THE ROLE OF LANGUAGE TO DISSENT BY MUJTAHID IN ESTABLISHING ISLAMIC LAW RELATED TO *ṬAHĀRAH*

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Abstract

This research intended to understand the role of language among ulama mujtahid in establishing Islamic law and be able to understand the semantic identification processfor ulama mujtahid ideas in interpreting Ẓanni Dilālah related to Ṭahārah. The research method used is library research through a qualitative approach outlined by description, comparison, and analysis (objectivity, systematic and universal). Data collection in this research has been direct research of the language's role different opinion of ulama mujtahid in establishing related to Ṭahārah as a formal object of the Bidāyat al-Mujtahid book by Ibnu Rusyd as its the object of material. The result found in this research indicates that the language has the role to the different opinion of ulama mujtahid in establishing Islamic law related to the word Taṭaharna at surah al-Baqarah verse 222, the word Qurū in surah al-Baqarah verse 228, the word Ṣa'īd in surah al-Ma'idah verse 6, the word al-lams in surah al-Ma'idah verse 6, Aydiyaku's phrase or al-Yad's and the word ilā at prepositional phrase Aydiyakum ilā al-Marāfiq in surah al-Ma'idah verse 6, the word Ba at prepositional phrase Biru'ūsikum in surah al-Ma'idah verse 6, the word ilā and al-Ka'bain at prepositional phrase ilā al-Ka'bain in surah al-Ma'idah verse 6, Ḍamīr Antum in surah al-Ma'idah verse 6, the word aṣ-Ṣalāt in surah an-Nisa verse 43 and Arjul in surah al-Ma'idah verse 6.

Keyword: Language Role, Ulama Mujtahid, Ṭahārah

Abstrak

Penelitian ini bertujuan untuk mengetahui peranan bahasa di kalangan ulama mujtahid dalam menetapkan hukum Islam dan mengetahui proses identifikasi semantik terhadap perbedaan pendapat ulama mujtahid dalam menafsirkan ayat-ayat *ẓanni dilālah* terkait *ṭahārah*. Metode penelitian yang digunakan adalah penelitian kepustakaan (*Library Research*) melalui pendekatan kualitatif yang disusun secara deskripsi, komparasi, dan analisis (objektifitas, sistematis, dan universal). Pengumpulan data dalam penelitian ini merupakan penelaan langsung peranan bahasa terhadap perbedaan pendapat ulama mujtahid dalam menetapkan hukum Islam terkait *ṭahārah* sebagai objek formal dalam kitab *Bidāyat al-Mujtahid* karya Ibnu Rusyd sebagai objek materialnya. Hasil yang didapatkan dalam penelitian ini, menunjukkan bahwa terdapat peranan bahasa terhadap perbedaan pendapat ulama mujtahid dalam menetapkan hukum Islam terkait *ṭahārah* pada kata *taṭahharna* terdapat dalam surat al-Baqarah ayat 222, kata *qurū* dalam surat al-Baqarah ayat 228, kata *ṣa'īd* dalam surat al-Ma'idah ayat 6, kata *al-lamsu* dalam surat al-Ma`idah ayat 6, frasa *aydiyakum* atau kata *al-yad* dan huruf *ilā* pada frasa preposisi *aydiyakum ilā al-marāfiq* dalam surat al-Ma'idah ayat 6, huruf *ba* pada preposisi *biru'ūsikum* dalam surat al-Ma'idah ayat 6, huruf *ilā* dan kata *al-ka'bain* pada preposisi *ilā al-ka'bain* dalam surat al-Ma'idah ayat 6, *ḍamīr antum*

dalam surat al-Ma'idah ayat 6, kata *aṣ-ṣalāt* dalam surat an-Nisa ayat 43 dan kata *arjul* dalam surat al-Ma'idah ayat 6.

Kata kunci: Peranan bahasa, Ulama mujtahid, *Ṭahārah*

INTRODUCTION

The Quran language is designed by Allah Swt which has already been made so that it can be accepted by the human mind. But there is still need to be an examination to avoid misunderstanding interpretation of the Quran, one way to use a language approach is the Arabic language.[1] Umar mentions part of linguistic discipline to understand the signification of the Quran is semantic or '*ilm dilālah.*[2]

Ulama mujtahid needed to interpret the Quran for the application in life. Interpreting the Quran language is a very significant role comprehension. Because the meaning words of the Quran have been cleared or *qaṭ'ī dilālah* means be able to conform to ulama mujtahid opinions in interpreting the Quran. But the Quran also uses a lot of words which carry uncertain meaning or more of the meaning (*ẓanni dilālah*) which results in disagreement ulama mujtahid against the meaning of word found in the Quran.[3]

The research is only focused on linguistic perspectives that gave a role in ulama mujtahid differences where the difference in meaning in a word also has an effect in establishing islamic law.[4] Because the research is concerning the other factor has already been intense to do is like mujtahid opinion difference caused by *ta'āruḍ al-aḍillah* and accordance the *ṭahārah* is only representative memorized the role of language in mujtahid. As an example in Allah says

$$...وَلَا تَقْرَبُوهُنَّ حَتَّىٰ يَطْهُرْنَ فَإِذَا تَطَهَّرْنَ فَأْتُوهُنَّ مِنْ حَيْثُ أَمَرَكُمُ اللهُ ... [البقرة : 222]$$

"And they ask you about menstruation. Say, "it is harm, so keep away from wives during menstruation. And do not approach them until they are pure. And when they have purified themselves, then come to them from where Allah has ordained for you. Indeed, Allah loves those who are constantly repentant and loves those who purify themselves".

The word *taṭahharna* in that verse is *fi'il māḍi jama' mu'annaṡ*, derivation of the word *ṭahura.* In the word, *taṭahharna* has an additional letter of *ta* and with the same letter of its *'ain*

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[1] Baiq Raudatussolihah, 'Analisis Linguistik Dalam Al-Qur'an (Studi Semantik Terhadap QS al-'Alaq)', *Diss. Universitas Islam Negeri Alauddin Makassar*, 2016.

[2] Sahkholid Nasution, 'Pengantar Linguistik Bahasa Arab', 2017.

[3] Kadar Yusuf, 'Pengaruh Bahasa Terhadap Perbedaan Pendapat Para Imam Mujtahid Dalam Menafsirkan Ayat-Ayat Hukum' 36.1 (2016).

[4] Iswah Adriana, 'Implikasi Ambiguitas Teks-Teks Al-Quran Dalam Istinbâth Hukum Islam', *AL-IHKAM: Jurnal Hukum & Pranata Sosial* 7.2 (2014): 201–16.

fi'il is letter of *ha* (*wazan tafa''ala*) which between the wazan functions is *muṭawa'ah* and *takalluf*. Literally, the meaning of *ṭahura* is purified and *taṭahharna* is they were purified.

The purify intent in the verse is still ambiguous or confusing, there is double meaning from a different grammatical interpretation. So, the word *taṭahharna* is categorized as the mean relation ambiguity and the type of grammatical meaning (there is a grammatical process, reduplication, a sense of synchronicity or composition).[5] What does *taṭahharna* mean? whether during a period of menstrual blood and then washing *al-maḥīḍ* (menstruation occurs) can instantly be raped or have to take a bath first after finished menstruation can be intercourse?

The jumhur ulama claims that *ṣīgat tafa'ul* the same of *wazan* with *taṭahharna* is only devoted to incriminating practice. So, it was clear that the women who had been severed in blood could be raped when they had bathed. Because the meaning of bathing after the breakup of menstrual blood (*inqiṭā` dām al-ḥayḍ*) is more burdensome to women than the meaning of menstruation (*inqiṭā` dām al-ḥayḍ*) she then washes (*al-maḥīḍ*) and is instantly intercourse. Therefore, the word *yaṭhurna* has a different signification than the word *taṭahharna*. The word *yaṭhurna* means stopped of menstrual blood (*inqiṭā` dām al-ḥayḍ*), while *taṭahharna* means (*igtasalna)* they had bathed.

The opinion of Imam Abu Hanifah is that the word *yaṭhurna* and *taṭahharna* have the same meaning of menstrual blood. But, the word *taṭahharna* was accompanied by washing (*al-maḥīḍ)* the place of its menstrual flow. The last of the opinion is its same substance as with jumhur ulama opinion but it has a different point of view. These ulama is interpreting of verse on the word *yaṭhurna* means stopped of menstrual blood (*inqiṭā` dām al-ḥayḍ*), but the word *taṭahharna* means (*igtasalna)* they had bathed and they consider that verse to be majaz. Because the verse is not immediately understood if it is not explored.[6] So they assume that the word is *yataṭahharna* becomes:

وَلَا تَقْرَبُوْهُنَّ حَتىٰ يَطْهُرْنَ ويَتَطَهَّرْنَ فَإِذَا تَطَهَّرْنَ فَأْتُوْهُنَّ مِنْ حَيْثُ أَمَرَكُمُ اللهُ

"And keep you away from them until the blood vessel stops flowing then they bathed. And if they have bathed after blood are out, then you must be pared of them according to the decree of Allah"

The conclusion is that language was crucial to the influence of ulama mujtahid in establishing Islamic law. Therefore, this research was important to recognize the ulama mujtahid role in establishing Islamic law and to know the process of identification verses *ẓanni dilālah*

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[5] Abdul Chaer, *Linguistik Umum* (Jakarta: Rineka Cipta, 2014).
[6] Ibnu Rusyd, *Bidâyatu Al-Mujtahid 'Wa Nihâyatu al-Muqtasid*, ke-4 (Lebanon: Dar al-Kutub al-Ilmiyah, 2009).

related to *ṭahārah*.[7] It was common among ulama mujtahid. Because in fiqh, ijtihad ulama of genesis simply forms *ẓanni* would not be able to get to *qaṭ'ī* degree.[8]

The research was facilitated by understanding the problems of ulama mujtahid in interpreting Quran verses especially the word that it has more than one meaning (*ẓanni dilālah*) related to *ṭahārah*. In terms of language, it must be analyzed with the semantic approach of both *significant* and *signifies*. So identify types and placements of meaning that languages are polysemy, hyponymy, hominem, and ambiguity. And related to the kind of meaning that is, are literally grammatical, and contextual meanings.

The conclusion from those research that the researches are only identified and analyzed of polysemy, homonymy, or ambiguity in the Qur'an, but are not discussed yet that the language can be affected the opinion of ulama mujtahid in establishing Islamic law. So the research seems the language can be affected by the different opinions of ulama mujtahid in establishing Islamic law needs to do that the issues are clearly of the different opinion in establishing Islamic law from the language perspective.

The most moving issues in this research is : 1) What about the role of language among ulama mujtahid in establishing Islamic law? 2) How does the process of semantic identification of different opinion of ulama mujtahid in interpreting verses *ẓanni dilālah* related to *ṭahārah ?* Based on the issues that have been laid out, this purpose of research are to understand the role of language among ulama mujtahid in establishing Islamic law and to identify of different opinion of ulama mujtahid in interpreting verses *ẓanni dilālah* related to *ṭahārah*.

METHOD

The research method used is library research through a qualitative approach outlined by description, comparison, and analysis (objectivity, systematic and universal). Data collection in this research has been direct research of the language's role different opinion of ulama mujtahid in establishing related to *Ṭahārah* as formal object of the Bidāyat al-Mujtahid book by Ibnu Rusyd as its the object of material.

Based on research carried out and its object of research is like books related to tittle of research so this research is including the library research in describing, analyzing, identifying the signification related to established Islamic law in the *Bidāyah al-Mujtahid* book by Ibnu Rusyd and the *Lisān al-'Arabi* dictionary by Ibnu al-Mandzur. The research does used secondary data are literatures that relevancy to this research.

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[7] Iyyad 'Abdul Hamîd, "Umûm al-Musytarok Wa Atsaruhu Fî al-Ihktilâfi al-Fiqhî', 2012.

[8] Rahmat Syafe'i, *Ilmi Ushul Fiqih* (Bandung: Pustaka Setia, 2010).

The approach of method that used in this research is multydisipliner approach. Because in the analyzing of the different opinion ulama mujatahid in interpreting verses *ẓanni dilālah* related to *ṭahārah* from semantic aspect is not only one comprehension of knowledge but to compared with some condition and the different comprehension of knowledge.

THE RESULTS AND DISCUSSIONS

Significant Analysis Related to The Verses of *Ṭahārah*

1. The word in *taṭahharna* surah al-Baqarah verse 222

The significant linguistic of <*taṭahharna*> in surah al-Baqarah verse 222 consists of the *signifian* from the */t/a/ṭ/a/h/h/a/r/n/a/* phoneme. The word *taṭahharna* in this verse is the *fi'il māḍi jama' mu'annaṡ* from the word *ṭahura*. In the word, *taṭahharna* has an additional letter of *ta* and with the same letter of its *'ain fi'il* is letter of *ha* (*wazan tafa''ala*) which between the wazan functions is *muṭawa'ah* and *takalluf*. Literally, *ṭahura* means pure, clean its opposite of menstruation (*naqīḍ al-ḥaiḍ*) and its opponent of impure (*naqīḍ an-najāsah*).[9]

Taṭahharna means they are pure. But the meaning of pure (*taṭahharna*) in this verse is still ambiguous so that the word *taṭahharna* can be categorized into the relation of ambiguity and grammatical meaning. Whether ambiguous in term of the cessation of menstrual blood (*inqiṭā` dām al-ḥayḍ*) then wash *al-maḥīḍ* the place of menstrual discharge can be pared directly or the sense of bathing first after stopped of menstrual (*inqiṭā` dām al-ḥayḍ*)?.

2. The *qurū'* in surah al-Baqarah verse 228

The significant linguistic of <*qurū'*> in the surah al-Baqarah verse 228 consists of the *signifian* from the */q/u/r/ū'/* phoneme. Etymologically, *qurū'* means time, menstruation, pure of menstruation.[10] Ulama mujtahid differ on the meaning of the word *qurū'*. Because in the Arabic language, the word *qurū'* is the polysemic word (*musytarāk*).[11] So it can be categorized that the relation of polysemic and lexical meaning types. In the context of this verse, it said that *qurū'* means pure, while others said menstruation. The word *qurū'* is plural of *al-qur'u* or *aqrā'*.

3. The word *ṣa'īd* in surah al-Ma'idah verse 6

The significant linguistic of <*ṣa'īd*> in surah al-Ma'idah verse 6 consists of the *signifian* from the */ṣ/a/'ī/d/* phoneme. Etymologically, the word *ṣa'īd* from *ṣa'ada*. The basic meaning of *ṣa'īd* means dust, road, something that appears on the surface of the earth,

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[9] Ibnu Mandzûr, *Lisân Al-Arab* (Kairo: Dar al-Hadits, 2013).
[10] Mandzûr.
[11] Nurlaila Nurlaila, 'Pendekatan Linguistik Dalam Pengkajian Sumber Hukum Islam', *JURIS (Jurnal Ilmiah Syariah)* 14.2 (2016): 197–206.

somebody said it is except for sand and swampy areas, then somebody said that ṣaʿīd is pure dust.[12] The word ṣaʿīd is the polysemic word (musytarāk).[13] So it can be categorized that the relation of the meaning of the polysemic and lexical meaning types.[14]

4. **The word *al-lamsu* in the surah al-Ma'idah verse 6**

The significant linguistic of <*al-lamsu*> in surah al-Ma'idah verse 6 consists of the *signifian* from the /l/a/m/s/u/ phoneme. The word *lāmasa* in the above verse is *fiʿil māḍi*, which comes from the word *lamsun*. The word *lāmasa* whose *fiʿil māḍi* has four letters with the *wazan fāʿala* there is an additional letter *alif* which among the functions of the *wazan* is *musyārakah baina iṣnaini*, *takkṣīr* and *taʿdiyah*

Etymologically, the word *al-lamsu* is touching, grope, seeks. Some specialize in touch with their hands. The word *al-lamsu* means *kināyah* of *jimā'*. In context to this verse, Ibnu Umar and Ibnu Mas'ud *raḍia Allahu 'anhumā* friends interpreted it by kissing and touching. While Ibnu abbas and abu amr *raḍia Allahu 'anhumā* interpreted *jimā'*. So, the word *al-lamsu* is the polysemy word (*musytarāk)* and it can be categorized in the relation of the meaning of the polysemic and lexical meaning types.[15]

5. *Aydiyakum* **phrase or the word *al-yad* and *ḥarf ilā* on *aydiyakum ilā al-marāfiq* phrase in surah al-Ma'idah verse 6**

The significant linguistic of <*al-yad*> and <*ilā*> in surah al-Ma'idah verse 6 consists of the *signifian* from the /y/a/d/ phoneme. The letter of *jār ilā* (preposition) and *al-yad*'s word in that verse roled in the interpretation of ulama mujtahid in establishing the law, because it has more than one meaning.

The word *al-yad* and the letter of *ilā* is *isytarāk* in the Arabic language. According to as-Sayyid Ahmad al-Hasyimi that the signification of *ilā* is *lil muṣāhabah/maʿa (*togetherness)*, *'inda* (opinion*), *ḥarf fī* (on/in), include the *afʿāl taʿajjub* and *tafḍīl* such as in the sentence; *mā abgaḍa al-khā'ina ilayya.*[16] So that preposition in the letter of *ilā* and *al-yad*'s word is including the *musytarāk* (polysemy) and it can be categorized to relation of polysemy and lexical meaning types.[17]

But in this verse context, that the group of ulama said the word *ilā* means *gāyah*. The other group of ulama said *ilā* means *maʿa*. The word *al-yad* has three significations; first, it is

[12] Mandzûr, *Lisân Al-Arab*.
[13] Saida Gani Berti Arsyad, 'Fenomena Al-Isytirâk al-Lafzî Dalam al-Qur'an', *'A Jamiy Jurnal Bahasa Dan Sastra Arab* 06, No. 1 (June 2017).
[14] Nasution, 'Pengantar Linguistik Bahasa Arab'.
[15] Mandzûr, *Lisân Al-Arab*.
[16] Ahmad al-Hâsimî, *Qawâ'id al-Asâsiyah Lillughah al-Arabiyah* (Beirut: Dar al-Kutub al-'Ilmiyah, 2015).
[17] Siti Aisyah Chalik, 'Analisis Linguistik Dalam Bahasa Arab Al-Qur'an', *Alauddin University Press* 1 (2011): 9.

the only palm. Second, palm and lower arm. The last, palm, lower arm, and upper arm.[18] Abu Ishaq means that the word *al-yad* is palms include fingers.[19]

6. *Ḍamīr antum* in surah al-Ma'idah ayat 6

The significant linguistic of <*antum*> in surah al-Ma'idah verse 6 consists of the *signifian* from the /a/n/t/u/m/ phoneme. The different opinion of ulama mujtahid in interpreting law verses differences in opinions of ulama are also motivated by their differences in determining the return of *isim ḍamīr* in the lafadz لم تجدوا on the verse.

The verse that *isim ḍamīr antum* is plural (*jama' mukhātab*) pronoun directed to junub people, sick people, people on the way, people who are finished defecating (toilet), and people who can contact with woman. In the discussion of the verse, there are two kinds of categories, those with big *hadaṡ* (junub), and those with small *hadaṡ* is namely those who have finished defecating (toilet), those who come in contact with the woman.[20]

Things that are incomprehensible in linguistics are caused by grammatical difference is ambiguity. So it can be categorized that the relation of ambiguity meaning and contextual meaning types. Because *ḍamīr antum* is very related to the previous sentence.

7. The word *aṣ-ṣalāt* for junub person in surah an-Nisa' verse 43

The significant linguistic of <*ṣalāt*> in surah al-Ma'idah verse 6 consists of the *signifian* from the /ṣ/a/l/ā/t/ phoneme. The word *aṣ-ṣalāt* still *Taraddud* between the meaning of majaz and the absolute meaning.[21] In linguistic, somethings that are not exactly understood due to grammatical differences are namely ambiguity. So it can be categorized that the relation of ambiguity meaning and contextual meaning types.[22] Because it is closely related to the context of the verse law of junub people entering the mosque.

8. *Ḥarf ba* on preposition *biru'ūsikum* in surah al-Ma'idah verse 6

The significant linguistic of <*ba*> in surah al-Ma'idah verse 6 consists of the *signifian* from the /b/a/ phoneme. The *Ḥarf ba* means *musytarāk,* the group said *Ḥarf ba* means only *zā'idah.* the other said (from ulama *'ilmu nahw* Kufa). The function of *ḥarf ba* is *tab'īd* (only a part) in this case rubbed a part of the head.[23] In the preposition of *jār ba* is polysemy word

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[18] Mandzûr, *Lisân Al-Arab.*
[19] Ibnu Yusuf as-Syirâzî, *Al-Luma'*, 1st ed. (Kairo: Dar al-Kutub al-Islamiyah, 2011).
[20] Rusyd, *Bidâyatu Al-Mujtahid Wa Nihâyatu al-Muqtasid.*
[21] Rusyd.
[22] Hasriani Hasriani, 'Jenis Makna Dan Relasinya Di Dalam QS Al-An'am Menurut Kitab Safwah al-Tafasir (Suatu Analisis Semantik Leksikal', *Diss. Universitas Islam Negeri Alauddin Makassar*, 2015.
[23] al-Hâsimî, *Qawâ'id al-Asâsiyah Lillughah al-Arabiyah.*

(*musytarāk)* it has more than one meaning and it can be categorized to the relation of polysemy and lexical meaning (the signification on lexeme without any context).[24]

9. The word *arjul* in surah al-Ma'idah verse 6

The significant linguistic of *<arjul>* in surah al-Ma'idah verse 6 consists of the *signifian* from the */a/r/j/u/* phoneme. The word *arjul* is roled on interpreting ulama mujtahid in establishing Islamic law because has two *qirā'ah*. The first, nominating of *ḥarf lam*, *aṭaf* on *wujūh*. Second, reducing of *ḥarf lam*, *aṭaf* on *biru'ūsikum* phrase.[25] In linguistics, something that cannot be understood with certainly (*Taraddud*) due to grammatical differences is ambiguity. So it can be categorized that the relation of ambiguity meaning and contextual meaning types.[26]

10. The word *ilā* and *al-ka'bain* on prepositional phrase *ilā al-ka'bain* in surah al-Ma'idah verse 6

The significant linguistic of *<ilā>* and *<ka'bain>* in surah al-Ma'idah verse 6 consists of the *signifian* from the */i/l/ā/* and */k/a'/b/a/i/n/* phoneme. The word *al-ka'bain* and the letter of *ilā* is *isytarāk* in the Arabic language. According to as-Sayyid Ahmad al-Hasyimi, the signification of letter *ilā* is *lil muṣāhabah/ma'a (*togetherness)*, 'inda* (opinion*), ḥarf fī* (on/in), include the *af'āl ta'ajjub* and *tafḍīl* such as in the sentence; *mā abgaḍa al-khā'ina ilayya* and the sentence of *ad-darsu aḥabbu ilayya min al-lahwi.*[27] So the letter of *jār ilā* and *al-ka'bain's* word that it is polysemy word (*musytarāk)* it has more than one meaning and it can be categorized in the relation of polysemy and lexical meaning.[28]

But in this verse context, that the group of ulama said that *ilā* means *gāyah.* In the other group of ulama said *ilā* means *ma'a.* the word *al-ka'bain* has two significations. First, the meaning is two protruding bones at the tip of the calf (ankle), second, two bones that are in the knot of slipper strap.[29]

Signifies analysis of *ṭahārah* verse

1. The word *taṭahharna* in surah verse 222

[24] Mukhâthariyah dan Nâdiyah, 'Al-Lisânîyât al-'Ammah Wa 'Alâqatuhâ Bi al-Lisânîyât al-Nathîqîyah- Ta'Lîmu al-Lughât Namuzajan', *Diss. Faculté Des Littérature Arabe et Des Arts*, 2017.

[25] Rusyd, *Bidâyatu Al-Mujtahid Wa Nihâyatu al-Muqtasid*.

[26] Raudatussolihah, 'Analisis Linguistik Dalam Al-Qur'an (Studi Semantik Terhadap QS al-'Alaq)'.

[27] al-Hâsimî, *Qawâ'id al-Asâsiyah Lillughah al-Arabiyah*.

[28] Raudatussolihah, 'Analisis Linguistik Dalam Al-Qur'an (Studi Semantik Terhadap QS al-'Alaq)'.

[29] Rusyd, *Bidâyatu Al-Mujtahid Wa Nihâyatu al-Muqtasid*.

The *Signifies* is from the word *taṭahharna,* ulama mujtahid has different an opinion about the problem. Jumhur ulama have an opinion that *sīgat tafa'ul* has the same as wazan *taṭahharna* is only devoted to actions that incriminate the offender so it is clear that the woman who has stopped menstrual blood can be fertilized when they had bathed. Because the meaning of bathing first after stopped of menstrual blood (*inqiṭā` dām al-ḥayḍ*) is more burdensome to the woman than the meaning of cessation of menstrual blood (*inqiṭā` dām al-ḥayḍ*) then washing the vagina (*al-maḥīḍ*) directly intercourse. Therefore, the word *yaṭhurna* has different significations as *taṭahharna.* The meaning of *yaṭhurna* is stopped menstrual blood (*inqiṭā' dām al-ḥayḍ*). And *taṭahharna* means *igtasalna* (they had bathed).

Imam Abu Hanifah has an opinion that *yaṭhurna* has the same meaning as *taṭahharna* is stopped menstrual blood (*inqiṭā` dām al-ḥayḍ*), *taṭahharna* accompanied by washing up the vagina (*al-maḥīḍ*). The last opinion of its substance the same as jumhur ulama opinion but it is a different point of view. This ulama is interpreting the verse, *yaṭhurna* means stopped menstrual blood (*inqiṭā' dām al-ḥayḍ*), and *taṭahharna* means *igtasalna* (they had bathed). They assume that the verse is majaz because the verse cannot be immediately understood if it is not made explicit, they have been argued that the derivation of word in this verse is *yataṭahharna.*[30]

2. **The word *qurū'* in surah al-Baqarah verse 228**

The *signifies* of *qurū'* ulama has different an opinion related to the word *qurū'* because in this context the group said *qurū'* means pure, and the other group said *qurū'* means menstruation. The group of ulama said *qurū'* means pure is: *fuqahā*; imam Malik, imam Syafi'i, imam Abu Tsaur, *ahl al-Hijaz* from Ibnu Umar, Zaid bin Tsabit, Aisyah *raḍia Allahu 'anhum's* friends. And the other group of ulama said *qurū'* means menstruation is: *fuqahā*; Imam Abu hanifah, imam ats-Tsauri, imam Azra'i, *ahlu al-'Iraq* from Ali, Umar bin Khattab, Ibnu Mas'ud *raḍia Allah 'anhum's* friends.

The opinion of group said that *qurū'* pue is: *qurū'* of *al-qur'u* plural it means, especially on the meaning of pure, is not the meaning of menstruation, if the meaning of menstruation from *al-qur'u* plural is *aqrā'*, it was narrated by Ibnu al-Anbari. They have also the argument that in the verse using the word numbers (*`adad*) like *mu'annaṡ* is *ṡalāṡata qurū'*. So its *ma'dūd* must *muzakkar (masculine)* is the pure (*al-ṭahru*) not *al-ḥayḍah* because *al-ḥayḍah* is *mu'annaṡ*. If the meaning of *qurū'* in this verse is menstruation so the

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[30] Rusyd.

pronunciation is *ṡalāṡa qurū'* not *ṡalāṡata qurū'*. Because *ṡalāṡa* is *'adad* masculine so its *ma'dūd* is *mu'annaṡ* of the *al-ḥayḍah*.

The opinion of the group said that *al-qur'u* means menstruation. The more suitable meaning of *al-qur'u* is menstruation because the calculation of the woman who is divorced in a pure condition is more suitable when the woman enters the first menstrual period from the moment she is divorced. The different meaning of *al-qur'u* is pure consequence will exceed the moment *ṡalāṡata qurū'* because the first menstruation since the woman divorced not calculate but when the start she entered the moment of pure after the first menstruation period when she is divorced by her husband.[31]

3. **The word *ṣa'īd* in surah al-Ma'idah verse 6**

Ulama mujtahid is only agreed on the ability to use tayammum containing dust, but they have differences in opinion about *signifie* of the word *ṣa'īd,* namely the ability to tayammum using something that is on the surface of the earth including dust, sand, stone, limestone, and the others.

Mazhab Syafi'i said that cannot tayammum except with pure dust, mazhab Maliki said that can tayammum use something that is on the surface of the earth including gravel, ground, and sand. The derivate of stone is limestone, warangan, marble, and ground. Imam Ahmad bin Hanbal added the permissibility of tayammum by using dust from his clothes. Jumhur ulama said that the permissibility of using all the land is on the surface of the earth.[32]

4. **The word *al-lamsu* in surah al-Ma'idah verse 6**

The *signifies* of *al-lamsu* ulama mujtahid has different an opinion related to *wudhu'* obligation for men who touch women who are not mahram including their wives. Because the interpretation of the word *al-lamsu* in surah al-Ma'idah verse 6 is different. What is meant by touching (contact between the opposite sex)? Or what is meant is intercourse?. Mazhab Maliki said that wudhu obligation is only for men who touch women who are not mahram and accompanied with lust or not, or it means to get enjoyment (*talażżuż*) either directly or indirectly (*ḥā'il/ġairu ḥā'il*).

Hanafi said that the male and female skin contact does not cancel wudhu absolutely, whether by lust or not, something that requires *wudhu'* is intercourse. Because mahzab Hanafi wants the meaning of majaz in interpreting the word *al-lamsu,* not the intrinsic meaning.[33]

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[31] Rusyd.
[32] Rusyd.
[33] Rusyd.

5. *Aydiyakum* **phrase or the word** *al-yad* **and** *ilā* **on prepositional phrase** *aydiyakum ilā al-marāfiq* **in surah al-Ma'idah verse** 6

  Ulama mujtahid agree on the obligation to wash both hands and arms, but they have been different in the opinion on the signifies of *aydiyakum ilā al-marāfiq* phrase, which is to wash both elbows. Jumhur ulama Imam Malik, Imam Syafi'i, Abu hanifah are chosen to clean both elbows. But part of *Ahl az-Ẓāhir* participator is Imam Malik and Imam Thabari said that it is not an obligation to wash both elbows.

  Jumhur ulama, Imam Malik, Imam Syafi'i, Abu hanifah have been the opinion that the signification of the word *ilā* means *ma'a* and they have been the opinion that the word *al-yad* means palms, lower arms, and upper arms. Therefore, they have been the opinion that it is not obligation to wash both elbows. The part of participator *Ahlu az-Ẓāhir*, Imam Malik and Imam Thabari have been the opinion that the signification of the word *ilā* means *gāyah* and they have been the opinion that the word *al-yad* means palms, lower arms except elbows. Therefore, they said that it is not an obligation to wash both elbows.[34]

6. *Ḍamīr antum* **in surah al-Ma'idah verse 6**

  Ulama mujtahid agree with the case of plural pronoun that can replace *ṭaharah* with tayammum are people with small *hadaṡ*. But the problem is they have been different opinions about plural pronoun including those with big *hadaṡ* or not.

  'Umar and Ibn Mas'ud have been the opinions that *ḍamīr antum* in this verse gone back (*'ā'id*) to people who have been only small *hadaṡ*. Because its *ḍamīr antum 'ā'id* more near on the sentence are the people that already have been defecated and touched with the women.'Ali bin Abi Thalib, and *raḍia Allahu 'anhum*'s friends and overall Ulama fiqh have been the opinion that its *ḍamīr antum 'ā'id* is not only gone back to the people that they have been small *hadaṡ* but who have been big *hadaṡ* (junub). They have been assumed that the obligation of tayammum for the people junub or menstruation caused by hadits "*ju'ilat liya al-arḍu masjidan wa ṭahūran*".[35]

7. **The word** *aṣ-ṣalāt* **for the junub people in surah an-Nisa verse 43**

  The different of ulama opinion related to *signifie* from the word *ṣalāt*, how is the law junub if the people enter the mosque?. Imam Syafi'i has been the opinion that the law of the junub people enter the mosque is legal if she is only past inside without stay in. Because according to ulama that the *aṣ-ṣalāt* is majaz so the reduction of the word is *maudi'* (place),

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[34] Rusyd.
[35] Rusyd.

became *maudi' aṣ-ṣolāt* (place of shalat). While they do ilegal the junub people stay in mosque, it is different if somebody is only past inside. Because the next verse has an exception for inhibition near mosque "*illa 'ābirī sabīl*". The junub people are only through inside without stay inside.

Imam Daud az-Zahiri and its *aṣḥab* (who ulama accompanied Imam Daud az-Zahiri) have been opinions that the law of the junub people enter the mosque are legal absolutely (either stay in the mosque or only past). Because they have been assumed the word *aṣ-ṣalāt* is essential without the reduction of the word. The word *aṣ-ṣalāt* in this verse does not mean the mosque but it means shalat, and for the signification of *'ābirī as-sabīl* means musāfir is not founding the water. While she is in junub condition.

Imam Malik and its *aṣḥāb* (who ulama accompanied Imam Mâlik) have been opinions that the opposite with Imam Daud az-Zahiri and its *aṣḥāb*. The law of junub people enter in the mosque is legal absolutely (either stay in the mosque or only past). This something is caused of hadis "*lā ahillu al-masjida lijunubin wa lā ha'idin*".[36]

8. *Ḥarf ba* at *biru'ūsikum* phrase in surah al-Ma'idah verse 6

Ulama mujtahid agree with the case of the obligation to rub the head, but they have been the differences opinions related to *signifie* of the *jār ba*, is related to rub the head. Imam Malik has been an opinion about the obligation to rub over all of the head. Imam Syafi'i, imam Abu hanifah and part of *aṣḥāb* Imam Malik have been opinions that the obligation to rub the head is enough only part of head. While Imam Abu hanifah was explained to rub part of the obligation a quarter of the head.

This difference is caused by *ḥarf ba* means *musytarāk*. Sometimes, somebody said that the *ḥarf ba* is only *zā'idah*. This opinion was chosen by Imam Malik so he has been an opinion that the obligation to rub over all the head. Because the signification of *zā'idah* is only for *taukīd*. Sometimes somebody said that (from ulama 'ilmu nahw Kufa) the function of *ḥarf ba* as *tab'īd* (for part of it) is rubbed part of head. This opinion was chosen by Imam Syafi'i, Imam Abu hanifah and oart of participator *aṣḥāb* Imam Malik. While Imam Abu hanifah was explained the signification of rub the part of head is the obligation a quarter of the head.[37]

9. The word *arjul* in surah al-Ma'idah verse 6

Ulama mujtahid agree with the case that foot including part of wudhu', but they have been difference related to *signifie* from the word *arjul*. in this terms of how to purify of foot,

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[36] Rusyd.
[37] Rusyd.

whether by washing or by rubbing ?. The jumhur ulama have been opinions that how to washing of both when wudhu' is by washing, but some of the ulama said the method related to washing of both when *wudhu'* is washing and rubbing of both. The other some of the ulama said the purify of foot is washing of both.

The difference is caused of the word *arjul* can be read two *qirā'ah*. The first, it can be *naṣab* of *ḥarf lam* to be *arjula*, *aṭaf* on the word *wujūh*. This *Qirā'ah* was chosen by jumhur ulama. Because the word *wujūh* in this verse is purify with the washing method. So, the word *arjul* is purifying with the washing method also.

The second of *Qirā'ah* can be *khafad* of *ḥarf lam* to be *arjuli*, *aṭaf* on *biru'ūsikum* phrase. This *Qirā'ah* was chosen by some of the ulama said the method of washing of foot with the rubbing method of both. Because *biru'ūsikum* phrase in this verse is purifying with the rubbing method. So, the word *arjul* is purifying with the rubbing method also. While some of the ulama said the method of purifying when *wudhu'* is washing and rubbing method of both. They were chosen the second of this *qirā'ah*.[38]

10. *Ḥarf ilā* and *al-ka'bain* at *ilā al-ka'bain* preposition in surah al- Ma'idah verse 6

The ulama mujtahid agree with the case of the obligation to washing of foot. But the have been the difference about *signifie* from the word *jār ilā* (preposition) and the word *al-ka'bain*. The case is related to washing or the rubbing (it depends on choosing with th opinion between washing or rubbing) of the foot (*ka'bain*). Jumhur ulama, Imam Malik, Imam Syafi'i, Abu hanifah was choosing an obligation of washing or rubbing both of the ankles.

Ahlu az-Ẓāhir, and part of participator Imam Malik and imam Thabari said that it is not obligation to washing or rubbing both of the ankles. The other said that this context of verse that the signification of *ilā* means *gāyah*, and the other said that it means *ma'a*. while the word *al-ka'bain* have two significations. The first, two protruding bones at the tip of the calf. The second, two bones that are in the knot of a slipper strap.

The second of the opinion said that the word *al-ka'bain* is two bones that are in the knot of a slipper strap. It does not the different about the washing or the rubbing both of the ankles (*ka'bain*). They were chosen to washing or rubbing both of the ankles (*ka'bain*). Because it is including part of the foot. So, they have not discussed *ilā* that it is *musytarāk*.

The first of opinion are two protruding bones at the tip of the calf according to jumhur ulama, Imam Malik, imam Syafi'i, Abu hanifah. They have been opinions that the

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[38] Rusyd.

signification of *ilā* means *ma'a*. So, the washing or the rubbing both of the ankles (*ka'bain*) is perfection or including of the obligation (the washing of the foot).

    Ahl az-Ẓāhir, part of the participator Imam Malik and Imam Thabari they have an opinions that the signification of *ilā* means *gāyah*. So, the washing or the rubbing both of the ankles (*ka'bain*) is not including of the obligation wudhu' (about the washing of the foot).[39]

CLOSING

    Base on this research, it can be concluded that the role of language in the different opinions of the mujtahid in establishing Islamic law related to in the Quran which is analyzed using semantics is found in:

1. The word *taṭahharna* in surah al-Baqarah verse 222 is the relation of ambiguous and lexical meaning types.

2. The word *qurū'* in surah al-Baqarah verse 228, *ṣa'īd* and *al-lamsu* in surah al-Ma'idah verse 6, *ḥarf ilā* and *aydiyakum* phrase or *al-yad* on prepositional phrase *aydiyakum ilā al-marāfiq* in surah al-Ma'idah verse 6, *ḥarf ba* on prepositional phrase *biru'ūsikum* in surah al-Ma'idah verse 6, *ḥarf ilā* and *al-ka'bain* on prepositional phrase *ilā al-ka'bain* in surah al-Ma'idah verse 6 all of them is the relation of polysemy and lexical meaning types.

3. The referential word *ḍamīr antum* in surah al-Ma'idah verse 6 is the relation of referential and contextual meaning types.

4. The word *aṣ-ṣalāt* (to junub person) in surah an-Nisa' verse 43 and *arjul* in surah al-Ma'idah verse 6 is the relation of ambiguous and contextual meaning types.

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[39] Rusyd.

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