



## **THE CORRELATION OF MUHKAM VERSES WITH NASIKH AND MANSUKH IN ISLAMIC LEGAL DETERMINATION**

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### **Abstract**

This study examines the correlation between muhkam verses and nasikh wal mansukh in determining Islamic legal rulings. Muhkam verses, characterized by their clear and explicit meanings, and nasikh wal mansukh, referring to the abrogation of certain laws within the Qur'an, are foundational concepts in 'ulum al-Qur'an. The research utilizes a qualitative methodology, involving detailed textual analysis of primary Qur'anic verses and secondary scholarly interpretations. The findings reveal that while muhkam verses provide explicit legal instructions, the principles of nasikh wal mansukh allow for the adaptation of these laws in response to changing social and historical contexts. This dynamic interplay ensures that Islamic legal rulings remain relevant and effective across different eras and circumstances. The study highlights the necessity of understanding the conditions and implications of abrogation in Islamic law and underscores the importance of contextual and scholarly engagement in the interpretation and application of Qur'anic teachings. This comprehensive analysis contributes to the broader discourse on the flexibility and timeless applicability of Islamic law, demonstrating its capacity to address contemporary legal challenges without contradicting core religious principles.

**Keywords:** *Muhkam, Nasikh wal Mansukh, Islamic Law, 'Ulum al-Qur'an*

### **Abstrak**

Studi ini mengkaji korelasi antara ayat muhkam dan nasikh wal mansukh dalam penentuan hukum Islam. Ayat muhkam, yang ditandai dengan makna yang jelas dan eksplisit, serta nasikh wal mansukh, yang merujuk pada penghapusan hukum tertentu dalam Al-Qur'an, merupakan konsep dasar dalam 'ulum al-Qur'an. Penelitian ini menggunakan metodologi kualitatif dengan analisis teks yang mendalam terhadap ayat-ayat Al-Qur'an dan interpretasi ilmiah sekunder. Temuan menunjukkan bahwa meskipun ayat-ayat muhkam memberikan instruksi hukum yang eksplisit, prinsip nasikh wal mansukh memungkinkan penyesuaian hukum-hukum ini seiring dengan perubahan konteks sosial dan sejarah. Interaksi dinamis ini memastikan bahwa penetapan hukum Islam tetap relevan dan efektif dalam berbagai era dan kondisi. Studi ini menekankan pentingnya pemahaman tentang syarat dan implikasi abrogasi dalam hukum Islam serta pentingnya keterlibatan kontekstual dan ilmiah dalam interpretasi dan penerapan ajaran Al-Qur'an. Analisis komprehensif ini berkontribusi pada wacana yang lebih luas tentang fleksibilitas dan relevansi abadi hukum Islam, menunjukkan kemampuannya untuk mengatasi tantangan hukum kontemporer tanpa bertentangan dengan prinsip-prinsip agama yang mendasar.

**Kata Kunci:** *Muhkam, Nasikh wal Mansukh, Hukum Islam, 'Ulum al-Qur'an*

## A. Introduction

Muhkam is a study within 'ulum al-Qur'an that has continuously been a topic of discussion among scholars of tafsir. Generally, muhkam refers to verses whose meanings are clear and do not require further explanation. Besides muhkam, there are also mutasyabih verses in the study of the Qur'an. Mutasyabih refers to verses that require additional explanation to be fully understood. These two types of verses have attracted the attention of scholars, who have expressed differing opinions, largely influenced by their personal backgrounds.

According to Ibn Habib An-Naisaburi, as quoted by Rosihon Anwar (2003, p. 119) in his work 'Ulum al-Qur'an, there are several opinions regarding muhkam and mutasyabih verses in the study of 'ulum al-Qur'an. Some argue that all verses of the Qur'an are muhkam, based on the verse in Surah Hud 1, which mean: “(Alif Laam Raa, (This is) a Book, whose verses are perfected (in every sphere of knowledge), and then expounded in detail, from One Who is All-Wise and Well-Acquainted (with all things))”. Another opinion is that all verses of the Qur'an are mutasyabih, based on the verse in Surah Az-Zumar 23, which mean: “Allah has sent down the best statement: a consistent Book wherein is reiteration”. Additionally, some believe that the Qur'an is divided into two parts: muhkam and mutasyabih, based on the verse in Surah Ali 'Imran 7.

In the other hand, Nasakh and Mansukh refer to the abrogation of certain laws within the Qur'an. The term 'naskh' itself means abrogation, annulment (al-izalah or al-'ibthal), transfer (al-naql), alteration (al-ibdal), or substitution (al-tahwil or al-intiqal). There are differences in interpretation between early and later scholars regarding Nasakh and Mansukh. Early scholars (mutaqaddimin) interpret naskh broadly, not only as the termination or abrogation of a newly established law but also as encompassing limitation, specification, and exception. Later scholars (mutaakhirin), however, interpret naskh more narrowly with specific conditions for both the abrogating (nasikh) and the abrogated (mansukh) verses. They define it as “annulling a legal ruling with another legal text that comes later”(Al-Hamdzani, 1982, p. 52; Wafa, 1984, pp. 22–26).

Thus, the later text is called nasakh and the earlier text is called mansukh (the abrogated one). According to Az-Zarqani, as quoted by Moh. Nur Ichwan (2002, p. 108), the abrogation in nasakh involves the discontinuation of the application of the abrogated law to the mukallaf (those accountable under Islamic law) and not the abrogation of the law's substance itself. This implies that all Qur'anic verses remain valid without contradiction; rather, there is a replacement of the law applicable to specific people or communities due to differing circumstances. Consequently, a legal verse that is no longer applicable to a particular community might still apply to others in similar conditions.

The above explanation illustrates that the Qur'an, as the primary authority in Islamic teachings, contains clear and explicit verses known as muhkam. However, over time, the Qur'an also acknowledges the concept of Nasikh and Mansukh. Therefore, an in-depth study is required to establish the correlation between muhkam verses and Nasikh and Mansukh in determining laws. Thus, the objective of this study is to explore the correlation between muhkam verses and Nasikh wal Mansukh in legal determination.

## B. Method

This study employs a qualitative research methodology focusing on detailed textual analysis of the Qur'an and relevant scholarly interpretations to explore the correlation between muhkam verses and nasikh wal mansukh in legal determination. The primary data consists of specific verses from the Qur'an, particularly those related to

muhkam, mutasyabih, and nasikh wal mansukh, including verses from Surah Hud, Surah Az-Zumar, Surah Ali 'Imran, Surah Al-Baqarah, and others. Secondary data encompasses classical and contemporary tafsir literature, scholarly articles, and authoritative texts on 'ulum al-Qur'an, with significant references to works by scholars. The study utilizes content analysis to examine the linguistic and contextual meanings of these verses, investigates the principles and conditions of nasikh and mansukh, and compares different scholarly opinions on their relationship, considering both classical and contemporary viewpoints. The data is organized into themes reflecting definitions and characteristics of muhkam and mutasyabih verses, the principles of nasikh and mansukh, and their interplay in legal determinations. The findings are synthesized to provide a comprehensive understanding of the correlation between muhkam verses and nasikh wal mansukh, highlighting their interaction and influence on Islamic legal rulings, ensuring interpretations remain relevant across different contexts and times. This approach aims to offer a nuanced exploration of the application and understanding of the Qur'an's legal verses within the framework of Islamic jurisprudence, deeply rooted in textual evidence and scholarly interpretation.

## C. Results and Discussion

### 1. Understanding Ayat Muhkam, Mutasyabih, and Nasakh wal Mansukh

#### 1) *Muhkam verse*

Ayat muhkam consists of two words: ayat and muhkam. To provide a comprehensive explanation of ayat muhkam, it can be viewed from two perspectives: form and content. From the perspective of form, ayat muhkam can be found in the study of Ulumul Qur'an. In this study, the term muhkam originates from the word ihkam, which linguistically means firmness, perfection, precision, and prevention (Az-Zarqani, n.d., p. 188; Hasanuddin, 1995, pp. 182-183). Conversely, similarity or resemblance, which usually leads to ambiguity between two things, is referred to as mutasyabih. All the verses of the Qur'an fall into these two categories. This is why scholars say that all verses of the Qur'an are muhkam, based on Allah's words in Surah Hud 2, meaning a book whose verses have been perfected and explained. Some other scholars argue that all verses of the Qur'an are mutasyabih, based on Allah's words in Surah Az-Zumar 23, meaning the Qur'an, which is similar (in its verses) and repeated. There are also some who say that the Qur'an consists of both muhkam and mutasyabih, based on Allah's words in Surah Ali 'Imran 7:

هُوَ الَّذِي أَنْزَلَ عَلَيْكَ الْكِتَابَ مِنْهُ آيَاتٌ مُحْكَمَاتٌ هُنَّ أُمُّ الْكِتَابِ وَأُخَرُ مُتَشَابِهَاتٌ فَأَمَّا الَّذِينَ فِي قُلُوبِهِمْ زَيْغٌ فَيَتَّبِعُونَ مَا تَشَابَهَ مِنْهُ ابْتِغَاءَ الْفِتْنَةِ وَابْتِغَاءَ تَأْوِيلِهِ وَمَا يَعْلَمُ تَأْوِيلَهُ إِلَّا اللَّهُ وَالرَّسُخُونَ فِي الْعِلْمِ يَقُولُونَ آمَنَّا بِهِ كُلٌّ مِنْ عِنْدِ رَبِّنَا وَمَا يَذَّكَّرُ إِلَّا أُولُو الْأَلْبَابِ

It is He who has sent down to you, [O Muhammad], the Book; in it are verses [that are] precise - they are the foundation of the Book - and others unspecific. As for those in whose hearts is deviation [from truth], they will follow that of it which is unspecific, seeking discord and seeking an interpretation [suitable to them]. And no one knows its [true] interpretation except Allah. But those firm in knowledge say, "We believe in it. All [of it] is from our Lord." And no one will be reminded except those of understanding.

The three opinions above reflect the miraculous nature of the Qur'an. If we consider all Qur'anic verses as muhkam, it means that the structure of the Qur'an is so perfect in terms of its words and meanings, without any contradiction or disagreement. If we consider all Qur'anic verses as mutasyabih, it means that the verses of the Qur'an are similar in their perfection, miraculous nature, benefits, truth, and guidance towards goodness. If we consider both muhkam and mutasyabih, muhkam refers to verses with a single meaning, while mutasyabih refers to verses with two or more meanings (Al-Asyqar, 2018). In the study of Ushul Fiqh, ayat hukum refers to verses of the Qur'an that contain commands (orders or prohibitions from Allah and His Messenger) for the mukallaf, or the permissibility for them to either do or refrain from certain actions, or statements from Allah or His Messenger that something becomes a condition or cause or impediment for something else (Khallaf, 1973).

Based on the explanations above, it can be understood that ayat hukum are verses of the Qur'an that clearly and explicitly explain commands, prohibitions, or permissible actions for the mukallaf without needing further explanation. For example, understanding the verse about ablution (wudhu) in Surah Al-Maidah 6:

يَا أَيُّهَا الَّذِينَ آمَنُوا إِذَا قُمْتُمْ إِلَى الصَّلَاةِ فَاغْسِلُوا وُجُوهَكُمْ وَأَيْدِيَكُمْ إِلَى الْمَرَافِقِ وَامْسَحُوا بِرُءُوسِكُمْ وَأَرْجُلَكُمْ إِلَى الْكَعْبَيْنِ وَإِنْ كُنْتُمْ جُنُبًا فَاطَّهَّرُوا وَإِنْ كُنْتُمْ مَرْضَىٰ أَوْ عَلَىٰ سَفَرٍ أَوْ جَاءَ أَحَدٌ مِنْكُمْ مِنَ الْغَائِطِ أَوْ لَمَسْتُمُ النِّسَاءَ فَلَمْ تَجِدُوا مَاءً فَتَيَمَّمُوا صَعِيدًا طَيِّبًا فَامْسَحُوا بِوُجُوهِكُمْ وَأَيْدِيكُمْ مِنْهُ مَا يُرِيدُ اللَّهُ لِيَجْعَلَ عَلَيْكُمْ مِنْ حَرَجٍ وَلَكِنْ يُرِيدُ لِيُطَهِّرَكُمْ وَلِيُتِمَّ نِعْمَتَهُ عَلَيْكُمْ لَعَلَّكُمْ تَشْكُرُونَ

“O you who have believed, when you rise to [perform] prayer, wash your faces and your forearms to the elbows and wipe over your heads and wash your feet to the ankles. And if you are in a state of janabah, then purify yourselves. But if you are ill or on a journey or one of you comes from the place of relieving himself or you have contacted women and do not find water, then seek clean earth and wipe over your faces and hands with it. Allah does not intend to make difficulty for you, but He intends to purify you and complete His favor upon you that you may be grateful.”

In this verse, it is explained that when someone intends to perform prayer, they should wash their face and hands up to the elbows, wipe their head, and wash their feet up to the ankles. Understanding this verse does not require further interpretation or meaning; the meaning is clear that one must wash the face, hands up to the elbows, wipe the head, and wash the feet up to the ankles. Thus, understanding this verse does not require further explanation.

As explained above, ayat muhkam are verses of the Qur'an related to commands, prohibitions, or permissible actions contained within the Qur'an, consisting of verses that contain commands, verses that contain prohibitions, verses that encourage or provide various choices for the ummah (Saebani, 2012, pp. 150–155).

- a. Verses related to the command to uphold justice and fulfill trust, as in Surah An-Nahl 90:

﴿ إِنَّ اللَّهَ يَأْمُرُ بِالْعَدْلِ وَالْإِحْسَانِ وَإِيتَاءِ ذِي الْقُرْبَىٰ وَيَنْهَىٰ عَنِ الْفَحْشَاءِ وَالْمُنْكَرِ وَالْبَغْيِ يَعِظُكُمْ لَعَلَّكُمْ تَذَكَّرُونَ ﴾

“Indeed, Allah orders justice and good conduct and giving to relatives and forbids immorality and bad conduct and oppression. He admonishes you that perhaps you will be reminded”

In another verse, Surah An-Nisa' 57, it is stated:

﴿ وَالَّذِينَ آمَنُوا وَعَمِلُوا الصَّالِحَاتِ سَنُدْخِلُهُمْ جَنَّاتٍ تَجْرِي مِنْ تَحْتِهَا الْأَنْهَارُ خَالِدِينَ فِيهَا أَبَدًا لَهُمْ فِيهَا أَزْوَاجٌ مُطَهَّرَةٌ وَنُدْخِلُهُمْ ظِلًّا ظَلِيلًا ﴾

“But those who believe and do righteous deeds - We will admit them to gardens beneath which rivers flow, wherein they abide forever. For them therein are purified spouses, and We will admit them to deepening shade.”

- b. Verses related to the establishment of legal status of actions, such as the obligation to perform prayers, fasting, zakat, Hajj, and enforcing the laws revealed by Allah. For example, the obligation to fast is explained in Surah Al-Baqarah 183:

﴿ يَا أَيُّهَا الَّذِينَ آمَنُوا كُتِبَ عَلَيْكُمُ الصِّيَامُ كَمَا كُتِبَ عَلَى الَّذِينَ مِنْ قَبْلِكُمْ لَعَلَّكُمْ تَتَّقُونَ ﴾

“O you who have believed, decreed upon you is fasting as it was decreed upon those before you that you may become righteous – “

In another verse, the obligation to fulfill a will according to Islam is explained in Surah Al-Baqarah 180:

﴿ كُتِبَ عَلَيْكُمْ إِذَا حَضَرَ أَحَدَكُمُ الْمَوْتُ إِنْ تَرَكَ خَيْرًا الْوَصِيَّةَ لِلْوَالِدَيْنِ وَالْأَقْرَبِينَ بِالْمَعْرُوفِ حَقًّا عَلَى الْمُتَّقِينَ ﴾

“Prescribed for you when death approaches [any] one of you if he leaves wealth [is that he should make] a bequest for the parents and near relatives according to what is acceptable - a duty upon the righteous.”

- c. Verses in the form of prohibitions, such as in Surah Al-An'am 153:

﴿ وَأَنَّ هَذَا صِرَاطِي مُسْتَقِيمًا فَاتَّبِعُوهُ وَلَا تَتَّبِعُوا السُّبُلَ فَتَفَرَّقَ بِكُمْ عَنْ سَبِيلِهِ ذَلِكُمْ وَصَّاكُمْ بِهِ لَعَلَّكُمْ تَتَّقُونَ ﴾

“And, [moreover], this is My path, which is straight, so follow it; and do not follow [other] ways, for you will be separated from His way. This has He instructed you that you may become righteous.”

- d. Verses that contain prohibitions against inheriting wives from their fathers by their sons, such as in Surah An-Nisa' 19:

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا يَحِلُّ لَكُمْ أَنْ تَرِثُوا النِّسَاءَ كَرِهًا قَلِيلًا وَلَا تَعْضُلُوهُنَّ لِتَذْهَبُوا بِبَعْضِ مَا آتَيْتُمُوهُنَّ إِلَّا أَنْ يَأْتِيَنَّ بِفَاحِشَةٍ مُبَيِّنَةٍ وَعَاشِرُوهُنَّ بِالْمَعْرُوفِ فَإِنْ كَرِهْتُمُوهُنَّ فَعَسَى أَنْ تَكْرَهُوا شَيْئًا وَيَجْعَلَ اللَّهُ فِيهِ خَيْرًا كَثِيرًا

“O you who have believed, it is not lawful for you to inherit women by compulsion. And do not make difficulties for them in order to take [back] part of what you gave them unless they commit a clear immorality. And live with them in kindness. For if you dislike them - perhaps you dislike a thing and Allah makes therein much good.”

- e. Verses that prohibit evil actions, whether done openly or secretly, such as in Surah Al-A'raf 33:

قُلْ إِنَّمَا حَرَّمَ رَبِّي الْفَوَاحِشَ مَا ظَهَرَ مِنْهَا وَمَا بَطَّنَ وَالْإِثْمَ وَالْبَغْيَ بِغَيْرِ الْحَقِّ وَأَنْ تُشْرِكُوا بِاللَّهِ مَا لَمْ يُنَزَّلْ بِهِ سُلْطَانًا وَأَنْ تَقُولُوا عَلَى اللَّهِ مَا لَا تَعْلَمُونَ

“Say, "My Lord has only forbidden immoralities - what is apparent of them and what is concealed - and sin, and oppression without right, and that you associate with Allah that for which He has not sent down authority, and that you say about Allah that which you do not know.”

Many other verses in the Qur'an relate to legal matters, such as verses explaining the prohibition of various types of food and drink, including carrion, blood, pork, and others. Similarly, actions like theft, robbery, and fraud are also addressed. The characteristics of ayat muhkam, as derived from the legal verses mentioned above, are as follows:

- ✓ Clear command to perform a specific action.
- ✓ An indication that a particular action is obligatory for the mukallaf.
- ✓ An indication that a particular action is a right for everyone.
- ✓ An explicit command to perform a certain action.
- ✓ An indication that a particular action is good or brings about goodness.
- ✓ An indication that a particular action is accompanied by a good promise.
- ✓ Clear prohibition of performing a certain action.
- ✓ An indication that a particular action is prohibited or forbidden for the mukallaf.
- ✓ An indication that a particular action or object is not halal.
- ✓ An indication that a particular action has no goodness in it.
- ✓ An indication that Allah and His Messenger love a particular action.
- ✓ An indication that a particular action is negated or nullified.
- ✓ An indication that a particular action is bad or brings about bad consequences.
- ✓ An indication that a particular action is accompanied by a bad threat.
- ✓ An indication that the doer of a bad action receives sin.

The characteristics of legal verses are closely related to the characteristics of ayat muhkam in the study of Ulumul Qur'an. This means that the characteristics of legal verses described above are not different from the characteristics of ayat muhkam in the study of Ulumul Qur'an. Based on these characteristics, it can be understood that legal verses are



clear and explicit, containing a single meaning. For example, the command to fast during Ramadan is clear, and there is no other meaning contained in the verse.

The laws contained in the Qur'an can be classified into several types (Syarifuddin, 2011, pp. 238–239):

- 1) Laws that regulate the relationship between humans and Allah SWT regarding what must be believed and what must be avoided, related to beliefs, such as the necessity of believing in the oneness of Allah and the prohibition of associating partners with Him. These laws are called I'tiqadiyah laws, studied in the field of theology or Ushuluddin.
- 2) Laws that regulate social interactions among humans regarding the good qualities that must be possessed and the bad qualities that must be avoided in society. These laws are called khuluqiyah laws, which are further developed in the field of ethics.
- 3) Laws that regulate the outward actions and behavior of humans in relation to Allah SWT. These laws are called amaliyah laws, which include:
  - a. Laws of worship, such as prayer, zakat, Hajj, and others.
  - b. Laws of transactions, such as contracts, actions, penalties, and others. These laws include several branches (Abdul'Al, 2014):
    - Family law, such as laws related to marriage, divorce, and others.
    - Civil law, such as laws on buying and selling and others.
    - Criminal law.
    - Constitutional law, which regulates the relationship between judges and the ruled, also called qanun dusturi (basic legislation).
    - Economic law, which regulates resources and livelihood.
    - International law, which regulates interactions between countries.
    - Procedural law, which regulates legal proceedings in civil and criminal matters.

There are two ways the Qur'an establishes legal provisions (Al-Munawar, 1994, p. 19):

- Generally, Issues of worship are generally explained in a general manner, with details left to the scholars through ijthihad.
- Specifically, Laws explained in detail include those related to debts, permissible and forbidden foods, preserving women's honor, and marriage issues.

## 2) *Nasikh wal Mansukh*

Nasikh and Mansukh originate from the Arabic language نسخ - ينسخ - نسخ, which linguistically means izalah (abolition or annulment)(Al-Qathan, 1973). The science of Nasikh and Mansukh is the study of knowing the legal content that remains valid or has been abrogated. This term has two meanings (Syafe'i, 2012):

- To eliminate something and nullify it (izalah asy-syai' wa I'damuh), as explained in Surah Al-Hijr:

وَمَا أَرْسَلْنَا مِنْ قَبْلِكَ مِنْ رَسُولٍ وَلَا نَبِيٍّ إِلَّا إِذَا تَمَمَّى الْقَى الشَّيْطَانُ فِي أُمْنِيَّتِهِ فَيَنْسَخُ اللَّهُ مَا يُلْقِي الشَّيْطَانُ  
ثُمَّ يُحْكِمُ اللَّهُ آيَتِهِ وَاللَّهُ عَلِيمٌ حَكِيمٌ

“And We did not send before you any messenger or prophet except that when he spoke [or recited], Satan threw into it [some misunderstanding]. But Allah abolishes that which Satan throws in; then Allah makes precise His verses. And Allah is Knowing and Wise.”

- To transfer something or change it while keeping its essence intact, similar to processing honey into another form. This is also true for tansulah al mawarith, the transfer of inheritance from one group to another.

Furthermore, many scholars differ in their interpretation of nasikh and mansukh. However, the common view is that nasikh is raf' al-hukm al-syari'at bid dalil asy-syar'i. This definition leads to the understanding that nasikh contains the meanings of izalah and raf' (Kamal, n.d., p. 92). According to Ahmad Adil Kamal, nasikh is the abrogation of an earlier law by a later revelation, with a time gap between the two. This means that between nasikh and mansukh, there was a period when mansukh was positive and binding, and if nasikh did not occur, the previous law would still be in effect. According to Mushtahfa Zaid (Zaid, 1995, p. 143), nasikh means to transfer (an-Naql), annul (al-Ibtbal), and abolish (al-Izalah). The one who annuls, abolishes, or transfers is called nasikh, while the one that is annulled, abolished, or transferred is called mansukh. However, in Islamic legal terminology, nasikh means the abrogation of an old (suspended) law by a later revelation. Therefore, in interpretation, understanding the science of Nasikh and Mansukh in detail is essential. Determining a legal ruling depends on the actual legal content of a verse.

Early and later scholars have different perspectives on the meaning of Nasakh. Some scholars define Nasakh with the term Al-Izalah, based on Allah's words in Surah Al-Hijr 52. Some scholars interpret it as Tabdil, based on Allah's words in Surah An-Nahl 101. Others interpret it as tahwil, based on the phrase tanassukh mawarits, and some interpret it as an-Naql in the phrase نسخ الكتاب (Shihab, 1997). Early scholars defined Nasakh broadly as any subsequent legal ruling established by a later revelation, not only for laws that annul previous laws or modify the initial law declared to be no longer in effect, but also including restrictions (qaid) for unrestricted meanings (muthlaq). Nasakh also includes the meaning of specification (mukhasshish) for general meanings (am) and even includes exceptions, conditions, and attributes. In contrast, later scholars narrowed these definitions to differentiate Nasakh from mukhasshish or muqayyaid. Nasakh is limited to subsequent legal rulings that annul or declare the end of the validity of previous legal rulings, making the latest ruling the binding one.

The differences in opinion include some scholars who restrict Nasakh to matters within the Qur'an itself, permitting the idea that certain verses in the Qur'an abrogate others because of both rational and scriptural evidence. However, some other scholars allow Hadith to abrogate the Qur'an. For example, the fasting of 'Ashura, initially established by Hadith, was abrogated by the obligatory fasting of Ramadan as prescribed in the Qur'an. Scholars who argue for the permissibility of abrogating the Qur'an with the Qur'an base their views on Surah Al-Baqarah 106:

﴿ مَا نَنْسَخْ مِنْ آيَةٍ أَوْ نُنسِخْهَا نَأْتِ بِخَيْرٍ مِّنْهَا أَوْ مِثْلَهَا أَلَمْ تَعْلَمْ أَنَّ اللَّهَ عَلَىٰ كُلِّ شَيْءٍ قَدِيرٌ ﴾

“We do not abrogate a verse or cause it to be forgotten except that We bring forth [one] better than it or similar to it. Do you not know that Allah is over all things competent?”



This verse serves as the basis for scholars who believe that the Qur'an itself has legitimized the concept of abrogation within the Qur'an. Scholars who hold this view include Imam Shafi'i and Ibn Hazm. According to Imam Shafi'i, abrogation pertains only to Qur'anic verses with Qur'anic verses, while Sunnah cannot abrogate Qur'anic verses. The Sunnah follows the Book of Allah or interprets unclear meanings, showing that he only allows abrogation within the Qur'an, not by the Sunnah. A mujtahid scholar from the Dhahiri school, however, holds a different view, allowing the Sunnah to abrogate the Qur'an. An example is Surah An-Nisa' 15:

وَالَّتِي يَأْتِيَنَّ الْفَاحِشَةَ مِنْ نِسَائِكُمْ فَاسْتَشْهِدُوا عَلَيْهِنَّ أَرْبَعَةً مِنْكُمْ فَإِنْ شَهِدُوا فَأَمْسِكُوهُنَّ فِي الْبُيُوتِ  
حَتَّىٰ يَتَوَفَّيَهُنَّ الْمَوْتُ أَوْ يَجْعَلَ اللَّهُ لَهُنَّ سَبِيلًا

“Those who commit unlawful sexual intercourse of your women - bring against them four [witnesses] from among you. And if they testify, confine the guilty women to houses until death takes them or Allah ordains for them [another] way.”

This verse is abrogated by the Sunnah:

وحدثنا يحيى التميمي اخبرنا هشام عن منصور عن الحسن عن حطان بن عبد الله الرقاشي عن عبادة بن الصامت قال قال رسول الله صلى الله عليه وسلم خذوا عني قد جعل الله لهن سبيلا البكر بالبكر جلد مائة وتغريب سنة والثيب بالثيب جلد مائة والرجم (رواه مسلم)

“Yahya bin Yahya At-Tamimi narrated to us, Hisyam informed us from Manshur, from Hasan, from Hathaon bin Abdullah, from ‘Ubadat bin Shamat said; The Prophet SAW said: "Take from me, take from me, indeed Allah has ordained for them a way. For unmarried ones with unmarried partners, the punishment is 100 lashes and exile for one year, and for married ones with married partners, the punishment is 100 lashes and stoning."

Ibn Hazm's (n.d., p. 519) understanding is based on the notion that the sayings of the Prophet SAW are revelations from Allah SWT, just as the Qur'an is revelation. Therefore, there is no obstacle to abrogating revelation with revelation. Ibn Hazm's argument is based on Surah An-Najm 2-4:

مَا صَلَ صَاحِبِكُمْ وَمَا غَوَىٰ وَمَا يَنْطِقُ عَنِ الْهَوَىٰ إِنْ هُوَ إِلَّا وَحْيٌ يُوحَىٰ

“Your companion [Muhammad] has not strayed, nor has he erred, Nor does he speak from [his own] inclination. It is not but a revelation revealed”

From these two arguments, there is a difference in understanding. Imam Shafi'i states that only the Qur'an can abrogate the Qur'an, while Ibn Hazm argues that the Qur'an can abrogate Hadith, based on Surah An-Najm 3-4, which emphasizes that the Prophet's words are revelations. The Qur'an is revelation, and the Prophet's words are also revelation. Therefore, according to Ibn Hazm, the Qur'an can abrogate Hadith.

## 2. Correlation of Muhkam verse with Nasakh and Mansukh

The Qur'an, as the primary source of law in Islamic teachings, regulates all aspects of human life. Some verses are general, while others are specific. All these verses maintain their universality at all times. The laws based on the Qur'an can be applied

across different eras and times. However, not all laws must be implemented simultaneously. Instead, the laws apply according to the development of the era and place. This is as expressed by Sayyid Qutb regarding the Asbab al-Nuzul of Surah Al-Baqarah 106, which refutes the allegations of the Jews that Prophet Muhammad (PBUH) was inconsistent, both regarding the change of the Qibla from Al-Aqsa Mosque to Al-Haram Mosque and the changes in guidance, laws, and commands resulting from the growth of the Islamic community and the evolving situation and conditions of the Muslim community (Quththub, n.d., pp. 101–102).

Moreover, Ibn Kathir explains that according to reason, there is nothing that rejects the existence of abrogation (nasakh) in the laws of Allah (Al-Masyiqi, 2000, p. 131). Al-Maraghi also explains related to nasakh that laws are legislated for the benefit of humans, and these benefits can differ due to differences in time and place. Thus, if a law is enacted at a time when it is needed, and then the need no longer exists, it is wise to abolish that law with another more suitable one for the later time (Al-Maraghi, 1969, p. 187). Meanwhile, Muhammad Rashid Rida (n.d., p. 414) elaborates in his Tafsir Al-Manar that indeed, the Shari'ah or law can differ due to differences in time, place, and situation. If a law is enacted when it is needed and then the need no longer exists, it is wise to abolish that law and replace it with another more suitable one for the later period.

These explanations illustrate that the laws contained in the Qur'an are highly dependent on the era and the conditions of the society implementing them. Based on this, according to Sahiron Syamsuddin, the Qur'an contains the concept of Nasakh, which has a broad and forward-looking perspective. It shows that Islamic teachings are always relevant in all situations and conditions and can answer all the challenges of the times (Syamsuddin, 2010, p. 5). This is further emphasized by Abdullahi Ahmed An-Naim, a Sudanese Islamic thinker (as quoted by Sahiron), who states that the process of nasakh is tentative according to need. It means that the verses needed at a certain time are applied (muhkam), while those not needed (because they are not relevant to contemporary developments) are abolished or suspended (mansukh) in their application (Syamsuddin, 2010, p. 5).

Regarding this, Qurash Shihab also explains that according to the meaning of nasakh, which is replacement, it seems there is involvement of experts in choosing from many alternative legal verses that Allah has established in the Qur'an concerning the cases faced. One choice is based on the social conditions or the objective reality of each case. There are three different legal verses regarding khamr (intoxicants). All three are not invalid but change according to changing conditions. Experts can choose one among them, according to the conditions faced (Shihab, 1997). This statement indicates that Qurash Shihab seems to allow the replacement of laws (nasakh) by humans regarding the cases faced by referring to the legal verses considered suitable for the case at hand. All these verses remain valid; there is no contradiction between one verse and another. However, there is only a change in law for certain communities or individuals due to different conditions. A legal verse that no longer applies to them can still apply to others in similar conditions.

Thus, it can be understood that muhkam verses and nasakh and mansukh have a significant relationship in determining a law. As explained above, all verses of the Qur'an are muhkam, but not in the sense that they must be applied simultaneously. Sometimes a law must be enforced, and other times it is replaced or suspended, such as the law of cutting off the hand for thieves. However, for those experiencing famine, as in the time of Umar bin Khattab, this law was not enforced because everyone was experiencing

famine. Based on the above explanation, the relationship between legal verses and Nasakh and Mansukh is very close. Among the knowledge that must be possessed in determining a law is knowledge of nasakh and mansukh. This knowledge functions to understand the application of a law. To determine a law regarding the actions of the mukallaf, attention must be paid to the nasakh and mansukh of a law contained in a verse.

#### D. Conclusion

The correlation between muhkam verses and Nasakh and Mansukh in the establishment of laws demonstrates that the Qur'an, as the ultimate authority in Islamic teachings, comprehensively regulates all aspects of human life. The Qur'an contains both clear legal verses (muhkam) and those requiring interpretation (mutasyabih). These muhkam verses are significantly related to Nasakh and Mansukh in legal determination, as not all legal verses are meant to be applied simultaneously. Instead, their application is contingent upon the evolving times and conditions during which the laws are implemented. The Qur'an's legal verses are not contradictory; rather, they are interconnected and contextually appropriate. Each legal verse remains valid, but its application is dependent on the specific era and societal conditions that necessitate it. This adaptability ensures that Islamic law remains relevant and effective across different periods and circumstances. In conclusion, the relationship between muhkam verses and Nasakh and Mansukh highlights the dynamic and flexible nature of Islamic law. The Qur'an's teachings are designed to be timeless and applicable, ensuring that the legal instructions within the Qur'an can address contemporary issues without contradicting the core principles of Islam. This study underscores the importance of contextual understanding and scholarly engagement in interpreting and applying the Qur'an's teachings, maintaining their continued relevance and guidance for the Muslim community worldwide.

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