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Tafsir Al-Fiqh In Andalus: A Historical-Comparative Studies Of Ahkām Al-Qur’ān By Ibn Al-’Arabi And Al-Jāmi’ Li Ahkām Al-Qur’ān By Al-Qurtubi

Moh Sabiq BA

mohsabiqba@gmail.com

Universitas Islam Negeri Sunan Kalijaga,
Yogyakarta, Indonesia

Imron Izzul Haq

imronizzulhaq@gmail.com

Al Azhar University Nacr City, Cairo, Egypt

Abstract

*This article presents a comparative analysis of two seminal works of Qur'anic legal exegesis from medieval Andalusia: Ibn al-'Arabi's *Ahkām al-Qur'an* and al-Qurtubi's *Al-Jāmi' li Ahkām al-Qur'an*. The research examines their distinctive methodological approaches to interpreting legal verses (*ayat ahkām*) within the Andalusian Islamic context. This comparative analysis is predicated on two key factors: both works provide comprehensive analyses of legal verses throughout the *Qur'an* using the Maliki school of jurisprudence, while emerging from distinct temporal and geographical contexts. The study employs Norman Fairclough's *Critical Discourse Analysis* theory alongside historical methodologies to identify convergent and divergent aspects of these works. Through qualitative analysis incorporating comparative (*muqaran*), textual-historical, and critical approaches, the research examines primary sources—the original texts—supplemented by relevant secondary literature. The findings reveal that while both scholars employed analytical (*tablili*) methods, their approaches differed significantly: Ibn al-'Arabi adopted a conservative stance, limiting his commentary to specific legal verses, reflecting Almoravid (*al-Murabitun*) dynasty influences, while al-Qurtubi pursued a more comprehensive and neutral interpretation aligned with Almohad (*al-Muwabbhidun*) dynasty intellectual traditions. This research advances our understanding of the intricate relationships between Qur'anic exegesis, Islamic jurisprudence, and Andalusian historical context.*

Keyword: *Historical-Comparative Analysis, Ahkām al-Qur'an, Al-Jāmi' li Ahkām al-Qur'an, Jurisprudential Exegesis Methodology, Medieval al-Andalus*

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INTRODUCTION

The intellectual achievements of Muslim scholars in medieval al-Andalus or Andalusia (present-day Spain) exemplify a remarkable period of scholarly renaissance in European Islamic history (Imamuddin, 1969:1; Ismail, 2017; Hitti, 2014: 633). This flowering of knowledge reflects broader cultural and intellectual developments that characterized this sophisticated civilization. Qur'anic interpretation evolved in response to societal transformation, necessitating exegetical approaches that could bridge the unchanging Qur'anic text with dynamic social realities.

Research conducted by Khozi Mubarak has identified approximately 145 Andalusian exegetes who produced diverse scholarly works (Mubarak, 2018: 194-195). Among this rich corpus, only two comprehensive works systematically address legal verses (*ayat ahkam*) across all thirty sections (*ajza'*) of the Qur'an: Ibn al-'Arabi's *Abkam al-Qur'an* and al-Qurtubi's *Al-Jami' li Ahkam al-Qur'an*. Al-Rumi's *Manhaj al-Madrasah al-Andalus fi al-Tafsir* recognizes these texts as foundational works that profoundly influenced Islamic education in Andalusia (Al-Rumi, 1997: 29).

Despite previous scholarly examinations by al-Suyuti (*Tabaqat al-Mufasssin*, 1976), al-Dhahabi (*Al-Tafsir wa al-Mufasssin*, 1976), Ayazi (*Al-Mufasssin: Hayatuhum wa Manhajuhum*, 1894), and Ibrahim (*Madrasah al-Tafsir fi al-Andalus*, 1986), there remains a significant gap in comprehensive comparative analysis of these works. This lacuna is particularly noteworthy given that these exegetical texts emerged during Andalusian civilization's zenith, substantially influencing juridical thought and Islamic educational traditions.

This study aims to analyze the methodological convergences and divergences between Ibn al-'Arabi and al-Qurtubi, particularly in their engagement with Maliki jurisprudence. Their distinct historical contexts—Ibn al-'Arabi during the Almoravid (al-Murabitun) dynasty and al-Qurtubi under Almohad (al-Muwahhidun) rule—provide crucial insight into their intellectual approaches. For instance, Ibn al-'Arabi's *Abkam al-Qur'an* demonstrates strict adherence to authenticated traditions while avoiding *isra'iliyyat* (extra-biblical narratives) (Al-'Arabi, Juz 1, 2003: ٤; Al-Dhahabi, Juz 2, 1976: 335–336; Ayazi, 1894: 117). Conversely, al-Qurtubi's *Al-Jami' li Ahkam al-Qur'an* incorporates *isra'iliyyat* without rigorous authentication, often synthesizing diverse sources without extensive elaboration (Al-Qurtubi, Juz 18, 1964: 330–332).

This research employs qualitative methodologies, integrating textual and historical approaches. The primary sources comprise the original texts of both exegetical works,

supplemented by secondary literature on Andalusian historical, social, and intellectual contexts. Through descriptive-comparative analysis, this study illuminates the methodological distinctions in their interpretations of legal verses.

This investigation contributes to our understanding of Andalusian legal exegesis, demonstrating how *tafsir* reflects its socio-political context. Furthermore, it addresses previously unexplored dimensions of the relationship between historical circumstances and exegetical methodology. The findings establish a foundation for future research into legal exegesis and the enduring influence of Andalusian scholarship on Islamic intellectual traditions.

DISCUSSION

The Socio-Historical Context of 11th Century Andalusia to 13 CE.

The half century or so between the final collapse of the Umayyad caliphate and the rise of Al-Murābiṭūn was one of political fragmentations. However, it was also a time of cultural brilliance. Twenty-three local dynasties ruled different parts of Andalusia, according to A.R. Nykl (C. R. Bosworth, 1993: 35). From the various political interests at the time, it seems that Ibn al-'Arabī and al-Qurṭubī lived when Andalusia was experiencing progress and the development of science very rapidly. Unfortunately, not all the lives of the two *mufassir* figures were happy, and they enjoyed gaining knowledge. They had to deal with Christian soldiers to defend and maintain Islamic rule in Andalusia.

Almost every period of Islamic rule in Andalus saw years of warfare, power struggles, rivalries, and conflicts (Suwaidan, 2015: 341). Nonetheless, with the help of the Umayyad regime, a Muslim civilization was created that was also an Arab civilization. Just as the Syrian school of law, founded by Awza'ī and favored by the Arab-Syrian military, was imported to Spain, the urban population gravitated toward the Malikī school imported from North Africa, so Malikīsm persisted as the primary religious identity for Spanish Muslims (Lapidus & Masadi, 2000: 586).

It was plagued by many complex internal conflicts. Lapidus says that hostilities between provincial elites and urban commercial elites, between townspeople and Berber soldiers, and between non-Arab converting to Islam and Arabs made the Muslim-Spanish state unable to strengthen the regime (Lapidus & Masadi, 2000: 588). Bosworth says that this was also a time of cultural brilliance. The result of the schism was that local dynasties containing various races, the plurality of military classes, and competition between groups with each other in terms of science were formed (C. E. Bosworth, 2019: 35).

Despite the growth of several small kingdoms, Spanish society was not divided as it had been by the divisions of political power. Muslim law and a Muslim-Arab identity remained universally accepted, and the ulama continued to represent the aspirations of the urban population (Lapidus & Masadi, 2000: 589). This was experienced by Ibn al-'Arabī when he occupied the position of a scholar as well as taking part in politics, namely as a state *qāḍī* during the reign of Al-Murābiṭūn. Likewise, al-Qurṭubī was a scholar during the reign of Al-Muwahhidūn. It was at this moment that the figure of Ibn al-'Arabī was born (468-543 AH/1076-1148 CE) where Muslim power in Andalusia was divided into small kingdoms or called *Mulūk al-Ṭawā'if* (1031-1091 CE) until he lived during the reign of Al-Murābiṭūn (1090-1147) and one year of Al-Muwahhidūn reign (1147-1212 CE). Al-Qurṭubī (580-671 H./1184-1273 CE) was born and lived during the reign of Al-Muwahhidūn until the reign of Al-Naṣriyyah (1232-1492).

In addition, many Spaniards converted to Islam without coercion or pressure. At that time, Muslim rule in Spain was renowned for its tolerance of Christianity. For example, when the Christian population encountered cases of insult, it had the right to try the case according to its Christian law. For example, new monasteries, in addition to monks' and non-monks' dormitories, flourished without interference from the Muslims. Monks were free to appear in public in their distinctive robes, and priests or pastors did not need to hide the signs of their office, and differences in religious belief did not prevent Christians from being appointed to government jobs or serving in the military (Arnold, 1913: 134-136).

The Islamic government's tolerant attitude towards the Christian population in Spain and the freedom of association between the adherents of these two religions resulted in frequent assimilation, often referred to as *Mozarab* (Philip K. Hitti, 2014: 655). Many Christians took Arabic names and imitated Muslims' outward ways of life, such as circumcision as well as food and drink, and Arabic lessons soon replaced Latin so that Christian theological material was gradually forgotten. Even some high-ranking church leaders felt awkward because they were not fluent in Latin (Arnold, 1913: 136-137). At this moment, Christians began to imitate the lifestyle of the Arabs, forming a social class of their own (Philip K. Hitti, 2014: 655).

The knowledge of Latin was declining in parts of Spain, so it was necessary to translate the Spanish Church Law books and the Gospels into Arabic for the benefit of Christians. In the following years, the need for Christian education increased. At the same time, Christian literature was hampered by the lack of materials, and it was difficult to find teachers even at the elementary school level (Arnold, 1913: 138). So, at some point in 1125 CE, the *Mozarab* faction wrote to King Alfonso of Aragon as follows:

“We and our parents have hitherto been brought up among the Arabs and have been baptized, freely practicing Christian law, but there has never been an opportunity for us to obtain religious education because, as an occupied people under a non-Christian ruler, we hesitate to ask for the help of teachers from Rome and France, and even if we ask, they will also hesitate to come given the barbarian (read: Al-Murābiṭūn) attitude of the current ruling party.”

As a result of their close association with the Muslims and their keen interest in their literature, even Christians themselves tended to read and admire the beauty and purity of the Koran language. It can be expected that Christians will continue to be influenced in their daily lives by Muslim culture in Spain (Arnold, 1913: 138).

After a long period under the rule of the Al-Murābiṭūn faction of converts who inherited barbaric traditions that had not yet died out, there was an explosion of fanatical religious fervor in the early 12th century, to the detriment of Christians, Jews, and even liberal Muslims. It was under the rule of the pious Ali (1106-1143 CE), the son and successor of Yusuf. He had the works of al-Gazālī (d. 478 AH/1085 CE) blacklisted or burned in Spain and Morocco because some of his views were considered insulting to the theologians (*faqīh*), including the Malikī school, which was the official school of the Al-Murābiṭūn (Philip K. Hitti, 2014).

During the 12th century and the first half of the 13th century, Spain came under these two Berber dynasties, whose rule was centered in Morocco. As in the case of Al-Murābiṭūn, the Al-Muwahhidūn dynasty began as a politico-religious movement founded by the Berber Muḥammad Ibn Tumart (1078-1130 CE) of the Masmuda tribe (‘Abdul Majīd al-Najjār, 1983: 114). He was a scholar who had made the pilgrimage to Makkah and studied in Bagdad and Damascus. After his return, he began to spread the teachings of moral reform. By exposing the supremacy of the Qur'an and Hadith, he refused to recognize the authority of the schools of *fiqh*. In addition, he also exposed himself to Asy'ariyah theology (Lapidus & Masadi, 2000: 575).

Likewise, during the reign of al-Hakam Ya'qub ibn Yusuf, he tried to dethrone the Malikī school and invited the people to adhere to the Qur'an and Hadith. Heroically, Ya'qub ordered to burn all the books of Malikī. Unfortunately, the effort had no impact because of the strong bigotry of the people against the Malikī school at that time (Al-Rumi, 1997). Lapidus says that the doctrinal power of the Al-Muwahhidūn regime was never successfully applied. Some alternative expressions of Islam, including those of the Malikīyah jurists, the popular worship of saints and shrines, and the philosophy of Ibn Rushd, continued to be tolerated. Some later rulers renounced Al-Muwahhidūn's doctrines, reluctantly emphasizing Ibn Tumart's teachings and the conflict among the ruling elite that

began in 1229 CE led to the official abolition of Ibn Tumart's teachings and a return to the Maliki school of law (Lapidus & Masadi, 2000: 576).

The Intellectual Journey of Ibn al-'Arabī (d. 543 AH) and al-Qurṭubī (d. 671 AH)

Periodically, Ibn al-'Arabī and al-Qurtubi lived at different times. Counting from the death of Ibn al-'Arabī (d. 543 AH) to the birth of al-Qurṭubī (580 AH) approximately 37 years apart. Certainly, the two of them have never met and taught directly. However, in his book, al-Qurtubi often refers to Ibn al-'Arabi in interpreting legal verses. This explanation will be explained in the next chapter.

Ibn al-'Arabī Lives and Works

Abu Bakr Muḥammad ibn 'Abdullah ibn Muḥammad ibn 'Abdullah ibn Aḥmad al-Mu'āfirī al-Andalusī al-Ishbilī (read: Ibn al-'Arabī) was born on the evening of Thursday, 22 Sya'ban 468 AH/1076 CE, in Seville (Mani' Abd al-Halim Mahmud, 2006: 243; Sa'id A'rab, 1987: 11). He came from a respectable family with a thirst for knowledge. His grandfather and father were prominent figures in Andalusia. His father, Abu Muḥammad 'Abdullah ibn Muḥammad ibn 'Abdullah Ibn al-'Arabī (435-493 AH), was a scholar known for his prowess, in addition to being a vizier (prime minister) under the Abbadiyyah rule in Seville. It is also said that Abu Muḥammad was one of the leaders of the Zahiri school (followers of Abu Muḥammad ibn Ḥazm al-Zahiri). The school was founded by the famous jurist Ibn Ḥazm. He was born in 384 AH/994 CE and grew up in a well-off family. He became the main reference for Andalusians on Islamic sciences. There was a time when he was tested (*mibnah*) because his tongue was considered too bold. As it is said, "Ibn Hazm's tongue and al-Hajjaj's sword are two close friends." The breadth of knowledge in Ibn Hazm led him to become the imam of the literalists (Zahiriyyah) (Suwaidan, 2015: 363). His uncle Abu al-Qāsim al-Ḥasan ibn Abu Ḥafṣ al-Ḥauzānī was also a great scholar in Seville. His family motivated and encouraged him from a young age, so his parents kept him busy studying with three selected teachers, including an expert in the Qur'an and *al-qirā'ah al-sab'ah*, an expert in Arabic language and mathematics (Sa'id A'rab, 1987). In contrast, Abu 'Abd'illah Muḥammad ibn Aḥmad ibn Abu Bakr ibn Farh al-Ansāri al-Khuzrajī al-Qurṭubī al-Andalusī al-Maliki (read: al-Qurṭubī) is attributed to his birthplace of Cordova, Spain. Al-Qurṭubī was born in 580 AH/1184 CE. He grew up in a peasant family during the reign of the Al-Muwahhidūn dynasty at the beginning of Abu Yusūf Ya'qūb al-Manṣūr's tenure (580 AH/1184 CE) (Ayazi, 1894: 51-52).

When they reached the age of learning, in their youth, both Ibn al-'Arabī and al-Qurṭubī studied religion. Both had the support of their parents on the one hand and a lively environment for Islamic studies - to the extent that they intended to study in the East - on the other hand (Al-Masyini, 1986). By 9, Ibn al-'Arabī had memorized the Qur'an; by age 16, he had mastered the science of *qiraat*, Arabic language, literature, and poetry. It is said that in his learning time, he started from the morning (time after the dawn prayer) to the afternoon (time after the afternoon prayer), in between the rest of the time, he took the time to study alone (*muṭāla'ah*) and repeat his lessons (*murāja'ah*) to remember and strengthen the knowledge he had learned. He also attended some *majlis ta'lim* in other places. Abu 'Abdullah Muḥammad ibn Muḥammad al-Surqūsti (d. 477 AH) was his most influential teacher (Al-Masyini, 1986: 29).

Ibn al-'Arabī often visited other countries in the East, including Egypt, Syam, Bagdad, and Makkah. In every country he visited, he always took advantage of studying with the scholars he met. At the end of 485 AH, he arrived in Egypt via the coast of Tunis. There, he stayed for a few months and studied with Abu al-Hasan 'Alī ibn Muḥammad, Abu 'Abdullah Muḥammad ibn 'Alī al-Maziri, Mahdi al-Warraḡ, Abu Hasan ibn Ṣarf, and Abu al-Hasan ibn Dawud al-Farisi. From Egypt, he traveled to Bait al-Maqdis where he met Abu Bakr Muḥammad al-Walid al-Ṭurṭūsī al-Fahkri (d. 529 AH). He also visited the Levant and stayed for some time before continuing his journey to Baghdad. In the Levant, Ibn al-'Arabī studied under several Syafiī scholars, namely Abu al-Fath Naṣr ibn Ibrahim al-Maqdisi, al-Hāfiẓ al-Akfani, Aḥmad ibn al-Farrat, and several others. In Baghdad, the Abbasid caliphate's capital at the time, he studied various disciplines such as *usūl al-din*, *fiqh* and *usūl fiqh*, Arabic language and adab, and various other disciplines. In the region, he studied with Ibn al-Tuyuri, Ali ibn al-Husain al-Bazzaz, Abu Hamid al-Ghazali, and several other scholars (Al-Ābid, 2010: 245-247).

In 489 AH, Ibn al-'Arabī arrived in Makkah to perform the Hajj. Nevertheless, he still took the time to study with the scholars there. Before returning to his hometown, Ibn al-'Arabī also visited the city of Iskandariyah (Alexandria). According to historians, Ibn al-'Arabī traveled in various regions starting in the month of Rabī'ul Awwal in 485 AH/1092 CE, and then he devoted himself to his birthplace in 495 AH/1102 CE. (Sa'id A'rab, 1987: 71). He was also busy as a teacher, judge, preacher, and writer. As a result of his persistence in seeking knowledge, he is known to master various disciplines such as *fiqh*, *usūl fiqh*, *hadith*, *tafsir*, *adab*, poetry, and *kalam*. Ibn al-'Arabī died in Aghlah, an area near Faz, on the Thursday night of Rabī'ul Awwal in 543 AH. His remains were brought to Faz and buried there (Sa'id A'rab, 1987: 120).

Throughout his life, Ibn al-'Arabī has written several works, including *Abkām al-Qur'ān*, which is the topic of discussion in this study, *al-'Awāsīm min al-Qawāsīm* (two volumes) (Abu Bakr ibn al-'Arabī, 1991), *'Aridatu al-Aḥwaṣi bi Syarh Ṣaḥīḥ al-Tirmiṣi* (Abu Bakr ibn al-'Arabī, n.d.), *Kitāb al-Qabas fi Syarh Muwaṭṭa' Mālik ibn Anas* (Abu Bakr ibn al-'Arabī, 1992), *al-Nāsikh wa al-Mansūkh fi al-Qur'ān al-Karīm* (Al-'Arabī, 1992), *al-Masālik 'ala Muwaṭṭa' Mālik* (Al-'Arabī, 2007), *al-Inṣāf fi Masā'il al-Khilāf* (20 volumes), *A'yānu al-A'yan, al-Maḥṣūl fi Uṣūl al-Fiqh, Kitāb al-Mutakallimīn, Qānūn al-Ta'wīl* (Al-'Arabī, 1986), *Anwār al-Fajr fi Tafsi'r al-Qur'ān, Takblīs al-Takblīs, Maḥja'at al-Mutaḥaqiqīn ila Ma'rifati Gawāmiḍi al-Naḥwīyyīn*. There are many more works of Ibn al-'Arabī that we have not found until now (Al-Dzahabi, 1976: 331).

Al-Qurtubi Lifes and Works

Al-Qurtubi's intellectual journey is nothing but almost similar to the education pursued by Ibn al-'Arabī, both from the material he studied and the areas he explored in search of knowledge (*riḥlah ilmiyyah*), for example, Egypt. Al-Qurṭubī began to learn Arabic such as Arabic poetry and also learned the Qur'an at a young age. Through his high spirit, al-Qurtubi was allowed to study in Egypt. At that time, Egypt had progressed in terms of science and civilization, such as the science of *fiqh, nahwu, qiraat, balaghah*, the science of the Qur'an (*'Ulūm al-Qur'ān*), *hadīth*, and language science. In this city of Egypt, he studied with some of the most renowned scholars, including Ibn al-Juma'ī 'Alī ibn Hibatullah and Ḥasan al-Bakri (Ayazi, 1894: 409).

Al-Qurṭubī was known as a scholar who was *zūbud* in the world and occupied himself with the hereafter (Al-Dzahabi, Juz 2, 1976: 336). At the beginning of the reign of al-Muḥad (people who worship Allah) called the Al-Muwahhidūn Dynasty, according to the author's analysis, Ibn Tumart was the initial founder of this dynasty, and had studied in the East and had views of *zūbud* and reformism. It is possible that at that time, until al-Qurṭubī's lifetime, the attitude of *zūbud* had been widely recognized by the Andalusian people to the point of its application.

In addition, al-Qurṭubī is also an expert in the field of *fiqh* of the Malikī school. To maintain al-Qurṭubī's authority and intellectual stability, it seems that he is neutral by not being too fanatical about the school he adheres to, accepting other schools if he considers them correct, and respecting differences of opinion (Al-Qurtubi, Juz 1, 1964: 10). At this point, it can be understood that al-Qurṭubī has high independence and objectivity regarding his views. This is because, since the beginning of the Al-Muwahhidūn dynasty, the Malikī school has experienced disintegration in its government. Bosworth said that this

dynasty represented a protest against the rigid, conservative, and legalistic Maliki school (C. R. Bosworth, 1993: 52). As mentioned above, during the reign of Ya'qub ibn Yusuf, he attempted to overthrow the Maliki school and encourage the people to adhere to the Qur'an and Hadith (Al-Rumi, 1997: 28-29).

By the end of the ninth century, almost all parts of Andalusia had fallen to the Crusaders. With the fall of Granada to the Crusaders, Muslims flocked to nearby areas as well as Egypt. Among those who migrated were scholars who were saddened by the regret of having to leave Andalusia, which had been in the lap of Islam for hundreds of years, including al-Qurtubi from among the scholars who chose Egypt as a place to migrate after the loss of Andalusia to the Christians (Al-Rumi, 1997: 29).

Some of the areas and cities in Egypt that al-Qurtubi visited in addition to gaining knowledge from Egyptian scholars include Alexandria (Iskandaria) (studied with Abul Abbas al-Qurtubi, Abu Muhammad ibn Rawaj and Abu Muhammad Abdul Mu'ti al-Lakmi), Fayyum (no information on whom he studied with), Manṣūrah (studied with Abu Ali Hasan ibn Muhammad al-Bakri), Cairo (no information on whom he studied with), Alminya (Minyah Bani Khaṣib) a town in the highlands of Egypt near the Nile river. Most of al-Qurtubi's works were composed in this city. It is mentioned by historians that one of the reasons why al-Qurtubi preferred to live in Alminyah was the presence of his teacher, who also lived in this area, Ibn al-Juma'izi (d. 649 AH) (Al-Rumi, 1997: 29). In this city, al-Qurtubi also lived until he died on the night of Monday, 9 Shawwal 671 AH (Al-Adnahwi, 1997: 246-247). Al-Qurtubi had left his earthly duties for good. Many people made a pilgrimage to his meal in Mina, east of the Nile (Al-Dzahabi, Juz 2, 1976: 336; Ayazi, 1894: 409).

Among al-Qurtubi's important works is *Al-Jami' li Abkam al-Qur'an*, the object of this study, *al-Aṣnā fi Syarh Asmā'illah al-Ḥusnā wa Sifātibi* (Al-Qurtubi, 2005), *al-Tiẓkār fi Afḍal al-Aẓkār* (Al-Qurtubi, 1987), *Kitāb al-Taẓkīrah bi Ahwāl al-Mautā wa Umūr al-Ākhirah* (Al-Qurtubi, 2004), *Syarh al-Taqsīm fi al-Ḥadīs al-Nabawī*, *al-I'lām bimā fi Dīn al-Naṣārā min al-Mafāsīd wa al-Aubam wa Iẓhār Maḥāsīn Dīn al-Islām* (Al-Qurtubi, n.d.), and *al-Zuhdu min Kitāb Qaṣrul Hirs bi al-Zuhdi wa al-Qanā'ah* (Al-Qurtubi, 1988).

The Construction of Ibn Al-'Arabi's and Al-Qurtubi's Jurisprudential Interpretation Thought

This research specifically discusses two books of tafsir with fiqh nuances, namely, *Abkam al-Qur'an* by Ibn al-'Arabi and *Al-Jami' li Abkam al-Qur'an* by al-Qurtubi. Each

mufasir has a tendency, characteristic or characteristic in interpreting the Qur'an based on his scientific specialization. This style shows the uniqueness and richness of the dynamics of the development of tafsir in Islamic history. Golziher calls it *mazāhib al-tafsir* (Goldziher, 2015). Al-Farmawi categorizes the interpretation book into several types, including, *tafsir adabi al-ijtima'i*, *tafsir al-fiqhi*, *tafsir al-shufi*, *tafsir al-falsafi*, *tafsir al-'ilmi* and others (Al-Farmawi, 1994: 12; Shihab, 2013: 349-373). The book of tafsir Ibn al-'Arabi and al-Qurtubi can be categorized as *tafsir al-fiqhi*. This can be seen clearly from the title of his tafsir book, "*Abkam al-Qur'an*". More clearly, the author will explain in this chapter the systematics of interpretation, the method of legal deduction and aspects of fanaticism *mazhab*.

Systematization of Ibn al-'Arabi and al-Qurtubi's Interpretation

The preparation of Ibn al-'Arabi and al-Qurtubi *tafsir* has its characteristics and uniqueness. Pragmatically, many of the books of interpretation and hadith-based *fiqh* use the *maudlu'i* (thematic) method. This method is considered more effective and practical in discussing an issue of Islamic law. For example, *Al-Futubat al-Rabbaniyyah fi al-Tafsir al-Maudlu'i li al-Ayat al-Qur'aniyyah* by Al-Husaini Abu Farhah, *Al-Bidayah fi al-Tafsir al-Maudlu'i* by Abdul Hayyi al-Farmawi, *Membumikan al-Qur'an* by M. Quraish Shihab, and others. In contrast to the book of Tafsir Ibn al-'Arabi and al-Qurtubi, who use *tablili* (analytical) method. This method seeks to interpret the Qur'an from various aspects according to the wishes and inclinations of the interpreter. Starting from the linguistic elements, the chronology of the descent of the verse (*asbab al-nuzul*), and others based on the order of the Uthmani Mushaf. (Shihab, 2013: 333).

Broadly speaking, the systematic interpretation of Ibn al-'Arabi and al-Qurtubi includes several stages. *First*, both include the name of the surah. *Second*, Ibn al-'Arabi selects and mentions the number of legal verses to be discussed. For example, in QS. al-Fatihah [1], he mentions five verses of law in the surah (Al-'Arabi, 2003, Vol. I: 5). While al-Qurtubi did not select certain legal verses and interpreted the entire verse of the Qur'an based on the order of the Ustmani Mushaf (Al-Qurtubi, 1964, Vol. I: 337). *Third*, Ibn al-'Arabi interprets the Qur'anic verse in detail and divides it into several problem points. For example, in QS. al-Fatihah [1]: 1, he divides it into two problem points. Each problem point is discussed analytically based on the concept of the *tablili* method. (Al-'Arabi, 2003,

Vol. I: 5). Thus al-Qurtubi also interpreted the Qur'anic verse like Ibn al-'Arabi. It's just that, when he was dealing with a verse considered not to contain legal fiqh issues, he interpreted it analytically without dividing it into several points of the problem. (Al-Qurtubi, 1964, Vol. I: 337).

Although al-Qurtubi is not limited to certain legal verses, his interpretation still tends to discuss legal aspects comprehensively and can be categorized as *tafsir al-fiqh*. Thus, Walid Saleh calls it an encyclopedic interpretation containing various discussion elements other than *fiqh*.

Ibn al-'Arabī and al-Qurṭubī's Method of Legal Deduction

The method of legal deduction - or another term in *usul fiqh* studies *istinbath al-ahkam* - is the main point in studying legal verses. The aim is to find answers to problems that occur in society. Each mufasir has its way of determining legal policy. This is based on an analysis of the source and scientific specialization of a mufasir. The primary sources used by Ibn al-'Arabi and al-Qurtubi are the Qur'an and Hadith. The Qur'an is the main source of interpretation of Qur'anic verses. Because some verses of the Qur'an have a meaning connection with other verses (*al-Qur'an yufassiru ba'dlubu ba'dlan*) (Al-Shalih, 1988: 299). Similarly, the Hadith clarifies the *mutasyabih* verse of the Qur'an. The Qur'an mentions this in QS. Ali Imran [3]: 7.

After analyzing the sources of the text (al-Qur'an and Hadith), Ibn al-'Arabi and al-Qurtubi then rely on and strengthen their interpretative arguments by quoting the narrations of *atsar*, the opinions of their teachers and the opinions of the imams of the madhhab such as Imam Hanafi (d. 150 AH), Imam Malik (d. 179 AH), Imam Shafi'i (d. 204 AH), Imam Hanbali (d. 241 AH), and other imams of the mazhab such as Auza'i. (Al-Muqri, 1968, Vol. III: 230). Scholars call this tafsir book with *tafsir bi al-ma'tsur*, which is loaded with sources of history. Of the various narrations, both are more likely to use the opinion of the Maliki school as the main doctrine in determining the policy of *fiqh* law. One of the sources that characterize the Maliki school is the provision of law based on the deeds of *al-Madimah* experts.

The following illustrates the ruling process by Ibn al-'Arabi and al-Qurtubi. For example, in the discussion of the number of *takbiratulibram* in praying the two holidays (*'id al-fitr* and *'id al-adha*). This discussion is explained in QS. al-Baqarah [2]: 185. Ibn al-'Arabi

discusses this verse into nine problem points. Specifically, the discussion is in the ninth problem point on the phrase "*walitukabbirullaha 'ala ma hadakum*". There are several sources that Ibn al-'Arabī cites when discussing the number of *takbiratulibrām*. Among them, *first*, Ibn al-'Arabī attached a *hadith mutawatir*. *Secondly*, Ibn al-'Arabī attached *ahkām al-salaf min al-sahabi* (information from the salaf scholars). *Thirdly*, Ibn al-'Arabī attached the opinion of *fuqāhā'* (scholars of the *fiqh* schools). After attaching the narrative, including the *qaul al-ṣahābi* and the opinions of *fuqāhā'*, as a result, Ibn al-'Arabī's legal deduction is to choose the *'amal abl al-madīnah* as a suitable source to apply. As his words read:

وَلَكِنْ يَفْضُلُ الْكُلُّ مَا قَدَّمْنَا مِنَ الرُّجُوعِ إِلَى أَعْمَالِ أَهْلِ الْمَدِينَةِ، وَاللَّهُ أَعْلَمُ.

According to Ibn al-'Arabī, the *'amal of al-madīnah* experts is considered to have a high position as a source of evidence and even occupies almost the same as the *sunnah mutawatir* (Al-'Arabī, Juz 1, 2003: 123-125). As he states below:

وَأَمَّا أَنْ يُقَالَ: إِنَّ رَوَايَةَ أَهْلِ الْمَدِينَةِ أَرْجَحُ؛ لِأَجْلِ أَهْلِهَا بِالْمَدِينِ أَعَدُّ فَإِنَّهُمْ شَاهِدُوهَا، فَصَارَ نَقْلُهُمْ كَالْتَوَاتُرِ هُنَا.

While al-Qurṭubī, in his tafsir, does not discuss this at all (Al-Qurṭubī, Juz 3, 1964: 174). However, the author finds another example related to al-Qurṭubī's interpretation that uses the argument of *'amal al-madīnah* experts. In this case, al-Qurṭubī interprets QS. Al-Baqārah [2]: 222 regarding the permissibility of having intercourse with a wife when she is pure (no menstrual blood).

On this issue, al-Qurṭubī cites many narrations. However, he emphasizes at the beginning of his interpretation by referring to Imam Mālik and the majority of scholars that it is permissible for a man to have intercourse when his wife is pure from menstruation and has taken a bath, just like a person who has taken a bath for *janaabah*. Likewise, it is not permissible to purify oneself with *tayammum*, as corroborated by the words of Imam Mālik, Imam Shafī'ī, Imam Ṭabarī, Muḥammad ibn Maslamah, the people of Madīnah and others (Al-Qurṭubī, Juz 3, 1964: 487). It seems that al-Qurṭubī tends to agree with the view of the Imam Mālik and *abl al-madīnah*, who say that it is not permissible to have intercourse even if the blood has stopped but the wife has not taken a bath (Al-Qurṭubī, Juz 3, 1964: 488). As he said:

لَا يَجِبُ أَنْ تُوْطَأَ حَتَّى تَغْتَسِلَ، مَعَ مُوَافَقَةِ أَهْلِ الْمَدِينَةِ.

Looking at the description above, it shows that in doing *istinbat al-hukm*, Ibn al-'Arabi and al-Qurtubi cannot be separated from the method commonly used by the Maliki school, namely '*amal ahli al-madinah*'. They rely on the argument of '*amal ahli al-madinah*' and often use other *ijtihadiyyah* arguments, either relying on the opinions of the Malikis or based on his arguments (personal *ijtihad*). For example, when Ibn al-'Arabi encountered the issue of *khilafiyah* regarding the ruling of reciting surah al-Fatihah for a *makmum* (Al-'Arabi, 2003, Vol. I: 10). First, Ibn al-'Arabi includes the opinion of Imam Shafi'i, who says a *makmum* must recite surah al-Fatihah.

Secondly, he includes three of his scholars' opinions, saying, "*wa li'ulama'ina fi dhalik tsalatsatu qanwalin*". According to Ibn al-Qasim, it is permissible for the congregation to recite it in the special *sirr* prayer. According to Ibn Wahab and Ashhab in Kitab Muhammad, it is not obligatory to recite it. According to Muhammad ibn Abdul Hakam, the person may recite it behind the imam and may not recite it because it is Sunnah. Thirdly, from all these opinions, Ibn al-'Arabi gives his personal explanation and argument by saying that it is obligatory for the *mum* to recite it in the *sirr* prayer and forbidden in the *jabr* prayer when hearing the Imam's recitation. However, the person should be silent and listen to the Imam's recitation. If he does not hear the Imam's recitation due to the far *shaf* (row of prayer), then it is permissible to recite it as in the *sirr* prayer. (Al-'Arabi, 2003, Vol. 1: 10).

Thus, al-Qurtubi's discussion of this matter also includes a wide variety of narrations from scholars and the imams of the *madhhab* so that readers or researchers will feel confused in finding al-Qurtubi's arguments in determining the law. Of the many narrations quoted by al-Qurtubi, the author did not find an expression of al-Qurtubi's partiality to certain narrations specifically. However, the author found one expression of al-Qurtubi who agreed with the opinion of Imam Shafi'i, Imam Ahmad and Imam Malik about the obligation to recite surah al-Fatihah in prayer. (Al-Qurtubi, 1964, Vol. I: 183). As he said below:

التَّاسِعَةُ: الصَّحِيحُ مِنْ هَذِهِ الْأَقْوَالِ قَوْلُ الشَّافِعِيِّ وَأَحْمَدَ وَمَالِكٍ فِي الْقَوْلِ الْآخِرِ، وَأَنَّ الْفَاتِحَةَ مُتَعَيِّنَةٌ فِي كُلِّ رَكْعَةٍ لِكُلِّ أَحَدٍ عَلَى الْعُمُومِ، لِقَوْلِهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: (لَا صَلَاةَ لِمَنْ لَمْ يَفْرَأْ فِيهَا بِفَاتِحَةِ الْكِتَابِ)، وَقَوْلِهِ: (مَنْ صَلَّى صَلَاةً لَمْ يَفْرَأْ فِيهَا بِأَمِّ الْقُرْآنِ فَهِيَ خِدَاجٌ) ثَلَاثًا. وَقَالَ أَبُو هُرَيْرَةَ: أَمَرَنِي رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنْ أُنَادِيَ أَنَّهُ: (لَا صَلَاةَ إِلَّا بِقِرَاءَةِ فَاتِحَةِ الْكِتَابِ فَمَا زَادَ) أَخْرَجَهُ أَبُو دَاوُدَ.

Based on the author's reading, the books of Tafsir Ibn al-'Arabi and al-Qurtubi have significant differences based on the method of legal deduction and the sources cited by both. In determining a law, Ibn al-'Arabi tends to be firm and not wordy in citing sources of history. In contrast to al-Qurtubi who includes all the history and opinions of the imams of the *mazhab* so that the main point in determining a law becomes blurred. Nevertheless, the advantage of al-Qurtubi's tafsir is a broader and more comprehensive explanation so that readers will get a variety of rich references.

Mazhab Fanaticism

After knowing the method of legal deduction of Ibn al-'Arabī and al-Qurṭubī in his tafsir, this discussion leads to the proof of the *mazhab* adopted by Ibn al-'Arabī and al-Qurṭubī. Does the product of Ibn al-'Arabī and al-Qurṭubī's interpretation tend to defend his school (Malikī) compared to other schools? Even to the point of attacking or marginalizing (cornering) other schools? Or do both of them tend to be neutral in *mazhab*?

Reflecting on some existing studies of Ibn al-'Arabī and al-Qurṭubī's interpretations, such as al-Ḍahabī's *Al-Tafsīr wa al-Mufasssīrūn* (Al-Dzahabi, Juz 2, 1976: 330), *Wawasan Baru Ilmu Tafsir* by Nasruddin Baidan (Nasruddin Baidan, 2011: 418), "Inkonsistensi Mazhab dalam Penafsiran Ayat-ayat Hukum Tafsir al-Qurṭubī" by M. Najib Tsauri (Tsauri, 2020: 67), and many others. In essence, the study explains that Ibn al-'Arabī and al-Qurṭubī were indeed Malikī *mazhab*, which led to the style of interpretation that often referred to the *mazhab* brought by Imam Mālik. In addition, according to him, Ibn al-'Arabī and al-Qurṭubī also accept other *mazhabs* if they are correct and valid. The author finds al-Ḍahabī's explanation in his work *Al-Tafsīr wa al-Mufasssīrūn*, which says that al-Qurṭubī tends to be neutral (abandoning bigotry towards the *mazhab* he adheres to) in interpreting legal verses (Al-Dzahabi, Juz 2, 1976: 338). Baidan said the *fiqh* concepts highlighted by al-Qurṭubī seemed neutral, not fanatical to the Maliki school he adhered to, much less to other schools (Nasruddin Baidan, 2011: 418). Al-Ḍahabī explained it in a separate chapter. While al-Ḍahabī did not discuss specifically about Ibn al-'Arabī. It is just that al-Ḍahabī explained that Ibn al-'Arabī was a *mufasssīr* fanatical about his school.

Several expressions show that both of them are fanatical about the Maliki school. Usually, Ibn al-'Arabi and al-Qurtubi say the phrase "*mazhabana*" (Al-'Arabi, 2003, Vol. I: 6; Al-Qurtubi, 1964, Vol. I, 148) and "*ulama'una*" (Al-'Arabi, 2003, Vol. I:10; Al-Qurtubi,

1964, Vol. I, 152). Ibn al-'Arabī and al-Qurṭubī also accept other *mazhabs* if they are considered correct. In addition, on the issue of reciting *āmīn* for the prayer leader. Ibn al-'Arabī disagrees with his school of thought, Imam Mālik, saying that the imam does not have to recite *āmīn*. In this case, Ibn al-'Arabī explicitly states that the imam also recites *āmīn* with *jabr* according to *al-hadith al-mutawatir* (Al-'Arabi, Juz 1, 2003: 13). Likewise, in al-Qurṭubī's interpretation of the problem of fasting, people who eat or drink are in a state of forgetfulness. According to Imam Mālik, whoever eats or drinks while fasting in a state of forgetfulness is obligated to compensate. However, al-Qurṭubī disagrees with his school, Imam Mālik. In response, al-Qurṭubī relies on most scholars (*jumbur al-'ulama'*) and *hadiths* saying that whoever eats or drinks during fasting in forgetfulness is not obliged to compensate (Al-Qurtubi, Juz 3, 1964: 200).

On the other case, regarding al-Ẓahabi's explanation, al-Qurṭubī tends to be more neutral than Ibn al-'Arabī in *mazhab* (Al-Dzahabi, Juz 2, 1976: 338). For instance, al-Qurtubi allows the Imam of the prayer to be a child (not yet pubescent). In Imam Malik's opinion, an Imam of prayer has more knowledge about religion and is mature (Al-Qurtubi, Juz 2, 1964: 37-38). Meanwhile, Ibn al-'Arabi did not discuss it at all. However, Ibn al-'Arabi's interpretation sometimes attacks or marginalizes (cornering) other schools. For example, he does not agree with Imam Syafi'i's opinion on the issue of divorce (Al-'Arabi, Juz 1, 2003: 264; Al-Dzahabi, Juz 2, 1976: 333).

Accepting Ibn al-'Arabī and al-Qurṭubī towards other *mazhabs* shows that both are neutral when facing certain problems. Regarding al-Ẓahabi's explanation, according to the author's understanding, al-Qurṭubī tends to be more neutral than Ibn al-'Arabī in *mazhab*. This is due to two factors. *First* is the socio-political and religious historical factors surrounding him, as the author explained in the previous chapter. In this case, Ibn al-'Arabī lived during the Al-Murābiṭūn Dynasty, which made the Malikī school the state school. It was considered suitable and supportive of the government. On the other hand, the majority of Andalusians preferred the Malikī school over other schools (Al-Muqri, 1968, Vol. III: 230; Cachia, 1977: 64). Meanwhile, al-Qurṭubī appeared approximately 37 years after Ibn al-'Arabī, who at that time was under the rule of the Al-Muwahhidūn Dynasty who rejected the Malikī school, although he failed to do so. Based on my opinion, this will result in tension in the community, including al-Qurṭubī's personality. *Secondly*, al-Qurṭubī's interpretation tends to be broader and more global than Ibn al-'Arabī's, so al-Qurṭubī's bigotry is not apparent due to the many narrations he quotes. Whereas Ibn al-'Arabī's

interpretation tends to be straightforward and concise so that his bigotry towards the Maliki school will be felt.

Malikī Patronage in the Al-Murābiṭūn Dynasty and Ibn al-'Arabī's Conservatism

By the time Islam entered Andalus, the Malikī school of law, imported from North Africa, was already practiced by most Andalusian Muslims. However, the Syrian school of law, which was predominantly practiced by the Syrian Arab military and founded by Awza'ī, was also brought to Andalusia with the help of the Umayyad regime (Al-Rumi, 1997: 27). Likewise, the concepts of the Syāfi'ī school were imported from the East and the Zahiri school from Iraq (Yousef Alexander Casewit, 2014: 28-29). Unfortunately, the Syāfi'ī school of thought lost its appeal, and Malikīsm persisted as the primary religious identity for Andalusian Muslims (Lapidus & Masadi, 2000: 586).

The realization of a Muslim civilization is historical evidence that the Malikī school first received full attention from *Amīr al-Mu'minīn*, Hisham (788-796 CE), by sending scholars (Andalusian scholars from among the *fuqaha*) to study Malikī teachings in Medina. One of the scholars recorded in history as the leader of the group was Yaḥya ibn Yaḥya al-Laiṣī. Many scholars call him an exemplary Imam Malik student in Medina (Cachia, 1977: 64). The beginning of this breakthrough was then launched by the government of the Al-Murābiṭūn Dynasty (1090-1147 CE), led by Yusūf ibn Tasyfīn, by declaring the Malikī school as the official school of the state (Andalusia) (Philip K. Hitti, 2014: 690). They also supported the victory of Sunni Islam and the Malikī school of law in competition with the Shi'īs and Kharijīs (Lapidus & Masadi, 2000: 574-578).

Approximately 15 years ago, the young Ibn al-'Arabī lived under the rule of Muḥammad II al-Mu'tamid (461-484 AH/1069-1091 CE) of the Banu Abbadiyyah in Seville. A few years later, in 1091 CE, Seville was transferred by the rule of the Al-Murābiṭūn Dynasty when Ibn al-'Arabī was 15 years old. One year later, at 16, Ibn al-'Arabī studied outside Andalusia with his father for approximately 10 years (Sa'id A'rab, 1987: 75).

Over the years, caliph after caliph was deposed and succeeded. Thus, Muslim rule in Andalusia survived and continued to expand, science flourished, and judicial law continued to run based on the state administration system (Philip K. Hitti, 2014: 670). Upon his return to his homeland (Seville), the 26-year-old Ibn al-'Arabī had already played an important role in the government of Al-Murābiṭūn (1102 CE) and served as *qādī* (Sa'id A'rab, 1987: 11). The position of *qādī*, also known as *Qadi al-Jama'ah*, was one of the most respected and prestigious positions in the political structure of Andalusia. The caliph ran the judiciary directly and delegated authority to the *qādīs*. A specialized judge adjudicated

such criminal cases and domestic crimes, the *shahib al-syurthab*. Meanwhile, the *shahib al-mazhalim* receives complaints from anyone who feels disappointed with the services of public officials. The punishments usually decided by the courts are fines, suspensions, imprisonment, dismemberment of limbs, and in some special cases such as slander, heresy and apostasy, the death penalty becomes the final punishment. (Philip K. Hitti, 2014: 670). Ibn al-'Arabi was considered an expert in the field of law after undergoing studies in various eastern countries and creating several works on *Uṣūl al-Fiqh* and *Uṣūl al-Din*. Ibn Khaldun mentions in his *Tarikh* that Ibn al-'Arabī was chosen as the official spokesperson in the reign of al-Al-Murābiṭūn. (Yousef Alexander Casewit, 2014: 78).

Some Malikī legal scholars (*fuqaha*) served as the executive with the ruler al-Al-Murābiṭūn, and they delivered legal advice (Lapidus & Masadi, 2000: 574). This was already in place during the reign of Hisham (788-796 CE), who also supported the role of *fuqaha* in constitutional law (Syed Maḥmudunnasir, 2005: 247). For example, in handling criminal cases of theft, the prevailing law in Andalusia is the cutting off of limbs for the thief if it meets the conditions outlined by the legal theory of the Malikī school. This is based on the rulings of the *qāḍīs* adjudicated in the judiciary. Historical records show that the law of limb dismemberment was practiced in Andalusia and adjudicated by *qāḍīs*. Even the caliph intervened in determining the policy of justice. (Philip K. Hitti, 2014: 670). Ibn al-'Arabī, who was the *qāḍī* at the time, explained this clearly in his tafsir (*Abkām al-Qur'an*). For example, in the case of a slave who steals his master's property. In this case, Ibn al-'Arabi ruled that the slave was not subject to the law of cutting based on the consensus of the Companions and the decision of the caliph. (Al-'Arabi, 2003, Vol. II: 110-120). As he said below:

[... وَإِنَّمَا إِذَا سَرَقَ الْعَبْدُ يَسْتَفُطُّ الْقَطْعُ بِإِجْمَاعِ الصَّحَابَةِ وَيَقُولُ الْخَلِيفَةُ ...]

Ibn al-'Arabī does not specify the name of the caliph he refers to. According to the author, there are two possible caliphs, either Yusūf ibn Tasyfīn (1061-1106 CE) or Ali (1106-1143 CE) as the son and successor of Yusūf ibn Tasyfīn.

A few years after the reign of Yusūf ibn Tashfīn, cases of interfaith marriage began to occur. The caliph himself implemented the marriage. After the death of Yusūf ibn Tashfīn, his son Ali continued his father's reign and married a Christian woman. (Karim, 2014: 244). In response to this issue, *qāḍīs* and scholars have differed in their opinions. Some say it is permissible, and some say it is invalid and forbidden. This is because interfaith marriage is prohibited in the Quranic text, as explained in Q.S. al-Baqārah [2]: 221.

The book of Tafsir Ibn al-'Arabi explains that the discussion of interfaith marriage is included in the category of *kehilāfīyah*. There are three opinions regarding this matter: *first*,

the verse explains that it is not permissible to enter into a marriage contract with a *mushrikeen* (female polytheist), whether she is a member of the Book or not, based on the words of Umar ibn Khattab from one of his two narrations. Imam Malik and Imam Shafi'i favored this view that she was a slave girl. *Secondly*, according to Qatadah, the verse explains that it is not permissible to have intercourse with people who do not have the book, whether they are Magi or Arabs. *Thirdly*, the verse is *nasikh* (abrogated) by QS. al-Maidah [5]: 5 (Al-'Arabi, 2003: 217).

Ibn al-'Arabi explains that when referring to the opinion of Imam Abu Hanifah which he learned from his teacher, Abu Bakr Muhammad ibn Ahmad ibn Hasan al-Syashi, said that it is permissible to marry a slave girl of the People of the Book. This is because the verse (read: QS. al-Baqarah [2]: 221) indicates choice, not prohibition. (Al-'Arabi, 2003: 218). Answering this issue, Ibn al-'Arabi, as a qadi, provides three points of view. *First*, the verse indicates the permissibility of choosing between two contradictory things in language and the Qur'an. *Second*, what is meant by "*wala'abdun mukminun kbairun min musyrikin*" is that a polytheist man cannot marry a believing woman. Likewise, a Muslim man cannot marry a polytheist woman. *Thirdly*, what is meant by "*walaamatun*" does not mean owned slaves, but all human beings, both men and women. All human beings are servants of Allah, including female slaves. This is based on the opinion of a *qadi* from Bashrah, Abu al-Abbas al-Jurjani. (Al-'Arabi, 2003: 218).

According to Ibn al-'Arabi, by nature, all disbelievers are polytheists. As Ibn Umar explained, he did not like to marry Jews and Christians. When viewed in terms of the *lafazah* indicates '*um* (general), namely all polytheists and becomes specific as explained in surah an-Nisa'. Then, when viewed in terms of '*urf* (tradition), it shows that what is meant by the phrase "*al-musyrik*" is a person who does not have a book either from among the Magi or idolaters from among the Arabs. (Al-'Arabi, 2003: 219).

There are two possible answers from all of Ibn al-'Arabi's explanations in his *tafsir*. It is permissible to practice interfaith marriage based on the opinion of Imam Hanafi. Implicitly, it is possible that it is not recommended to marry a Muslim woman to a polytheist man because it is feared that her disbelief will carry her away. (Al-'Arabi, 2003: 219).

In the Andalusian context that emphasized tolerance at the time, there was almost no difference between Muslims and non-Muslims. Many non-Muslims have followed the traditions of Muslims or assimilation, both from the way of dressing and even external Islamic traditions such as circumcision (*kebitan*) (Lapidus & Masadi, 2000: 574). So, it is not surprising that the issue of interfaith marriage is common and even applied by Caliph Ali.

Nevertheless, the caliph's marriage created contradictions among the Andalusian Muslim community, causing sympathy for the caliph to decline. Not only the caliph but the policy of the *fuqaha* also received a negative response from some Andalusian Muslim scholars who embraced the Sufism movement. Before the entry of the Al-Muwahhidūn dynasty, a Sufism movement had emerged, although it was still spread in tacit opposition. This is how Yousef argues:

“The 6/12 century Andalusian mystical tradition was developed under the political shadow of the powerful qadis and was in constant intellectual dialogue with Malikīsm.” (Yousef Alexander Casewit, 2014: 72).

One of these events led to an important tragedy in the early twelfth century. The explosion of religious fanaticism was encouraged by Caliph Ali (1106-1143 CE), the son and successor of Yusūf ibn Tashfīn. He made it a policy to blacklist Sufism, including the works of al-Gazālī (d. 478 AH/1085 CE), or to burn them in Spain and Morocco because some of his views were considered insulting to the *fuqaha* (Philip K. Hitti, 2014: 690). The incident led to the fatwa that the *fuqaha* forbade Muslim theology and opposed Sufism (Lapidus & Masadi, 2000: 574). Thus, Ibn al-'Arabī supports this. On one occasion, he even denigrated Abu Hamid al-Gazali, who was known as a Sufi scholar from Persia. (Al-'Arabī, 2003, Vol. II: 338).

Through his background, Yousef mentions that when Ibn al-'Arabī studied with Turtushi al-Andalus (d. 520 AH/1126 CE) in Jerusalem, he also campaigned against Ghazali's work. He almost disapproved of one of his works on history, *al-'Awāsim min al-Qawāsim*. Ibn al-'Arabī met and studied with Abu Hamid al-Gazālī in 490 AH/1097 CE in Iraq and studied for several months at the age of 21 (Yousef Alexander Casewit, 2014: 78).

Malikī Declination in Al-Muwahhidūn Dynasty and Ethical/Moral Dimension in Tafsir al-Qurṭubī

By the middle of the twelfth century, the rule of al-Al-Murābiṭūn was beginning to be undermined. The Berber government experienced internal conflicts, such as local hostility and rebellion. At that time, the Sufis headed several rebellions in Silves and Niebla (Lapidus & Masadi, 2000: 590). Abdul Karim says that one of the causes of the dynasty's decline was the marriage of Ali (son of Yusūf ibn Tasyfīn) to a Christian woman, which led to a decline in the trust of Andalusian Muslims in the caliph (Karim, 2014: 244).

Several Muslim sultanates in Spain reject its authority. A new religious movement in southern Morocco denied his legitimacy. The movement, Al-Muwahhidūn, was founded by Ibn Tumart and promoted moral reform. Exposing the supremacy of the Qur'an and Hadith, he refused to recognize the authority of the schools of *fiqh* (Lapidus & Masadi, 2000: 576). Bosworth says this dynasty represented a protest against the rigid, conservative, and legalistic Maliki school (C. R. Bosworth, 1993: 52).

The movement gained momentum after it conquered Morocco and made it its capital. It was later disseminated in Andalus after the defeat of the Al-Murabiṭūn Dynasty in 1147 CE by Abd al-Mu'min as the successor of Ibn Tumart (1130-1163 CE). After he died in 1163, Abd al-Mu'min was succeeded by Abu Ya'qūb Yusūf I (1163-1184 CE), followed by his son, Abu Yusūf Ya'qūb al-Manṣūr (1184-1199 CE), who moved the capital to Seville in 1170 CE (Philip K. Hitti, 2014: 697).

The Al-Muwahhidūn dynasty supported the development of sciences, such as medicine, astronomy, mathematics, architecture, agriculture, jurisprudence, and philosophy. Therefore, several scholars emerged, including Ibn Tufail and Ibn Rushd. Both are recognized as the first great leaders of Al-Muwahhidūn's philosophical thought in Andalus. In his career, Ibn Tufail served as a physician and was appointed *qāḍī* as well as vizier of Caliph Abu Ya'qūb Yusūf I (1163-1184 CE). (Siddiqi, 1989: 173-174) Ibn Rushd served as a physician and was appointed *qāḍī* during the time of Abu Yusūf Ya'qūb al-Manṣūr (1184-1199 CE) (Raghib As-Sirjani, 2013: 710). In my view, the appointment of Ibn Tufail and Ibn Ruysd as *qāḍī* shows the caliph's interest in gaining support for the teachings brought by Ibn Tumart.

This became clear during the reign of Abu Ya'qūb Yusūf I, who threatened the existence of the Maliki school of thought, which also led to the *fuqaha'*. Caliph Ya'qub tried to dethrone the Maliki school and invited the people to adhere to the Qur'an and Hadith. In fact, because of his hatred of the Maliki school, he ordered the burning of the books of *fiqh* with the Maliki school (Al-Rumi, 1997: 28). Much earlier, this happened during Hakam I 796-822 CE (son and successor of Hisham I) by massacring the *fuqaha* (Imamuddin, 1969: 80-82).

These events began to subside during the reign of Abu Yusūf Ya'qūb al-Manṣūr (1184-1199 CE). During his reign, al-Manṣūr was tolerant of the traditions that were

already prevalent in Andalusian society. Thus, some alternative expressions of Islam, including those of the Malikiyah jurists, saint worship, and popular shrines, continued to be allowed (Lapidus & Masadi, 2000). Nonetheless, the caliph continued to support the development of classical philosophy that relied on Ibn Rushd, who was placed in the ranks of the *falāsifah* (Islamic philosophers). Previously, Sufism had also developed in Almeria, and there was even a special school for Sufism. Two figures among them, Abu al-Abbas ibn al-'Arif (1088-1141 CE) and Ibn 'Arabi's (d. 638 AH), were famous as the greatest Muslim Metaphysical Sufi in Andalus, even the whole world (Yousef Alexander Casewit, 2014). Ibn Rushd, however, differed from other philosophers because he participated in public life, not as an advisor to the king but as a *faqih* who was in contact with daily realities (Urvooy, 2003).

One of Ibn Rushd's prominence at the end of Andalusia, thus influencing the thinking of al-Qurṭubī who lived a few years after his death (Al-Qurtubi, Juz 1, 2004: 19-20). Even in his *tafsir*, he refers to Ibn Rushd's opinion. For example, in discussing the meaning of faith as he says below (Al-Qurtubi, 1964, Vol. IX: 399):

قَالَ ابْنُ رُشْدٍ فِي مُقَدِّمَاتِهِ: وَلَيْسَ هَذَا بِالْبَيِّنِ، لِأَنَّ الْإِيمَانَ يَصِحُّ بِالْيَقِينِ الَّذِي قَدْ يَخْضُلُ لِمَنْ هَدَاهُ اللَّهُ بِالتَّقْلِيدِ، وَبِأَوَّلِ وَهْلَةٍ مِنَ الْإِعْتِبَارِ بِمَا أَرَشَدَ اللَّهُ إِلَى الْإِعْتِبَارِ بِهِ فِي غَيْرِ مَا آيَةٍ.

According to al-Ṣadiq ibn Muḥammad ibn Ibrahim, three religious sciences developed at the time of al-Qurṭubī, namely Ash'ari theology brought by Ibn Tumart as the founder of this dynasty, the tradition of teaching the science of *fiqh* Maliki and the science of philosophy and theology which Ibn Rushd popularized (Al-Qurtubi, 2004: 19-20).

This scientific tradition made al-Qurtubi give full attention to the science that developed then. These include the science of ethics, manners or morals, mysticism (*tasawwuf*), and many more. One movement that is quite influential in this science is the emergence of Sufism scholars named Muhyi al-Din Ibn 'Arabi. (Addas, 1993). These aspects are then used as an approach in the book of Tafsir al-Qurtubi. For example, he discusses the virtues of reading the Qur'an, the ethics of reading the Qur'an, and warnings for people who are experts in the Qur'an and experts in knowledge to keep from being jealous of others. (Al-Qurtubi, 1964, Vol. I: 9-32). Another example is the explanation of

the ruling on the permissibility of writing the *basmalah* at the beginning of the beginning of books and attachments to letters (Al-Qurtubi, 1964, Vol. 1: 150). This shows one of the characteristics of the ethical or moral aspects contained in the book of Tafsir al-Qurtubi. In addition, al-Qurtubī was also known as a *ḡubud* scholar, which led to some of his works, *al-Tiḡkār fī Afḡal al-Aḡkār* (Al-Qurtubi, 1987) *Kitāb al-Taḡkīrah bi Ahwāl al-Mantā wa Umūr al-Ākhirah*, and one of his works that clearly explains *ḡubud*, *al-Zubdu min Kitāb Qaḡrul Hirs bi al-Zubdi wa al-Qanā'ah* (Al-Qurtubi, 1988).

CONCLUSION

The comparative analysis of Ibn al-'Arabi's *Abkam al-Qur'an* and al-Qurtubi's *Al-Jami' li Abkam al-Qur'an* reveals the profound influence these exegetes exerted on Islamic intellectual thought in al-Andalus during their respective eras. This study yields several significant findings. First, the scholars' distinct social backgrounds significantly shaped their exegetical approaches. Ibn al-'Arabi emerged from an aristocratic milieu—his father served as vizier under the Abbadid dynasty in Seville—and he himself attained the prestigious position of *qadi* in both Seville and Morocco. This privileged background informed his juridical perspective. In contrast, al-Qurtubi's origins in Cordoba's agrarian class, though modest, fostered an intellectual trajectory marked by scholarly dedication and renowned asceticism.

Second, the divergent political contexts of their respective eras fundamentally influenced their interpretive methodologies. Ibn al-'Arabi's scholarly career spanned the late *muluk al-tawa'if* period under the Banu Abbad, witnessed the ascendancy and decline of the Almoravid (al-Murabitun) dynasty, and concluded in the early Almohad (al-Muwahhidun) era. Al-Qurtubi, conversely, worked primarily during the Almohad period, observing its decline and the emergence of the Nasrid (al-Nasriyyah) dynasty. These distinct political contexts manifestly shaped their exegetical approaches: Ibn al-'Arabi developed a conservative methodology characterized by strict adherence to Maliki jurisprudence, while al-Qurtubi adopted a more syncretic approach, integrating theological discourse and Sufi perspectives into his legal interpretations.

Third, the prevailing systems of governance profoundly influenced these scholars' exegetical methodologies. Ibn al-'Arabi's work emerged during the Almoravid dynasty, which institutionalized the Maliki school as the official legal tradition (*madhhab*) while proscribing philosophical and theological discourse. This political framework significantly shaped his exegetical approach, resulting in a jurisprudentially focused interpretation deeply rooted in Maliki principles. Conversely, al-Qurtubi's scholarship flourished under Almohad rule, which actively promoted theological discourse and Sufi thought, leading to an exegesis that integrates comprehensive ethical and spiritual dimensions alongside legal analysis. This comparative study makes a significant contribution to the field by demonstrating how socio-political contexts fundamentally shaped the development of legal exegesis in medieval al-Andalus. The research enriches our understanding of the intricate relationships between Qur'anic interpretation, jurisprudential thought, and Islamic intellectual history. While this study focuses specifically on two preeminent exegetes, future research might productively examine other works of *tafsir* emerging from different political contexts or analyze the influence of various legal schools (*madhhab*) on Qur'anic exegesis across diverse regions of the Islamic world. Such investigations would further illuminate the dynamic evolution of legal exegesis within Islamic intellectual tradition.

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