



***Qira'at* Diversity in Islamic Family Law Verses: Implications for Indonesian Marriage Law**

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Abstract: This study addresses the principal issue of *Qira'at* diversity in the Qur'anic verses pertaining to family law and its impact on legal interpretation, alongside its relevance to Law Number 1 of 1974 concerning Marriage in Indonesia. The research aims to conduct a thorough analysis of *Qira'at* variations within family law verses, explore their influence on legal interpretations, and identify key themes that demonstrate this diversity. This study uses a normative juridical method with a descriptive-analytical approach, while the data analyzed is literature related to various *Qira'at* in the verses of the Qur'an regarding Islamic family law. The research results show that there are eight main themes in the Al-Qur'an related to Islamic family law which show significant variations in *Qira'at*. Namely: dowry and temporary marriage (*mut'ah*), *muhallil*, family interaction, waiting period (*iddah*), *khulu'* (divorce initiated by the wife), divorce (*talaq*), ethics after divorce, and reconciliation (*ruju'*). Based on the research conducted, it can be concluded that the diversity of *Qira'at* verses from the Qur'an relating to family law has a significant influence on its interpretation and application, especially in the context of the Marriage Law in Indonesia. The practical implication of this research is to provide readers with in-depth insight into how the diversity of *Qira'at* influences the interpretation of family law in the Indonesian context, as well as its relevance to the practice of marriage law that applies in the Religious Courts. This research is expected to provide significant theoretical and practical contributions in the field of Islamic family law studies and Al-Qur'an studies in general.

Keywords: Variety of *Qira'at*, al-Qur'an verses, interpretation, legal provisions, Islamic family law

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Abstrak: Penelitian ini mengangkat masalah utama mengenai keragaman Qira'at dalam ayat-ayat al-Qur'an tentang hukum keluarga Islam dan dampaknya terhadap interpretasi serta relevansinya dengan Undang-Undang Nomor 1 Tahun 1974 Tentang Perkawinan di Indonesia. Tujuan penelitian adalah untuk menganalisis secara mendalam keragaman Qira'at dalam ayat-ayat hukum keluarga, mengeksplorasi pengaruhnya terhadap interpretasi hukum, dan mengidentifikasi tema-tema utama yang memperlihatkan keragaman ini. Kajian tersebut menggunakan metode yuridis normatif dengan pendekatan deskriptif-analitis, sedangkan data yang dianalisis adalah literatur yang terkait dengan berbagai Qira'at dalam ayat-ayat al-Quran tentang hukum keluarga Islam. Hasil penelitian menunjukkan bahwa terdapat delapan tema utama dalam Al-Qur'an yang berkaitan dengan hukum keluarga Islam yang menunjukkan variasi Qira'at yang signifikan. Yaitu: mahar dan nikah sementara (*mut'ah*), *muhallil*, interaksi keluarga, masa tunggu (*iddah*), *khulu'* (perceraian yang diprakarsai oleh istri), perceraian (*talaq*), etika setelah perceraian, dan rekonsiliasi (*ruju'*). Berdasarkan penelitian yang dilakukan, dapat disimpulkan bahwa keberagaman Qira'at ayat-ayat Al-Qur'an yang berkaitan dengan hukum keluarga berpengaruh signifikan terhadap penafsiran dan penerapannya, khususnya dalam konteks Undang-Undang Perkawinan di Indonesia. Implikasi praktis dari penelitian ini adalah memberikan wawasan mendalam kepada para pembaca mengenai bagaimana keragaman Qira'at mempengaruhi interpretasi hukum keluarga dalam konteks Indonesia, serta relevansinya dengan praktik hukum perkawinan yang berlaku di Pengadilan Agama. Penelitian ini diharapkan dapat memberikan sumbangan teoritis dan praktis yang signifikan dalam bidang studi hukum keluarga Islam dan studi Al-Qur'an secara umum.

Kata Kunci: Keragaman Qira'at, ayat al-Qur'an, interpretasi, *istinbath* hukum, hukum keluarga Islam

Introduction

The study of the diversity of *Qira'at* in the interpretation of the verses of the Qur'anic family law, especially in the context of Law Number 1 of 1974 concerning marriage in Indonesia, provides an in-depth understanding of how variations in the way of reading the Qur'an affect the interpretation of family law. The implications of this study include various understandings of marriage, divorce, inheritance rights, and other aspects of family law, which are important for implementing Islamic family law in accordance with local values and the needs of Indonesia's multicultural society. By acknowledging the diversity of *Qira'at*, legal practitioners can develop a more responsive approach to social and

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cultural dynamics, and strengthen the legitimacy of Islamic family law in a context that is increasingly open to diverse interpretations.¹

This research is based on the understanding that the Qur'an is the primary source of Islamic law that also contains a diversity of *Qira'at*. This diversity influences the understanding of family law verses and leads to differences of opinion among scholars.² The research aims to analyze the diversity of *Qira'at* in family law verses, its impact on the interpretation of these verses, and its relevance to Law Number 1 of 1974 concerning Marriage. The method used is descriptive-analytical with a normative approach. This research asserts the Qur'an as the primary source of Islamic law, acknowledging its diverse *Qira'at*. This diversity significantly shapes interpretations of family law verses, contributing to scholarly disagreements.

The Qur'an, as a guidance for humanity, has been the subject of study from classical to modern times in various aspects.³ From its revelation,⁴ compilation,⁵ interpretation,⁶ to its recitation (*qir'at*), the Qur'an continues to captivate

¹ Fadil Fadil et. al., "Religious Moderation and Family Resilience in the City of Malang, Indonesia: The Historical Perspectives of the Islamic Law," *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 8, no. 1 (2024), p. 236–56. Ghozi Febra, et.al., "The Influence of *Qira'at* Variants in Interpretation Ayat-Ayat Al-Qur'an," *Indonesia Journal of Engineering and Education Technology* 2, No. 2 (2024), p. 267–273.

² Achmad Mudhofar 'Afif, et.al., "Gender Equality in Islamic Sharia (The Study of Bisri Mustofa's Thought in Al-Ibriz li Ma'rifah Tafsir Al-Qur'an Al-'Aziz)," *Syariah: Jurnal Hukum dan Pemikiran* 22, No. 1 (2022). Juwaini Saleh et al., "Marriage Guidance Towards Family Resilience in Aceh: A Study of Islamic Law Philosophy," *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 6, no. 2 (2022), p. 594–613.

³ Hisam Ahyani, Memet Slamet, and Tobroni, "Building the Values of Rahmatan Lil 'Alamin for Indonesian Economic Development at 4.0 Era from the Perspective of Philosophy and Islamic Economic Law," *Al-Ihkam: Jurnal Hukum & Pranata Sosial* 16, no. 1 (2021), p. 111–36.

⁴ Haris Maiza Putra and Hisam Ahyani, "Internalization in Islamic Law Progressive in Criminal Law Changes in Indonesia," *Jurnal Ilmiah Al-Syir'ah* 20, no. 1 (2022), p. 68–90. Khamami Zada, "Sharia and Islamic State In Indonesia Constitutional Democracy: An Aceh Experience," *Ijtihad: Jurnal Wacana Hukum Islam dan Kemanusiaan* 23, No. 1 (2023).

⁵ Hisam Ahyani et al., "Gender Justice in the Sharing of Inheritance and Implementation in Indonesia," *Asy-Syari'ah* 24, no. 2 (2022), p. 285–304. Mohammad Takdir, et.al., "The Takharruj Method as an Islamic Legal Solution for Customary Inheritance Practices among Muslim Communities in Pakamban Laok, Sumenep, Indonesia," *Journal of Islamic Studies* 4, No. 1 (2023).

⁶ Ending Solehudin, Hisam Ahyani, and Haris Maiza Putra, "Study on Sharia Compliance Principles in Halal Tourism Business in Bandung Regency: An Implementation of Islamic Business Ethics Principles (Professional Ethics)," *Millah: Journal of Religious Studies* 23, no. 1 (2024). Salman Abdul Muthalib, Tipologi Pemikiran Fikih Nahdhatul Ulama, *Legitimasi: Jurnal Hukum Pidana dan Politik Hukum*, Vol. 12, No. 1 2023, p. 17.

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researchers.^{7,8} In its transmission process, the Qur'an remains authentic through oral tradition and memorization, with a mutawatir chain of transmission, ensuring its integrity and authenticity.⁹ The Qur'an is considered the matluww revelation revealed by Allah through the Angel Gabriel to Prophet Muhammad, in the Arabic language.

This sacred book holds worship value for its readers,¹⁰ starting with Surah al-Fatihah and ending with Surah An-Nas.¹¹ The Qur'an is considered the *matluww* revelation, while the ghayr al-matluww revelation, which originates from the Prophet himself, is addressed in the Sunnah as an explanation of the Qur'an. With its authenticity preserved through memorization and oral tradition, as well as mutawatir transmission, the Qur'an is regarded as a revelation originating from Allah in substance and composition. In this context, the Qur'an not only serves as a source of Islamic teachings but also as a guide to life that brings benefit to humanity.¹²

The Qur'an, with its diverse Qira'at, impacts interpretations of family law verses, crucial for Indonesian Marriage Law (Law 1/1974).¹³ Scholars are

⁷ Maimun Maimun et al., "The Dynamics of Family Law in Indonesia: Bibliometric Analysis of Past and Future Trends," *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 8, no. 1 (2024), p. 518–37. Aly Mohamed El Husseiny and Ahmed Aly El Husseiny, "Spirituality and Social Values vs. Material Formalism: An Approach to a Human Architecture," *Procedia - Social and Behavioral Sciences*, AicE-Bs 2012 Cairo (Asia Pacific International Conference on Environment-Behaviour Studies), Mercure Le Sphinx Cairo Hotel, Giza, Egypt, 31 October - 2 November 2012, 68 (2012), p. 710–22.

⁸ Thomas Frissen et al., "Capitalizing on the Koran to Fuel Online Violent Radicalization: A Taxonomy of Koranic References in ISIS's *Dabiq*," *Telematics and Informatics* 35, no. 2 (May 1, 2018), p. 491–503. Siwan Anderson and Chris Bidner, "An Institutional Perspective on the Economics of the Family," in *Handbook of the Economics of the Family*, ed. Shelly Lundberg and Alessandra Voena, vol. 1, (North-Holland, 2023), p. 443–500.

⁹ Adnan Gutub and Esraa Almeahadi, "Upgrading Script Watermarking Robustness of Unusual-to-Tolerate Functional Confirmation by Secret-Sharing," *Journal of Engineering Research* 11, no. 4 (2023), p. 392–403.

¹⁰ Gilberto P. Lara, et al., "Literacy and Identity across Home, School, Church, and Social Life," in *International Encyclopedia of Education (Fourth Edition)*, ed. Robert J Tierney, Fazal Rizvi, and Kadriye Ercikan (Oxford: Elsevier, 2023), p. 198–208.

¹¹ Jop Koopman, "Subawe, Traditional Knowledge, and Faith-Based Organisations Promoting Social Capital and Disaster Preparedness: A Lombok, Indonesia Case Study," *International Journal of Disaster Risk Reduction* 94 (2023), p.103837.

¹² Mohamad Anton Athoillah and Nuryamin Nuryamin, "The Abolition of Culpability After Converting to Islam In The Science of Ḥadīth and Ḥadīth Al-Aḥkām Perspective," *Al-'Adalah* 17, no. 1 (2020), p. 131–62.

¹³ Muhammad Habibi, Legalitas Hukum Islam dalam Sistem Peradilan Indonesia, *Media Syariah: Wahana Kajian Hukum Islam dan Pranata Sosial*, Vol 2, No. 22, 2020, p. 129.

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increasingly interested in understanding the diversity of Qur'anic qira'at, particularly in the context of legal interpretation.¹⁴ It is important to ensure that the qira'at used in interpretation are authentic parts of the Qur'an.¹⁵ Differences in qira'at have influenced the interpretation styles of mufasssirin, especially in family law matters,¹⁶ resulting in differences of opinion among scholars of different schools of thought.¹⁷ This has implications for diverse ijtihad and the formation of general legal principles and branches.¹⁸ The implications of these differences lead to the formation of different schools of Islamic law. In the context of family law, there are various Qur'anic verses related to Law Number 1 of 1974 concerning Marriage. There are eight main themes related to family law, including issues of divorce (*talaq*).¹⁹ The diversity of Qur'anic qira'at has influenced the interpretation of these verses, even fostering exclusivity and mutual blame among intellectuals. Moreover, the diversity of qira'at also impacts the diversity of opinions in formulating laws in the fields of fiqh, kalam, language, and tasawwuf.²⁰ From this background, it appears that this subject has not been studied much, both conceptually and operationally. Therefore, this research will discuss the diversity of qira'at in Islamic family law verses and implications for Indonesian marriage law.

This study covers the complexity of the relationship between the diversity of the qira'at of the Qur'an, the interpretation of family law verses, and Islamic

¹⁴ Dwi Novita, et.al., "Khiyar in Buying and Selling Online Based on the Fiqh Perspective," *Al-Istinbath: Jurnal Hukum Islam* 7, no. 2 (2022), p. 363–80. Law, Number 1 of 1974 concerning Marriage. Presidential Instruction No. 1 of 1991, concerning the Compilation of Islamic Law.

¹⁵ D. I. Ansusa Putra and Mohammad Hidayaturrahman, "The Roles of Technology in Al-Qur'an Exegesis in Indonesia," *Technology in Society* 63 (2020). p. 101418.

¹⁶ Nasa'iy Aziz, et. al., "The Paradigm of Modern Food Products and Its Relevance with the Concept of Food in the Qur'an," *Heliyon* 9, no. 11 (2023), p. e21358.

¹⁷ Jeffrey A. McNeely and Unai Pascual, "Social and Cultural Factors," in *Encyclopedia of Biodiversity (Third Edition)*, ed. Samuel M. Scheiner (Oxford: Academic Press, 2024), p. 30–38.

¹⁸ Sherien Ghaleb, et. al., "Shari'ah Law and Courts," in *Reference Module in Social Sciences* (Elsevier, 2024).

¹⁹ Berat Karaagac and Kolade M. Owolabi, "A Numerical Investigation of Marriage Divorce Model: Fractal Fractional Perspective," *Scientific African* 21 (2023), p. e01874. Yusnanik Bakhtiar, Neglection in Family as Reason for Divorce during The Covid-19 Pandemic In The Siak Religious Court [Penelantaran Rumah Tangga Sebagai Bentuk Kekerasan dalam Rumah Tangga sebagai Alasan Perceraian di Masa Pandemi Covid-19: Studi Kasus Pengadilan Agama Siak], *Legitimasi: Jurnal Hukum Pidana dan Politik Islam*, Vol 9, No.2, 2020.

²⁰ Jaffary Awang and Yusri Mohamad Ramli, "Theological and Phenomenological Methods in Teaching Omparative Religion Courses," *Procedia - Social and Behavioral Sciences*, Kongres Pengajaran dan Pembelajaran UKM, 2010, 18 (2011), p. 180–86.

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legislation.²¹ The Qur'an, as the primary source of Islamic law,²² is a subject of research involving an understanding of variations in qira'at, which are various variations in the pronunciation and recitation of the Qur'an. The research focuses on the diversity of qira'at in verses related to family law, including topics such as dowry,²³ divorce,²⁴ waiting period (*iddah*), and annulment.²⁵

Analyzing the diversity of qira'at in family law verses is an important step in understanding how this variation affects the interpretation of Islamic law. For example, differences in qira'at can influence the understanding of the meanings of family law verses and have implications for the process of *istinbath al-ahkam*, which is the derivation of laws from Islamic legal sources. This research also explores how the diversity of qira'at can be relevant to Law Number 1 of 1974 concerning Marriage in Indonesia, highlighting the relationship between Islamic law as embodied in the Qur'an and positive law applicable in society.

Through an in-depth analysis of the implications of qira'at diversity, this research seeks to provide a better understanding of how variations in the pronunciation of the Qur'an affect the interpretation and application of family law. Furthermore, by highlighting its relevance to Law Number 1 of 1974 concerning Marriage, this research can provide valuable insights into the relationship between Islamic law and positive law in the context of marriage in Indonesia. Thus, this title reflects an effort to bridge theological understanding and practical application in the context of Islamic family law.

This study uses a normative juridical method with a descriptive-analytical approach, while the data analyzed is literature related to various Qira'at in the verses of the Qur'an regarding Islamic family law.²⁶ The descriptive approach allows researchers to intricately describe existing phenomena, namely the diversity of Qira'at in family law verses of the Qur'an and its impact on the interpretation and application of Islamic law. Analysis is conducted in-depth to

²¹ Mahmoud Fayyad, "Reconstructing Lease-to-Own Contracts: A Contemporary Approach to Islamic Banking Standards," *Heliyon* 9, no. 9 (2023), p. e19319.

²² Elaheh Mohseni and Mahmoud Abbasi, "Posthumous Reproduction in Iranian Law," *Reproductive Biomedicine & Society Online* 12 (2021), p. 79–87.

²³ Gaurav Chiplunkar and Jeffrey Weaver, "Marriage Markets and the Rise of Dowry in India," *Journal of Development Economics* 164 (2023), p. 103115.

²⁴ Kyu-Hyoung Jeong, et. al., "Patterns of Depression among Women Post-Divorce and the Influential Factors: Latent Growth Modeling," *Journal of Affective Disorders Reports* 17 (2024), p. 100789.

²⁵ Alexis C. Edwards, et. al., "Divorce, Genetic Risk, and Suicidal Thoughts and Behaviors in a Sample with Recurrent Major Depressive Disorder," *Journal of Affective Disorders* 354 (2024), p. 642–48.

²⁶ Faisar Ananda Arfa and Watni Marpaung, *Metodologi Penelitian Hukum Islam*, Jakarta: Prenadamedia Group, 2018.

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understand the implications of the diversity of *Qira'at* in the context of interpreting family law and its relevance to Law Number 1 of 1974 concerning Marriage in Indonesia. The analytical approach enables researchers to construct arguments based on data obtained from the analysis of Qur'anic verses and Islamic legal literature. This research also employs a normative approach, which refers to the principles and norms existing in Islamic law, especially in terms of interpreting Qur'anic verses related to family law. This approach allows researchers to evaluate the diversity of *Qira'at* and its implications for interpreting family law consistently with the principles of Islamic law. Thus, this research not only examines empirical phenomena but also draws conclusions based on the normative framework established in Islamic legal tradition.

Additionally, this research uses a comparative approach to compare various opinions of scholars and Islamic legal views arising from the analysis of *qira'at* diversity. This approach allows researchers to understand differences of opinion among scholars and schools of thought regarding the interpretation of family law and how these differences are reflected in the practice of positive law in Indonesia. By employing this approach, this research can provide a more comprehensive understanding of the complexity of the relationship between *qira'at* diversity, the interpretation of family law, and the application of positive law in the context of marriage in Indonesia.

This study discusses the diversity of *Qira'at* in the Islamic Family Law Verse and its Implications for Indonesian Marriage Law (UU 1/1974). This study illustrates the importance of understanding variations in the reading of the Al-Qur'an (*Qira'at*) and how to do it. These variations influence the interpretation of family law verses and their relevance to marriage law in Indonesia. This research explores how differences in *Qira'at* can lead to different interpretations of Qur'anic family law verses and how these interpretations affect the understanding and application of Islamic law in the context of marriage.

For example, in the analysis of family law verses, such as those regarding divorce (*talaq*), variations in *Qira'at* can influence the understanding and interpretation of divorce procedures, women's rights after divorce, and the ethics to be followed after divorce. For instance, in some *Qira'at*, there may be differences in the words used in verses about divorce, which can affect the interpretation of the number of divorces given by the husband to the wife. Some *Qira'at* may use stronger words, while others may use softer ones, which can result in different interpretations of the nature of divorce and its consequences. The implications of these variations can affect the process of *istinbath al-ahkam*

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(deriving laws) by scholars in formulating marriage laws in the context of marriage laws in Indonesia.²⁷

By addressing themes such as dowry and mut'ah, *muhallil*, family relations, *iddah*, *khulu'*, divorce, ethics after divorce, and return (*ruju'*), this research specifically explores how variations in the *Qira'at* of the Qur'an can affect the interpretation and understanding of these issues in the context of Islamic family law.²⁸ Through in-depth analysis of these themes, this research aims to provide a better understanding of the complexity of the relationship between *qira'at* diversity, the interpretation of family law, and the application of marriage laws in Indonesia.

Analysis of the Diversity of Qur'anic *Qira'at* in Islamic Family Law Verses

Analysis of the Diversity of Qur'anic *Qira'at* in Islamic Family Law Verses involves a deep understanding of how variations in the recitation of the Qur'an (*Qira'at*) affect the interpretation and understanding of concepts in Islamic family law. In this context, there are several important themes that become the focus of analysis, including:

1. *Mahar* and *Mut'ah*: *Mahar* refers to the dowry or property given by the husband to the wife as part of the marriage contract. *Mut'ah* refers to temporary marriage or a marriage agreement with a specific duration. In analyzing *Qira'at* regarding verses related to *mahar* and *mut'ah*, variations in the recitation of the Qur'an can affect the understanding of the amount, nature, and conditions of giving *mahar* as well as the law of *mut'ah* in Islam.²⁹
2. *Muhallil*: *Muhallil* is a man who enters into marriage with the intention of allowing a woman who has been divorced by her husband to marry him again after she has completed her *iddah* (waiting period). Analysis of *Qira'at* in the context of *muhallil* can reveal differences in understanding of the law and ethics related to this practice.³⁰
3. Family Interaction: Family interaction includes norms and ethics in the relationship between family members, including husbands, wives, children,

²⁷ Randikha Prabu Raharja Sasmita, Sigid Suseno, and Patris Yusrian Jaya, "The Concept of Reasons for Eliminating Corporate Crime in Criminal Law in Indonesia," *Heliyon* 9, no. 11 (2023), p. e21602.

²⁸ Sudharto P. Hadi, et.al., "A Sustainability Review on the Indonesian Job Creation Law," *Heliyon* 9, no. 2 (2023), p. e13431.

²⁹ Iim Halimatusa'diyah and Windy Triana, "Sexism and Women's Access to Justice: Feminist Judging in Indonesian Islamic Judiciary," *Women's Studies International Forum* 103 (2024), p. 102883.

³⁰ Jemma Lorenat, "The Problem and Probability of Marriage for Alumnae in Progressive Era United States," *Endeavour* 47, no. 4 (2023), p. 100890.

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- and other relatives. Variations in Qira'at can affect the understanding of the values held high in family interactions according to Islamic teachings.³¹
4. *Iddah*: Iddah is the waiting period for a woman after divorce or the death of her husband before she can remarry. In the analysis of Qira'at, differences in the recitation of the Qur'an about iddah can affect the interpretation of the length of iddah and the conditions that affect iddah.³²
 5. *Khulu*: Khulu is the process of divorce initiated by the wife at her own request by giving compensation to her husband. Analysis of Qira'at in the context of khulu can help understand the conditions, procedures, and consequences of khulu in Islamic family law.³³
 6. *Talaq*: *Talaq* is divorce initiated by the husband against his wife. Variations in Qira'at can affect the understanding of the talaq procedure, the rights and obligations of the husband and wife after talaq, and the conditions that must be met for a valid talaq.³⁴
 7. *Ethics After Talaq*: Ethics after talaq include expected behavior from the husband and wife after talaq, including responsibilities towards children and their rights. Analysis of Qira'at can provide insight into how different recitations of the Qur'an affect understanding of these ethics.³⁵
 8. *Ruju'*: *Ruju'* is the process of a husband returning his wife after a talaq initiated by revocation. In the analysis of Qira'at, differences in the recitation of the Qur'an about ruju' can affect the interpretation of the conditions, procedures, and consequences of ruju' in Islamic family law.

Through in-depth analysis of these themes in the context of Qur'anic Qira'at, research can provide a better understanding of the complexity of understanding Islamic family law and how variations in the recitation of the Qur'an affect the interpretation and application of the law in society.³⁶

³¹ Wai-chi Chee, "Navigating Islamic Enclosure and Cosmopolitan Space: Young Chinese Female Muslim Converts in Hong Kong," *City, Culture and Society* 36 (2024), p. 100564.

³² Sawer Sabri Ahmed and Ayad Ahmad Mohammed, "Effects of Thyroid Dysfunction on Hematological Parameters: Case Controlled Study," *Annals of Medicine and Surgery* 57 (2020), p. 52–55.

³³ Sita Hidayah, "From Unity in Diversity to Culture Wars? Aceh Women's Mastery over *Adat*, Islam, and the State Inheritance Laws," *Women's Studies International Forum* 103 (2024), p. 102881.

³⁴ Martyarini Budi Setyawati et al., "The Family Caregiving; A Rogerian Concept Analysis of Muslim Perspective & Islamic Sources," *Heliyon* 10, no. 3 (2024), p. e25415.

³⁵ Eshetie Woretaw Meried, "Rural Household Preferences in Transition from Traditional to Renewable Energy Sources: The Applicability of the Energy Ladder Hypothesis in North Gondar Zone," *Heliyon* 7, no. 11 (2021), p. e08418.

³⁶ Anushka Ataullahjan, et.al., "Family Planning, Islam and Sin: Understandings of Moral Actions in Khyber Pakhtunkhwa, Pakistan," *Social Science & Medicine* 230 (2019), p. 49–56.

Analysis of the Diversity of Qur'anic Qira'at in Interpreting Islamic Family Law Verses

The analysis of the diversity of Qur'anic Qira'at in interpreting Islamic family law verses is an effort to understand how variations in the recitation of the Qur'an by scholars influence the interpretation and understanding of concepts of family law in Islam.³⁷ The Qur'an, as the primary source of Islamic law, contains verses covering various aspects of life, including laws governing family relationships.³⁸ In the process of interpretation, scholars use various methods and take into account variations in Qira'at that affect understanding of the Qur'anic texts.

For example, we can consider verses related to the dowry (*mahar*) in marriage. In Surah An-Nisa verse 4, there are different interpretations depending on Qira'at variations. Some Qira'at refer to "mahar" as property that must be given by the husband to the wife, while other Qira'at may use slightly different words to describe the same concept. Furthermore, a frequently discussed theme is the law of divorce (*talaq*).³⁹ In Surah At-Talaq verses 2-3, there are different views on the procedure and consequences of divorce based on variations in Qira'at. Some Qira'at may emphasize the importance of giving divorce with three consecutive utterances, while others may interpret the verses with an emphasis on the consequences to be faced by the husband and wife after divorce.

Additionally, the theme of waiting period (*iddah*) after divorce is also an important subject of analysis. In Surah Al-Baqarah verse 228, variations in Qira'at can affect the understanding of the length of the *iddah* period and the conditions affecting it. For example, some Qira'at may interpret this verse with an emphasis on the wife's physical condition or pregnancy, while others may emphasize other aspects of *iddah*.

The matter of *khulu'* or divorce initiated by the wife is also a focus of analysis. In Surah Al-Baqarah verse 229, differences in Qira'at can affect the understanding of the conditions, procedures, and consequences of *khulu'* in Islamic family law. For instance, some Qira'at may emphasize the importance of

³⁷ Naiyerah Kolkailah, "The Qur'anic Botanic Garden in Qatar: Challenges and Opportunities for Islamic Environmentalism," *Religion and Development* 2, no. 2023 (2023), p. 63–83.

³⁸ Shahid Jameel, "Climate Change, Food Systems and the Islamic Perspective on Alternative Proteins," *Trends in Food Science & Technology* 138 (2023), p. 480–90.

³⁹ Hasanuddin Yusuf Adan and Mohamad Firdaus Bin Tokimin, Keputusan Mahkamah Rendah Syariah Kuantan Pahang Tentang Tunggakan Nafkah Pasca Perceraian Menurut Hukum Positif Malaysia Dan Hukum Islam, , *Media Syariah: Jurnal Wahana Kajian Hukum Islam dan Pranata Sosial*, Vol 20, No. 2, 2018, p. 224.

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agreement between the husband and wife in the *khulu'* process, while others may emphasize the rights and obligations that must be fulfilled by both parties after *khulu'*. Furthermore, the theme of revocable divorce (*talaq raj'i*) is an interesting subject of analysis. In Surah Al-Baqarah verse 230, variations in *Qira'at* can affect the understanding of the conditions, procedures, and consequences of *talaq raj'i* in Islamic family law.⁴⁰ Some *Qira'at* may emphasize the importance of *ruju'* or the husband's return of the wife after divorce, while others may interpret the verse with an emphasis on the rights and obligations that must be fulfilled by the husband and wife after divorce.

Additionally, the ethics after divorce is also an important theme in the analysis. In Surah Al-Baqarah verse 231, variations in *Qira'at* can affect the understanding of the expected behavior of the husband and wife after divorce. Some *Qira'at* may emphasize the importance of maintaining a good relationship between the former husband and wife, while others may interpret the verse with an emphasis on the responsibility towards the children and their rights after divorce.

Moreover, the theme of *muhallil* or marriage conducted with the intention of making a woman who has been divorced by her husband remarry him after her *iddah* period is an interesting subject of analysis.⁴¹ In Surah Al-Baqarah verse 230, variations in *Qira'at* can affect the understanding of the law and ethics related to this practice. Some *Qira'at* may interpret this verse with an emphasis on the prohibition of marriage with the intention of manipulating the divorce law, while others may emphasize the rights and protections that should be given to women in this situation.

Family interaction is also a significant focus of analysis.⁴² In Surah Ar-Rum verse 21, variations in *Qira'at* can affect the understanding of norms and ethics in the relationship between family members. Some *Qira'at* may emphasize the importance of maintaining harmonious relationships among family members, while others may interpret the verse with an emphasis on the rights and obligations that must be fulfilled by each family member.

⁴⁰ Mohammed Mashary Alnaim et al., "The Impact of Generative Principles on the Traditional Islamic Built Environment: The Context of the Saudi Arabian Built Environment," *Ain Shams Engineering Journal* 14, no. 4 (2023), p. 101914.

⁴¹ Hamza R'boul, "Alternative Theorizing of Multicultural Education: An Islamic Perspective on Interculturality and Social Justice," *Journal for Multicultural Education* 15, no. 2 (2021), p. 213–24.

⁴² Chatia Hastasari, et.al., "Students' Communication Patterns of Islamic Boarding Schools: The Case of Students in Muallimin Muhammadiyah Yogyakarta," *Heliyon* 8, no. 1 (2022), p. e08824.

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Lastly, the themes of dowry (*mahar*) and temporary marriage (*mut'ah*) are also significant subjects of analysis. In Surah An-Nisa verse 4, variations in *Qira'at* can affect the understanding of the amount, nature, and conditions of giving dowry and the law of *mut'ah* in Islam.⁴³ Some *Qira'at* may interpret this verse with an emphasis on the importance of maintaining rights and protections for women in marriage, while others may emphasize the importance of balance in giving dowry according to the husband's capability.

Overall, the analysis of the diversity of Qur'anic *Qira'at* in interpreting family law verses demonstrates the complexity and depth of understanding of Islamic law and how variations in the recitation of the Qur'an can affect the interpretation and application of the law in the context of everyday life for Muslims.

Diversity of Al-Qur'an *Qira'at* in the Interpretation of Islamic Family Law Verses Regarding *Istinbath Al-ahkam*

Analysis of the implications of Qur'anic *Qira'at* diversity in interpreting family law verses for *istinbath al-ahkam* is an effort to understand how variations in Qur'anic recitations by scholars influence the process of deriving laws from Islamic legal sources.⁴⁴ *Istinbath al-ahkam* is the process of analogy and deduction to derive Islamic laws from the texts of the Qur'an and Hadith.⁴⁵ In this context, the diversity of Qur'anic *Qira'at* has significant impacts on the process of *istinbath al-ahkam* because differences in Qur'anic recitations can result in diverse interpretations of family law verses.

For example, when facing verses related to divorce law (*talaq*), scholars engage in *istinbath al-ahkam* to determine the conditions, procedures, and consequences of *talaq* based on Qur'anic texts. However, the diversity of Qur'anic *Qira'at* can lead to variations in interpreting these verses. Some scholars may tend to choose *Qira'at* that emphasize the importance of mutual consent in the divorce process, while others may lean towards *Qira'at* that emphasize the formal procedures of *talaq* to be followed. Furthermore, in *istinbath al-ahkam* concerning the waiting period (*iddah*) after divorce, scholars take into account variations in Qur'anic *Qira'at* to determine the length of *iddah* and the conditions affecting it.

⁴³ Richard J. Terrill, "Islamic Law," in *World Criminal Justice Systems (Eighth Edition)* (Boston: Anderson Publishing, Ltd., 2013), p. 529–638.

⁴⁴ Ahmed Al-Dawody, et.al., "International Committee of the Red Cross (ICRC): Management of the Dead under Islamic Law," *Forensic Science International: Reports* 3 (2021), p. 100196.

⁴⁵ Syafaul Mudawam, "The Uşul al-Fiqh Approach on the Understanding of Islamic Law in Contemporary Era: Source and Contextualization," *Asy-Syir'ah: Jurnal Ilmu Syari'ah dan Hukum* 55, no. 2 (2021), p. 315–34.

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For instance, some scholars may refer to Qira'at that emphasize the importance of the wife's physical health in determining the iddah period, while others may pay more attention to the wife's psychological or social conditions.

Moreover, in the context of istinbath al-ahkam concerning khulu' (divorce initiated by the wife), variations in Qur'anic Qira'at can affect interpretations of the conditions, procedures, and consequences of khulu' in Islamic family law. Some scholars may be more inclined to choose Qira'at that emphasize the need for agreement between the husband and wife in the khulu' process, while others may focus more on the rights and obligations that both parties must fulfill after khulu'.⁴⁶

At a more advanced stage, in istinbath al-ahkam concerning talaq raj'i (revocable divorce), scholars consider variations in Qur'anic Qira'at to determine the conditions, procedures, and consequences of talaq raj'i in Islamic family law. Some scholars may be more inclined to choose Qira'at that emphasize the importance of the wife's return (*ruju'*) by the husband after talaq, while others may pay more attention to the rights and obligations that must be fulfilled by the husband and wife after talaq.⁴⁷

Furthermore, in the process of istinbath al-ahkam concerning ethics after divorce, scholars take into account variations in Qur'anic Qira'at to determine the expected behavior of the husband and wife after divorce. Some scholars may be more inclined to choose Qira'at that emphasize the importance of maintaining a good relationship between former spouses, while others may focus more on the responsibilities towards children and their rights after divorce.⁴⁸

Moreover, in the context of istinbath al-ahkam concerning muhallil (marriage practice aiming to enable a woman who has been divorced to remarry her former husband after iddah), scholars consider variations in Qur'anic Qira'at to establish the laws and ethics related to this practice. Some scholars may be more inclined to choose Qira'at that emphasize the prohibition of marriage with

⁴⁶ Catherine Guirkinger, Jérémie Gross, and Jean-Philippe Platteau, "Are Women Emancipating? Evidence from Marriage, Divorce and Remarriage in Rural Northern Burkina Faso☆," *World Development* 146 (2021), p. 105512.

⁴⁷ Viola Corradini and Giulia Buccione, "Unilateral Divorce Rights, Domestic Violence and Women's Agency: Evidence from the Egyptian Khul Reform," *Journal of Development Economics* 160 (2023), p. 102947. Ihdî Karim Makinara and Musliadi Musliadi, "Penelantaran Rumah Tangga Sebagai Alasan Perceraian: Antara Interpretasi dan Konstruksi Hukum," *Media Syariah: Jurnal Wahana Kajian Hukum Islam dan Pranata Sosial*, Vol 18, No.2, 2018.

⁴⁸ Dyah Margani Utami et al., "The Role of the 30% Threshold for Islamic Parties: A Fast-Growing Middle Class and Religion-Based Political Preferences in Indonesia," *Heliyon* 10, no. 4 (2024), p. e25700.

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the intention of manipulating divorce laws, while others may focus more on the rights and protections that should be given to women in this situation.

Additionally, in *istinbath al-ahkam* concerning family interaction, scholars consider variations in Qur'anic *Qira'at* to determine the norms and ethics in relationships among family members. Some scholars may be more inclined to choose *Qira'at* that emphasize the importance of maintaining harmonious relationships among family members, while others may focus more on the rights and obligations that each family member must fulfill.

Finally, in the process of *istinbath al-ahkam* concerning *mas kawin* (dowry) and *mut'ah* (temporary marriage), scholars consider variations in Qur'anic *Qira'at* to establish the amount, nature, and conditions of dowry and the laws of *mut'ah* in Islam. Some scholars may be more inclined to choose *Qira'at* that emphasize the importance of safeguarding the rights and protections of women in marriage, while others may focus more on maintaining a balance in providing a dowry according to the husband's capability.

Overall, the analysis of the implications of Qur'anic *Qira'at* diversity in interpreting family law verses for *istinbath al-ahkam* demonstrates that differences in Qur'anic recitations by scholars can lead to diverse interpretations of Islamic laws related to families. By considering variations in Qur'anic *Qira'at*, scholars can produce more comprehensive and contextual interpretations of family law verses, relevant to the needs of Muslim societies in different times and diverse cultural and social contexts.

Diversity of Qur'anic *Qira'at* in Interpreting Islamic Family Law verses and their Relevance to Law Number 1 of 1974

Analysis of the diversity of Qur'anic *Qira'at* in interpreting family law verses and their relevance to Law Number 1 of 1974 concerning Marriage is a deep and important topic in the context of Islamic legal studies.⁴⁹ The diversity of *Qira'at*, or variations in the recitation of the Qur'an, has significantly impacted the interpretation of verses related to family law.⁵⁰ Differences in the recitation of the Qur'an can lead to variations in the understanding and interpretation of family law, which then have implications for the implementation of Law Number 1 of 1974 concerning Marriage.⁵¹

⁴⁹ Omar Anchassi and Robert Gleave, *Islamic Law in Context: A Primary Source Reader* (Cambridge University Press, 2024).

⁵⁰ Encep Taufik Rahman and Hisam Ahyani, *Hukum Perkawinan Islam* (Bandung: CV Widina Media Utama, 2023).

⁵¹ Eko Saputra and Busyro Busyro, "Kawin Maupah: An Obligation to Get Married After Talaq Tiga in the Tradition of Binjai Village in Pasaman District: A Maqasid al-Shari'ah Review," *QIJIS (Qudus International Journal of Islamic Studies)* 6, no. 2 (2018), p. 181–220.

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For example, in the context of divorce (talaq), Qur'anic Qira'at variations influence the understanding of the procedures and consequences of divorce. Some Qira'at may emphasize specific requirements that must be fulfilled to carry out divorce, while others may provide more lenient interpretations. The implication is that this can affect how divorce laws are regulated in marriage laws. Furthermore, regarding the waiting period (iddah) after divorce, variations in Qur'anic Qira'at also affect interpretations regarding the length of the iddah period and the conditions affecting it. With different understandings of the relevant verses, this can influence how iddah laws are regulated in marriage laws.⁵²

Concerning khulu' (divorce initiated by the wife), variations in Qur'anic Qira'at can raise questions about the conditions and procedures of *khulu'*. Some Qira'at may emphasize the husband's approval in the khulu' process, while others may provide different interpretations. The implication is that this can affect how khulu' laws are regulated in marriage laws.⁵³ Moreover, in the context of talaq raj'i (revocable divorce), variations in Qur'anic Qira'at also influence interpretations of the conditions and procedures of talaq raj'i. The implication is that this can affect how talaq raj'i laws are regulated in marriage laws.⁵⁴

In terms of ethics after divorce, variations in Qur'anic Qira'at can affect interpretations of how husbands and wives should behave after divorce. The implication is that this can affect how ethical norms after divorce are regulated in marriage laws. Subsequently, in the context of muhallil (a marriage practice aimed at allowing a divorced woman to remarry her former husband after observing iddah), variations in Qur'anic Qira'at can raise questions about the laws and ethics related to this practice. The implication is that this can affect how muhallil laws are regulated in marriage laws.

Furthermore, in family interaction, variations in Qur'anic Qira'at affect the understanding of norms and ethics in relationships among family members.⁵⁵ The implication is that this can affect how norms of family interaction are regulated in marriage laws. Regarding mas kawin (dowry) and mut'ah (temporary marriage), variations in Qur'anic Qira'at also affect interpretations of the amount,

⁵² Eka Susylawati, "The Judge Principle Is Active In Case of Divorce In Madura District Religious Court," *AL-IHKAM: Jurnal Hukum & Pranata Sosial* 14, no. 2 (2019), p. 267–82.

⁵³ Hisham M. Ramadan, *Understanding Islamic Law: From Classical to Contemporary* (Rowman Altamira, 2006).

⁵⁴ Arif Ali Khan and Tauqir Mohammad Khan, *Encyclopaedia of Islamic Law: Law of Marriage and Divorce in Islam* (Pentagon Press, 2006).

⁵⁵ Siti Musawwamah, "The Implementation of PERMA Number 3 of 2017 Concerning The Guidelines For Dealing With Women's Cases on Laws As an Effort of Women Empowerment In The Judiciary in Madura," *AL-IHKAM: Jurnal Hukum & Pranata Sosial* 15, no. 1 (2020), p. 67–92.

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nature, and conditions of dowry and the laws of mut'ah in Islam. The implication is that this can affect how mas kawin and mut'ah laws are regulated in marriage laws.⁵⁶

Overall, the analysis of the diversity of Qur'anic Qira'at in interpreting family law verses and their relevance to Law Number 1 of 1974 concerning Marriage illustrates the importance of considering variations in the recitation of the Qur'an in formulating and interpreting Islamic laws relevant to the needs of Muslim societies in different times and diverse cultural and social contexts. By understanding the implications of Qur'anic Qira'at diversity, scholars and policymakers can produce more comprehensive and contextual interpretations of family law, relevant to the evolving dynamics and demands of the times.

Conclusion

Based on the research conducted, it can be concluded that the Qur'an contains many verses with Qira'at variations. However, this research specifically focuses on verses related to Islamic family law. The analysis results indicate that there are at least eight main themes of Qur'anic verses concerning family law with Qira'at variations, namely: (1) Dowry and Temporary Marriage (Mut'ah); (2) Muhallil; (3) Family Interaction; (4) Waiting Period (Iddah); (5) Khulu' (Divorce initiated by the wife); (6) Divorce (Talaq); (7) Ethics after Divorce; and (8) Reconciliation (Ruju'). Based on the research conducted, it can be concluded that the diversity of Qira'at in Qur'anic verses related to family law significantly influences their interpretation and application, particularly in the context of Law Number 1 of 1974 concerning Marriage in Indonesia. This study identifies eight main themes in Qur'anic family law verses affected by Qira'at variations, highlighting their impact on legal rulings (istinbath al-ahkam) and the development of Islamic jurisprudence. This diversity enriches understanding of the Qur'an's content and strengthens the theoretical foundations for interpreting Islamic family law. Ultimately, this underscores the profound influence of Qira'at diversity on classical Fiqh Munakahat and its application in Indonesian Marriage Law, which aligns with Islamic legal norms and principles aimed at safeguarding familial rights. The implication is that understanding the diversity of Qira'at in Qur'anic verses related to family law significantly impacts the study of Islamic family law and Islamic law more broadly in Muslim-majority countries, including Indonesia. This study demonstrates that Qira'at variations affect how Islamic family law is interpreted and applied, which is integral to positive law such as Law Number 1 of 1974 concerning Marriage in Indonesia. By comprehending

⁵⁶ Farhat J. Ziadeh, "Equality (Kafa'ah) in the Muslim Law of Marriage," *The American Journal of Comparative Law* 6, no. 4 (1957), p. 503–17.

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Qira'at diversity, academics and legal practitioners can develop a deeper understanding of the Qur'anic text and apply it more accurately in the context of family law. This also strengthens the theoretical basis in developing Islamic jurisprudence that aligns with local values and principles of Islamic law.

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