an interpreter who utilizes a cross-*madhhab* *tarjih* (preference) method. Fourth, Al-Maraghi's legal interpretation is contextual and responsive to changing times. This can be seen in the discussions on bank interest, financial administration, education and *dawah* as part of *fi sabilillah*, public security, as well as the expansion of the meaning of *khamr* to modern addictive substances, which demonstrates a tendency toward *tajdid* (renewal) in his legal interpretation. Fifth, *Tafsir Al-Maraghi* holds high relevance for



the development of contemporary Islamic law. Some examples include the idea of bequest, which is relevant to the concept of mandatory bequest (*wasiyyah wajibah*); thoughts on substitute heirs, which are relevant to Article 185 of the Compilation of Islamic Law; the expansion of the meaning of *fi sabilillah*, which is relevant to zakat for education and *dawah*; the concept of *shura* (consultation), which is relevant to participatory democracy; and the prohibition of *hirabah*, which is relevant to countering terrorism and crime..

Overall, these findings confirm that Ahmad Musthafa Al-Maraghi is a modern legal exegete who developed an integrative *ijtihad* pattern through a blend of *bayani*, *tarjihi*, *maqashidi*, *istislahi*, and *tajdidi* approaches. This pattern produces a legal interpretation that is moderate, argumentative, oriented toward public interest (*maslahah*), and holds strong relevance to various contemporary legal issues. Consequently, Al-Maraghi's primary contribution to the study of *tafsir ahkam* (exegesis of legal verses) lies not only in the legal products he produced, but also in the *ijtihad* model he utilized to bridge the authority of the sacred texts (*nass*) with the demands of social change, ensuring that *Tafsir Al-Maraghi* remains relevant as a reference for the development of Islamic law, particularly within the Indonesian context.

#### 4. CONCLUSION

This research concludes that Ahmad Musthafa Al-Maraghi developed an integrative *ijtihad* model in interpreting legal verses, simultaneously blending five typologies—*bayani*, *tarjihi*, *maqashidi*, *istislahi*, and *tajdidi* *ijtihad*—with the orientation of *maqashid al-shari'ah* as the most dominant character. Al-Maraghi is not bound by specific *madhhab* fanaticism, but instead applies a cross-*madhhab* *tarjih* method that is contextual and responsive to changing times, as seen in the fields of *ibadah* (worship), *munakahat* (marriage), inheritance-bequest, *muamalah* (transactions), *siyasah* (politics), and *jinayah* (criminal law). However, this study has limitations as it only focuses on the textual analysis of *Tafsir Al-Maraghi* without an in-depth comparison with other contemporary books of legal exegesis, thus limiting the generalization of the findings. The implication is that this integrative *ijtihad* model enriches the treasury of *tafsir ahkam* methodology and is relevant as a reference for the development of contemporary Islamic law, especially in Indonesia

Based on these findings, it is recommended that fatwa institutions and Islamic law policymakers consider Al-Maraghi's integrative approach in formulating legal products that are moderate and oriented toward public interest (*maslahah*), particularly regarding mandatory bequest (*wasiyyah wajibah*), zakat for education, and the prevention of *hirabah* and addictive substance abuse. For academics and researchers of *tafsir ahkam*, it is recommended to deepen the study through a comparative approach between Al-Maraghi and other legal exegetes such as Al-Sha'rawi or Sayyid Qutb. Future research is also advised to utilize a contemporary *maqashid* approach more systematically, as well as to explore the application of Al-Maraghi's thoughts to contemporary legal issues, such as bioethics, the digital economy, and modern sharia financial transactions, in order to strengthen the relevance of classic *tafsir ahkam* to the dynamics of global Islamic law.

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